

Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 31st May, 2023
at 4.00 pm

PLEASE NOTE TIME OF MEETING

Virtual Meeting

This meeting is open to the public

Members

Three Members drawn from the Licensing Committee

Contacts

Democratic Support Officer
Emily Goodwin
Email: Emily.Goodwin@southampton.gov.uk

Executive Director Place
Adam Wilkinson
Email: Adam.Wilkinson@southampton.gov.uk

PUBLIC INFORMATION

The Members of the Licensing Committee are Councillors M Bunday, J Baillie, Beaurain, Mrs Blatchford, A Frampton, Kenny, Noon, Powell-Vaughan, Whitbread and Windle.

Role of the Sub-Committee

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

Southampton: Corporate Plan 2022-2030 sets out the four key goals:

- Strong Foundations for Life.- For people to access and maximise opportunities to truly thrive, Southampton will focus on ensuring residents of all ages and backgrounds have strong foundations for life
- A proud and resilient city - Southampton's greatest assets are our people. Enriched lives lead to thriving communities, which in turn create places where people want to live, work and study
- A prosperous city - Southampton will focus on growing our local economy and bringing investment into our city.
- A successful, sustainable organisation - The successful delivery of the outcomes in this plan will be rooted in the culture of our organisation and becoming an effective and efficient council.

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 for the Municipal Year
Meetings are scheduled on a weekly basis usually at 4pm 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 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 **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 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.

6 **APPLICATION FOR VARIATION OF PREMISES LICENCE - GRIFFIN, 35-37 ANGLESEA ROAD, SOUTHAMPTON SO15 5QH** (Pages 1 - 52)

Application for Variation of Premises Licence - Griffin, 35-37 Anglesea Road, Southampton SO15 5QH

Monday, 22 May 2023

Executive Director Communities, Culture & Homes

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Agenda Item 6

DECISION-MAKER LICENSING (LICENSING & GAMBLING) SUB COMMITTEE

SUBJECT HEARING TO CONSIDER AN APPLICATION FOR VARIATION OF A PREMISES LICENCE – **Griffin 35 - 37 Anglesea Road Southampton SO15 5QH**

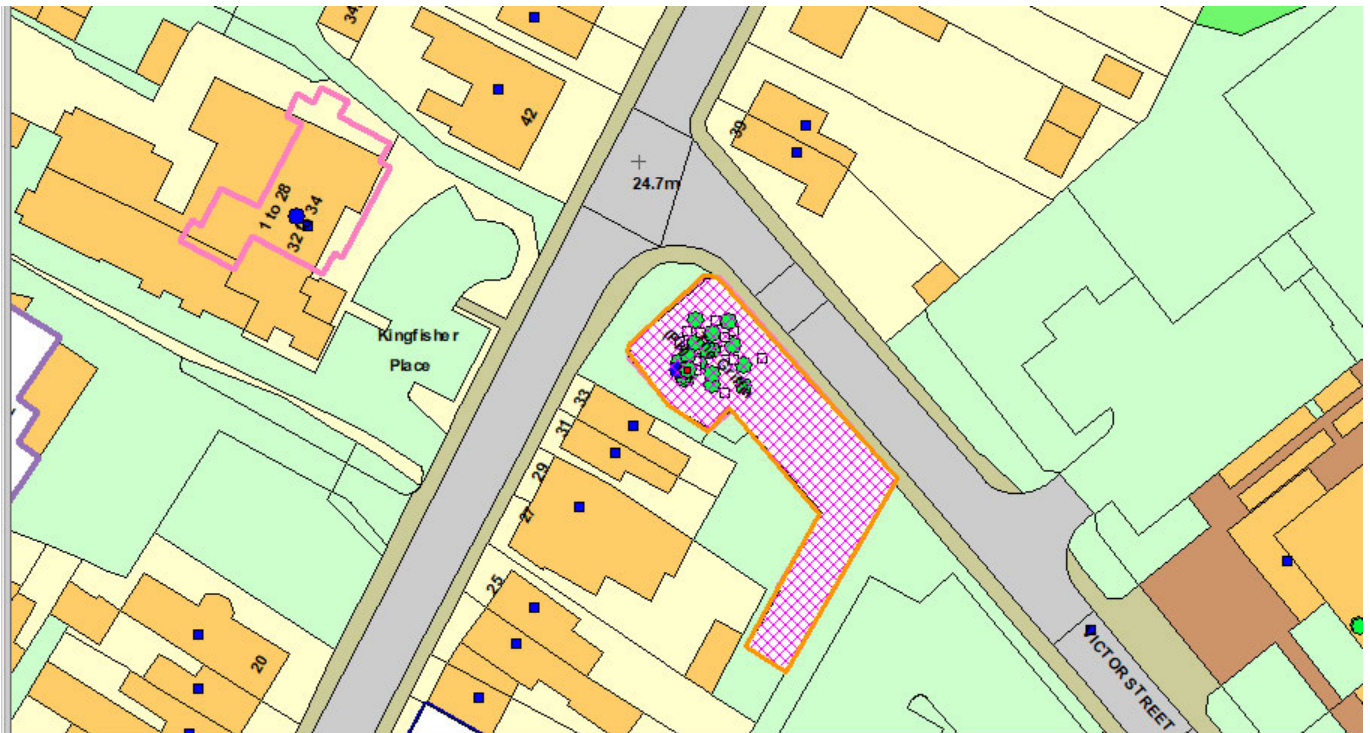
DATE OF HEARING 31st May 2023 online at 1600 Hours

REPORT OF SERVICE DIRECTOR – PLACE

E-mail licensing@southampton.gov.uk

Application Date : 4th April 2023 Application Received 4th April 2023

Application Valid : 4th April 2023 Reference : **2023/01224/01SPRV**



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Representations from Responsible Authorities

Responsible Authority	
Safeguarding Children	No Response

Fire Service	Satisfactory
Environmental Health - Licensing	No Response
Home Office	No Response
Public Health Manager	No Response
Planning & Sustainability - Development Control - Licensing	Satisfactory
Police - Licensing	No Response
Trading Standards	No Response

Other Representations

Name	Address	Contributor Type
Mr. Stan Brooke	52 Anglesea Road Southampton SO15 5QJ	Resident
Mr. G M Cole	39 Anglesea Road Shirley Southampton SO15 5QR	Resident
Ms. C J Fowler	46 Anglesea Road Southampton SO15 5QJ	Resident

Legal Implications

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

An application may be refused in part and thereby only permit some of the licensable activities sought.

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.

In considering this application the sub-committee is 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.

Only persons that made relevant representations or their representative, within the time limits, will be allowed to present evidence and this will be restricted to the points raised in their written representation. Any evidence used to expand upon specific points already raised in a written representation should be served upon all parties in good time before the hearing date in order to allow proper consideration. A failure to properly serve any such additional evidence in advance is likely to mean it cannot be produced or relied upon at the hearing.

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 affects 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.

Equality Act 2010

Section 149 of the Equality Act 2010 requires the Council to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act. It also requires the Council to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This means having due regard to the need to removing or minimising disadvantages suffered, taking steps to meet the needs of persons, encouraging persons to participate in public life, tackling prejudice and promoting understanding. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

SUMMARY

The current premises licence holder 'Sonia Hotels and Leisure Ltd' has held the licence since 24th October 2022. The application is for a full variation to extend the current licence as follows:

- 1) Live music until 23:00hrs every day.

- 2) Recorded music, late night refreshment, and supply of alcohol to 01:30hrs Monday to Saturday and midnight on Sunday.
- 3) A new plan of the area to be licensed.

Applicant	Sonia Hotels & Leisure Ltd
Designated Premises Supervisor	Manoj Kumar

Licensable Activities.

Films	
Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 23:00
Saturday	10:00 - 22:00
Sunday	10:00 - 22:30
Indoor sporting events	
Monday	10:00 - 22:30
Tuesday	10:00 - 22:30
Wednesday	10:00 - 22:30
Thursday	10:00 - 22:30
Friday	10:00 - 23:00
Saturday	10:00 - 22:00
Sunday	10:00 - 22:30
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 - 23:00
Saturday	10:00 - 23:00
Sunday	10:00 - 23:00
Recorded music	
Monday	10:00 - 01:30
Tuesday	10:00 - 01:30
Wednesday	10:00 - 01:30
Thursday	10:00 - 01:30
Friday	10:00 - 01:30
Saturday	10:00 - 01:30
Sunday	10:00 - 00:00
Performances of dance	
Monday	10:00 - 23:00
Tuesday	10:00 - 23:00
Wednesday	10:00 - 23:00
Thursday	10:00 - 23:00
Friday	10:00 - 23:00
Saturday	10:00 - 23:00
Sunday	10:00 - 23:00

Anything similar to live music, recorded music or performances of dance

Monday 10:00 - 22:30

Tuesday 10:00 - 22:30

Wednesday 10:00 - 22:30

Thursday 10:00 - 22:30

Friday 10:00 - 23:00

Saturday 10:00 - 22:00

Sunday 10:00 - 22:30

Provision of late night refreshment

Monday 23:00 - 01:30

Tuesday 23:00 - 01:30

Wednesday 23:00 - 01:30

Thursday 23:00 - 01:30

Friday 23:00 - 01:30

Saturday 23:00 - 01:30

Sunday 23:00 - 01:30

Supply by retail of alcohol

Monday 10:00 - 01:30

Tuesday 10:00 - 01:30

Wednesday 10:00 - 01:30

Thursday 10:00 - 01:30

Friday 10:00 - 01:30

Saturday 10:00 - 01:30

Sunday 10:00 - 00:00

This application has received three Public Representations.

Included in this Report

Application

New plan

Current Licence

Planning No Objection

Fire No Objection

3 Public Representations

Hearing Procedure

SOUTHAMPTON AND EASTLEIGH LICENSING PARTNERSHIP
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 Sonia Hotels & Leisure Limited

(Insert name(s) of applicant)

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

Premises licence number 2023/00490/77SALL

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 35-37 Anglesea Road, Shirley			
Post town	SOUTHAMPTON	Postcode	SO15 5QH7

Telephone number at premises (if any)	
Non-domestic rateable value of premises	££7,300.00

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

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

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

We would like the license to allow patrons to drink on the forecourt of the pub (front) and rear garden until 10pm.

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:

0

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 see guidance note 3)

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 8)			<u>Will the performance of a play 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					
Wed					
Thur			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Fri					
Sat					
Sun					
			<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 7)		

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 type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Fri					
Sat					
Sun					
			<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)		

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<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)
Fri			
Sat			
Sun			

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			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<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)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live 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 license, live jazz type music will be offered. Saxophonist, Violinist etc. <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) <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 7)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			

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) The music will be DJ provided music on some nights and on other nights played via our playlists.					
Mon	10:00	01:30						
Tue	10:00	01:30						
Wed	10:00	01:30				<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	10:00	01:30						
						<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)		
Fri	10:00	01:30						
Sat	10:00	01:30						
Sun	10:00	00:00						

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance 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) There will on some occasions be ethnic type dancing, ie: Belly dancing.		
Mon	10:00	23:00			
Tue	10:00	23:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Wed	10:00	23:00			
Thur	10:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			

H

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

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment 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) Hot meals will not be provided after 00:30 although hot beverages will still be available.					
Mon	23:00	01:30						
Tue	23:00	01:30						
Wed	23:00	01:30				<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	01:30						
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)					
Fri	23:00	01:30						
Sat	23:00	01:30						
Sun	23:00	01:30						

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	10:00	01:30			
Tue	10:00	01:30			
Wed	10:00	01:30			
Thur	10:00	01:30			
Fri	10:00	01:30			
Sat	10:00	01:30			
Sun	10:00	00:00			

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 10).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	01:30	
Tue	10:00	01:30	
Wed	10:00	01:30	
Thur	10:00	01:30	
Fri	10:00	01:30	
Sat	10:00	01:30	
Sun	10:00	01:00	
			<u>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</u> (please read guidance note 7)

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.

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.

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 11)

1. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol.
2. The premises licence guidance manual will be the basis of alcohol sales training.
3. Records of the training programme shall be maintained and made available to Authorised Officers upon request.
4. The Premises Licence holder shall provide a “refresher” training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every twelve months.
5. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days
 - Have a camera covering any entrance which will provide a facial shot of identification quality.
 - Have a means of copying any footage to another medium as evidence if requested by the Police
6. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
7. A refusal log will be kept and maintained to record the refusal of alcohol beverages to underage or intoxicated persons. The details collated will include a description of the individual refused, the date and time, the details of the product refused, the reason for refusal and the name of the staff member
8. An incident log will be kept to record instances of crime, disorder or nuisance on the premises. The headings will include details of the incident, whether the emergency services were called, the date/time of the incidents and the staff members name who recorded the details.
9. No disposal of waste bottles into external waste receptacles between 23.00 & 08.00 hours.
10. Any Beer or cider offered in the premises will be limited to 6% ABV.
11. A SIA registered door supervisor will be on duty on the premises from 21.00 hours until the premises closes for business .The door supervisor will control the number of patrons wishing to enter the premises to approved capacity limit as detailed within the fire risk assessment and will not permit customers with unconsumed alcohol to leave the premises.
12. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces when leaving the premises.
13. A dispersal plan will be drawn up to manage patrons leaving the premises prior to the terminal hour.

b) The prevention of crime and disorder

1. The Premises Licence holder shall provide a “refresher” training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every twelve months.
2. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days
 - Have a camera covering any entrance which will provide a facial shot of identification quality.
 - Have a means of copying any footage to another medium as evidence if requested by the Police
3. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
4. An incident log will be kept to record instances of crime, disorder or nuisance on the premises. The headings will include details of the incident, whether the emergency services were called, the date/time of the incidents and the staff members name who recorded the details.
5. Any Beer or cider offered in the premises will be limited to 6% ABV.
6. A SIA registered door supervisor will be on duty on the premises from 21.00 hours until the premises closes for business .The door supervisor will control the number of patrons wishing to enter the premises to approved capacity limit as detailed within the fire risk assessment and will not permit customers with unconsumed alcohol to leave the premises.

c) Public safety

1. The CCTV policy shall incorporate the following basic requirements:
 - Be switched on and fully operational when the licensable activities are being carried out.
 - Record for a minimum rolling period of 31 days
 - Have a camera covering any entrance which will provide a facial shot of identification quality.
 - Have a means of copying any footage to another medium as evidence if requested by the Police
2. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
3. An incident log will be kept to record instances of crime, disorder or nuisance on the premises. The headings will include details of the incident, whether the emergency services were called, the date/time of the incidents and the staff members name who recorded the details.
4. A SIA registered door supervisor will be on duty on the premises from 21.00 hours until the premises closes for business .The door supervisor will control the number of patrons wishing to enter the premises to approved capacity limit as detailed within the fire risk assessment and will not permit customers with unconsumed alcohol to leave the premises.
5. A dispersal plan will be drawn up to manage patrons leaving the premises prior to the terminal hour.

d) The prevention of public nuisance

1. An incident log will be kept to record instances of crime, disorder or nuisance on the premises. The headings will include details of the incident, whether the emergency services were called, the date/time of the incidents and the staff members name who recorded the details.
2. No disposal of waste bottles into external waste receptacles between 23.00 & 08.00 hours.
3. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of the local community and of acceptable behaviour in public spaces when leaving the premises.
4. A dispersal plan will be drawn up to manage patrons leaving the premises prior to the terminal hour.

e) The protection of children from harm

1. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of internal training prior to them being authorised to sell or supply alcohol.
2. The premises licence guidance manual will be the basis of alcohol sales training.
3. Records of the training programme shall be maintained and made available to Authorised Officers upon request.
4. The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case by case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every twelve months.
5. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 25 years and is seeking to purchase alcohol for consumption on/off the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.
6. A refusal log will be kept and maintained to record the refusal of alcohol beverages to underage or intoxicated persons. The details collated will include a description of the individual refused, the date and time, the details of the product refused, the reason for refusal and the name of the staff member

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 (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	03/04/23
Capacity	DIRECTOR

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 address for correspondence associated with this application (please read guidance note 15) 35 - 37 Anglesea Road			
Post town	SOUTHAMPTON	Post code	SO14 3DJ
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Privacy statement

The Council is collecting this information in order to perform this service or function, and if further information is needed in order to do so, you may be contacted using the details provided.

In performing this service, the Council may be required to share your information with other organisations or departments, but it will only do so when it is necessary in order for the service to be provided.

The Council may also share your personal information for the purposes of the prevention, investigation, detection, or prosecution of criminal offences, but will not share your personal information, or use it for this, or any other purpose, unless provided for by law.

For more detail about how we handle your personal data please see our privacy policies:

For Southampton City Council applications: <http://www.southampton.gov.uk/privacy>

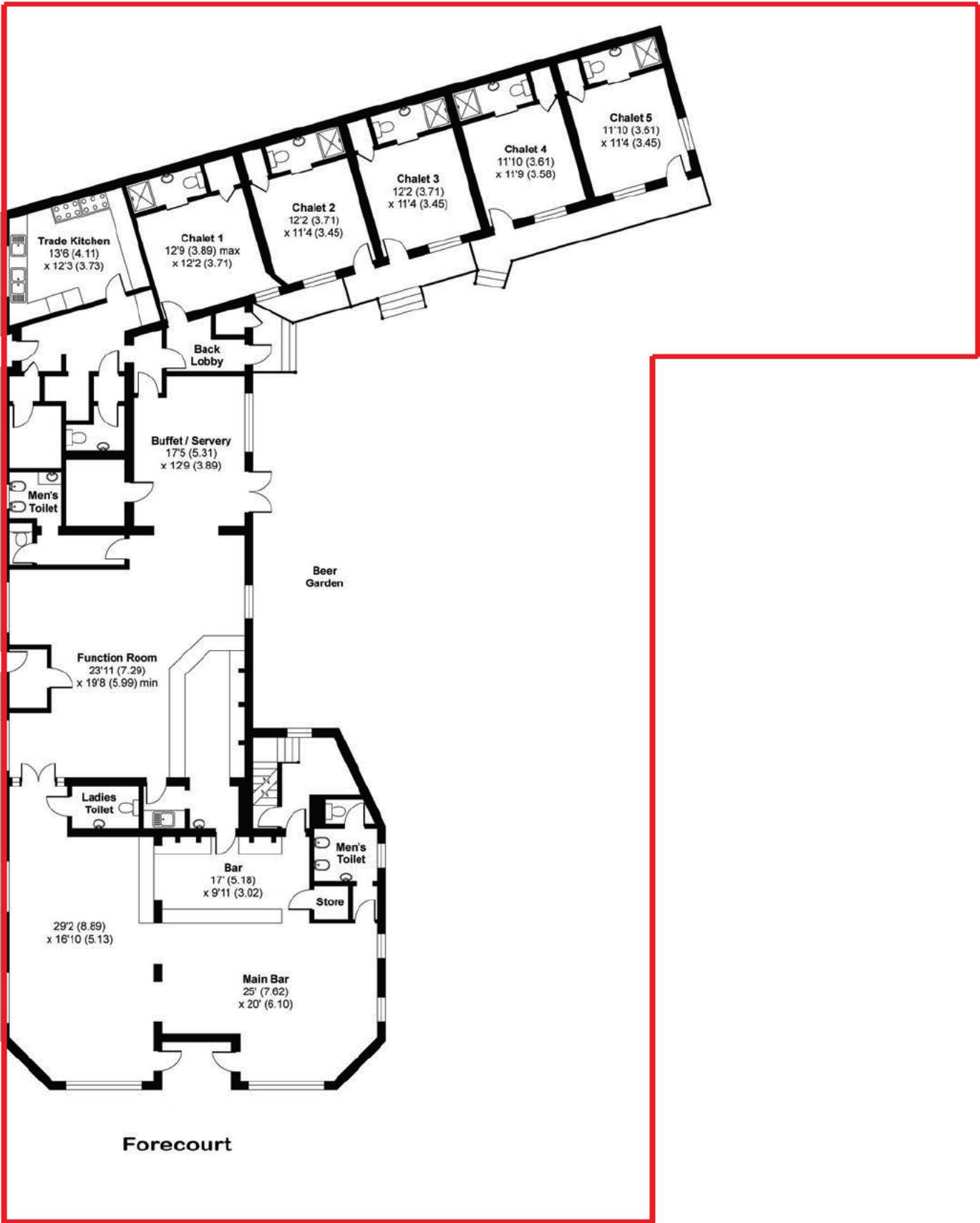
For Eastleigh Borough Council applications: <https://www.eastleigh.gov.uk/privacy>

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.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.





SOUTHAMPTON
CITY COUNCIL

Schedule 12
Part A
Premises Licence

Regulation 33,34

Premises licence number 2022/03743/01SPRD

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description,

Griffin

35 - 37 Anglesea Road
Southampton
SO15 5QH

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
Anything similar to live music, recorded music or performances of dance
Supply by retail of alcohol

The times the licence authorises the carrying out of licensable activities

Films

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

Indoor sporting events

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

Live music

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

Recorded music

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



Anything similar to live music, recorded music or performances of dance

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



Supply by retail of alcohol

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



The opening hours of the premises

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



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

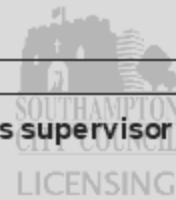
Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Sonia Hotels & Leisure
1 Oxford Street
Southampton
SO14 3DJ



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

12255598



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

Manoj Kumar



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

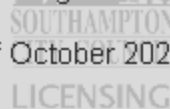
Licence Number: 22/00304/LAPER

Licensing Authority: Buckinghamshire 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 24th day of October 2022;



Licensing manager
Southampton & Eastleigh Licensing Partnership
Civic Centre
Southampton
SO14 7LY

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
 - (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).
- 4 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5
 - (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.
- 6 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.

7 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.

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

Annex 2 – Conditions consistent with the operating Schedule

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

1.1. 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.

2. CCTV warning signs shall be fitted in public places.

3. 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 four frames per second and all recorded footage must be securely retained for a minimum of 28 days.

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

5. The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, eg password protected.

6. 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 or other media, e.g. a memory stick will also have a copy of the CCTV system software enabled to allow playback.

7. 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.

8. 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 on request.

9. 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 the person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction between members of staff and the public the entry will include what physical action occurred between each party. The entry will be timed (showing the time of incident and the time of recording), dated and signed by the author.

10. 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.

11. 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.

12. 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 DPS/manager.

13. 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.

14. The record of refusals will be retained for 12 months.

15. 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.

16. 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.

17. 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 10 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 on each subsequent six month training session.

18. All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible authority on 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.

19. There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the Premises Licence holder 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.

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

21. 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.

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

23. A Noise Management Plan shall be provided in respect of any musical regulated entertainment or indoor sporting events within 6 weeks to ensure the music and noise emanating from the premises if audible shall be at such a level that distinct tunes, lyrics, musical instruments and any bass beat cannot be recognised at the boundary of all noise sensitive premises.

24. For the purposes of the above condition noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purposes likely to be affected by the music noise.

25. All the premises' doors and windows, except for ingress and egress of patrons, be closed at all times that regulated entertainment is provided.

26. The volume of music to be reduced to background music level after the last sale of alcohol every day.

27. The garden to be closed and cleared of all patrons, glasses and bottles by 22.00 each day.

28. That no open vessels of alcohol be allowed outside the premises after 21.30 each day.

29. That no entry or re-entry to the licensed area be allowed 30 minutes prior to closing each day.

30. That signage be installed at all exits requesting patrons to leave the premises quietly and with respect for local residents.

31. A dispersal procedure 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:

a. during the last 30 minutes of trading the service points at the bar will be reduced and certain staff reallocated to collect glasses;

b. music volume will be reduced during the last 30 minutes of trading. Lighting levels will be raised to encourage the gradual dispersal of customers;

c. staff will remove all bottles and glasses from any customer who attempts to leave the venue carrying one.

32. All areas of the premises will be checked at the end of each evening to ensure all customers have left safely and a signed record of these checks to be kept on the premises at all times and to be made available to the Police upon request.

33. Staff will patrol the outside perimeter of the front of the premises at the end of each evening (for at least an additional 30 minutes or until persons are 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.

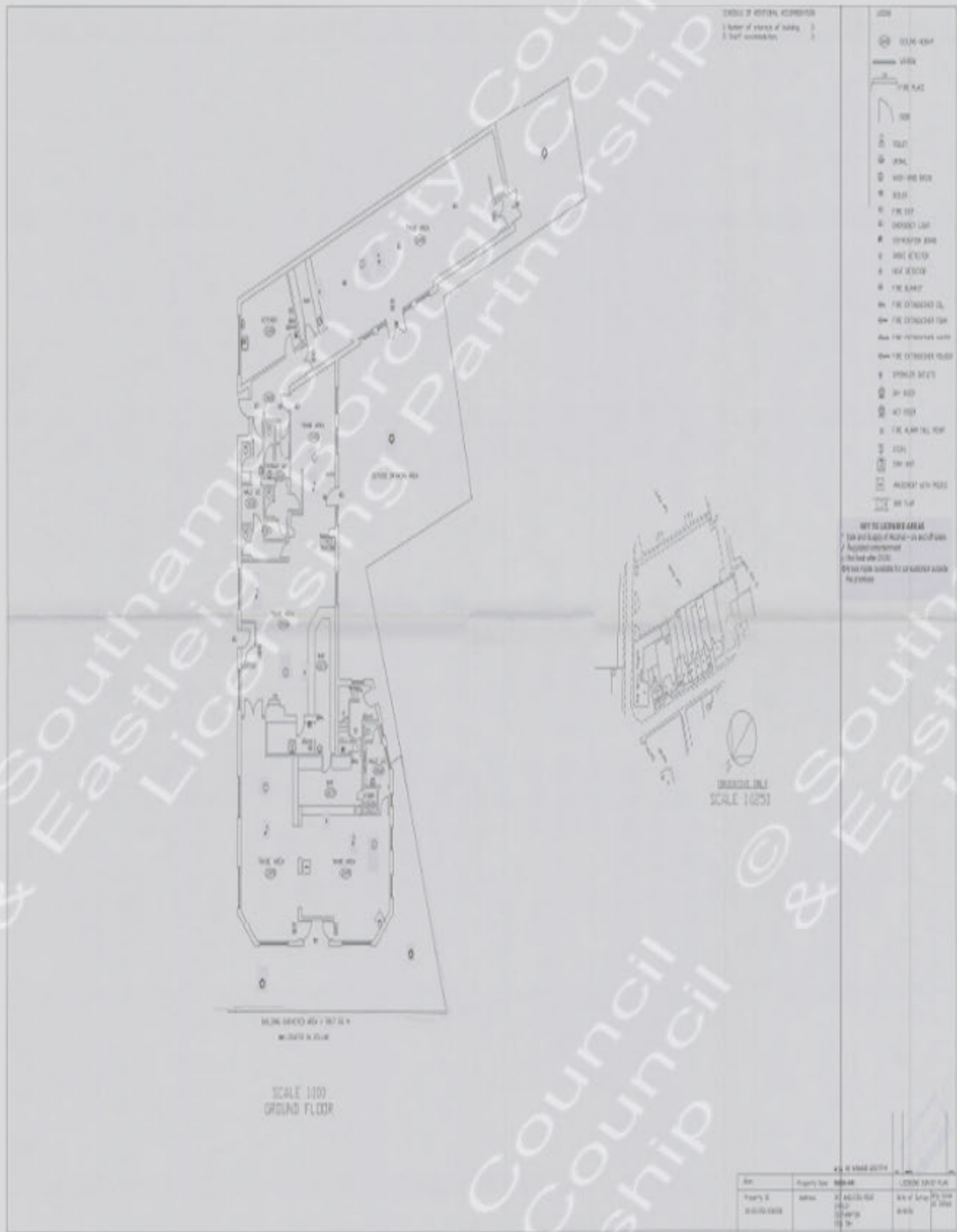
34. On Fridays, a minimum of one SIA licensed door supervisor will be employed and on duty at the premises between 20.00 and 00.00 hours. There will be a risk assessment plan for identifying whether additional door supervision will be required for a particular event or generally.

35. The public toilets within the premises shall be checked every 30 minutes when the premises are open for licensable activity. 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.

36. The Designated Premises Supervisor must have already completed and passed or satisfactorily complete and pass the BIIAB Level 2 Award for Designated Premises Supervisors within three months of becoming Designated Premises Supervisor.



Annex 4 – Plans



Plan not reproduced to scale.

From: Young, Tricia [REDACTED]
Sent: 13 April 2023 08:02
To: Idox DMS Licensing
Subject: FW: Your ref: 2023/01224/01SPRV Our ref: 23/00444/CONSUL Griffin
35-37 Anglesea
Road S015 5QH - planning / no objections

From: Taylor, Mark [REDACTED]
Sent: 12 April 2023 17:11
To: Licensing <[REDACTED]>
Cc: Young, Tricia <[REDACTED]>
Subject: Your ref: 2023/01224/01SPRV Our ref: 23/00444/CONSUL Griffin 35-37
Anglesea Road S015
5QH

Dear Licensing,

I have reviewed the planning history for the site referenced above and can find no planning restrictions to the hours of operation. The planning History indicates that the premises operates as a public house with bed and breakfast provision.

The site is located outside of the designated Evening Zones and Late Night Hubs as defined on the Councils Local Plan Framework.

The Planning Enforcement team have advised:

'The Planning Enforcement department has no comment(s) to make in respect of the application.'

I trust that the information above is of use, however, if you do have any questions please do not hesitate to contact me.

Kind regards

Mark Taylor
Planning Officer
Directorate for Place
Southampton City Council
[REDACTED]



t.
w.

For the attention of the Licensing Officer
Southampton and Eastleigh Licensing Partnership
Licensing Department
Civic Centre
Southampton
SO14 7LY

Date: 05 April 2023

Enquiries To: Karl Manners

Mobile Tel:

My Reference: F6/KM/00674945

Your Reference: 2023/01224/01SPRV

To whom it may concern

Licensing Act 2003

The Griffin Inn, 35-37 Anglesea Road, Shirley, Southampton, SO15 5QH

I confirm that I have received a copy of an application for a Variation of Premises Licence dated 03 April 2023 in respect of the above premises.

It is not the policy of the Fire and Rescue Authority to carry out inspections of licensed premises except under specific circumstances. However, this should not be interpreted as meaning that fire precautions in the above-mentioned premises is necessarily satisfactory.

The Regulatory Reform (Fire Safety) Order 2005 requires the responsible person to make a suitable and sufficient assessment of the risks to which relevant persons are exposed. The risk assessment should be conducted by a suitably competent person and be an ongoing process. All licensed premises are required by the Order to record the significant findings from this assessment.

Where a premises has a licence for consumption of alcohol on the premises, an occupancy figure should be applied to the licensed area. The figure should be entered into the above risk assessment as a significant finding.

The premises will be inspected in due course in accordance with Hampshire & IOW Fire and Rescue Service risk-based inspection programme.

Therefore, this Fire and Rescue Authority will not be making any representation at this time.

Additionally, guidance documents covering the standards required in the various classes of premises are available for download or purchase from the Communities and Local Government website at:

<https://www.gov.uk/workplace-fire-safety-your-responsibilities/who-is-responsible>

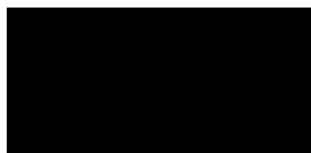
Alternatively, you can refer to our business fire safety pages on our website at:

<https://www.hantsfire.gov.uk/safety/the-workplace>

Any queries concerning these matters may be directed to the department detailed above, but any correspondence should be addressed to me.

Please quote our reference number on all correspondence.

Yours faithfully



Authorised Fire Safety Inspecting Officer
On behalf of, and duly appointed by the Hampshire & IOW Fire & Rescue Authority

McGuinness, Ian

From: Young, Tricia on behalf of Licensing
Sent: 26 April 2023 10:33
To: Idox DMS Licensing
Subject: FW: The Griffin Bar and Grill, variation of licence application - 2023/01224/01SPRV

From: Stan Brooke [REDACTED]
Sent: 24 April 2023 19:02
To: Licensing [REDACTED]
Subject: The Griffin Bar and Grill, variation of licence application - 2023/01224/01SPRV

This Message Is From an External Sender
This message came from outside your organisation.

Report Suspicious

From Mr S. Brooke
52 Anglesea Road
Shirley
Southampton
SO15 5QJ

Dear Sirs,

[The Griffin Bar and Grill, Variation of licence application](#)

With reference to the recent application I would comment as follows.

I do not feel that allowing drinking on the front car park of the premises should be extended to 22.00 hrs.

The current hours are already being exceeded with people outside drinking at 23.25 as witnessed and photographed by a neighbour on 14/02/23, also there were people inside playing pool. This is well outside the current licence hours and shows their disregard for the conditions and the Law.

With regard to the request to allow sales of alcohol both on and off the premises until 01.30 each day except Sunday which is requested to midnight. I can only see this as a source of problems for the local residents, many of whom have early working starts and need their sleep.

I see that on schedule L the Sunday hours are increased until 01.00.

The main problem, at the moment, is with noise especially when the door is kept open or continually opening and closing due to the number of people outside, smoking and drinking and shouting at times on the car park area.

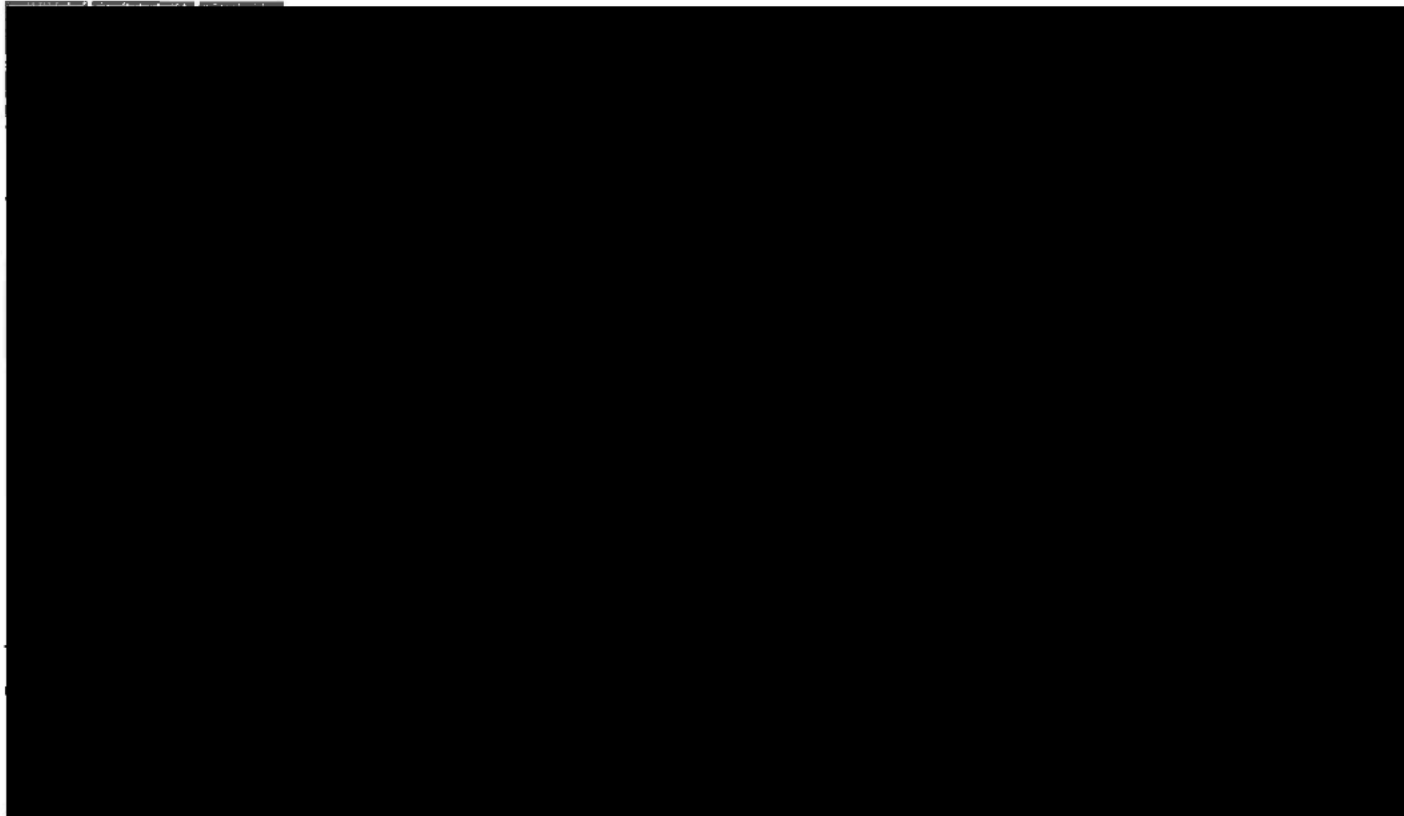
Considering the music volume, I would think that this would provide a danger of hearing damage to both staff and customers, I understand from a Court Hearing some time ago, when certain conditions were agreed, that a sound level monitor/cut off was to be installed.

If the owners wish to run a Night Club perhaps they could find a more suitable site than in the middle of a residential community.

Yours Faithfully

S. Brooke

Would t



1

Received On
18 APR 2023
Southampton & Eastleigh Licensing Partnership

39 Angelsea Rd
Shirley
Southampton
SO15 5QR

17/04/23

Ref: Licence Griffin Public House
SHIRLEY

Dear Sir/Madam

With regard to the licence
revision applied for by the
above public house. I would
like to object to the
revision.

This is on the following
grounds, firstly their use
of the existing licence
is being flouted on many
occasions. For example
music late at night and people
standing outside making lots
of noise. This noise continues
well after 11:00 PM.

On Friday the 30th March

2

2023, there was very excessive music noise from a KARAOKE, this finished about 11:30 PM and was so loud it drowned out the TV in my house.

This is not an isolated instance indeed, most Friday and Saturday nights there is music being played loudly.

At this moment in time apart from Friday and Saturday it is nice and quiet in the area after Six PM.

Please do not allow the variance, as my family and I could have this noise seven nights a week.

Yours sincerely,

[Redacted Signature]

Received On
13 APR 2023
Southampton & Eastleigh Licensing Partnership

46 Anglesea Rd
Shirley
Southampton
SO15 5QJ
10/4/23

Re: -

Application for variation of the
premises licence @

The Griffin
35-37 Anglesea Rd
Shirley
Southampton
SO15 5QH

Dear Sirs,

I would like to submit
my objection to the above application
This is a residential area and we
have had a lot of previous trouble
with this premises with noise from
music and people being very loud.
I feel that a late licence for
music + food will only add to our
problems, as it is we get people

outside throughout the evening shouting and smoking all evening without concern for the residents they also park cars on the pavement and double yellow lines all evening which result in car door being shut very loudly. As a resident I work and get up at 5am so not much sleep for me. On Friday 31st March there was 2 Dj's playing at the same time one in the front bar and one in the back bar which was extremely noisy. This went on past 11pm with people leaving at 11.30pm making a lot of noise this was reported to the council. As a resident and being a residential area it is not fair to have to put up with this. When karaoke is on the noise is terrible with people who think they can sing!

so hopefully you will think
about this application very
carefully. These Licence times are
more suited to the High Street
public houses

Yours faithfully
C J Fowler



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.