



NOTICE OF MEETING

LICENSING SUB-COMMITTEE

THURSDAY, 24 AUGUST 2023 AT 10.00 AM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to Democratic Services
Email: Democratic@Portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Membership

Councillor Jason Fazackarley
Councillor George Madgwick
Councillor Benedict Swann

The reserve member is Councillor Emily Strudwick

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

AGENDA

- 1 **Appointment of Chair**

- 2 **Declarations of Members' Interests**

- 3 **Licensing Act 2003 - Review Application - Montys Restaurant and Wine Bar, 69 Castle Road, Southsea, PO5 3AY (Pages 3 - 120)**

Purpose of report

The purpose of this report is for the committee to consider and determine a review application pursuant to section 52 of the Licensing Act 2003 ("the Act") and in respect of the following premises:

Montys Restaurant & Wine Bar, 69 Castle Road, Southsea, PO5 3AY.

The holder of the authorisation is recorded as HKS Enterprise Limited.

The Sub Committee is requested to determine the review application.

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

This meeting is webcast (videoed), viewable via the Council's livestream account at <https://livestream.com/accounts/14063785>

Date Not Specified

Agenda Item 3

REPORT TO: LICENSING SUB-COMMITTEE 24th August 2023

REPORT BY: LICENSING MANAGER

REPORT AUTHOR: DEREK STONE

Licensing Act 2003 - Review Application - Montys Restaurant & Wine Bar, 69 Castle Road, Southsea, PO5 3AY

1. PURPOSE OF REPORT

The purpose of this report is for the committee to consider and determine a review application pursuant to section 52 of the Licensing Act 2003 ("the Act") and in respect of the following premises:

Montys Restaurant & Wine Bar, 69 Castle Road, Southsea, PO5 3AY.

The holder of the authorisation is recorded as HKS Enterprise Limited.

2. THE REVIEW APPLICANT

The application and grounds for the review are attached as **Appendix A** and has been submitted by Amanda O'Reilly and relates to the following licensing objectives:

- Prevention of crime and disorder
- Prevention of public nuisance

The initial review submission was seeking the removal of live and amplified music, changes to the CCTV conditions, similar to other venues in the vicinity, the manager to hold a personal licence and no drinks permitted outside. This application was dated and signed on the 16th June and supported by 30 residents. On the 17th June, an incident occurred outside these premises where the applicants husband David O'Reilly was assaulted. As a result, the applicant submitted an amendment to the review application seeking the revocation/removal of the premises licence or to reduce the opening hours with a closure time of 10:30 pm.

3. BACKGROUND INFORMATION

Monty's has traded in this location under various names e.g., Angry Aly's, Indigo, Truffles Restaurant & Wine Bar, Castle Wine Bar, Restaurant 69 and then Monty's with the premises first having a Premises Licence granted in 2000.

A copy of the current authorisation is attached as **Appendix B**.

In accordance with the act and prescribed regulations, public notice of the review application was given both at the premises and also at the Civic Offices. In addition, a notice of the review application was also posted on the council website.

The review application was also served on the responsible authorities.

4. REPRESENTATIONS BY RESPONSIBLE AUTHORITIES AND OTHER PERSONS

Representations have been received from Nickii Humphreys, Licensing Manager and Lorraine Astill Principal Regulatory Service Officer who both seek the removal of live and recorded music under the scope of the licence. This is offered as a condition by the premises Licence holder together with other proposed conditions.

The Premises Licence holder, Karim Sattari, has submitted his representation along with four others, supporting the premises being allowed to continue to operate.

There are a number of representations from local residents, seeking the removal of the premises licence on the grounds of public nuisance and anti-social behaviour from customers who visit this venue. Residents report ongoing issues over a long period of time.

These representations are attached at **Appendix C**.

Officer note: This was not an armed response incident. The armed unit was on patrol in the city and responded as a police unit in close proximity to the incident.

On the 10th September 2010, the premises were the subject of a Licensing Sub-Committee review hearing following a submission to the Local Authority from Mr and Mrs O'Reilly, due to noise issues associated with these premises.

Attached at **Appendix D** is the summary and decision taken for this review.

Attached at **Appendix E** are proposed conditions that the premises licence holder's agent has offered on behalf of Mr Sattari in order to address the concerns raised.

5. POLICY AND STATUTORY CONSIDERATIONS

When determining the review application, the committee must have regard to:

- Promotion of the licensing objectives which are;
 - Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm
- The Licensing Act 2003;
- The adopted Statement of Licensing Policy;

- Judgments of the High Court, (your legal adviser will give you guidance should this become necessary);
- The current statutory guidance issued by the Home Secretary in accordance with section 182 of the Act;
- The representations, including supporting information, presented by all the parties; and
- The human rights of all the parties concerned to ensure both a fair and balanced hearing and to consider any public sector equality duty requiring public bodies to have due regard to the need to:
 - Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share protected characteristic and people who do not share it; and
 - Foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are as follows:
 - I) age, ii) disability, iii) gender reassignment, iv) pregnancy and maternity v) race - this includes ethnic or national origins, colour or nationality, vi) religion or belief - this includes lack of belief, vii) sex and viii) sexual orientation.

The Statutory Guidance provides advice in relation to the consideration of review applications. In particular, members should have regard to the following advice:

Paragraph 11.1 - *"The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate."*

Paragraph 11.2 - *"At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives."*

Paragraph 11.10 - *"Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation."*

Paragraph 11.16 - *"The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives."*

In reaching a decision upon a review application, the guidance offers assistance to the licensing authority as follows:

Paragraph 11.17 - *"The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder."*

Paragraph 11.18 - *"However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker."*

Paragraph 11.19 - *"Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:*

- *modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;*
- *exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);*
- *remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;*
- *suspend the licence for a period not exceeding three months;*
- *revoke the licence."*

Paragraph 11.20 - *"In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review."*

Paragraph 11.21 - *"For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual."*

Paragraph 11.22 - *"Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives."*

Paragraph 11.23 - *"Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again."*

However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence."

A copy of the Statement of Licensing Policy, current statutory guidance and the Act has been supplied to each of the Members' Rooms and further copies will be available for reference at the hearing.

6. APPEALS

An appeal against any punitive sanctions may be made within 21 days of the authorisation holder being notified of the licensing authority's decision to a Magistrates' court. An appeal may be made by:

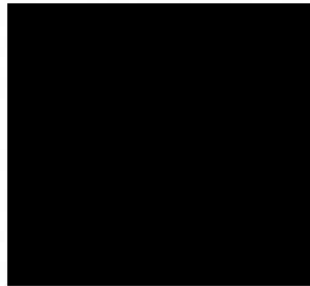
- The applicant for the review;
- the holder of the premises licence or club premises authorisation; or
- any other person who made relevant representations in relation to the application.

The decision of the committee, following the review hearing, will not have effect until the end of the period allowed for appeal, or until any submitted appeal is disposed of.

7. APPENDICES

- A.** Copy of the redacted review application together with any supporting documents and amended review
- B.** Copy of the current authorisation
- C.** Copies of relevant representations received
- D.** Copy of minutes and decision following review hearing on 10th September 2010
- E.** Proposed conditions.

THE COMMITTEE IS REQUESTED TO DETERMINE THE REVIEW APPLICATION



For Licensing Manager
And on behalf of Head of Service

1



Reference No



Application for the review of a premises licence or club premises certificate 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 or typed in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I, **Amanda O'Reilly (on behalf of a collective of 31 residents and with the support of Castle Rd and Area Residents Association)**.....
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).

Part 1 – Premises or club premises details			
Postal address of premises or, if none, ordnance survey map reference or description			
Monty's Restaurant & Bar 69 Castle Rd Southsea			
Post town	Portsmouth	Post code	PO5 3AY

Name of premises licence holder or club holding club premises certificate (if known)
HKS Enterprise Limited

Number of premises licence or club premises certificate (if known)
22/01360/LAPREM

Part 2 – Applicant details	
In what capacity are you applying for the premises licence to be transferred to you?	
I am	
Please tick <input checked="" type="checkbox"/> yes	
1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)	YES
2) a responsible authority (please complete (C) below)	
3) a member of the club to which this application relates (please complete (A) below)	

(A) INDIVIDUAL APPLICANTS (fill in as applicable)									
Please tick <input checked="" type="checkbox"/> yes									
Mr		Mrs		Miss		Ms	YES	Other title (for example, Rev)	
Surname					First names				
O'Reilly					Amanda				
I am 18 years old or over							(Please tick <input checked="" type="checkbox"/> yes)	YES	
Current postal address if different from premises address									
71 Castle Rd Southsea									
Post town	Portsmouth			Post code	PO5 3AY				

Daytime contact telephone number	██████████
Email address (optional) ████████████████████	
Post Town Portsmouth	Post Code PO5 3AY

(B) DETAILS OF OTHER APPLICANT
Name and address Supported by 31 local residents - list of representations with addresses attached
Telephone number (if any)
Email address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT
Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)
Please tick one or more boxes <input checked="" type="checkbox"/>

1) the prevention of crime and disorder	YES
2) public safety	
3) the prevention of public nuisance	YES
4) the protection of children from harm	

Please state the ground(s) for review (please read guidance note 2)

The following requested amendments to the licence from the collective of residents are fair and reasonable and will not have a detrimental effect on a well run business. We do not do this lightly and have given real consideration for what is appropriate and how the residents' stress can be reduced whilst supporting the business to operate successfully. These relatively simple changes will make a huge difference to the residents' wellbeing and enable us to live happy and peaceful lives. We also hope this would enable relations between the residents and staff of Monty's to draw a line under past conflict and have a mutually respectful and supportive existence.

We would like to acknowledge that since the noise abatement notice, residents have seen an improvement in the running of the restaurant - we very much appreciate this. However the restaurant has been a problem repeatedly over the last 15 years and we are requesting the adjustments to the licence for clarity for all concerned and in the hope that it will prevent yet another repeat of the problems in the future.

1) Noise - the removal of permission for live and amplified music to bring the licence in line with the planning restriction.

- This will support the prevention of public nuisance.
- Monty's has a Planning Restriction (attached) which means the venue is not permitted to exceed 5DB 3m from the front of the premises or in the adjoining homes. This was established to: *"control the specific scale and nature of the use, having regard to the close proximity of residential accommodation in the interests of safeguarding residential amenity"*. The licence should reflect this restriction for clarity.
- Monty's (at the time called Bar 69) was deemed wholly inappropriate for live and amplified music by PCC at a review in 2010 due to the close proximity of homes which are attached either side and above (and are all single room width so residents cannot move away from the noise but suffer it in every room in their properties) as well as homes opposite on the very narrow street. The only reason this is not still in place is due to the widespread, national reset which was part of the 2012 Live Music Act which does state that Councils can reinstate the removal of live and amplified music from venues that are clearly not appropriate. *"It is possible to reinstate existing licence conditions upon a formal review of the licence. The licensing authority can also impose a statement whereby the provisions of the Live Music Act 2012 will no longer apply"* - direct quote from Live Music Act 2012.
- Monty's received a Noise Abatement Notice in March 2023 after the PCC Noise Team recorded levels in the adjacent property that peaked at 10 times the permitted level. Since that notice there has been a marked improvement with only one loud live event that was reported to PCC and a couple of times when the volume of recorded music had increased but been

turned down when staff saw residents recording. They have now adjusted their business model accordingly and the residents appreciate the improvement however we have suffered with the noise from this venue, in its many guises, repeatedly over the years, so we need the licence to clarify that it is not permitted to host live music or play amplified music (just background music) so residents do not have to keep going through the stressful process with both licencing and noise abatement. This will also reduce the workload of the licencing team and cost to the Council in the long term.

NOTE: the venue has soundproofing and with the front door closed it can have a reasonable level of background music without exceeding the planning restriction (however the soundproofing cannot negate any bass driven music).

2) Request for the same CCTV clause to be included in the Monty's licence that both Delaney's and Becketts have (similar businesses within the same location)

- This will support the prevention of crime and disorder and the prevention of public nuisance.
- Monty's Restaurant has been a problematic venue for the last few years and the last three summers have been absolute hell for the residents with drunken behaviour and noise from the clientele who have taken over the street. Due to the Bottomless Brunches which encourage the excessive consumption of alcohol in a short time frame, the residents have regularly suffered this behaviour from 11.30am to closing on Saturdays and Sundays with additional Bottomless Brunch booking on Fridays during the summer.
- Monty's has had customers in the premises after the licenced hours, the worst example was in late January when customers were shouting and screaming as they left at 12.50am. This was reported to Licencing who issued warnings to the Licence Holder. CCTV would prevent this situation repeating and allow the Licence Holder to observe the premises when he is not in attendance.
- Castle Rd is 80% residential and is a key project for PCC who are working with residents to create a family focused, green space which they hope will be a pilot for other roads being closed to traffic. There is a strong sense of community and a pride in the environment. The drunken behaviour and poorly managed clientele in the street is not acceptable and is completely opposed to the concept for this quaint street in a conservation area. We have even seen families with children see the large groups of loud, drunk women and decide to walk the longer route to the seafront rather than have to pass them.
- The CCTV will remove the "He said, She said" from the situation and finally mean that residents do not have to police the bar. It is unlikely the unacceptable behaviours would continue with CCTV in place and if they do, both the Council and Police would be able to access the recordings for evidence.
- The Licence Holder is only on site a couple of times a week and may well have been unaware of the excessive volume, drunken behaviours in the street that were not being managed and the closing after licenced hours - CCTV will give him knowledge and control to make sure the business always operates according to his standards.

Proposed addition from Becketts and Delaney's licence:

- 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 exits.*
- 2. CCTV warning signs to 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.*
4. *The premises will transfer coverage of incidents onto a USB stick within 24 hours of the incident to ensure it can be accessed quickly and will be kept for 31 days.*
5. *The premises will hold a 14 day retention of all recordings on the understanding that should there be an increase in incidents the CCTV will increase to permit 31 days.*
6. *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.*
7. *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.*
8. *There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police and other enforcement agencies on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable digital format. Footage supplied in a digital format will also have a copy of the CCTV system software enabled to allow playback.*

3) The Manager to hold a Personal Licence

- The Manager is the key, responsible staff member for the majority of the time and should have the training and understanding of the responsibility of running an establishment that serves alcohol. This is a clause in many licences.

4) Clarification that drinks are not allowed outside the premises

- This was a suggestion by PCCs Principal Regulatory Services Officer who has received numerous complaints about the noisy drunken behaviour in the street from residents. The pavement area outside Monty's is not part of the licenced area, does not have planning permission for alcohol consumption and there is no pavement licence. For clarity the licence needs to confirm that drinks cannot be taken outside. Suggested condition - *No bottles, glasses or drinking receptacles of any kind shall be used for the consumption of beverages immediately outside the premises*
- Very recently the staff have started to tell customers that they cannot take drinks outside so the business has already adjusted its operating practices so there should be no issue in including this in the licence.

Please provide as much information as possible to support the application (please read guidance note 3)

This application is from a collective of thirty one residents (list attached) who fully support these reasonable additions to the licence - all of the collective are local residents who actually live here and have experienced the excessive noise and poor behaviour of the clientele in the street. The four households that are closest to Monty's have lived here 37 years, 43 years, 35 years and 17 years.

The premises has a planning restriction in place to restrict noise, PCC Planning Department have confirmed this is still a current restriction.

The premises was deemed wholly inappropriate for live and amplified music by PCC at a licence review in 2010 (10th September)

The Live Music Act 2012 allows Councils to reinstate licence conditions on Premises that are not appropriate for Live Music

The journey to this request for a licence review:


1. When the current owner took over in early 2022 the most recent issues with noise began - rather than background music for a restaurant the premise had music more fitting for a nightclub with bass driven music at an excessive volume. We attempted to discuss this with the Owners on multiple occasions even offering free professional Sound Engineers to offer advice on speaker placement etc but this was refused and sadly communication broke down leaving us no choice but to involve the PCC licensing team who approached the Licence Holder to request their consideration for the neighbours and management of the noise.
2. The problems continued particularly on Friday and Saturday nights.
3. In January 2023 an event with a live singer, and musicians was so dreadfully loud it really was the final straw for the residents who put in formal noise complaints. This event also had customers on the premises until 12.50am which was subsequently investigated by PCC Licencing Officers.
4. Finally on the weekend of the 3rd March 2023 we felt there was no choice but to install the PCC recording equipment in the next door property which recorded the horrendously loud event on the Saturday night with levels that hit 50db - ten times the permitted volume on the planning restriction. This resulted in a noise abatement notice for the premises.
5. Rather than immediately apply for a licence review we waited whilst the PCC Licensing Officer approached the licence holder suggesting they make a variation of licence application to add in the CCTV and removal of live music that the residents were requesting. The hope was that this would be a sign of good faith and respect for the local residents and also save the time and money of a licence review. Unfortunately even with multiple approaches we understand there was no response.
6. Having tried personal communication, communication from the licensing team and a clear request to vary the licence being ignored we had no choice but to request this review.

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Please tick <input checked="" type="checkbox"/> yes							
Have you made an application for review relating to the premises before?							YES
If yes, please state the date of that application							
		Day		Month		Year	
	2	1	0	7	2	0	1 0

If you have made representations before relating to the premises please state what they were and when you made them

Request to have the permission for Live and Amplified to be removed from the licence for Bar 69 (previous name of the establishment). This was taken to the licencing committee on the 10th September 2010 and the panel deemed the premises wholly inappropriate for Live and Amplified music.

		Please tick <input checked="" type="checkbox"/> yes
<p>- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.</p> <p>Licencing Officer has agree to circulate the appllcation to the relevant authorities for the residents</p>		
<p>- I understand that if I do not comply with the above requirements my application will be rejected. See above confrmred by email</p>		
<p>IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION</p>		
<p>Part 3 – Signatures (please read guidance note 4)</p>		
<p>Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 5). If signing on behalf of the applicant please state in what capacity.</p>		
Signature		
Date	16/6/23.	
Capacity	Lead resident for a collective of residents.	

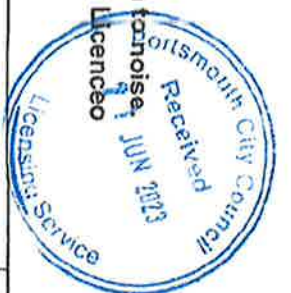
<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)</p> <p>Amanda O'Reilly 71 Castle Rd Southsea</p>			
Post town	Portsmouth	Post code	PO5 3AY

Telephone number (if any)			
If you would prefer us to correspond with you by email, your email address (optional)			

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

- I support the review of the licence for Monty's bar to add the three following conditions:
- 1) To prevent public nuisance in the street - the same condition for internal and external CCTV that Delaney's and Becketts have in their licence (very similar businesses)
 - 2) To permanently reduce the noise disturbance - the licence to reflect the planning restriction in relation to noise.
 - 3) To prevent poor management resulting in public nuisance - the Manager of Monty's to hold a Personal Licence



Name	Address	Postcode	Optional comment	Date
1 A. O'REILLY	71 CASTLE RD	PO5 3AY		30/5/23
2 A. CLARKE	75 CASTLE ROAD	PO5 3AY		30/5/23
3 A. ROBERTS	76 CASTLE ROAD	PO5 3AY		30/5/23
4 R. ROBERTS	75 CASTLE ROAD	PO5 3AY		"
5 R. ROBERTS	75 CASTLE ROAD	PO5 3AY		"
6 S. BRADY	57 CASTLE ROAD	PO5 3AY		30/5/23
7 L. BRADY	70 CASTLE RD	PO5 1AZ		30/5/23
8 S. HULL		"		"
9 J. CLARKE	77 CASTLE RD	PO5 3AY		"
10 DEAN COATE	77 CASTLE RD	PO5 3AY		"
11 S. BRADY	73 CASTLE RD	PO5 3AY		30/5/23
12 D. BRADY	71 CASTLE RD	PO5 3AY		30/5/23
13 R. ROBERTS	56 CASTLE ROAD	"		"
14 V. BRADY	50 CASTLE ROAD	PO5 3AY		30/5/23
15 S. CLARKE	38 CASTLE ROAD	PO5 3AY		30/5/23
16 A. CLARKE	36 CASTLE ROAD	PO5 3AY		30/5/23
17 S. CLARKE	66 CASTLE RD	PO5 3AY		31/5/23
18 R. BRADY	60 CASTLE RD	PO5 3AY		31/5/23
19 S. BRADY	60 CASTLE RD	PO5 3AY		31/5/23
20 T. BRADY	29 ST. SOUTHERN ST	PO5 3AY		31/6/23

- I support the review of the licence for Monty's bar to add the three following conditions:
- 1) To prevent public nuisance in the street - the same condition for internal and external CCTV that Delaney's and Becketts have in their licence (very similar businesses)
 - 2) To permanently reduce the noise disturbance - the licence to reflect the planning restriction in relation to noise.
 - 3) To prevent poor management resulting in public nuisance - the Manager of Monty's to hold a Personal Licence



	Name	Address	Postcode	Optional comment	Date
21	SHAW LINDA	26 GREY SCOTLAND ST, REVER	PO5 3DY		04/10/06
22	MPO RENDLE	74 GREAT SCOTLAND ST	PO5 3DY		04/10/06
23	TEBBY NASH	25 Great Scotland St	"		05.05
24	HELM BRYAN	17, GREAT SCOTLAND ST	PO5 3DY		05.03
25	LEE BASHWIN	FRATE, 76 CASTLE RD	PO5 3AZ		05.06
26	Phillippa Saunders	Flat 3 Cooke Ct 76 Castle Rd.	PO5 3AZ		05.06
27	Jenni Van Wyk	Flat 9 Castle Court	PO5 3AZ		05.06
28	Sharon Wainwright	Flat 9, Castle Court	PO5 3AZ		01/01/23
29	SYLVIA DICKINSON	FLAT 11 CASTLE COURT	PO5 3AZ		05/06/23
30	MARIE DESAULS	FLAT 8, CASTLE COURT, 76 CASTLE RD	PO5 3AZ		06/06/23
31	MEDVINE DRIZLEY	FLAT 5, CASTLE CT 76 CASTLE RD	PO5 3AZ		
32					
43					
44					
48					
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17					
18					
19					
20					



**CITY OF PORTSMOUTH
TOWN AND COUNTRY PLANNING ACTS**

23

Form 9

**Portsmouth
CITY COUNCIL**

Reference No: A*26124/AC

To: **STEVE DRINKWATER ASSOCIATES
SUNNYSIDE COTTAGE
LIBERTY ROAD
NEWTOWN
FAREHAM
HANTS
PO17 6LD**



On behalf of: **MR R G FLEET**

LOCATION:

69 CASTLE ROAD SOUTHSEA PORTSMOUTH HANTS

DESCRIPTION OF DEVELOPMENT:

**USE OF GROUND FLOOR AS MIXED USE AS WINE BAR AND RESTAURANT (CLASS A3)
AND INSTALL FLUE ON TOP OF FLAT ROOF TO REAR AT SECOND FLOOR LEVEL**

In pursuance of powers under the above mentioned Acts the City Council, as Local Planning Authority, GRANT PLANNING PERMISSION for the development indicated above in accordance with the application, plans and other particulars received on 21 September 1999 (as amended by letters dated 22 and 28 October, 29 and 30 November and 20 December 1999, letter and enclosure dated 29 October 1999 and plans/drawing received 14, 20 and 27 October and 30 November 1999) and subject also to compliance with the following conditions:-

- 1 The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.**
- 2 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any other enactment modifying or revoking that Order, the premises shall only be used as a mixed use of wine bar and restaurant and shall not be used for any other purpose in Class A3 of the Schedule to the aforementioned Use Classes Order.**
- 3 The premises shall not be used for the sale of hot food for consumption off the premises.**
- 4 At no time shall the premises hereby approved be operated in conjunction with any adjoining Class A3 premises.**

THIS IS AN IMPORTANT LEGAL DOCUMENT - READ ATTACHED NOTES CAREFULLY

- 23
- 5 At no time shall the rear garden/yard area be used by patrons as an open-air dining or drinking area.
 - 6 The mixed wine bar and restaurant use hereby permitted shall only be open to the public between 09.00 to 23.00 hours on Monday to Saturday and 12.00 to 22.30 hours on a Sunday and the premises shall be closed and vacated of all customers outside these trading hours.
 - 7 Patrons shall only enter the premises via the front entrance to No. 69 Castle Road.
 - 8 The rear exit door shown on the approved plans, which gives access to an alleyway leading back to Castle Road, shall be kept closed at all times, except to provide an emergency point of exit from the premises.
 - 9 Works pursuant to this permission shall not be commenced until a scheme for the provision of internal noise insulation, to include all party walls and floors/ceilings, as well as the encasement of the proposed extractor flue as it passes through the two flats on the upper floors to reach roof level, has been submitted to and approved by the Local Planning Authority in writing; and all works forming part of the scheme shall be completed before the permitted use commences.
 - 10 The extractor flue equipment to be positioned on the flat roof shall be colour finished matt black, prior to its installation, and shall be maintained in that colour at all times thereafter.
 - 11 The extractor flue equipment to be positioned on the flat roof shall not vary in appearance to that shown on drawing number Q18338, unless otherwise agreed in writing with the Local Planning Authority. The equipment shall be installed to be as low to the surface of the flat roof as possible and the highest part of that equipment above the surface of the flat roof shall not exceed 0.55 metres when installed.
 - 12 The extraction system shall be installed and in full working order prior to the commencement of the use, and as long as the use continues shall be operated in such a manner as to effectively suppress the emission of fumes and smell. This equipment shall include grease filters and neutralising plant, as shall be specified to the local planning authority in writing before the system is first operated, to meet this requirement.
 - 13 Works pursuant to this permission shall not be commenced until details of the provision to be made for the storage (prior to disposal) of refuse, crates and packaging, have been submitted to and approved by the Local Planning Authority in writing; those facilities shall be provided prior to the first use of the premises.

27

- 14 Noise from activities conducted on the premises shall not exceed the numerical value of the background noise level by more than 5 dB, expressed as LAeq dB (1 hour), between the hours of 0800 to 1800 Monday to Saturday or LAeq dB (5 minutes) at any other time, as measured adjacent to the nearest noise sensitive premises under free field conditions at a position 1.2 metres above ground level no closer than 3.6 metres from any reflecting facade.
- 15 Noise from activities conducted on the premises shall not exceed the numerical value of the background noise level by more than 5 dB, expressed as LAeq dB (1 hour), between the hours of 0800 to 1800 Monday to Saturday or LAeq dB (5 minutes) at any other time, as measured within the nearest adjoining noise sensitive premises at a position 1.2 metres above floor level no closer than 1.5 metres from any shared party wall.

The reasons for the above conditions are:-

- 1 To comply with Section 91 of the Town and Country Planning Act 1990
- 2 to To allow the Local Planning Authority to control the specific scale and nature of the use, having regard to the close proximity of residential accommodation in the interests of safeguarding residential amenity and highway safety.
- 9 &
- 12 to
- 15
- 10 In the interests of visual amenity in order to preserve the character and appearance of Conservation Area No. 12.
- &
- 11

*Planning enforcement
@ portsmouthcc.gov.uk*

Planning Department
Civic Offices
Guildhall Square
Portsmouth PO1 2AU
Telephone (01705) 822251
Planning@PortsmouthCC.Gov.UK


Control and Environment Manager
12 January 2000

Summary

Introduction

The Live Music Act (the Act), which was a Private Members Bill with Government support, came into force on 1 October 2012.

Effect of the Act

The Act removes the licensing requirements for:

- Amplified live music taking place between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises;
- Amplified live music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the Licensing Act 2003 (or licensed only for the provision of late night refreshment);
- Unamplified music between 8am and 11pm in all venues.

Deregulation of the Provision of Entertainment Facilities

The Live Music Act 2012 also removes the licensing requirements for the following licensable activities:

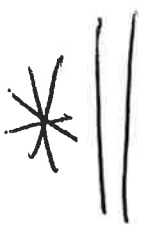
- Making Music;
- Dancing;
- Entertainment of a similar description to making music or dancing.

Existing Conditions Attached to a Premises Licence

Where licensable activities (such as the sale of alcohol) continue to take place on the premises, any existing conditions on the licence that are related to live music will be suspended and shall not have effect.

Reviews (LA2003)

It is possible however to impose new conditions or re-instate existing licence conditions upon a formal review of the licence. The licensing authority can also impose a statement whereby the provisions of the Live Music Act 2012 will no longer apply.





LICENSING ACT 2003

LICENSING SUB-COMMITTEE MEETING

NOTIFICATION OF DECISION

Notice is hereby given to:

Name: Mr and Mrs David O'Reilly
Address: 71 Castle Road
Portsmouth
PO5 3AY
Status: Applicants

in accordance with the provisions of the Licensing Act 2003 ("the Act") and Regulations made thereunder, that a hearing was held on:

Date: 10 September 2010

to consider an application for the review of a premises licence made in accordance with Section 51 of the Act. The details of the applicant and premises are:

Name of Applicant:	Mr and Mrs David O'Reilly
Premises and address:	Restaurant 69, 69 Castle Road, Portsmouth PO5 3AY

Decision of Licensing Authority:

In considering the application, the Committee had regard to the promotion of the licensing objectives, the Act, its statement of licensing policy, the statutory guidance issued by the Secretary of State and the representations (including supporting information) presented by all the parties.

Decision: The application for the review of a premises licence at Restaurant 69, 69 Castle Road, Southsea, Portsmouth, PO5 3AY by Mr and Mrs O'Reilly, as an interested party, was considered. The committee were pleased that an agreement had been reached between the parties, and that both parties had confirmed to the committee that they will not appeal against the agreement. The committee decided to vary the premises licence as from 1 November 2010 as follows:

1. To delete from the licensable activities the regulated entertainment consisting of the performance of live and the playing of recorded music, and other similar music or dance entertainment.

2. To delete the timings for the performance of live music and recorded music.
3. In the conditions (Annexe 2 page 7):
 - a. Delete the reference to live music (02).
 - b. Provide for the closure of the garden area to customers at all times (04).
 - c. Provide for the closure of entry and exit doors to remain closed when regulated entertainment is provided (other than for entry and exit).
 - d. In the interests of clarity, the significance of the date of 1st November 2010, is that the licensee has booked solo female performers for Sunday evenings until the end of October. Cancellation of those bookings would involve her in the payment of not insubstantial compensation. A solo singer performed on Sunday 5th September 2010 when the level of sound was not unacceptable to the applications for review. In the spirit in which their letters were written the applicants have stated that they will not object to performances by a solo singer with the level of sound obtaining on 5th September aforesaid on Sundays at varying times from late afternoon to early evening and for a wedding reception on 20th September 2010.

Reasons for decision:

In reaching their decision the committee had regard to the promotion of the licensing objectives, the Licensing Act 2003, judgements of the High Court, the Statement of Licensing Policy, statutory guidance issued by the Secretary of State, the Human Rights Act and representations both attached to the reports and heard at the meeting.

Appeal provisions:

In accordance with the provisions of Schedule 5 of the Act appeal provisions exist in respect of applications made to the Licensing Authority. Those provisions are outlined as follows:

Application for review of premises licence

Where an application for a review of a premises licence is decided under section 52, an appeal may be made against that decision by:

The applicant for the review;

The holder of the premises licence; or

Any other person who made relevant representations in relation to the application.

Note: The holder of the licence is to be the respondent in addition to the Licensing Authority in relation to any appeal lodged by the applicant for the review or any other person who made relevant representations in relation to the application.

General provisions about appeals under the Act:

An appeal must be made to the magistrates' court for the petty sessions area in which the premises concerned are situated.

The address for the magistrates' court for the Portsmouth Area is:

South and South East Hampshire Magistrates' Court
Winston Churchill Avenue
Portsmouth
Hants
PO1 2DQ

Telephone: 023 9281 9421

An appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates' court within the period of 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.¹

Action that may be taken by the magistrates' court:

On an appeal against a decision of the Licensing Authority, a magistrates' court may:

- a) dismiss the appeal;
- b) substitute for the decision appealed against, any other decision which could have been made by the Licensing Authority; or
- c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court,

and may make such order as to costs as it thinks fit.

Should you have any questions relating to this Notification of Decision, please contact the Licensing Manager:

Tel No: 023 9283 4604
Fax No: 023 9283 4811
Email: licensing@portsmouthcc.gov.uk

Date of Notice: 8 October 2010

Signed:



Licensing Manager

¹ The period of 21 days will commence from the date on which written notice is given, or in the case of electronic transmission, when the text is received.



Amanda O'Reilly

Monty's License review

1 message

Castle Rd & Area Residents Association <[REDACTED]>

16 June 2023 at 17:56

To: Amanda O'Reilly [REDACTED]

Dear Amanda,

I want to confirm my agreement and the full support of CRARA with regard to the efforts you have made toward seeking additions to the license regulations for this business.

There have been two owners to the business in the last few years, and we had hoped that the current owner would show a level of consideration to the neighbourhood, as Castle Road is such a narrow residential road. Sadly, the owners seem totally inconsiderate about the affect the noise and anti-social behaviour emanating from their premises has on people who own or rent properties here.

The bottomless Brunches and other types of events they put on mean that people turn up in groups, and leave some two hours later, when a new group arrive.

The road is extremely busy to traffic when people arrive / leave and taxi's use it as a taxi rank on occasions. (Ironic when cars are not meant to use the road in this way.)

The music that is played, whether live or not is always way beyond and acceptable level, during the summer months it is impossible to enjoy outside space in our homes, and while double glazing masks the noise to some extent it is unhealthy to have to close all the windows in the summer.

Potentially, in my opinion, the biggest problem is the ant-social behaviour. People stand outside drinking and smoking during the "brunch" session, and foul language and dublous threats and "promises" have been heard among the patrons. When the "Brunch" session is over, or at the end of the evening on during music events etc. the crowd spill out onto the pavement and continue their loud and drunken conversations well into the night.

Anyone needing to sleep in their homes are unable to do so until the noise eventually subsides, and this is not conducive to people who have to get up for work the next day. Residents have learned that there is little point in trying to reason with the Manager or the patrons, as they become subject to abuse and ongoing unpleasantness.

People from further afield who normally walk through Castle Road to the beach have been seen taking a detour and avoiding the unsavoury behaviour of the large groups of people who have become drunk in Monty's.

There is an increase in drug abuse in the area too, with money and little packets being seen changing hands on a regular basis, although this may be partly due to the fact the road is no longer a through road for traffic. Police are aware, but it seems it's "not unusual in Portsmouth".

All in all the area has "gone down hill" significantly, and this is mostly due to the unacceptable behaviour of the drinking establishment we now have in our midst.

Thank you for putting in the effort to try to address the issues with Monty's, I ope you have some success,

Regards Pam. (CRARA Chair)

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Amendment to licence review for Monty's, 69 Castle Rd by Amanda O'Reilly on behalf of a residents collective, supported by Castle Rd & Area Residents Association.

Monty's Bar and Restaurant has deteriorated over the last 18 months with drunk clientele allowed to shout in the street, excessive noise and now a violent, unprovoked attack on a resident.

A collective of 31 residents (26 living on Castle Rd and 5 on Great Southsea Street) agreed a set of four required amendments to the Licence for Monty's Bar & Restaurant:

- Removal of permission for Live and Amplified Music (currently under a noise abatement order that was breached on the 17th June)
- Require constant use of the internal and external CCTV when open with access provided to PCC Officers and the police on request, in line with the clause in Delaney's licence
- The manager to hold a personal licence
- Clarity that the pavement is not a licenced area and drinks must not be taken outside

This licence review was posted to PCC at lunchtime on the 17th June.

On the evening of Saturday the 17th June Monty's breached their noise abatement order with blaring, thumping music and large groups of customers shouting and screaming in the street. The staff and management took no action to address this and had no control over the drunk clientele who were causing a public nuisance. A number of neighbours put noise complaints into PCC.

This is far from the first time we have suffered this behaviour from Monty's and the residents of Castle Rd have been repeatedly raising concerns about social disorder and that we felt unsafe to both the police and to licensing.

Unfortunately Saturday night our fears were realised and my husband was violently assaulted by a large group of Monty's customers. My husband stepped out of our front door asking the noisy group to move away from our home and back to the front of the bar. Then, just three steps from our door he was violently headbutted. This was completely unprovoked, my husband was in flip flops with his hands in his pockets. He suffered a horrific and sustained attack with a barrage of punches from a large group of men and women. The police were called and deemed it suitable for the armed police because it was an attack by a large group on an individual. Fortunately we had the whole assault captured on high grade CCTV and a neighbour opposite also filmed the attack on her mobile describing it as horrific and comparable to a pack of hounds on a fox. The case is now with CID, they know the main perpetrators and are seeking multiple arrests for assault.

Shockingly the manager did not close the venue after this dreadful incident but continued the party with the clientele shouting in the street, using the most appalling language and behaving in a truly disgusting manner. This continued until 12.40am. This is not a one off party that got

out of hand, residents have seen the decline of Monty's over the last eighteen months and it has now reached rock bottom. The residents have had enough.

This has been a pattern for this bar under several different names over the last 12 years. The residents now feel the only way to break the constant cycle of antisocial behaviour and remove the ongoing threat of violence is to:

- Remove the alcohol licence from the premises
- Reduced the opening hours to match Delaney's who close at 10.30pm (a recently issued licence that deemed later opening to be unacceptable in this residential street)

We understand the owner is now closing Monty's on the 16th July, however the residents will still continue the Licence Review with all six points because this is the licence that will be passed onto the next lessee and the problems will simply continue under a different name. The manager told a neighbour that there has already been a visit from an interested party who has a bar on Palmerston Rd and would be planning to make Monty's a "Shot Bar" which, if true, would be completely unacceptable.

The owner clearly has no consideration for the residents. Castle Rd is 80% residential and has a set of development plans agreed by the local residents, businesses and ward Councillors that focus on Community, Family and Green Spaces. We cannot continue to have a poorly managed, alcohol focused venue that operates more like a club than a restaurant. Castle Rd is not Palmerston Rd and we must protect this Southsea gem in a conservation area from becoming a concrete pub with a reputation for violence and antisocial behaviour.



PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

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

Address: Montys Restaurant & Wine Bar
69 Castle Road
Southsea
PO5 3AY

Map Ref (E) : 463988
Map Ref (N): 99172
UPRN: 001775010949

Telephone

Where the licence is time limited the dates

This licence is **NOT** time limited

Licensable activities authorised by the licence

- ▶ Sale by retail of alcohol
- ▶ Late night refreshment

The times the licence authorises the carrying out of licensable activities

- ▶ Sale by retail of alcohol

Sunday	10:00 until 23:00
Monday to Saturday	10:00 until 23:30
- ▶ Late night refreshment

Monday to Saturday	23:00 until 23:45
--------------------	-------------------

Seasonal variation Sale by retail of alcohol

On Bank Holiday weekend Sundays, January 1st, December 24th and December 26th from 10:00 until 23:30.

On December 31st from 10:00 until 23:45 on January 1st.

The opening hours of the premises

- ▶ Sunday 10:00 until 23:15
- ▶ Monday to Saturday 10:00 until 23:45

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

Name: HKS Enterprise Limited

Address: Prospect House
50 Leigh Road
Eastleigh
SO50 9DT

Telephone:

Email:

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

13913311

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

Name: Mr Reece Reza Sattari

Address:

Telephone:

Email:

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

Personal Licence No:

Issuing Authority:

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 as amended and regulations made thereunder

Date Licence granted: 1 September 2005

Date last amended: 22 February 2022

Type: Transfer



Signed on behalf of the Head of Service
(Authorised Officer)

Portsmouth City Council will process your personal information in accordance with data protection law. The personal details provided by you will be used for licensing service purposes. Your details will be held on a database and where the law allows, may be shared with other departments within the council to update details they hold about you. The council may also be required to disclose personal information to third parties (such as Police, Department for Work and Pensions or for the National Fraud Initiative) for the purposes of preventing or detecting crime or apprehending or prosecuting offenders.

For further information about how the Council collects and uses personal information please visit our website: <https://www.portsmouth.gov.uk/ext/the-council/data-protection-privacy-notice>

Annex 1 – Mandatory Conditions

01 No supply of alcohol may 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 does not hold a personal licence or his/her personal licence is suspended.

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

03 (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).

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

05 (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.

06 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: 1/2 pint;
- (ii) gin, rum, vodka or whisky: 25ml 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.

07 (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 rate 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) "valued 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.

(4) (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.

-- END --

Annex 2 – Conditions consistent with the operating schedule

- 01 Drink promotions encouraging irresponsible drinking will not be permitted at the premises.
- 02 Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 03 The licence holder shall ensure that all fire fighting equipment is serviced annually.
- 04 The licence holder shall ensure that all members of staff are instructed in emergency evacuation procedures.
- 05 Children under 16 years of age will only be permitted entry to the premises under adult supervision.
- 06 Any person appearing to those engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Such identification may include photo-driving licence, passport, PASS (Proof of Age Standards Scheme).
- 07 The licence holder shall ensure that all members of staff will be trained on the requirements of the Licensing Act 2003 when recruited.

-- END --

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

01 The garden area must be closed to customers at all times.

02 Provide for the closure of entry and exit doors to remain closed when regulated entertainment is provided (other than for entry and exit).

-- END --



Annex 4 – Premises and location plan

Premises Plan(s)

These will either be shown below or attached as a separate part of the premises licence authorisation.



Location Plan: 69 Castle Road Southsea



REPRODUCED FROM THE ORDNANCE SURVEY MAPPING WITH PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE © CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. LICENCE AGREEMENT NUMBER LA100019671- PORTSMOUTH CITY COUNCIL

APPENDIX C



Licensing Sub-Committee
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
Hants
PO1 2AL

Culture, Leisure and Regulatory Services

Licensing Service
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Phone: [REDACTED]

Our Ref: 23/02417/LAREVI

Date: 14 July 2023

Dear Members of the Licensing Sub-Committee

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE - 23/02417/LAREVI MONTY'S RESTAURANT AND WINE BAR 69 CASTLE ROAD SOUTHSEA

I refer to the recent application for the review of the premises licence in respect of Monty's Restaurant and Wine Bar, situated at 69 Castle Road, Southsea, Portsmouth.

On behalf of the Licensing Authority, I wish to make a formal representation in respect of this application on the following ground:

- Prevention of public nuisance

As members of the sub-committee will be aware, any application for a review must relate to particular premises and must be relevant to the promotion of one or more of the licensing objectives. It is the view of the Licensing Authority that the incidents that have led to the application for the review of this premises licence can be positively tied and linked by a causal connection to Monty's Restaurant and Wine Bar.

The Licensing Authority has had contact with the licence holder and designated premises supervisor since January this year after receiving a complaint from a resident about ongoing noise and disturbance arising from the licensed premises.

A visit to the premises was undertaken and a subsequent formal warning was issued to the licence holder and designated premises supervisor on 15 March 2023 as follows:

Dear Karim and Reece,

Thank you for seeing me recently to discuss the premises licence for Monty's and issued under our reference 22/01360/LAPREM. It is noted that the licence is held by a body corporate (HKS Enterprise Limited) and that Reece Sattari is the resident designated premises supervisor (DPS) for the premises.

We discussed the issue of both noise and disturbance (associated with music and people noise) and you advised me that you have now been served with a noise abatement notice by our Environmental Health colleagues.

We are concerned that without any tangible measures in place to empirically improve your ability to monitor and control patrons both inside and just outside your premises - it is likely that a residential review of the premises licence will follow - particularly with spring and warmer weather just around the corner.

You could not rebut the complaint that the premises was open post 0030 on 22 January 2023 and explained that a "private function" had been taking place. This does not obviate the need to comply with the hours of opening and closing and our records show that no TEN was in place for this function. This was wrong and must not be repeated and you should treat this communication as a formal warning accordingly.

Moving forward I would confirm my advice to you in that:

- *You should consider a minor variation to "add" the following condition to your current licence:*
 - *The provision of an installed CCTV system with at least 3 cameras (to cover the bar trading area and immediate frontage) and with a capacity to both record and to retain clear images for 31 days - such condition wording to be agreed after consultation with both the licensing authority and chief officer of Police.*

Equally, I think you should consider carefully how you manage future live and/or recorded music at the premises. Whilst you have removed the "Sonos" speaker - I would recommend that you should ensure a designated member of staff is instructed to monitor noise both inside AND outside the venue on a regular basis. This would not be conditional on your licence for entertainment between 0800 and 2300 but is recommended good practice.

I have enclosed the necessary form for the minor variation application together with a notice for display from the premises. The fee is £89. My advice is that you submit this variation forthwith but equally you may wish to seek your own independent legal advice.

No minor variation application has been received from the licence holder to date and it is also understood that there has been no breach of the noise abatement notice since it was formally served by Regulatory Services.

Whilst the Chief Officer of Police is not making any representations in relation to this review application, I have requested clarification on whether any incidents have been reported to Hampshire Constabulary in respect of these premises. The following information has been provided.

44220229668 29/04/2022 00:01 - 10/06/2022 12:10 - Public order

Male member of staff reporting harassment from a male for past weeks since he began working at Monty's. Agg'd said the matter relates to ongoing noise from the premises and the adjacent property. Agg'd failed to engage with police and the matter was filed.

44230028554 21/01/2023 20:00 - 21/01/2023 20:10 ASB – Community

Since 8pm there has been extremely loud DJ music coming from Monty's wine bar (multiple neighbours have reported this to Portsmouth City Council) they never do anything. Tonight the clientele is of a younger age and have spilled out on to the road being aggressively loud, and urinating, doing sexual acts in a driveway & alleyway & lads have been seen taking drugs. The noise level is frightening the elderly residents of this now closed off road.

44230028929 21/01/2023 19:30 - 22/01/2023 00:50 ASB – Community

Infnt reporting Monty's, Southsea have been playing extremely excessive bass dance music until 00:15. Customers in the bar have also been drinking in the street and being noisy, as well as using the opposite driveway to urinate. She said the license on this is until 22:00 but they have been open passed this.

44230029064 21/01/2023 19:00 - 22/01/2023 00:30 Public order

Report that the bar is causing nuisance towards local residents due to it's loud noise. When confronted this has caused the agg'd harm and distress when the owner has argued with him.

44230089118 04/03/2023 20:30 - 04/03/2023 22:00 Licensing

Report that live music can be heard emanating from the premises all the way to the Common. Customers are drinking on the road, are loud and abusive. Drug taking can be seen. Elderly residents are afraid to leave their houses. Monty's is notorious for drugs.

44230174354 03/05/2023 16:30 - 03/05/2023 16:45 Public Order

Report from resident that the bar manager threatened to damage his property and damage him.

44230241389 17/06/2023 21:58 - 17/06/2023 21:58 Assault With Injury

Infnt reporting there is a big party, people out in the street making lots of noise have just attacked infnts husband.

Conclusion

As is highlighted within the statutory guidance issued in accordance with the 2003 Act, the Licensing Authority is able to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences.

It is therefore important that in considering the promotion of this licensing objective, the Licensing Sub-Committee focus on the effect of the licensable activities at these premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

In reaching a decision as regards the review application submitted by residents living in the vicinity of these premises, there are a number of actions that the Sub-Committee may consider which, for ease of reference, are:

- Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition).
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence.

I am aware that the applicant for the review of the licence originally requested that the current licence is modified to include conditions to:

- Exclude the provision of live and recorded music as a licensable activity from the scope of the licence
- Add new conditions to the licence relating to:
 - the installation of CCTV at the premises
 - the manager to hold a personal licence
 - drinks not to be allowed to be taken outside the premises

The applicant, following an incident on 17 June subsequently advised the Licensing Authority that she wished to amend the application to request consideration of the revocation of the premises licence.

I am aware that the solicitor acting for the licence holder has submitted proposals for the modification of the premises licence to address the concerns raised by the applicant.

I have had sight of these proposed conditions (which I have outlined below) and, on behalf of the Licensing Authority, consider that they are reasonable and proportionate steps for the promotion of the licensing objectives.

Proposed conditions for Monty's Restaurant and Wine Bar

1. The CCTV system must be fully operational whilst the venue is open to the public. The recording equipment shall be stored and operated in a secure environment with limited access. The system shall be regularly maintained and serviced. The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 31 days good quality pictures. The images produced will be date and time stamped.

It is important that the Police and Licensing Authority are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment when

the premises are open to the public. CCTV shall cover the full licensable area. A copy of CCTV footage requested from a police officer or an officer of the Licensing Authority shall be provided immediately..

2. All staff must receive comprehensive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training. Training shall cover:

- i) Sale of alcohol to persons under 18
- ii) Challenge 25 and acceptable forms of Identification
- iii) Signs of Drunkenness
- iv) Refusal register and when/how to use
- iv) The Licensing Objectives

All training relating to the sale of alcohol shall be documented and records kept either in hard copy at the premises or electronically via head office. Police and the Licensing Authority shall have access to an individual's training records upon reasonable request. Training shall be refreshed every six months.

3. Any person appearing to those engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Acceptable ID shall be as per the latest Home Office guidance.
4. A refusals register in paper or digital format shall be kept and maintained at the premises. The register shall be made available for inspection upon request by an authorised officer of the police or local authority.
5. Customers shall not be permitted to drink outside the premises otherwise than when seated in an area which is authorised by Portsmouth City Council for tables and chairs.
6. Following a review of the premises licence the Licensing Authority determined under s177A Licensing Act 2003 to impose a condition that neither live nor recorded music are permitted at any time.

Whilst I am aware that the current licence holder intends to close the business down with effect from 15 July 2023, I consider it necessary for the Licensing Sub-Committee to consider modifying the current licence as referenced above to ensure that any future operator of these premises, who wishes to provide the sale of alcohol and other licensable activities, is required to comply with these conditions to prevent further public nuisance being caused to local residents.

Yours sincerely



Nickii Humphreys
Licensing Manager

Email:



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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#)
Cc: [Stone, Derek](#)
Subject: FW: Reference: 23/02417/LAREVI
Date: 20 July 2023 08:25:13

- Official Sensitive -

From: Ria Aktar [REDACTED]
Sent: Wednesday, July 19, 2023 8:50 PM
To: Licensing Shared Email [REDACTED]
Subject: Reference: 23/02417/LAREVI

You don't often get email from [REDACTED]. [Learn why this is important](#)

To whom it may concern.

I am writing in regards to the licence review for the above reference.

I have been a customer of Monty's for quite some time now and have always felt very welcomed and safe and comfortable by all the staff throughout my visits.

It has always been a great place to celebrate all occasions or even just intimate dinners, and I have become familiar with the staff of whom are extremely friendly as well as the local and regular customers.

I have never personally had a bad experience in the establishment however I have witnessed some abusive behaviour from some of the Monty's neighbours towards customers in the restaurant who had popped outside and they were drenched with water being poured from above. There has also been verbal abuse of profanity towards other customers.

In regards to noise, I would not consider Monty's to have been ever excessive with the music levels. You could hear the music in the background whilst in conversation. The staff have always been very considerate and respectful of their neighbours and passers-by.

If you require any further information, please feel free to contact me.

Kind regards.

Rojina Aktar.
60 Stansted Road.
Southsea.
PO5 1SA.

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APPENDIX C

From: [Robson, Debra](#)
To: [Robson, Debra](#)
Subject: FW: Montys 69 Castle Road, Southsea
Date: 18 July 2023 13:52:35

- Official -

From: Astill, Lorraine [REDACTED]
Sent: Monday, July 17, 2023 12:41 AM
To: Stone, Derek [REDACTED]
Subject: Montys 69 Castle Road, Southsea

Hi

Following the notification of the review of the premise licence for Monty's 69 Castle Road, Regulatory Services would like to support this application.

A number of complaints have been received concerning this establishment in relation to loud music and rowdy behaviour of customers.

Following an investigation into the complaints received a noise abatement notice was served on Mr Reece Reza Sattari on 8th March 2023 for causing a statutory noise nuisance from music played within the venue.

The venue has single glazing at the front of the property, and it is not a suitable venue for live or recorded music. When live or record music are performed at Monty's this has a significant impact upon the residents within the area.

The Legislative Reform (Entertainment Licensing) Order 2014 deregulates live music and recorded music. The Act removes the licensing requirements for live music and recorded music where:

- There is a premises licence or club premises certificate in place permitting 'on sales.
- The premises are open for the sale or supply of alcohol for consumption on the premises.
- Live or recorded music is taking place between 8am and 11pm
- If the music is amplified live music or recorded music (e.g., DJs or a disco for example), the audience consists of no more than 500 people.

Upon a Review of the premises licence the Licensing Authority can determine that existing conditions on the premises licence relating to live or recorded music will apply even between 8am and 11pm.

Where the Licensing Authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition).
- Exclude a licensable activity from the scope of the licence.

- Removal of the Designated Premises Supervisor.
- Suspend the licence for a period not exceeding three months
- Revoke the licence

It is therefore recommended that the most appropriate step for the Licensing Sub-Committee to consider is to impose the following condition on the current premises licence:

- 1. (a) The provisions of Section 177A of the Licensing Act 2003 relating to live and recorded music no longer apply in respect of this licence, and**
 - (b) The provision of any regulated entertainment consisting of a performance of live music and/or playing of recorded music shall be excluded as a licensable activity under the scope of this licence.**

Kind regards

Lorraine Astill
Principal Regulatory Service Officer

Regulatory Services
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Telephone: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]

APPENDIX C

From: [Licensing Shared Email](#)
To: [Stone, Derek](#); [Robson, Debra](#)
Subject: FW: ref: License Review 23/02417/LAREVI. Monty's
Date: 19 July 2023 16:28:17
Attachments: [Propose conditions for Monty.pdf](#)

- Official Sensitive -

From: Karim Sattari [REDACTED]
Sent: Wednesday, July 19, 2023 4:14 PM
To: Licensing Shared Email [REDACTED]
Cc: Jon Wallsgrove [REDACTED]
Subject: ref: License Review 23/02417/LAREVI. Monty's

ref: License Review 23/02417/LAREVI

For the attention of the licensing authority.

Please accept this email as my formal representation with regards to the review being carried out on our premises licence held at Monty's Restaurant and Cocktail Bar, 69 Castle Road Southsea, PO9 3LX.

We take this opportunity to explain how we have operated at Monty's, the environment we have tried to create during our ownership of the venue and the problems we have faced from our neighbours, who has subsequently applied for the License review. We will explain what actions we have taken and the additional licensing conditions we have proposed to the council to put forward to the applicant to prevent any further issues and reach a mutual agreement ahead of the committee meeting on 16th August 2023.

My wife, my brother and I bought the business as a going concern on 23rd of February 2022. It has always been our dream to own a venue such as Monty's and we are passionate about great food, high quality drinks with quality fresh ingredients. At Monty's we lifted to standard of a la carte food and drinks to a level considered to be relaxed fine dining. We created a sophisticated atmosphere with a romantic ambiance to attract a pleasant and friendly standard of clientele. Most of our bookings were for special occasions, milestone birthdays, anniversaries, proposals, engagements, family gatherings and couples dating. Much of regular customers also included residents of castle road and the surrounding areas.

We were extremely shocked when we were informed that our license was subject to a review by an resident. We knew of concerns over our noise levels on occasion but we found these to be on evenings when private parties had booked out our venue and included a live or sometimes amplified singer. After being informed that our noise levels were too high, we removed our speakers to a much smaller single speaker (small Google nest mini) and would only allow singers under the implementation of an approved Temporary Event Notification.

We must also express how the review applicant's husband, David O'Reilly has been extremely threatening and violently abusive throughout our ownerships of Monty's. In actual fact, the very

first time I met Mr O'Reilly he had summoned me to his front door to ask me what my intentions were for the business, and to express that he "can be quite an animal if he is upset" as they didn't like the clientele standing outside the front of Monty's smoking and talking on the street near their front window. From that day forward we, our manager and our customers received countless threats and suffered incidents of abusive violent and threatening behaviour from him. On one occasion Mr O'Reilly threw a bucket load of water over his roof garden on to the customers on the street below. This I must add, was while we had a pavement license in place for customers to enjoy out the front of the restaurant. Our restaurant manager, Sonny Graham has had to call the Police on many occasions as Mr O'Reilly has threatened him and our customers. We have also had reports from customers, that they have been warned off the restaurant by him as they were about to enter for dinner. The two previous owners have also since described to us how Mr O'Reilly had threatened them and even violently assaulted one of them across the bar in the venue.

The most recent incident was on 17/06/23, we had a private party booking. We had a TENS in place as the party was a 21st birthday and they had booked a singer. Shockingly the actual birthday girl was verbally abused at her party by Mr O'Reilly. He verbally abused her very loudly and stood in her personal space pointing his finger in her face. Mr O'Reilly is a tall, broad man and the girl was a 21 year old petite woman. She later expressed how she felt threatened and frightened by his behaviour. We believe Mr O'Reilly had been drinking on this occasion and clearly instigated the altercation which could have been easily avoided. He was physical towards a few other people at the party and one lady ended up with a black eye and another with her hair extensions pulled out. The police were again called on this occasion and we felt it necessary to stop the party early to avoid any further altercations or worsen the incident. Crime reference numbers can be easily obtained by the police to support our accounts of these incidents and numerous others.

Once we received the licensing review application, we immediately instructed a solicitor for advice because we are confident that we have not been operating in the way in which we have been depicted by the review application. Our restaurant is primarily aimed at couples and families of all ages and we very rarely have large groups of young people or big tables. That said there just isn't enough trade on a weekly basis for us to be able to turn down private function bookings to help us sustain the business. On these occasions we applied for TENS where we felt necessary and always strived to maintain the licensing objectives and not cause a nuisance to the neighbouring public. However, this is a restaurant and Cocktail bar - customers are trying to have a nice time, people talking, background music and the occasional party are simply part and parcel of a licensed establishment. The venue has been Monty's for over 7 years and was previously a bar called 'Angry Ally's for a number of years prior to that. Mr and Mrs O'Reilly moved into their property which was also a commercial unit, a post office which they converted to residential property. They bought this property knowing that they were next to a restaurant and Cocktail Bar. In the time we have owned the venue, the applicants have also advertised their property for sale which we believe may also be provoking their behaviour towards us, and motivate them to attempt to revoke or disrupt our license. This may certainly better their selling position and potentially be a financial gain if a high price is achieved for their property.

Our solicitor advised us to agree to the following conditions which we have suggested be put forward to the applicant Mrs O'Reilly. We suggest that we meet to find common ground with the aim of reaching an agreement on the additional license conditions going forward. The conditions

we have proposed to add to our license are as per the attached pdf document.

These conditions have now been accepted by the Licensing Authority and EHO. We must also highlight that the Police have not made a representation against the application. We also stress that the responsible authorities are considered experts" in crime and disorder and public nuisance and have agreed the conditions we have proposed.

We are also sad to confirm the closure of the venue which is now being marketed. We need to sell the lease of the venue to recover our losses and initial sums invested. Cutting the hours back would not make the venue financially viable and this makes it very difficult to sell on. Finally we must stress strongly that we would suffer a significant financial loss if the license was lost and there would be little, if any value, remaining in the business.

The Committee should only do what is reasonable and proportionate to address the cause of the review, which in essence is the nuisance from music. The conditions proposed specifically address that cause. Reducing the hours or revoking the licence would not be in any way proportionate.

Kind regards

Karim Sattari
Company Director

HKS Enterprise Ltd

Monty's Restaurant and Cocktail Bar
69 Castle Road
Southsea
PO5 3AY



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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#); [Stone, Derek](#)
Subject: FW: 23/02417/LAREVI
Date: 19 July 2023 15:58:54

- Official -

FYI

From: Ayesha Akhtar [REDACTED]
Sent: Wednesday, July 19, 2023 3:58 PM
To: Licensing Shared Email [REDACTED]
Subject: 23/02417/LAREVI

You don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon

I am writing regarding the licence review of Monty's Restaurant & Wine Bar ref 23/02417/LAREVI

I have been a customer of Monty's for many years and it has always been a welcoming restaurant to visit.

The staff are lovely and known for their exceptionally good customer service and the customers are very friendly and sociable. The clientele of Monty's are typically couples, people in their 20s-40s looking to dine and enjoy some drinks. I have never experienced big rowdy groups, or people who intimidate other customers.

Regarding the sound levels of the music, I personally haven't felt the music is excessive or too loud. It's consistently at a good level whereby you can hear it in the background but are still able to converse.

I have heard that the neighbours of Monty's have shown abusive and threatening behaviour to the staff as well as customers. This, for me, is the most concerning part of visiting the restaurant as I worry the neighbours will either become aggressive or physical. During a bottomless brunch I have witnessed the neighbours pouring water on customers heads purely for being outside of the restaurant and unfortunately these are the things that will give Monty's a bad rep as no one wants to visit a restaurant where the neighbours are unpredictable and intimidating.

In my opinion Monty's is a restaurant loved by a lot of locals and by removing/limiting the licence it stunts the potential of a family owned independent restaurant that is already trying to navigate through a cost of living crisis. I am in support of the licence continuing on the same basis and hours as it currently is.

I trust you will find this in order and look forward to hearing the results in due course.

Kind regards

APPENDIX C

From: [Licensing Shared Email](#)
To: [Stone, Derek](#)
Subject: FW: Monty's support letter
Date: 17 July 2023 12:56:18

- Official Sensitive -

From: Carole Chambers [REDACTED]
Sent: Friday, July 14, 2023 6:33 PM
To: Licensing Shared Email [REDACTED]
Subject: Monty's support letter

You don't often get email from [REDACTED]

I've been coming to Monty's for the past few years and it's a lovely little bar with great staff I've never seen any issues whilst there it's always a nice atmosphere and family friendly we have seen the main ours start on the manager a few Times over the last year witch a a real shame me and my husband support the late licence mr P Chambers 31 Carlton House 1-6 westonton parade southsea po53ed

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Stone, Derek](#); [Robson, Debra](#)
Subject: FW: REF: 23/02417/LAREVI Support for the Monty's restaurant
Date: 19 July 2023 16:27:58

- Official Sensitive -

From: Emily Bateman [REDACTED]
Sent: Wednesday, July 19, 2023 4:22 PM
To: Licensing Shared Email [REDACTED]
Subject: REF: 23/02417/LAREVI Support for the Monty's restaurant

You don't often get email from [REDACTED] [Learn why this is important](#)

To whom it may concern,

I am writing in relation to the current review of the licence regulation at the Monty's restaurant in Southsea. Ref: 23/02417/LAREVI.

I have been a regular customer at Monty's for the past 2 years and I am in favour of the restaurant continuing their license at the current times in place. My dining experience at Monty's has always been a pleasant one - the high level of customer service and relaxed atmosphere has made it an ideal place to celebrate family gatherings, birthdays and my wedding anniversary. In my experience the background music has been at a perfect level to enable conversation over dinner. I also have been able to enjoy a live singer at Monty's on New Years Eve, which all came to a close at a reasonable time. Monty's is a friendly restaurant where the staff get to know customers by name; which makes for a safe, quiet and relaxed venue perfect for families and couples.

If you would like any further information to support my statement, please feel free to reach out to me.

Many thanks,
Emily Anne Hussain
Address: 16 Camelia Close, Havant, Denvilles, PO9 2FQ.

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Stone, Derek](#); [Lee, Ross](#)
Subject: FW: Monty's castle road
Date: 14 July 2023 23:51:45

- Official Sensitive -

-----Original Message-----

From: Rebecca Mariner [REDACTED]
Sent: Friday, July 14, 2023 8:34 PM
To: Licensing Shared Email [REDACTED]
Subject: Monty's castle road

[You don't often get email from [REDACTED] Learn why this is important at [REDACTED]

Hello,

I am emailing you to support kalim and his license to remain as a restaurant and cocktail bar and I apologise for taking so long to contact you.

I am sincerely troubled and upset to hear the trouble kalim and his staff have been having with the neighbour in castle road.

I just wanted to reach out to you in hope I can help support then on keeping their license to trade as a restaurant and cocktail bar.

My version of accounts that night (17/06/23) was that the neighbour had verbally abused my daughter whose party it was. He was very loud and stood in her personal space pointing her finger in her face. This bloke was a larger build and my daughter is a very slim size 6. She felt threatened and frightened by his behaviour.

I strongly believe the neighbour was intoxicated and most definitely instigated the altercation which could have been avoided if he had gone about his business and left us all alone. He was physical towards a few other people at the party and one lady ended up with a black eye.

We are not happy with the outcome as this really made an impact on our private function.

Said neighbour should apologise but i accept we won't get an apology.

I genuinely hope you can see how loyal and worthy Monty's staff are and that they retain their license as they are the most accommodating hosts we have ever crossed paths with. One angry neighbour should not be able to ruin their business and reputation.

Regards

Rebecca Mariner
18 Bransgore Avenue
PO9 4BJ

[REDACTED]

[REDACTED]

[REDACTED]

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#)
Cc: [Stone, Derek](#)
Subject: FW: LICENSE REVIEW 69 CASTLE ROAD SOUTHSEA
Date: 19 July 2023 13:44:12

- Official Sensitive -

From: Su Brassett [REDACTED]
Sent: Wednesday, July 19, 2023 1:32 PM
To: Licensing Shared Email [REDACTED]
Subject: LICENSE REVIEW 69 CASTLE ROAD SOUTHSEA

You don't often get email from [REDACTED]. [Learn why this is important](#)

Sent from [Mail](#) for Windows

I support the license review for 69 Castle Road, Southsea. I used to enjoy strolling down Castle Road, to visit my family, however, I tend to avoid the area by 69 Castle Road. When groups of people gather outside this address, consuming alcohol, it leads to antisocial behaviour, and feels intimidating to walk by, especially with children. Such a shame that it is now an area to avoid, since patrons have been allowed to gather outside on the pavement and road, consume alcohol, which leads to rowdy, antisocial behaviour.

S Brassett

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Stone, Derek](#); [Robson, Debra](#)
Subject: FW: License review 69, Castle Road, Southsea
Date: 20 July 2023 13:35:37

- Official -

FYI

From: Castle Rd & Area Residents Association [REDACTED]
Sent: Thursday, July 20, 2023 12:33 PM
To: Licensing Shared Email [REDACTED]
Subject: License review 69, Castle Road, Southsea

This email confirms the Castle Rd & Area Residents Association support for the licence review of 69 Castle Rd.

The premises has caused stress and anxiety for the residents, many of whom don't feel safe to leave their homes when the bar customers are filling the street. The noise and drunken behaviour were bad enough but now a resident has been attacked by a large group of the bar's customers we simply need the alcohol licence to be revoked. One resident who videoed the attack said it was like a pack of hounds attacking a fox - a visual that will stay with me for some time.

We know the bar is now temporarily closed and the lease is up for sale but this must be a lease without an alcohol license or the same heavy drinkers will return when it reopens - we have seen this repeated many times over the last few years.

It is time the Council put the wellbeing and safety of the residents first, we pay our taxes and deserve the very basic rights of safety and peaceful living.

Regards Pam McGuinness, (CRARA Chair)

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APPENDIX C

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 18/07/2023 11:25 AM from Mr Stephen Brazier.

Application Summary

Address:	69 Castle Road Southsea PO5 3AY
Proposal:	Review Premises
Case Officer:	MR DEREK STONE

Customer Details

Name:	Mr Stephen Brazier
Email:	[REDACTED]
Address:	82 - 84 Castle Road, Southsea PO5 3AZ

Comments Details

Commenter Type:	Neighbour
Stance:	Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 18/07/2023 11:25 AM I support the application for review submitted on 21 June 2023 by Amanda O'Reilly on behalf of 31 residents in Castle Road and Great Southsea Street. The Castle Road South Neighbours and Traders Association have discussed and agreed a clear vision for Castle Road as part of the pedestrianisation process for the Road to be a family friendly environment with a cafe culture, where residents, businesses and visitors all feel welcome. To enable this to happen it is important that there are consistent licensing provisions regarding music, CCTV provision and in particular drinking outside of venues in Castle Road. Regrettably there have been too many incidents where guests have been drinking and partying noisily outside of Monty's and there is no CCTV provision to monitor the situation. I support a temporary halt to the license until CCTV has been installed, the owners commit ensuring that drinking will not be allowed outside of the premises and to ensuring that any music played will in future be in accordance with the current Planning Restriction. The license should only be reinstated once the owner agrees to these restrictions which should then be clearly set out in the license to ensure clarity for the owner, staff and local residents.

Kind regards

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APPENDIX C

From: NoReply@portsmouthcc.gov.uk
To: [Stone Derek](#)
Subject: Comments for Licensing Application 23/02417/LAREVI
Date: 19 July 2023 18:25:55

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 19/07/2023 6:25 PM from Mr Les Buckingham.

Application Summary

Address: 69 Castle Road Southsea PO5 3AY

Proposal: Review Premises

Case Officer: MR DEREK STONE

[Click for further information](#)

Customer Details

Name: Mr Les Buckingham

Email: [REDACTED]

Address: 70 Castle Road, Southsea PO5 3AZ

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 19/07/2023 6:25 PM 23/02417/LAREVI
I whole heartedly support the Licence Review of these premises. I live exactly opposite the premises and have done for nearly 40 years. I have supported its many incarnations but find myself unable to do so now. The tone and character of the bar has steadily slipped until now when we have the spectre of flagrant disregard for the community of residents and businesses, loud partying that extends into the street itself and now an unwarranted physical attack on a resident. Obviously this and the fact that on one occasion, armed police have been called to attend, is entirely unacceptable.
The community here has made huge strides to become an inclusive and self sustaining group, with its own plans for a sustainable and aesthetically led development that could prove a model for the council itself. The many projects under development by this community cannot be jeopardised by one establishment.

Kind regards

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APPENDIX C

Barley Mow
39, Castle Road,
Southsea
Portsmouth
PO5 3DE

This is a very important issue which involves many of the neighbours surrounding Monty's, 69 Castle Road, Southsea.

Any Owners/managers should at all times be considerate of the neighbours and liaise with them regarding such things as noise/music levels/street activity etc. This is necessary for keeping a calm and pleasant environment in the street.

It would appear that the current manager is not at all considerate and I believe him to be incompetent at his job. I believe there to have been many complaints about this premises during his time of management. Also the owners of the premises themselves do not seem to be interested in the running of the establishment, which they should be at all times.

I believe that any business in Castle Road should aim to attract the type of clientele that is in-keeping with the nature of the Road as this is a residential road as well as commercial.

If Monty's were to keep its licence it should be run with completely different strategies and activities in mind to the current ones so as not to antagonise the neighbourhood.

Regards

Judith Burr

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#)
Cc: [Stone, Derek](#)
Subject: FW: License review Monty's ref: 23/02417/LAREVI
Date: 19 July 2023 09:54:58

- Official Sensitive -

From: Lee Baldwin [REDACTED] >
Sent: Tuesday, July 18, 2023 8:51 PM
To: Licensing Shared Email <[REDACTED]>
Subject: License review Monty's ref: 23/02417/LAREVI

To whom it may concern

This email is in reference to the license review for 69 Castle Road. While I understand that Monty's has now closed its business, I have no doubt that it will reopen as either the same business or a similar one.

The license held at this premises has been a major source of distress for many of the residents over the years. This premises has caused problems as far back as as 20 years, when it was 'Bar 69'. The music license back then was revoked as the level of noise and the behaviour of its clientele caused issues even then.

The anxiety, that the behaviour, both anti social and criminal has caused to the residents has been excruciating for some people. Recently, going as far as causing GBH on one of the neighbours.

It is with all these points in mind that I respectfully request that the alcohol license be revoked permanently from the premises 69 Castle Road.

Hoping this email will be taken seriously and the truth behind the current owners brag about having friends on the council and how it extends them a certain level of privilege is not true.

Regards

Lee Baldwin
Castle Court, Castle Road resident.

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APPENDIX C

From: david evans [REDACTED]
Sent: Saturday, July 15, 2023 10:51 AM
To: Licensing Shared Email [REDACTED]
Subject: 23/02417/LAREVI objection tion

[REDACTED]

Sent from Samsung Mobile on O2

Licence ref number 23/02417/Larevi I would like ro log my objection against above numbered application due to the terrible mismangement of this buissiness the constant breaking of their licence rules .the blood brawls outside a nd intimidation to passed byes when their customers are illegallydrinking outside .this buissiness is totally unsuitable for this rd .it is nothing other than a drinking club and always has been under the present owner .therefore I thouroughly objection to this application .yours faithfully David Evans

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APPENDIX C

REF 23/02417/LAR

FLAT 3,
77 CASTLE RD
SOUTHSEA
PORTSMOUTH
HANTS.

Dear Sir & Madam,

16.7.23.

I am a long standing resident
of Castle Road and support the
removal of the alcohol and
music license at MONTY'S WINE
bar in castle Rd.

I have experienced the loud
anti-social behaviour of the
premises and the ongoing
drunkenness of the customers
and would support the ~~re~~ withdraw
of both licenses. Yours sincerely

[REDACTED] (GREG COAST)

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#); [Stone, Derek](#)
Subject: FW: 23/02417/LAREVI
Date: 21 July 2023 08:52:17

- Official -

From: Nadine Darnley De Salis [REDACTED]
Sent: Thursday, July 20, 2023 7:49 PM
To: Licensing Shared Email [REDACTED]
Subject: 23/02417/LAREVI

You don't often get email from [REDACTED]. [Learn why this is important](#)

To whom it may concern

I am supporting the review of the premises license at 69 Castle Rd Southsea as put forward by Amanda O'Reilly.

I have lived diagonally opposite no 69 Castle Rd for 20 years. In the past ten years the level of disruption to the peace and calm of the street has exponentially increased with each licensed establishment that has opened under differing names. More recently this disruption has escalated to unacceptable noise levels, shouting, intimidation, aggression, drunkenness and finally, more recently, outright bloody assault of a resident which required armed Police. It feels like each weekend from mid afternoon to after closing time the street is being taken over by drunken dangerous louts, urinating up our walls and front doors making our lives unbearable. Women shouting, screaming at each other screeching songs at the top of their lungs, foul mouthed and cackling.

I have had to close my lounge windows frequently and regularly in order to have some peace in my own home which I should not have to do and which should be my sanctuary. The noise and aggressive atmosphere causes me stress, I can't relax and unwind in my own home-constantly alert to something potentially happening. It is very embarrassing when I have guests! I am also afraid to pass by the premises to go to the local Co-op to get provisions should I need to whilst this is going on. So, I stay indoors and go without.

Therefore, in my experience, nothing will cure this constant anti-social behaviour other than the complete revocation of the licence.

Yours Faithfully

Nadine Darnley
Flat 8 Castle Court 76 Castle Rd Southsea. Hants PO5 3AZ

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#)
Cc: [Stone, Derek](#)
Subject: FW: Reference 23/02417/LAREVI
Date: 19 July 2023 09:55:49

- Official Sensitive -

From: maureen eels [REDACTED]
Sent: Tuesday, July 18, 2023 8:12 PM
To: Licensing Shared Email <[REDACTED]>
Subject: Reference 23/02417/LAREVI

My daughter has lived on Castle Rd for well over ten years and I am a very regular visitor. I am disgusted by the worsening behaviour of the customers of the supposed restaurant at number 69 over the last four years. It seems that no matter who manages the place, it just attracts very rough people who get drunk and fill the street with their shouting, swearing and bad behaviour. In the last 18 months it has become much much worse and my daughter has actually been fearful of leaving the house.

How has this been allowed, it used to be a lovely safe street.

I am very pleased to hear the people who live there have joined together and won't stand for this dreadful behaviour anymore. They are quite right to demand the restaurant closes at 10.30 like the other restaurant on the street and that they should no longer be able to serve alcohol. It is the only way to make sure these awful people don't return as soon as it reopens.

I support the people who live on Castle Rd 100%

Maureen Eels

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APPENDIX C

From: [Stone, Derek](#)
To: [ki](#)
Cc: [Robson, Debra](#)
Subject: FW: Monty's Castle Road, Southsea
Date: 19 July 2023 13:16:00

Dear Kit

For your representation to be valid I will need your address and post code please.

All representations are made public, and the Premises Licence holder and his solicitor will need to attach weight to any relevant representations submitted, to assess the impact of what is being said about the venue, and how it effects people directly.

In your representation you indicate you are a frequent visitor, can you please specify how often you visit and at what times in general you have witnessed the decline in how the premises are run.

I look forward to receiving this additional information.

Regards

Derek
Derek Stone
Principal Licensing Officer

-----Original Message-----

From: Licensing Shared Email <[REDACTED]>
Sent: Wednesday, July 19, 2023 12:58 PM
To: Robson, Debra <[REDACTED]>
Cc: Stone, Derek <[REDACTED]>
Subject: FW: Monty's Castle Road, Southsea

- Official Sensitive -

-----Original Message-----

From: Kit Lendon <[REDACTED]>
Sent: Wednesday, July 19, 2023 12:46 PM
To: Licensing Shared Email <[REDACTED]>
Subject: Monty's Castle Road, Southsea

Dear Licensing Team

I'm writing with regards to Monty's on Castle Road, Southsea.

I fully support all elements of licence review plus the amendment from the 31 residents on Castle Road, Southsea (reference 23/02417/LAREVI). I have witnessed the sad decline of the street; it used to have real character and charm but the constant drunk groups who frequent Monty's have totally ruined it.

The premises needs to be an unlicensed business, ideally a lovely coffee shop.

Best wishes

Kit Lendon

Frequent visitor to Castle Road

Sent from my iPhone

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APPENDIX C

From: [Kit Lendon](#)
To: [Stone, Derek](#)
Cc: [Robson, Debra](#)
Subject: Monty's Castle Road
Date: 19 July 2023 18:33:35

Hello Derek

I'm happy to assist. My postcode is SO50 5NH, 230 Desborough Road, Eastleigh.

I have a friend who lives on the road, close to Monty's whom I visit on average monthly but sometimes more frequently. I usually visit in the evenings and mostly on weekends.

My friend has lived on Castle Road for some years and I'm well acquainted with it. Since Monty's passed into its current ownership I have noticed loud music which has also been heard inside my friends house, cigarette butts and other litter dropped outside her house, and groups of people talking loudly and using foul language outside her house. The current manager does not seem able or willing to address the antisocial behaviour of the clientele and I have to say I've found Monty's quite intimidating to walk past.

I feel very sad for my friend and the other residents of Castle Road that the team at Monty's have behaved with such disrespect and I really don't believe that Castle Road is an appropriate place for a licensed venue.

I hope this helps

Best wishes

Kit

Sent from my iPhone

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APPENDIX C

From: NoReply@portsmouthcc.gov.uk
To: [Stone Derek](#)
Subject: Comments for Licensing Application 23/02417/LAREVI
Date: 14 July 2023 13:46:42

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 14/07/2023 1:46 PM from Mrs Avril Lewis.

Application Summary

Address: 69 Castle Road Southsea PO5 3AY

Proposal: Review Premises

Case Officer: MR DEREK STONE

[Click for further information](#)

Customer Details

Name: Mrs Avril Lewis

Email: [REDACTED]

Address: 46 Castle Road, Southsea PO5 3AZ

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 14/07/2023 1:46 PM I would like to support the above application by Amanda O' Reilly.

As I live on Castle Road, I can verify the anti-social behaviour by customers of Monty's. Drinking appears to start usually about lunchtime, and behaviour tends to worsen as the day progresses, often turning into rowdy groups, unable to control their behaviour and sometimes becoming quite aggressive. This is not acceptable, particularly considering that many residential properties are within close proximity.

I would therefore like to request that the licence for the business operating at Monty's, Castle Road, Southsea. PO5 3AY be rescinded.

Kind regards

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APPENDIX C

From: [Robson, Debra](#)
To: [Robson, Debra](#)
Subject: FW: re 23/02417/LAREVI
Date: 19 July 2023 08:22:41

- Official Sensitive -

-----Original Message-----

From: Valentine Vandervyver [REDACTED]
Sent: Sunday, July 16, 2023 9:25 PM
To: Licensing Shared Email [REDACTED]
Subject: re 23/02417/LAREVI

[You don't often get email from v [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Sir,

I support the removal of the alcohol licence at the wine bar premises because of the violent behaviour recently of customers drinking in the street.

Yours faithfully,

V van der Vyver 40 Castle Rd.

Sent from my iPad

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#)
Cc: [Stone, Derek](#)
Subject: FW: Alcohol licence at 69 castle road
Date: 19 July 2023 09:55:21

- Official Sensitive -

From: Alan Roche [REDACTED]
Sent: Tuesday, July 18, 2023 8:48 PM
To: Licensing Shared Email [REDACTED] >
Subject: Alcohol licence at 69 castle road

You don't often get email from [REDACTED] [Learn why this is important](#)

Ref: 23/02417/LAREVI

Dear Sir/Madam

As Monty's restaurant has now closed for business (not before time) I would like to request that the alcohol licence be removed from the premises..I live in castle court which is opposite Monty's bar, we have constantly experienced problems due to the alcohol consumed during the bottomless brunches that Monty's now and previously bars going back to when it was bar 69 15 years or so back..drunken behaviour.. aggressive behaviour from the customers and staff and owners..enough is enough, the current manager made a comment saying it doesn't matter how much we complain to the council as they have friends there and their licence is safe! I do hope that is not the case..please take the alcohol licence away, this is a residential area not guildhall square

A Roche
6 castle court
76 castle road
Po5 3az

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#)
Cc: [Stone, Derek](#)
Subject: FW: Ref:23/02417/LAREVI Review Premises 69 Castle Road
Date: 19 July 2023 09:54:21

- Official Sensitive -

From: David O'Reilly [REDACTED]
Sent: Wednesday, July 19, 2023 9:45 AM
To: Licensing Shared Email [REDACTED]
Subject: Ref:23/02417/LAREVI Review Premises 69 Castle Road

Hi, I sent in a mail earlier which was the first draft. This is what I should have sent for representation.

Apologies.

Regards

David O'Reilly

The past few owners of 69 Castle Road have constantly caused issues with licensing and planning violations. They have attracted similar anti social clientele who have no respect for the neighbours and the residents have really felt they have been left to deal with the ongoing issues. Over the past several years numerous noise complaints have gone in, after hours licensing complaints have gone in. We have had to deal with the police being called, police requesting CCTV footage. We have had to navigate through large drunken groups of people to get to our front door and are often abused. Whilst this has been horrendous for the immediate neighbours it has also affected many neighbours up and down the street.

The owners have never understood, cared or even, it seems, read their licencing and planning restrictions which has had a very detrimental effect on the people in the street and especially those opposite and adjoining. Strict planning restrictions on noise and opening hours are in place as this situation was foreseen by planning. It was to stop this encroachment into peoples lives and their wellbeing. There seems to be a lack of harmony between licensing and planning and how it is to be enforced.

However, the latest incumbents of 69 Castle Road have taken this to a new level. The latest owners and licensee have been absent and left someone who is wholly unqualified and unsuitable to run the establishment and has

run it like an Ibiza style bar with constant thumping music blaring out into the street and thumping through the walls, leaving residents with nowhere to escape from the noise. That mixed with the shouting and screaming of drunken parties out in the street that can start as early as 11:30am on a weekend to past midnight has made our lives hell.

All attempts to negotiate with the "Bar Manager" and the owners were rebuffed and they called the Police for harassment, yes you read that right. That is the level we are dealing with. Their attitude towards the neighbours and Licensing was highlighted by your licensing team who said, after speaking to the owners both in person and on the phone, "They don't care about the neighbours, they are purely in it for the money." They had no interest in any adjustments to their unlawful business model that was being very disruptive and having a detrimental effect on the neighbours' homes and quality of life.

At the beginning of this year we had a member from the Licencing team visit our home to investigate a breach the licenced operating hours. Given the evidence, he felt there was good reason to go to court over these breaches and a potential prosecution. This hit a wall and we heard no more even though we continued to follow up. This went dead. No explanation or rationale was supplied to us. The residents were left to fend for themselves.

During this period and given the persistent problems, the licensing officer felt the case for a licensing review was strong and should align their license with others in the vicinity. The Licence Holder was offered, by the licensing officer, the opportunity to voluntarily put these conditions in relation to live music, CCTV and staff training into their license, which they refused. So again, Neighbours were left to take action and fend for themselves.

The premises finally had a noise abatement placed on them after the levels recorded were ten times over the permitted level. That's ten times! Yet they still ignored it on a number of occasions, complaints went in but nothing was done. Again the residents were left to fend for themselves.

A few weeks ago on the 17th June, there was another noisy party, music blaring people shouting, screaming and swearing right outside our home. I went outside to politely ask the bar clientele to move away from our window and was headbutted in the face and repeatedly attacked by the patrons of Montys. The police were called and were horrified at what they saw as I have the full incident recorded on high grade CCTV leaving no doubt to this completely unprovoked violent assault by a large group of

the bars clientele. The firearms officers who attended the scene and witnessed the attack on my CCTV said instantly, “There should be severe sanctions or closure for that” The firearms officers are senior and have witnessed many incidents in their time. Yet he still felt horrified at what he saw. The CID are now actively looking to make at least four arrests for the attack. That was outside my front door. My home. Yes. MY HOME. So again, neighbours of 69 Castle Road literally fending for themselves, their life in fact. That’s how it felt at the time. I am having to deal with the ongoing personal trauma of the attack. As a community we all feel the trauma, the fear and anxiety which exists solely because of this establishment, this is the legacy we have to deal with. Enough is enough.

Adjustments we have had to make to our home and lives before this incident are numerous.

- Wearing bodycams because of verbal abuse and threats
- Avoiding going out at certain times because of the drunken groups congregating outside our home
- Avoiding coming to our home in certain directions to avoid the drunken groups outside our home.
- Extra soundproofing that just cannot cope with the level of volume emanating from 69 Castle Road
- Installed High Grade CCTV to ensure we have incidents captured and recorded as we have had the owners and the bar manager either lying or misreporting incidents.
- My wife has taken self defense classes and calls me when she has parked the car so I can watch her walk down the road, making sure she is safe.

We have had to make many adjustments to our lives that have had a large financial impact as well as having to manage the detrimental effect on our mental health. The owners and licensee have been absent, leaving their business in the hands of a very unstable bar manager who should never have been allowed to be in that position. They clearly chose to believe his version of events though they could turn on and view their own CCTV which would be shocking, even better they could be physically present at their own business. We have had nothing from the Owners / Licence Holder - no contrition, no acknowledgment that there is a problem even after the violent assault.

So I really do hope PCC's licensing department will read this for what it is and can see that this situation has got to the point of no return. There are many more details that affect our lives on a daily basis, customers urinating in the driveway opposite, vomiting in the flower filled planters, using residents window ledges like a bar... the list goes on and on.

It would be naïve to think the temporary closure and sale of the lease will change this situation. The last four lease holders have all had similar clientele, the only way to break the cycle and end the premises reputation that attracts violent and anti social behaviour is to remove the Alcohol Licence.

Limited budgets or a lack of resources cannot be a factor in actively providing the necessary support for tax paying residents, when Licences are being abused action must be taken especially when that abuse is causing both actual physical and mental harm to a large number of residents. The residents are fed up with having to fend for themselves, to put up and shut up. This is seriously detrimental to our lives and wellbeing and the license should be removed from those that abuse it. The premises has repeatedly shown it is unsuitable for music and the late opening hours, it is now apparent that it is simply unsuitable for a licenced premises.

David O'Reilly

71 Castle road.

APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#); [Stone, Derek](#)
Subject: FW: Reference: 23/02417/LAREVI
Date: 21 July 2023 08:52:32

- Official -

From: Mark De Salis [REDACTED] **On Behalf Of** Mark De Salis
Sent: Thursday, July 20, 2023 7:49 PM
To: Licensing Shared Email [REDACTED]
Subject: Reference: 23/02417/LAREVI

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Sirs

I am writing to support the application by Amanda O'Reilly for a review of the premises licence for 69 Castle Road, Southsea.

The road is largely residential and in recent years there has been a considerable increase in anti-social behaviour by those using this premises. The behaviour throughout the evening has become very rowdy on many occasions with considerable noise, affecting those of us who live nearby. This escalated recently, with a serious assault on a resident by a group who were at the bar.

It is clear that this property has become a venue for groups who do not have any consideration for the quality of life of local residents. Whilst the business has recently closed, if it were to open again with the same licence, even with a different name, the likelihood is that the same groups would return and that the problems would resume.

I consider that the only solution would be the revocation of the licence for this property.

Yours Faithfully

Mark De Salis
Flat 8, Castle Court, 76 Castle Road, Southsea, Hampshire PO5 3AZ

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#); [Stone, Derek](#)
Subject: FW: 23/02417/LAREVI
Date: 21 July 2023 08:52:00

- Official -

From: Jenni Van Wijk [REDACTED]
Sent: Thursday, July 20, 2023 10:20 PM
To: Licensing Shared Email [REDACTED]
Subject: 23/02417/LAREVI

You don't often get email from [REDACTED] [Learn why this is important](#)

To whom it may concern,

I am supporting the review of the license of the establishment at 69 Castle Rd Southsea, currently known as Monty's. I am supporting the removal of their licence so that other people can't take over their license and start trading under a different name, with the same clientele visiting.

Anti-social behaviour by those visiting Monty's is unacceptable, resulting recently in a horrific assault of a resident which required armed Police to stop. Apparently drug fuelled, this is the type of clientele that the venue largely attracts and had done in the past when it was owned by other people. If the license is transferred, it is highly likely the same people will return.

I have lived on Castle Road since 2004. Since the road closure the noise levels and anti social behaviour has increased exponentially and is making me feel stressed and anxious in my home. I often have to close our street facing windows and side window as noise reverberates around the road and off the buildings around us. In this heat, it isn't a pleasant experience and even with windows closed, the noise still enters our home, creating a permanent stress response.

I know that we have two Associations with a vision of steering Castle Road to a more community, family friendly, safe, pleasant place for people to live and trade. Something in alignment with the vision that was created by the council from a local people steering group a couple of years ago. We need help from the Council to help make this a reality for them and us. I hope the licensing team can play their part in helping us transform Castle Road into a beacon of what is possible when closing a road and help us unite our community and forge a strong, resilient and abundant neighbourhood. I'm sure that you can see how addressing licensing rules for Castle Road is a key part in healing and laying the foundations for a beautiful future for all involved.

Yours Faithfully

Jenni Van Wijk
9 Castle Court
76 Castle Rd
Southsea
Hampshire
PO5 3AZ

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Comments for Licensing Application 23/02417/LAREVI

Application Summary

Application Number: 23/02417/LAREVI

Address: 69 Castle Road Southsea PO5 3AY

Proposal: Review Premises

Case Officer: MR DEREK STONE

Customer Details

Name: Mrs Marilyn Lombardi

Address: Myrtle Cottage, Regent Place, Southsea, Portsmouth City Council PO5 3BA

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Licensing Application

Comment Reasons:

Comment:14/07/2023 8:50 AM Although we live in Regent Place and have done so for 37 years, we are part of the Castle Road community.

Over the years we have seen many changes in Castle Road, and since the closure it is becoming a much nicer place to live.However,

the one place that really lets the community down is at 69 Castle Road.

There is no consideration given to local residents or other businesses.They regularly have loud ,drunk and often abusive clientele . it affects everyone in Castle Road, because they run around the road shouting and causing trouble .

I really object to the licence being issued to this premises .

As a Community. we have fought long and hard to make Castle Road

a more family friendly environment for residents, businesses and visitors. Therefore ,you as a Licensing Committee, have power to make our road something special and ask that you remember that we have all worked so hard to get to this point.

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#); [Stone, Derek](#)
Subject: FW: 23/02417/LAREVI
Date: 21 July 2023 08:51:42

- Official -

-----Original Message-----

From: Duncan Lovett [REDACTED]
Sent: Thursday, July 20, 2023 8:41 PM
To: Licensing Shared Email [REDACTED]
Subject: 23/02417/LAREVI

To whom it may concern

I am supporting the review of the premises license at 69 Castle Rd Southsea, currently known as Montys.

Castle Road is largely residential and I have lived diagonally opposite no 69 Castle Rd for almost 10 years.

In the past ten years the level of disruption to the peace and calm of the street has exponentially increased with each licensed establishment that has opened under differing names. More recently this anti-social behaviour by those using this premises has escalated to unacceptable noise levels, shouting, intimidation, aggression, drunkenness and finally, more recently, bloody assault of a resident which required armed Police to stop.

It feels like each weekend from mid afternoon to after closing time the street is becoming a War Zone, as it is being taken over by drunken dangerous louts, urinating up our walls and front doors making our lives unbearable. Men and Women shouting, screaming at each other, screeching songs at the top of their lungs, foul mouthed abusive language are among some of the behaviour.

I have to close our street facing windows and wear noise canceling headphones regularly in order to have some peace in my own home. The noise and aggressive atmosphere causes me stress, I can't relax and unwind in my own home-constantly.

It is very embarrassing when I have guests, the noise and language make them think I live in a ghetto. The violence is also making my neighbours and myself afraid to pass by these people outside the premises, as they frequently abuse people walking down the street.

It is clear that this property has become a venue for groups who do not have any consideration for the quality of life of local residents. Whilst the business has recently closed, if it were to open again with the same licence, even with a different name, the likelihood is that the same groups would return and that the problems would resume. Therefore, in my experience, nothing will cure this constant anti-social behaviour I consider that the only solution would be the revocation of the licence for this property.

Please confirm the receipt of this email by return email.

Yours Faithfully

Duncan Lovett
Castle Court
76 Castle Rd
Southsea
Hampshire
PO5 3AZ

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APPENDIX C

From: NoReply@portsmouthcc.gov.uk
To: [Stone, Derek](#)
Subject: Comments for Licensing Application 23/02417/LAREVI
Date: 15 July 2023 16:51:14

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 15/07/2023 4:51 PM from Mrs Pamela McGuinness.

Application Summary

Address: 69 Castle Road Southsea PO5 3AY

Proposal: Review Premises

Case Officer: MR DEREK STONE

[Click for further information](#)

Customer Details

Name: Mrs Pamela McGuinness

Email: [REDACTED]

Address: 66A Castle Road, Southsea PO5 3AZ

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Licensing Application

Reasons for comment:

Comments: 15/07/2023 4:51 PM For several years, under the last two or three owners the noise level from this premises has been unacceptable in a narrow road which has high buildings causing any music / or loud discussions to reverberate around the road. This section of the road is 80% residential and I have personally sent in many noise complaints, as have my neighbours.

The premises seems to have developed a reputation for a certain type of "experience" (such as bottomless brunches), which bring a certain type of clientele. There have been several instances of anti-social behaviour together with aggressive confrontations and the need to call police on several occasions.

Regardless of any potential future change of ownership/management the premises has become totally undesirable in any instance, but most particularly in a road which is not suitable for this type of business in any circumstance.

The alcohol license needs to be removed from the building so that the cycle of anti-social behaviour and drunken activities cease completely.

Kind regards

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APPENDIX C

From: [Robson, Debra](#)
To: [Robson, Debra](#)
Subject: FW: RE Objection / Representation to Pavement Licence - Monty's - 69 Castle Road, Southsea, PO5 3AY - 23/02367/PAVE
Date: 09 July 2023 09:33:36
Attachments: [image001.png](#)

- Official Sensitive -

From: Robert Morris [REDACTED]
Sent: Saturday, July 1, 2023 9:21 AM
To: Tyler, Lauren [REDACTED]
Subject: Re: RE Objection / Representation to Pavement Licence - Monty's - 69 Castle Road, Southsea, PO5 3AY - 23/02367/PAVE

- Official Sensitive -

Morning Ms Tyler

This was not only an objection to the pavement licence. It was an objection to the bar keeping its licence as it gives the street a bad reputation for anti-social behaviour. Which does not fit with the cafe culture vibe that the city wants for the road.

Yours sincerely,
Robert

Get [Outlook for Android](#)

From: Tyler, Lauren [REDACTED]
Sent: Thursday, June 29, 2023 9:04:33 AM
Subject: RE Objection / Representation to Pavement Licence - Monty's - 69 Castle Road, Southsea, PO5 3AY - 23/02367/PAVE

- Official Sensitive -

Dear Sir / Madam

I'm writing to thank you for your objection / representation regarding the application for a Pavement Licence outside Monty's, 69 Castle Road, Southsea, PO5 3AY.

Please accept this email as acknowledgement of your representation.

Kind regards

Lauren Tyler
Resources Compliance Liaison Officer

Resources Team

Directorate of Culture, Leisure & Regulatory Services
Portsmouth City Council
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL



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A small blue square icon with a white question mark, indicating a broken image link.

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson Debra](#); [Stone Derek](#)
Subject: FW: Comments for Licensing Application 23/02417/LAREVI
Date: 21 July 2023 08:52:49

- Official -

From: NoReply@[REDACTED]
Sent: Thursday, July 20, 2023 7:45 PM
To: Licensing Shared Email [REDACTED]
Subject: Comments for Licensing Application 23/02417/LAREVI

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 20/07/2023 7:44 PM from Ms Sarah McGuinness.

Application Summary

Address:	69 Castle Road Southsea PO5 3AY
Proposal:	Review Premises
Case Officer:	MR DEREK STONE

[Click for further information](#)

Customer Details

Name:	Ms Sarah McGuinness
Email:	[REDACTED]
Address:	66A Castle Road, Southsea PO5 3AZ

Comments Details

Commenter Type:	Neighbour
Stance:	Customer made comments neither objecting to or supporting the Licensing Application

Reasons for comment:

Comments: 20/07/2023 7:44 PM The residents understand the owner is now selling the lease for the business at 69 Castle Rd. He has made a point of telling residents that he is looking for a "lowkey" business like a bakery or coffee shop. If this is the case he will have no issue with relinquishing the alcohol licence. However Licensing seem to think the reduction in value of the lease due to a removal of the alcohol licence is a potential issue. This is rich considering the reputation of Monty's has certainly reduced the property value and salability for every property in this section of Castle Rd.

Any reduction in value of the business is a direct result of their actions or rather lack of action.

The reduction in the value of the residents homes is also due to their lack of management

More importantly the reduction in the residents quality of life and wellbeing is also due entirely to their lack of management.

We all want the alcohol licence removed due to the appalling management, the antisocial behaviour with customers drunkenly shouting and swearing in the street, urinating in my driveway and of course the dreadful attack on my neighbour that resulted in armed police and paramedic attending the scene. If the

owner has any consideration for the residents they would agree to the removal of the alcohol licence without putting us all through the Hearing.

And don't tell me the next lease holder will be different, the last four lease holders have all been a problem and the same people keep coming back to drink here. The only way forward is to remove the alcohol licence, remove the permission for music and make the closing time 10.30pm like Delaneys which is just six doors down from Monty's.

Kind regards

APPENDIX C

From: [Licensing Shared Email](#)
To: [Robson, Debra](#)
Cc: [Stone, Derek](#)
Subject: FW: Ref. 23/02417/LAREVI
Date: 20 July 2023 08:24:52

- Official Sensitive -

-----Original Message-----

From: Sue Mullan [REDACTED]
Sent: Wednesday, July 19, 2023 10:59 PM
To: Licensing Shared Email [REDACTED]
Subject: Ref. 23/02417/LAREVI

I wish to comment on the above case which is coming up for review by the Licensing Committee.

I moved to No.70 Castle Road with my partner in June 1985. In the time since then the premises opposite our house, now known as Monty's Wine Bar, have been through a number of changes of ownership. Until approximately 4 or so years ago we have enjoyed living in the mixed environment of Castle Road where residential cohabits quite amicably with a mix of cafés, bars and shops. More recently there has been a fundamental change in the whole character of the clientèle of the bar frequenting No.69 which the manager of the premises has proved to be unable or unwilling to control. We have had to put up with loud noise, partying way beyond the permitted licensing hours, foul language and complete disregard for us neighbours. This has completely altered the character of the street and we now dread the approach of Friday night and the weekend, particularly over the summer when customers tend to spill out into the street and chat under our open windows. Just a few weeks ago we even had a violent physical attack on a neighbour who had the temerity to complain about the noise and requested that it be toned down, leading to the police being called and as I understand it an arrest being made.

I appeal to the Licensing Committe to use its powers to review the alcohol licence for these premises to allow a break and reset. We want our street to return to its former character as a contented mixed community of retail and residential properties.

Thank you

Sue Mullan
70 Castle Road

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APPENDIX C

From: [Licensing Shared Email](#)
To: [Stone Derek](#); [Robson Debra](#)
Subject: FW: Comments for Licensing Application 23/02417/LAREVI
Date: 20 July 2023 16:19:12

- Official -

Zoë Gofton
Licensing Section
Culture, Leisure and Regulatory Services
Portsmouth City Council
TEL: 023 9268 8367

From: NoReply@[REDACTED]
Sent: Thursday, July 20, 2023 4:08 PM
To: Licensing Shared Email [REDACTED]
Subject: Comments for Licensing Application 23/02417/LAREVI

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 20/07/2023 4:07 PM from Mrs Fiona Treveil.

Application Summary

Address:	69 Castle Road Southsea PO5 3AY
Proposal:	Review Premises
Case Officer:	MR DEREK STONE

[Click for further information](#)

Customer Details

Name:	Mrs Fiona Treveil
Email:	[REDACTED]
Address:	91 Castle Road, Southsea PO5 3AY

Comments Details

Commenter Type:	Neighbour
Stance:	Customer made comments in support of the Licensing Application
Reasons for comment:	
Comments:	20/07/2023 4:07 PM I fully support the application to remove the loud music and pavement license for this premises that is situated in a mainly residential Road. I agree that any alcohol license should be limited to the same hours as other licensed premises in the road.

Kind regards

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Minutes of Review Hearing 10/09/2010

The legal adviser informed all parties that in light of the previous procedural history of the matter, and the fact that it had been remitted to the Council's Licensing Committee following an earlier appeal, it would be a matter for Mr Pyne to advise his client whether or how an appeal might be made.

75. Licensing Act 2003 – Application for the grant of a premises licence – Restaurant 69, 69 Castle Road, Southsea, Portsmouth, PO5 3AY (AI 4)

(TAKE IN REPORT BY THE LICENSING MANAGER)

Mr and Mrs O'Reilly of 71 Castle Road, the applicants, were in attendance.

Mr Roger Pyne (solicitor representing the premises licence holder) and Mrs Sally Jayne Elliot (the designated premises supervisor) were also in attendance.

Mr Mike Thorne of Environmental Health, was in attendance as representative of a responsible authority.

The Deputy Licensing Manager introduced the report and explained that the review had been brought about because of the issue of noise from the live music held at weekends. The bar is surrounded by residents and Mr and Mrs O'Reilly feel the venue is inappropriate for live music.

Mr Pyne reported that an agreement had been reached between Mrs Elliot and Mr and Mrs O'Reilly.

Mr and Mrs O'Reilly made the following points during their representations:

- We live next door to the premises and there are flats above the premises;
- We did want to be in this position but we have complained about the noise over a period of time;
- Environmental Health served a noise abatement notice in July this year;
- This is the end of a journey which has consisted of letters and discussions with the premises licence holder;
- Would request that live and recorded music be removed from the licence and that the use of the garden be conditioned on the licence;
- Our shelves have vibrated from the music played at the premises;
- Understand that it will be 3 weeks before any decision is implemented and we are concerned about the potential of an appeal;
- Understand that Mrs Elliot is leaving soon and so we would agree to the entertainment which has already been booked up to 1st November;
- The venue is completely inappropriate for regulated entertainment;
- We are giving our trust and hope that the situation is well managed;
- Mr Pyne has given us his assurance that he will advise Mrs Elliot in terms of managing the live entertainment;
- Would stress that we are giving a big concession here and are willing to bear the noise and vibration from the regulated entertainment to bring an end to the whole process;
- The regulated entertainment which occurred on 5th September 2010 was not acceptable in terms of noise level, the thumping base could still be heard through the soundproofing, but it was an improvement on previous occasions;
- To prevent further tax payer's money being spent on an appeal and our time, we are prepared to tolerate the noise to bring an end to the matter.

Mr Pyne, representing Mrs Elliot, made the following points during his representations:

- Mrs Elliot will not appeal against the decision, if she is permitted to allow the entertainment which has already been booked up to 1st November to take place;

- Despite any undertakings made today, Mr and Mrs O'Reilly would still have the right to contact Environmental Health;
- Have sympathy with the applicants case;
- As a result of negotiations with Mr and Mrs O'Reilly and the premises licence holder, an agreement has been reached. A copy of the agreement was circulated to all present.
- Mrs Elliot will be leaving the premises on 1 November 2010 and Mrs Salmon, the owner, will bring in a new DPS/operator.

Mr Thorne of Environmental Health agreed to put a note on the file outlining the details of the agreement reached today.

DECISION: the application for the review of a premises licence at Restaurant 69, 69 Castle Road, Southsea, Portsmouth, PO5 3AY by Mr and Mrs O'Reilly, as an interested party, was considered. The committee were pleased that an agreement had been reached between the parties, and that both parties had confirmed to the committee that they will not appeal against the agreement. The committee decided to vary the premises licence as from 1 November 2010 as follows:

1. To delete from the licensable activities the regulated entertainment consisting of the performance of live and the playing of recorded music, and other similar music or dance entertainment.
2. To delete the timings for the performance of live music and recorded music.
3. In the conditions (Annexe 2 page 7):
 - a. Delete the reference to live music (02).
 - b. Provide for the closure of the garden area to customers at all times (04).
 - c. Provide for the closure of entry and exit doors to remain closed when regulated entertainment is provided (other than for entry and exit).
 - d. In the interests of clarity, the significance of the date of 1st November 2010, is that the licensee has booked solo female performers for Sunday evenings until the end of October. Cancellation of those bookings would involve her in the payment of not insubstantial compensation. A solo singer performed on Sunday 5th September 2010 when the level of sound was not unacceptable to the applications for review. In the spirit in which their letters were written the applicants have stated that they will not object to performances by a solo singer with the level of sound obtaining on 5th September aforesaid on Sundays at varying times from late afternoon to early evening and for a wedding reception on 20th September 2010.

In reaching their decision the committee had regard to the promotion of the licensing objectives, the Licensing Act 2003, judgements of the High Court, the Statement of Licensing Policy, statutory guidance issued by the Secretary of State, the Human Rights Act and representations both attached to the reports and heard at the meeting.

The meeting concluded at 12.10pm.

.....
Signed by the chair of the meeting.

APPENDIX E

Propose conditions for Monty's

1. The CCTV system must be fully operational whilst the venue is open to the public. The recording equipment shall be stored and operated in a secure environment with limited access. The system shall be regularly maintained and serviced. The system clock shall be checked regularly for accuracy taking account of GMT and BST.

Digital systems shall have sufficient storage capacity for 31 days good quality pictures. The images produced will be date and time stamped.

It is important that the Police and Licensing Authority are able to access data from the systems quickly and easily and therefore provision shall be made for someone to have access to the secure area and also be able to operate the equipment when the premises are open to the public. CCTV shall cover the full licensable area. A copy of CCTV footage requested from a police officer or an officer of the Licensing Authority shall be provided immediately..

2. All staff must receive comprehensive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such time as they have successfully completed this training. Training shall cover:

- i) Sale of alcohol to persons under 18
- ii) Challenge 25 and acceptable forms of Identification
- iii) Signs of Drunkenness
- iv) Refusal register and when/how to use
- iv) The Licensing Objectives

All training relating to the sale of alcohol shall be documented and records kept either in hard copy at the premises or electronically via head office. Police and the Licensing Authority shall have access to an individual's training records upon reasonable request. Training shall be refreshed every six months.

3. Any person appearing to those engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification as proof of age. Acceptable ID shall be as per the latest Home Office guidance.
4. A refusals register in paper or digital format shall be kept and maintained at the premises. The register shall be made available for inspection upon request by an authorised officer of the police or local authority.
5. Customers shall not be permitted to drink outside the premises otherwise than when seated in an area which is authorised by Portsmouth City Council for tables and chairs.
6. Following a review of the premises licence the Licensing Authority determined under s177A Licensing Act 2003 to impose a condition that neither live nor recorded music are permitted at any time.

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4. A refusals register in paper or digital format shall be kept and maintained at the premises. The register shall be made available for inspection upon request by an authorised officer of the police or local authority.
5. Customers shall not be permitted to drink outside the premises.
6. Following a review of the premises licence the Licensing Authority determined under s177A Licensing Act 2003 to impose a condition that neither live nor recorded music are permitted at any time.
7. That the sale of alcohol be restricted to 1000 until 2245 Monday to Saturday and until 2215 on Sundays.
That late night refreshment be removed as a licensable activity.

That the opening hours be 1000 until 2300 Monday to Saturday and until 2230 Sunday.

8. A personal licence holder must be present at the premises on Fridays and Saturdays from 2000 until the premises close and during the hours whenever a "Bottomless brunch" is being offered to customers.

The above is offered on the basis that there is no admission that the grounds for a review of the premises licence are made out, nor acceptance of any of the allegations made by the applicant, responsible authorities or interested parties. It is made in the spirit of mediation to avoid a lengthy contested hearing and the angst and expense that will cause all parties involved.