

Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 12th June, 2019
at 6.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic
Centre

This meeting is open to the public

Members

Three Members drawn from the Licensing
Committee

Contacts

Democratic Support Officer
Pat Wood

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Service Director - Transactions & Universal
Services

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PUBLIC INFORMATION

Members of the Licensing Committee are Councillors Blatchford, G Galton, B Harris, Kataria, McEwing, Noon, Prior, Renyard, Spicer, and Streets.

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:-

- Determination of applications for review of premises licences and club premises certificates;
- Determination of representations to applications for premises licences and club premises certificates, variations and various permits;
- Determination of police objections to applications for:
 - Variation of designated premises supervisors
 - Transfer of premises licences
 - Personal licences for the sale of alcohol
- Determination of objections to temporary event notices.

Relevant Representations

Those who have made relevant representations may address the meeting about the matter in which they have an interest. New matters, not raised within a written representation, can not be relied upon at the hearing.

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

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life
- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

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.

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

Mobile Telephones:- Please switch your mobile telephones to silent whilst in the meeting

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

Dates of Potential Meetings Municipal Year 2019/20

Meetings are scheduled on a weekly basis usually at 6pm on a Wednesday evening.

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 Licensing Act 2003 (Hearings) Regulations 2005 and the Council Procedure Rules as set out in Part 4 of the Constitution, so far as it is applicable.

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 "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

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

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 PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

4 **STATEMENT FROM THE CHAIR**

5 **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)** (Pages 1 - 6)

To approve and sign as a correct record the Minutes of the meetings held on 28 and 30 November 2018 and to deal with any matters arising, attached.

6 **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

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 parties to the hearing, press and the public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

7 **APPLICATION FOR GRANT OF A VARIATION OF A PREMISES LICENCE -THE REGENTS PARK,35 REGENTS PARKS,SOUTHAMPTON SO15 8PG** (Pages 7 - 42)

Application for grant of a variation of a premises licence-The Regents Park,35 Regents Park Road, Southampton SO15 8PG

Tuesday, 4 June 2019

Service Director - Transactions and Universal
Services

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Minutes

28th November, 2018

30th November, 2018

SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 28 NOVEMBER 2018

Present: Councillors Mrs Blatchford, Furnell and Streets

28. **ELECTION OF CHAIR**

RESOLVED that Councillor Blatchford be elected as Chair for the purposes of this meeting.

29. **MINUTES OF THE PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes of the Meeting held on 17 October 2018 and 24 October 2018 be approved and signed as a correct record.

30. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

RESOLVED that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the parties to the hearings, press and public be excluded at a predetermined point whilst the Sub-Committee reaches its decision.

31. **APPLICATION FOR GRANT OF A PREMISES LICENCE - CAFE FUMEE, GROUND FLOOR RETAIL TELEPHONE HOUSE, 73 HIGH STREET, SOUTHAMPTON SO14 2NW**

The Sub-Committee considered the report of the Service Director of Transactions and Universal Services for an application for a premises licence in respect of Cafe Fumee, Ground Floor Retail, Telephone House, 73 High Street Southampton SO14 2NW.

Mr Tarafdar (Applicant) and Elaine Jeffery (Principle Environmental Health Officer) were present and with the consent of the Chair, addressed the meeting.

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

RESOLVED that the premises licence be granted subject to the conditions agreed with the Police and Environmental Health

After private deliberation the Sub-Committee reconvened and the Chair read out the following decision:-

All parties will receive formal written confirmation of the decision and reasons.

The Sub-Committee has considered very carefully the application for a premises licence at Cafe Fumee, Ground Floor Retail, Telephone House, 73 High Street Southampton SO14 2NW. It has given due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy.

The Sub-Committee considered the representations, both written and given orally today, by all parties. Human rights and equalities legislation have been borne in mind whilst making the decision.

The Sub-Committee noted that representations had been received from Environmental Health and the Police. Conditions had been agreed with the Police prior to the hearing and on that basis the Police did not feel a hearing was necessary and therefore did not attend. A condition had been proposed by Environmental Health who had objected on the basis of public nuisance arising from smoke, odour and noise resulting predominantly from the use of outside areas.

The applicant attended the hearing and confirmed agreement of the proposed condition as set out in the papers namely the representation from Environmental Health. The Sub-Committee was accordingly advised that there remained no issue to determine and it accordingly endorsed the agreement reached between the parties during the course of the hearing.

In light of all the above, the Sub-Committee determined to grant the application as applied for and in accordance with the operating schedule which shall form the basis of conditions attached to the licence, conditions agreed with the police in advance of the hearing and the condition proposed by Environmental Health at the hearing and amended to read as follows for clarity.

“Alcohol shall not be sold or supplied at the premises otherwise than to persons taking table meals there and for consumption by such a person as ancillary to their meal.”

Reasons

The Sub-Committee accepted legal advice that it had no option other than to endorse the agreement as set out above and grant the licence in accordance with all the conditions agreed between the parties and those to be applied in accordance with the operating schedule.

There is a right of appeal for all parties to the Magistrates' Court. Formal notification of the decision will set out that right in full.

SOUTHAMPTON CITY COUNCIL
LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE
MINUTES OF THE MEETING HELD ON 30 NOVEMBER 2018

Present: Councillors Mrs Blatchford, Bogle and B Harris

32. **ELECTION OF CHAIR**

RESOLVED that Councillor Blatchford be elected as Chair for the purposes of this meeting.

33. **EXCLUSION OF THE PRESS AND PUBLIC - LEGAL ADVICE**

RESOLVED that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the parties to the hearing, press and public be excluded at a predetermined point whilst the Sub-Committee reaches its decision.

34. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that having applied the public interest test and in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 it was not appropriate to disclose this information as it contained sensitive details of an ongoing police investigation. Accordingly the press and public were excluded from the hearing.

35. **APPLICATION FOR A REVIEW OF PREMISES LICENCE - SEYMOUR'S WINE BAR, CARLTON HOUSE, 1 CARLTON PLACE, SOUTHAMPTON, SO15 2DZ (ADJOURNED FROM MEETING ON 24 OCTOBER 2018)**

The Sub-Committee considered the application for a review of premises licence in respect of Seymour's Wine Bar, Carlton House, 1 Carlton Place, Southampton, SO15 2DZ (adjourned from meeting on 24 October).

Hampshire Constabulary, the Premises Licence Holder and his representatives were present and with the consent of the Chair, addressed the meeting.

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

RESOLVED that the premises licence could continue with the conditions proposed by the police and accepted by the Premises Licence Holder attached to it.

After private deliberation the Sub-Committee reconvened and the Chair read out the following decision:-

All parties will receive formal written confirmation of the decision and reasons.

This was a continuation of the hearing previously adjourned on 24 October 2018 to consider the application for review of the premises licence at Seymour's Wine Bar, Carlton House, 1 Carlton Place, Southampton, SO15 2DZ.

The Sub-Committee has considered very carefully the application for review and representations by the parties present at the hearing. It has given due regard to the

Licensing Act 2003, the Licensing Objectives, statutory guidance and the adopted statement of Licensing Policy. Human rights and Equalities legislation has been borne in mind.

The Sub-Committee noted that there has been a change of Premises Licence Holder since the application for review was made. The DPS requested removal from his position from the 5 October 2018 and there is currently no DPS. The premises has been closed since that time and there is no intention to re-open until a new DPS is appointed.

The Sub-Committee has noted the revised conditions proposed by the police and the fact that they have been accepted by the Premises Licence Holder. Having reviewed the conditions the Sub-Committee are satisfied that these address the issues that have been raised in the application and meet the licensing objectives of the prevention of crime and disorder and public safety.

In light of the above the Sub-Committee has determined that the Licence should continue with the conditions proposed by the police and accepted by the Premises Licence Holder attached to it.

Reasons

The Sub-Committee heard from the Police about the history of incidents at the venue that led to their application for a review of the premises licence. This demonstrated the need for the proposed conditions to be attached to the Licence.

In addition, the Sub-Committee heard from the new Premises Licence Holder and his representative. They were not involved in the premises prior to October and gave an outline of their intentions for the future operation of the venue. They also confirmed that they agreed that the proposed conditions were fair, reasonable and proportionate.

The Sub-Committee considered very carefully all of the options available to it in accordance with Section 52 (4) of the Act. However, in light of the agreement between the parties and its own consideration of the proposed conditions the Sub-Committee concluded that the Licence should continue with the conditions proposed by the police and accepted by the Premises Licence Holder attached to it.

There is a right of appeal for any party to the Magistrates' Court. All parties will receive written notification of the decision with reasons which will set out that right in full.

Agenda Item 7

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

HEARING TO CONSIDER AN APPLICATION FOR GRANT OF A VARIATION OF A PREMISES LICENCE

SUBJECT

The Regents Park, 35 Regents Park Road Southampton SO15 8PG

DATE OF HEARING 12th June 2018 at 18:00hrs

REPORT OF SERVICE DIRECTOR – TRANSACTIONS & UNIVERSAL SERVICES

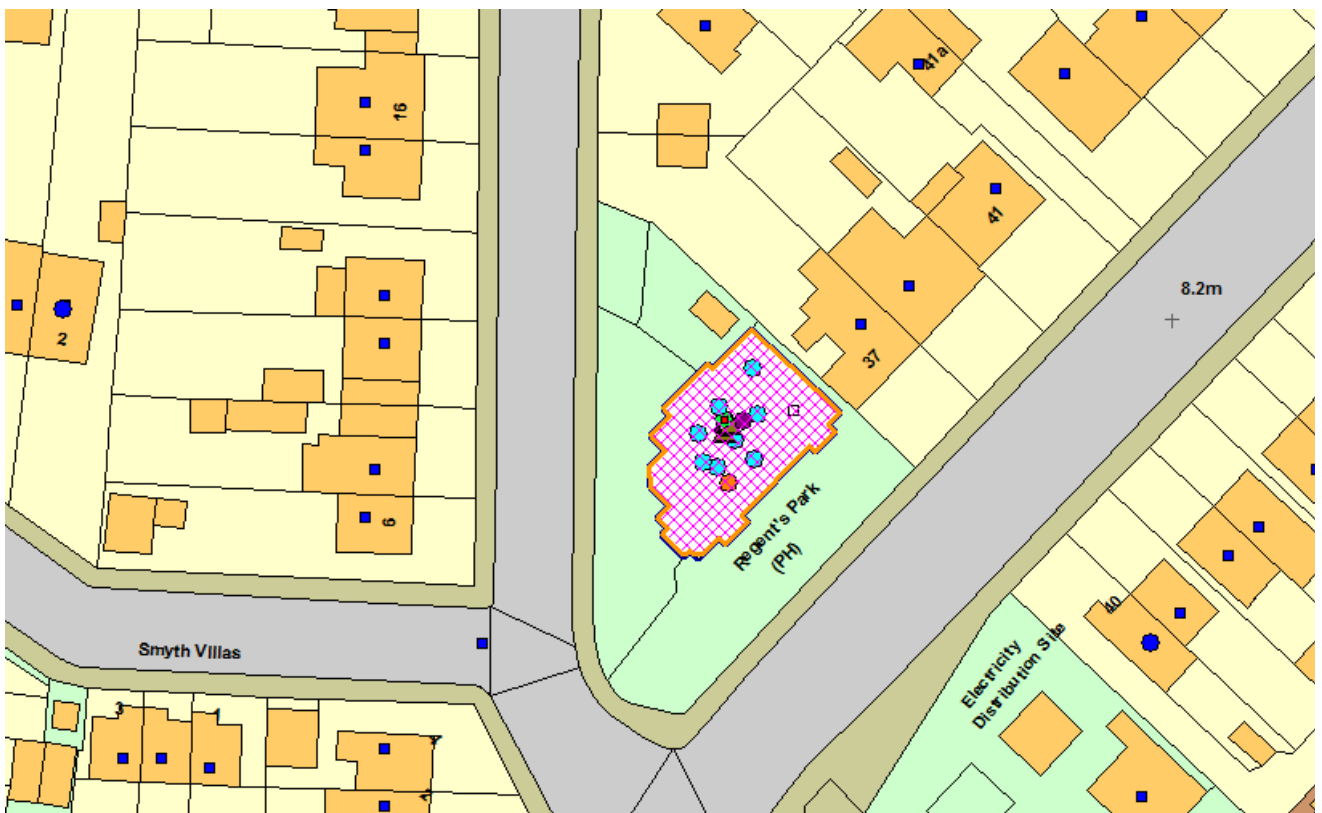
E-mail licensing@southampton.gov.uk

Application Date : 24th April 2019

Application Received 25th April 2018

Application Valid : 25th April 2018

Reference : **2019/02731/01SPRV**



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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Safeguarding Children	Yes

Fire Service	No Response	
Environmental Health - Licensing	Yes	
Home Office	No Response	
Building Control	No Response	
Public Health Manager	No Response	
Police - Licensing	No Response	
Trading Standards	No Response	
<i>Other Representations</i>		
Name	Address	Contributor Type
Mr Malcom Streeton	1 Claremount crescent Southampton SO15 4GR	Local resident
Cllr. S Galton	Municipal Floor 1 Civic Centre Southampton	Millbrook Ward Councillor

Legal Implications

1. The legislation specifically restricts the grounds on which the sub-committee may refuse an application for variation of a premises licence, or impose conditions. The legislation provides for a presumption of grant of an application for variation of a premises licence, subject to the determination of the application with a view to promoting the licensing objectives in the overall interests of the local community. In doing so the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - its own statement of licensing policy
 - the Statutory Guidance
2. An application may be refused in part and thereby only permit some of the licensable activities sought.
3. An applicant for variation of a premises licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court. Any other person, who made a valid representation, may appeal to the Magistrates' Court against the decision to grant the application or against any conditions imposed.
4. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider the application in accordance, in particular, with both the Licensing Act 2003 (Hearings) Regulations 2005 (as amended) and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
5. The sub-committee must also have regard to:
 - *The Crime and Disorder Act 1998*
Section 17 of the Crime and Disorder Act 1998 places the sub-committee 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.
 - *The 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 sub-committee 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 sub-committee 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 sub-committee which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.

Copies of the application for variation of a premises licence and the representations to it are annexed to this report.

Summary of application

Applicant	Star Pub and Bars Ltd.
Agent for licence Holder:	Flint Bishop LLP
DPS	Mr.M.Sylvester

This is a full variation application to allow the following:

1. To extend the opening hours to allow the premises to open from 08.00 daily for breakfast coffee and tea etc.
2. To extend the start time for films, indoor sporting events and sale of alcohol to 10.00 on Sunday.
3. To extend the opening hours to allow the premises to close on Sunday at 00.30 the following day
4. To extend the terminal hour for the sale of alcohol on Sunday to midnight.
5. To permit late night refreshment on Sunday from 23.00 to midnight
6. Amend the licensing plan in accordance with drawing number 250 rev C dated 5th March 2019
7. To remove all conditions in Annex 2 and Annex 3 and replace with new conditions that are outlined in the application form. Please note that this will change the time the windows have to be closed from 21.00 to 22.00 when regulated entertainment, is taking place.
8. To add the non-standard timings (seasonal variation). These proposed non-standard timing are the same as currently on the existing licence –condition 1 under Annex 3

A copy of the current licence is attached to this report.

Application form - Pages 5-23

Current Premises Licence – Pages 24-30

Hearing Procedure Notes - Pages 31-34

Representation from Local Resident - Page 35

Representation from Local Councillor - Page 36

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 Star Pubs & Bars Limited

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number
2017/01121/01SPRD

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Regents Park Hotel (TBK The Regent's Park) 35 Regents Park Road		Received On 25 APR 2019 Southampton & Eastleigh Licensing Partnership	
Post Town	Southampton	Postcode	SO15 8PG

Telephone number at premises	023 8077 1152
Non-domestic rateable value of premises	£24,250

Part 2 - Applicant Details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	3-4 Broadway Park Edinburgh		
Post Town	Edinburgh	Postcode	EH12 9JZ

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Yes No

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

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

The application proposes to:-

1. Amend the licensing plan in accordance with drawing number 250 rev C dated 5th March 2019 which accompanies this application. Please note that the proposed changes to the layout are not to take effect until the works are complete and the Licensing Authority are notified
2. Extend the opening hours to allow the premises to open from 08.00 daily for breakfast, coffee and tea etc.
3. Extend the start time for films, indoor sporting events and sale of alcohol to 10.00 on Sunday
4. Extend the terminal hour for the sale of alcohol on Sunday to midnight
5. Extend the opening hours to allow the premises to close on Sunday at 00.30 the following day
6. Permit late night refreshment on Sunday from 23.00 to midnight
7. Remove all conditions under Annex 2 and Annex 3 and replace with updated conditions
8. Add non-standard timings
9. Change the name of the premises to "The Regent's Park"

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

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 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 type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur			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 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) As existing		
Mon	No Change	No Change			
Tue	No Change	No Change	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Wed	No Change	No Change			
Thur	No Change	No Change	<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 7)		
Fri	No Change	No Change			
Sat	No Change	No Change	Permitted from 10:00 until 01:00 the following day on Easter Monday, Christmas Eve, Christmas Day, Boxing Day and 27 th December		
Sun	10:00	No Change	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5) As existing
Day	Start	Finish	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Mon	No Change	No Change	
Tue	No Change	No Change	
Wed	No Change	No Change	
Thur	No Change	No Change	
Fri	No Change	No Change	
Sat	No Change	No Change	
Sun	10:00	No Change	
<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 7)			Permitted from 10:00 until 01:00 the following day on Easter Monday, Christmas Eve, Christmas Day, Boxing Day and 27 th December From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5) As existing		
Mon	No Change	No Change			
Tue	No Change	No Change	State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed	No Change	No Change			
Thur	No Change	No Change			
Fri	No Change	No Change			
Sat	No Change	No Change	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 7)		
Sun	No Change	No Change	Permitted from 10:00 until 01:00 the following day on Easter Monday, Christmas Eve, Christmas Day, Boxing Day and 27 th December From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5) As existing		
Mon	No Change	No Change			
Tue	No Change	No Change	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed	No Change	No Change			
Thur	No Change	No Change			
Fri	No Change	No Change	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	No Change	No Change			
Sun	No Change	No Change	Permitted from 10:00 until 01:00 the following day on Easter Monday, Christmas Eve, Christmas Day, Boxing Day and 27 th December		
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed					
Thur			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 7)		
Fri					
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed					
Thur			<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 6)</p>		
Fri					
Sat			<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 7)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5) As existing		
Mon	No Change	No Change			
Tue	No Change	No Change	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Wed	No Change	No Change			
Thur	No Change	No Change			
Fri	No Change	No Change	<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 7) Permitted from 10:00 until 01:00 the following day on Easter Monday, Christmas Eve, Christmas Day, Boxing Day and 27 th December From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Sat	No Change	No Change			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	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 6)		
Mon	No Change	No Change			
Tue	No Change	No Change			
Wed	No Change	No Change			
Thur	No Change	No Change			
Fri	No Change	No Change			
Sat	No Change	No Change			
Sun	10:00	00:00			
			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 7)		
			Permitted from 10:00 until 01:00 the following day on Easter Monday, Christmas Eve, Christmas Day, Boxing Day and 27 th December		
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

K

<p>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 10)</p> <p>NONE</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	No Change	
Tue	08:00	No Change	
Wed	08:00	No Change	
Thur	08:00	No Change	
Fri	08:00	No Change	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 7) Permitted until 01:00 the following day on Easter Monday, Christmas Eve, Christmas Day, Boxing Day and 27 th December From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
Sat	08:00	No Change	
Sun	08:00	00:30	

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

We seek to remove all conditions under Annex 2 and Annex 3 of the Premises Licence as a number of these are now obsolete, and to replace with updated and proportionate conditions.

- 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

<p>Reasons why I have failed to enclose the premises licence or relevant part of premises licence</p> <p>N/A</p>
--

M- 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 11)

[The information provided in this box is solely for information only and not intended to be converted into conditions on the Premises Licence]

The Premises Licence Holder, Star Pubs & Bars Limited, are a subsidiary of Heineken (UK) Limited who now have approximately 3000 sites in their estate. Given the changes proposed, we have carefully considered the application, the effect on the licensing objectives and the Council's Licensing Policy. Licensees Marion and Don Healy have been running the premises on a temporary basis for a number of years and have 26 licensed premises within the Healy Group portfolio with 13 of these sites being with Star Pubs & Bars Limited.

The licensees have now signed a substantive agreement with our client, marking the fourth substantive lease taken on with Star Pubs & Bars Limited, demonstrating the commitment that both they and Star are making. Both parties will continue to work closely together with in partnership to make the premises successful and an asset to the local community. The licensees and Star are planning a substantial investment of £412,00 for a major transformational refurbishment which will result in the premises reopening as a premium local community premises offering a combination of quality food, coffee, live sports on TV and entertainment, as well as a quality selection of craft beers. The refurbishment will also see the creation of 10 new jobs. The premises are to reopen as "The Regent's Park".

The proposed changes to the layout also include relocating the female toilets to the rear right hand side of the premises, the existing bar servery being extended and part of the external area, which is currently used for parking, adjacent to the outbuilding to the rear to be included as part of garden space. The proposal is to also include a part of the external area within the red line licensed area which is to allow the premises the flexibility to have a

portable bar in this part of the external area on occasions for outdoor music events or beer festivals. Please note that the proposed changes to the layout are not to take effect until the works are complete and the Licensing Authority are notified.

We are also seeking to extend the opening hours to allow the premises to open from 08.00 daily for breakfast, tea and coffee etc. Please note that alcohol would not be sold from this time. The proposed extension to the start time for films, indoor sporting events and the sale of alcohol to 10.00 on Sunday is so that this is in line with the rest of the week. The proposed extension for the sale of alcohol on Sunday only would allow the premises slightly more flexibility around trading and would put it in line with the existing permitted timings for the sale of alcohol on Monday to Thursday. On Sunday the premises would close 30 minutes after the sale of alcohol has ceased. Our application also seeks to permit late night refreshment on Sunday which would allow the premises to sell hot drinks to their customers during these times.

The variation application has also been submitted to update the Premises Licence conditions to ensure that they are suitable for the style of operation at the premises moving forward and to uphold the licensing objectives. The proposed non-standard timings are existing condition 1 under Annex 3 so nothing further is being requested in terms of non-standard timings than those currently permitted.

Considering the above, we believe that the variation would not have an adverse impact on the licensing objectives and we believe that the measures proposed will ensure the premises continue to promote the licensing objectives, and that these measures are adequate and further conditions are not required.

b) The prevention of crime and disorder

1. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and other officers of Responsible Authorities at all times whilst the premises are open.
2. An incident log shall be maintained at the premises and details of all known incidents recorded within the log. The log shall be kept on the premises and be produced to an authorised officer on reasonable request.
3. Full training shall be provided to all staff involved in the sale of alcohol on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk.

c) Public safety

Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.

d) The prevention of public nuisance

- 4. Notices shall be prominently displayed at all exits and in the external area requesting customers to respect the needs of local residents and leave the premises and area quietly
- 5. When regulated entertainment, including live and recorded music, is taking place inside the premises after 22:00 all external windows and doors shall be kept closed, except in the event of an emergency and to permit access and egress
- 6. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers unless to an external area set aside for consumption

e) The protection of children from harm

- 7. Children must be accompanied by an adult at all times whilst on the premises

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (See guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	24/04/2019
Capacity	Flint Bishop LLP – Solicitors for and on behalf of applicant

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 14). If signing on behalf of the applicant, please state in what capacity.

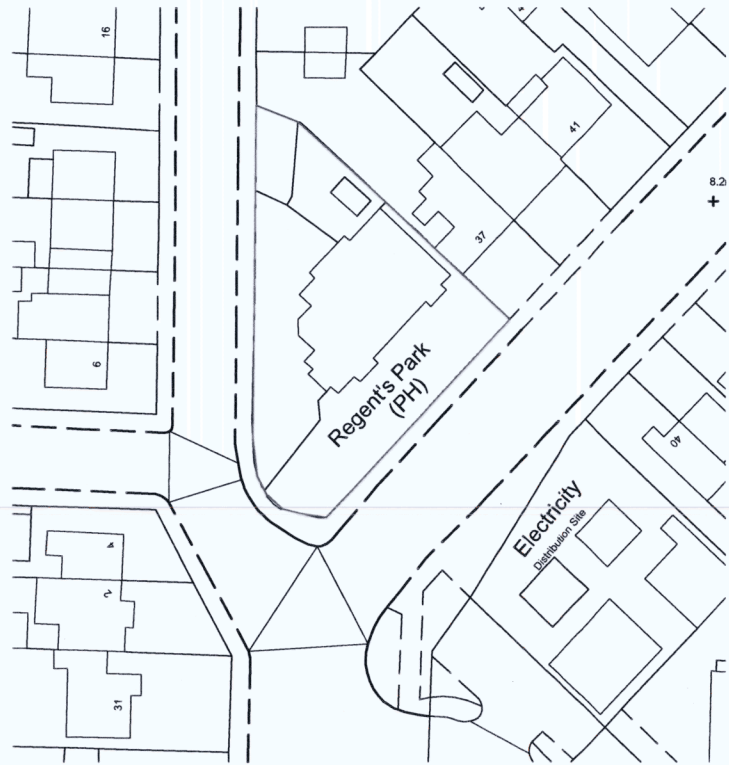
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
George Domleo Flint Bishop LLP St. Michael's Court St. Michael's Lane Derby DE1 3HQ	
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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

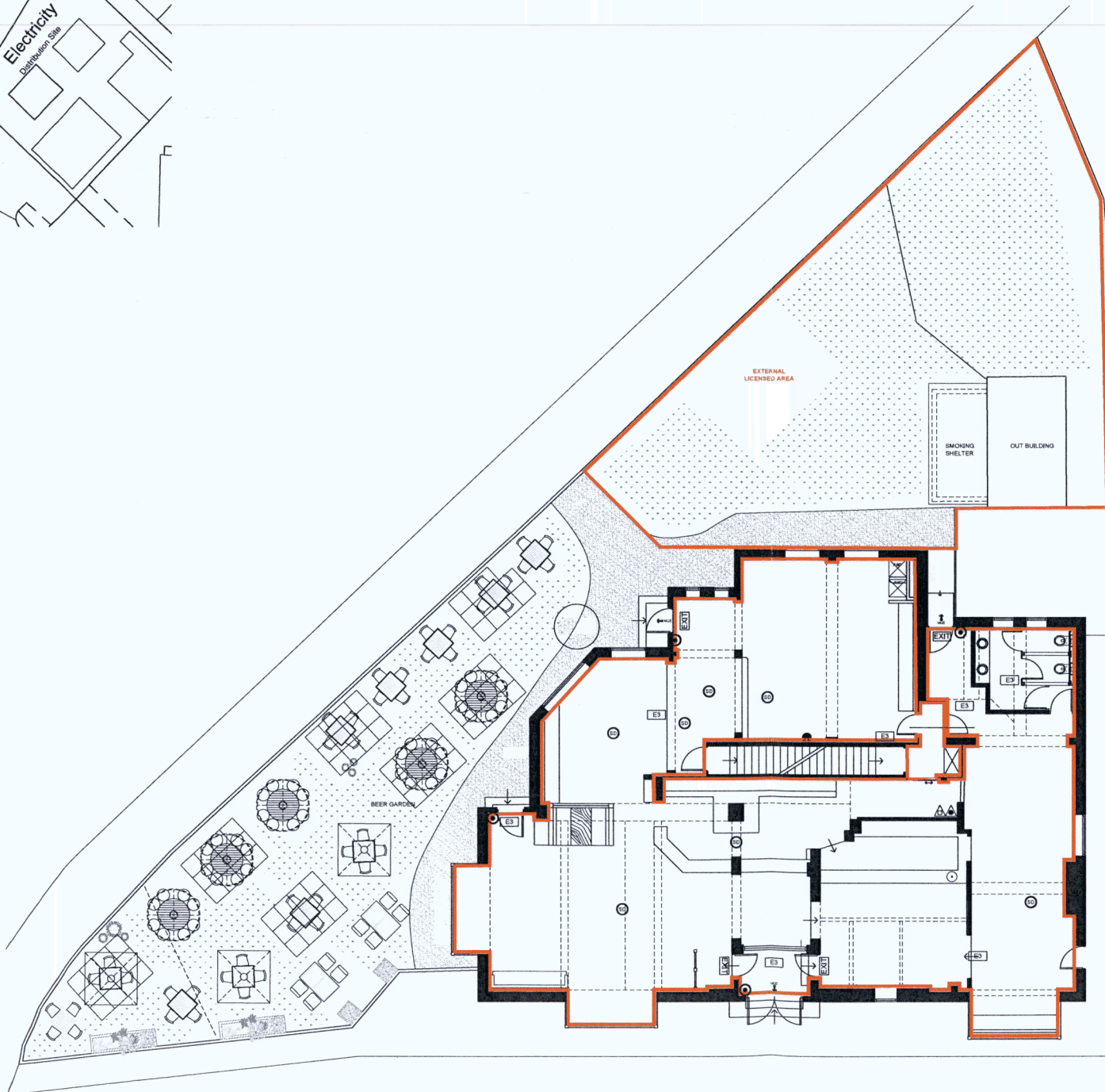


LOCATION PLAN
SCALE 1:500 @ A1

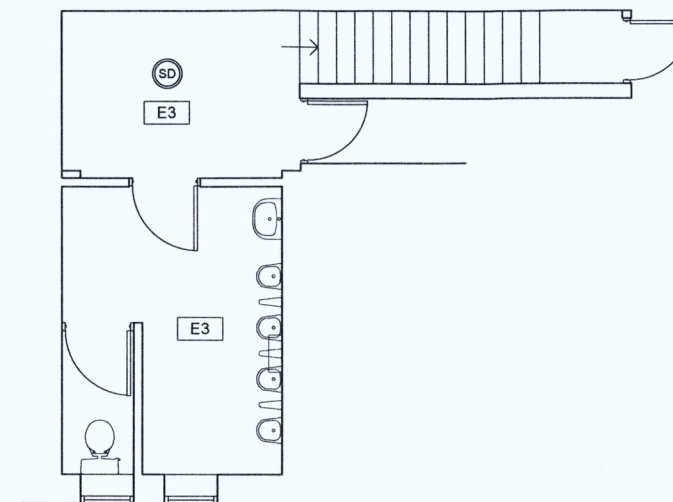
KEY

- All internal licensable activities
- Site Boundary
- Means of Escape
- Smoke Detector
- Heat Detector
- Emergency exit light 3 hour maintained with pictogram
- Emergency light 3 hour non-maintained
- Alarm Bell
- Manual Callpoint
- Water Extinguisher
- Carbon Dioxide Extinguisher
- Powder Extinguisher
- Foam Extinguisher
- Chemical Extinguisher
- Fire blanket in container
- Amusements with Press machine
- Emergency light 3 hour maintained
- Multi Sensor Detector
- Combined detector sounder & visual alarm
- TV denotes type of detector - S = smoke, H = heat

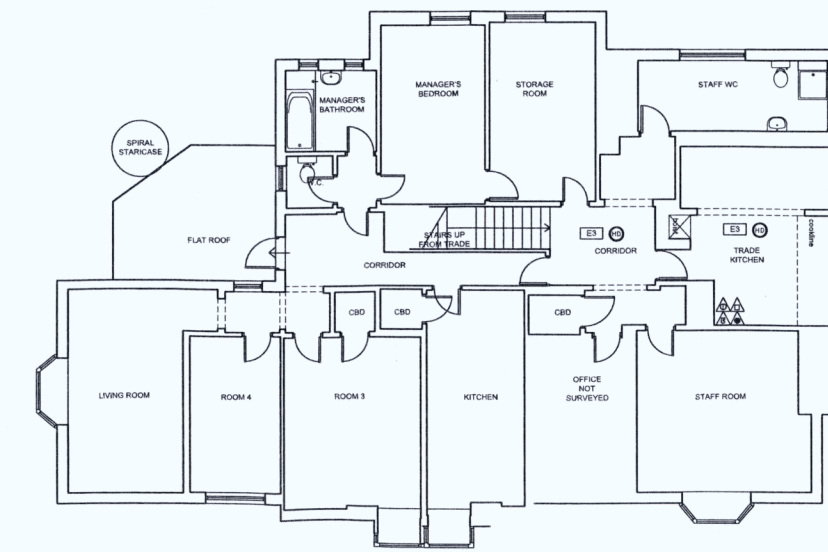
NOTE:
Emergency lighting system to be certified to BS 5266 Part1 and Table 9.
The current location of fire safety equipment and other safety equipment is shown. This may be subject to variation in the future as necessary and where applicable in liaison with the Fire Officer.
Outside areas are to be used for the consumption of alcohol.



GROUND FLOOR PLAN
SCALE 1:100 @ A1



BASEMENT FLOOR PLAN
SCALE 1:50 @ A1



FIRST FLOOR PLAN
SCALE 1:100 @ A1

designmanagementpartnership
(d.n.p.)
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E mail@designmanagementpartnership.com

rev	date	reVISION note
A	28.03.19	Alterations to information on plan, following solicitor comments.
B	04.04.19	Female toilets added to the licensed area as per GD request.
C	11.04.19	External licensed area extended as per GD email 05.04.19

DATE	REV	DATE	REVISION note
AK			
AK			
AK			

SCALE	DRAWN	CHECK	DATE	STATUS	JOB NO	REV
1:50	AK	RG	05.03.19	Licensing	17,131	C

Figured dimensions to be used in preference to scaled sizes.
All dimensions to be checked by the contractor before commencing work and any discrepancies reported to the Architect.
Drawings to be read in conjunction with Structural Engineers and other consultants drawings.
The drawing is the property of designmanagementpartnership.
Copyright is reserved by them and the drawing is issued on the condition that it is not copied, reproduced, retained or disclosed to any unauthorised person either wholly or in part without the consent of designmanagementpartnership.

SCALE	DRAWN	CHECK	DATE	STATUS	JOB NO	REV
1:50	AK	RG	05.03.19	Licensing	17,131	C
Licensing Plan				The Regents Park Hotel Southampton for Stans Pubs & Bars		250



Schedule 12
Part A
Premises Licence

Regulation 33,34

Premises licence number	2017/01121/01SPRD
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Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description,
Regents Park Hotel 35 Regents Park Road Southampton SO15 8PG

Telephone number

Where the licence is time limited the dates
Not applicable

Licensable activities authorised by the licence
Films Indoor sporting events Live music Recorded music Provision of late night refreshment Supply by retail of alcohol

The times the licence authorises the carrying out of licensable activities
Films
Monday 10:00 - 00:00
Tuesday 10:00 - 00:00
Wednesday 10:00 - 00:00
Thursday 10:00 - 00:00
Friday 10:00 - 00:30
Saturday 10:00 - 00:30
Sunday 11:00 - 23:00
Indoor sporting events
Monday 10:00 - 00:00
Tuesday 10:00 - 00:00
Wednesday 10:00 - 00:00
Thursday 10:00 - 00:00
Friday 10:00 - 00:30
Saturday 10:00 - 00:30
Sunday 11:00 - 23:00

Live music

Monday	10:00 - 23:00
Tuesday	10:00 - 23:00
Wednesday	10:00 - 23:00
Thursday	10:00 - 23:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	11:00 - 22:30

Recorded music

Monday	10:00 - 23:00
Tuesday	10:00 - 23:00
Wednesday	10:00 - 23:00
Thursday	10:00 - 23:00
Friday	10:00 - 00:00
Saturday	10:00 - 00:00
Sunday	11:00 - 22:30



Provision of late night refreshment

Monday	23:00 - 00:00
Tuesday	23:00 - 00:00
Wednesday	23:00 - 00:00
Thursday	23:00 - 00:00
Friday	23:00 - 01:00
Saturday	23:00 - 01:00



Supply by retail of alcohol

Monday	10:00 - 00:00
Tuesday	10:00 - 00:00
Wednesday	10:00 - 00:00
Thursday	10:00 - 00:00
Friday	10:00 - 00:30
Saturday	10:00 - 00:30
Sunday	11:00 - 23:00



The opening hours of the premises

Monday	10:00 - 00:30
Tuesday	10:00 - 00:30
Wednesday	10:00 - 00:30
Thursday	10:00 - 00:30
Friday	10:00 - 01:00
Saturday	10:00 - 01:00
Sunday	11:00 - 23:30



Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Star Pub and Bars Ltd.
3-4 Broadway Park
Edinburgh
EH12 9JZ

Registered number of holder, for example company number, charity number (where applicable)

SC250925



Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mark Sylvester



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licence Number: LP700077
Licensing Authority: Reading Borough Council

This premises licence is issued by Southampton City Council as licensing authority under part 3 of the Licensing Act 2003 and regulations made thereunder

Dated this 23rd day of March 2017;



Licensing Manager
Southampton & Eastleigh Licensing Partnership
PO Box 1767
Southampton
SO18 9LA

Annex 1 – Mandatory Conditions

1 No supply of alcohol shall be made under the premises licence:

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor for the premises does not hold a personal licence or his personal licence is suspended.

2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3 The admission of children to films exhibited at the licensed premises is restricted in accordance with section 20 of the Licensing Act 2003.

4 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

5 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

7 The responsible person must ensure that

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures

(i) beer or cider: ½ pint;

- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8 1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2 For the purposes of the condition set out in paragraph 1 —

(a) 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) 'permitted price' is the price found by applying the formula —

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) 'relevant person' means, in relation to premises in respect of which there is in force a premises licence —

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence; or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) 'relevant person' means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) 'value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

3 Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ('the first day') would be different from the permitted price on the next day ('the second day') as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

1 B - Exhibition of Films

Films may be exhibited in the licensed premises, subject to the following:

No film shall be exhibited unless it has received a "U", "PG", "12", "12A", "15" or "18" certificate from the British Board of Film Classification or the licensing authority, or it is current news reel which has not been so certified.

Where a programme includes a film in the 12, 12A, 15 or 18 category no person appearing to be under the age of 12 (or unaccompanied in the case of a category 12A film), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms - PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on duty

provided that the prior written consent of a parent or legal guardian of the member of staff has first been obtained.

Immediately before each exhibition at the premises of a film classified by the British Board of Film Classification or the licensing authority there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the category of the film. For any film classified by the licensing authority, notices to be displayed both inside and outside the premises so that persons entering can readily read them and be aware of the category attached to any film or trailer.

2 Conditions transferred from the Public Music and Dance Certificate.

- i - When public entertainment is taking place, all doors to be kept unlocked and available for escape.
- ii - No more than 150 (one hundred and fifty) persons shall be present in the part of the place licensed at any one time.

3 EMBEDDED CONDITIONS FROM CHILDREN AND YOUNG PERSONS ACT 1933

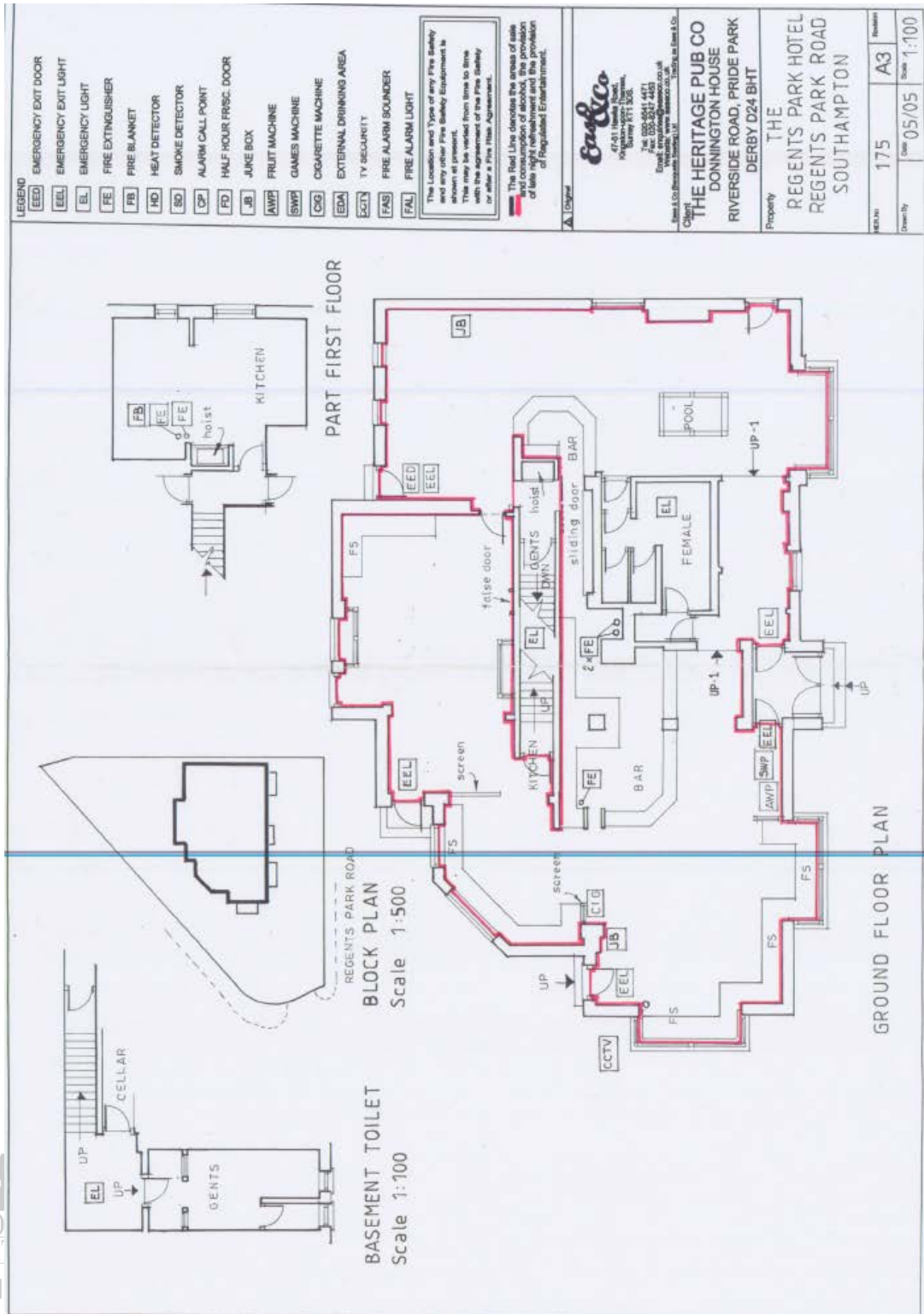
It is a condition of your licence that you comply with the extant provisions of the Children and Young Persons Act 1933, as amended.

Annex 3 – Conditions attached after a hearing by the licensing authority

1 Conditions from Hearing.

- i - The permitted hours of operations in respect of seasonal variations for all licensable activities from Easter Monday, Christmas Eve, Christmas Day, Boxing Day, and 27th December be as follows:-
 - 10.00 - 01.00
 - 10.00 31st December through to 01.00 2nd January
 - 1 additional Hour is permitted on top of the standard timings when British Summer Time Commences
- ii - On no more than 12 occasions per calendar year (not including 12 Temporary Event Notices per year) the intention to hold events outside operating times will be subject to:-
 - a) At least 10 days notice to the Police and Licensing Authority;
 - b) The written consent of the Police.
- iii - The following conditions be complied with:-
 - a) All windows to be kept closed after 21.00 during the provision of regulated entertainment;
 - b) Signage to be installed at exits requesting patrons to leave the premises quietly with respect for local residents and park considerately;
 - c) No adult entertainment will be provided;
 - d) The embedded conditions inherent in the Licensing Act 1964 to be removed;
The embedded conditions in the Cinematograph (Safety) Regulations 1955 be removed and appropriate conditions where films are being shown as above be included in the licence; and
 - e) The embedded restrictions in the Children and Young Persons Act 1933 be retained insofar as that legislation remains in force and where inconsistent with the provisions of the Licensing Act 2003, the 2003 Act prevails.

Annex 4 – Plans



Plan not reproduced to scale.

Procedure – Applications etc. under the Licensing Act 2003 or Gambling Act 2005

1. A hearing will be held to decide applications, etc., under the Licensing Act 2003, where there have been relevant representations from one or more of the responsible authorities or other persons. The parties to the hearing will have the chance to be heard. They are also entitled to be helped or represented by another person if due written notice is given in advance.
2. Hearings will take place before a Sub-Committee comprising three members of the Licensing Committee. One of these members will be elected Chair of the Sub-Committee for that hearing.
3. Please note that for day time hearings the Sub-Committee will normally adjourn for lunch at 1:00 p.m. and that comfort breaks will be taken at the discretion of the Chair at appropriate points during the meeting.

Preliminary matters

4. The Chair will introduce those present.
5. The Chair will check whether any of the Sub-Committee members has a “disclosable pecuniary”, “personal” or “pecuniary” interest.
6. The Chair will check whether all the parties are present at the hearing, and if any are not, whether they have told the Council that they do not wish to attend or be represented. If any party who was expected to attend has not done so, the Sub-Committee will decide whether to hold the hearing in that party’s absence, or to adjourn it to another date. Hearings will be adjourned if the Sub-Committee considers this necessary in the public interest, if that is possible. If the Sub-Committee decides to hold the hearing in a party’s absence, they will still consider any written information received.
7. In the case of an application for variation or a new licence, the Sub-Committee’s legal advisor will ask the applicant or their advisor for confirmation that the required public notices have been displayed where they can conveniently be read from the exterior of the premises and that notice was given in a local newspaper within eleven working days of the day on which the application was received by the licensing authority.
8. Normally, hearings will be open to the public. However, the Sub-Committee may exclude the public from the hearing (or part of it) if they think the public interest in doing so outweighs the public interest in having the hearing in public. If the public are excluded, any of the parties to the hearing, and/or anyone helping or representing them, may also be excluded.
9. The Chair will propose a motion that the public and the press be excluded from the hearing while the Sub-Committee considers the matter. Ordinarily the legal advisor and democratic support officer will remain (see paragraph 30 (b) below).
10. The Openness of Local Government Bodies Regulations 2014 provide an entitlement for the public to film, photograph and audibly record (“record”) public meetings. However, by virtue of Schedule 6, paragraph 58 of the Licensing Act 2003 and section 101 (15) of the Local Government Act 1972, Licensing Act 2003 hearings are not covered by the entitlement to film as of right. The Council’s general approach is to encourage openness and transparency in all its dealings and the general presumption is that filming or recording of hearings shall generally be permitted where due notice has been provided in advance of the hearing. Nonetheless the following shall apply:

- i) Filming / recording / photographing hearings shall only be permitted with the express permission of the Chair. Such permission may include restrictions to protect children, vulnerable persons or others that object to being filmed / photographed / recorded.
 - ii) Requests to film / record / photograph should be made with sufficient notice in advance of the hearing. Late requests may not be granted if there shall be a delay to proceedings as a result.
 - iii) Every party to the hearing and any witnesses shall have the opportunity to object and those representations shall be considered by the Sub-Committee.
 - iv) No filming, photography or sound recording shall be permitted of any person under 18 years of age.
 - v) No person shall be put under any pressure to consent to such and no payment for such consent shall be given.
 - vi) The Chair shall have the final say as to whether any filming, photography or recording is allowed (including the extent to which permission is granted e.g. the parts of the meeting, the individuals concerned or the arrangement of the recording equipment).
 - vii) All directions given by the Chair shall be fully complied with and the Chair shall have the absolute discretion to withdraw permission to film, photograph or record in the event the same causes an obstruction or interferes with the general conduct of the hearing, including the impeding of the giving of proper evidence.
11. A party may have asked for someone else to appear at the hearing to make a point or points that may help the Sub-Committee reach a decision. It is up to the Sub-Committee to decide whether that person should be heard, although permission will not be refused unreasonably. Such a person is referred to as a “witness” in this procedure.
12. Where application has been made, in advance of the hearing, that it should be conducted in private (e.g. by the Police in review or summary review proceedings) reports shall be prepared and presented as confidential so that the Committee can make a meaningful determination in accordance with Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 to exclude the press and public. It is important to note that reports presenting Licensing Act 2003 matters are not required to be published in advance. However, certain limited information must be published in accordance with the Licensing Act 2003 (Licensing Authority’s Register) (Other Information) Regulations 2005 and section 8 of the Licensing Act 2003.
13. The Chair will then explain the procedure that will follow.
- General information on the conduct of the hearing**
14. Each party is entitled to:
- (a) Give further information in response to any point that the Council told them before the hearing they would like clarified;
 - (b) With the permission of the Chair, seek clarification on any point by any other party;
 - (c) Address the Sub-Committee.
15. Members of the Sub-Committee may also seek clarification of any party or witness.
16. At the Chair’s discretion, the Sub-Committee’s legal advisor may ask any questions he or she thinks are relevant.

17. Unless the Council has requested in advance that a particular point be clarified, new documentary or other evidence may not be submitted for the first time at the hearing, unless all the other parties agree.
18. Members of the Sub-Committee will have read all the papers included in the agenda for the hearing before the hearing starts. The parties are requested not to spend unnecessary time repeating evidence which is already in the papers and which is not disputed.
19. Evidence that is not relevant to the case, or to the promotion of the four licensing objectives, will be disregarded.

Hearing Procedure

20. If any party has asked permission for a witness or witnesses to appear, the Sub-Committee will decide whether they should be heard (see paragraph 10 above).
21. All parties will be allowed a similar (and maximum) amount of time to put their case, and ask questions of other parties, subject to the Chair's discretion to not hear repetitive matters or questions.

The applicant

22. The applicant for the licence (or their representative) or the applicant in review proceedings, may present their case.
23. If the Sub-Committee permits, the applicant may call those witnesses whose names have been provided in advance to support their application.
24. Where a group of witnesses wish to speak in support of the application for similar reasons, one person should, where possible, act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.
25. The Chair will invite those making representations to seek clarification on any point made by the applicant. The Chair will decide in which order those making representations will be invited to put their questions.
26. Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may also seek clarification of the applicant or any of their witnesses.

The representations

27. Where there is more than one person making a representation, the Chair will decide the order in which they may put their case. If there is a representation from one or more of the responsible authorities, their representatives will normally be invited to put their case first.
28. The following procedure will apply to each person making a representation in turn:-
 - (a) The person making a representation (or their representative) may present their case.
 - (b) If the Sub-Committee permits, the person making a representation may call those witnesses whose names have been provided in advance to support their objection.
 - (c) Where a group of witnesses wish to speak in support of the objection for similar reasons, where possible, one person should act as spokesperson for the whole group. The Sub-Committee may reasonably refuse permission for a witness to be heard if their evidence simply repeats points already made.

- (d) The Chair will invite the applicant to seek clarification on any points made by those making representations.
- (e) Members of the Sub-Committee or the Legal Advisor, if so permitted by the Chair, may seek clarification of those making representations or any witnesses.

Summing up

- 29. The Chair will invite each person making a representation to make a final statement or sum up their case.
- 30. The Chair will invite the applicant to make a final statement or sum up their case.

Sub-Committee's decision

- 31.
 - (a) At the end of the hearing the Sub-Committee will move to private session whilst it considers the matter.
 - (b) The Sub-Committee's legal advisor will remain to provide legal advice and the democratic services officer will remain to record the decision. Details of any legal advice will be recorded and referenced in the decision and reasons.
 - (c) The parties will be invited to wait to be informed of the outcome.
 - (d) As soon as the decision is reached, the public and press will be invited to return to the room in which the hearing took place, and the Chair will announce the decision and the reasons for it.
 - (e) If a room is available, the Committee may retire to deliberate and make its decision
 - (f) All parties will be formally notified in writing of the decision and reasons as soon as possible.

In most cases the Sub-Committee will announce the decision at the conclusion of the hearing. In certain cases where this is not possible due to time constraints (and the Hearings Regulations permit – Regulation 26 (1) sets out those hearings where delay is not possible) the decision shall be made within 5 working days beginning with the day of the hearing or the last day of the hearing.

Malcolm Streeton
1 Claremont Crescent
Southampton
SO154GR
Tel: '

Licencing Team
Southampton and Eastleigh Licencing Partnership
PO Box 1767
Southampton
SO189LA

Regarding the planning permission application for the Regent Park Hotel, Regents Park Road. Lodged on 25/4/19

I am writing to object to elements of this planning permission that extend the opening hours, and the hours when drinks may be sold. Most importantly the later night opening on Sundays.

The premises are in a residential area close to houses, and as such noise is an issue. Although some noise is to be expected, it is already excessive. In summer they often have loud music and Karaoke in the premisses, with windows open such that it is loud outside.

They also seem to attract noisy customers and there is often shouting and swearing from customer seated in the outside area. This continues when they leave walking through the residential area. It is evident the landlord does nothing to stop this noise.

Allowing later opening and later serving of drinks will clearly make these problem worse.

There is also an issue of drink glasses and cans thrown into gardens from their patrons, which is also likely to be increased with increased drinking time.

Opening earlier for breakfast etc. is unlikely to generate a noise issue. However there is also mention of 'indoor sporting events'. If this includes the watching of football etc. then this does tend to be noisy. If this was to be allowed I suggest a condition of keeping windows closed should be applied.

Regards

Malcolm Streeton



From: Galton, Steven (Cllr)
Sent: 21 May 2019 18:09
To: Licensing <Licensing@southampton.gov.uk>
Subject: [REDACTED] - New Licensing Applications for Millbrook ward, 26-APR-19

Good evening,

Could I just make a couple of comments on these plans. I have little concern with the earlier opening times for breakfasts (especially as alcohol sales aren't proposed at this earlier hour), however I do have concerns with the potential for increased noise from the use of the garden area as a licensed area for sales.

The site boundaries a residential area and I think most people would accommodate the odd outdoor event, continuous loud noise from an outdoor licensed area would be detrimental to residential amenity, especially for those in Claremont Crescent.

I am also unsure about the extending of Sunday opening/trading as I feel this should not be in line with other days of the week; again to protect residential amenity.

That said I do welcome the significant investment in to the property and hope that the business is a success and an asset for our local community.

Kind regards,
Steve

Steven Galton
Conservative Councillor for the Millbrook Ward
Shadow Cabinet Member for Environment, Transport & Planning

From: Licensing
Sent: 27 April 2019 17:42
To: Galton, Steven (Cllr) <Councillor.S.Galton@southampton.gov.uk>
Subject: New Licensing Applications for Millbrook ward, 26-APR-19

Councillor,
You may wish to be aware that the following licensing application has been received in respect of premises in your Ward:

New Licensing Applications for Millbrook ward

Premises Name	Premises Address	Licence Type	Date Received	Consultation Expiry Date	Status	Reference
The Regents Park	35 Regents Park Road Southampton SO15 8PG	Premises Licence - Variation	25-APR-19	23-MAY-19	3_CON	2019/02731/01SPRV