

Reference: 2013/01527/01SPRV

Hearing:

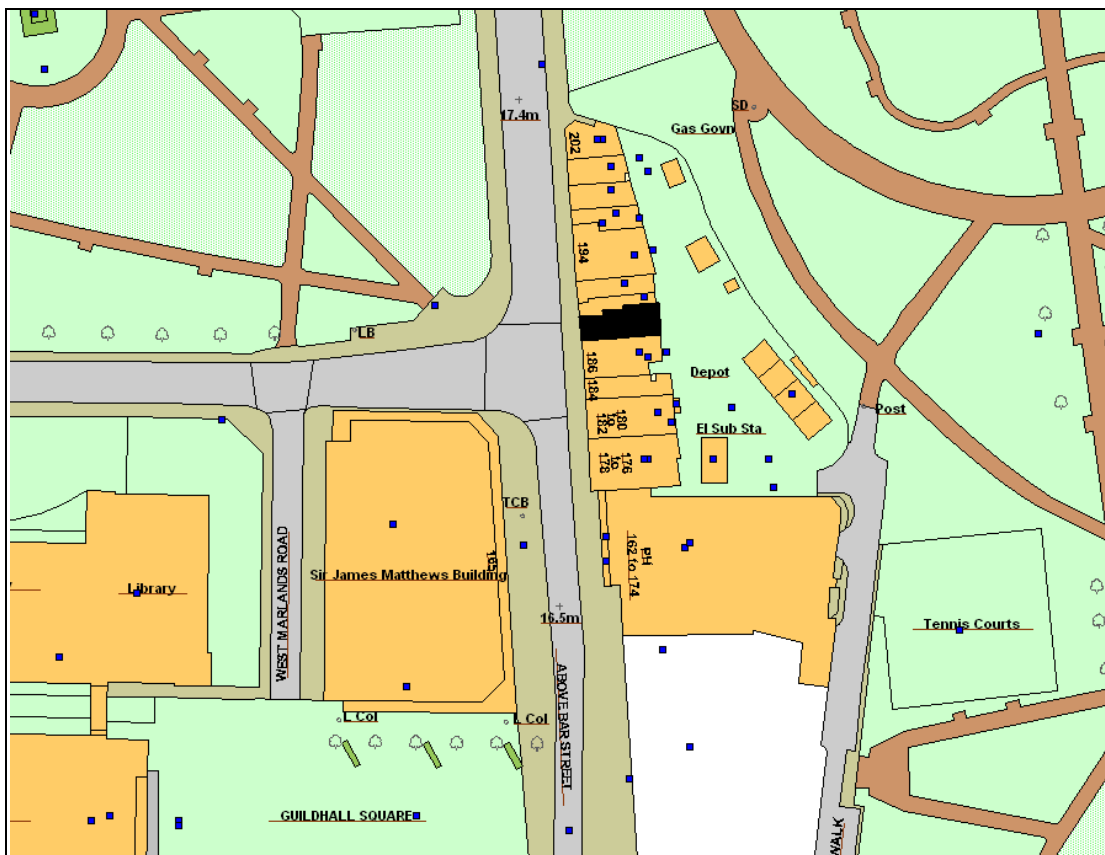
22nd August 2013

**APPLICATION TO VARY A PREMISES LICENCE**

Premises Name: Isis  
 Premises Address: 188 Above Bar Street  
 Southampton  
 SO14 7DW

Application Date: 4th July 2013  
 Application Received Date: 8th July 2013

Application Valid Date: 8th July 2013



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## ***Representations From Responsible Authorities***

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

## ***Other Representations***

<b>Name</b>	<b>Address</b>	<b>Contributor Type</b>
None		

## ***Legal Implications***

1. The Licensing Act 2003 specifically restricts the grounds on which the Council, as Licensing Authority (LA), may refuse an application for a major variation of a Premises Licence, or impose conditions. Where relevant representations are made, the LA may refuse on the grounds that the licensing objectives are not met or the operating schedule is inadequate. Equally, conditions may be imposed where relevant and necessary. The LA may also refuse an application in part and thereby only permit some of the licensable activities sought.
2. The decision making committee, in considering an application, must have regard to the adopted Statement of Licensing Policy and any relevant representations made by those directly affected.
3. An applicant for a variation, whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court.
4. In considering this application the committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.

The committee must also have regards to:-

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

# Southampton City Council

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We DANIEL GILL - ISIS

(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	<u>2013/00378/01SPRT</u>
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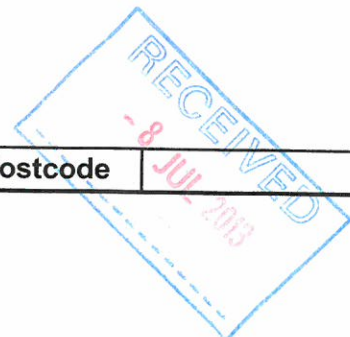
#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
<u>188 ABOVE BAR STREET</u> <u>SOUTHAMPTON</u>			
Post town	<u>SOUTHAMPTON</u>	Post code	<u>SO14 7DW</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ <u>190</u>

#### Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	<u>AS ABOVE</u>		
Post Town		Postcode	



Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

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

WE ARE LOOKING TO EXTEND OUR OPENING HOURS UNTIL 5:30AM. TO BRING OUR LICENSE IN LINE WITH OTHER VENUES OF THIS NATURE.

HAVING SPOKEN TO SERGEANT NATASHA PRIOR (PREVIOUSLY OUR POLICE LICENSING LIASON OFFICER) WHO HAVING SEEN THE LATEST IMPROVEMENTS TO THE VENUE, CANNOT SEE ANY OBJECTIONS

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

N/A

#001-010-9765-0001 08/07/2013 15:04-R  
INV

190.00  
190.00

SUBTOTAL  
CHECK

190.00

#### Part 4 Operating Schedule

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

##### Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

##### Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

**In all cases complete boxes N, O and P**

**A**

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

**B**

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



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

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

**E**

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10 AM	5.30 AM	Please give further details here (please read guidance note 3)  EXTEND CURRENT LICENSE FROM 2.30 AM TO 5.30 AM FROM 1 AM SUNDAYS TO 5.30 AM	Both	<input type="checkbox"/>
Tue	10 AM	5.30 AM		State any seasonal variations for the playing of recorded music (please read guidance note 4)  N/A.	
Wed	10 AM	5.30 AM	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)  N/A.		
Thur	10 AM	5.30 AM			
Fri	10 AM	5.30 AM			
Sat	10 AM	5.30 AM			
Sun	10 AM	5.30			

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>	<input type="checkbox"/>
Day	Start	Finish		Outdoors <input type="checkbox"/>	<input type="checkbox"/>
Mon	10 AM	5.30 AM	<b>Please give further details here</b> (please read guidance note 3)  EXTEND CURRENT LICENSE TO 5.30 AM - 7 DAYS A WEEK		
Tue	10 AM	5.30 AM			
Wed	10 AM	5.30 AM	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)  N/A		
Thur	10 AM	5.30 AM			
Fri	10 AM	5.30 AM	<b>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</b> (please read guidance note 5)  N/A		
Sat	10 AM	5.30 AM			
Sun	10 AM	5.30 AM			

↑  
5.30

# H

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

I

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

J

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick</b> (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			<b>Please give a description of the facilities for dancing you will be providing</b> <p style="text-align: center;">SAME AS CURRENT LICENSE</p>	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon	10 AM	5:30 PM	<p style="text-align: center;">EXTENSION OF CURRENT LICENSE</p>	
Tue	10 AM	5:30 PM		
Wed	10 AM	5:30 PM	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)	
Thur	10 AM	5:30 PM	<p style="text-align: center;">N/A.</p>	
Fri	10 AM	5:30 PM		
Sat	10 AM	5:30 PM	<b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Sun	10 AM	5:30 PM	<p style="text-align: center;">N/A.</p>	



**K**

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

L

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

?

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  N/A		
Mon	10 AM	5 AM			
Tue	10 AM	5 AM			
Wed	10 AM	5 AM			
Thur	10 AM	5 AM			
Fri	10 AM	5 AM			
Sat	10 AM	5 AM			
Sun	10 AM	5 AM			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)  N/A		

**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)

N/A.

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	10 AM	5:30 PM	N/A.
Tue	10 AM	5:30 PM	
Wed	10 AM	5:30 PM	
Thur	10 AM	5:30 PM	
Fri	10 AM	5:30 PM	
Sat	10 AM	5:30 PM	
Sun	10 AM	5:30 PM	
			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)
			N/A

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

N/A.



- I have enclosed the premises licence ✓
- I have enclosed the relevant part of the premises licence

Please tick yes

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

ALL STAFF ARE SIA BADGED.

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

ALL STAFF ARE SIA BADGED

**c) Public safety**

ALL STAFF ARE SIA BADGED

**d) The prevention of public nuisance**

ALL STAFF ~~TO B~~ ARE SIA BADGED

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

STRIP CLUB  
N/A.

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	4/7/2013
Capacity	DPB

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

Signature	
Date	
Capacity	

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

N/A.

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



# 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**

<b>Postal address of premises or club premises:</b>			
Isis, 188 Above Bar Street			
<b>Post town:</b>	Southampton	<b>Postcode:</b>	SO14 7DW

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Daniel Gill

### Police Details

**Hampshire Constabulary is a responsible authority.**

<b>Name and address:</b>
PC 24288 Harris 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)*

This representation relates to Isis Gentleman's Club, which is located in Above Bar Street. The premises is located in one of the areas of Southampton, subject to a policy of cumulative impact as detailed in the present Statement of Licensing Policy 2011-2014, issued by Southampton City Council as the licensing authority.

The area of concern in this particular case is the Above Bar Street Stress Area, which based on evidence previously received by Southampton City Council is one of 5 areas that already suffers cumulative impact. As a result it is appropriate, proportionate and necessary for special policies to address that issue.

As per paragraph 16.7 of the Statement of Licensing Policy, Hampshire Police make representations on the basis that the applicant is applying for a significant variation to the premises existing licence. The applicant has applied to extend the premises licensable activities and opening hours by 3 hours Monday - Saturday and 4.5 hours on a Sunday, with the exception of alcohol which is 2.5 hours Monday - Saturday and 4 hours Sunday. There is no significant evidence that this premises or other individual premises are the sole cause of problems in the area, but it can be evidenced that more incidents occur as a result of the night time economy within the Above Bar Stress Area. This is likely due to the combined impact of all of the licensed premises and activities that occur.

Annex A is a graph showing incidents in 1SW01 (policing area covering Above Bar Street) between 10/04/13 - 10/07/13 for hours between 18:00 and 06:00. Over the past three months there were 144 reported incidents to the police, which included assault, assault police, criminal damage, drug offences, S27/S30 dispersal orders, public order and indecent assault. From the 144 reported incidents, 84 or 58% were reported between 18:00 and 06:00 hours. The remaining 60 incidents or 42% were reported during daylight hours of 06:00 to 18:00 hours. This demonstrates the impact the night time economy has on the area, with the majority of incidents as listed above occurring at night.

From the graph, it is evident that the busiest time for incidents being reported to police is between the hours of 00:00 and 05:00, with it peaking between 02:00 and 04:00 hours. This shows the effect late night opening has in this area and allowing this premises to open later is only going to add to this.

From looking at the operating schedule, the applicant has given little consideration to the additional steps he intends to use in promoting the four licensing objectives. He has stated "ALL STAFF SIA BADGES" under each heading of the four licensing objectives. Under the mandatory conditions, any door staff who maybe used at the premises to guard against unauthorised access or occupation, outbreaks of disorder or damage have to be SIA registered.



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

I am aware that the applicant spoke with APS Prior who used to be a licensing officer for the City Centre. She has provided a statement (Annex B) in which she confirms that she advised the applicant to make contact with the police licensing department and passed specific officer details. As a department, we always encourage applicants of variations to contact our department prior to completing an application, as does paragraph 7.3 of the Statement of Licensing Policy, but it would appear the applicant chose not to. If a meeting took place, we would have explained the Cumulative Impact Policy and advised of extra steps the applicant could take, which would have assisted with this application and made it stronger. The licence for the premises is out of date and we would have suggested a number of conditions that not only promote licensing objectives, but would assist in the protection of the premises staff and in particular the dancers. Although we would have given advice to make the application stronger, a representation would still have been raised under the grounds of Cumulative Impact for the consideration of the Licensing Committee.

A meeting was held with the applicant on 17th July 2013 to discuss the reasons why police would make a representation. This was then followed up by an email being sent to the applicant from PS Wood (Annex C). The email highlighted certain areas of the Licensing statement which the applicant needed to consider. We have not received any further communication from the applicant.

A visit was conducted at the premises on Saturday 20<sup>th</sup> July 2013. The venue has been decorated and visually it was an improvement however, during the renovations, the camera which covered the bar area was disconnected. It was noted that this has not been reinstated and this is an area where conflicts can occur. The camera that covered the ground floor back room was also hindered by a red light, producing a red glare across the image. The applicant advised the system was capable of keeping recorded data for 28 days, however due to a fault with the viewing monitor was not able to demonstrate this. It was suggested that he address these issues. The applicant was asked what policy and procedures he had in place for the dancers. A printed policy is on the wall in the dancers changing room, but none of the staff sign to say they will adhere to this. When this was queried, the applicant advised that new dancers sign a dancers letter when they join. This letter does not reiterate any policy or procedure, it contains their personal details and is simply about divulging trade secrets. It was suggested to the applicant that the dancers terms and conditions or policies and procedures should be in a written format and signed by each member of staff confirming their understanding and agreement. In having records of training or policies that staff sign for is not only good practice, but promotes the licensing objectives, namely the prevention of crime and disorder.

The checks conducted at the last visit were basic and yet the need for improvement was recognised. With a significant variation such as this, we would expect the foundations to be in place and the applicant engaging with police, discussing the possibility of new or additional conditions in order to promote licensing objectives. With consideration to paragraph 16.9 of the Statement of Licensing Policy, the applicant has not demonstrated through their Operating Schedule or provided any supporting evidence such as risk assessments that would assure us that if this variation was granted, would not add to the cumulative impact already experienced in the area. Hampshire Constabulary therefore, raise objection to this application.



**HAMPSHIRE CONSTABULARY**

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

[Empty box for representations]

**State any conditions that the Police seek to negate the need for a hearing**  
Only if the application was withdrawn.

**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**

The applicant has applied for a significant variation to the existing licence to extend licensable activities including alcohol. I believe that if the variation is granted this would add to the cumulative impact already experienced in the area. The applicant has not demonstrated through their operating schedule that they would not have any further impact.

**Signature of Police Officer Completing**

Signature:

Date: 3

**Recommendation of Police Sergeant**



# HAMPSHIRE CONSTABULARY

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

Objection Supported. This proposal would, if granted, would contribute to the current cumulative impact, and the venue have yet to demonstrate fully an ability to promote the Licensing objectives.

### Signature of Police Sergeant

Signature: \_\_\_\_\_

Date: 31/07/13

### Decision of Police Licensing Inspector

I fully support this objection for the grounds raised, the venue has shown no capability to promote the licensing objectives which is vitally important as the current cumulative impact would be increased if proposal was supported.

### Signature of Police Licensing Inspector

Signature: \_\_\_\_\_

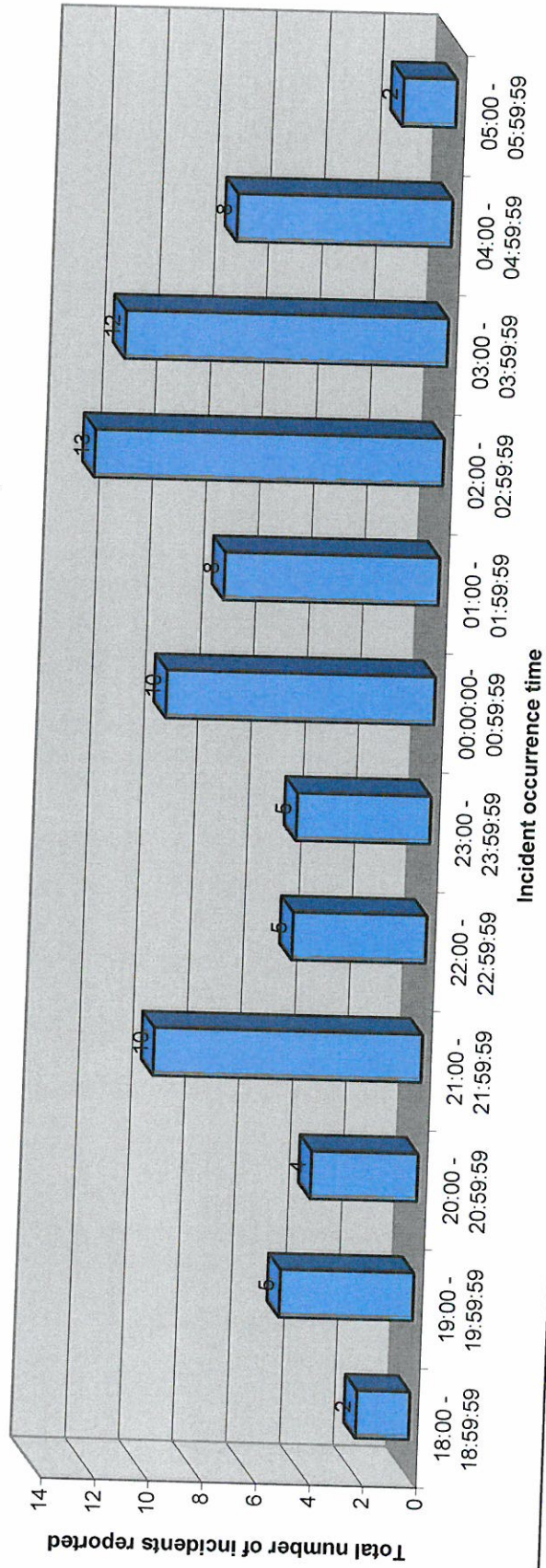
Date: 01/08/13

ROBERTS

### 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.

Incident in 1SW01 between 10/04/13 - 10/07/13 (18:00 - 06:00 hours)



**PROTECTIVE MARKING (when complete)**

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: | | |

Statement of: TPS 20920 Natasha Prior

Age if under 18: over 18 (if over 18 insert 'over 18')

Occupation: Police officer 20920

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 17/07/13

-----  
TPS 20920 Natasha Prior

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am TPS 20920 Natasha Prior currently serving for Hampshire Constabulary at Southampton Central Police Station. I am currently on the safer neighbourhood investigation team as part of that role I am required to work some of the violent crime strategy (VCS) weekends dealing with disorder outside the pubs and clubs. I was on the licensing team before coming into this current role.

I am providing this statement to clarify a comment made by Daniel Gill in a recent licensing application where he stated "Having spoken to Sergeant Natasha Prior (previously our police licensing liaison officer) who having seen the latest improvements to the venue; cannot see any objections."

On Saturday the 22<sup>nd</sup> June 2013 I was on uniformed foot patrol with PC 872 Houghton in the city centre when the Isis bar called up a refusal on the licensing link radio. As we were nearby the group concerned we went over to ascertain if any needed to be given a section 27 dispersal. One member of the group was quite calm but annoyed with the doorstaff at Isis as he did not feel that the reason for their refusal had been communicated; due to this he felt the only reason for the refusal was because the door team were racist. The male wanted to make a complaint about the doorstaff; having established that there was no criminal complaint I explained that he was entitled to make a complaint to the SIA and the male wanted the name of the doorstaff and I explained he was entitled to the badge number only. The male asked me to escort him to the premises to obtain that number as he did not feel he would get it without me being there so I escorted him and the badge number was provided on request and the male left.

I asked if the DPS was on site and when Daniel Gill appeared I suggested that the incident should be detailed in their incident book in full. I can confirm that I do know Daniel Gill from my time on the licensing team. He asked if I had seen the new look premises after their refit as I hadn't he invited me in to have a look. I had a look round the premises and I commented to him that the refit did look good, it was certainly a lot brighter and less drab than the previous

Signature witnessed by :  
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TPS 20920 Natasha Prior



# HAMPSHIRE CONSTABULARY

## PROTECTIVE MARKING (when complete)

### WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Continuation of Statement of: **TPS 20920** Natasha Prior .....

décor. It was an amiable conversation and I remember telling him I believed the décor was fully down to his mother, Linda Gill, rather than him.

At this point Daniel Gill stated that he was planning to put in an application to extend his licence and referred to all the TENS applications that he had successfully used. I explained to him at this point that I was no longer on the licensing team and that my best advice was for him to arrange a sit down meeting and for them to come to his premises to discuss the application before submitting it. He asked me who was on the licensing team now and I provided him with PS Simon Wood and PC Jon Harris as the best contacts for him.

Once outside the premises PC Houghton asked if the previous owners still had any input into the premises as they had initially stayed on a the premises. Daniel explained that they were no longer there and that things ran a lot more smoothly now he was in charge. At this point I jokingly asked if he had therefore learnt how to use the CCTV system, he again said everything worked well under his management. I explained that I had made this comment as at a licensing meeting, which was probably over a year ago, I had had with him after he had taken over he had been unable to work the system.

I can confirm that I was impressed with the décor of the premises in comparison with the previous drab dark wall colouring, furniture and layout. I have not, since leaving the licensing team, conducted any licensing visit of the premises to look at the CCTV, Incident Book, Refusal book or any conditions the licence may have. On this basis I am unable to state what improvements the premises has made in relation to the licensing objectives. I was quite clear in explaining I was no longer on the licensing team and in referring him to the licensing department in relation to his application and advising him to arrange a meeting with them.

The following is part of an e-mail that I sent to the licensing team before going off duty that night *"Isis wanted me to come to a meeting with them about putting in for an extension as they have been using TENS now for a while to evidence no problems. Dan also wanted to give me a grand tour of the premises. The premises does look smarter with a refit having been done. I have advised Dan to contact yourselves to arrange a meeting.*

Signature witnessed by : .....

TPS 20920 NATASHA PRIOR



# PROTECTIVE MARKING – For Police and Prosecution Only

### Witness contact details

Home Address: c/o Southampton Central Police Station, Southern Road, Southampton

URN: | | |

Post Code : SO15 1AN

Home Telephone No:

Work Telephone No: 101

Mobile / Pager No:

Email address:

Preferred means of contact (specify details): E-MAIL

Best time of contact (specify details): ANYTIME BY E-MAIL

Gender: Female Date and Place of Birth: 23/12/1980 Taplow

Former name: n/a Ethnicity Code: W1 Religion / Belief: Christian

**DATES OF WITNESS NON-AVAILABILITY:** AS PER CARM

### Witness Care

a) Is the witness willing and likely to attend court?  
If 'No', include reason(s) on form MG6. Yes  No

b) What can be done to ensure attendance?

c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? If 'Yes' submit MG2 with file. Yes  No

d) Does the witness have any particular needs? Yes  No

If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

### Witness Consent (for witness completion)

a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes  No

b) I have been given the Victim Personal Statement leaflet Yes  No

c) I have been given the leaflet 'Giving a witness statement to the police - what happens next?' Yes  No

d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice): Yes  No  N/A

e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A

f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable e.g. child care proceedings, CICA: Yes  No  N/A

g) The information recorded above will be disclosed to the Witness Service so that they can offer help and support unless you ask them not to. Tick this box to decline their services:

Signature of v PRINT NAME Natasha Prior

Signature of p appropriate auur: PRINT NAME

Address and telephone number if different from above: -----

Statement taken by: Self Station: Southampton Central

Time and place statement taken: 1053 hours Southampton Central Police Station



## Working Sheet

Hampshire Constabulary

Printed: 30/07/2013 17:19 by 24288

Occurrence: **44080524131 Z Prem Licence (Management Occurrence)**

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Author: #2117 WOOD, S. Report time: 24/07/2013 14:03  
Entered by: #2117 WOOD, S. Entered time: 24/07/2013 14:03  
Remarks: email sent to GILL re his variation

---

Hello Daniel,

With regards to our recent meeting to discuss why we will be objecting to your application to increase your hours this summary of the meeting may be of help to you.

The meeting started with me showing you the Southampton City Councils Licensing Policy and confirming with you that you had read it and understood it. You confirmed this for me. I then pointed out that you had not answered the concerns clearly laid out in the policy relating to the CIP and that you needed to answer these in the relevant sections in your application. Your application simply states "all staff SIA badges". This means nothing whatsoever and falls far short of what the Licensing panel would expect to see.

You spoke in depth about Café Parfait club and your concerns with them. We tried to say that each club is judged on its own merits and without looking into every incident we couldn't comment but you spent a lot of time going back to this club.

I then spoke about the perceived relationship that you have with the police. The fact that a number of police officers have found you to be rather dismissive, disinterested and argumentative when they have attended your premises for various reasons. We discussed this as you felt otherwise although we did not reach an agreement on this.

The conversation then moved to what the way forward should be. My suggestion was that you withdraw the current application, read the SCC policy document that I gave you a copy of and then write out another application but bring it to us to discuss it prior to submitting it. You do not have to do this it is only my suggestion.

So, where do we stand at the moment. With the current application still active we are working towards putting in an objection based around the fact that you are in a CIP area and that the extension you are asking for is a major variation which will have a negative impact on the CIP. You have not put anything in place to satisfy any of the relevant authorities that you have an operating schedule that will alleviate the impact you will have on the CIP and to promote the licensing objectives. Also, our current relationship with you is not ideal as we do not get the impression that we have been able to work with you in order to achieve the

goals laid out in the Licensing Act.

I feel that you have two options.

The first is to just let the application go through, we will object and it will go to a hearing in front of the Licensing Panel and they will listen to our representations and you will get a chance to have your say and respond to any questions that arise.

The second option that you have, and this would be my recommended option, is that you withdraw the current application. Read through the Licensing Policy that I gave you and take particular notice of this list of paragraphs. It is a long list but it is from a long document and the matters are rather complex. The document should be read as a whole and not just the highlighted paragraphs.

Para ref;

2.9

2.16

2.18

6.1

6.2

6.3

7.3

The whole of section 8

9.2

9.3

The whole of section 10

12.4

16.1

16.2

16.6

16.7

16.8

16.9

16.13

16.14

Having read the document you will then need to write out an operating schedule to cover all the points raised by the Council in their policy. When you resubmit your application you will need to refer section P to your operating schedule document as this covers the Licensing objectives and the concerns should be covered in the document you provide. The onus is on the applicant to show that they will NOT have a negative impact on the CIP.

I must stress though, that as you are in a CIP area we will most likely still object to it so that the Council can take a view on the CIP as it is their policy. However, if you have submitted a strong application you will greatly increase your chances and our objection would be made on the CIP alone.

I hope that you find this e mail to be of assistance to you in making a decision regarding making an application. After you have considered it and wish to proceed, write out an operating schedule answering the concerns of the policy document then make an appointment with my team and we will see if we can advise you where you need to tighten up on your own policies before submitting the fresh application.

We will continue with the current application until we hear that you have withdrawn it. We will not be submitting our objection to that application until the 5th August this year.

Regards

*PS 2117 WOOD /\*  
*Alcohol Harm Reduction and Licensing Team,*  
*Southampton Central Police Station, Southern Road,*  
*Southampton. SO15 1AN*