

LICENSING SUB – COMMITTEE

31 August 2007

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application Variation of a Premises Licence:

**The Parsons Collar
Rookery Avenue
Whiteley
Fareham**

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 Interested Parties** *Cream*
- Appendix 3 Other Appendices** *White*

Part A.**1. Application****Applicant:** Shire Hotels Ltd**Premises:** The Parsons Collar

- 1.1 This application by Shire Hotels Ltd is to vary the premises licence for the Parson Collar under Section 34 of the Licensing Act 2003.
- 1.2 The purpose of the variation is to remove the Public Nuisance condition number 3, which states “the beer garden and external areas shall be closed to customers no later than 2200 Sunday to Thursday and 2300 Friday and Saturday.”
- 1.3 Under the Health Act 2006, persons can no longer smoke in enclosed public premises and workplaces.
- 1.4 There have been no representations from the Responsible Authorities.
- 1.5 There have been eight representations from interested parties, all relating to noise nuisance. These are shown at Appendix 2.
- 1.6 There are no records of complaints noise from the premises.
- 1.7 Notice of the application was displayed outside of the premises for a period of 28 days until 3 August 2007, and advertised in the Hampshire Chronicle on 12 July 2007.

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

Steps to promote the Licensing Objectives

Please see Section Q Appendix 1

Relevant Representations**2. Responsible Authorities**

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

Head of Environment

No representations received.

Hampshire Constabulary

No representations received.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Head of Planning

No representations received.

Head of Safety Standards

No representations received.

3. Interested Parties

Mr	Ian	Cullen
Mr	P A	Sutton
Mr	Richard	Worley
Mr	Gary	Page
Mr	M A	May
Mrs	Carol	Merry and
Mr	David	Fane
Mr	Andrew	Harvey
Dr	Mark	Farringdon

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. 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 observations of the the interested parties.

(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.

(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.

(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.

(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

All Licensing Objectives

No additional conditions are proposed by the licence holder, however the Sub - Committee may wish to consider additional conditions, under the prevention of public nuisance objective, if the variation is granted.

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

A variation fee of £190 has been received. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

Appendices

1. Application by Shire Hotels Ltd
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.

We **SHIRE HOTELS LTD** 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

PREM190 05/0132/LAPRMV

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Parsons Collar Rookery Avenue Whiteley Fareham Hampshire	
Post town Fareham	Post code PO15 7AJ

Telephone number of premises (if any)

Non-domestic rateable value of premises

£

Part 2 - Applicant Details

Daytime contact telephone number

01254 267444

E-mail address
(optional)

Current postal
address
if different from
premises address

The Old Wine Warehouse
Larkhill Street

Post Town

Blackburn

Postcode

BB1 5DF

Part 3 - Variation

Do you want the proposed variation to have effect from the second appointed day?

Please tick

If not when do you want the variation to take effect from

Day		Month		Year		

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

Please describe briefly the nature of the proposed variation. (please read guidance note 8)

To remove a condition currently stated on the Premises Licence in respect of the external areas.

Please note that all other aspects of the Premises Licence are to remain as per the current terms including all licensable activities and operating conditions.

Part 4 - Operating Schedule

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

Please tick **Yes**

Provision of regulated entertainment

- 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 for:

- 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)

Day Start Finish

Mon

Tue

Wed

Thur

Fri

Sat

Sun

Will the performance of a play take place indoors or outdoors

or both – please tick (please read guidance note 2).

Indoors

Outdoors

Both

Please give further details here (please read guidance note 3)

State any seasonal variations for performing plays (please read guidance note 4)

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 (please read guidance note 5)

B

Films

Standard days and timings
(please read guidance note 6)

Day Start Finish

Mon

Tue

Wed

Thur

Fri

Sat

Sun

Will the exhibition of films take place indoors or outdoors

or both – please tick (please read guidance note 2).

Indoors

Outdoors

Both

Please give further details here (please read guidance note 3)

State any seasonal variations for the exhibition of films (please read guidance note 4)

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 (please read guidance note 5)

C

Indoor sporting events

Standard days and timings
(please read guidance note 6)

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Please give further details (please read guidance note 3)

State any seasonal variations for indoor sporting events (please read guidance note 4)

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 (please read guidance note 5)

D

Boxing or wrestling entertainment

Standard days and timings

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2).

- Indoors
- Outdoors
- Both

Please give further details here (please read guidance note 3)

State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)

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 (please read guidance note 5)

E

Live music

Standard days and timings
(please read guidance note 6)

Day Start Finish

Mon

Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2).

Indoors

Outdoors

Both

Please give further details here (please read guidance note 3)

Tue

Wed

State any seasonal variations for the performance of live music (please read guidance note 4)

Thur

Fri

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 (please read guidance note 5)

Sat

Sun

F

Recorded music

Standard days and timings
(please read guidance note 6)

Day Start Finish

Mon

Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2).

Indoors

Outdoors

Both

Please give further details here (please read guidance note 3)

Tue

Wed

State any seasonal variations for playing recorded music (please read guidance note 4)

Thur

Fri

Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)

Sat

Sun

G

Performances of dance

Standard days and timings
(please read guidance note 6)

Day Start Finish

Mon

Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2).

Indoors

Outdoors

Both

Please give further details here (please read guidance note 3)

Tue

Wed

State any seasonal variations for the performance of dance (please read guidance note 4)

Thur

Fri

Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)

Sat

Sun

H

Anything of a similar description to that falling within (e), (f) or (g)

Standard days and timings
(please read guidance note 6)

Day Start Finish

Mon

Please give a description of the type of entertainment you will be providing

Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2).

Indoors

Outdoors

Both

Tue

Please give further details here (please read guidance note 3)

Wed

Thur

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)

Fri

Sat

Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)

Sun

I
Provision of facilities for making music

Standard days and timings
 (please read guidance note 6)

Please give a description of the facilities for making music you will be providing

Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2).

Indoors
 Outdoors
 Both

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Please give further details here (please read guidance note 3)

State any seasonal variations for the provision of facilities for making music (please read guidance note 4)

Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)

J

Provision of facilities for dancing

Standard days and timings
 (please read guidance note 61)

Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2).

Indoors
 Outdoors
 Both

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Please give further details here (please read guidance note 3)

State any seasonal variations for providing dancing facilities (please read guidance note 4)

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 (please read guidance note 5)

K

Provision of facilities for entertainment of a similar description to that falling within I or J

Please give a description of the type of entertainment facility you will be providing

Standard days and timings
(please read guidance note 6)

Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2).	Indoor	Outdoor	Both
Mon						
Tue			Please give further details here (please read guidance note 3)			
Wed						
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)			
Fri						
Sat			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 (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
Outdoors
Both

Day	Start	Finish	Indoors	Outdoors	Both
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol

Standard days and timings
(please read guidance note 6)

Day	Start	Finish
-----	-------	--------

Will the supply of alcohol be for
consumption
(Please tick box) (please read guidance
note 7)

On the premises

Off the premises

Both

State any seasonal variations for the supply of alcohol (please read guidance note 4)

Mon

Tue

Wed

Thur

Fri

Sat

Sun

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)

O

Hours premises are open to the public

Standard days and timings
(please read guidance note 6)

Day Start Finish

Mon

Tue

Wed

Thur

Fri

Sat

Sun

State any seasonal variation (please read guidance note 4)

Non standard timings. Where you intend to use 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 to could be removed as a consequence of the proposed variation you are seeking

The beer garden and external areas shall be closed to customers no later than 2200 Sunday to Thursday and 2300 Friday and Saturday

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 the premises licence

P Please describe any additional steps that you intend to take in order 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)

As per existing Licence

b) The prevention of crime and disorder

As per existing Licence

c) Public safety

As per existing Licence

d) The prevention of public nuisance

As per existing Licence with the exception of the condition as set out on page 11 of this application form which is to be removed.

e) The protection of children from harm

As per existing Licence.

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. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature *Napthens*

Date *4-7-07*

Capacity *Solicitors for and on behalf of Applicant*

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

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
Napthens Solicitors St Andrews House Wellington Street (St Johns) Blackburn	
Post town Blackburn	Post code BB1 8DB

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.

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would 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 is and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may included 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 eg Christmas Eve.
6. Please give timings in 24 hour clock (eg 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.



Premises Licence

Premises Licence Number

PREM190

05/01321/LAPRMV

Part 1 – Premises Details

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

The Parsons Collar
Rookery Avenue
Whiteley
Fareham
Hampshire
PO15 7AJ

Telephone number 01282 414141

Where the licence is time limited the dates

Licensable activities authorised by the licence

- e) Live Music
- f) Recorded Music
- 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

The hours the premises may be used for permitted regulated entertainment shall be as follows:

- e) Live Music
- f) Recorded Music

- Indoors only

- (i) **Monday to Sunday** 1000 to 0000
- (ii) **New Years Eve** 1000 to 0100 1 January

i) Provision of facilities for making music

- Indoors only

- (i) **Monday to Sunday** 1000 to 0000

j) Provision of facilities for dancing

- Indoors only

- (i) **Monday to Sunday** 1000 to 0000
- (ii) **New Years Eve** 1000 to 0100 1 January

l) Late Night Refreshment

- (i) **Monday to Sunday** 2300 to 0030
- (ii) **New Years Eve** 2300 to 0500 1 January

m) Supply of Alcohol

- (i) **Monday to Sunday** 1000 to 0000
- (ii) **New Years Eve** 1000 to 1000 1 January

The opening hours of the premises

- (i) **Monday to Sunday** 0700 to 0030
- (ii) **New Years Eve** 0700 to 0700 1 January

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

Shire Hotels Limited
Colne Road
Reedley
Burnley
Lancashire
BB10 2NG

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

Registered Company Number 1491604
Registered Charity Number

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

Mr Trevor Webb
The Parsons Collar
Rookery Avenue
Whiteley
Fareham
Hampshire
PO15 7AJ

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 PERS273
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.
3. Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

Crime and Disorder

1. All staff shall be trained to monitor all trading areas and report any suspicious incidents, criminal activity or disorder.
2. There shall be no irresponsible drinks promotions which may encourage binge drinking.
3. The licence holder shall ensure that pre-opening safety checks are carried out at the premises before each main trading session.
4. 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

1. The licence holder shall ensure there is a specific evacuation procedure for disabled customers is in place and staff are trained in relation to this.
2. The licence holder shall ensure there is annual testing and inspection of the Gas Installation, Emergency Lighting, Fire Alarm and Electrical Installation at premises by a qualified engineer.
3. All escape routes and exits shall be maintained so as not to cause hindrance in the event of evacuation.
4. The licence holder shall ensure there are robust Health and Safety systems in place with full training given to all members of staff.
5. The premises shall be easily accessible by emergency vehicles.

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. DJ/Public announcement shall be made at the end of licensable activities requesting customers to respect the needs of local residents, to leave the premises and the area quietly.
3. The beer garden and external areas shall be closed to customers no later than 2200 Sunday to Thursday and 2300 Friday and Saturday.
4. No amplified music shall be played in any external parts of the premises.

Protection of Children

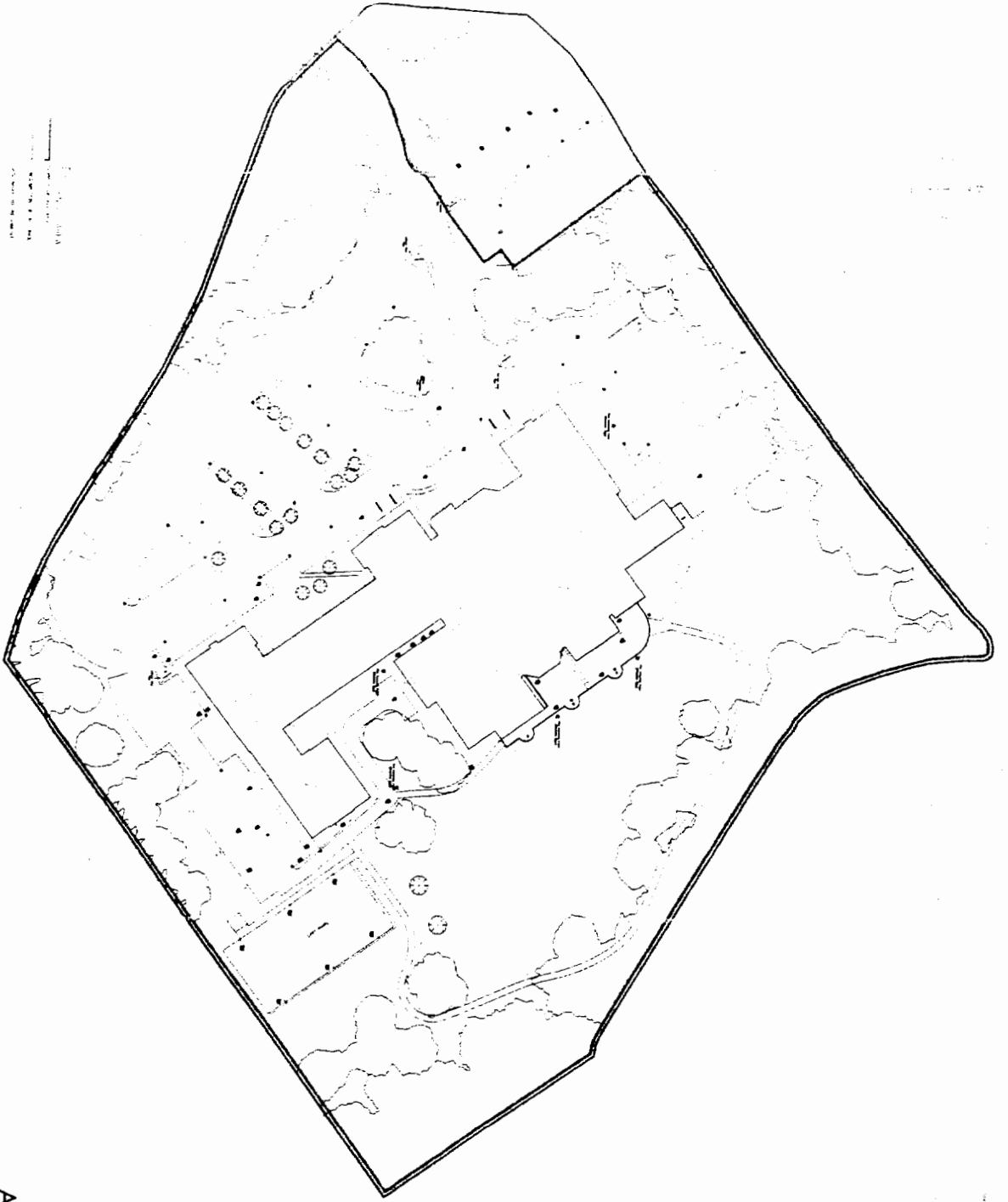
1. The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme or another PASS accredited scheme.
2. All persons under the age of 18 shall be accompanied by an adult at all times.

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

n/a

Annex 4 – Plans

See attached



Proposed Building
 Proposed Landscaping
 Proposed Paths
 Proposed Roads
 Proposed Utilities

ARCHITECTS
 [P] [L] [U] [S]
 a+

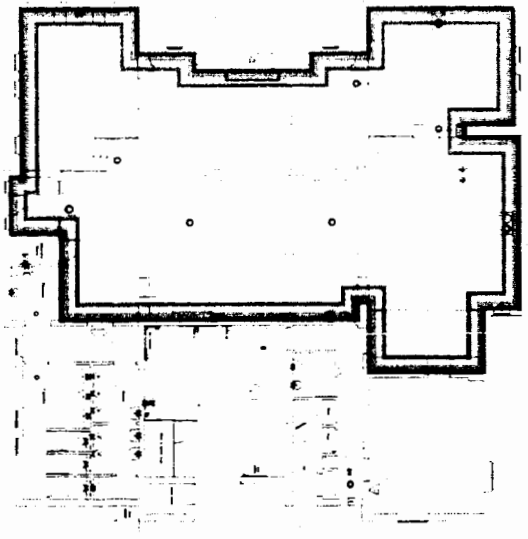
Project:
 Solent Hotel & Spa, Fareham,
 Spire Hotels Ltd.

License:
 LICENSING - AS EXISTING, JULY 2005

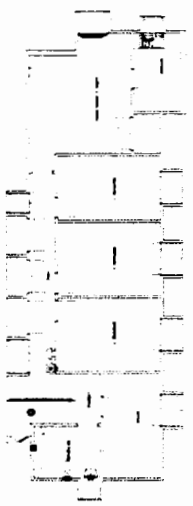
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FIRST FLOOR



FIRST FLOOR

KEY TO PLAN SYMBOLS	
FINISH MATERIALS	NOTES
1. FLOORING	1. SEE FINISH SCHEDULE
2. WALLS	2. SEE FINISH SCHEDULE
3. CEILING	3. SEE FINISH SCHEDULE
4. LIGHT FIXTURES	4. SEE FINISH SCHEDULE
5. DOORS	5. SEE FINISH SCHEDULE
6. WINDOWS	6. SEE FINISH SCHEDULE
7. CLOSET	7. SEE FINISH SCHEDULE
8. CASE	8. SEE FINISH SCHEDULE
9. PARTITION	9. SEE FINISH SCHEDULE
10. STAIR	10. SEE FINISH SCHEDULE
11. ELEVATOR	11. SEE FINISH SCHEDULE
12. MECHANICAL	12. SEE FINISH SCHEDULE
13. ELECTRICAL	13. SEE FINISH SCHEDULE
14. PIPING	14. SEE FINISH SCHEDULE
15. STRUCTURAL	15. SEE FINISH SCHEDULE
16. EXISTING	16. SEE FINISH SCHEDULE
17. NEW	17. SEE FINISH SCHEDULE
18. REMOVE	18. SEE FINISH SCHEDULE
19. FINISH	19. SEE FINISH SCHEDULE
20. DIMENSIONS	20. SEE FINISH SCHEDULE
21. AREA	21. SEE FINISH SCHEDULE
22. VOLUME	22. SEE FINISH SCHEDULE
23. WEIGHT	23. SEE FINISH SCHEDULE
24. CENTERLINE	24. SEE FINISH SCHEDULE
25. END POINT	25. SEE FINISH SCHEDULE
26. MIDPOINT	26. SEE FINISH SCHEDULE
27. QUANTITY	27. SEE FINISH SCHEDULE
28. UNIT PRICE	28. SEE FINISH SCHEDULE
29. TOTAL PRICE	29. SEE FINISH SCHEDULE
30. TAXES	30. SEE FINISH SCHEDULE
31. NET PRICE	31. SEE FINISH SCHEDULE
32. GROSS PRICE	32. SEE FINISH SCHEDULE
33. NET WEIGHT	33. SEE FINISH SCHEDULE
34. GROSS WEIGHT	34. SEE FINISH SCHEDULE
35. NET VOLUME	35. SEE FINISH SCHEDULE
36. GROSS VOLUME	36. SEE FINISH SCHEDULE
37. NET SURFACE AREA	37. SEE FINISH SCHEDULE
38. GROSS SURFACE AREA	38. SEE FINISH SCHEDULE
39. NET PERIMETER	39. SEE FINISH SCHEDULE
40. GROSS PERIMETER	40. SEE FINISH SCHEDULE
41. NET AREA	41. SEE FINISH SCHEDULE
42. GROSS AREA	42. SEE FINISH SCHEDULE
43. NET VOLUME	43. SEE FINISH SCHEDULE
44. GROSS VOLUME	44. SEE FINISH SCHEDULE
45. NET WEIGHT	45. SEE FINISH SCHEDULE
46. GROSS WEIGHT	46. SEE FINISH SCHEDULE
47. NET SURFACE AREA	47. SEE FINISH SCHEDULE
48. GROSS SURFACE AREA	48. SEE FINISH SCHEDULE
49. NET PERIMETER	49. SEE FINISH SCHEDULE
50. GROSS PERIMETER	50. SEE FINISH SCHEDULE

ARCHITECTS
AT

Solemi Hotel & Spa, Forehorn,
 Shire Hotels Ltd.

LICENSING - JULY 2005
 PARSONS COLLAR PUB - AS EXISTING
 1100 JULY 2005 01 5403 05006-604

ARCHITECTS
 1000 UNIVERSITY AVENUE, SUITE 2000
 UNIVERSITY MICROFILMS INTERNATIONAL, INC.
 300 NORTH ZEEB ROAD
 ANN ARBOR, MI 48106-1500
 TEL: 734/769-0000 FAX: 734/769-0001
 WWW.UMI.COM

Carol Stefanczuk

From: [REDACTED]@m[REDACTED].n
Sent: 02 August 2007 22:54
To: Licensing
Subject: The Parsons Collar garden - Whiteley (Nuisance)

I would like to strongly contest the proposed extension of licensing hours at the above location. The pub already causes my family considerable disruption as we live in the close vicinity and have a 5 year old daughter. During the summer we often leave her bedroom window open to keep her room cool but she is frequently woken by shouting or singing. My partner and I also are not able to sit in our garden in the evenings due to the noise from the pub. Allowing people to do this for a longer period would just increase our disturbance. We pay a mortgage and inflated council tax to live in pleasant surroundings and I would expect our local council to be addressing noise pollution problems not encouraging them.

Andrew Harvey
[REDACTED], [REDACTED]

Email sent from www.virginmedia.com/email
Virus-checked using McAfee(R) Software and scanned for spam

Carol Stefanczuk

From: Gary Page [redacted]
Sent: 02 August 2007 17:46
To: Licensing
Subject: RE: License Extension for the Parsons Collar

Hello Carol, My address is [redacted], [redacted], [redacted], [redacted]S. Regards Gary Page

From: CStefanczuk@WINCHESTER.GOV.UK [mailto:CStefanczuk@WINCHESTER.GOV.UK] **On Behalf Of** licensing@WINCHESTER.GOV.UK
Sent: 02 August 2007 09:52
To: [redacted]
Subject: RE: License Extension for the Parsons Collar
Importance: High

Dear Mr Page,

Thank you for your email.

Unfortunately, your representation is not currently valid, as you have not provided your address. If you would like your email to be taken into consideration, please provide me with your full address by **Friday 3 August 2007**.

Kind regards

Carol Stefanczuk
Assistant Licensing and Registration Officer
Ext: 2188
Tel: 01962 848 188
Fax: 01962 848 472

Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ
www.winchester.gov.uk

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

From: Gary Page [mailto:garypage@ntlworld.com]
Sent: 01 August 2007 19:27
To: Licensing
Subject: License Extension for the Parsons Collar

Dear sir/madam, I wish to file an objection to the application from Shire Hotels Ltd to amend their existing license to allow use of the garden past 10pm. This would be on the grounds of Public Nuisance. The Parsons Collar already regularly allows people to use its garden way beyond the 10pm limit during the week and almost always past 11pm on Fridays and Saturdays. As a resident of Hyssop Close and the father of two small children, I already feel that the level of noise pollution caused by the Parsons Collar is unacceptable and extending the use of the garden will only make it worse. My children are regularly woken up in the night by the people or music at the Pub, not such a problem at weekends but during the week when they have school to go to, its not on and totally unacceptable. If people are allowed to use the garden past 10pm then this will lead to further disruptions, what happens when they have live music? If people are allowed to use the garden then

09/08/2007

this will lead to doors and windows being left open and even more noise being generated and disturbing the night time peace. Regards Gary Page

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www.blackspider.com

Carol Stefanczuk

From: carol merry [redacted@redacted]
Sent: 02 August 2007 18:19
To: Licensing
Subject: OBJECTION -License extension application - Parson's Collar, Whiteley

Dear Sirs,

Re: OBJECTION to Licence Extension Application - Parson's Collar Whiteley - under PUBLIC NUISANCE ORDER

We wish to object most strongly to the application put forward by Shire Hotels to allow the Parson's Collar to use their garden later than 10pm on weekday evenings, ie. Sunday to Thursday.

We do this primarily under the Public Nuisance order. We live opposite the back entrance to the pub, where Marjoram Avenue and Hyssop Close join. We hear loud music and noise from raised voices and laughter from the pub until 11 - 11.20pm every Friday and Saturday night, even with our double glazed windows shut. We accept this level of noise on these two weekend nights. However, this would not be acceptable on week nights, due to our right to reasonable hours of sleep to fulfil our work commitments the following day. Any babies or children trying to sleep would very likely be disturbed by this increase in noise as well.

Also, we often hear children's voices at quite a late hour from the outside area at the weekend. While this is ultimately parental choice, we feel it would be inappropriate to create further opportunity for this to occur during week days.

Furthermore, local properties would be devalued and therefore more difficult to sell if the license was extended.

Finally, we would like to point out that Shire Hotels should consider that the pub is located within a residential community. Any changes made for the benefit of their guests should not adversely impact upon the pub's immediate neighbours. We feel that these changes would!

We trust that these objections are considered and acted upon and that this proposal will be rejected.

Yours faithfully,
Carol Merry (Mrs)
David A. Fane

[redacted]
[redacted]

Carol Stefanczuk

From: M. MAY [REDACTED@REDACTED]
Sent: 02 August 2007 22:39
To: Licensing
Subject: Re: License Extention Application Parson's Coll public house

Dear Carol Stefanczuk

Thank for your responses to my concerns in connection with the proposed extension times.

My Address is MR M A MAY [REDACTED]

Responses to Public Safety of children using the garden whilst there parents are drinking is a major issue. Health and Safety should always taken into consideration.

These children I have mentioned are the same children of those parents who now want more time to drink and not care about the real issue's I have mentioned.

By the time the document received which I responded to which was put through my front door on Wednesday 01 August , would not allow time to apply for any review.

The note concerning the application for anybody in the real world to be able to do anything about was received far to late.

Clarification of the noise nuisance is. The constant very loud noisy people who when under the influence of alcoholic drinks. We the residence have had to put up with then you are asking to extend the Time's to all the week. This is not acceptable at all, and the music will continue to very noisy indeed.

To conclude why should the constant noise level be allowed till 11pm all week, its bad enough to put up with up till 10pm.

I do hope that all my issues are looked at and not over looked as I mentioned this in my first E.Mail to you.

You never answered all my questions i.e. Profit by Shire Hotels Limited as to Health and Safety issues, those requiring the use of the Garden Area with extra Times all week.

The whole Licence should be looked at before any other consideration for extra time in the garden area. They have to sort out there Health and Safety First it is a priority.

Kind regards.

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

From: licensing@WINCHESTER.GOV.UK
To: [REDACTED@REDACTED]
Sent: Thursday, August 02, 2007 10:53 AM
Subject: RE: License Extention Application Parson's Coll public house

Dear Mr May,

Thank you for your email. Unfortunately, it is not currently a valid representation as you have not provided your full address.

I note your concerns with reference to public safety of children using the garden. However, this would come under separate Health and

Safety legislation. Public nuisance by children damaging the trees and blocking the stream is also not a valid concern under the Licensing Act 2003 licensing objectives. These would therefore not be taken into consideration for a licensing application.

Your reference to unacceptable noise levels could be valid under public nuisance, and may be taken into consideration when making a decision to this application. Further clarification is required to determine the type of nuisance.

At this time, we are unable to 're-think' the whole licence. If you feel that the current licence should be amended, there is a review process that you as an Interested Party could apply for.

Please provide me with your full address and further clarification of the noise nuisance you are affected by, **before midnight Friday 3 August 2007.**

Kind regards

Carol Stefanczuk
Assistant Licensing and Registration Officer
Ext: 2188
Tel: 01962 848 188
Fax: 01962 848 472

*Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ
www.winchester.gov.uk*

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

From: M. MAY [mailto:~~XXXXXXXXXXXX~~]
Sent: 01 August 2007 19:35
To: Licensing
Subject: License Extention Application Parson's Coll public house

Dear Registration Officer

I am apposed to any further extension time being considered.

My reasons are Public Safety i.e. children not supervised just left to roam around near the stream damage to the trees and continuous putting items into the stream which will and has blocked it.

The above issue is an on going concern that some poor innocent child will be hurt or drown due to the area of my concern not being fenced off at all by the owners, which you state is Shire Hotels Limited.

Public Nuisance is continually being carried out by the said children of the Parents who are using the garden area. I might add the parents seem to think its a right for there children to damage the tree's and block up the stream.

I think a re-think of the whole licence should be reviewed overall and the Health and Safety issue's should be dealt with first which I have mentioned above.
The noise level's at times are quite un- acceptable I no this because my Back garden faces on to the stream area. The issue of wild life being disturbed when the above mentioned take place is a Nuisance and needs to be addressed please.

Thank for reading my concerns and I hope the points are taken into consideration and not profit by the owners as to lives are thought about.

So to conclude I am not in agreement to any extension. I hope the whole Licence is looked at again.

Yours MR M A MAY

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Carol Stefanczuk

From: ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: 02 August 2007 13:23
To: Licensing
Subject: License Amendment Application - Parson's Collar

I understand that Shire Hotels Ltd as the owners of the Parson's Collar have applied for an amendment to their existing license with regards to the use of their outside space. This currently restricts them to its use before 10pm Sunday to Thursday and before 11pm Fridays and Saturdays. I assume this application is on the back of recent changes in legislation with regards to smoking.

Living in close proximity to the Parson's Collar ~~XXXXXXXXXXXX~~ we are in a good position to experience the noise levels created by the pub and the patrons that use it. Noise levels from inside the pub are not insignificant. This is especially so at weekends when loud music can be heard throughout our house, often making listening to our own TV difficult. Patrons entering and leaving the outside space will of course be doing so I assume through the patio doors making that noise disturbance even more of a problem. In terms of general noise created from the garden itself this is less of a problem normally, but even during week nights can be significant.

I was previously unaware of the clause they are seeking to remove and have certainly never seen it highlighted in the pub itself. I would also maintain that from my experience patrons not infrequently use the outside space after these times so wonder what would stop this continuing if extensions were permitted.

I am not aware from the application whether removing this clause will leave any set closing times for the outside space. The ability for it to be used up until the pub closes on some weekend nights would seriously add to the current nuisance value of the noise created. I would therefore like to register my objection as part of what I believe will be a Public Nuisance issue.

Dr Mark Farrington

~~XXXXXXXXXXXX~~

Carol Stefanczuk

From: Ian [REDACTED]
Sent: 27 July 2007 09:21
To: Licensing
Subject: RE: License extension at the Parson's Collar public house, Whiteley

Ian Cullen
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Sir,

I live behind the Parson's Collar pub and Solent Hotel and have been informed that the Parson's Collar has applied to extend its license for people to be in the garden until 11PM from what is the current limit of 10PM.

I wish to object to this extension on the grounds that we already endure uncomfortable noise levels from this pub until late at night. Live bands play until 11:00PM and as people go to and from the garden to the bar, the doors to the pub are left open leaving the noise from the band to travel out to the neighbouring houses. On the nights when there is no band playing there is still a lot of noise and shouting coming from the pub until late.

I wish to object to this application on the basis that it will be a public nuisance.

Yours faithfully,

Ian Cullen

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Checked by AVG Free Edition.

Version: 7.5.476 / Virus Database: 269.10.20/919 - Release Date: 26/07/2007 09:56

Carol Stefanczuk

From: Phillip Sutton [REDACTED]
Sent: 31 July 2007 20:52
To: Licensing
Subject: Shire Hotels/Parsons collar/amendment-OBJECTION

Licensing and Registration Officer
Winchester City Council

Dear Sir/Madam,

I strongly **object** to the Parsons Collar in Whiteley, (owned by Shire Hotels), being granted an amendment to their existing license, which would allow them the use of the garden later than 10pm.

As it is at the moment and for several years, The Parsons Collar has been a considerable noise problem for us owners and residents of homes in Whiteley. I have two children aged 4 & 10 years, who's sleep is constantly disturbed and disrubted by noise from the parsons collar. The noise comes from noisy drinkers who are using the garden facilities, incidentally, you should know that the current restriction of 10pm has never been observed or enforced to my knowledge or experience. The noise, which consists of drunken laughter at best and fowl and abusive language at worst, generally starts at about 7pm and continues to 11:30/ 12 midnight on weekdays. On weekends it would start from about lunchtime and continue until the early hours of the morning.

This, as you can imagine, often breaks the childrens sleep up, or as is usual, makes it impossible for them to sleep in their bedrooms at all.

When we have complained to the landlord (of the day-it keeps changing you see), we are told "If you don't like it move!".

When we first bought our home in 1999, the Parsons Collar operated as a part time concern which mainly catered for lunches and refreshments for the business community.

This was acceptable practice, however since you granted the concern a full live entertainments license, ignoring the rights of the residents in favour of business, things have got completely out of control.

We now are constantly subjected to live and recorded music, the volume and bass which is so loud that it penetrates through the double glazed homes and pounds and vibrates in every room. In the summer, they open all the doors and windows of the Public House which has the effect of amplifying the noise even louder.

The Police have been aware of the problem as have the environment agency, however, it's the old problem of getting everyone of the residents engaged and objecting at once on mass. There are a few residents, who do not have children and frequent the Public house regularly who would not object, or probably notice the noise as they were part of it anyway.

In the final analysis, it was a mistake to grant them any form of license that encourages, allows and condones such a violation of human rights, furthermore it makes a mockery of the rights of residents and above all children, trying desperatly to get a few hours sleep before school the next day.

I recommend that this recent application be denied and that the existing licenses be re-evaluated with a view to being withdrawn.

Yours sincerely,
Mr P A Sutton
(Owner and Resident)

[REDACTED]
Tel(01489) 481950

Carol Stefanczuk

From: Richard Worley [mailto:~~www@xxxxxxxxxx.com~~]
Sent: 01 August 2007 08:25
To: Licensing
Subject: Licencse Extension Application - Parson Collar public house

Objection to extension of license under Public Nuisance.

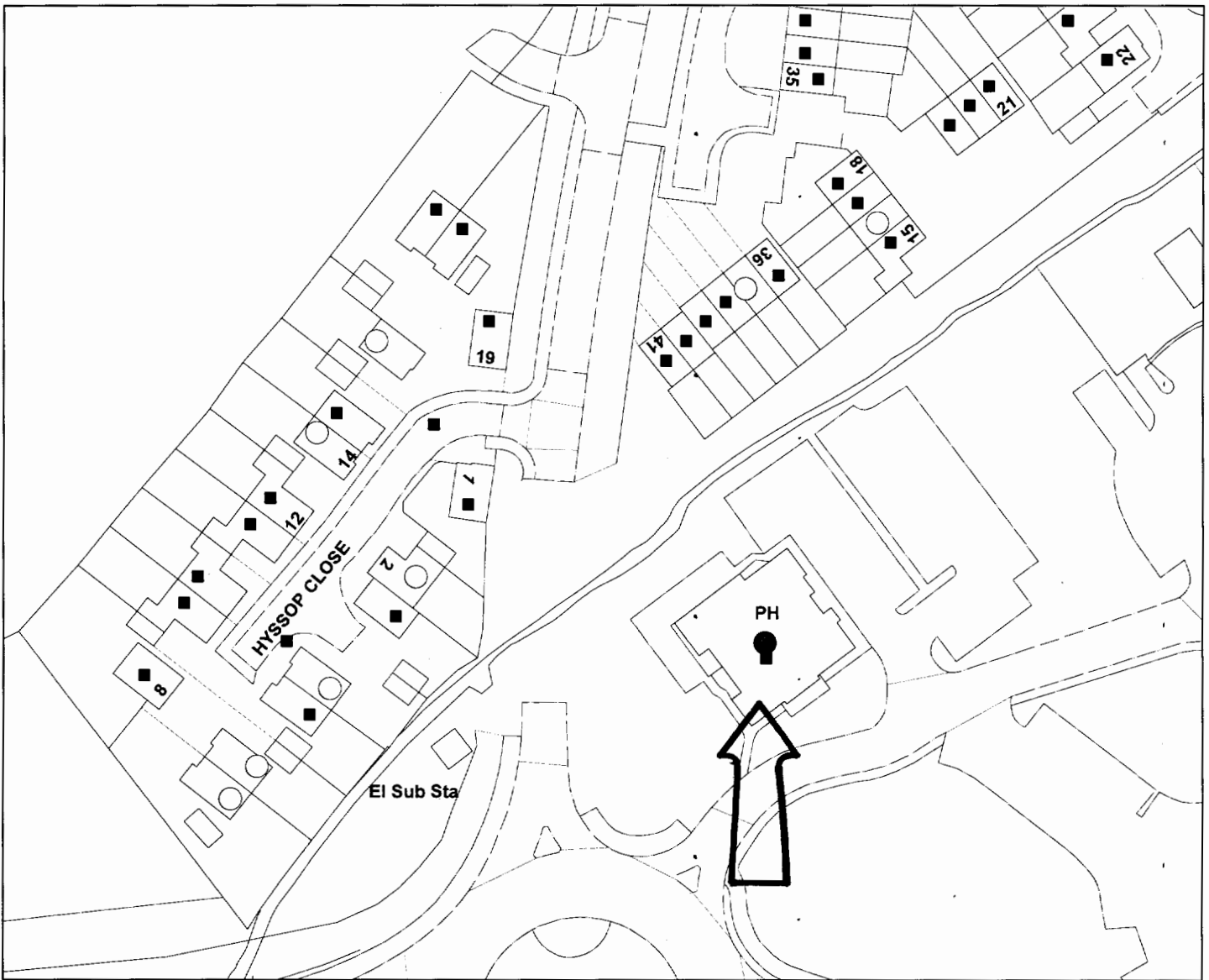
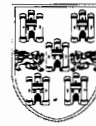
As a resident who's property backs onto this public house I wish to object as I'm worried about being disturbed of an evening and should the garden license be extended to 11pm my children would not be able to get to sleep.

Kind Regards,

Richard Worley

Appendix 3

The Parsons Collar



Legend

Scale:

Km 0.01 0.02 0.03 0.04 0.05 0.06 0.07 0.08 0.09



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Organisation	Winchester City Council
Department	Legal Services
Comments	Application to Vary Premises Licence
Date	22 August 2007
SLA Number	00018301