

LICENSING SUB – COMMITTEE

3 November 2008

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application - **Review of a Premises Licence**

The Stanmore Hotel, Stanmore Lane, Winchester

Part A.	Report	<i>Buff</i>
1	Application	
2	Responsible Authorities	
3	Interested Parties	
4	Observations	
5	Conditions	
6	Other Considerations	
Part B.	Appendices	
Appendix 1	Application	<i>White</i>
Appendix 2	Representations from Responsible Authorities	<i>Green</i>
Appendix 3	Noise logs and correspondence	<i>Cream</i>
Appendix 4	Other Appendices	<i>White</i>

Part A.**1. Application**

Applicant: Mrs Susan Blazdell, Environmental Health Officer
Winchester City Council

Premises: The Stanmore Hotel, Stanmore Lane, Winchester

- 1.1 This application by Mrs Susan Blazdell, Environmental Health Manager, Winchester City Council is for the review of the Premises Licence for the Stanmore Hotel under Sections 51, 52 and 53 of the Licensing Act 2003.
- 1.2 The reason for the review relates to the prevention of public nuisance licensing objective following complaints of noise and disturbance from the premises, caused by persons congregating outside the premises.
- 1.3 As a result of complaints of noise, the Licensing and Registration Manager met with the then designated premises supervisor, Mr Philip Stanley and the Marston's area manager, reminding them of the conditions relating to noise pollution attached to the licence.
- 1.4 Monitoring of the premises was carried out by Mrs Blazdell, Environmental Health Officer and the Licensing and Registration Manager on Friday 8 August 2008. This monitoring was carried out from a neighbouring house. At this time there was considerable noise emanating from the rear of the premises. The noise consisted of voices, some very loud, and the use of obscene language.
- 1.5 The Licensing and Registration Manager wrote to the licence holder, Marston's, on 13 August 2008, inviting a representative of the company to meet with the Environmental Health Officer and the Licensing and Registration Manager in order to find a solution to the problem. No acknowledgement of the letter was received.
- 1.6 The licence holder applied to vary the Premises Licence during the transition period prior to November 2005. The hours for the sale of alcohol were extended subject to a condition requiring a full acoustic survey and appropriate work being completed. This survey has never been undertaken and therefore the premises cannot be used for the extra hours for the sale of alcohol. The hours permitted for the provision of regulated entertainment remain unchanged.
- 1.7 No direct representations have been received since the advertising of the review, however previous complaints and noise log sheets are included at Appendix 3.
- 1.8 The application for review was received on 8 September 2008.
- 1.9 Notice of the application was displayed outside of the premises for a period of 28 days until 7 October 2008, and advertised on the Council's website and at the City Offices.
- 1.10 Notices of the hearing were sent to all Parties on 8 October 2008.

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

The Head of Environment submitted the application for a review of the premises licence.

Hampshire Constabulary

The Police submitted a representation relating to public nuisance.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Head of Building Control

No representations received.

Head of Safety Standards

No representations received.

3. Interested Parties

No representations were received from interested parties.

4. Observations

The Sub-Committee is obliged to determine this application for a review with a view to promoting the following Licensing Objective:

- The prevention of public nuisance

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. 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 measures are necessary, they may take no action.

Licensing Objectives.

Public Nuisance

The Sub-Committee should consider any necessary conditions to prevent public nuisance caused by noise pollution from the premises having regard to the observations of the Head of Environment, the Police and the Interested Parties.

(Licensing Policy Section C)

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

If the application for review is granted, the Sub-Committee may wish to consider the following condition under the Public Nuisance objective.

1. The premises licence holder submits a noise management plan to the Head of Environment for approval prior to implementation in order to control the noise from patrons using the outside area. The noise management plan may include the following,
 - a) After 2200 no glassware or drinks to be taken outside and numbers limited to 10 persons at one time in the external smoking area. No groups of accompanying people are to be allowed into the area with the smokers at any time after 2200 with the intention of preventing socialising outside and to encourage people to smoke their cigarette and swiftly return to the inside of the premises.
 - b) Doors leading to garden to be kept shut at all times except for ingress and egress, to be monitored at all times
 - c) Anyone deemed to be making an unacceptable level of noise will be warned and if the warning is ignored be asked to vacate the premises
 - d) The DPS or another person nominated by him shall be on duty at all times whilst the premises are in use for the purposes of this Licence to receive and respond to any complaints of noise or other nuisance whilst the premises are in use for the purposes of the licence
 - e) Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly
 - f) Noise Monitoring Sheets to continue to be completed and maintained on a daily basis, to be made available on request for inspection by the licensing officer and/or the EHO.

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

No licence fee is applicable in this case. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

Appendices

1. Application by Mrs Susan Blazdell, Environmental Health Officer
Winchester City Council
2. Representations by Responsible Authorities
3. Noise logs and correspondence
- 4a. Map of premises location.
- 4b. Copy of Premises Licence



Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I Susan M Blazdell

(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Stanmore Hotel 212 Stanmore Lane	
Post town Winchester	Post code (if known) SO22 4BL

Name of premises licence holder or club holding club premises certificate (if known) Marston's Plc Marston's House Brewery Road Wolverhampton WV1 4JT

Number of premises licence or club premises certificate (if known) PREM45

Part 2 - Applicant details

I am

Please tick yes

- 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)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Susan Blazdell Environmental Health Officer Operations Directorate Winchester City Council Colebrook Street Winchester SO23 9LJ
Telephone number (if any) 01962 848479
E-mail address (optional) sblazdell @winchester.gov.uk

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

Please tick one or more boxes

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

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

The prevention of public nuisance.

Please provide as much information as possible to support the application

(please read guidance note 2)

Environmental Health and Police have been for some time in receipt of complaints alleging noise disturbance from activities being held at the above premises.

Principally the complaints relate to loud music during events, noise from patrons using the smoking area and leaving the area at closing time. These issues have been raised on a number of occasions with the DPS and Marstons Brewery and have been the subject of a public meeting held on 12 May 2008.

A meeting was also held with the DPS and Marstons Brewery when advice was given on methods to minimise noise disturbance which was confirmed by letter on 13 August 2008. A further meeting was also requested with the newly appointed DPS, to date there has been no response, the complaints have continued and local residents are still being disturbed.

It should be noted that at a hearing of the Licensing Sub – Committee on 29 September 2005, the premises licence was varied for longer hours for the sale of alcohol, and variation of the hours for regulated entertainment. The Committee imposed condition 7 under Public Nuisance which reads, that:

A full acoustic survey shall be undertaken by the Licensee and any appropriate noise reduction measures identified in that survey shall be installed to the satisfaction of the Director of Communities (Environmental Health) before any of the variations hereby take effect.

I understand that this work has never been completed thus the additional hours cannot be used.

The current hours for licensable activities are those converted from the Justices Licence and Public Entertainment Licence on 16 September 2005 and are as follows.

Sale of Alcohol

Monday to Saturday	1000 to 2300
Sunday and Good Friday	1200 to 2230
Christmas Day	1200 to 1500 1900 to 2230
New Year's Eve	1000 to 2300 1 January

Regulated Entertainment: music and dancing

Mondays to Fridays	1800 to 0000
Saturdays	1400 to 0000
Sundays	1900 to 0000

Following the complaints noise monitoring has been undertaken, the latest being on Friday 8 August 2008 when the site was visited the Environmental Health Officer and Licensing Manager at 2135. At that visit it was my opinion that the noise emanating from the premises particularly the smoking area was unacceptable and was creating a significant disturbance.

I therefore recommend a review of the premises licence as it is apparent the current conditions are not preventing public nuisance in as detailed in C13 and 14 of Winchester City Council's Licensing Policy 2008.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

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

Please tick yes

- 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 *Susannah*

Date 8 September 2008

Capacity Environmental Health Officer

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

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

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.





Hampshire Constabulary

Chief Constable Paul R. Kernaghan CBE QPM LL.B MA

CONFIDENTIAL

Our Ref :
Your Ref :

Winchester Police Station
North Walls
Winchester
Hampshire
SO23 8DW

Licensing Sub Committee
Winchester Guildhall

Telephone: 0845 045 45 45
Direct line: 01962 871 386
Fax: 01962 871353

MiniCom: 01962 875000

06 October 2008

Dear Sir/Madam

This report is written in response to the application for review by the Environmental Health in respect of the Stanmore Hotel Winchester.

The Stanmore Hotel is situated at the top end of the Stanmore Local Authority Housing Estate in close proximity to residential properties. The premises cater for both the local community and Hotel trade with functions rooms for events.

To assist the committee with their recommendations I have taken Police records that are contained in our systems. I have only used records from the proceeding 12 months (Oct 2007 – Current)

During the above aforementioned dates 12 complaints have been recorded on our Records Management System (RMS). This system covers incidents including rowdy & inconsiderate and other recordable crimes such as assault, burglaries etc.

Six of the 12 reports refer to noise/ rowdy & inconsiderate calls. The others are not relevant to this Review Hearing application. Unfortunately the 12 reports probably do not give a true reflection of the level of noise complaints received for example via 101 calls, although Environmental Health should receive a copy.

Noise complaints alone are not generally recorded onto RMS, unless they relate to licensed premises. How complaints are recorded also depends on where they were received into the systems.

Out of 6 relevant complaints recorded on RMS, four were resulted with no further action being taken. One was resulted with the noise not considered excessive by the attending officer. The final report was resulted 'All quiet and that there had been a 50th birthday party which was packing up.'

Noise complaints without other aggravating factors are not given the highest priority for officer attendance, due to other more pressing demands on resources. Environmental Health figures would therefore be more reliable.

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Hampshire Constabulary

Chief Constable Paul R. Kernaghan CBE QPM LL.B MA

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My personal involvement with the premises within the stated period was in October 2007. On the 12th October 2007 at 2245 hrs together with Environmental Health Officer Abbi Toms we attended one of the complainant's addresses to monitor noise from the Premises. At the rear of their address people could be clearly heard talking at the back of the Hotel on the raised decking area to the bar situated around 1st floor height.

At 1130 hrs on the 30th October 2007 together with Abbi Toms we visited the Stanmore Hotel. Advice was given to the then DPS Phillip Stanley regarding the level of complaints Environmental Health were receiving of noise and the possible consequences should complaints continue to be received.

The raised decking area at the rear of the Hotel is completely open with nothing that would appear to prevent noise pollution. The decking area also clearly overlooks the hotels car park and adjoining houses.

Since the smoking ban in public places legislation commenced in 2007 the levels of complaints received regarding noise from many licensed premises have increased.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Gary Miller'.

Gary Miller
PC 1526

Winchester Liquor Licensing officer

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Winchester
City Council

Environment Division
Steve Tilbury
Director of Operations

CITY OFFICES, COLEBROOK STREET, WINCHESTER, HAMPSHIRE, SO23 9LJ

TEL (01962) 840222 FAX (01962) 840586

GENERAL COMPLAINT LOGSHEET

COMPLAINANTS NAME

Dr Hettiaratchy

INVESTIGATING OFFICER

Sue Blazdell

ADDRESS

[REDACTED]

EXTENSION NO

2479

TYPE OF COMPLAINT

Noise

I CERTIFY THIS IS A TRUE & ACCURATE RECORD OF EVENTS, OBSERVED BY ME AT THE TIME THE INCIDENTS OCCURRED. I UNDERSTAND THAT IT MAY BE USED AS EVIDENCE IN COURT IF NECESSARY.

SOURCE

Stanmore Hotel, 212 Stanmore Lane

COMPLAINT REF NO

08/02258/NOINRT

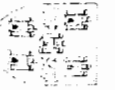
COMPLAINANT'S SIGNATURE

DATE DELIVERED/SENT

13 May 2008

DATE

DAY & DATE	START TIME	FINISH TIME	DURATION	COMMENTS
19/5/08 (Sat)	3pm	?	5-6hrs	Load voices, shouting, music & party continued till quite late (9 was in out of our home). Loud voices, shouting, talking, we had visitors & when they were leaving noise still present. Neighbours at our next door only present. Neighbours we report 7.30pm. No dinner in house.
24/5/08 (Sat)	late evening			Shouting, screaming, drunken behaviour. Almost like a party held in street. Contacted 101 & when Mr Stanley & teller him the level of noise was unacceptable. He said he would send police.
30/5/08 (Fri)	5pm - 7.30 (weekend)			I was in the garden with a friend and neighbour. Perfectly happy being a diesel mechanic & loud noise from neighbour's house. When they were leaving noise still present. Neighbours at our next door only present. Neighbours we report 7.30pm. No dinner in house.
31/5/08 (Sat)	2.30pm - 5pm			Shouting, screaming, drunken behaviour. Almost like a party held in street. Contacted 101 & when Mr Stanley & teller him the level of noise was unacceptable. He said he would send police.
10/6/08 (Wed)	1pm - 2.15pm			I was in the garden with a friend and neighbour. Perfectly happy being a diesel mechanic & loud noise from neighbour's house. When they were leaving noise still present. Neighbours at our next door only present. Neighbours we report 7.30pm. No dinner in house.



Winchester
City Council

CITY OFFICES, COLEBROOK STREET, WINCHESTER, HAMPSHIRE, SO23 9LJ

OFFICE SUPPORT

20 JUN 2008 (01962) 840222 FAX (01962) 840586

Environment Division

Steve Tibbury
Director of Operations

GENERAL COMPLAINT LOGSHEET

COMPLAINANTS NAME

Mr And Mrs Hull

INVESTIGATING OFFICER

Sue Blazdell

ADDRESS

[Redacted]

EXTENSION NO

2479

TYPE OF COMPLAINT

Noise

I CERTIFY THIS IS A TRUE & ACCURATE RECORD OF EVENTS, OBSERVED BY ME AT THE TIME THE INCIDENTS OCCURRED. I UNDERSTAND THAT IT MAY BE USED AS EVIDENCE IN COURT IF NECESSARY.

SOURCE

Stanmore Hotel, 212 Stanmore Lane

COMPLAINT REF NO

08/02258/NOINRT

COMPLAINANT'S SIGNATURE

TJH 14
18.6.08

DATE DELIVERED/SENT

13 May 2008

DATE

DAY & DATE	START TIME	FINISH TIME	DURATION	COMMENTS
14/5/08 (Wed)	8.30	10.00	1 1/2 hrs	loud voices - audible in my house with my doors/windows closed. shouting/chanting.
30/5/08 (Fri)	4.00	11.30+	7 1/2 hrs	Loud voices drunken behaviour - large grp on smoking deck - swearing etc.
31/5/08 Sat	2.00			
31/5/08 (Sat)	2.00	5.00		As above. Phoned 101. Ref no 585093 31.5.08. Council contacted. At 5pm a neighbour phoned pub to ask them to quieten down. They obliged!
6/6/08 Fri	8pm	10.30	2 1/2 hrs	
7/6/08	4pm	11.30	7 1/2 hrs	6/6/08 large grp of people outside. loud voices, screaming, chn running around screaming. shouting.
				2 bud leaving shouting etc. loud music heard with our windows shut. Phoned 101. Incident number 158571H15
11.6.08 Wed	afternoon			Loud voices very loud revving motorbike laughing calling, idling etc.

Some Sat/Sun we were out at 5.00 were unable to record + weekdays.

[REDACTED]
[REDACTED]
[REDACTED]

23 June 08

Dear Mrs Blazdell,

Thank you for your letter of 13 May. I enclose the complaint log sheet as requested. For some of the time we were away and unable to complete the sheet.

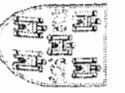
As I mentioned at the meeting on 12 May, we live three doors away from the Stanmore Hotel, which is about 70 yards away at the nearest point. We feel it is wrong that noise from the pub can be heard inside the house even at this distance, and sympathise strongly with the feelings of our neighbours who are nearer.

Yours sincerely

[REDACTED]

M.S. Irwin

Mrs S. Blazdell
Environmental Protection Team Manager
City Offices
Colebrook Street
Winchester Hampshire SO23 9LJ



CITY OFFICES, COLEBROOK STREET, WINCHESTER, HAMPSHIRE, SO23 9LJ

TEL (01962) 840222 FAX (01962) 840586

GENERAL COMPLAINT LOGSHEET

COMPLAINANTS NAME

Mr And Mrs Irwin

INVESTIGATING OFFICER

Sue Blazdell

ADDRESS

[REDACTED]

EXTENSION NO

2479

TYPE OF COMPLAINT

Noise

SOURCE

Stanmore Hotel, 212 Stanmore Lane

COMPLAINT REF NO

08/02258/NOINRT

COMPLAINANT'S SIGNATURE

[Signature]

DATE DELIVERED/SENT

13 May 2008

DATE

13 May 2008

I CERTIFY THIS IS A TRUE & ACCURATE RECORD OF EVENTS, OBSERVED BY ME AT THE TIME THE INCIDENTS OCCURRED. I UNDERSTAND THAT IT MAY BE USED AS EVIDENCE IN COURT IF NECESSARY.

DAY & DATE	START TIME	FINISH TIME	DURATION	COMMENTS
Wed 14 May 2008	Before 7:00 AM	After 10:30 AM	Not Reported	Low voices, Raccoon chatter, jingles & laughter in garden etc
Fri 16 May	Before 11:00 AM	After 11:30 AM	1 hour?	inside house with windows closed
Sat 17 May	Before 10:00 AM	After 10:45 AM	1 hour?	Low voices, Raccoon chatter (jingles in garden?)
Fri 23 May	Before 10:45 AM	After 11:15 AM	1 hour?	Low voices, Raccoon chatter in house
Friday 25 May - 9 June				Lowest and faintest noise in garden
Sat 14 June	Before 10:45 AM	After 11:15 AM	1 hour?	voices and noise audible in garden
Sun 15 June	Before 10:30 AM	After 11:00 AM	1 hour?	Low voices, Raccoon chatter, jingles & laughter in house
Fri 20 June	Before 9:45 AM	After 11:00 AM	1 hour?	Low voices, Raccoon chatter in house
Sat 21 June	Before 10:45 AM	After 11:00 AM	1 hour?	Low voices, Raccoon chatter in house

LAGAN													
Jeanette Batt	Case Details	101000140570											
<p>Cases</p> <p>My Cases</p> <p>Available Cases</p> <p>Open Cases</p> <p>Create Case</p> <p>Search</p> <p>Enquiry History</p> <p>Interaction</p> <p>Create Individual</p> <p>Change Password</p> <p>Log Out</p>	Back												
<p>General</p> <p>Case Ref 101000140570</p> <p>Classification Environmental Services >> Environmental Protection >> Protection General Complaint</p> <p>Title Protection General Complaint</p> <p>Description Dr Hettiaratchy called the 101 service at 16.30 on 31/5/08 to report VERY LOUD MUSIC COMING FROM THE STANMORE HOTEL NEXT DOOR @ 212 STANMORE LANE, ALSO VERY LOUD TALKING AND SHOUTING. THIS HAS GOT WORSE SINCE THE SMOKING BAN AS IT IS COMING FROM PEOPLE SAT OUTSIDE THE HOTEL. ER 2/6/08.</p> <p>Created By EREIDY</p> <p>Created Date 02/06/08 15:43</p> <p>Severity 0</p> <p>Status Open</p> <p>Queue UNI-Form-Protection</p> <p>Allocated To -</p> <p>Response -</p>													
<p>Details</p> <p>UNI-form Case ID</p> <p>UNI-form Site ID</p> <p>UNI-form Model ID</p> <p>Record Type</p> <p>Case Type</p> <p>UNI-form Status</p>													
<p>Associated With</p> <p>Description Dr Hettiaratchy</p> <p>Phone [REDACTED]</p> <p>Email -</p> <p>Address [REDACTED]</p>													
<p>Events</p> <table border="1" style="width:100%; border-collapse: collapse; font-size: 8pt;"> <thead> <tr> <th>Date/Time</th> <th>User</th> <th>Queue</th> <th>Title</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>02/06/08 15:43</td> <td>ELLEN REIDY</td> <td>UNI-Form-Protection</td> <td>Agent Created Case</td> <td>-</td> </tr> </tbody> </table>				Date/Time	User	Queue	Title	Description	02/06/08 15:43	ELLEN REIDY	UNI-Form-Protection	Agent Created Case	-
Date/Time	User	Queue	Title	Description									
02/06/08 15:43	ELLEN REIDY	UNI-Form-Protection	Agent Created Case	-									
<p>Related Interactions</p> <table border="1" style="width:100%; border-collapse: collapse; font-size: 8pt;"> <thead> <tr> <th>Created</th> <th>Client</th> <th>Channel</th> </tr> </thead> <tbody> <tr> <td>02/06/08 15:40 (Initial Interaction)</td> <td>Dr Hettiaratchy (Verified)</td> <td>Email In</td> </tr> </tbody> </table>				Created	Client	Channel	02/06/08 15:40 (Initial Interaction)	Dr Hettiaratchy (Verified)	Email In				
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02/06/08 15:40 (Initial Interaction)	Dr Hettiaratchy (Verified)	Email In											
<p>Eforms</p> <table border="1" style="width:100%; border-collapse: collapse; font-size: 8pt;"> <tbody> <tr> <td>General Complaint</td> <td style="text-align: right;">View Edit</td> </tr> </tbody> </table>				General Complaint	View Edit								
General Complaint	View Edit												

101 TASKING CALL DETAILS : 02 June 2008 10:00:49

Call No. 08053100092 *Tasked On* 31/05/2008 16:30:00 *Partner* WCCOPEN
Call Type NOISE101 *Status* NEW *Date*

Caller Details

Caller DOCTOR HETTIARATCHY *Prefers*
Address [REDACTED]
Notes
Phone Day [REDACTED] *Evening* *Mobile*
Fax *Email*
D.O.B. 04/02/1942 *Prefers Contact* Daytime

Incident Details

Contact DOCTOR HETTIARATCHY *Prefers*
Location STANMORE HOTEL @ 212 STANMORE LA ,WINCHESTER SO22 4BL
Notes
Vehicle Reg *Vehicle Desc*

Chronology

31/05/2008 16:27:53	INFT REPORTING VERY LOUD MUSIC COMING FROM THE HOTEL NEXT DOOR, ALSO VERY LOUD TALKING AND SHOUTING. THIS HAS GOT WORSE SINCE THE SMOKING BAN AS IT IS COMING FROM PEOPLE SAT OUTSIDE THE HOTEL. TO COUNCIL FOR ATTENTION OF EHO.
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101 TASKING CALL DETAILS : 02 June 2008 10:03:04

Call No. 08053100093 Tasked On 31/05/2008 16:42:00 Partner WCCINFO
Call Type NOISE101 Status NEW Date

Caller Details

Caller TERESA HULL Prefers
Address [REDACTED]
Notes
Phone Day [REDACTED] Evening Mobile
Fax Email
D.O.B. 05/10/1959 Prefers Contact Daytime

Incident Details

Contact Prefers
Location STANMORE HOTEL @ 212 STANMORE LA ,WINCHESTER SO22 4BL
Notes
Vehicle Reg Vehicle Desc

Chronology

31/05/2008 16:37:18	.. CALLER REPORTING THAT PERSONS IN THE SMOKING AREA OF THE PUB ARE BEING EXCESSIVELY LOUD AND THE NOISE IS INTRUSIVE. CALLER STATES THAT PC 21853 PORT HAS ASKED HER TO CALL POLICE WHEN THERE IS EXCESSIVE NOISE FROM THE PUB AND SHE WOULD DEAL WITH IT IF SHE WAS ON DUTY. PC PORT SHOWING AS DUE TO START AT 1600 TODAY. THE NOISE IS DESCRIBED AS "LIKE A FOOTBALL MATCH", BY THIS, CALLER MEANS LOTS OF SHOUTING, LAUGHING AND SWEARING - THE PERSONS IN QUESTION ARE NOT BEING AGGRESSIVE AND THERE ARE NO FIGHTS/ARGUMENTS GOING ON.
31/05/2008 16:40:23	***** RESULT ***** SENT TO CWUN REF 1145 EMAILING TO LA FOR INFO

Dr Pearl D J Hettiaratchy OBE FRCPsych
Consultant Psychiatrist
 [REDACTED]
 [REDACTED]
 [REDACTED]
 Tel: [REDACTED] Fax: [REDACTED]
 Mobile: [REDACTED]
 Email: [REDACTED]

FAX

To: Abigail Toms From: Dr Pearl Hettiaratchy

Fax No: 01962 840586 Cover plus 1

Phone: Date: 3 January 2008

Re: Environmental Protection Act 1990
Alleged noise nuisance from loud music/amplification equipment and shouting in the garden, Stanmore Hotel, 212 Stanmore Lane, Winchester (07/04810/NOINRT)

Dear Ms Toms

Thank you for your letter of 19 December. I am very sorry not to have replied earlier. I am also sorry that I have not returned the log sheet.

I have to confess that my husband and I lead very busy professional and personal lives, that it not has been possible for us to maintain records of noise levels from the pub. We are no doubt that having lived in this property since 1975 the level of noise is totally unacceptable. At least on a dozen occasions between September and now the music has been loud going onto about 1145 and later, a lot of fighting, shouting, screaming in the pub and surrounding areas. On Thursday 6 September was a good example of shouting taking place around 815pm and continued for some time. Again a Saturday in the early part of August, around 430pm, there was a drunken brawl with a lot of shouting and foul language which continued for about half an hour. The music played is always loud, windows and doors are never shut and there are often disturbances late at night, after 1130pm. Children are heard running around screaming quite late even after 7pm. This level of disturbance has become most marked after the indoor smoking ban. The noise levels are at an all time high.

Obviously the summer months are particularly difficult but I definitely remember the third week in November when there were two or three nights which were very difficult as the noise level and shouting was present even at 1130/1145pm. I note that in other parts of Winchester City action has been taken and pubs have been asked to introduce appropriate soundproofing of their premises. This is the least you can do as where we live is a quiet residential area and has now been converted into a noisy hub of activity, loud music, drunken brawls several evenings and nights of the week, especially in the summer but also less frequently over the winter period. If you still want me to maintain records, I will do so, hopefully from 15 January.

I look forward to hearing from you.

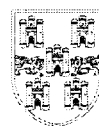
[REDACTED]

c.c. Mr and Mrs Harle, [REDACTED]
Mr and Mrs M Irwin [REDACTED]

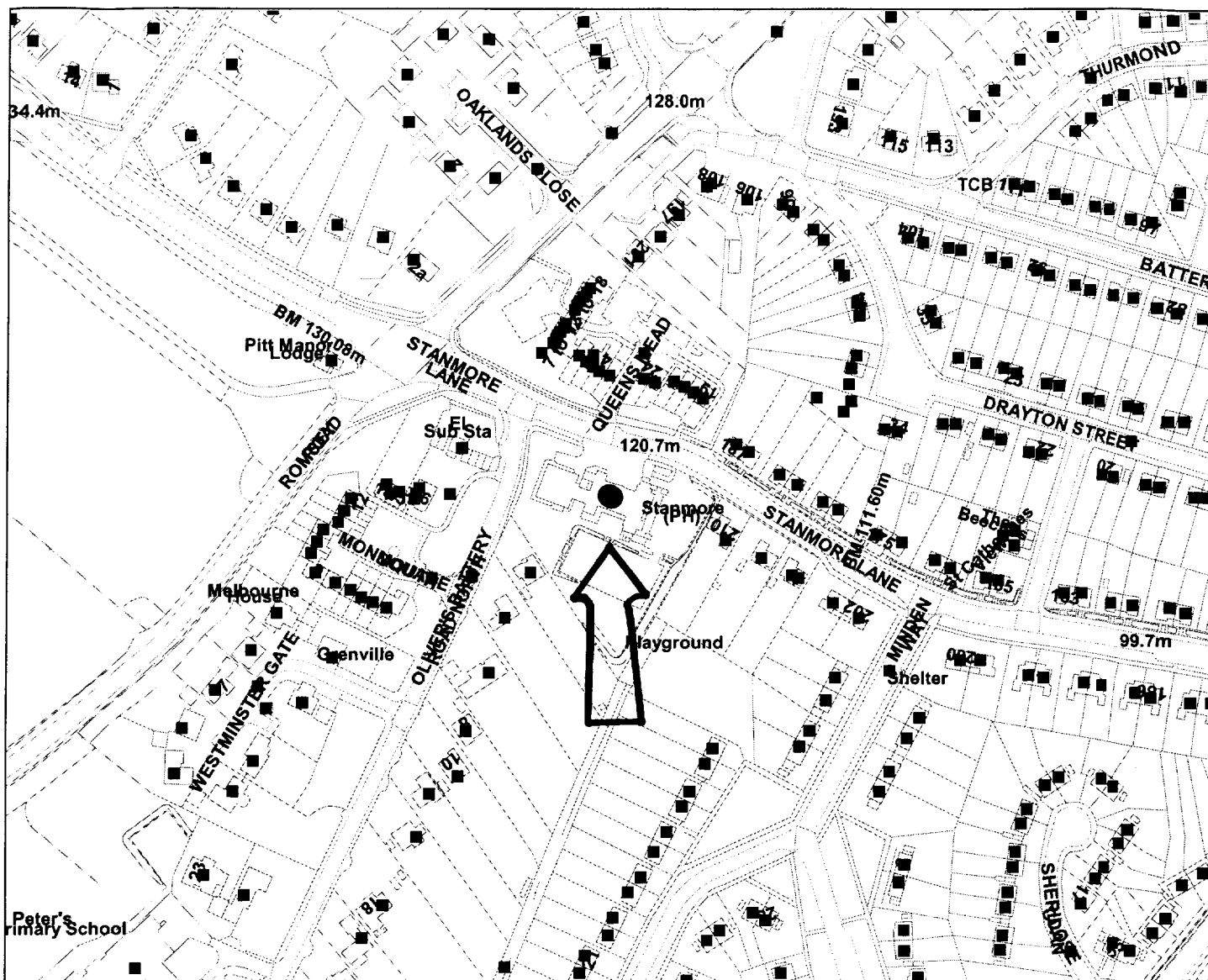
Dr Pearl Hettiaratchy

Stanmore Hotel, Winchester

Review of Premises Licence

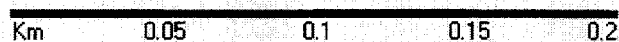


Winchester
City Council



Legend

Scale:



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Organisation	Winchester City Council
Department	Legal Services
Comments	
Date	20 October 2008
SLA Number	00018301



Winchester

City Council

Premises Licence

Premises Licence Number

PREM45

08/01404/LAVDPS

Part 1 – Premises Details

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

Stanmore Hotel
212 Stanmore Lane
Winchester
Hampshire
SO22 4BL

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

- e) Live Music
- f) Recorded Music
- g) Performances of Dance
- 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
- k) Anything of similar description to making music or 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
- g) Performances of Dance
- 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
- k) Anything of similar description to making music or dancing

- Indoors of premises only.

- (i) **Monday to Wednesday 1000 to 2300**
- (ii) **Thursday to Saturday 1000 to 0000**
- (iii) **Sunday 1100 to 2300**
- (iv) **New Years Eve 1000 to 0000 2 January**
- (v) **On each Thursday, Friday and Saturday of a Bank Holiday weekend until 0100 hours and on Sunday and Monday of a Bank Holiday weekend until 0000**

l) Late Night Refreshment

- (i) **Thursday to Saturday 2300 to 0000**
- (ii) **New Years Eve 2300 to 0000 2 January**
- (iii) **On each Thursday, Friday and Saturday of a Bank Holiday weekend until 0100 hours and on Sunday and Monday of a Bank Holiday weekend until 0000**

m) Supply of Alcohol

- (i) **Sunday to Wednesday 1000 to 2300**
- (ii) **Thursday to Saturday 1000 to 0000**
- (iii) **New Years Eve 1000 to 0000 1/2 January**
- (iv) **On each Thursday, Friday and Saturday of a Bank Holiday weekend until 0100 hours and on Sunday and Monday of a Bank Holiday weekend until 0000**

- (a) **The Licence Holder may extend the above hours by 30 minutes before and one hour after, any live international sporting event which is to be shown, by way of TV broadcast, at the premises.**
- (b) **The Licence Holder may extend the above hours by a further additional hour on the occasion of events such as private parties, bookings and other similar events at management discretion.**
- (c) **That (a) and (b) above shall be subject to the Licensee serving at least ten working days' notice on the Police and the licensing authority. If the Police object to the event within three working days of being served with notice, the event may only take place with the consent of the licensing authority.**
- (d) **There shall be no restriction on the hours which alcohol can be supplied to residents or their guests on the premises.**

The opening hours of the premises

- (i) **Sunday to Wednesday 1000 to 2330**

- (ii) **Thursday to Saturday 1000 to 0030**
- (iii) **New Years Eve 1000 to 0030 2 January**
- (iv) **On each Thursday, Friday and Saturday of a Bank Holiday weekend until 0130 hours and on Sunday and Monday of a Bank Holiday weekend until 0030**

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

Marston's Plc
Marston's House
Brewery Road
Wolverhampton
WV1 4JT

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

Registered Company Number 00031461
Registered Charity Number

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

Kathryn Teresa Potheary
The Ship Inn
3 Wales Street
Winchester
Hampshire
SO23 8ET

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 48
Licensing Authority Winchester City Council

Head of Legal Services

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. There shall be a 30 minute "cooling down period" at the end of the licensable activities.
2. During televised sporting events the applicants shall ensure that table service is provided.

Public Safety

None

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 external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.
6. Soft drinks and coffee shall be made available during the cooling down period.

7. A full acoustic survey shall be undertaken by the Licensee and any appropriate noise reduction measures identified in that survey shall be installed to the satisfaction of the Director of Communities before any of the variations hereby permitted take effect.

Protection of Children

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

Annex 4 – Plans

See attached