

DECISION-MAKER Licensing (Licensing and Gambling) Sub-Committee
Hearing to Consider an application for Variation of a Premises Licence –

SUBJECT 1865, Brunswick Square, Southampton SO14 3AR

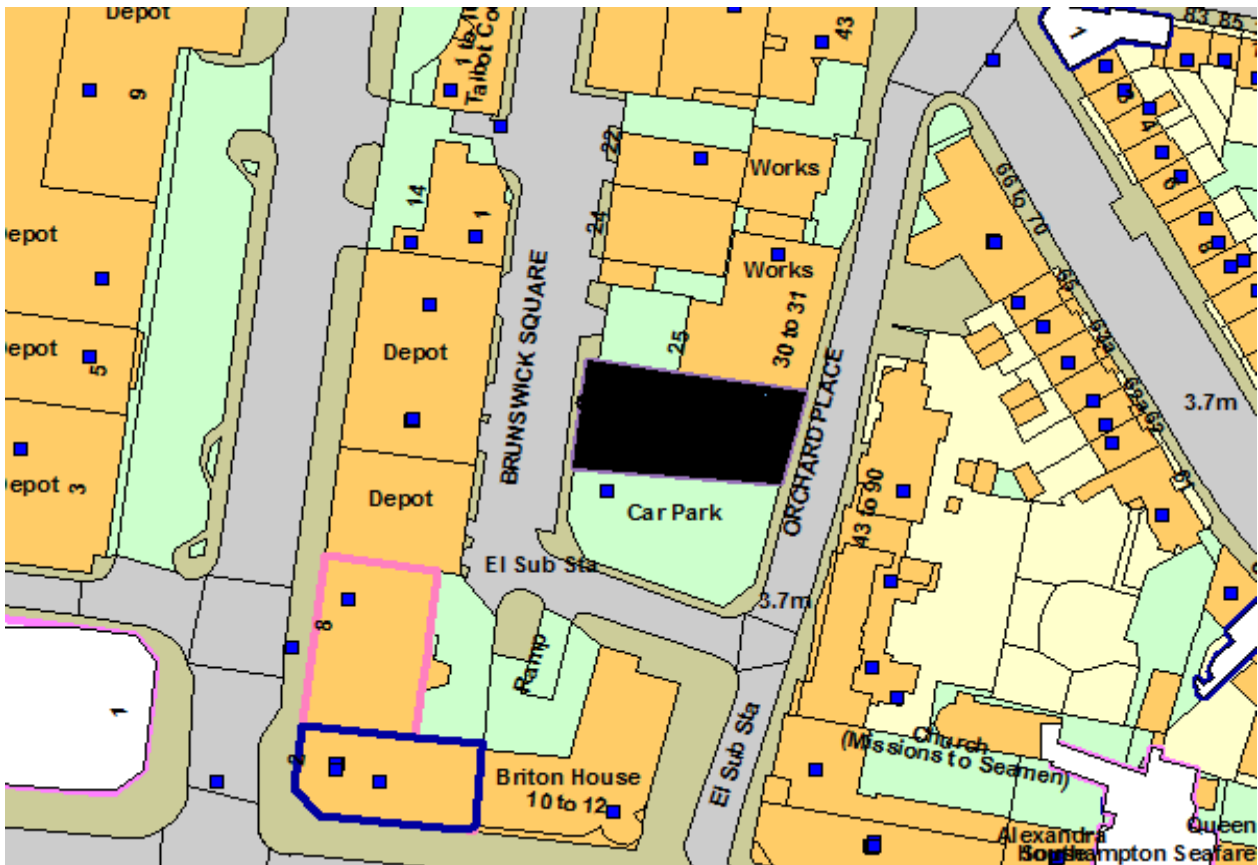
DATE OF HEARING Thursday 05 March 2015

REPORT OF Head of Legal and Democratic Services

E-mail licensing@southampton.gov.uk

Application Date : 14 January 2015 Application Received 16 January 2015

Application Valid : 16 January 2015 Reference : **2015/00196/01SPRV**



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Representations from Responsible Authorities

Responsible Authority	Satisfactory?
Local Safeguarding Children Board	No Response Received
Hampshire Fire And Rescue	Yes
Environmental Health - Licensing	No
Planning & Sustainability	No Response Received

Public Health	No Response Received	
Hampshire Constabulary	Yes	
Trading Standards	Yes	
<i>Other Representations</i>		
Name	Address	Contributor Type
Mr. Gordon Massie	88 Orchard Place Southampton SO14 3BW	Resident
Mr. & Mrs. Baker	80 Orchard Place Southampton SO14 3BW	Resident
Mr. Spencer Payne	61 Orchard Place Southampton SO14 3BW	Resident
Mr. James Corlass	47 Orchard Place Southampton SO14 3BW	Resident
Mr. & Mrs. Alrugaibah	65 Orchard Place Southampton SO14 3BW	Resident
Ms. Kristine Nolan	81 Orchard Place Southampton SO14 3BW	Resident

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 the premises licence and the representations to it are annexed to this report.

Summary of application

Premises:	1865
Licence Holder:	Mr. Paul William Hooper
Agent for licence Holder:	Cliff Morris Paris Smith LLP
DPS:	Mr. Paul William Hooper
Proposed Variation	

The application is to extend Plays, Films, Indoor Sporting Events, Boxing or Wrestling, Live Music, Recorded Music, Performance of Dance, Anything similar to Live/recorded Music – Performance of dance from 10:00 – 00:00 Sunday to Thursday and 10:00 – 01:30 Saturday and Sunday **TO** 10:00 – 04:00 Monday to Sunday

Conditions agreed with Hampshire Constabulary

Last Entry

No persons will be allowed entry or re-entry to the premises after 02:00 with the exception of staff that are there in a working capacity.

Dispersal Policy

A dispersal Policy will be adopted during the last trading hour to ensure minimal disturbance to neighbours and to tackle the problem of anti-social behaviour and crime. This will include:

- 1) During the last 30 minutes of trading the service points of the bar will be reduced and certain staff reallocated to collect glasses.
- 2) On occasions when the premises closes after midnight then music volume will be reduced and the tempo slowed down during the last 30 minutes of trading. Lighting levels will be raised to encourage the gradual dispersals of customers.
- 3) DJ announcements will be used to encourage gradual dispersal and to remind customers to leave quietly.
- 4) Door supervisors or staff will remove all bottles and glasses from any customer who attempts to leave the venue carrying one.
- 5) Door supervisors or staff will patrol the outside perimeter of the premises at the end of the evening for a least an additional 15 minutes or until persons have dispersed from the immediate area to ensure the safe and quiet dispersal of customers. Any customers congregating or loitering outside after leaving the premises will be asked to depart quickly and quietly.
- 6) Notice will be displayed in prominent positions at the exit of the premises request customers to leave quickly and quietly.

Conditions already attached to the licence (excluding mandatory).

CCTV

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected. There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

Incident book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request. Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry. At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

Refusals book

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the store manager/manageress.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

The record of refusals will be retained for 12 months.

Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport, HM Forces ID card or photographic identification bearing the PASS logo and the person's date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

Training

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

Toilet Checks

The public toilets within the premises shall be checked every 30 minutes between the hours of 18:00 and closing. A record shall be kept by the premises and presented on request by Hampshire constabulary. Toilet check records shall be kept for a minimum period of 3 months.

Door Staff

On every Friday, Saturday and New Year's Eve and any Sunday preceding public holidays there shall be a minimum of 2 SIA registered door staff from 19:00 hours to closing. Further SIA registered staffing will be subject to a risk assessment by the management.

On all other occasions when the premises are open for licensable activities after 19:00 hours there shall be a minimum of 1 SIA registered door staff when there are in excess of 100 patrons. Further SIA registered staffing will be subject to a risk assessment by the management.

The risk assessment will take into consideration, as a minimum:-

i, the number of patrons

ii, the nature of the event

iii, the time the event will take place

Records of the risk assessment for each event will be kept at the premises for a minimum of 3 months.

Insert name and address
of relevant licensing
authority and its
reference number
(optional)

Southampton City Council
PO Box 1767
Southampton
SO18 9LA



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.

X/We 1865

(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
2013/01934/01SPRM

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Brunswick Square	
Post town Southampton	Post code SO14 3AR
Telephone number at premises (if any)	02380 222605
Non-domestic rateable value of premises	£ 16,500.00

Part 2 - Applicant Details

Daytime contact telephone number	[REDACTED]	
E-mail address (optional)	[REDACTED]	
Current postal address if different from premises address	128 Obelisk Road Woolston	
Post town	Southampton	Post code SO19 9DP

Part 3 - Variation

Please tick as appropriate

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

Yes No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

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

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:

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

to increase the operating hours of the premises and the activities that will take place there to 0400 Monday - Sunday inclusive.

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 all that apply

- 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 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 7)			<u>Will the performance of a play take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<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 6)		
Sat	1000	0400			
Sun	1000	0400			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	1000	0400	
Tue	1000	0400	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed	1000	0400	
Thur	1000	0400	<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 6)
Fri	1000	0400	
Sat	1000	0400	
Sun	1000	0400	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	Both	<input type="checkbox"/>	<u>Please give further details here</u> (please read guidance note 4)
Tue	1000	0400			
Wed	1000	0400			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)
Thur	1000	0400			
Fri	1000	0400			<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 6)
Sat	1000	0400			
Sun	1000	0400			

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both - please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<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 6)		
Sat	1000	0400			
Sun	1000	0400			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1000	0400	<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	1000	0400			
Wed	1000	0400	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	1000	0400			
Sun	1000	0400			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	1000	0400		<u>Please give further details here</u> (please read guidance note 4)	Outdoors
Tue	1000	0400	Both		<input type="checkbox"/>
Wed	1000	0400	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur	1000	0400			
Fri	1000	0400	<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 6)		
Sat	1000	0400			
Sun	1000	0400			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Start	Finish
Mon				Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>	
Wed			Please give further details here (please read guidance note 4)		
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Fri					
Sat					
Sun			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 (please read guidance note 6)		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
Day				Start	Finish
Mon	1000	0400		Off the premises	<input type="checkbox"/>
Tue	1000	0400	Both	<input type="checkbox"/>	
Wed	1000	0400	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Thur	1000	0400	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 6)		
Fri	1000	0400			
Sat	1000	0400			
Sun	1000	0400			

K

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 9).

It is not envisaged that there will be any entertainment or matters that may give rise to concern in respect of children. The premises will continue to operate as they have been currently, save that the opening hours will be extended to 0430, 7 days per week to all activities and events to finish at 0400.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	1000	0430	<p>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 6)</p>
Tue	1000	0430	
Wed	1000	0430	
Thur	1000	0430	
Fri	1000	0430	
Sat	1000	0430	
Sun	1000	0430	

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.

It is not envisaged that any of the conditions will be changed or amended by virtue of the extended opening hours.

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

a certified copy of the Premises Licence is enclosed.

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 and e) (please read guidance note 10)

The applicant does not propose any additional steps. The applicant confirms that the premises will continue to operate as currently save for the extended hours. The doorstaff and supervisors will be continue to be utilised.

b) The prevention of crime and disorder

see (a) above

c) Public safety

see (a) above

d) The prevention of public nuisance

see (a) above

e) The protection of children from harm

See (a) above.

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, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	14 th January 2015
Capacity	Solicitor

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 13). 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 14) Paris Smith LLP 1 London Road Southampton	
Post town	Post code SO15 2AE
Telephone number (if any)	02380 482482
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Morning Licensing,

'EH wish to make a representation against the application to vary the licence for the above referenced premises due to the noise nuisance complaints received (Nov 2013, October 2014, November 2014 and January 2015 and the Noise Abatement Notice that remains on the premises since being served in January 2014

EH are not fully confident that the sound insulation/attenuation is appropriate for all types of music at the premises as to minimise any likelihood of complaints, particularly if an extension to the hours was permitted. The period in which there could be noise nuisance would be increased and although the abatement notice remains on the premises, and further action would be taken for a breach of the notice, it seems inappropriate to allow an extension in the circumstances.'

Regards

Elaine Jeffery
Principal Environmental Health Officer
Southampton City Council

08 February 2015

Dear Licensing Team,

I would like to make an objection against the proposal put forward by the 1865 Club to extend their licensing hours to 04:00am Mon – Sun.

Since opening the club has caused a constant noise nuisance and despite the alterations made to the venue, noise is still a major problem. I am in constant communication with the Southampton City Council over the issue and have now lost track of the number of times I have contacted them to report excessive noise.

The music starts as early as 15:00 on some days when they are doing sound checks and goes on until after midnight. The base of the music can be heard over the television, through ear plugs and disrupts normal conversation. I have owned and lived in my property since it was built in 2006 and had not experienced excess noise other than occasional noise from neighbours until the 1865 club was opened. I have a young child who is often woken or kept awake by the music.

The Environmental Health out of hours noise department have visited my property to measure the noise level on multiple occasions and have stated that if the problem continues action will be taken against the venue. I am aware that the club did make some adjustments to the building but the problem continues and little has improved.

There are other problems creating a public nuisance caused by The 1865 Club such as drinks glasses and glass beer bottles frequently being left in the adjacent car park, on the pavement and on the road around the venue. These regularly leave broken glass scattered over all of the above. The 1865 Club is in a state of disrepair, parts of the masonry from the clubs roof has fallen 30 foot directly onto a public walkway (pavement) this is a danger to pedestrians. The club has made no attempt to remove graffiti from the rear of the building which overlooks ours and other properties.

The state of the building and its close proximity has made it difficult to sell our property and we have had negative comments from potential buyers about The 1865. If the license is extended I believe it will make it even more difficult for us and other property owners to sell their properties and/or impact on property values.

There is a large new development adjacent to The 1865, which will soon see hundreds of new property owners and tenants living in very close proximity to the venue, many of whom will be affected by the noise nuisance.

Kind regards,

Mr James Corlass

47 Orchard Place,
Southampton,
Hampshire.
SO14 3BW

Jeffery, Andy

From: Massie, Gordon [REDACTED]
Sent: [REDACTED] 2015 13:22
To: Licensing
Subject: 1865 club

Licensing team

My name is Gordon Massie, living at 88 Orchard Place, Southampton.
I would like to make representations regarding the change of licensing the 1865 club are proposing.
This building, until fairly recently was the dockers club where once or twice a month on a Saturday, they held a disco/function there. The noise was heard, but because of the time of the week, finishing at 12:00am and limited number of patrons, the disturbance was limited.

Now, the 1865 club have concerts there Monday - Sunday, where the noise emanating from what is essentially a warehouse, is heard at greater levels if you are living higher than the roof of the club. It really is loud, and can be heard regardless of which side of the apartment block you happen to occupy. The roof of this building is unsuitable for absorbing noise from the type of concerts being held here.

The 1865 club is right in the middle of a residential area, with the club mere meters from peoples front doors. This application for a licence extension coincides with the building of a large number of family properties bordering Queensway and Brunswick Square but, because they are not fully completed/occupied, no representations can be submitted.

Queuing and dispersal of up to 1500 patrons is also a noise nuisance with access to a car park opposite Orchard Place blocked while doing so.

I would like the licensing team to acknowledge these points as a matter of urgency.

Thank you

Gordon Massie

Disclaimer

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Any views or opinions presented are solely those of the author and do not necessarily represent those of the Trust unless explicitly stated otherwise.

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Jeffery, Andy

From: Brian and Chris Baker [REDACTED]
Sent: 03 February 2015 19:22
To: Licensing
Subject: Extended hours for 1865

Dear Sir or madam

Re: Extended Opening Hours for 1865 Club, Brunswick Place, Southampton

Myself and my wife are resident of 80 Orchard Place and would like to lodge our feelings against the proposed extension to the opening hours of the 1865 Club until 4am Monday to Sunday.

At the present time the 1865 Club was just tolerable because of the restricted time the club is open till. However due to the increase in bands performing the noise level has become unacceptable due to:

- The roller doors at the rear of the club are open during performances for emergency exits;
- The loading and unloading of equipment before and after bands have performed;
- The number of people queuing before a performance;
- Disturbances from people leaving the club;
- Volume in traffic from dropping off and picking up of patrons;
- Plus insufficient car parking facilities.

Also there is new residential accommodation being built on Queensway which is aimed at young families and this accommodation backs onto the Club. Therefore the extended opening hours will cause a nuisance not only to these new residents but also to the current resident of the local area with young families.

Yours faithfully

Mr and Mrs B Baker

Jeffery, Andy

From: [REDACTED]
Sent: 03 February 2015 19:26
To: Licensing
Subject: licensing hours

Dear Sir/Madam

As an owner/occupier at Orchard Place Southampton I write to register my objection to the application for extending the opening hours of the 1865 Club in Brunswick Square SO14 3AR on the grounds that it will cause inevitable nuisance and noise in the early hours. I trust my objection will be noted and duly considered.
Thanking you in anticipation

Yours Spencer L Payne
61 Orchard Place
Southampton.

Jeffery, Andy

From: Nora Alrajebah [REDACTED]
Sent: 05 February 2015 14:04
To: Licensing
Cc: [REDACTED]
Subject: Regrading 1865 Club extended opening hours

Dear Mr/Ma'am,

We are writing regrading the 1865 club proposal to extend their opening hours until 4 am from Monday to Sunday.

We live in 65 Orchard Place, just opposite to the club's site. We honestly believe that extending the club's opening hours throughout the week (during working days) until 4 am will make it very difficult for us who live nearby in residential areas, lots of noise will be caused from the club and people who will queue.

Therefore, we kindly ask you to decline their proposal as it will be a cuase of disturbance and noise for us, which would make the living there as explained before very difficult.

Thank you very much
Nora Alrajebah and Abdelaziz Alrugaibah

Jeffery, Andy

From: [REDACTED]
Sent: 05 February 2015 21:18
To: Licensing
Subject: 1865 proposal for extended opening hours (Brunswick Square, Southampton, SO14 3AR)

To whom it may concern

I have recently discovered (via my neighbours) that 1865 have put forward a proposal to have their opening hours extended until 4am Monday to Sunday. We have not received any communication advising the residents of this.

As a resident living directly opposite the 1865 building (on the 4th floor), I am deeply opposed to this proposal and in fact I wish to raise a complaint against 1865 for noise nuisance.

Since 1865 opened, they hold more frequent music events (than the original workman's venue did) and I have found that on the nights that a band is playing, the music is too loud especially the bass beat. This can start as early as 4pm (when they start to warm up!) until late when they close. I have triple glazing on the windows that look out onto the venue but I still hear a loud thudding noise and find the noise vibrates the items I have on my window sill and the windows themselves and I have to raise the volume of my television to hear it and block out the noise from outside. The noise of the bass reverberates around the building so I can also hear the beat of the music in the back bedrooms and this has disturbed my sleep.

Also, during the summer when I wish to open my balcony door to enjoy the weather, I have to put up with the noise and it can be overbearing especially if you want peace and quiet!

The only current relief is knowing that they are only open on the current hours. If the opening hours are extended, the noise will be a constant nuisance 7 days a week and will affect the neighbouring residents including myself immensely.

There are also apartments being built directly on the other side of the venue which will also suffer this inconvenience.

I am also deeply concerned at the affect the venue will have on the value of my property should I wish to sell it in the future. The venue was not open 9 years ago when I bought the property and I am not happy that this venue has been granted permission to become a live music venue considering the proximity to the residential areas.

Please take this email as representation to oppose the proposal made.

Could you please acknowledge this email and advise of the outcome.

Yours sincerely

Kristine Nolan
81 Orchard Place, Southampton, SO14 3BW