

LICENSING SUB – COMMITTEE

6 March 2007

Report of City Secretary and Solicitor

Contact Officer: John Myall. Tel No: 01962 848 443

Application to vary Premises Licence

**Forester Arms
71 North Walls
Winchester**

Part A. Report *Buff*

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- 3 Interested Parties**
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- Appendix 2 Representations from Interested Parties** *Cream*
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Part A.**1. Application****Applicant:** Greene King Retailing Limited**Premises:** The Forester Arms

- 1.1 This application is to vary the premises licence held by Greene King Retailing Limited for the Forester Arms, which is to change its name to The North Walls. The effect of the variation is to extend the hours for the sale of alcohol from 2300 Sunday to Thursday to a terminal hour of midnight. The licence already permits the sale of alcohol until 0030 on Friday and from 0900 to 0000 on Saturday. The application is also for the provision of late night refreshment for 20 minutes after the hours for alcohol terminate.
- 1.2 The licence also allows live and recorded music from 1100 to 2300 Sundays to Fridays, and 1100 to 2330 on Saturdays. This, however, is subject to a condition which states, *"The applicant shall conduct an acoustic survey and carry out any required works to the satisfaction of the Director of Communities before recorded or live music is allowed."* The Director of Communities has not received any notification that such work has been carried out on the premises.
- 1.3 There is a small section of land adjoining the premises where, in the past, tables and chairs were provided. There is a condition attached to the licence which states, "Tables and chairs outside the premises shall not be used after 2200 until opening time the next day."
- 1.4 The premises is a "tenanted" pub which is let to occupants on a lease. The pub was run by an individual for some years until July 2006. There were two changes of Designated Premises Supervisor (DPS) after this, until the current DPS, Penelope Appel-Billsbury.
- 1.5 The premises is undergoing an internal refurbishment. The intention is to re-open as a restaurant/bar.
- 1.6 Notice of the application was displayed outside of the premises for a period of 28 days until 9 February 2007, and advertised in the Hampshire Chronicle on 18 January 2007.

The Operating Schedule, copied at Appendix 1, proposes the Relevant Licensable Activities.

Designated Premises Supervisor

Penelope Appel-Billsbury

Steps to promote the Licensing Objectives

Please see Section Q Appendix 1

Notice of Hearing

Notices of the hearing were sent to all Parties on 13 February 2007.

Relevant Representations

2. Responsible Authorities

All of the Responsible Authorities have been served with a copy of the application and make the following representations:

Director of Communities

No representations received.

Hampshire Constabulary

No representations received.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Director of Development

No representations received.

Head of Safety Standards

No representations received.

3. Interested Parties

Interested parties have submitted representations concerning disturbance caused by noise.

1. Miss J Ewer
2. Dr F Bartlett and Dr M Paramour

4. Observations

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In making its decision, the Sub-Committee is also obliged to have regard to the National Guidance and the Council's Licensing Policy.

The Sub-Committee must have regard to all of the representations.

The Sub-Committee must take such of the following steps it considers necessary to promote the Licensing Objectives:

1. Grant the licence subject to conditions in accordance with the operating schedule (modified to such extent as the authority considers necessary for the promotion of the licensing objectives) and the mandatory conditions;
2. exclude from the scope of the licence any of the licensable activities to which the application relates;
3. refuse to specify a person in the licence as the premises supervisor;
4. Reject the application.

Terminal hours.

The Sub-Committee should take account of the National Guidance and the Council's Licensing Policy with regard to terminal hours and take such steps as it considers necessary to promote the Licensing Objectives.

(Licensing Policy A8)

Licensing Objectives.

Crime and Disorder

The Sub-Committee should consider any necessary conditions to prevent crime and public disorder relating to the premises having regard to the operating schedule and the Council's Licensing Policy.

(Licensing Policy 1.6, 2.11, 2.17)

Public Safety

The Sub-Committee should consider any necessary conditions relating to public safety having regard to the operating schedule and the Council's Licensing Policy.

(Licensing Policy B3, B4)

Public Nuisance

The Sub-Committee should consider any necessary conditions to prevent public nuisance caused by noise and light pollution from the premises having regard to the observations of the Interested Parties, the operating schedule and the Council's Licensing Policy.

(Licensing Policy Section C)

Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children having regard to the operating schedule and the Council's Licensing Policy.

(Licensing Policy D6, D7)

Human Rights

It is considered that Articles 6 (right to a fair trial) 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to peaceable enjoyment of possessions) may be relevant. As there is a right of appeal to the Magistrates' Court, it is considered that there would be no infringement of Article 6. Article 8 is relevant, insofar as the nearby residents could claim that this right would be infringed by disturbance from customers. This should be balanced against the applicants' right to use of their premises under Article 1 of the First Protocol. Interference with these rights is permitted, where this interference is lawful, necessary in a democratic society, and proportionate. Likewise, the residents may argue that their rights under Article 1 of the First Protocol would be infringed. If conditions are imposed, there should be no interference with any convention rights. To the extent that any interference may occur, it would be justifiable in a democratic society, and proportionate.

5. Conditions

Mandatory Conditions

Under the Licensing Act 2003, the following conditions must be imposed on the Premises Licence in any event:-

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

Possible Conditions

If the application is granted, the Sub-Committee may wish to consider the following conditions to reflect the Operating Schedule:

Operating Hours

1. The hours the premises may be used for regulated entertainment shall be:

Live music and recorded music (indoors only)

- | | | |
|------|-------------------------|---------------------|
| (i) | Sunday to Friday | 1100 to 2300 |
| (ii) | Saturday | 1100 to 2330 |

(These timing are not varied)

2. The hours the premises may be used the provision of late night refreshment shall be:

Indoors Only

- | | | |
|-------|----------------------------|-------------------------------|
| (i) | Monday to Thursday | 2300 to 0020 |
| (ii) | Friday | 2300 to 0050 |
| (iii) | Saturday and Sunday | 2300 to 0020 |
| (iv) | New Year's Eve | 2300 to 0500 1 January |

The hours for late night refreshment may be extended to 0050 on Christmas Eve, Christmas day, Boxing Day, New Year's Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, all other Bank Holidays and days preceding Bank Holidays.

3. The hours the premises may be used for the sale of alcohol shall be:

- | | | |
|------|---------------------------|---------------------|
| (i) | Monday to Thursday | 2300 to 0000 |
| (ii) | Friday | 2300 to 0030 |

- | | | |
|-------|-----------------------------------|---|
| (iii) | <i>Saturday and Sunday</i> | <i>2300 to 0000</i> |
| (iv) | <i>New Year's Eve</i> | <i>1100 to 1100 1 January
(0900 if Saturday)</i> |

The hours for the sale of alcohol may be extended to 0900 to 0030 on Christmas Eve, Christmas day, Boxing Day, New Year's Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, all other Bank Holidays and days preceding Bank Holidays.

4. The hours the premises may open for other than Licensable Activities shall be:

- | | | |
|-------|-----------------------------------|---|
| (i) | <i>Monday to Thursday</i> | <i>2300 to 0020</i> |
| (ii) | <i>Friday</i> | <i>2300 to 0050</i> |
| (iii) | <i>Saturday and Sunday</i> | <i>2300 to 0020</i> |
| (iv) | <i>New Year's Eve</i> | <i>1100 to 1100 1 January
(0900 if Saturday)</i> |

The hours the premises may open for other than licensable activities may be extended to 0900 to 0050 on Christmas Eve, Christmas day, Boxing Day, New Year's Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, all other Bank Holidays and days preceding Bank Holidays.

All Licensing Objectives

The conditions shown in italics are those already attached to the licence.

Crime and Disorder

1. *Before they first commence their duties at the premises, all staff shall be trained to deal with a) illegal activities and conflict management b) dealing with customers when service is refused on the basis of drunkenness.*
2. There shall be no irresponsible drinks promotions.

Public Safety

1. There shall be at least one member of staff who is trained in first aid.

Public Nuisance

1. *The applicant shall conduct an acoustic survey and carry out any required works to the satisfaction of the Director of Communities before recorded or live music is allowed.*
2. *Whilst music is being played as part of regulated entertainment, the licensee or appointed member of staff shall check periodically that noise levels are acceptable. Such monitoring shall be carried out at the boundary of the premises to ensure that local residents are not likely to be disturbed.*

3. *Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents, to leave the premises and the area quietly.*
4. *Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents.*
5. *Regulated entertainment shall be restricted to the inside of the premises.*
6. *All doors and windows that are capable of being opened directly to the outside of the premises shall not be kept open whilst the premises are in use for the purposes of regulated entertainment.*
7. *Tables and chairs outside the premises shall not be used after 2200 until opening time the next day.*

Protection of Children

1. *The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme.*

6. Other Considerations**Corporate Strategy (Relevance To:)**

This report covers issues which affect the Community safety, Economic Prosperity, and Cultural and Leisure Opportunities of the Corporate Strategy.

Resource Implications

None

Appendices

1. Application by Greene King Retailing Limited
2. Representations by Interested Parties
3. Map of premises location.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Greene King Retailing Limited

(Insert name(s) of applicant)

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

Premises licence number PREM229

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Forester Arms 71 North Walls Winchester Hampshire			
Post town	Winchester	Post code	SO23 8DA

Telephone number at premises (if any)	01962 849454
Non-domestic rateable value of premises	£9,750

Part 2 – Applicant details

Daytime contact telephone number	(01284) 763222		
E-mail address (optional)			
Current postal address if different from premises address	Greene King Retailing Limited Abbot House		
PostTown	Bury St Edmunds	Postcode	IP33 1QT

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

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

To extend the hours open to the public, sale of alcohol hours and to have seasonal variations. To add late night refreshment. Remove condition: would not expect children to be on site following 19:00hrs, offered in previous application.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

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

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

In all cases complete boxes N, O and P

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

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

J

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

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	00:20	<u>Please give further details here</u> (please read guidance note 3) Hot food and drink being served		
Tue	23:00	00:20			
Wed	23:00	00:20	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) Xmas Eve, Xmas Day, Boxing Day, New Years Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday and all other Bank Holidays and day prior to Bank Holidays 23:00 to 00:50. New Years Eve 23:00 hrs to the beginning of normal licensed hours New Years Day		
Thur	23:00	00:20			
Fri	23:00	00:50	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	23:00	00:20			
Sun	23:00	00:20			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Xmas Eve, Xmas Day, Boxing Day, New Years Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday and all other Bank Holidays and day prior to Bank Holidays 09:00 to 00:30. New Years Eve from the beginning of normal licensed hours to the beginning of normal licensed hours New Years Day		
Mon	11:00	00:00			
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00			
Fri	11:00	00:30			
Sat	09:00	00:00			
Sun	11:00	00:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 Cig m/c, alcohol.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) Xmas Eve, Xmas Day, Boxing Day, New Years Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday and all other Bank Holidays and day prior to Bank Holidays 09:00 to 00:50. New Years Eve from the beginning of normal licensed hours to the beginning of normal licensed hours New Years Day
Day	Start	Finish	
Mon	11:00	00:20	
Tue	11:00	00:20	
Wed	11:00	00:20	
Thur	11:00	00:20	
Fri	11:00	00:50	
Sat	09:00	00:20	
Sun	11:00	00:20	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

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

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

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

PDescribe the steps you intend to take to promote the four licensing objectives:

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

Strong management controls and effective training of all staff to ensure fully conversant with licensing objectives and in particular ensure no underage drinking, drunkenness and disorder on the premises, use of drugs, consideration for neighbours and protection of children from harm.

b) The prevention of crime and disorder

Regular monitoring of all areas by trained staff. Proof of age scheme and cases of apparent drunkenness and disorder; staff trained to refer to DPS in cases of doubt. Keep to agreed capacity limits. Will not run irresponsible drinks promotions. Has established communications with Licensees within 'North Walls boundaries' re informing of potential problems. Before they commence their duties at the premises, all staff shall be trained to deal with a) illegal activities and conflict management b) dealing with customers when service is refused on basis of drunkenness.

c) Public safety

Site has Committed to having at least one person within its staff who is trained as a first aider. Review DDA policy to ensure all reasonable steps have been taken to allow disabled customers to enjoy the use of the premises in safety. Upkeep of emergency lighting & appropriate records kept. Upkeep of fire fighting equipment; adequate staff training and appropriate records kept.

d) The prevention of public nuisance

Site is conscious that it trades in a residential area within city centre boundaries. Has proactively courted comment with its neighbours, and liased responsibly on trading issues. This includes regularly monitoring externally to ensure noise levels are kept to reasonable levels, ensuring customers vacate the premises responsibly and considerately. External seating is subject to a strict house policy which includes bringing furniture in at nights and ensuring area is kept clean. No external speakers. Ensures pub lighting does not cause problems with neighbours. No complaints of noisy mechanical equipment. Ensure no complaints from early deliveries and service providers. The applicant shall conduct an acoustic survey and carry out any required works to the satisfaction of the Director of Communities before recorded or live music is allowed. Whilst music is being played as part of regulated entertainment, the licensee or appointed member of staff shall check periodically that noise levels are acceptable. Such monitoring shall be carried out at the boundary of the premises to ensure that local residents are not likely to be disturbed. Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents, to leave the premises and the area quietly. Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents. Regulated entertainment shall be restricted to the inside of the premises. All doors and windows that are capable of being opened directly to the outside of the premises shall not be kept open whilst the premises are in use for the purpose of regulated

entertainment. Tables and chairs outside the premises shall not be used after 22:00 hrs until opening time the next day.

e) The protection of children from harm

House does not actively encourage children, however will allow children with responsible adults to use facilities generally if seated and partaking of a meal. Site has a strict policy of ensuring no underage drinking takes place. The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 scheme.

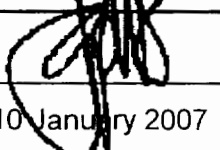
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	10 January 2007
Capacity	Commercial Manager

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

Signature	
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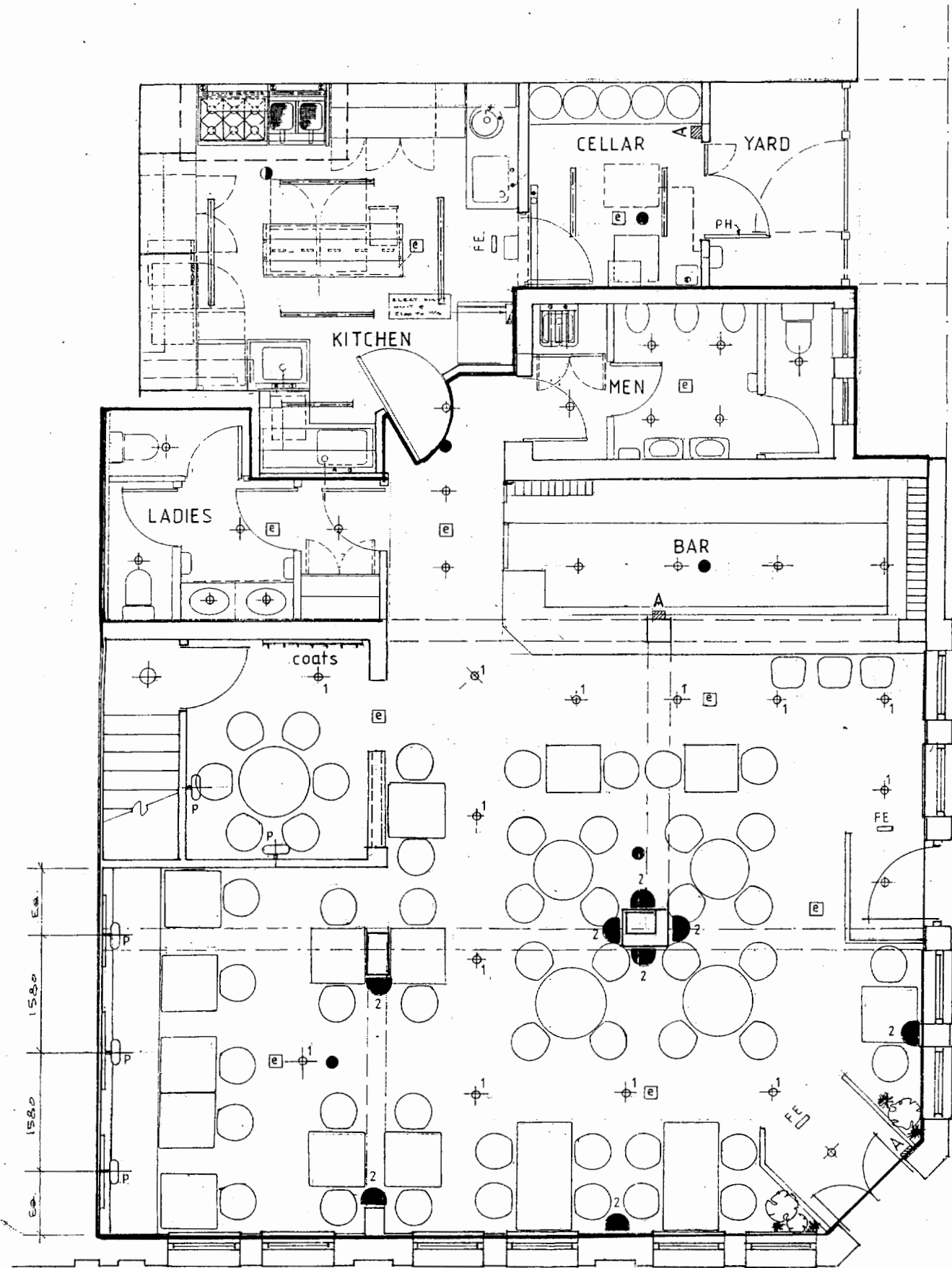
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Joe Pattison (Commercial Manager)			
Greene King Pub Partners			
Licensing Department			
Abbot House			
Westgate Brewery			
Post town	Bury St. Edmunds	Post code	IP33 1QT
Telephone number (if any)	01284 763222		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
licensingpp@GreeneKing.co.uk			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



GROUND FLOOR

56 Seats



Premises Licence

Premises Licence Number

PREM229

05/01228/LAPRMV

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Foresters Arms
71 North Walls
Winchester
Hampshire
SO23 8DA

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

- e) Live Music
- f) Recorded Music
- m) Supply of Alcohol

Times the licence authorises the carrying out of licensable activities

- e) Live Music
- f) Recorded Music
 - (i) **Sunday to Friday** **1100 to 2300**
 - (ii) **Saturday** **1100 to 2330**
- m) Supply of Alcohol
 - (i) **Sunday to Thursday** **1100 to 2300**

- | | | |
|-------|-----------------|---------------------|
| (ii) | Friday | 1100 to 0030 |
| (iii) | Saturday | 0900 to 0000 |

The opening hours of the premises

- | | | |
|-------|---------------------------|---------------------|
| (i) | Sunday to Thursday | 1100 to 2320 |
| (ii) | Friday | 1100 to 0050 |
| (iii) | Saturday | 0900 to 0020 |

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

Greene King Retailing Limited
Abbot House
Bury St Edmonds
Suffolk
IP33 1QT

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

Registered Company Number 5265451
Registered Charity Number

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

Mr Richard Weston
Cedar Lodge
High Street
Long Sutton
Lincs

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

Personal Licence Number

32 UF A 05053

Licensing Authority

South Holland District Council

City Secretary and Solicitor

Annex 1 – Mandatory conditions

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

Annex 2 – Conditions consistent with the Operating Schedule

See Annex 3

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

Crime and Disorder

1. Before they first commence their duties at the premises, all staff shall be trained to deal with a) illegal activities and conflict management b) dealing with customers when service is refused on the basis of drunkenness.

Public Safety

None

Public Nuisance

1. The applicant shall conduct an acoustic survey and carry out any required works to the satisfaction of the Director of Communities before recorded or live music is allowed.
2. Whilst music is being played as part of regulated entertainment, the licensee or appointed member of staff shall check periodically that noise levels are acceptable. Such monitoring shall be carried out at the boundary of the premises to ensure that local residents are not likely to be disturbed.
3. Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents, to leave the premises and the area quietly.
4. Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents.
5. Regulated entertainment shall be restricted to the inside of the premises.

6. All doors and windows that are capable of being opened directly to the outside of the premises shall not be kept open whilst the premises are in use for the purposes of regulated entertainment.
7. Tables and chairs outside the premises shall not be used after 2200 until opening time the next day.

Protection of Children

1. The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme.

Annex 4 – Plans

See attached

**33 Parchment Street
Winchester
Hants SO23 8BA**



Licensing Department
Winchester City Council
City Offices
Colebrook Street
Winchester
Hants SO23 9LJ

6th February 2007

Dear Sir/Madam

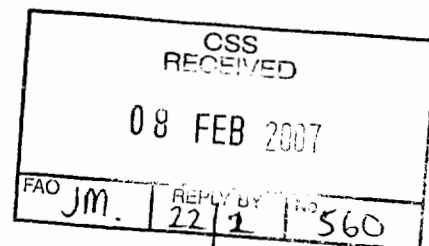
Re. Foresters Arms, 71 North Walls, Winchester SO23 8DA

We write regarding the application for extension of licensing hours for the above public house. We object strongly to the licensing hours being extended. Despite the Foresters Arms' address being on North Walls, the majority of the frontage of the building and its public door are on Parchment Street. Parchment Street is a quiet residential street with no other late opening commercial properties in the vicinity. The noise created by the public house and its customers' leaving would be unacceptable at the very late times proposed: 00.20 for most nights and as late as 00.50 on a Friday night.

Yours faithfully

Handwritten signatures of Dr Frederick Bartlett and Dr Marina Paramour.

Dr Frederick Bartlett and Dr Marina Paramour



16 North Walls

Wimborne
SO23 8713
24 Jan. 2007

OFFICE SUPPORT

26 JAN 2007

Dear Sir

Re. Forsters ~~Public~~ House, N. walls

I saw the notice in the local paper, and also on the pub windows, about the new licensing times, and there are a couple of points I need to confirm.

- 1) Re. hours of opening - why is it opening on Saturdays at 11am, when you can't buy alcohol till 11pm?
- 2) Also seasonal openings i.e. Bank Hols & New Year, Christmas. Why does the pub need to stay open all day and all night? Reading the times it says New Years Eve from normal opening hours to normal opening hours on New Year's Day. If this is the case when are we supposed

to go to sleep with people about all the time.

As this pub is directly opposite to my house I am hoping it will not be especially noisy, especially as the door is usually left open.

My last point is just to say that I hope they don't apply for a music licence, because the last owners did and it was heavily criticised by it all night.

I hope you can clear, for these points for me.

Thanks.

Yours faithfully

J. Ewer (Mrs)

J EWER

PTD ->

also see they are applying for
late night food till close,
does this mean there will be
no food in the canteen, there
a rubbish bin will be supplied
nearby if people will be
eating and drinking outside

CSS RECEIVED	
26 JAN 2007	
FAO JM	9/2 10 510

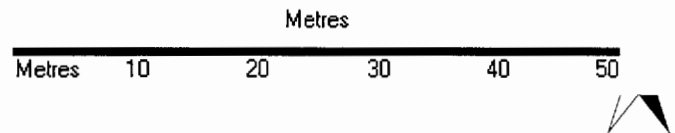
Appendix 3

Forester Arms



Legend

Scale:



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Organisation	Winchester City Council
Department	City secretary and Solicitor
Comments	
Date	23 February 2007
SLA Number	00018301