

Reference: 2014/03240/01SPRV

Hearing:

6th November 2014

APPLICATION TO VARY A PREMISES LICENCE

Premises Name: Cloud Nine
 Premises Address: 94-96 St. Marys Road
 Southampton
 SO14 0AH

Application Date: 16th September 2014
 Application Received Date: 16th September 2014

Application Valid Date: 16th September 2014



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Representations From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	
Hampshire Fire And Rescue - Licensing	No Response Received	
Environmental Health - Licensing	Yes	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Primary Care Trust - Public Health Manager	No Response Received	
Planning & Sustainability - Development Control - Licensing	No Response Received	
Police - Licensing	No	See attached representation
Trading Standards - Licensing	No Response Received	

Other Representations

Name	Address	Contributor Type
None received		

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 regards to:-

5. *Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
6. *Human Rights Act 1998*
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which 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.

Statement of Facts

Premises: Cloud Nine – 94-86 St Marys Road, Southampton, SO14 0AH

Type of application: Application to Vary a Premises Licence

Activity	Existing Times		Proposed Times	
Live music, Performances of dance, Anything similar to live/recorded music/performances of dance	Monday – Saturday Sunday	21:00 – 02:00 12:00 – 23:00	Monday - Sunday	10:00 – 05:00
Recorded music	Monday – Saturday Sunday	10:00 – 02:30 12:00 – 23:00	Monday – Sunday	10:00 – 05:00
Late night refreshment	Monday - Saturday	23:00 - 02:30	Monday – Sunday	23:00 – 05:00
Supply of alcohol (for consumption on and off the premises)	Monday – Saturday Sunday	10:00 – 02:00 12:00 – 23:00	Monday – Sunday	10:00 – 05:00
Opening hours	Monday – Saturday Sunday	10:00 – 02:30 12:00 – 23:00	Monday – Sunday	10:00 – 05:30

Objection(s) received:

Police objection received 9th October 2014

No other representations from residents or responsible authorities received

Southampton City Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

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

I/We Duane Southall

(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 2014/02392/01SPRM

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Cloud Nine 94-96 St, Marys Road			
Post town	Southampton	Post code	SO14 0AH



Telephone number at premises (if any)	
Non-domestic rateable value of premises	£37000

Part 2 – Applicant details

Daytime contact telephone number	07792383256		
E-mail address (optional)			
Current postal address if different from premises address			
Post Town		Postcode	

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year

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

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
To extend licensible activites in line with our competitors.

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

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

B

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10:00	05:00			
Tue	10:00	05:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed	10:00	05:00			
Thur	10:00	05:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	10:00	05:00			
Sat	10:00	05:00			
Sun	10:00	05:00			

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10:00	05:00			
Tue	10:00	05:00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	10:00	05:00			
Thur	10:00	05:00	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)		
Fri	10:00	05:00			
Sat	10:00	05:00			
Sun	10:00	05:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10:00	05:00	Please give further details here (please read guidance note 3)		
Tue	10:00	05:00			
Wed	10:00	05:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	10:00	05:00			
Fri	10:00	05:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	05:00			
Sun	10:00	05:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	05:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	05:00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	10:00	05:00			
Thur	10:00	05:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri	10:00	05:00			
Sat	10:00	05:00	<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> (please read guidance note 5)		
Sun	10:00	05:00			

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<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> (please read guidance note 5)	
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>	
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
			<u>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</u> (please read guidance note 5)		

K

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)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	05:00	<u>Please give further details here</u> (please read guidance note 3)		
Tue	23:00	05:00			
Wed	23:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23:00	05:00			
Fri	23:00	05:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	23:00	05:00			
Sun	23:00	05:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	05:00			
Tue	10:00	05:00			
Wed	10:00	05:00			
Thur	10:00	05:00			
Fri	10:00	05:00			
Sat	10:00	05:00			
Sun	10:00	05:00			
			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 (please read guidance note 5)		

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)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	05:30	
Tue	10:00	05:30	
Wed	10:00	05:30	
Thur	10:00	05:30	
Fri	10:00	05:30	
Sat	10:00	05:30	
Sun	10:00	05:30	

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
 Conditions attached to the licence were spring cleaned and updated June 2014 in preparation for this variation to hours.

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)

Conditions attached to the licence were spring cleaned and updated June 2014 in preparation for this variation to hours.

We have operated 9 extended weekends until the hour of 05:00 under Temporary Event Notices to demonstrate our capability of operating the venue.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	16-9-15
Capacity	Licence Holder

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)

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

Notes for Guidance

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

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:

<input type="checkbox"/> 1: Grant for a personal licence	(Object within 14 days)
<input type="checkbox"/> 2: Grant for a temporary event notice (TEN)	(Object within 3 days)
<input type="checkbox"/> 3: Transfer of a premises licence	(Object within 14 days)
<input type="checkbox"/> 4: Variation of designated premises supervisor	(Object within 14 days)
<input checked="" type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate	(Object within 28 days)

Name of Applicant:	Cloud 9
Name of Proposed DPS:	

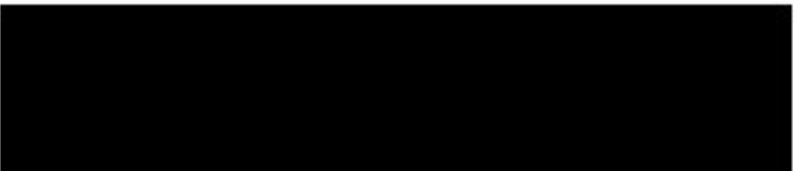
Details of relevant conviction (Personal Licence Applications ONLY)

Postal address of premises:	94-96 St Mary's Road, Southampton
Postcode:	SO14 0AH

Details of responsible authority applicant

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	PC
Surname: Cherry	First Names: Jackie
Current postal address :	Southampton Central Police Station Southern Road Southampton
Postcode:	SO15 1AN
Daytime telephone number:	02380 533368
E-mail address: (optional)	jaqueline.cherry@hampshire.pnn.police.uk

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003





**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

This application to object relates to the following licensing objective(s)

- | | | |
|---|-------------------------------------|--|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> | <i>Please select one or more boxes</i> |
| 2) Public safety | <input checked="" type="checkbox"/> | |
| 3) The prevention of public nuisance | <input checked="" type="checkbox"/> | |
| 4) The protection of children from harm | <input type="checkbox"/> | |

Please state the ground(s) for representation:

On behalf of the Chief Officer of Police, I am writing to lodge a representation of the above application on the following grounds:

- 1) The prevention of Crime and Disorder
- 2) Public Safety
- 3) The Prevention of Public Nuisance

The police have concerns over the application. These concerns are outlined below:

Should the opening hours of the venue be extended from 0230hrs to 0500hrs as a new condition this would undermine the Cumulative Impact Policy, the Premise Licence and the Crime Prevention objectives.

On 16th September, 2014 representation to vary a premises licence under the Licensing Act 2003 was received from Cloud 9, St Mary's Road, Southampton. The premises is located within a residential area of Southampton and is subject to the Councils cumulative impact area policy as detailed in the present Statement of Licensing Policy 2011-2014, issued by Southampton City Council as the licensing authority.

Cloud 9 is a relatively new night club located on a main street within the cumulative impact area which is already saturated with night time economy venues including other night clubs, public houses and takeaways.

The area of concern in this particular case is the St Mary's Area, which based on evidence previously received by Southampton City Council is one of 3 areas that already suffers from the cumulative impact created by the night time economy venues. As a result it is appropriate, proportionate and necessary for special policies to address that issue.

The police are of the opinion that this application, if granted, has the potential to give rise to a negative cumulative impact on one or more of the licensing objectives.

The DCMS guidelines state that the effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises licenses or club





**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives”.

As per paragraph 16.7 of the Statement of Licensing Policy, Hampshire police make representations on the basis that although this venue is currently operating in this stress area the applicant is applying for licensing activities until 05:00 hours, every night of the week.

The applicant already has conditions on their licence to assist with promoting the four licensing objectives, however the police do not consider that any number of conditions could prevent this premises from adding to the cumulative impact already experienced in the area.

St Mary's Road has three late night venues in close proximity to each other. Two of these fall under the umbrella of the CIP the other is outside. There are also three other venues in close proximity to the applicant located in Onslow Road. The two that are located within the CIP area have opening hours which do not exceed 0330hrs. These licences have been in existence for some time and were issued long before cumulative impact was recognised and introduced.

The police suggest that there is already a very wide selection of late night venues for late night revellers to choose from without the need for another with extended hours. This application is for a similar venue not a different product so it doesn't offer more choice.

Venues open to this time encourage people to hang around in the area, when from a public interest and policing aspect we want them to go home. Their customers have the opportunity to consume alcohol over a considerable amount of hours, which can make them more susceptible to becoming involved in disorder. Flashpoints can often occur in these venues between drunken groups of people in which staff struggle to control. This has led to premises in the area having to employ door staff.

Annex A is a table showing the total amount of reported incidents to police between the hours of midnight to 0600hrs for the period 1st April, 14 to 26th September 14 around the venue's location. This is only a snapshot of some offences over a small period of time designed to illustrate crime and disorder during unsociable hours. The offences taken into consideration include violence and robberies, drugs, criminal damage, public order, sexual offences and possession of weapons. This table also illustrates that between these times St Mary's is the 5th highest street with associated crime, even ahead of Bedford Place a very vibrant area of Southampton.

Annex B illustrates how many of the incidents identified in Annex A were alcohol related and in which location they occurred. This again emphasises how the night time economy is a major contribution to crime and disorder.



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Form for representations from Hampshire Constabulary**

Annex C displays which venues have had incidents; it also evidences that the longer the venue is open the more susceptible to incidents they become, for example a nearby club venue A which has already been granted extended hours of 0500hrs as they are outside the CIP have had the most incidents followed by another, venue B which currently has the next longest opening hours. Many of the incidents now being recorded against venue A are homophobic related; owing to the extremely late opening times, this venue is attracting a wide diversity of customers who wouldn't normally go to this venue.

What the graph in Annex D reveals is that between the hours of 0100hrs and 0300hrs there is a high percentage of incidents which corresponds with last entries and people leaving the venues. There is then a considerable drop in incidents before another increase when the last venue closes at 0500hrs.

Annex E and F again reiterates the offences linked to each venue, the later the venue's opening hours the more incidents attached to the venue.

It is the view of the Police that should any venue increase its hours in this area there will be an increase in incidents in the vicinity and attached to that venue particularly around the times of last entry and closing.

The police are making this representation based upon the effects of cumulative impact within the area. We feel that should the venue be allowed to stay open it will attract further incidents in and around it. The venue have not demonstrated or produced a plan sufficient enough to show that they will not have a negative impact upon the cumulative impact in this area.

It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation

Police recommendations (including any conditions)

There are no recommendations other than to not grant this extension of hours to assist with reducing crime and disorder in an area saturated with night time economy venues and already suffering from the cumulative impact on them.

Signature of Officer Completing

Name PC Cherry

Collar Number: 24272

Signature: 

Date: 01/10/14

Signature of Authorising Officer





**New grant or variation of premises licence
Or club premises certificate
Form for representations from Hampshire Constabulary**

Name _____
Signature: Ps



Collar Number: 2117
Date: 09/10/14





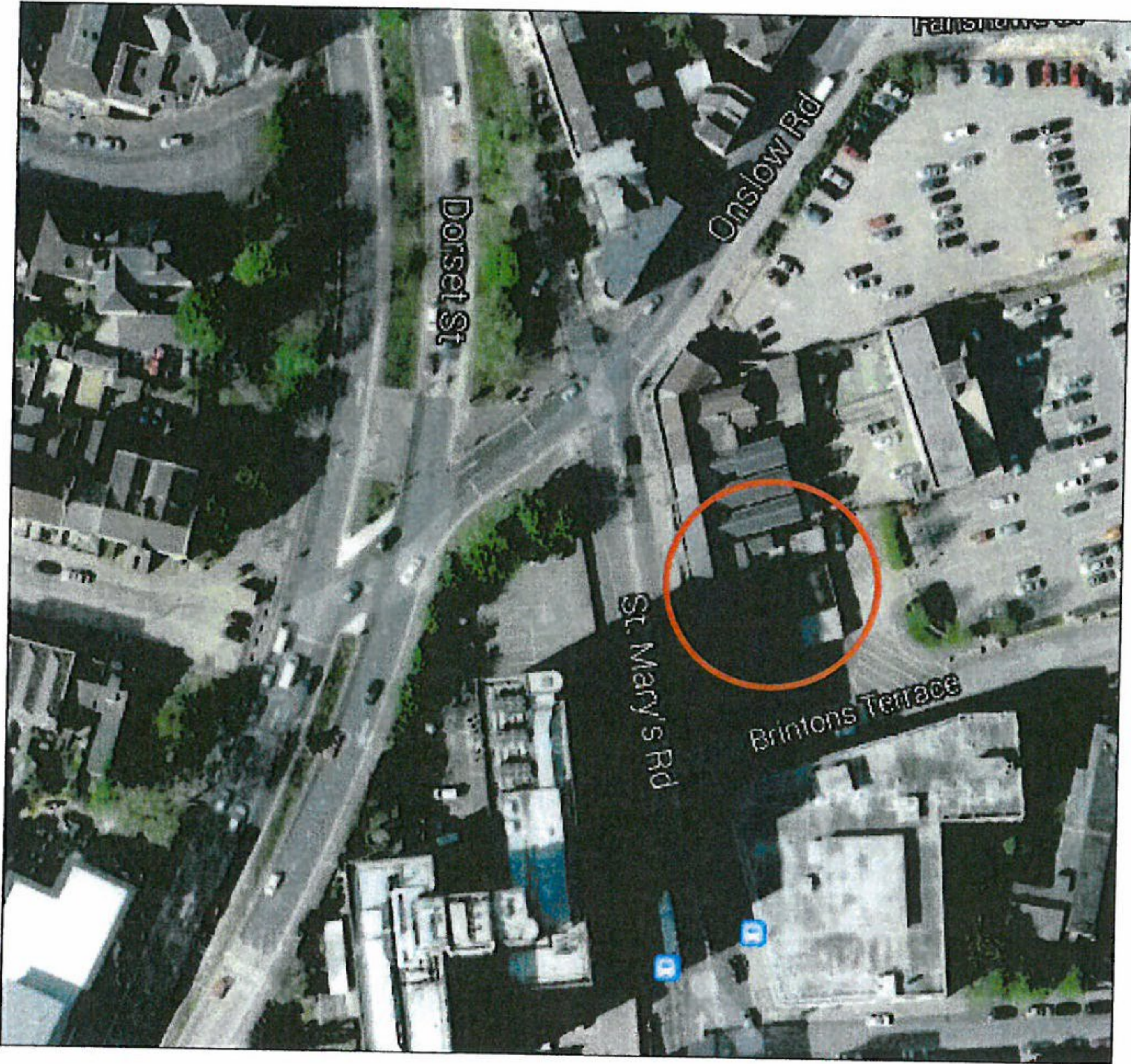
Research and Analysis

Subject	Cloud 9 Licence Extension Review (v1.1)
Published	30/09/2014
Authorised By	N/A
Analyst	Paul Shott (13961) – Intelligence Analyst

This document presents relevant data on offences that have occurred in the area of 'Cloud 9' nightclub. This data is presented in support of the police response to an application for an extension to the premises' alcohol licence from 02:00 to 05:00. This data is based on the number of confirmed offences within the below Home Office offence categories and does not address the total number of reported incidents (which were not crimed) or number of police emergency calls to these roads / premises.

1. Premises Location

- 'Cloud 9' nightclub is located in central Southampton on St. Marys Road, near the intersection with Onslow Road and Brintons Terrace:



Annex A

Offence Data

- The below table shows the roads in Southampton Central (SE & SW Sectors) with the highest number of the below offence types between 00:00 and 06:00 01/04/2014 to 26/09/2014:

Rank	Street Name	Violence & Robbery	Drugs	Criminal Damage	Public Order	Sexual Offences	Possession of Weapons	Total
1	West Quay Road	43	25	8	7	3		86
2	Above Bar Street	38	11	10	7	3	1	70
3	London Road	32	4	3	5	1		45
4	Harbour Parade	15	5	2	4		2	28
5	St. Marys Road	16	2	4	4	1		27
6	Bedford Place	11			3	1	1	16
7	Onslow Road	12		1	1			14
8	High Street	8		4		1		13
9	Town Quay	5	1	1	4	1		12
10	Commercial Road	6		3	1			10
	Terminus Terrace	7		1	2			10

Annex B

- The below table shows the percentage of the above offences where the offender was recorded as being affected by alcohol or drugs:

Rank	Street Name	Offender Affected by:		Grand Total
		Alcohol	Drugs	
1	West Quay Road	64%	17%	86
2	Above Bar Street	63%	9%	70
3	London Road	60%	13%	45
4	Harbour Parade	54%	11%	28
5	St. Marys Road	48%	4%	27
6	Bedford Place	38%	6%	16
7	Onslow Road	50%	7%	14
8	High Street	23%	0%	13
9	Town Quay	75%	0%	12
10	Commercial Road	10%	0%	10
	Terminus Terrace	40%	0%	10

- The above offence data shows that between the hours of 00:00 and 06:00 St. Marys Road is the fifth busiest street in central Southampton in terms of the above offence types: Onslow Road, which is intersected by St. Marys Road at a point near to Cloud 9, is also in the top 10 streets, placed at number seven.
- Over half of offences that have occurred on St. Mary's Road over this period between 00:00 and 06:00 are violent: No robbery offences have occurred on St. Marys Road over this period but one sexual assault has also been recorded.
- In just under half of all the above offences that have occurred on St. Mary's Road over this period between 00:00 and 06:00, the offender has been recorded as having been affected by alcohol: This is consistent with the night time economy being a key driver of offending in this area between these hours.

Annex C

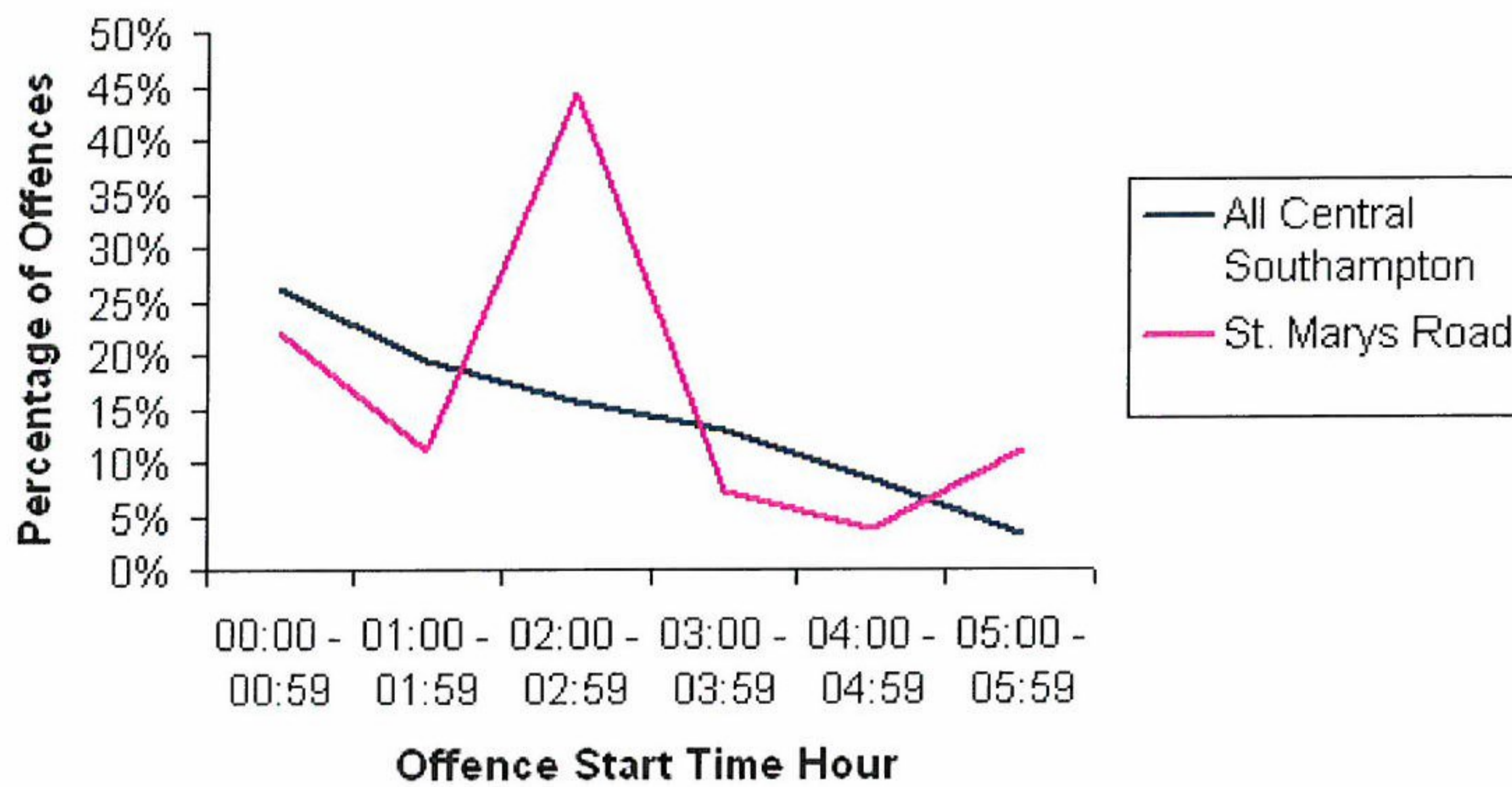
- The below chart shows the start hours for the above offences for all of central Southampton (SE and SW sectors) and St. Marys Road:

Offence Start Time Hour	All	St. Marys Road
00:00 - 00:59	160	6
01:00 - 01:59	118	3
02:00 - 02:59	95	12
03:00 - 03:59	79	2
04:00 - 04:59	51	1
05:00 - 05:59	19	3
Other / Extended Period	87	0
Total	609	27

Annex D

- **Offence numbers peak in St. Marys Road between 02:00 and 02:59; however, across central Southampton there is a steady decline in offence numbers between 00:00 and 06:00 (see below graph):** This is consistent with a spike in incidents at the times most of the venues in and around St. Marys Road currently close.

Graph showing the percentage of offences that have occurred in each hour period between 00:00 and 06:00



Annex E

- The below table shows which premises the above offences on St. Marys Road and Onslow Road have been linked to (where a specific premises has been linked):

Street Name	Premises Name	Offences
St. Marys Road	Venue A	9
	Venue B	3
	Venue C	1
	Venue D	1
	Venue E	1
	None	12
Total		27
Onslow Road	Venue F	2
	Venue G	2
	Venue H	1
	Venue J	1
	Venue K	1
	None	7
Total		14

- “Venue A” nightclub is the premises with the most offences linked over this period between 00:00 and 06:00. This is the only club on St. Marys or Onslow Road with a current licence until 05:00:** This is consistent with an increase in linked offences in the early hours where a licence extension has been granted. **“Venue B”** nightclub is currently licensed until 03:00 and shows the next highest number of linked offences.

Comparison between St Mary's Road and Onslow Road

Annex F

