

## **LICENSING SUB – COMMITTEE**

26 June 2007

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application: **Review of Premises Licence**

**Fulflood Arms  
28 Cheriton Road  
Winchester**

**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 Premises Licence** *Green*
- Appendix 3 Representations from Interested Parties** *Cream*
- Appendix 4 Map of Premises** *White*

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

**Applicant:** The Chief Constable of Hampshire Constabulary

**Premises:** Fulflood Arms

- 1.1 This application is by the Chief Constable of Hampshire Constabulary for the review of the Premises Licence for the Fulflood Arms.
- 1.2 The premises has the benefit of a Premises Licence which was converted with effect from November 2005, from a Justices Licence and a Public Entertainment Licence. The licence permitted the sale of alcohol during the standard permitted hours, and live and recorded music on two Sundays a month from 2030 to 2230.
- 1.3 Prior to the conversion, the licence was varied by the Licensing Sub Committee in September 2005 to allow live and recorded music Fridays to Sundays and Bank Holidays, also to increase the hours for the sale of alcohol until 0000 on Fridays and Saturdays, 2300 on Sundays and 0100 on Christmas Eve, Christmas Day, Easter Saturday, Easter Sunday and Bank Holidays. That application attracted considerable opposition from neighbouring residents.
- 1.4 There was a change of Designated Premises Supervisor on 31 October 2006, and again to the current DPS, Ken Joyce, on 1 March 2007.
- 1.5 At 0016 and 0021 hours on Wednesday 25 April 2007, the Police received reports of a fight at the premises. On their arrival, they found the glass in the front door smashed and blood on the floor. Ian Daniels identified himself to Police as the "landlord." He was in drink and had sustained injuries as a result of an alleged fight with another male. Licensable activities at the premises cease at 2300 hours on a Wednesday.
- 1.6 No formal action was taken against any person in relation to the incident.
- 1.7 The Police maintain that as the Designated Premises Supervisor is a manager of the brewery, and resides in Dorset, he is not in a position to have "day to day control" of the premises. (Guidance issued under S182 Licensing Act 2003)
- 1.8 The Police request that a condition is attached to the Premises Licence requiring that there is a designated premises supervisor who is specific to that premises only.
- 1.9 Notice of the application was displayed outside of the premises for a period of 28 days until 29 May 2007, a notice displayed at the City Offices, and advertised on the City Council website.
- 1.10 Representations were received from two interested parties. They do not support the Police application, but make representations in their own right regarding noise nuisance.

**Designated Premises Supervisor**

Ken Joyce

**Notice of Hearing**

Notices of the hearing were sent to all Parties on 1 June 2007.

**Relevant Representations****2. Responsible Authorities**

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

**Director of Communities**

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 N Williamson and Ms C Summerhayes

#### **4. Observations**

The Sub-Committee is obliged to determine this application with a view to promoting only the prevention of crime and disorder licensing objective.

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 prevention of crime and disorder licensing objective:

1. Modify the conditions attached to the licence either permanently or for a period not exceeding three months.
2. Exclude a licensable activity either permanently or for a period not exceeding three months.
3. Remove the Designated Premises Supervisor.
4. Suspend the licence for a period not exceeding three months.
5. Revoke the licence.

If the Sub-Committee decides that none of the above are necessary, they may take no action.

#### **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 Police.

(Licensing Policy 1.6, 2.11, 2.17)

#### **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. Possible Conditions**

### **Crime and Disorder**

The Designated premises Supervisor for this premises shall be the DPS for this premises and no other premises.

## **6. Other Considerations**

### **Corporate Strategy (Relevance To:)**

This report covers issues which affect the principles of “safer and more inclusive communities” and “safeguarding our high quality environment for the future.”

### **Resource Implications**

There are no resource implications relating to this matter.

### **Appendices**

1. Application by Hampshire Constabulary
2. Premises Licence
3. Representations by Interested Parties
4. Map of premises location.



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27 APR 2007		
FAO J.M.	REPLY BY	No. 877

HAMPSHIRE CONSTABULARY

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G90 28 APR 2007		
FAO J.M.	REPLY BY	No. 877

## APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE UNDER THE LICENSING ACT 2003

**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 PC 1526 Gary Miller

*(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**

*(Select as applicable)*

### Part 1 – Premises or Club Premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description:</b>			
Fulflood Arms 28 Cheriton Road			
<b>Post town:</b>	Winchester	<b>Postcode (if known):</b>	SO22 5EF

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Greene King Brewing And Retailing

<b>Number of premises licence or club premises certificate (if known)</b>
PREM 217

### Part 2 – Applicant Details

I am

*Select as appropriate*

- 1) An interested party *(please complete (A) or (B) below)*
  - a) A person living in the vicinity of the premises
  - b) A body representing persons living in the vicinity of the premises
  - c) A person involved in business in the vicinity of the premises
  - d) A body representing persons involved in business in the vicinity of the premises
- 2) A responsible authority *(please complete (C) below)*
- 3) A member of the club to which this application relates *(please complete (A) below)*

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## APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE UNDER THE LICENSING ACT 2003

### A - DETAILS OF INDIVIDUAL APPLICANT *(fill in as applicable)*

Please tick

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title <i>(e.g. Rev):</i>
Surname:		First Names:		
I am 18 years old or over		Please tick yes <input type="checkbox"/>		
Current postal address if different from premises address:				
Post town:		Postcode:		
Daytime telephone number:				
E-mail address: <i>(optional)</i>				

### B - DETAILS OF OTHER APPLICANT

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title <i>(e.g. Rev):</i>
Surname:		First Names:		
Current postal address if different from premises address:				
Post town:		Postcode:		
Daytime telephone number:				
E-mail address: <i>(optional)</i>				

### C - DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title <i>(e.g. Rev):</i> PC 1526
Surname: Miller		First Names: Gary		
Current postal address if different from premises address: Winchester Police Station North Walls				
Post town: Winchester		Postcode: SO238DW		
Daytime telephone number: 01962 871 386				
E-mail address: <i>(optional)</i> gary.miller@hampshire.pnn.police.uk				

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## APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE UNDER THE LICENSING ACT 2003

**This application to review relates to the following licensing objective(s)**

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

*Select one or more boxes*

**Please state the ground(s) for review** *(please read guidance note 1)*

This review is being sought as we believe that the Crime and Disorder Licensing Objectives are being undermined at this Premise.

We have been concerned that there has not been a DPS in place at this Licensed premises who assumes 'day to day control' since October 2006. At that time the outgoing Tenant and DPS was replaced by a Greene King Commercial Manager. Following our concerns a Licensing visit was conducted on the 8<sup>th</sup> October 2006 which confirmed that there were relief Managers in situ, awaiting the business being taken over by another Tenant. We were advised by them that this would only be a short term option.

On the 12<sup>th</sup> February we received another application to vary the DPS on this date from one Commercial Manager to another Commercial Manager who resides in Dorset.

In the early hours of Wednesday 25<sup>th</sup> April 2006 a disturbance took place within the Premises resulting in damage to the property and personal injuries. The DPS was not there to assume 'day to day control'. The incident was reported virtually an hour after the Premises should have been closed and the person who identified himself as the landlord was in drink injured and un-co-operative.

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# HAMPSHIRE CONSTABULARY

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## APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE UNDER THE LICENSING ACT 2003

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

*Please tick*

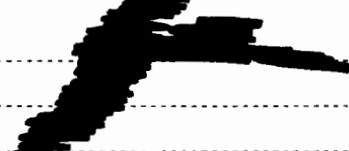
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**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 3 – Signatures** *(please read guidance note 3)*

Signature of applicant or applicant’s solicitor or other duly authorised agent *(See guidance note 4)*. If signing on behalf of the applicant please state in what capacity.

Signature: Pc 1526 Gary Miller.  
Date: 25/04/2007  
Capacity: Winchester District Licensing officer



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# HAMPSHIRE CONSTABULARY

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## APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE UNDER THE LICENSING ACT 2003

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)**

<b>Post town:</b>		<b>Postcode:</b>	
<b>Telephone Number:</b>			
<b>E-mail Address: (optional)</b>			

### NOTES FOR GUIDANCE

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

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# Winchester

City Council

## Premises Licence

**Premises Licence Number**

PREM217

05/01152/LAPRMV

### Part 1 – Premises Details

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

Fulflood Arms  
28 Cheriton Road  
Winchester  
Hampshire  
SO22 5EF

**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) **Friday to Sunday**      **1900 to 2300**
  - (ii) **Bank Holidays**      **1100 to 0100**
- m) Supply of Alcohol
  - (i) **Monday to Thursday**      **1100 to 2300**

- |       |   |                     |
|-------|---|---------------------|
| (ii)  | <b>Friday and Saturday</b>  | <b>1100 to 0000</b> |
| (iii) | <b>Sunday</b>   | <b>1200 to 2300</b> |
| (iv)  | <b>Christmas Eve,<br/>Christmas Day, Easter<br/>Saturday, Easter Sunday<br/>and Bank Holidays</b> | <b>1100 to 0100</b> |

In respect to (i) and (ii) above, the hours may be extended by one hour before and after in respect of major TV sporting events, provided the applicant gives seven working days notice to the Licensing Authority and Police and no objection is raised.

**The opening hours of the premises**

- |       |   |                     |
|-------|---|---------------------|
| (i)   | <b>Monday to Thursday</b>   | <b>1100 to 2320</b> |
| (ii)  | <b>Friday and Saturday</b>  | <b>1100 to 0030</b> |
| (iii) | <b>Sunday</b>   | <b>1200 to 2320</b> |
| (v)   | <b>Christmas Eve,<br/>Christmas Day, Easter<br/>Saturday, Easter Sunday<br/>and Bank Holidays</b> | <b>1100 to 0120</b> |

**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 Brewing And Retailing  
Abbot House  
Bury St Edmunds  
Suffolk  
IP33 1QT

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

Registered Company Number                      3298903  
Registered Charity Number

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

Ken Joyce  
15 Quarry Road  
Colehill  
Wimborne  
Dorset  
BH21 2NP

**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                      **PA0380**  
Licensing Authority                              **East Dorset 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. All staff shall be trained to monitor all trading areas and report any suspicious incidents, criminal activity or disorder.
2. The premises shall be a member of a local Pubwatch scheme if available

#### **Public Safety**

1. There shall be no consumption of drinks from bottles in the outside drinking areas.

#### **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. 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.
3. 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.
4. Regulated entertainment shall be restricted to the inside of the premises.
5. 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.

6. The outside seating areas shall be vacated no later than 2300.
7. The licence holder shall commission a noise impact assessment of the licensable activities. No live music events (**other than between 2000 and 2230 on two Sundays a month**) shall take place until this is carried out to the satisfaction of the Licensing Authority.

### **Protection of Children**

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

### Conditions from existing licences:-

#### **Public Entertainment Licence**

There shall be no entertainment on Christmas Day or Good Friday.

The premises shall not be used for the purposes of this Licence on more than 2 occasions in any one calendar month without the written permission of the Council.

The maximum number of persons permitted to be admitted to the premises whilst in use for the purposes of this licence shall be 70.

#### **INSCRIPTION**

There shall be affixed and kept up on some conspicuous place on the outer side of the principal door or over and outside the principal entrance of the place licensed an inscription in capital letters not less than one inch in height in the words following: -

"Licensed in pursuance of Act of Parliament for the public ... " followed by a word or words indicating the purpose for which the place is licensed.

#### **HOURS OF OPENING**

The place licensed shall not be opened for the purpose of public entertainment between 2.00am and 8.30am on any day.

#### **RESPONSIBLE PERSON**

The licensee or a responsible person nominated by the licensee in writing, not being a person being under 21 years of age shall be in charge of, and present in the place licensed at all times members of the public are present.

#### **MAXIMUM NUMBERS**

The maximum numbers of persons to be admitted at any one time to the licensed premises shall not exceed the number specified in the licence.

## ATTENDANTS AND SECURITY PERSONNEL

During the time the premises are in use for public entertainment, there shall be in attendance the following numbers of staff or other attendants acquainted with the established routine to be followed in the case of fire or other emergency. The aim of the attendants should be the avoidance of panic and the orderly evacuation of the premises:-

Up to 25 persons	2 attendants
Over 25 persons	4 attendants for the first 250 persons 1 attendant for each of the additional 250 persons
Where at any licensed function the majority of persons attending are under the age of 16 years	Double the above number of attendants plus one attendant for each exit

## OR SUCH LOWER NUMBER OF ATTENDANTS AS MAY BE AGREED IN WRITING BY THE LOCAL AUTHORITY

*Where an attendant is responsible for security, protection, screening the suitability of people entering premises or conflict management they must be licensed by the Security Industry Authority.*

## SAFETY OF PERSONS

The licensee shall take all precautions necessary for the safety of persons frequenting the licensed premises.

## FORM OF ENTERTAINMENT

No public entertainment shall be permitted or suffered to take place in the place licensed which is licentious, indecent or likely to produce riot, tumult or breach of the peace.

## BEHAVIOUR

The Licensee shall to the best of his ability maintain and keep good order and decent behaviour on the licensed premises whilst open for public entertainment.

## NUISANCE

No public entertainment shall be permitted or suffered to take place in the place licensed which is a nuisance, annoyance or inconvenience to the occupiers of any other property.

## INTOXICATION

No person shall be permitted or suffered to enter or remain within the place licensed while in a state of intoxication

## OFFENDERS

If any disorderly conduct shall take place, the Licensee shall himself and his employees assist to the utmost in the apprehension or expulsion of the offenders.

## HYPNOSIS

No exhibition, performance or demonstration of hypnotism shall be permitted at the place licensed except with the express written consent of the Council.

Permitted exhibitions, performances or demonstrations of hypnotism shall be in accordance with the conditions set out in the Home Office Circular 42/89.

## SEATING

Seating, tables and chairs and other furniture and fittings shall be so arranged as to allow free and ready access to exits.

## FLOOR COVERINGS

All floor coverings shall be secured and maintained in such a way as to prevent unevenness in the floor level.

## CURTAINS AND DRAPES

Curtains shall be adequately supported and where hung across doorways or across corridors they shall be arranged as to draw easily from the centre and slide freely, and be so hung that they are clear of the floor and shall be treated with fire retardant.

## TOILETS

Adequate and separate sanitary conveniences suitably marked shall be provided for persons of both sexes and shall be maintained in good working order and kept in a clean condition.

## EXITS

The number, size and position of all doors or openings provided for the purpose of the egress of the public from the premises shall be to the satisfaction of the Licensing Authority.

Doors and Fastenings – Unless otherwise permitted in writing by the Council, exit doors and gates shall open in the direction of exit, and shall in all cases be free from fastenings other than panic bolts or other such fastenings as shall be approved by the Council. Any panic bolts or other approved fastenings must be signed "PUSH BAR TO OPEN" or as is appropriate to the fastening to ensure that the mode of operation is readily apparent to any person.

Exit Routes – All exit routes including passages, courts, ramps, and stairways, which lead from the place licensed to the outside, shall at all times be kept free from obstruction.

## LIGHTING AND HEATING

Provisions – All parts of the place licensed shall be suitably and adequately illuminated. Except where otherwise permitted in writing by the council, all those parts to which the public have access and all exit routes shall be illuminated by at least two independent sources each of a standard approved by the Council.

Standard of Illumination – The illumination from each source shall be sufficient to enable the public, performers and staff to see their way out of the place licensed in safety at any time, and shall not be derived from pre-payment meters.

Segregation of the Two Systems of Lighting – The two or more lighting systems provided shall each be so installed so that a fault or accident arising in one system shall not jeopardise any other system.

Exit Notices – Each exit route from the parts of the place licensed to which the public has access shall be signed "Exit" in the manner approved by the Council. Each sign so provided must be illuminated, internally or otherwise, by at least two independent sources.

Special Effects – No laser beam or other hazardous effect may be used in the place licensed without prior written approval of the Council. The Licensee must give at least 21 days notice to the Council to allow adequate consideration.

The form of heating of the licensed premises shall be to the satisfaction of the Council.

Safety in Heating Appliances – No heating appliances shall be used in proximity to any woodwork, curtains, drapes or other materials likely to be ignited by use of the appliance.

All heating appliances must be sufficiently guarded or protected so as to avoid injury to any person.

#### ELECTRICAL INSPECTIONS

All electrical installations shall be inspected every three years by a competent qualified electrician to the requirements of the Institute of Electrical Engineers Wiring Regulations and a Certificate as to the condition of the electrical installations shall be furnished to the Council.

In the intervening years the electrical installations shall be inspected annually by a competent electrician.

Any alterations, modifications or extensions to the electrical installations with which the premises are provided shall be carried out by a competent electrician and shall be strictly in accordance with the Institute of Electrical Engineers Regulations. Any portable electrical appliances or equipment used in the premises shall be in efficient working order and correctly wired and connected.

#### FIRE PRECAUTIONS

Except with the written consent of the Council and subject to any conditions which may be attached to such consent, explosives or highly inflammable material shall not be brought in or used on the premises.

The use of naked flame shall not occur except when strictly necessary to any performance and when expressly permitted in writing by the Council.

Combustible or flammable materials or liquids shall not be stored within the place licensed except with the written consent of the Council and subject to any conditions which may be attached to such a consent.

If it appears to the council that the use of material, fabric or finish might assist the spread of fire, then it may require the material fabric or finish to be removed or treated forthwith in such a manner as to reduce the risk.

## SWITCHES

All gas taps and electric switches used in connection with the lighting or heating of the place licensed shall be rendered inoperable other than by the licensee, the responsible person in charge of the place licensed and any staff or attendant employed by the Licensee.

## FIRE FIGHTING EQUIPMENT

There shall be provided in the place licensed fire fighting equipment of a standard approved by the Fire Officer and acceptable to the Council. Such equipment shall be examined at least once annually by a competent person. All portable fire extinguishers shall be inspected and tested by a competent person. The date on the test to be clearly marked on a label firmly fixed to the extinguisher.

## CEILINGS

Where considered necessary, provision shall be made to the Council's satisfaction, for the examination from the above of any suspended ceiling over parts of the premises to which the public have access and such other parts of the premises as the Council may deem necessary.

## CONSTRUCTION

Wall and Ceiling Linings, Insulation, Treatment, etc – Any material used as a wall or ceiling lining, or as a suspended ceiling, or for acoustic or thermal insulation purposes shall be to the Council's satisfaction and shall be fixed and supported in such a manner as may be approved by the Council.

Note: For the purpose of this condition the council will normally require such material to be non-combustible or be rated class 1 of the classification for the surface spread of flame when tested in accordance with the appropriate British Standards and be throughout its thickness of no greater flammability than its surface. Certain other materials may, however, be accepted subject to compliance with such conditions as the Council may consider appropriate in the circumstances of the case.

## ALTERATIONS

No structural or other alteration of the place licensed or of the means of exit there from shall be made during the continuance of this licence without the written approval of the council except such alterations as shall from time to time be approved by the licensing justices under the Licensing Acts.

NB: The council has no power to retrospectively approve unauthorised alterations made during the period of the licence.

## **Annex 4 – Plans**

See attached

[REDACTED]  
[REDACTED]  
15 May 2007

To whom it may concern,

I am writing regarding the licensing review for the Fulflood Arms on Cheriton Road; I understand that this review is regarding licensing hours, but is also open to other points of interest.

I would like to make a representation against extended licensing hours, but also raise a point of general interest, based on public nuisance issues.

Our property is situated almost opposite the pub, and we have experienced noise disturbance on a number of occasions, generally related to either the pub quiz, or more persistently, the juke box.

While the noise level has been noticeably better in recent weeks, a few months ago (with the new landlord in situ) it was not the case. In particular, one Sunday night I had to go across the road at c22:15 to ask for the music to be turned down; it was so loud that the young man behind the bar had trouble hearing my request, and was so audible from our bedroom, that I could have sung along!

I understand that a request last year by the previous landlord for extended regulated entertainment included provisions that regular noise level checks should be undertaken while music is being played. I would like to take this opportunity to raise a request that the new landlord should abide by this. In addition, I would like to object to any change in licensing regulation that could lead to an increased chance of noise pollution.

The Fulflood Arms is part of the local community, and I recognise its right to trade. However, as this is a residential area, I would ask for some consideration of local residents who live nearby. Many need to get up early in the morning, and so late night noise, particularly on a Sunday, is disruptive.

Yours faithfully,

Catherine Summerhayes

[REDACTED]  
[REDACTED]  
15 May 2007

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Yours faithfully,

Nick Williamson





# Appendix 4

## Fulford Arms



**Legend**

Scale: 1:1250

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