

## **LICENSING SUB – COMMITTEE**

22 March 2007

Report of City Secretary and Solicitor

Contact Officer: Carol Stefanczuk. Tel No: 01962 848 188

Application to Vary Premises Licence:

**Railway Inn  
3 St Paul's Hill  
Winchester  
SO22 5AE**

**Part A. Report** *Buff*

- 1 Application**
- 2 Responsible Authorities**
- 3 Interested Parties**
- 4 Observations**
- 5 Conditions**
- 6 Other Considerations**

**Part B. Appendices**

- Appendix 1 Application** *White*
- Appendix 2 Representations from Responsible Authorities** *Green*
- Appendix 3 Representations from Interested Parties** *Cream*
- Appendix 4 Other Appendices** *White*

**Part A.****1. Application**

**Applicant:** Frederick Eynon, Lynda Eynon, Caroline Mons

**Premises:** Railway Inn, 3 St Paul's Hill, Winchester

This application is for the variation of a premises licence under Section 34 of the Licensing Act 2003. Mr Eynon has applied to extend the Regulated Entertainment, Late Night Refreshment and Supply of Alcohol until 0200 on Fridays. He has also applied to remove the condition under public nuisance that states; The Beer Garden shall close at 2300. This reason for this is due to the Health Act 2006 to enable customers to smoke in the garden.

The Health Act 2006 comes into force at 6am 1<sup>st</sup> July 2007. Section 2 of the act states that; 'premises are smoke free if they are open to the public'. It is an offence under Section 8 of the act to fail to prevent smoking in a smoke free place. 'It is the duty of any person who controls or is concerned in the management of smoke-free premises to cause a person smoking there to stop smoking'.

Prior to the determination date, Mr Eynon agreed with Hampshire Constabulary the following condition that will be included on the premises licence:-

There shall be at least two SIA registered Door Staff on duty Friday & Saturday nights until Licensable activities cease. Any door Staff that is engaged in door control duties shall wear a clearly identified reflective jacket.

Notice of the application was displayed outside of the premises for a period of 28 days until 2 March 2007, and advertised in the Hampshire Chronicle on 15 February 2007.

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

**Designated Premises Supervisor**

***Frederick Eynon***

**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 5 March 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**

The Director of Communities has made a representation with reference to the Public Nuisance licensing objective. The Director has recommended that customers wishing to smoke outside the premises should do so via the St Paul's Hill entrance/exit.

**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**

1. Mr T P White

A representation has been made regarding noise and anti-social behaviour.

#### **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; as per the application, or
2. exclude from the scope of the licence any of the licensable activities to which the application relates; Modify the conditions of the licence by alteration or addition, or
3. refuse to specify a person in the licence as the premises supervisor;
4. Reject the whole or part of 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 observations of the 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 observations of the 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 Director of Communities and the Interested Parties.

(Licensing Policy Section C)

### Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children having regard to the 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.
3. Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.

### 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 open for other than Licensable Activities shall be:
  - (i) **Sunday to Thursday 1000 to 0030 (No variation)**
  - (ii) **Friday 1000 to 0230**
  - (iii) **Saturday 1000 to 0130 (No variation)**
2. The hours the premises may be used for the sale of alcohol shall be:
  - (i) **Sunday to Thursday 1000 to 0000 (No variation)**
  - (ii) **Friday 1000 to 0200**
  - (iii) **Saturday 1000 to 0100 (No variation)**
3. The hours the premises may be used for regulated entertainment shall be:
  - (i) **Sunday to Thursday 1000 to 0000 (No variation)**
  - (ii) **Friday 1000 to 0200**
  - (iii) **Saturday 1000 to 0000 (No variation)**

4. The hours the premises may be used the provision of late night refreshment shall be:
- (i) **Sunday to Thursday 2300 to 0000 (No variation)**
  - (ii) **Friday 2300 to 0200**
  - (iii) **Saturday 2300 to 0100 (No variation)**

### **All Licensing Objectives**

[Existing conditions are shown in italics].

#### **Crime and Disorder**

1. *A CCTV system shall be installed to the satisfaction of the Police with recording facilities, maintained to an acceptable standard. The recordings shall be retained for a period of 30 days and be made available upon request by the Police.*
2. *No drinks in open containers shall be removed from the premises except for consumption in any exterior area provided for that purpose.*
3. No drinks shall be consumed in the exterior area after 2300.

#### **Public Safety**

1. There shall be at least two SIA registered Door Staff on duty Friday & Saturday nights until Licensable activities cease. Any door Staff that is engaged in door control duties shall wear a clearly identified reflective jacket.

#### **Public Nuisance**

1. *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.*
2. *All persons leaving the premises after 11.00 pm shall be directed to leave the premises via the exit from the Public Bar into St Paul's Hill. The exit doors from the Function Room into Railway Inn car park must remain available for use but shall only be used after 11.00 pm in the event of an emergency.*
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. *The staff shall supervise bands loading out to minimise noise.*
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.*



**Protection of Children**

1. *The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme.*
2. *Under 18s shall only allowed on the premises on designated nights in the music bar. Under 18s shall not be permitted in other areas.*

**Informatives**

The following measures are recommended to the Licensee, but are not being suggested as conditions, and would not be enforceable under the Licensing Act. In many cases, however, they may be requirements under other legislation.

1. The Licensee is advised to establish the acceptable occupancy for the premises in accordance with fire safety legislation.
2. All doors on escape routes should be free from fastenings, or if fitted should only be simple fastenings that can be readily operated from the side approached by people making an escape. The operation of these fastenings should be without the use of a key and without having to manipulate more than one mechanism.
3. Periodic inspection certificates should be kept on the premises for the emergency lighting, fire fighting equipment, and fire alarm and detection system.
4. Copies of fire test results on any fabrics should be held on the premises for inspection if required.
5. If the premises are not fitted with a fire alarm and detection system then a written procedure for raising the alarm should be kept on the premises.

**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 Frederick Eynon, Lynda Eynon and Caroline Mons
2. Representations by Responsible Authorities
3. Representations by Interested Parties
4. Map of premises location

CSS RECEIVED		
31 JAN 2007		
FAO	REPLY BY	No.



# Winchester

City Council

City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

## 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 FREDERICK OUSTON EYNON LYNDIA EYNON. CAROLINE SUSAN MCDONALD  
(Insert name(s) of applicant) NEESYDER

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	PREM 328
-------------------------	----------

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
THE RAILWAY INN 3 ST PAULS HILL	
Post town	WINCHESTER
Post code	SO22 5AE
Telephone number at premises (if any)	01962 867795
Non-domestic rateable value of premises	£ 22,500

**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post Town		Postcode	

**Part 3 - Variation**

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

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

ONE EXTRA HOUR ON FRIDAYS FROM 0100 TO 0200 AM.

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**

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

**B**

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

**C**

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



**D**

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	1000	0230			
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>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			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur					
Fri	10.00	02.30	<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur					
Fri	1000	0230	<b><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></b> (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><b>Will this entertainment take place indoors or outdoors or both – please tick</b> (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	1000	0230			
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					

I

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>	
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue				
Wed				
Thur			<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4)	
Fri	1000	0230	<b><u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)	
Sat				
Sun				

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both – please tick</b> (see guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
			<b>Please give a description of the facilities for dancing you will be providing</b>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)			
Thur						
Fri	10 <del>00</del>	02 <del>30</del>	<b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			
Sat						
Sun						

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>  		
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur					
			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 4)		
Fri	10 00	0230			
Sat			<b><u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					



L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment <u>take place indoors or outdoors or both –</u> <u>please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				<b>Please give further details here</b> (please read guidance note 3)	
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur					
Fri	1000	0230	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri	12:00	02:30			
Sat					
Sun					
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

**N**

**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)

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)          <b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri	10:00	02:30	
Sat			
Sun			

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

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

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

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

**c) Public safety**

**d) The prevention of public nuisance**

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

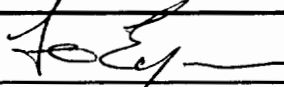
Please tick yes

- 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

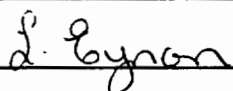
**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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	24-1-07
Capacity	Landlord and D.P.S

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

Signature	
Date	24-1-07
Capacity	LANDLADY

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

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

Mr F O Eynon  
The Railway Inn  
3 St Pauls Hill  
Winchester  
SO22 5AE  
01962 867795  
[www.liveattherailway.co.uk](http://www.liveattherailway.co.uk)  
[fred@liveattherailway.co.uk](mailto:fred@liveattherailway.co.uk)

01/02/07

Licensing Department  
Winchester City Council  
Colebrook Street  
Winchester

Dear Sirs,

Further to my recent application for an extension of our licence for an extra hour from 01:00 -02:00 on Fridays only, I should also like to remove the restriction on the garden presently at 23:00 to 24:00 Sunday - Thursday and 2am Friday and 1am on Saturday. This is purely in anticipation of the Smoking ban from July 1<sup>st</sup>.

On Fridays only all activities will cease at 2am. The 2:30 finish is just for Drinking up time.

Yours truly,

A handwritten signature in black ink, appearing to read 'F O Eynon', with a long horizontal flourish extending to the right.

Mr F O Eynon



## Premises Licence

**Premises Licence Number**

PREM328

05/01232/LAPRMV

### Part 1 – Premises Details

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

Railway Inn  
3 St Pauls Hill  
Winchester  
Hampshire  
SO22 5AE

**Telephone number**      01962 867795

**Where the licence is time limited the dates**

**Licensable activities authorised by the licence**

- e) Live Music
- f) Recorded Music
- h) Anything of similar description to Live Music, Recorded Music or Performance of Dance
- i) Provision of facilities for making music
- j) Provision of facilities for dancing
- l) Late Night Refreshment
- m) Supply of Alcohol

**Times the licence authorises the carrying out of licensable activities**

- e) Live Music
- f) Recorded Music
- h) Anything of similar description to Live Music, Recorded Music or Performance of Dance
- i) Provision of facilities for making music
- j) Provision of facilities for dancing

(i)      **Sunday to Saturday      1000 to 0000**



l) Late Night Refreshment

(i) **Sunday to Thursday 2300 to 0000**

(ii) **Friday and Saturday 2300 to 0100**

m) Supply of Alcohol

(i) **Sunday to Thursday 1000 to 0000**

(ii) **Friday and Saturday 1000 to 0100**

(iii) **New Years Eve 1000 to 1000 1 January**

**The opening hours of the premises**

(i) **Sundays to Thursdays 1000 to 0030**

(ii) **Fridays and Saturdays 1000 to 0130**

**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**

Eldridge Pope And Company Limited  
Weymouth Avenue  
Dorchester  
Dorset  
DT1 1QT

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

Registered Company Number 00052308  
Registered Charity Number

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

Mr Frederick Owen Eynon  
Railway Inn  
3 St Paul's Hill  
Winchester  
Hampshire  
SO22 5AE

**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

Licensing Authority

**Winchester City 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. A CCTV system shall be installed to the satisfaction of the Police with recording facilities, maintained to an acceptable standard. The recordings shall be retained for a period of 30 days and be made available upon request by the Police.
2. No drinks in open containers shall be removed from the premises except for consumption in any exterior area provided for that purpose.

#### **Public Nuisance**

1. 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.
2. All persons leaving the premises after 11.00 pm shall be directed to leave the premises via the exit from the Public Bar into St Paul's Hill. The exit doors from the Function Room into Railway Inn car park must remain available for use but shall only be used after 11.00 pm in the event of an emergency.
3. The Beer Garden shall close at 2300
4. 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.
5. The staff shall supervise bands loading out to minimise noise.
6. Regulated entertainment shall be restricted to the inside of the premises.

7. 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.

#### **Protection of Children**

1. The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme.
2. Under 18s shall only allowed on the premises on designated nights in the music bar. Under 18s shall not be permitted in other areas.

#### **Removal of Embedded Restrictions**

1. The provisions of the Licensing Act 1964, The Cinematograph (Safety) Regulations 1955, the Children and Young Persons Act 1933 and the conditions included in the Premises Licence from the conversion of the former public entertainment licence (issued under the Local Government (Miscellaneous Provisions) Act 1982) shall not apply.

#### **Annex 4 – Plans**

See attached

## MEMORANDUM

**TO:** City Secretary and Solicitor

**FAO:** Licensing Dept

**FROM:** Sue Blazdell

**DATE:** 1 March 2007

Licensing Act 2003

Application for Premises Licence and Variation

Railway Inn, 3 St Paul's Hill, Winchester

Premises Licence variation to add 1hr on Friday night until 0200

Garden area 2400 Sunday – Thursday

0200 Friday and 0100 on Saturday

**EH representation**

I write in respect of the above application. As you are aware the above premises are in very close proximity to neighbouring residential properties and thus there is a high potential for noise disturbance particularly in the early hours of the morning.

Whilst I have no objection to the extension of one hour to the opening hours of the premises on a Friday night there are concerns about the use of the garden area after 2300 albeit for patrons to comply with the Health Act 2006. A large gathering of people outside the premises talking and laughing could well lead to noise complaints requiring formal action by the Environmental Health department.

Condition 2 of the existing premises licence states that all person must leave the premises after 2300 via the exit from the public bar into the St Paul's Hill area. This may well be a better location for smokers to congregate.

Should you require further information please contact me on extension 2479

Sue Blazdell  
Environmental Protection

36 Clifton Rd  
Winchester  
SO22 5BU

**Objection to the Proposed Extension of Opening Hours at The Railway Inn**

My objections to the proposed extension of opening hours are given below:

1. The Railway is situated in a residential area – not in the centre of Winchester. In the summer the situation becomes intolerable as drunks from the Railway congregate on the playground in Orams Arbor and shout and scream around midnight. An extension to the hours will cause the disruption to go on into the early morning, after providing the perpetrators with an extra hour of drinking which will cause them to become even more abusive.
2. I assume that the government ban on smoking was to provide both a more amenable environment for the majority of customers and a consequent improvement in health. It was not to allow public houses to open their gardens for even longer hours to the detriment of the environment of residents adjacent to the garden – and to encourage smoking.

Yours sincerely



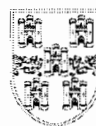
T P White



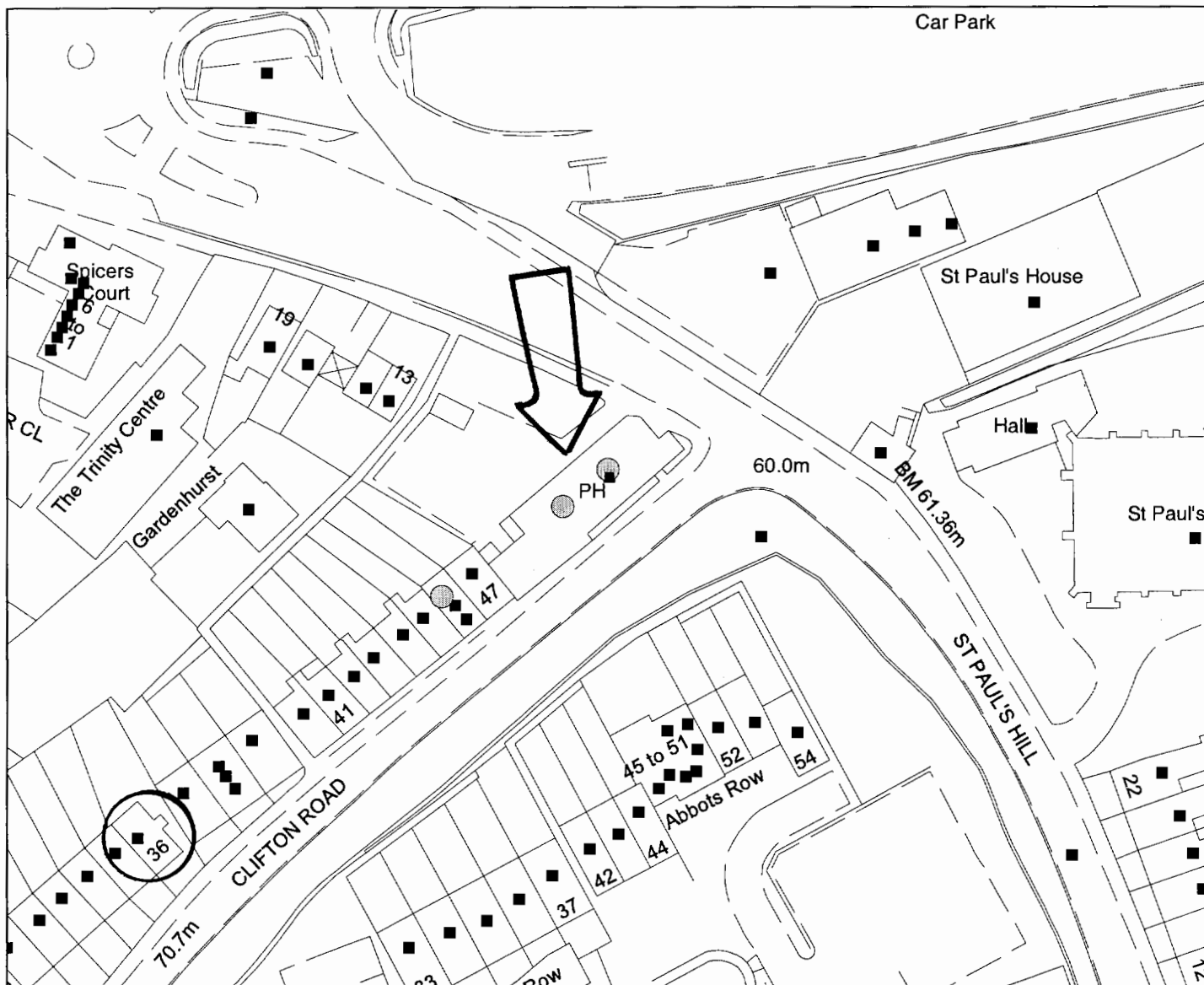
CSS RECEIVED		
20 FEB 2007		
FAO CS	REPLY BY 6/3	No. 625

# PREM328

Railway Inn, 3 St Pauls Hill, Winchester

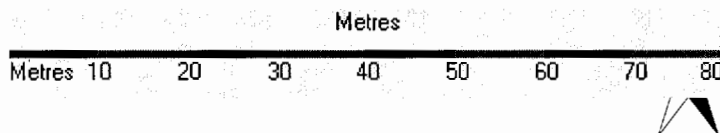


**Winchester**  
City Council



**Legend**

Scale:



Reproduced from the Ordnance Survey map with the 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. Winchester City Council © 2007.

<b>Organisation</b>	Winchester City Council
<b>Department</b>	City Secretary and Solicitor
<b>Comments</b>	
<b>Date</b>	09 March 2007
<b>SLA Number</b>	00018301