

Reference: 2011/02971/01SPRV

Hearing:

26th January 2012

APPLICATION TO VARY A PREMISES LICENCE

Premises Name: Pensioners Arms

Application Date:

14th December 2011

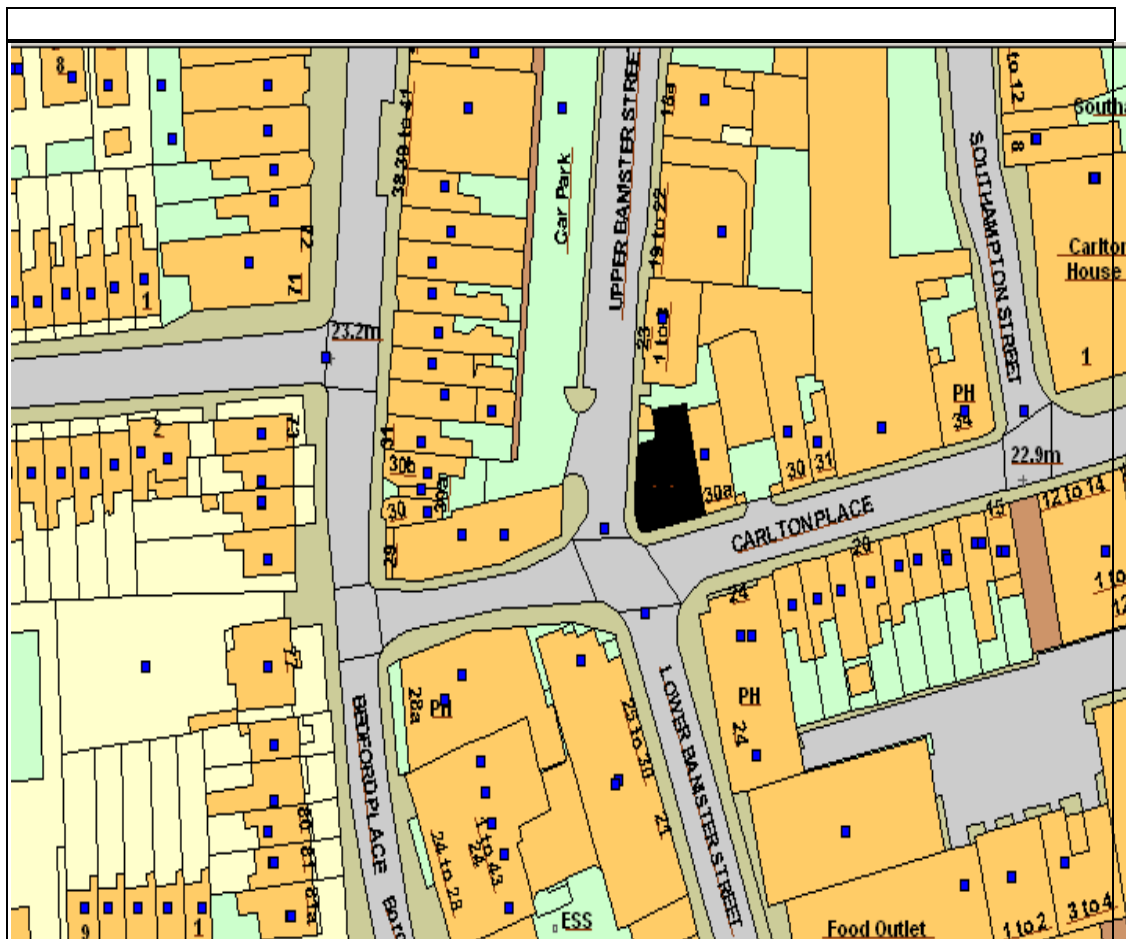
Premises Address: 29 Carlton Place
Southampton
SO15 2DX

Application
Received Date:

14th December 2011

Application Valid
Date:

14th December 2011



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Representations From Responsible Authorities

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

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 regard to:-

5. *Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
6. *Human Rights Act 1998*
The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affects another's rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.



GREENE KING
BURY ST EDMUNDS

Southampton City Council
Licensing Team
Po Box 1344
Southampton
SO15 1WQ



13 December 2011

Dear Sir / Madam,

Re: Pensioners Arms, 29 Carlton Place, Southampton, Hampshire, SO15 2DX

I enclose for your attention an application for variation of the premise's license in the name of Greene King PLC regarding the above house, as required by the Licensing Act 2003.

The application contains the following: -

- 1) Application for variation form
- 2) Plan of the premises
- 3) Original Premises Licence enclosed
- 4) A cheque for the relevant Fee
- 5) Copy Blue Poster
- 6) Copy letters to responsible authorities

In addition we have today issued the following: -

- 1) A copy of this variation has been forwarded to all relevant responsible authorities
- 2) A Blue laminated notice has been sent today to the Licensee in the prescribed form to display in a prominent place
- 3) A copy of the variation has been sent today to the local newspaper in the prescribed form.

I understand that you have to make a decision within 2 months and I will contact you to confirm the position in a few weeks time.

If you have any queries with the content, or require further information please contact myself or a member of the Greene King Pub Partners licensing team on 01284 714 621.

Yours faithfully,

Natasha Wade
Licensing Officer

GREENE KING PUB PARTNERS

Westgate Brewery / Bury St Edmunds / Suffolk IP33 1QT

T 01284 763222 / F 01284 706502 / DX 57237 / greeneking.co.uk

RECEIVED

14 DEC 2011

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 Greene King Retailing Limited

(Insert name(s) of applicant)

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

Premises licence number

2011/01954/01SPRD

Part 1 – Premises Details**Postal address of premises or, if none, ordnance survey map reference or description**

Pensioners Arms
29 Carlton Place
Southampton
Hampshire

Post town

Southampton

Post code

SO15 2DX

Telephone number at premises (if any)

0238 0220220

Non-domestic rateable value of premises

£22,000

Part 2 – Applicant details

| | |
|--|--|
| Daytime contact telephone number | (01284) 763222 |
| E-mail address (optional) | |
| Current postal address if different from premises address | Greene King Retailing Limited Abbot House |
| Post town | Bury St Edmunds |
| Post code | IP33 1QT |

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 vary hours for opening, sale of alcohol and late night refreshment.
To vary non standard timings only for films, live music, recorded music and facilities for dancing.
To add plays, sporting events, performances of dance, anything of a similar description to that falling within (e), (f) or (g), making music and entertainment of a similar description to that falling within (i) or (j).
5 (i) Special Conditions to remain as current.
To attach an amended licensing plan to include a new fire door within the kitchen area.
To remove condition under Annex 2.

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) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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 checked="" type="checkbox"/> |
|--|-------|--------|---|----------|-------------------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | 10:00 | 00:00 | Please give further details here (please read guidance note 3) Occasional performances of Punch & Judy, mime etc | Both | <input type="checkbox"/> |
| Tue | 10:00 | 00:00 | | | |
| Wed | 10:00 | 00:00 | State any seasonal variations for performing plays (please read guidance note 4) | | |
| Thur | 10:00 | 00:00 | | | |
| Fri | 10:00 | 01:00 | 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) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. | | |
| Sat | 10:00 | 01:00 | | | |
| Sun | 12:00 | 00:00 | | | |

B

| | | | | | |
|---|-------|--------|--|----------|-------------------------------------|
| Films Standard days and timings (please read guidance note 6) | | | Will the exhibition of films 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) Occasional exhibition of films at various times during licensed hours. | | |
| Mon | | | | | |
| Tue | | | State any seasonal variations for the exhibition of films (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | 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 (please read guidance note 5) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick’s Day and St Georges Day 08:00 - 01:30. | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

C

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|--|-------|--------|---|
| Indoor sporting events Standard days and timings (please read guidance note 6) | | | Please give further details (please read guidance note 3) Occasional darts, pool or other pub games. |
| Day | Start | Finish | |
| Mon | 10:00 | 00:00 | State any seasonal variations for indoor sporting events (please read guidance note 4) |
| Tue | 10:00 | 00:00 | |
| Wed | 10:00 | 00:00 | |
| Thur | 10:00 | 00:00 | Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. |
| Fri | 10:00 | 01:00 | |
| Sat | 10:00 | 01:00 | |
| Sun | 12:00 | 00:00 | |

D

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

E

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|--|-------|--------|--|----------|-------------------------------------|
| 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"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | Please give further details here (please read guidance note 3) Occasional unamplified and amplified music provided by solo artists, duos or groups at various times during licensed hours. | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | 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 (please read guidance note 5) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. | | |
| Sat | | | | | |
| Sun | | | | | |

F

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|--|--------------|---------------|--|----------|-------------------------------------|
| 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) Occasional amplified music at various times during licensed hours. | | |
| Mon | | | | | |
| Tue | | | | | |
| | | | State any seasonal variations for the playing of recorded music (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | | | |
| | | | 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) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

G

| Performances of dance Standard days and timings (please read guidance note 6) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input checked="" type="checkbox"/> |
|--|-------|--------|---|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 10:00 | 00:00 | <u>Please give further details here</u> (please read guidance note 3) Occasional performance of dance by solo and multiple artists at various times during licensed hours. | | |
| Tue | 10:00 | 00:00 | | | |
| Wed | 10:00 | 00:00 | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) | | |
| Thur | 10:00 | 00:00 | | | |
| Fri | 10:00 | 01:00 | <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> (please read guidance note 5) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. | | |
| Sat | 10:00 | 01:00 | | | |
| Sun | 12:00 | 00:00 | | | |

H

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|--|-------|--------|---|----------|-------------------------------------|
| <p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p> | | | <p><u>Please give a description of the type of entertainment you will be providing</u> Specialist performance entertainment.</p> | | |
| Day | Start | Finish | <p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p> | Indoors | <input checked="" type="checkbox"/> |
| Mon | 10:00 | 00:00 | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | 10:00 | 00:00 | <p><u>Please give further details here</u>(please read guidance note 3) Occasional performances by specialist solo or multiple performance at various times during licensed hours.</p> | | |
| Wed | 10:00 | 00:00 | | | |
| Thur | 10:00 | 00:00 | <p><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)</p> | | |
| Fri | 10:00 | 01:00 | | | |
| Sat | 10:00 | 01:00 | <p><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) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30.</p> | | |
| Sun | 12:00 | 00:00 | | | |

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|--|-------|--------|--|--|--|--------------------------|
| 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> Musical instruments and other musical equipment. | | | |
| | | | <u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2) | | | Indoors |
| | | | Outdoors | | | <input type="checkbox"/> |
| | | | Both | | | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) Occasional provision of musical instruments and other musical equipment provided at various times during licensed hours. | | | |
| Mon | 10:00 | 00:00 | | | | |
| Tue | 10:00 | 00:00 | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | | | |
| Wed | 10:00 | 00:00 | | | | |
| Thur | 10:00 | 00:00 | <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) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. | | | |
| Fri | 10:00 | 01:00 | | | | |
| Sat | 10:00 | 01:00 | | | | |
| Sun | 12:00 | 00:00 | | | | |

J

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|---|--------------|---------------|---|---|
| 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 checked="" type="checkbox"/> |
| | | | | Outdoors <input type="checkbox"/> |
| | | | | Both <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give a description of the facilities for dancing you will be providing</u> Dancing on area provided or occasional dancing by customers to accompany live or recorded music at various periods within the licensed hours. | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) When live or recorded music takes place. | |
| Tue | | | | |
| Wed | | | <u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) | |
| Thur | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. | |
| Sat | | | | |
| Sun | | | | |

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|--|-------|--------|---|----------|-------------------------------------|
| 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> Equipment necessary to facilitate the provision of specialist performance entertainment. | | |
| Day | Start | Finish | <u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input checked="" type="checkbox"/> |
| Mon | 10:00 | 00:00 | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | 10:00 | 00:00 | <u>Please give further details here</u> (please read guidance note 3) Facilities for the equipment required to support the works of specialist solo or multiple performers at various times during licensed hours. | | |
| Wed | 10:00 | 00:00 | | | |
| Thur | 10:00 | 00:00 | <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 | 10:00 | 01:00 | | | |
| Sat | 10:00 | 01:00 | <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 | 12:00 | 00:00 | | | |
| | | | Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. | | |

| | | | | | |
|--|-------|--------|--|----------|-------------------------------------|
| 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 – please tick (please read guidance note 2) | Indoors | <input checked="" type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 23:00 | 01:00 | <u>Please give further details here</u> (please read guidance note 3) Provision of hot food and hot drinks to meet customer requirements | | |
| Tue | 23:00 | 01:00 | | | |
| Wed | 23:00 | 01:00 | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) | | |
| Thur | 23:00 | 01:00 | | | |
| Fri | 23:00 | 01:30 | <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) Christmas Eve, Christmas Day, Boxing Day, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 23:00 - 01:30. On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour. New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day. | | |
| Sat | 23:00 | 01:30 | | | |
| Sun | 23:00 | 01:00 | | | |

M

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|---|--------------|---------------|---|------------------|-------------------------------------|
| 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 | 01:00 | | | |
| Tue | 10:00 | 01:00 | | | |
| Wed | 10:00 | 01:00 | | | |
| Thur | 10:00 | 01:00 | | | |
| Fri | 10:00 | 01:30 | | | |
| Sat | 10:00 | 01:30 | | | |
| Sun | 10:00 | 01:00 | 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) Christmas Eve, Christmas Day, Boxing Day, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 10:00 - 01:30. On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour. New Years Eve to remain as current. | | |
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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)

As far as the applicant is aware none of the proposed activities should give rise to concern in respect of children.

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 | 08:00 | 01:30 | 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) Christmas Eve, Christmas Day, Boxing Day, New Years Day, all publicly declared holidays including the day preceding a bank holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, St Patrick's Day and St Georges Day 08:00 - 02:00. On the morning on which summer time begins, where the terminal hour is later than 01:00am, the terminal hour shall be extended by one hour. New Years Eve to remain as current. |
| Tue | 08:00 | 01:30 | |
| Wed | 08:00 | 01:30 | |
| Thur | 08:00 | 01:30 | |
| Fri | 08:00 | 02:00 | |
| Sat | 08:00 | 02:00 | |
| Sun | 08:00 | 01:30 | |
| | | | |

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
 Under Annex 2 to remove condition 3 as this is covered under separate legislation namely "No more than 100 (One Hundred) persons shall be present in the place licensed at any one time".

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 the steps you intend to take to promote the four licensing objectives:

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

The premises will promote the licensing objectives in accordance with the Section 182 Guidance. The premises will operate in accordance with all relevant legislation.

b) The prevention of crime and disorder

We do not consider this variation will have an adverse effect on the crime and disorder objective and that our current controls are adequate.

c) Public safety

We do not consider this variation will have an adverse effect on the public safety objective and that our current controls are adequate. A Risk Register will be kept on site and completed when necessary.

d) The prevention of public nuisance

We do not consider this variation will have an adverse effect on the protection public nuisance objective and that our current controls are adequate. A Due Diligence Log to be completed when live or recorded music takes place to include external noise checks. Noise shall not emanate from the premises such as to cause a nuisance at the nearest noise sensitive premises. Prominent clear notices shall be displayed requesting that customers respect the needs of local residents and to leave the premises and area quietly.

e) The protection of children from harm

We do not consider this variation will have an adverse effect on the protection of children objective and that our current controls are adequate. A Refusals Register to be kept on site and completed when necessary.


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 | 13 December 2011 |
| Capacity | Licensing Officer |

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 postal address for correspondence associated with this application (please read guidance note 13)

Natasha Wade (Licensing Officer)
 Greene King Pub Partners
 Licensing Department
 Abbot House
 Westgate Brewery

| | | | |
|----------------------------------|-----------------|------------------|----------|
| Post town | Bury St. Edmund | Post code | IP33 1QT |
| Telephone number (if any) | | | |

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
 licensingpp@GreeneKing.co.uk

Public Notice – Licensing Application Licensing Act 2003

COPY

An application has been made by Greene King Retailing Limited to the Licensing Authority for Southampton City Council to vary the Premises Licence for the Pensioners Arms at 29 Carlton Place, Southampton, Hampshire, SO15 2DX

The proposed variation is:-

- 1. To permit the supply of alcohol from 10:00 to 01:00 Sunday to Thursday and 10:00 to 01:30 Friday and Saturday.**
- 2. The provision of late night refreshment from 23:00 to 01:00 Sunday to Thursday and 23:00 to 01:30 Friday and Saturday.**
- 3. To remove a condition under Annex 2.**
- 4. The provision of additional licensable activities.**
- 5. To provide licensable activities on specific occasions.**
- 6. To attach an amended licensing plan to include a new fire door.**

The statutory register may be inspected at the offices of the Licensing Team at Southbrook Rise, 4-8 Millbrook Road East, Southampton, SO15 1YG between 09:00 and 12:00 and 14:00 and 16:00 weekdays or on the internet at licensing.southampton.gov.uk.

Any representations by an interested party or relevant authority must be made in writing to the Licensing Team, Southampton City Council, PO Box 1344, Southampton, SO15 1WQ so as to be received by them between the 15/12/2011 and 11/01/2012.

It is an offence knowingly or recklessly, liable on conviction to a fine up to level 5 on the standard scale (£5000.00) under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.



GREENE KING
BURY ST EDMUNDS

COPY

Southampton Licensing Unit
Hampshire Constabulary
Central Police Station
Southern Road
Southampton
SO15 1AN

13 December 2011

Dear Sir / Madam,

Re: Pensioners Arms, 29 Carlton Place, Southampton, Hampshire, SO15 2DX

I enclose for your attention a copy of the application for variation of the Premise's Licence for the above house as required by the Licensing Act 2003, which we have today sent to the local authority.

If you have any queries with the content, or require further information please contact myself or a member of the Greene King Pub Partners Licensing Team on 01284 714 621.

Yours sincerely,

Natasha Wade
Licensing Officer

GREENE KING PUB PARTNERS

Westgate Brewery / Bury St Edmunds / Suffolk IP33 1QT

T 01284 763222 / F 01284 706502 / DX 57237 / greeneking.co.uk

Greene King Pub Partners is a division of Greene King Brewing and Retailing Limited, a company registered in England and Wales with registered number 5265451.

Registered office as above.



GREENE KING
BURY ST EDMUNDS

COPY

Hampshire Fire & Rescue Service
Protection Department
Southsea Fire Station
Somers Road
Southsea
PO5 4LU

13 December 2011

Dear Sir / Madam,

Re: Pensioners Arms, 29 Carlton Place, Southampton, Hampshire, SO15 2DX

I enclose for your attention a copy of the application for variation of the Premise's Licence for the above house as required by the Licensing Act 2003, which we have today sent to the local authority.

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Yours sincerely,


Natalia Vvaut
Licensing Officer

GREENE KING PUB PARTNERS

Westgate Brewery / Bury St Edmunds / Suffolk IP33 1QT

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GREENE KING
BURY ST EDMUNDS

COPY

Environmental Health Services
Southampton City Council
One Guildhall Square
Southampton
SO14 7FT

13 December 2011

Dear Sir / Madam,

Re: Pensioners Arms, 29 Carlton Place, Southampton, Hampshire, SO15 2DX

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Natalia Wade
Licensing Officer

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GREENE KING
BURY ST EDMUNDS

COPY

Planning & Sustainability
Southampton City Council
Ground Floor
Civic Centre
Southampton
SO14 7LS

13 December 2011

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Re: Pensioners Arms, 29 Carlton Place, Southampton, Hampshire, SO15 2DX

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Yours sincerely,

INALASHA WAUGH
Licensing Officer

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Registered office as above.



COPY

Safeguarding Children
Southampton City Council
Floor 4
Marland House
Southampton
SO14 7LY

13 December 2011

Dear Sir / Madam,

Re: Pensioners Arms, 29 Carlton Place, Southampton, Hampshire, SO15 2DX

I enclose for your attention a copy of the application for variation of the Premise's Licence for the above house as required by the Licensing Act 2003, which we have today sent to the local authority.

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Yours sincerely,

Licensing Officer

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Registered office as above.



GREENE KING
BURY ST EDMUNDS

COPY

Trading Standards Service
Southampton City Council
Civic Centre
Southampton
SO14 7LY

13 December 2011

Dear Sir / Madam,

Re: Pensioners Arms, 29 Carlton Place, Southampton, Hampshire, SO15 2DX

I enclose for your attention a copy of the application for variation of the Premise's Licence for the above house as required by the Licensing Act 2003, which we have today sent to the local authority.

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Yours sincerely

Natasha Wade
Licensing Officer

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Registered office as above.



HAMPSHIRE CONSTABULARY

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

Before completing this form please read the guidance notes on page 3.
Once completed please send your representation form to your local Licensing Authority.
You must keep a copy of the completed form for police records.

**Hampshire Constabulary wish to make a representation(s) regarding the grant or variation of a
Premises Licence or Club Premises Certificate issued under the Licensing Act 2003.
These representations must be made within 28 days**

| | | | |
|---|-------------|------------------|----------|
| Postal address of premises or club premises: | | | |
| Pensioners 29 Carlton Place | | | |
| Post town: | Southampton | Postcode: | SO15 2DX |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) |
| Greene King |

Police Details

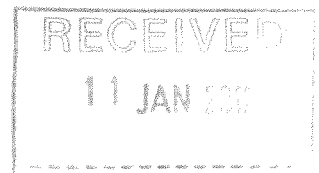
Hampshire Constabulary is a responsible authority.

| |
|--|
| Name and address: PC 20920 Natasha Prior Licensing Unit Southampton Central Police Station Southern Road Southampton SO15 1AN |
|--|

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

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

*Please select
one or more
boxes*





HAMPSHIRE CONSTABULARY

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

State the ground(s) for representation *(please read guidance notes 1 & 2)*

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

- 1) The prevention of crime and disorder.
- 2) Public safety.
- 3) The prevention of public nuisance.
- 3) The protection of children from harm.

The Police do not object to the additional licensing activities applied for but do object to the increase in hours and make representations based on the effects of cumulative impact.

The venue is located within a "Special Policy" area.

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 (Department of Culture, Media and Sport) guidelines state that "The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises licences or club 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"

The Police would suggest that the applicant has not demonstrated within the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.

Southampton's night time economy (NTE) has been shown to fuel increased levels of violence and criminal damage offences throughout the year. Beat areas SW01 (City Centre) and SW03 (Polygon), which is where the majority of the night time economy is concentrated, comfortably show the highest numbers of assault offences in the area despite their comparatively small size.

In 2011 in the Polygon area there were 258 assaults and a further 292 section 27 dispersals where officers have tried to remove people from the area before incidents occur. This clearly shows the impact that late night licensed premises have on an area and why the city council put their policy into



HAMPSHIRE CONSTABULARY

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

place.

Hampshire Constabulary feels that the increase in hours will have an effect in the area and ask that the committee consider this application taking into account the City Council guidelines.

The premises has been visited by police and on the 30th September 2011 the manager was unable to download the CCTV footage and stated that the DPS could but was not on site at the time. On all attendances the DPS has not been on site and the manager, who is a family member of the DPS lives above the premises and is appears to be running the business. A meeting was arranged with the DPS on the 21st December 2011 but the DPS did not attend and the manager did. The manager was requested to download some CCTV footage but could not get the system to playback and did not know when it had stopped working. The manager was asked for staff training records and he could not find the due diligence training records and he could not produce a refusals log. When asked he was not sure on what age verification scheme they operated to and went and checked a poster and answered that it said challenge 21. The incident book was produced on request and was being filled in when the doorstaff were in but one of the incidents I could not understand what had been written and neither could the manager. This meeting had raised a number of concerns about the management of the premises; the manager who was on site in charge of the premises had not automatically known the age verification policy and did not know where the refusals log was. This raises concerns under the licensing objectives of crime and disorder, public nuisance and the protection of children from harm. The CCTV condition had been breached as they could not provide the CCTV requested and the incident log was not being maintained if the entries were not legible. These conditions were put in place to address concerns under crime and disorder at the premises.

These concerns were raised with the premises licence holder and the DPS, who stated that he had not attended the first meeting due to a family emergency, so another meeting was arranged for the 29th December 2011. At this meeting the DPS was able to produce the training records for staff and stated that they were now going to operate to a challenge 25 policy. He produced the refusals log and showed the incident book which were both being fully operated from after the meeting on the 21st December. It is felt that the newer conditions in relation to CCTV and Incident Book give much more guidance to the premises licence holder and DPS as to what is expected in relation to the maintenance and checking of them.

If the premises was being effectively managed then it is still felt that there would be a negative impact in the area on having an extension in a stress area; but where the premises is not being effectively managed this concern is increased and the impact would be greater should extra hours be granted.

State any conditions that the Police seek to negate the need for a hearing

There is no objection to the additional licensing activities if they fall in line with the current hours of the licence and no objection to those additional licensing activities on the non-standard hours applied for being the same as currently on the licence. There would be no objection to all applied for remaining within the current operating hours of the premises.

To ensure minimum impact to the area it is suggested that the management improve by strengthening the CCTV and Incident book conditions to leave no doubt as to the premises responsibilities in



HAMPSHIRE CONSTABULARY

**NEW GRANT OR VARIATION OF PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY**

relation to them and that staff training and refusals book conditions are added. These would ensure that the premises are supporting the licensing objectives and would help to reduce the concerns under the licensing objectives as would result in less drunk persons leaving the premises and therefore have less of an impact on the 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

Part 3 – Signatures *(please read guidance note 3)*

Recommendation of Police Officer

That the additional licensing activities are allowed but that there is no extra increase in licensing hours.

Signature of Police Officer Completing

Signature:

Date:

10/01/12

Recommendation of Police Sergeant

objection to increased Licensing hours - premises could not avoid a negative impact on the area.

Signature of Police Sergeant



HAMPSHIRE CONSTABULARY

NEW GRANT OR VARIATION OF PREMISES LICENCE OR CLUB PREMISES CERTIFICATE FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY

Signature: _____

Date: 11/11/12

Decision of Police Licensing Inspector

Object to proposed increase in hours. I am not satisfied that the management of the premises have shown that there will not be an increased effect within the special policy area.

Signature of Police Licensing Inspector

Signature: _____

Date: 11/11/12 INS.P. 3427 ASHMAN

NOTES FOR GUIDANCE

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for representation if available.
3. The representation form must be signed.