

LICENSING SUB – COMMITTEE

27 September 2010

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application: Variation of Premises Licence

**The Railway Inn
3 St Paul's Hill
Winchester**

Part A. Report

Buff

**Application
Responsible Authorities
Interested Parties
Observations
Conditions
Other Considerations**

Part B. Appendices

**Application
Representations from Interested Parties
Other Appendices**

*White
Cream
White*

Part A.**1. Application****Applicant:** Railway Live Limited**Premises:** The Railway Inn

- 1.1 This report is to consider the application by Railway Live Limited for a variation under Section 34 of the Licensing Act 2003, of the premises licence for the Railway Inn, 3 St Paul's Hill, Winchester.
- 1.2 The purpose of the application is to add certain licensable activities and to extend the terminal hour on Saturdays.
- 1.3 The current premises licence allows the following licensable activities:-
Live music, recorded music, performances of dance, anything of similar description to live music, recorded music or performance of dance, provision of facilities for making music, provision of facilities for dancing
- 1.4 The above activities may be provided on the following days :-
- | | |
|--------------------|--------------|
| Sunday to Thursday | 1000 to 0000 |
| Friday | 1000 to 0200 |
| Saturday | 1000 to 0000 |
- 1.5 The supply of alcohol and late night refreshment may be provided:-
- | | |
|--------------------|--------------|
| Sunday to Thursday | 1000 to 0000 |
| Friday | 1000 to 0200 |
| Saturday | 1000 to 0100 |
- See Appendix 1b.
- 1.6 The applicant wishes to provide the additional licensable activities of films and indoor sports within the current licensed hours, and to extend the terminal hour for all licensable activities on Saturdays to 0200. See application at Appendix 1a.
- 1.7 Notice of the application was displayed outside of the premises for a period of 28 days until 30 August 2010, and advertised in the Hampshire Chronicle on 5 August 2010.

- 1.8 No representations were received from any of the responsible authorities.
- 1.9 Representations were received from 24 interested parties. All were concerned with existing crime and disorder and public nuisance issues. See Appendix 2.

Relevant Representations

2. Responsible Authorities

All of the Responsible Authorities have been served with a copy of the application. The representations received are as follows:

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 Building Control

No representations received.

Head of Safety Standards

No representations received.

3. Interested Parties

1	Mr	R	Emmans		20 St Paul's Hill
2	Mr	Q	Brook		25 Clifton Road
3	Mr	P	Carden		2 St Paul's Hill
4	Mr	G	Burgess		44 Clifton Road
5	Mrs	J	Kennedy		Heybridge
6	Mr & Mrs	A	Allen		6 Clifton Terrace
7	Mr	R	Freeman		12 North View
8	Mr	R	Blake-James		14 St Paul's Hill
				Oram's Arbour Residents' Association	
9	Mr	T	Curran		16 Clifton Road
10	Dr	A	Fowler		18 Clifton Road
11	Mr	J	Preston		3 South View
12	Mr & Mrs	R	Yorke		32 Clifton Road
13	Ms	L	Marks		37 Clifton Road
14	Mr	A	Marks		37 Clifton Road
15	Ms	U	Payne		27 Alison Way
16	Mr	R	Merton		17 Clifton road
17	Mr & Mrs	C	Savage		Gardenhurst
18	Mr & Mrs	A	Swarup		22 St Paul's Hill
19	Ms	C	Orchard		14 North View
20	Ms	K	McGettigan		42 Clifton Road
21	Mr & Dr	J	Holland		4 St Paul's Hill
				Kemphorne Management Company	
22	Mr	N	Digance		24 Alison Way
23	Mr	T	Clarke		31 Clifton Road
24	Mr	D	Miles		Flat 4 Spicer Court
25	Ms	M	Flack		41 Clifton Road
26	Mr & Mrs	N	Austin		35 Clifton Road
27	Mrs	A	Peebles		19 St Paul's Hill
28	Ms	A	Seward		51 Alison Way

4. Observations

4.1 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

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

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

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

- a) Grant the application 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;
- b) exclude from the scope of the licence any of the licensable activities to which the application relates;
- c) refuse to specify a person in the licence as the premises supervisor;
- d) reject the application.

4.5 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 Part 4, A8)

4.6 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 interested parties.

(Licensing Policy 1.6, 2.11, 2.17)

Public Safety

The Sub-Committee should consider any necessary conditions relating to public safety.

(Licensing Policy Part 4, B3, B4)

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 Interested Parties.

(Licensing Policy Part 4, Section C)

Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children.

(Licensing Policy Part 4, 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

5.1 Mandatory Conditions

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

1. No supply of alcohol may be made under the Premises Licence (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3. Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.
4. No film shall be exhibited unless it has received a U, PG, 12, 15 or 18 certificate from the British Board of Film Classification, or it is a current newsreel which has not been submitted to the British Board of Film Classification. The admission of children shall be restricted in accordance with the recommendations of the British Board of Film Classification.
5. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The following conditions will apply from 1 October 2010.

8. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
9. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
10. The responsible person shall ensure that-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

5.2 Operating Hours

If the variation is granted, the Sub Committee should specify the hours for licensable activities.

5.3 Possible Conditions

No additional steps to address the licensing objectives have been offered by the applicant. The Sub-Committee should consider whether there are additional conditions, or amended existing conditions, which would be necessary to address the objectives.

6. Other Considerations

Corporate Strategy (Relevance To:)

This report covers issues which relate to Safe and Strong Communities.

Resource Implications

A licence 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 Railway Live Limited.
2. Representations by Interested Parties
3. Map of premises location.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Railway Live Limited

(Insert name(s) of applicant)

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

Premises licence number PREM328

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Railway Inn 3 St Pauls Hill			
Post town	Winchester	Post code	SO22 5AE

Telephone number at premises (if any)	01962 867795
Non-domestic rateable value of premises	£28500

Part 2 – Applicant details

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

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year

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

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
We wish to vary the terminal hour for all licensable activities authorised by the Licence on Saturday so that the terminal hour will be 02.00 with the premises closing to the public at 02.30.

We wish to add films and indoor sports to the Licence as additional licensable activities between the hours of 10.00 to 12.00 midnight Sunday to Thursday and 10.00 to 02.00 Friday and Saturday.

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

--

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|--|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10.00	00.00			
Tue	10.00	00.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed	10.00	00.00	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) The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day. Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00. On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.		
Thur	10.00	00.00			
Fri	10.00	02.00			
Sat	10.00	02.00			
Sun	10.00	00.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	10.00	00.00	
Tue	10.00	00.00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed	10.00	00.00	
Thur	10.00	00.00	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)
Fri	10.00	02.00	The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day.
Sat	10.00	02.00	Good Friday, Christmas Eve, Boxing Day, Bank Holiday Sundays – 02.00.
Sun	10.00	00.00	On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
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) The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day. Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00. On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.		
Sat	10.00	02.00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of 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 at different times to those listed in the column on the left, please list (please read guidance note 5) The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day. Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00. On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.		
Sat	10.00	02.00			
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
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 at different times to those listed in the column on the left, please list (please read guidance note 5) The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day. Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00. On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.		
Sat	10.00	02.00			
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur					
Fri			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Sat	10.00	02.00			
Sun			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day. Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00. On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.</p>		

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>			
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)			Indoors
			Outdoors			<input type="checkbox"/>
			Both			<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)			
Wed						
Thur			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Fri						
Sat	10.00	02.00	The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day.			
Sun			Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00.			
			On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed				
Thur			State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	10.00	02.00	The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day.	
Sun			Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00. On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.	

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
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 refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day.		
Sat	23.00	02.00			
Sun					
			Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00. On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.		

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) 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) The terminal hour for normal licensable activities New Years Eve until the commencement of licensable activities on New Years Day. Good Friday, Christmas Eve, Boxing Day and Bank Holiday Sundays – 02.00. On the occasion the clocks move forward at British Summer time the terminal hour will adjust accordingly.		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat	10.00	02.00			
Sun					

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)

Please tick yes

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

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

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

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

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

No additional steps have been identified as necessary as a result of the proposed variation. Noise management is taken very seriously by the premises and there is already a plan to remain open until the proposed hour on a Friday evening currently.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

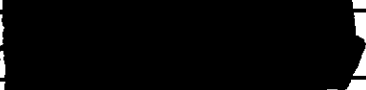
Please tick yes

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	28-7-10
Capacity	

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)

Andrew Cochrane
Flint Bishop LLP
St Michael's Court
St Michael's Lane
Derby

Post town	Derby	Post code	DE1 3HQ
-----------	-------	-----------	---------

Telephone number (if any)	01332 226151
---------------------------	--------------

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
nikki.rennie@flintbishop.co.uk



Winchester

City Council

Premises Licence

Premises Licence Number

PREM328

10/01188/LAVDPS

Part 1 – Premises Details

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

Railway Inn
3 St Pauls Hill
Winchester
Hampshire
SO22 5AE

Telephone number 01962 867795

Where the licence is time limited the dates

Licensable activities authorised by the licence

- e) Live Music
- f) Recorded Music
- 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
- 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
- (i) **Sunday to Thursday** **1000 to 0000**
- (ii) **Friday** **1000 to 0200**

(iii) **Saturday** 1000 to 0000

l) Late Night Refreshment

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

(ii) **Friday** 2300 to 0200

(iii) **Saturday** 2300 to 0100

m) Supply of Alcohol

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

(ii) **Friday** 1000 to 0200

(iii) **Saturday** 1000 to 0100

The opening hours of the premises

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

(ii) **Friday** 1000 to 0230

(iii) **Saturday** 1000 to 0130

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Railway Live Limited
3 St Pauls Hill
Winchester
Hampshire
SO22 5AE

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

Registered Company Number 07186300
Registered Charity Number

Name, address and telephone number of designated premises supervisor where the premises

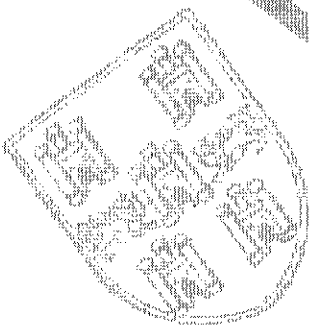
licence authorises for the supply of alcohol

Benjamin Michael Ward
The Cottage
Hinton Ampner Place
Hinton Ampner
Hampshire
SO24 0JZ

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	PERS 898
Licensing Authority	Winchester City Council

Head of Legal Services



Winchester
City Council

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

See Annex 3

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

Crime and Disorder

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

Public Safety

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

Public Nuisance

1. Whilst music is being played as part of regulated entertainment, the licensee or appointed member of staff shall check periodically that noise levels are acceptable. Such monitoring shall be carried out at the boundary of the premises to ensure that local residents are not likely to be disturbed.
2. All persons leaving the premises after 11.00 pm shall be directed to leave the premises via the exit from the Public Bar into St Paul's Hill. The exit doors from the Function Room into Railway Inn car park must remain available for use but shall only be used after 11.00 pm in the event of an emergency.
3. Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents, to leave the premises and the area quietly.

4. The staff shall supervise bands loading out to minimise noise.
5. Regulated entertainment shall be restricted to the inside of the premises.
6. All doors and windows that are capable of being opened directly to the outside of the premises shall not be kept open whilst the premises are in use for the purposes of regulated entertainment.

Protection of Children

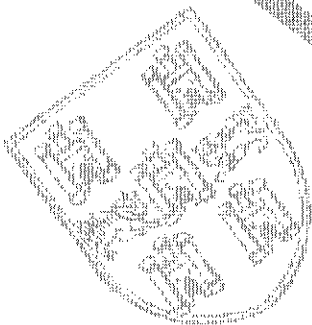
1. The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme.
2. Under 18s shall only allowed on the premises on designated nights in the music bar. Under 18s shall not be permitted in other areas.

Removal of Embedded Restrictions

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

Annex 4 – Plans

See attached



John Myall

From: [REDACTED]
Sent: 16 August 2010 16:57
To: Licensing
Subject: License application for variation of PREM at the Railway Inn, 3 St Pauls Hill, Winchester SO23 5AE

Mr R Emmans
20 St Pauls Hill
Winchester
Hampshire
SO22 5AB

Dear Sir,

I would like to object to the above proposed two amendment within this application, under the heading of Prevention of Public Nuisance. Specifically my objection relates to noise and public nuisance. Taking the points in order:

Noise

It is worth noting this venue is in the middle of the residential district of Fulfood. Therefore, I would expect a stricter noise regime to be applied and potentially shorter licensing hours than for a high street location.

I live less than 100m from the venue and suffer on a regular basis (especially Friday and Saturday nights) considerable noise, in the form of shouting (often abusive), swearing, singing and general high jinks as patrons leave the venue to either head home or into the centre of Winchester. The noise often wakes me, members of my family and my neighbours.

I believe the applicant has not taken appropriate steps to limit the noise disturbance to residential properties located within the vicinity of the venue and has not effectively established how it will be a "good neighbour" to local residents if the extended hours are adopted. Obviously people leaving at 23:00 or 00:00 midnight is disruptive on your evening or sleep but considerably less so than the same activity occurring at 02.00. I do not believe the venues proposals complies with the requirements of section c.14 to C.17 of the Winchester City Council Licensing Policy 2008 amongst others. I do not believe the applicant can effectively demonstrate that they can rely on the exception as provided by section c.18 of the above document.

Therefore, I believe the application does not comply with section 2.32 of the above document, in that they have not effectively demonstrated that the extended opening hours will have no adverse effect on the achievement of the licensing objectives nor how they will take steps to secure these objectives. On this basis the application should be declined.

Public Nuisance / litter.

On the average Saturday morning there are at least 10 glass bottles or glasses (the majority usually broken) strewn around St Pauls Hill, as well as many cans and general rubbish. I believe this presents a danger to members of the public, especially children and also suggests people are drinking in the streets. I regularly sweep up the resulting broken glass to remove the risk of injury. Whilst I acknowledge there is little more than substantial evidence that the bottles and glasses came from the venue it is the logical conclusion. I believe this behaviours does not comply with section 2.28 and 2.29 of the above document.

On the basis of the above points I believe the applications should be refused.

I should be obliged if you would acknowledge receipt of this objection.

Yours faithfully,

Roland Emmans

This document is strictly confidential and is intended for use by the addressee unless otherwise indicated.

10/09/2010

John Myall

From: Quentin Brook [REDACTED]
Sent: 17 August 2010 11:24
To: Licensing
Subject: PREM 328 - Application for Variation of Premises Licence at Railway Inn, 3 St Pauls Hill

Dear Sir / Madam,

I am writing to object to the application to extend the terminal hours at the Railway Inn.

The licensing objectives that my objection relates to are the prevention of public nuisance (in the form of noise and anti-social behaviour).

I would have no objections if all the activities and customers of the pub were inside at all times. However, the reality is that because of the outside smoking/drinking area, this venue is effectively an outside venue from the perspective of noise control. The noise from the outside area is significant at times, and certainly creates a noise disturbance to residents in the evening and weekends, particularly in the summer months when both more people drink outside and residents windows are open.

In addition, in the past the late night noise has on occasion occurred well beyond the current licensable hours. Therefore, on past performance, an extension to 2am would likely result in night time noise continuing until 3-4am. Whereas this might be seen as acceptable in the city centre, the Railway Inn is in a residential area and its licensable hours should reflect that.

Although I am writing to object, I do want to clarify that I believe the Railway Inn is a fantastic pub that provides an excellent alternative venue to the mainstream city centre pubs. It should be supported as an important element of the community in other ways (e.g. reducing beer tax and business rates), but I don't believe the extension of its licensable hours are essential for the ongoing success of the pub.

I would not object to an extension to say 1am, if all use of the outside areas (and pavement) was stopped promptly at midnight (and enforced by the council). However, without this condition, which would be difficult to enforce, I believe the current licensable hours are sufficient.

Regards,

Quentin Brook
25 Clifton Road
Winchester

Click [here](#) to report this email as spam.

John Myall

From: PETER CARDEN [REDACTED]
Sent: 17 August 2010 22:41
To: Licensing
Subject: Railway Inn
Categories: SmartSaved
SmartSaved: win-edrms1_U394_D50_N208187

Dear Sirs,

The following is a Representation in response to the application for a variation to the following licence:

Winchester City Council has received an application from Railway Live Ltd for a variation of premises licence PREM 328 for the Railway Inn, 3 St Paul's Hill, Winchester SO23 5AE. The purpose of the application is to provide licensable activities as detailed below:-

- To extend the terminal hour for licensable activities on Saturdays from 0000 to 0200. (Live and recorded music, dancing, late night refreshment and the sale of alcohol).
- To add the following licensable activities:
 - Films and Indoor Sports - Sundays to Thursdays 1000 to 0000, Fridays and Saturdays from 1000 to 0200
 - Good Friday, Christmas Eve, Boxing Day and Sundays preceding a Bank Holiday 1000 to 0200.

I am a local resident of the Railway Inn as I live with my family at number 2 St Pauls Hill. Whilst I do not frequent the pub I hear that it is an excellent venue for the youth of south Hampshire to visit to listen to music and have a drink. From a transport point of view the pub is well located being adjacent to the railway station with trains running to Southampton and Basingstoke after the pub closes at 23:00 hrs.

As you will have heard from my neighbours - there is a significant noise nuisance in the area from 22:00 onwards - particularly over the weekend periods. All too often petty vandalism also takes place that results in the quality of life being diminished for residents and in my use a poor use of public money when remedial work has to be undertaken by the Council.

My representation of objections are:

The prevention of crime and disorder

a) The individuals within the population of Winchester demonstrate every weekend that they are able to consume more alcohol than they can manage and continue to behave well when the majority of pubs close at 23:00 - the extension of up to 4 hour of additional drinking time will make this matter significantly worse.

b) The vandalism to cars and public property is usually accompanied by a lot of noise and laughter - the amusement taken by damaging other people's property is significantly increased by people who've had too much to drink to remember the standards of behaviour they normally adopt. Again, longer hours in which people are able to consume alcohol will increase the rate of vandalism.

Public safety

a) The extended opening hours will result in the non-Winchester visitors to the pub tending to change their mode of travel to car trips - trains will not be available after 2 am. This will tend to lead to a greater risk of drink driving offences and a deterioration in road safety for both the occupants of the cars and the people they pass on their way home.

The prevention of public nuisance

a) At present - early morning licences are restricted to the City centre - by allowing an extension in the Fullflood residential area one will have a different dynamic with a second focus for people who want to continue drinking in to the early morning. This will cause additional difficulty for the police and is likely to significantly increase the number of people attending the pub from 22:00 onwards.

b) The local streets and communities put up with the level of nuisance from the existing patrons of the pub - there is no reason why we should be subjected to the additional noise because the pub becomes 'the only' place open in this part of Winchester late at night.

c) The current offer of the pub is as I understand it - music and alcohol. The extension to indoor sports will bring a different group/type of people to the pub and there is no evidence that they will behave in the same way as the current music fraternity. The competitive nature of sport is shown to bring out the worst in people all too often when the team or individual they support loses. If the indoor sports licence is to be added please can you ensure that events have to finish before 20:00 so that the 'music' patrons predominate around closing time.

d) The nuisance caused now around midnight is probably tolerable in the mix of the benefits and disbenefits of living in the city centre - to be woken at 03:00 by the time patrons have finally left the pub and started walking home will have a much more significant and adverse effect on the quality of life of local residents.

On the basis of the above, I ask the Council to reject the application to change the licence conditions - the pub as it stands and operates is a great asset for the community - in spite of the problems it brings to local residents. To extend the opening hours is not necessary and will bring significant adverse impact on the local community.

Regards

Peter Carden

2 St Pauls Hill,

10/09/2010

4

John Myall

From: george burgess [REDACTED]
Sent: 20 August 2010 10:01
To: Licensing
Cc: [REDACTED]
Subject: Re: Licencing Act 2003 Application for variation PREM328 Railway Inn, 3 St Paul's Hill, Winchester

Dear Mr Myall

Thank you for a prompt and complete response.

I would like the following objection on the grounds of exacerbating a public nuisance to be presented when the application is considered:

The Railway Inn is located in a residential area and so the wishes and welfare of local residents need to be taken into consideration. The local residents are already severely inconvenienced by rowdy patrons using the outside facilities and extending the licensable hours will make the current situation worse.

Is this email sufficient or is there more that I need to do?

Yours sincerely

George Burgess

From: "licensing@WINCHESTER.GOV.UK" <licensing@WINCHESTER.GOV.UK>
To: [REDACTED]
Sent: Fri, 20 August, 2010 8:49:32
Subject: RE: Licencing Act 2003 Application for variation PREM328 Railway Inn, 3 St Paul's Hill, Winchester

Dear Mr Burgess

Thank you for this. I am afraid I cannot predict what will happen if this application is granted. If you feel that the grant would impact on any of the four licensing objectives, you are entitled to make a representation about it, but it must be received at the Council no later than 30 August 2010.

Relevant representations relate to one or more of the four licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. They should also relate to matters that are within the control of the licence holder.

Relevant representations will be forwarded to the applicant to enable them to respond and will form part of a public document, which includes names and addresses. The document will also be published on the Council's website. If you do not wish your details to appear, your representation cannot be considered. Please let me know as soon as possible if you do **not** wish your details to be published (**telephone numbers and email addresses will not be published**).

When relevant representations are received for an application, the authority must hold a hearing to

determine the application by the Licensing Sub Committee. The hearing will be held at Winchester Guildhall within 20 working days after the close of the date for representations.

Any party making a relevant representation will be invited to the hearing and, subject to the return of a hearing notice, may address the Licensing Sub Committee. Oral representations must relate to the written representation. No new evidence may be introduced at the hearing. If you make a relevant representation, I will send you a notice of hearing once it has been arranged.

You may wish to look at

http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4038.aspx which gives some guidance for interested parties.

If the licence is granted, it is likely to contain conditions to address the licensing objectives.

If you have any queries, please contact this office.

Yours sincerely

John Myall MloL. ABII
Licensing and Registration Manager
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ

T 01962 848 443
F 01962 848 555
DX 120400 Winchester 5

jmyall@winchester.gov.uk
www.winchester.gov.uk

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

From: [REDACTED]
Sent: 20 August 2010 08:22
To: Licensing
Cc: [REDACTED]
Subject: Licencing Act 2003 Application for variation PREM328 Railway Inn, 3 St Paul's Hill, Winchester

Sir

I would like to ask if this application will, in any way, increase the level of public disturbance that occurs every Friday, Saturday and Sunday mornings between 00:00 and 02:30 when the patrons leave the premises and weave their way home often singing and shouting at the tops of their voices?

I have been out of the country for 3 years and have noticed that the Smoking Ban

of 2007 has resulted in a far greater public disturbance lasting until midnight on almost every day of the week. This disturbance is caused by the patrons of the Railway Inn making use of the outside facilities until closing time and has an effect on all persons living close to the venue. There is a sign in the garden asking the patrons to respect the neighbours and keep the noise down after 11pm; I believe this sign has absolutely no effect and neither does the presence of the door staff

In short, if this application will in any way make an already bad situation worse then I object to it being approved.

George Burgess
44 Clifton Road
Winchester SO22 5BU

This message has been scanned for viruses by BlackSpider MailControl - www.blackspider.com

This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

Click [here](#) to report this email as spam.

John Myall

From: Jacque Kennedy [REDACTED]
Sent: 23 August 2010 20:39
To: Licensing
Subject: Re: Railway Inn St Paul's Hill

Dear Mr Myall,
Thank you for your e mail and apologies for not sending my address earlier,
My address is:
Heybridge
Clifton Road
Winchester
SO22 5BP
I'm happy for my details to be published
Mrs Jacqueline Kennedy

Thank you for your representation. Representations may be made by "interested parties" who are persons living or working in the vicinity of the premises, or bodies representing such persons. "Vicinity" is not defined under the Licensing Act 2003, but is generally regarded as living close enough to be affected by the activities. To determine whether you qualify as an interested party, I require your address. If you wish you representation to be considered, please let me know your address.

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

From: Jacque Kennedy [REDACTED]
Sent: 22 August 2010 19:59
To: Licensing
Subject: Railway Inn St Paul's Hill

I understand that the Railway Inn has applied to have its' licence extended to 2 am on certain nights of the week.

As a local resident, I would like you to note my very strong objection to this move. My main ground for objecting is based on the unbelievable level of antisocial behaviour that exists already within the vicinity of Oram's Arbour and the Railway Inn and it will only be further aggravated by encouraging such late night departures from the local pub. The police and city council are working very hard to try and reduce the level of alcoholism, drug abuse and general antisocial noise through the night, most nights, and if you grant this extension I feel this will both hinder their progress and also cause local residents added disturbance.

Yours sincerely
Mrs Jacqueline Kennedy

Click [here](#) to report this email as spam.

This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom

John Myall

From: Gillian Allen [REDACTED]
Sent: 25 August 2010 10:13
To: Licensing
Subject: Re: Railway Inn

Dear Mr. Myall,

Thank you for your response. My wife and I would like to be included and our name are Gillian and Anthony Allen of 6, Clifton Terrace.

Whilst I accept that it cannot be proved who is responsible for the recent acts of vandalism to vehicles parked along our terrace, there is a fear or suspicion that some if not all of these are due to late night revellers. Can I assume that you will be taking soundings from the police re their views on the licensing application?

On the issue of parking, my point is that there will be more vehicles parked in our zone after midnight than under the existing licensing hours making it more difficult for residents to find a space if they return home very late at night or in the early hours of the morning.

I hope these additional comments help you to appreciate our objection to the application.

Anthony Allen

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

From: Gillian Allen [REDACTED]
Sent: 23 August 2010 11:31
To: Licensing
Subject: Railway Inn

I have been informed that the Railway Inn has applied for an extension to their existing opening hours to 2 a.m.

on certain nights of the week. As a resident of Clifton Terrace, I must object strongly to this application for the following

reasons:-

1. Acts of vandalism to vehicles parked on the terrace and surrounding streets are committed frequently late at night probably by late-night revellers. These have been brought to the attention of the police but they sadly seem to be unable to prevent them and there are no CCTV cameras.
2. We are constantly bothered by the very noisy behaviour of people making their way home late at night.
3. Parking along Clifton Terrace is extremely difficult at the best of times without having the Inn's customers taking up spaces until the early hours of the morning.

Thank you for giving me the opportunity to lodge this objection, and hopefully the application will be turned down.

Anthony Allen

Click [here](#) to report this email as spam.

This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

John Myall

From: John Myall on behalf of Licensing
Sent: 25 August 2010 15:56
To: Robin Freeman
Subject: RE: Licensing Act 2003 Application: PREM 328; Railway Inn, St Paul's Hill, SO22 5AE

Dear Mr Freeman

Thank you for your representation, which I consider to be relevant to the application.

Just a point of clarification. The application is to extend the terminal hour for licensable activities on Saturdays and certain bank holidays by ONE hour from 0100 to 0200, not two hours.

Relevant representations will be forwarded to the applicant to enable them to respond and will form part of a public document, which includes names and addresses. The document will also be published on the Council's website. If you do not wish your details to appear, your representation cannot be considered. Please let me know as soon as possible if you do **not** wish your details to be published (**telephone numbers and email addresses will not be published**).

Relevant representations relate to one or more of the four licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. They should also relate to matters that are within the control of the licence holder.

When relevant representations are received for an application, the authority must hold a hearing to determine the application by the Licensing Sub Committee. The hearing will be held at Winchester Guildhall within 20 working days after the close of the date for representations.

Any party making a relevant representation will be invited to the hearing and, subject to the return of a hearing notice, may address the Licensing Sub Committee. Oral representations must relate to the written representation. No new evidence may be introduced at the hearing. I will send you a notice of hearing once it has been arranged.

You may wish to look at http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4038.aspx which gives some guidance for interested parties.

If the licence is granted, it is likely to contain conditions to address the licensing objectives.

If you have any queries, please contact this office.

John Myall MLoL. ABII
Licensing and Registration Manager
Winchester City Council
City Offices
Colebrook Street
Winchester

SO23 9LJ

T 01962 848 443
F 01962 848 555
DX 120400 Winchester 5

jmyall@winchester.gov.uk
www.winchester.gov.uk

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

From: [REDACTED]
Sent: 24 August 2010 17:51
To: Licensing
Subject: Licensing Act 2003 Application: PREM 328; Railway Inn, St Paul's Hill, SO22 5AE

Dear Sirs

I wish to register my objection to the proposed extension of the licensing hours at the above premises to 02:00 on Fridays and Saturdays on the grounds that there is a risk of increasing the public nuisance now experienced at night by households in the footpath part of North View.

Our sleep is frequently disturbed, and particularly in the early hours of Saturday and Sunday mornings, by pedestrians returning from the city centre and Oram's Arbour, shouting and swearing, throwing cans and bottles and causing minor damage in gardens along and below the footpath. This disturbance has continued later into the night since licensing hours have been extended in bars and public houses in the city. Extending the closing time at the Railway Inn by two hours is likely to cause an increase in the numbers of people using the footpath to return late to the Greenhill Road, Poets' Way and student village areas, particularly if music events are licensed to continue until 2 a. m. Yours faithfully
Robin Freeman 12 North View Winchester SO22 5EH
24 August 2010

This message has been scanned for viruses by BlackSpider MailControl -
www.blackspider.com

John Myall

From: John Myall on behalf of Licensing
Sent: 25 August 2010 15:28
To: 'Richard Blake-James'
Subject: RE: Objection to extended licence hours for Railway Inn

Dear Mr Blake-James

Thank you for your representation, which I consider to be relevant to the application.

As a point of clarification, if you were to rely on the point you made that vandalism is caused by customers from the Railway Inn, you would need to provide some evidence to support this in order for the Licensing Sub Committee to give any weight to the allegation. I believe that the Police do not have such evidence and without some corroboration the sub committee may wish to disregard it.

Relevant representations relate to one or more of the four licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. They should also relate to matters that are within the control of the licence holder.

Relevant representations will be forwarded to the applicant to enable them to respond and will form part of a public document, which includes names and addresses. The document will also be published on the Council's website. If you do not wish your details to appear, your representation cannot be considered. Please let me know as soon as possible if you do **not** wish your details to be published (**telephone numbers and email addresses will not be published**).

When relevant representations are received for an application, the authority must hold a hearing to determine the application by the Licensing Sub Committee. The hearing will be held at Winchester Guildhall within 20 working days after the close of the date for representations.

Any party making a relevant representation will be invited to the hearing and, subject to the return of a hearing notice, may address the Licensing Sub Committee. Oral representations must relate to the written representation. No new evidence may be introduced at the hearing. I will send you a notice of hearing once it has been arranged.

You may wish to look at http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4038.aspx which gives some guidance for interested parties.

If the licence is granted, it is likely to contain conditions to address the licensing objectives.

If you have any queries, please contact this office.

John Myall MLoL. ABII
Licensing and Registration Manager
Winchester City Council

City Offices
Colebrook Street
Winchester
SO23 9LJ

T 01962 848 443
F 01962 848 555
DX 120400 Winchester 5

jmyall@winchester.gov.uk
www.winchester.gov.uk

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

From: Richard Blake-James [REDACTED]
Sent: 25 August 2010 10:21
To: Licensing
Subject: Objection to extended licence hours for Railway Inn

Dear Sir/Madam,

I would like to express my objections to the proposed changes to the premises licence (PREM 328) for the Railway Inn, 3 St Paul's Hill, Winchester, extending the terminal hour for licensable activities on Saturdays (and various holidays) to 0200. As a resident of St Paul's Hill, I believe I count as an "Interested Party" in terms of the Licensing Act 2003 application.

My objections are principally concerned with "the prevention of public nuisance":

- Local residents of St Paul's Hill are already subjected to considerable disturbance by noisy and drunk customers leaving the Railway Inn at closing time, particularly on Saturday nights. This is just about tolerable at around midnight, but would be antisocial and a real 'public nuisance' in the early hours at or after 2am.

- There are many incidents of minor vandalism and littering in the front gardens of the houses on St Paul's Hill caused by customers of the Railway Inn after closing time; I would object to any changes to the Railway Inn's licence which might make this situation worse.

Yours faithfully,

Richard Blake-James
14 St Paul's Hill
Winchester
SO22 5AB

Tel: 01962 855797

16 Clifton Road Winchester SO22 5BP



25th August 2010

Licensing Section
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ

Dear Sir

Re: Extension of licensing hours at The Railway Inn (PREM 328) St Paul's Hill, SO23 5AE

We write to object strongly to the proposed extension of hours. The sale of alcohol is a particular problem and escaping sound of music in this residential area is at times unacceptable.

Disorder and public nuisance, loud shouting, litter, broken glass, urinating, damage to cars have long been a problem in the vicinity of Oram's Arbour as drinkers make their way home, sometimes after 3.00am. This is a police 'hotspot'.

This cannot all be attributable to The Railway Inn, but some of it certainly is, such as rowdy behaviour of gatherings around the junction of Clifton Road and St Paul's Hill and subsequent progress of some customers up Clifton Road to the Arbour and along North New. Extending the hours would surely exacerbate the problem and prolong it on more nights in the week. Parties to the Winchester Community Safety Partnership, particularly police officers and PCSOs have made efforts in recent weeks to maintain a greater presence on the Arbour and this has had a beneficial effect. Residents will be dismayed to see this progress reversed.

As we know, youth drinking is a national problem, which has worsened since the current Licensing Act. Some of us would like to see Winchester spearhead a firmer approach. Midnight closing with an extension to 1.00pm on New Year's Eve is surely late enough for the consumption of alcohol and entertainment even in a city centre and this is a residential area. Such limits would still be later than the times that generally applied prior to the current Act.

The City Council has to be mindful for the wellbeing of residents who are currently affected and to ensure that the police do not have to waste resources unnecessarily. The greatest victims here may well be the drinkers themselves, mainly young people. The adults in the community should have a collective sense of responsibility for young people. If the term 'Nanny State' comes to mind, we should remember the dire warnings by the medical profession of the impending health crisis arising from excessive alcohol consumption by the young; a crisis of such scale that the NHS may have difficulty coping with it. It will then be everyone's problem.

It is very clear that the consequences of extending opening hours will have significant implications for each of the four categories of 'Licensing Objectives' listed.

We therefore urge the Licensing Authority not to permit any extension of hours.

Yours faithfully

Tim Curran – Chair, Oram's Arbour Residents' Association

Karen Curran

John Myall

From: Alan Fowler [REDACTED]
Sent: 21 August 2010 13:55
To: Licensing
Subject: Railway Inn: extension of hours

To: Licensing Section, Winchester City Council

I wish to object, on grounds of prevention of crime and disorder and prevention of public nuisance, to the application by the Railway Inn to extend their opening hours to 0200 on Saturdays and bank holidays, ref. PREM 328).

I live in Clifton Road (the Railway Inn is situated on the corner of Clifton Road and St Pauls Hill) and also often visit friends in St Pauls Hill and Stockbridge Road. As you know, the Inn already opens until 0200 on Friday nights, so I and my friends have direct experience of the behaviour of the Inn's customers at that time of night. It is very evident that the conduct of these customers on these late openings differs from what happens on other earlier nights. For some reason - perhaps the longer drinking time - the late night leavers are far more rowdy and behave in a much less acceptable manner than normally happens at 12. . Groups leave the Inn and make their way to Orams Arbour, pausing on the way to sing and shout, and to urinate in public and in the Clifton Road front gardens. Along St Pauls Hill they also urinate and throw rubbish in residents' gardens.

This is bad enough, but if the Inn's hours are also extended on Saturdays, the Railway Inn's neighbours will experience two disturbed nights' sleep each week. I do not recall what consultation took place before the Friday night extension was granted, but there is surely a case for this to be reviewed. But in any event, the Inn's current application for a Saturday extension should be refused for the reasons set out in this email.

Dr Alan Fowler
18 Clifton Road
Winchester
SO22 5BP
[REDACTED]

[Click here](#) to report this email as spam.

John Myall

From: John Preston [REDACTED]
Sent: 23 August 2010 08:57
To: Licensing
Subject: Extended hours. Railway Inn.

From:- John S. Preston, 3, South View, Winchester, SO22 5EL [REDACTED]
To-addressee.

Please register my strong objection to the proposal to extend the licence at the Railway Inn to 0200 hrs on certain days.

I believe it will increase noise, nuisance and damage in the Oram's Arbour area, at a time of night when I for one wish to enjoy a night's sleep!!

Click [here](#) to report this email as spam.

John Myall

From: Robert & Barbara Yorke [REDACTED]
Sent: 26 August 2010 14:58
To: Licensing
Subject: Application for a variation of premises licence by the Railway Inn, Winchester

We do not have any problems with the current operation of the Railway Inn as a live music venue and appreciate the efforts of the publican to minimise inconvenience to local inhabitants. However, we do have some concerns about the application to extend the terminal hour on certain days from 0000-0200 and to add various additional licensable activities. The Clifton Road/Oram's Arbour area has been suffering recently from vandalism and public nuisance in the form of noise and littering, especially on the Arbour, and has been the subject of police concern. We are not aware that the Railway Inn is the source of these problems, but people who drink late do seem to be. Therefore there seems to us a real danger that the Railway, especially if it stays open later, might come to attract a different personnel, namely the type of people who have been causing recent problems. The application does not seem appropriate for a venue situated in a predominantly residential area. We therefore wish to register our objections to the application on the grounds that it may add to public nuisance and lead to crime and disorder.

Barbara and Robert Yorke
32 Clifton Road

Click [here](#) to report this email as spam.

John Myall

From: lynn marks [REDACTED]
Sent: 26 August 2010 15:14
To: Licensing
Subject: Application for a variation of premises licence PREM328 for the Railway Inn, St. Paul's Hill, Winchester. SO23 5AE.

I wish to object to the above application on the grounds of the Prevention of Public Nuisance.

At the present time there is considerable noise from the garden/outdoor smoking area until very late at night and unfortunately it becomes amplified as it travels up the valley. In addition there is nuisance late at night caused by drunks passing from the pub up Clifton Road to the Arbour and further on. If the licencing hours are extended, the disturbance to sleep would probably go on until 3.00 a.m.

I think this is quite unreasonable in a residential area such as this.

From: Lynn Marks- 37 Clifton Road, Winchester. SO22 5BU.

Click [here](#) to report this email as spam.

John Myall

From: Lynn and Adrian Marks [REDACTED]
Sent: 26 August 2010 15:18
To: Licensing
Subject: Application for a variation of premises licence PREM 328 for the Railway Inn, 3 St. Paul's Hill, Winchester SO23 5AE

I wish to object to the above application on the grounds of the Prevention of Public Nuisance.

At the present time there is considerable noise from the garden/outdoor smoking area until very late at night and unfortunately it becomes amplified as it travels up the valley. In addition there is nuisance late at night caused by drunks passing from the pub up Clifton Road to the Arbour and further on. If the licencing hours are extended, the disturbance to sleep would probably go on until 3.00 a.m.

I think this is quite unreasonable in a residential area such as this.

Adrian Marks- 37 Clifton Road, Winchester, SO22 5BU.

Click [here](#) to report this email as spam.

John Myall

From: Ursula Payne [REDACTED]
Sent: 26 August 2010 17:57
To: Licensing
Subject: Railway Inn extension of hours

Variation of premises licence PREM 328 for the Railway Inn, 3 St Paul's Hill, Winchester

As an interested party, I wish to make representation against the application from Railway Live to extend the terminal hour for licensable activities on Saturdays to 0200. There are lots of houses close to the pub and local residents will be disturbed both by noise from the pub between 0000 and 0200 and by the sound of people leaving at 2 in the morning. This will cause a public nuisance.

I would also like to make representation against the addition of licensable activities at the Railway Inn until 0200 on Fridays and Saturdays, on Sundays preceding Bank Holidays and on Good Friday, Christmas Eve and Boxing Day. The noise from the pub and the sound of people leaving would cause a public nuisance.

I have been kept awake by noise from the pub in the past.

There are also local crime and disorder problems arising from patrons of the Railway Inn climbing the bank at the corner of Alison Way and crossing our estate, damaging property as they go. (I have heard of this from the estate managers and seen evidence.)

U Payne
27 Alison Way
Winchester
SO22 5BT

Click [here](#) to report this email as spam.

John Myall

From: Robin Merton [REDACTED]
Sent: 27 August 2010 09:55
To: Licensing
Subject: Railway Inn, St. Paul's Hill, SO23 5AE

Dear Sir,

PREM 328

I refer to the proposed variations of the Premises Licence for the Railway Inn, Winchester.

There are at present frequent disturbances on Oram's Arbour after dark, often extending to well after midnight, occasioned by groups of young people who have patently had far too much to drink. The police have been called to deal with this nuisance on many occasions. The grant of the proposed variations are likely to make the situation worse, and particularly so when the extended hours become widely known.

I therefore **OBJECT** to the proposed variations.

Yours faithfully,

R.B. Merton
17 Clifton Road
Winchester
SO22 5BP

Click [here](#) to report this email as spam.

John Myall

From: Charles Savage [REDACTED]
Sent: 27 August 2010 10:53
To: Licensing
Subject: License PREM 328 the Railway Inn

We would like to object to the Railway Inn's application to extend their late night license until 2am on Saturdays, Sunday's preceding a Bank Holiday and Good Friday, Christmas Eve and Boxing Day. They already hold a license to 2am on Friday nights.

We live at Gardenhurst, St Pauls Hill and already suffer from noise at the Railway Inn on Friday nights due to high base levels of live music and noise as bands leave the venue.

In addition we are disturbed by noise from the garden area in the late evening; this is supposed to be used only by smokers after 11pm but does not appear to be the case as noise levels are very high. If the garden area were closed after 11pm this would resolve some of the noise problem.

However customers leaving the pub after closing time are our key concern due to the noise, throwing of litter and general drunk and disorderly behavior. We often find vomit, broken glass and cans on the path outside our house and customers frequently use this area for urinating. We believe this to be a public nuisance.

To extend this late night disturbance from one to two nights each week is not acceptable and we feel it unfair that one business can blight the life of up to 20 neighbours.

Charles and Frances Savage
Gardenhurst
St Pauls Hill
Winchester



Charles Savage
The General Wine Company
Units A4-5 Beaver Estate
Liphook
GU30 7EU
(01428) 722201
(07872) 127273

Click [here](#) to report this email as spam.

John Myall

From: arun swarup [REDACTED]
Sent: 27 August 2010 13:49
To: Licensing
Subject: Railway Inn, 3 St Pauls Hill, Winchester SO23 5AE

Dear sir or Madam

We have received your notification that the City Council have received an application from Railway Live Ltd for a variation of premises licence PREM 328 for the above.

My wife and I live at 22, St Pauls Hill, Winchester just up the road from the above premises. For years this used to be a peaceful quiet neighbourhood with only what I call normal levels of traffic on St Pauls Hill. For the last few years Railway Inn have encouraged live musical performances, dancing etc running quite late into the night with the result that this area is not what is used to be. The levels of noise, public nuisance not to mention the drunken and unruly conduct of those leaving the premises late at night have affected all the residents. Besides, parking is very restricted at St Pauls Hill and it is not uncommon to see customers of the licensed premises trying to park at unauthorised sites (as normal parking is unavailable) and causing a public nuisance.

Whilst I am in favour of the young enjoying themselves I feel we should draw a line with what are acceptable opening times in residential neighbourhoods so as not to cause nuisance to young children, the elderly and the sick who are in need of peace and quiet and a good nights sleep.

We feel that closing the pub and ceasing all the activity at midnight, that is 0000 hours, throughout the week including Fridays, Saturdays and Bank holidays is reasonable and we object and cannot support any extension of opening times beyond that.

We feel that this is the view of a majority of the residents and hope that the City Council will take a similar view.

Sincerely
Arun and Anne Swarup

Click [here](#) to report this email as spam.

John Myall

From: CAROL ORCHARD [REDACTED]
Sent: 27 August 2010 17:29
To: Licensing
Subject: Re: Application for a variation of premises licence at The Railway Inn

Dear Mr Myall,

My address is 14 North View, Winchester SO22 5EH.

Yours sincerely,

Carol Orchard

From: "licensing@WINCHESTER.GOV.UK" <licensing@WINCHESTER.GOV.UK>
To: [REDACTED]
Sent: Wednesday, 25 August, 2010 15:47:51
Subject: RE: Application for a variation of premises licence at The Railway Inn

Dear Ms Orchard

Thank you for your representation, which I consider to be relevant to the application, however in order to include this, I require your address. Relevant representations will be forwarded to the applicant to enable them to respond and will form part of a public document, which includes names and addresses. The document will also be published on the Council's website. If you do not wish your details to appear, your representation cannot be considered. **(telephone numbers and email addresses will not be published).**

Relevant representations relate to one or more of the four licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. They should also relate to matters that are within the control of the licence holder.

When relevant representations are received for an application, the authority must hold a hearing to determine the application by the Licensing Sub Committee. The hearing will be held at Winchester Guildhall within 20 working days after the close of the date for representations.

Any party making a relevant representation will be invited to the hearing and, subject to the return of a hearing notice, may address the Licensing Sub Committee. Oral representations must relate to the written representation. No new evidence may be introduced at the hearing. I will send you a notice of hearing once it has been arranged.

You may wish to look at http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4038.aspx which gives some guidance for interested parties.

If the licence is granted, it is likely to contain conditions to address the licensing objectives.

If you have any queries, please contact this office.

John Myall MloL. ABII
Licensing and Registration Manager
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ

T 01962 848 443
F 01962 848 555
DX 120400 Winchester 5

jmyall@winchester.gov.uk
www.winchester.gov.uk

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

From: CAROL ORCHARD [REDACTED]
Sent: 25 August 2010 14:17
To: Licensing
Subject: Application for a variation of premises licence at The Railway Inn

Dear Sir/Madam,

I note the application by The Railway Inn in Stockbridge Road for their alcohol licence to be extended to 2am on Saturdays.

I wish to object to this extension, because many Railway Inn customers make their way home via North View, where I live. They can regularly be heard beneath our windows after midnight on Fridays and Saturdays. They often shout at each other as they pass, not infrequently using foul language.

If the extension is granted, this social problem will be exacerbated (because presumably even greater quantities of alcohol will be consumed) and moved from the small hours to the middle of the night, when it tends to be harder for people to get back to sleep.

Yours faithfully,

Carol Orchard

Click [here](#) to report this email as spam.

This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without

John Myall

From: Kate New [REDACTED]
Sent: 27 August 2010 19:49
To: Licensing
Subject: Railway Inn - Application August 2010

We are writing to oppose the Railway Inn's application to extend its existing license.

As local residents we already have concerns regarding the pubs impact on:

- 1) crime;
- 2) safety; and
- 3) nuisance

in the vicinity. We are very concerned that any extension granted to the license will exacerbate the existing problems.

1) Crime

There continues to be damage caused to cars in the area in the evenings when the pub is open late. This damage includes damage to wing mirrors, windows, and dented and scratched body work.

There have also been incidents of people urinating in the streets post closing time, which is clearly anti-social behaviour.

2) Safety

Following late openings at the pub, there is a significant increase in the glass littered in both the streets neighbouring the pub and Oram's Arbour. The glass is often broken, causing an increased risk to the safety of children and animals.

3) Nuisance

Noise pollution is an ongoing problem. There are three particular areas that already have a noticeable impact on the local residents;

- a) music
- b) customers arriving / leaving the pub
- c) smoking area

3a) Music

Whilst we have been reassured that the live music room is soundproofed, the bass of the music played often reverberates up through the walls on that side of our property. To extend the time that music can be played will have a marked detrimental impact on our ability to enjoy our home.

We have previously tried to discuss this with management of the pub, but they have refused to acknowledge the issue.

3b) Customers arriving / leaving the pub

Customers arriving and leaving are not adequately policed. Currently arrivals are not a major

concern, however once the pub has closed there are often large numbers of people congregated on the streets, who often then make their way up to Oram's Arbour.

To extend the license, and to increase the number of days when the pub will open late will cause incredible disruption to the local residents. We are already unable to leave windows open at night when the pub has a late closing time as the departure of the customers inevitably wakens both us and our young baby.

If the pub opening hours are extended then the pub will foreseeably become more of a late night venue, which often attract queues to obtain entrance. People queueing on the streets waiting to get in will inevitably mean that the noise levels in the street will also increase throughout the evening. It is not inconceivable that the existing problems re crime and safety raised above would also increase.


3c) Smoking Area

Post 11pm the outside smoking area is meant to be exclusively for people smoking. This is currently not policed and there are often many people outside in the area who are not smoking.

The noise levels created by the crowd are considerable and cause a high level of disruption to local residents.

Irrespective of who can use the smoking area, to increase the hours the pub can open will increase the disruption to an otherwise peaceful neighbourhood.

Hopefully these points are fairly self explanatory, however should you wish to discuss these further I would be more than happy to assist and would be grateful if you could contact me by email and suggest a suitable time for a meeting or telephone conversation.

Kate McGettigan
42 Clifton Road, Winchester


Click [here](#) to report this email as spam.

John Myall

From: James Holland [REDACTED]
Sent: 28 August 2010 23:01
To: Licensing
Subject: Subject: License application for variation of PREM at the Railway Inn, 3 St Pauls Hill, Winchester SO23 5AE

Mr J Holland & Dr J Holland
4 St Pauls Hill
Winchester
Hampshire
SO22 5AB

Dear Sir,

I would like to object to the above proposed two amendment within this application, under the heading of Prevention of Public Nuisance. Specifically my objection relates to noise and public nuisance. Taking the points in order:

Noise

It is worth noting this venue is in the middle of the residential district of Fulfood. Therefore, I would think a stricter noise regime to be applied and potentially shorter licensing hours than for a high street location.

I live less than 150m from the venue and suffer on a regular basic (especially Friday nights) considerable noise , in the form of shouting (often abusive), swearing, singing etc as patrons arrive and leave the venue to either head home or into the centre of Winchester. The noise often wakes me, members of my family and my neighbours. With a young family this is very stressful to deal with.

I believe the applicant has not taken appropriate steps to limit the noise disturbance to residential properties located within the vicinity of the venue and has not effectively established how it will be a "good neighbour" to local residents if the extended hours are adopted. Obviously people leaving at 23:00 or 00:00 midnight is disruptive on your evening or sleep but considerably less so than the same activity occurring at 02.00. I do not believe the venues proposals complies with the requirements of section c.14 to C.17 of the Winchester City Council Licensing Policy 2008 amongst others. I do not believe the applicant can effectively demonstrate that they can rely on the exception as provided by section c.18 of the above document.

Therefore, I believe the application does not comply with section 2.32 of the above document, in that they have not effectively demonstrated that the extended opening hours will have no adverse effect on the achievement of the licensing objectives nor how they will take steps to secure these objectives. On this basis the application should be declined.

Public Nuisance / litter.

On the average Saturday morning there are at least 10 glass bottles or glasses (the majority usually broken) strewn around St Pauls Hill, as well as many cans and general rubbish. I believe this presents a danger to members of the public, especially children and also suggests people are drinking in the streets. I regularly sweep up the resulting broken glass to remove the risk of injury. Whilst I acknowledge there is little more than substantial evidence that the bottles and glasses came from the venue it is the logical conclusion, as the same cannot be said for the St James Tavern or the Fulfood Arms. I believe this behaviours does not comply with section 2.28 and 2.29 of the above document.

The use of St Pauls Hill as a public convenience has been noted on several occasions and this is not just limited to urination; this is a most unpleasant aspect.

The Prevention Of Crime & Disorder

There have been a number of occasions, since the Railway was granted its Friday night extension, that attacks on the vehicles along St Pauls Hill have taken place. I have witness and report to the Police the following types of incidents which I believe can only stem from patrons of the Railway Inn all within 2-4pm on a the Friday night: -

- Jumping on cars and jumping along the roofs of cars in a line. I witnessed this on three occasions, and several other forms of attacks on vehicles the most common of wing mirror removal by kicking – a particular favourite. The cost of this must now been in the tens of thousands of pounds.
- Some people are so inebriated that they will sleep in the road. I have called the police twice and have help to remove 3 people asleep in the road for fear of their lives.
- I have had two attempted entries into my property with people again so inebriated they now not what they do.

On the basis of the above points I believe the applications should be refused.

It should be noted that the consensus along St Pauls Hill residence, is that the Railway Inn is not a good neighbour; it continues serving some patrons that are already very intoxicated, which is obviously against their license conditions. We would request that the whole of their license be reviewed with a mind to restrict the serving of alcohol to midnight.

I should be obliged if you would acknowledge receipt of this objection.

Yours faithfully,

James Holland & Julie Holland

Click [here](#) to report this email as spam.

John Myall

From: [REDACTED]
Sent: 29 August 2010 12:13
To: Licensing
Subject: VARIATION OF PREMISES LICENCE PREM 328

You have asked for a correspondence address for the Kempthorne Management Company in connection with our representation. Please use:

24 Alison Way
Winchester
Hampshire SO22 5BT

This is a representation in respect of the application by Railway Live Ltd for a variation of licensable activities at the Railway Inn, St Paul's Hill, Winchester. It is made by the Kempthorne Management Company on behalf of the residents of the adjacent Kempthorne Estate which is served by Alison Way.

This representation relates primarily to the prevention of public nuisance but not without reference to the prevention of crime and disorder.

Nearby Oram's Arbour is the focal point for significant levels of anti-social behaviour (much of it fuelled by alcohol) during the evening and into the early hours of the morning. This has a detrimental and unwelcome impact on the quality of the local (mainly residential) environment and can result in damage to property on the Kempthorne Estate (which is the financial responsibility of the residents to deal with).

The Railway Inn is by no means the sole source of anti-social behaviour in the area. Indeed, for much of the time the Inn serves its customers with little or no impact outside of the premises.

The problem arises when some of these customers leave the premises (particularly after having had too much to drink) and this very often leads to excessive noise and aggressive behaviour in nearby residential streets. This can go on for several hours unless the police intervene which they are frequently required to do. There is also an increased risk of the Kempthorne Estate being used as a public toilet and its open areas being used for further drinking. Almost by definition the later in the evening the problem arises the greater is its impact.

Extending the "terminal hour" (as defined) applicable to the Railway Inn would exacerbate an already serious social problem in the local area and on these grounds we oppose such extension.

Norman Digance
Chairman
Kempthorne Management Company
29 August 2010

Click [here](#) to report this email as spam.

John Myall

From: Tom Clarke [REDACTED]
Sent: 01 September 2010 16:46
To: Licensing
Subject: Re: Application wrt Railway Inn, Winchester

Dear Sir,

Thank-you for your email..... I would of course like my objection accepted and therefore my address is 31 Clifton Road, Oram's Arbour, Winchester.

Yours sincerely

Tom Clarke

On 31 Aug 2010, at 11:58, licensing@winchester.gov.uk wrote:

Dear Mr Clarke

Thank you for your representation, which I consider to be relevant to the application, however in order for it to be accepted I require your address.

Relevant representations will be forwarded to the applicant to enable them to respond and will form part of a public document, which includes names and addresses. The document will also be published on the Council's website. If you do not wish your details to appear, your representation cannot be considered. **(telephone numbers and email addresses will not be published).**

Relevant representations relate to one or more of the four licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. They should also relate to matters that are within the control of the licence holder.

When relevant representations are received for an application, the authority must hold a hearing to determine the application by the Licensing Sub Committee. The hearing will be held at Winchester Guildhall at 1100 on Monday 27 September 2010.

Any party making a relevant representation will be invited to the hearing and, subject to the return of a hearing notice, may address the Licensing Sub Committee. Oral representations must relate to the written representation. No new evidence may be introduced at the hearing. I will send you a notice of hearing in due course.

You may wish to look at http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/4038.aspx which gives some guidance for interested parties.

If the licence is granted, it is likely to contain conditions to address the licensing objectives.

If you have any queries, please contact this office.

Yours sincerely

John Myall MLO. ABII
Licensing and Registration Manager
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ

T 01962 848 443
F 01962 848 555
DX 120400 Winchester 5

jmyall@winchester.gov.uk
www.winchester.gov.uk

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

From: Tom Clarke [REDACTED]
Sent: 29 August 2010 19:34
To: Licensing
Subject: Application wrt Railway Inn, Winchester

Dear Sir/Madam,

I am writing to object to the Application for a variation of premises licence PREM 328 for the Railway Inn, 3 St. Paul's Hill, Winchester SO23 5AE. As I have already been on the receiving end of vandalism on three separate occasions (reported to the police on each occasion) as a direct result of drunken behaviour from individuals coming up Clifton Rd from the named pub. Living on Clifton Rd I am well aware where these individuals are coming from.... I saw a youth urinating in the street a few weeks ago and the noise that comes over from Oram's Arbour on Sat/ Sun early hours is well known. To grant an extension to the licensing hours would only cause an escalation in crime and public nuisance and therefore must not be granted. Yours sincerely Tom Clarke

This message has been scanned for viruses by BlackSpider MailControl - www.blackspider.com

This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and

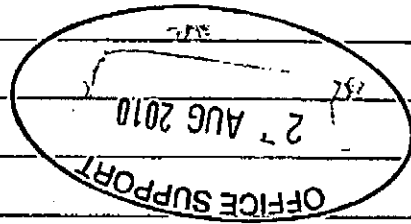
23rd Aug 2010

Mr D Miles

Flat 4 Spicer Court

St Pauls Hill

Winchester SO225ER



Dear sir,

We have been informed that the Railway Inn Pub has asked for a 2AM licence to serve alcohol on Saturdays. We ask you to please say no, as our lives are made hell by the late night drunken shouting and that goes on every Thursday Friday and Saturday nights till 1.30 AM every week as these people leave the pub. I don't know if your a Winchester Man sir, but if your not then let me say that this pub is surrounded on all sides and behind by houses. You can hear the shouting coming from the beer garden where people go to smoke and drink way past midnight. Its so loud you can hear it over the train str, hundred yards away. If it was us making this row we would be done for being antisocial in our behaviour. This is not a town pub where the police keep an eye on things. We have rang the police so many times they told us to get on to Winchester City Council because many times when its raining the drinkers once they leave the pub at closing come and sit on our stair wells and smoke, many times at 1.30 AM. My neighbour had a meeting at Winchester City Council Rachel Moresa to ask if we can have locks on the doors at the entrance to stop the drinkers from coming in. She was told sorry the council have no money to fit locks and told her to keep ringing the police. And its down to this pub. It should not be open after midnight as people cant go to sleep even if they want to till after 1.30 AM now let alone 2AM. The people of Water Lane had the same trouble with the Blonde Beer Cafe in Bridge St. Winchester Council stopped drinkers Pt6

2.

From using the beer garden after ten to smoke in. So why do we in St Pauls Hill get treated different? Please send one of your people up outside this pub after 11.30 PM onwards to hear the row for yourselves I bet you sir would not like it. This Landlord just wants to make more money. They have even fitted heaters in the garden so as people can smoke and drink under cover late into the early hours. I think if I go round to all the houses and get people who think that know one can do anything, then maybe this pub will shut at a time so people can sleep. The police will be called many times in the meantime. So sorry for the long letter but sir maybe you dont know about this side of the pub. As I have said this is not a town pub. There is no Taxi here to take people home, so at chucking out time they all come by shouting in the early hours. The Landlord even put up signs saying please dont shout in beer garden. They ripped them down.

Thanks [redacted] retired, Flat 4.
[redacted] flat I.

I am objecting to the application by Railway live Ltd for a variation of premises licence Prem 328 for the Railway Inn.

My objections are as follows:

Over the past four years we have been the victims of anti social behaviour which has coincided with clientele leaving the Railway pub. I have had my windscreen wipers pulled off my car and my wing mirror has been damaged. One night youths were urinating over the cars. The plants in my front garden have also been vandalised.

On many occasions, whilst groups are leaving the pub we are subjected to shouting, fighting and swearing. This is usually after midnight onwards on Friday and Saturday but can also be midweek as well.

Frequently the pavements the next day are littered with broken glass from bottles and beer cans. As far as I am aware no attempt is made to clear it up by the management. Small children could easily cut themselves badly if they fell.

One of the main areas of nuisance is the noise pollution. Since the previous extension of hours and the smoking ban large numbers congregate in the pub garden for hours often past midnight and the noise is very disturbing.

In conclusion I strongly object to any increase in hours and extra activities which will encourage more people to use this venue late at night.

It should be remembered that this pub is in a residential and conservation area.

Marilyn Flack
41 Clifton Road
Winchester
SO22 5BU

35 Clifton Road
Winchester
Hants
SO22 5BU

26 08 2010

Dear Sir

Application for a variation of premises licence PREM 328 Railway Inn, St Paul's Hill
Winchester

We write to object strongly to any extension of the terminal hours on licensable activities at the above premises.

The Railway Inn is situated in a residential area. It attracts many customers who live elsewhere, some of whom have no concern for how they behave when they come and go from the pub. It is not their community they disturb. We already suffer from loud and disorderly behaviour during the night. Those who live in St Pauls Hill suffer most as taxis come and go and pedestrians make their way home. We do not wish this noise nuisance to be prolonged.

Any change of licensing should increase the protection of local communities and enhance the quality of life for the majority of people, not just parts of the licensed trade and a minority of drinkers.

The Home Secretary has already announced an overhaul of The Licensing Act 2003. It is her intention to make it easier for communities to have their say on local licensing. Those who wish to extend licensing hours should have the right to do so but longer hours should not be imposed on localities that don't want them.

Yours faithfully

A large black rectangular redaction box covering the signature of the sender.

NJ RH AUSTIN

2

19 St. Paul's Hill Winchester SO22 5AE Tel: 01962 867011

Licensing Section
Winchester City Council
City Office
Colebrook Street
Winchester
SO23 9LJ

24th August 2010



Dear Sir or Madam

Re: Licensing variation, Railway Inn, St Paul's Hill, PREM 328

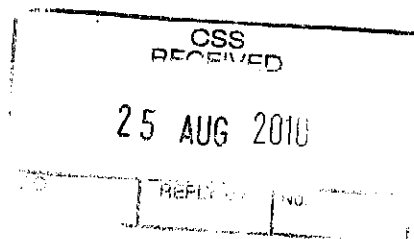
I am writing to register my very strong objection to the application by the Railway Inn to extend the terminal hour for licensable activities to 0200 on Saturdays, plus Good Friday, Christmas Eve, Boxing Day and Sundays preceding a bank holiday.

My objection relates to the licensing objectives for the prevention of public nuisance, crime and disorder, and is based on the disturbance and anti-social behaviour I already experience every Friday night after the Railway Inn closes at 0200.

My house in St. Paul's Hill is only 50 yards from the Railway Inn, with a frontage very close to the road, and my bedroom is in the front of the house. Between 0200 and 0300 every Friday night, groups of "revelling" customers leaving the Inn stand around on the pavement outside my house, talking, singing and shouting to each other; slamming car doors and revving engines. The noise invariably wakes me and keeps me awake for an hour or more. This is particularly upsetting as I have a work commitment on Saturdays which necessitates my leaving home early, so an undisturbed night's sleep on Saturdays is very important to me.

In addition, a public nuisance is caused by Inn customers urinating in the immediate vicinity and sometimes actually entering my small front garden for this purpose. Beer bottles and food packaging is also frequently thrown into my garden at this time. There have also been instances of criminal damage. My bedroom window has been broken by one of these Inn customers throwing a pint glass at the house, and I have also been woken by the noise of a group of Inn customers kicking and breaking the fence opposite my house by the station car park. It is worth adding that the behaviour of customers leaving the Inn at closing time is markedly worse at 0200 than at the normal, earlier times, with far more apparent drunken and loutish conduct.

Should the Railway Inn's application to extend its closing time on Saturdays be granted, I would be subjected to all this disturbance for two nights per week – a totally unacceptable situation. Indeed, if it were possible I would seek the termination of the 0200 extension on Fridays.



I also consider the possible extension to 0200 on days additional to Saturdays (particularly on Good Friday, Christmas Eve, Boxing Day and pre-holiday Sundays) to be very objectionable. In particular, it would involve Christmas Day starting with a raucous disturbance, around the time when many people, like me, are returning home after attending church for midnight mass and looking forward to a restful sleep.

You will recognise that my objection is based on actual experience, not on conjecture, and I hope the Railway Inn's application will therefore be rejected. A 0200 closing time may well be satisfactory in a city centre location, but the Railway Inn is located within a wholly residential area, where disturbance of the kind I have described in this letter is un-neighbourly in the extreme and should not be permitted.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Mrs Anna Peebles

51 ALISON WAY

WINCHESTER

HANTS

SO22 5BT

OFFICE SUPPORT

26 AUG 2010

I live a stone throw from the Railway Inn with my son who is 18. I work at the Winchester Hospital as a clinical nurse and do shift work this includes working Saturdays and Sundays. My shifts include starting work at 6.45 am till 3pm and a late shift I start at 1.30pm till 9pm then returning to work at 6.45 am the next morning. My son is at collage and also has a weekend job where he starts early in the morning, he often has collage work to do at home. At present the Railway has live music and always keeps both of us awake at night and till the early hours of the morning. When it comes to closing time there is a strong prevention of public nuisance as the crowds walk up St Pauls Hill they are shouting, screaming, swearing and sometimes fights do break out the noise from the pub and its customers at the moment is awful and me and my son often go to work and collage very tired. I feel very strongly and object to the extending of the hours and the

Live and Recorded Music and the SA
of Alcohol for even more hours as I
feel this would just cause more
public nuisance and cause more trouble
ie more fights breaking out, as well
as residences not getting any peace.
Having the hours and activities as listed
in a area where residences are living
and having to go to work is awful.
As for good Friday, Christmas, and
boxing day and sundays and bank
holidays this is a outrage if it was
to go ahead. Are the public who work
and have a family life not entitle
to have peace and quite in a ~~reside~~ reside
area. if this goes ahead it would cause
me and my son a lot of stress, tiredne
and lack of concentration at work
college and home life.

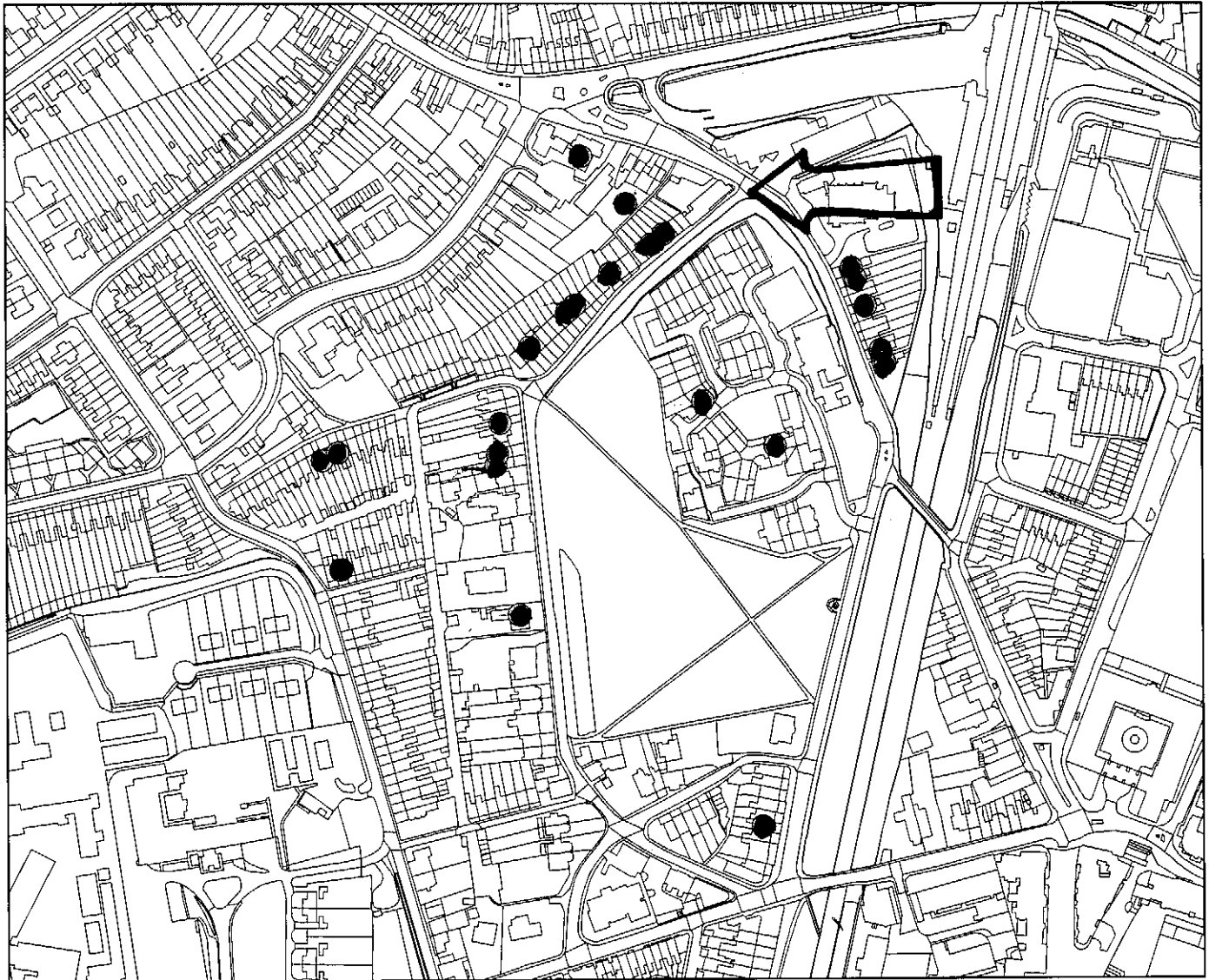
[REDACTED]

Appendix 3

Railway inn variatiuon of Premises Licence



Winchester
City Council



Legend

Km 0.05 0.1 0.15 0.2 0.25 0.3

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Winchester City Council © 2007.

Organisation	Winchester City Council
Department	Legal Services
Comments	
Date	10 September 2010
SLA Number	00180301

Scale: