

LICENSING SUB – COMMITTEE

12 October 2010

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application: Review of premises Licence

The New Inn, Chapel Road, Swanmore

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

Applicant: The Head of Environmental Protection, Winchester City Council

Premises: The New Inn, Chapel road, Swanmore

- 1.1 This application is for a review of the premises licence for the New Inn, Chapel Road, Swanmore, under Section 51 of the Licensing Act 2003.
- 1.2 The applicant is the Head of Environment for Winchester City Council, a responsible authority.
- 1.3 The application was received on 23 August 2010. Copies were also sent to the premises licence holder and six responsible authorities.
- 1.4 The application for review relates to the licensing objective for the prevention of public nuisance. (Appendix 1)
- 1.5 This stemmed from a number of complaints from neighbouring residents regarding the activities carried on at the premises. Copies of complainants' log sheets are attached to the application. (Appendix B of the review application)
- 1.6 These complaints involved noise from live and recorded music from the premises, noise from customers and from persons leaving the premises.
- 1.7 The tenant, who is also the designated premises supervisor (DPS), was visited on 21 April 2010 by an Environmental Health Officer and the Police Licensing Officer for the area, to discuss measures to abate the nuisance.
- 1.8 A formal warning letter was sent to the licence holder and the DPS on 9 June 2010, reminding them of the need to comply with the conditions attached to the licence in order to prevent public nuisance. (Appendix C of the review application)
- 1.9 Officers of the Council carried out monitoring of the premises. The results of this monitoring are listed on page 5 and Appendix D of the review application.
- 1.10 Notice of the application was displayed outside of the premises for a period of 28 days until 20 September 2010. A copy of the notice was also displayed at the Council's City Offices, and on the Council's website.

- 1.11 A representation was received from the Chief Officer of Police for Hampshire. (Appendix 2)
- 1.12 This representation was also on the grounds of the prevention of public nuisance.
- 1.13 The Police have recorded 14 complaints relating to noise or nuisance at the premises since 1 March 2009.
- 1.14 Seven of those complaints were recorded during the current year.
- 1.15 Representations were received from five interested parties residing in the vicinity of the premises. (Appendix 3)
- 1.16 The representations are also concerned with noise and nuisance from the premises.
- 1.17 The current premises licence (Appendix 4a) authorises licensable activities as follows:-
- 1.17a. Live Music
- Indoors of premises only.
- (i) Saturdays only 2000 to 2330
- 1.17b. Supply of Alcohol
- (i) Sunday to Thursday 1100 to 2300
- (ii) Friday and Saturday 1100 to 0000
- (iii) The above times to be extended to 0000 on Sundays of Bank Holiday weekends, Christmas Eve, Christmas Day, Boxing Day, and other Bank Holidays.
- 1.18 The Head of Environmental Protection recommends that the premises licence be amended as follows:-
- a. That the facility for live music is removed from the premises licence.
- b. That the use of the garden is prohibited after 2100 hours.
- c. That the hours for the supply of alcohol are reduced to 2300 hours.

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 Environmental Protection

The application was submitted by this responsible authority.

Hampshire Constabulary

A representation was received from the Police supporting the application for review.

Hampshire Fire and Rescue Service

No representations received.

Safeguarding Children Unit

No representations received.

Head of Building Control

No representations received.

Head of Safety Standards

No representations received.

3. Interested Parties

3.1 Representations have been received relating to noise nuisance and disturbance from the following interested parties:

| | | | | | | |
|---|----------|---|--------|-------------------|-------------|----------|
| 1 | Mr | M | Noble | Appledown | Chapel Road | Swanmore |
| 2 | Mr & Mrs | M | Smith | Woodstock House | Church Road | Swanmore |
| 3 | Mr | C | Wright | September Cottage | Chapel Road | Swanmore |
| 4 | Mr | M | Salter | White Owls | Spring Lane | Swanmore |
| 5 | Mr | C | Taylor | Southwinds | Chapel Road | Swanmore |

4. Observations

The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

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

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

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

1. Modify the conditions of the licence;
2. exclude a licensable activity from the scope of the licence;
3. remove the premises supervisor;
4. suspend the licence for a period not exceeding three months;
5. revoke the licence

Terminal hours

The Sub-Committee should take account of the National Guidance and the Council's Licensing Policy with regard to terminal hours, and the observations of the Head of Environmental Protection, the Police and the interested parties, and take such steps as it considers necessary to promote the Licensing Objectives.

(Licensing Policy Part 4, A8)

Licensing Objectives.

Public Nuisance

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

(Licensing Policy Part 4, Section C)

Human Rights

It is considered that Articles 6 (right to a fair trial) 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to peaceable enjoyment of possessions) may be relevant. As there is a right of appeal to the Magistrates' Court, it is considered that there would be no infringement of Article 6. Article 8 is relevant, insofar as the nearby residents could claim that this right would be infringed by disturbance from customers. This should be balanced against the applicants' right to use of their premises under Article 1 of the First Protocol. Interference with these rights is permitted, where this interference is lawful, necessary in a democratic society, and proportionate. Likewise, the residents may argue that their rights under Article 1 of the First Protocol would be infringed. If conditions are imposed, there should be no interference with any convention rights. To the extent that any interference may occur, it would be justifiable in a democratic society, and proportionate.

5. Conditions

Mandatory Conditions

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.
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.

Possible Conditions

If the application for review is granted, the Sub-Committee may wish to consider the following conditions to be added to the premises licence: (Existing conditions shown in italics)

Operating Hours

1. The hours the premises may be used for the sale of alcohol shall be:
 - (i) Mondays to Sundays 1100 to 2300

All Licensing Objectives

[Dealt with in relevant sections below].

Crime and Disorder

1. *All external walkways and car parking areas shall be illuminated during the hours of darkness up to 30 minutes after the premises close.*
2. *Trained staff shall maintain a close watch on the trading area and behaviour of customers at all times and shall either a) take appropriate action where needed or b) report concerns to their manager (where they are not authorised to deal personally with an issue.*

Public Safety

None

Public Nuisance

1. The premises shall not be used for regulated entertainment at any time.

2. Persons shall not be permitted to use the garden area after 2100 hours on any day.

Protection of Children

1. *The premises shall adopt and implement the Hampshire Constabulary's Challenge 21 Scheme.*
(Note: a proof of age policy is now a mandatory condition)
2. *No unaccompanied children shall be permitted to be on the premises.*
3. *No children shall be permitted to be on the premises after 2100 hours.*

6. Other Considerations

Corporate Strategy (Relevance To:)

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

Resource Implications

There is no fee applicable for this application. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

Appendices

1. Application by the Head of Environmental Protection
2. Representations by Responsible Authorities
3. Representations by Interested Parties
- 4a. Current premises licence
- 4.b Map showing premises and representations



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I Abigail Toms

(Insert name of applicant)

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

Part 1 – Premises or club premises details

| | |
|---|--------------------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description New Inn Chapel Road Swanmore Southampton Hampshire | |
| Post town Winchester | Post code (if known) SO32 2QB |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) Greene King Retailing Limited Abbot House Bury St Edmonds Suffolk IP33 1QT |
|---|

| |
|--|
| Number of premises licence or club premises certificate (if known) PREM254 |
|--|

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises

- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

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

Please tick

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

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Name and address Mrs Abigail Toms Environmental Health Officer Environment Department Winchester City Council Colebrook Street Winchester SO23 9LJ |
| Telephone number (if any) 01962 848598 |
| E-mail address (optional) atoms @winchester.gov.uk |

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

Please tick one or more boxes

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

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

The prevention of public nuisance.

Please provide as much information as possible to support the application
(please read guidance note 2)

Between 14th April and 24th July 2010, the Environmental Health service received complaints alleging noise disturbance from residents living at 7 different properties within the vicinity of The New Inn.

Specifically they alleged that they were being disturbed by noise from loud live and recorded music, from shouting/screaming of customers using the garden area late at night and from people leaving the premises late at night, loitering, revving their car engines etc.

The New Inn is located in a semi-rural area and is surrounded by residential properties on all facades. (Appendix A) The existing Premises Licence PREM 254 allows regulated entertainment only in the form of live music and this is permitted on Saturdays only from 2000 to 2330 and only indoors of the premises. There is no provision for recorded music in the premises licence.

At a hearing of the Licensing sub-committee on 9th February 2009, it was resolved to refuse an application to vary the premises licence to extend the hours for the sale of alcohol and provision of live music, and to add recorded music, late night refreshment, dancing, exhibition of films and facilities for making music plus indoor sporting events.

On 21st April 2010, I visited the Designated Premises Supervisor (DPS) with Licensing Officer PC Miller to advise him of the complaints and discuss noise prevention controls. The DPS was advised to monitor noise from the boundary of the property, to keep windows and doors shut when music was being played and to monitor the garden area and people leaving the premises.

Complaints did not subside, however, and I was aware that a number of calls had been made to Hampshire Constabulary 101 service citing specific incidents of noise disturbance from music and clientele at the premises.

At the beginning of June 2010, I received completed log sheet evidence from Flint House and Ty Mawr. These properties are located in close proximity to the premises. The garden of Flint House backs onto the garden of the public house and Ty Mawr is directly adjacent to the public house. At the beginning of July 2010, I also received a log sheet from September Cottage. Copies of these records are enclosed at Appendix B.

As well as showing evidence of noise disturbance from loud music, people using the garden area and leaving the premises, each of the log records showed noise disturbance from loud music on a Friday night, in direct contravention of the Premises Licence. Some of the entries show that people were being disturbed by loud music prior to the permitted start time of 2000 and after the permitted finish time of 2330 in contravention of the licence. It is worth noting that several of the entries relate to noise from live bands in the garden of the premises. These events, held on 2nd April, 4th April, 2nd May and 30th May 2010 have been subject to Temporary Event Notices (TENS) and are not within the remit of the Premises Licence. Allegations of noise disturbances from such events is currently being investigated by the Environment Department under Environmental Protection Act 1990.

On 9th June 2010 I sent a formal warning letter to the Designated Premises Supervisor and Licensee Greene King (Appendix C) reminding the DPS to comply with the terms of the premises licence and take appropriate action to prevent noise nuisance. The letter also advised that monitoring would be carried as a result of continued complaints to substantiate the allegations.

Following this, I received several calls from the DPS who denied that he was playing music on Friday nights or recorded music on any night and was doing his best to monitor noise from the boundary of the property, in the garden area and when people leave. He also asked that I provide the complainants with his telephone number so that they could contact him directly at the time of being disturbed so that he could take immediate action.

Officers from the Environmental Health Department and Licensing section of Winchester City Council then carried out noise monitoring to assess noise nuisance allegations and contraventions of the Premises Licence.

On Friday 2nd July 2010, Mr John Myall (Licensing Manager) carried out monitoring in the evening to assess whether music was being played in contravention of the licence. It was not.

However, I then received information that Sergeant Chapman, Bishops Waltham Police station, had visited the New Inn on Friday 30th July 2010 at 2305. He saw an iPod plugged into speakers and reported that the recorded music was loud, certainly way above background music. He did not know it at the time, however that the Licence does not permit any recorded music at all and only live music on Saturdays.

My colleague Environmental Health Officer Philip Tidridge carried out noise monitoring in the evenings of Saturday 24th July and Saturday 30th July 2010. His record of investigation is shown at Appendix D.

Mr Tidridge witnessed that noise from people talking/ shouting was clearly audible and very intrusive in Flint Cottage late at night even with few people in the garden. The public house was playing recorded music after the live music had finished on Saturday 24th July 2010 and this went on until 0010hrs. Again on 31st July 2010, recorded music was being played, in contravention of the licence. Mr Tidridge reported that both live and recorded music were being played at such high a level, that he was clearly able to identify the words of the music tracks from the bedroom of Ty Mawr and stated that in his opinion this would have prevented the complainant from sleeping. Mr Tidridge also noted that on both occasions the outer door to the lobby of the front entrance had been left open, which may have exacerbated noise emissions.

He noted that at no time did he witness management intervention in assisting patrons to disperse from the premises quietly.

Conclusions:

The New Inn is located in a quiet semi-rural area and is surrounded by residential properties. PREM 254 is quite restrictive in that only live music is permitted on a Saturday between 2000 and 2330. Even if the licence had been adhered to, music was being played at such a level as to cause public nuisance to neighbours. Evidence shows that the licence restrictions are not being adhered to.

There are no restrictions on the use of the garden area and noise from patrons talking/ shouting has been causing a public nuisance late at night, even when there are few people using it.

It is widely recognised that noise from patrons leaving a public house can be problematic to control particularly when they have left the boundary of the premises; however, no attempt to control this was witnessed.

Recommendations:

1. That the facility for live music is removed from the premises licence.

2. That use of the garden is prohibited after 2100hrs
3. That the supply of alcohol and opening hours of the premises are reduced to finish at 2300 hrs to avoid causing public nuisance when patrons are exiting the premises.

Please tick yes

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

If yes please state the date of that application

Day Month Year

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

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

Please tick yes

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

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

Part 3 – Signatures (please read guidance note 3)

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

Signature

Date 23rd August 2010

Capacity Environmental Health Officer

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

Post town

Post Code

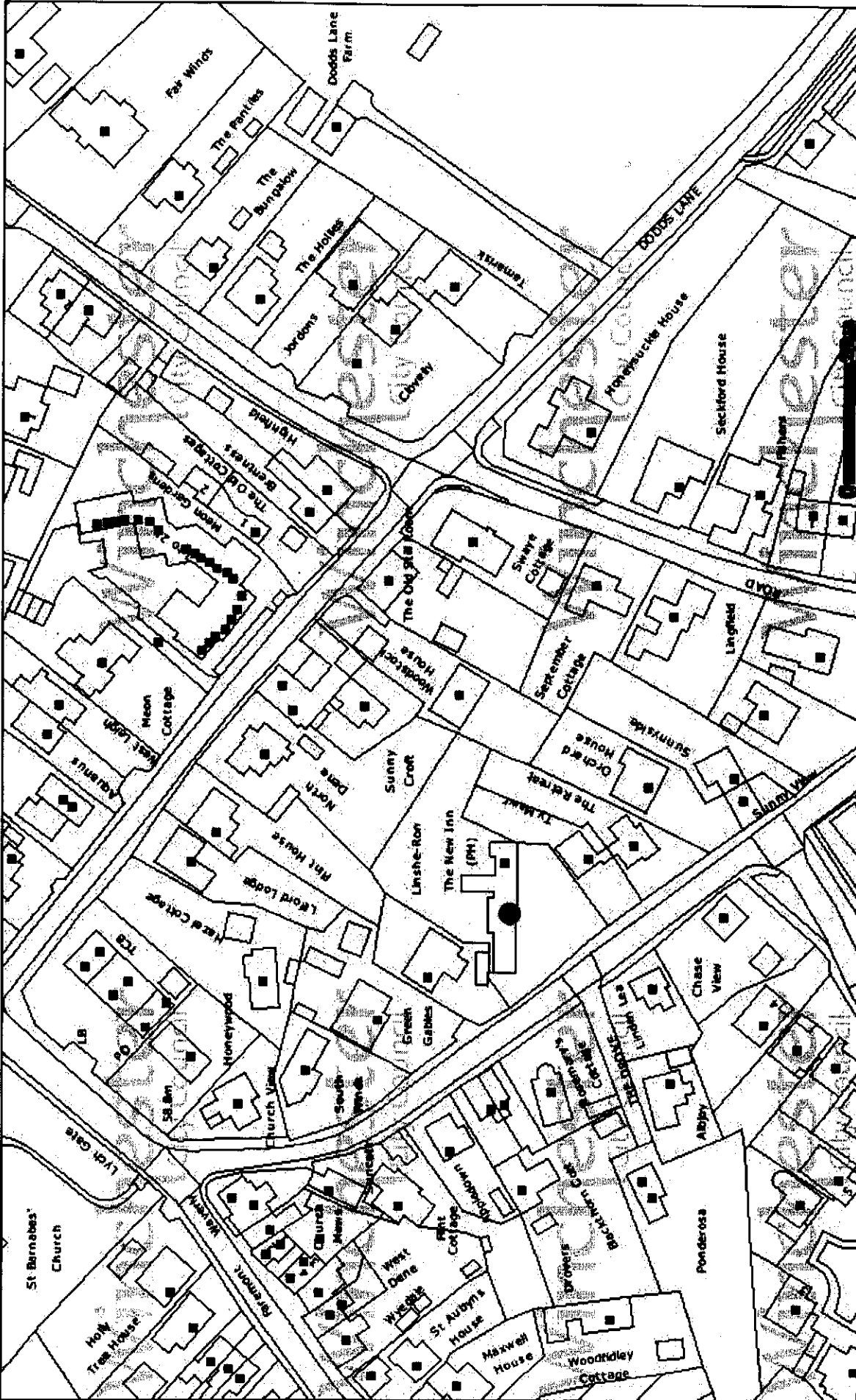
Telephone number (if any)

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

Notes for Guidance

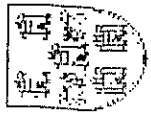
1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor)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

Appendix A: Map showing New Inn



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 Date of Print: 23.8.2010

Appendix B: Complainant's records of noise disturbance



Winchester
City Council



Communities
Directorate

City Offices
Colebrook Street
Winchester
Hampshire SO23 9LJ
tel 01962 840 222
fax 01962 840 586
telephone calls may be recorded

GENERAL COMPLAINT LOG SHEET

Complainant's Name & Address: W. R. JONES
TY MAWR CHARLES ROAD
SWANMORE HANTS: SO32 2 9QB
Type of Complaint: ANTI SOCIAL BEHAVIOUR
Source: NEW INN CHARLES ROAD SWANMORE
Complaint Ref No: 10/01918/NOINRJ

Date Delivered/Sent:
Investigating Officer: A. JONES
Ext No:

I certify this is a true & accurate record of events, observed by me at the time the incidents occurred. I understand that it may be used as evidence in court if necessary

Complainant's Signature:

Date: 10th June 2010

| DAY & DATE | START TIME | FINISH TIME | DURATION | COMMENTS |
|----------------|------------|-------------|--------------|---|
| 12th March Fri | 21 00 | 01 00 | 4 Hrs | Noise from language music till 23:40 unable to get to sleep. |
| 19th March Fri | 21 15 | 00 50 | 3 25 hrs | Noise. Beer glasses left in hedge and thrown over wall into garden later on the road became a free track as cars left the New Inn. |
| 20th March Sat | 20 10 | 01 00 | 5 Hrs | Loud music till 23:15 noise in car park till 00:45. |
| 26th March Fri | 20 45 | 00 30 | 2 45 hrs | Loud music till 00:15. Noise till about 00:50. |
| 2nd April Fri | 21 40 | 00 40 | 3 Hrs | General noise, swearing shouting & music till 00:40 |
| 11th May Fri | 23 10 | 00 50 | 1 50 min | Noisy No chance of sleep. |
| 15th May Sat | 20 00 | 00 40 | 4 40 min | Noisy New home ear plugs |
| 22nd May Fri | 22 00 | 00 45 | 2 45 hrs | Very noisy in car park & making area |
| 28th May Fri | 23 00 | 01 10 | 2 hrs 10 min | Noise from people drinking in car park. |
| 30th May Sun | 20 00 | 21 15 | 3 hrs | Very loud music from beer garden allowed to hear 9/4 to complain |

PLEASE RETURN TO ABOVE ADDRESS WHEN COMPLETED.

CUSTOMERS SEEN WALKING ALONG CHARLES ROAD WITH PINK GLASSIS PANTS FULLY SINGING AND BEER
9 YOUTHS BETWEEN 20 00 HAS AND 20 45. 3 RETURNED 30 MINS LATER

30th May Sun Music/Noise started again after 21 mins from inside the New Inn. Until 20:10

Winchester City Council

GENERAL COMPLAINT LOG SHEET

Complainant's Name & Address: Wendy Young
Flint House, Church Road, Swanmore, SO32 2PU

Date Delivered / Sent: 2 June 2010
Investigating Officer: Abigail Toms
Ext. No: 2598

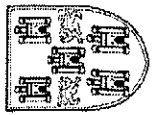
Type of Complaint: Noise

Source: New Inn, Chapel Road, Swanmore

Complaint Ref. No: 09/04161/NOINRI

I certify that this is a true and accurate record of events, observed by me at the time the incidents occurred. I understand that it may be used as evidence in court if necessary.

| DAY & DATE | START TIME | FINISH TIME | DURATION | COMMENTS |
|-------------------|------------|-------------|-----------------------|---|
| Friday 2/4/2010 | 1900 | 2345 | 4hours 45 minutes | Very loud music and general noise. |
| Saturday 3/4/2010 | 1830 | 2335 | 4 hours 35 minutes | Very loud music, general noise some sort of disturbance. |
| Friday 23/4/2010 | 1830 | 0045 | 5 hours 45 minutes | Very loud music and general noise. |
| Saturday 1/5/2010 | 2230 | 0015 | 1 hour 45 minutes | Arrived home at 2230 – to very loud noise and a disturbance. |
| Friday 28/5/2010 | 1800 | 0015 | 5 hours 15 minutes | Very noisy indeed – lots of young school-leavers in garden. |
| Sunday 30/5/2010 | 1400 | 2250 | 8 hours 50 minutes | The noisiest it has ever been. There was a brief respite from the music from 1840 for about half-an-hour. Telephoned 101 at about 2210. |



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

TEL (01962) 840222 FAX (01962) 840586

SHEET 1 of 2

GENERAL COMPLAINT LOGSHEET

COMPLAINANTS NAME & ADDRESS
 CRAWFORD JULIA WRIGHT
 SEPTEMBER COTTAGE
 CHAPEL ROAD
 SWANMORE
 HAMPSHIRE SO32 2QA

DATE DELIVERED/SENT
 6-07-10

INVESTIGATING OFFICER
 ABIGAIL TOMS

EXTENSION NO
 01962 848 598

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

TYPE OF COMPLAINT

SOURCE
 News In, Swannore
 10/01918/NOINRJ

COMPLAINANTS SIGNATURE
 DATE

| DAY & DATE | START TIME | FINISH TIME | DURATION | COMMENTS |
|---------------------|------------|-------------|----------|--|
| Swanbury 4-04-10 | 2-20 | 5-30 | 3-10 | Very loud highly amplified live music. Romy 101 about towards 5-0pm. because we could not stand the noise any longer. Impossible to work, sit in garden or even stay indoors. Spoke to Olly about situation, gave incident no ref 0736, said a policeman would attend. Peter PC Mark Marshall 21773 called it was worse to say that he had spoken to the landlord and looked around the premises. He said that he would not like to put up with the noise and was sorry that we did. |



Winchester
City Council

Environment

City Offices
Colebrook Street
Winchester
Hampshire
SO23 9LJ

tel 01962 840 222

fax 01962 841 365

telephone calls may be recorded

website www.winchester.gov.uk

Mr S Hawkins
New Inn
Chapel Road
Swanmore
Southampton
Hampshire
SO32 2QB

Your Ref:
Our Ref: 10/01918/NOINRJ
Enq to: Mrs Abigail Toms
Ext. N^o: 01962 848598
Direct Fax N^o: (01962) 840 586
Email: atoms@winchester.gov.uk

9 June 2010

Dear Mr Hawkins,

Environmental Protection Act 1990

Licensing Act 2003

Alleged noise disturbance from loud music, shouting, screaming, racing of cars,
throwing bottles into neighbours gardens

New Inn, Chapel Road, Swanmore

Further to my meeting with you on 21st April 2010 in the company of PC Miller, I write to advise you that this Department is still receiving complaints of noise disturbance and anti-social behaviour. Recently this has included records of specific incidents of disturbance.

At a hearing of the Licensing Sub Committee on 9 February 2009, it was resolved to refuse an application to vary the premises licence to extend the hours for the sale of alcohol and provision of live music, and to add recorded music, late night refreshment, dancing, exhibition of films and facilities for making music plus indoor sporting events.

The current premises licence allows regulated entertainment only in the form of live music. This is permitted on Saturdays only from 2000 to 2330 and only indoors of the premises. There is no provision in the premises licence for recorded music.

This Council has received information that music has been provided at the premises on some Friday nights, also after the hours permitted on Saturdays. Unless this has been authorised by a temporary event notice, it is unlawful to provide entertainment other than in accordance with the premises licence.

Providing unlicensed activities is a criminal offence which could result in prosecution for any person who provides the activities. The penalty for unlicensed activities is a maximum of £20,000 fine, six months imprisonment, or both. It could also trigger a review of the premises licence which could result in activities being curtailed or removed, extra conditions being imposed or ultimately the licence being revoked.

It is noted that you have applied for Temporary Event Notices (TEN) on various occasions to provide live music within the garden area attached to the public house. Whilst there is no legal mechanism for Environmental Health to refuse or add a condition to a TEN, if the noise is found to cause a statutory nuisance to neighbours under The Environmental Protection Act 1990, an Abatement Notice may be served on you. In the majority of cases, especially where located close to neighbouring properties, this Department would advise against having frequent bands outside where there is no noise attenuation.

You are also advised to manage the garden area and encourage customers to leave the premises promptly and quietly in so far as is within your control to avoid causing a nuisance to neighbours.

As a result of these continued complaints, monitoring will be carried out over the next 6 months to ensure that you are complying with your licence conditions and not causing a statutory nuisance to neighbours.

If you do wish to discuss these matters further please contact myself on tel no. 01962 848598 or Licensing Manager Mr J Myall on 01962 848433.

Yours sincerely,

Mrs Abigail Toms
Environmental Health Officer
PT Mon-Wed

CC: Greene King Retailing Limited. Abbot House. Bury St Edmunds. Suffolk. IP33 1QT

Appendix D: Records of noise monitoring by Environmental Health

File Notes

| | | | |
|--------------|--|------------------|-------|
| Subject name | _____ | Reference no: | _____ |
| | New Inn | | |
| Address | _____ | Contact numbers: | _____ |
| | Chapel Road | | |
| | _____ | Home | _____ |
| | Swanmore | | |
| | _____ | Work | _____ |
| | Hants | | |
| | _____ | Mobile | _____ |
| | SO32 2QB | | |
| Officer | _____ | Other | _____ |
| | Phil Tidridge (Environmental Health Officer) | | |

SITE VISITS FOR SAT 24 JULY AND 31 JULY

| Date | Time spent | INFORMATION |
|-------------------|--------------------|---|
| Saturday 24/07/10 | 2230 to 0025 (Sun) | <p>2230-2240 Walked up and down Chapel Road past New Inn. Sounds of live music clearly audible (especially bass) on Chapel road 2 houses from New Inn. Car park almost full, clientele appear to be young.</p> <p>2245-2315 Flint House, Church Rd. Music just audible in rear conservatory to premises, occasional short peaks of live music presumably as rear door is opened. Noise from shouting and talking in rear pub garden is very intrusive being clearly audible if conservatory with patio door open for ventilation. Confirmed this was from the New Inn by walking to bottom of garden that adjoins the pub.</p> <p>2325-0025 Ty Mawr, Chapel Rd. Observations initially made in rear garden where it was possible to observe the front of the pub and complainants bedroom with the window open for ventilation.</p> <p>Rear Garden (2325-2340) – Loud music from live band continued until 2340 (at 2330 they were playing "stairway to heaven"). Music became much louder when front door was open. There is a lobby but outside door to lobby was wedged open. Live music finished but was replaced almost immediately with recorded music. Could also hear noise from voices in rear garden of pub but less intrusive than at Flint House.</p> <p>Bedroom (2340-0010) – Recorded music clearly audible and intrusive, being at levels that would cause sleep disturbance. Tracks were clearly identifiable whilst in the bedroom and included Crowded</p> |

| | | |
|------------------------------|-----------------------|--|
| <p>Saturday 31/07/10</p> | <p>2255- 2345</p> | <p>House – Weather with you, James – Sit Down and Red Hot Chilli Peppers – Give it away. Music finished at 00:10</p> <p>Rear Garden (0010 till 0025) – Witnessed patrons leaving pub, a lot of shouting and disturbance as person were leaving - no signs of any management intervention to prevent this.</p> <p>Conclusions</p> <ul style="list-style-type: none"> • Live and recorded music witnessed contrary to licensing requirements. • No signs of any management intervention to limit impacts at closing time to front of pub. • Live music and rear pub garden have significant potential for disturbance especially as they continue past 2300 (i.e. into WHO night time sleeping hours) in a semi rural location. • Outer pub doors to front, were open increasing noise impacts. <p>2255-2300 Walked up and down Chapel Road past New Inn. Pub did not appear busy with plenty of spaces free in the car park. Recorded music being played which was audible 4 houses away for short period (when door opened?). Again outside door to front pub lobby was wedged open.</p> <p>2305-2325 Flint House, Church Rd. Private party to house next to pub generating more music noise than pub. However voices from use of pub garden still clearly audible in conservatory to property (with patio door open). Lower impact than last week.</p> <p>2330-2345 Ty Mawr, Chapel Rd. Recorded music being played until my departure at 2345. Volume of disturbance significantly lower than last week and complainant reported that this level was not an issue to them.</p> <p>Conclusions</p> <ul style="list-style-type: none"> • Recorded music witnessed contrary to licensing requirements. • Even when not busy the rear pub garden presents potential for disturbance especially past 2300 (i.e. into WHO night time sleeping hours) in such a semi rural location. • Outer pub doors to front of pub were again open increasing noise impacts. |
|------------------------------|-----------------------|--|

Appendix D: Records of noise monitoring by Environmental Health

File Notes

| | | | |
|--------------|--|------------------|-------|
| Subject name | _____ | Reference no: | _____ |
| | New Inn | | |
| Address | _____ | Contact numbers: | _____ |
| | Chapel Road | | |
| | _____ | Home | _____ |
| | Swanmore | | |
| | _____ | Work | _____ |
| | Hants | | |
| | _____ | Mobile | _____ |
| | SO32 2QB | | |
| Officer | _____ | Other | _____ |
| | Phil Tidridge (Environmental Health Officer) | | |

SITE VISITS FOR SAT 24 JULY AND 31 JULY

| Date | Time spent | INFORMATION |
|----------------------|-----------------------------|---|
| Saturday 24/07/10 | 2230 to 0025 (Sun) | <p>2230-2240 Walked up and down Chapel Road past New Inn. Sounds of live music clearly audible (especially bass) on Chapel road 2 houses from New Inn. Car park almost full, clientele appear to be young.</p> <p>2245-2315 Flint House, Church Rd. Music just audible in rear conservatory to premises, occasional short peaks of live music presumably as rear door is opened. Noise from shouting and talking in rear pub garden is very intrusive being clearly audible if conservatory with patio door open for ventilation. Confirmed this was from the New Inn by walking to bottom of garden that adjoins the pub.</p> <p>2325-0025 Ty Mawr, Chapel Rd. Observations initially made in rear garden where it was possible to observe the front of the pub and complainants bedroom with the window open for ventilation.</p> <p>Rear Garden (2325-2340) – Loud music from live band continued until 2340 (at 2330 they were playing "stairway to heaven"). Music became much louder when front door was open. There is a lobby but outside door to lobby was wedged open. Live music finished but was replaced almost immediately with recorded music. Could also hear noise from voices in rear garden of pub but less intrusive than at Flint House.</p> <p>Bedroom (2340-0010) – Recorded music clearly audible and intrusive, being at levels that would cause sleep disturbance. Tracks were clearly identifiable whilst in the bedroom and included Crowded</p> |

| | | |
|------------------------------|-----------------------|--|
| <p>Saturday 31/07/10</p> | <p>2255- 2345</p> | <p>House – Weather with you, James – Sit Down and Red Hot Chilli Peppers – Give it away. Music finished at 00:10</p> <p>Rear Garden (0010 till 0025) – Witnessed patrons leaving pub, a lot of shouting and disturbance as person were leaving - no signs of any management intervention to prevent this.</p> <p>Conclusions</p> <ul style="list-style-type: none"> • Live and recorded music witnessed contrary to licensing requirements. • No signs of any management intervention to limit impacts at closing time to front of pub. • Live music and rear pub garden have significant potential for disturbance especially as they continue past 2300 (i.e. into WHO night time sleeping hours) in a semi rural location. • Outer pub doors to front, were open increasing noise impacts. <p>2255-2300 Walked up and down Chapel Road past New Inn. Pub did not appear busy with plenty of spaces free in the car park. Recorded music being played which was audible 4 houses away for short period (when door opened?). Again outside door to front pub lobby was wedged open.</p> <p>2305-2325 Flint House, Church Rd. Private party to house next to pub generating more music noise than pub. However voices from use of pub garden still clearly audible in conservatory to property (with patio door open). Lower impact than last week.</p> <p>2330-2345 Ty Mawr, Chapel Rd. Recorded music being played until my departure at 2345. Volume of disturbance significantly lower than last week and complainant reported that this level was not an issue to them.</p> <p>Conclusions</p> <ul style="list-style-type: none"> • Recorded music witnessed contrary to licensing requirements. • Even when not busy the rear pub garden presents potential for disturbance especially past 2300 (i.e. into WHO night time sleeping hours) in such a semi rural location. • Outer pub doors to front of pub were again open increasing noise impacts. |
|------------------------------|-----------------------|--|

HAMPSHIRE CONSTABULARY**RESTRICTED****NEW GRANT OR VARIATION OF PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY**

Before completing this form please read the guidance notes on page 3.
Once completed please send your representation form to your local Licensing Authority.
You must keep a copy of the completed form for police records.

**Hampshire Constabulary wish to make a representation(s) regarding the grant or variation of a
Premises Licence or Club Premises Certificate issued under the Licensing Act 2003.**

These representations must be made within 28 days

| | | | |
|--|------------|------------------|----------|
| Postal address of premises or club premises: | | | |
| New Inn Chapel Road Swanmore Southampton Hampshire | | | |
| Post town: | Winchester | Postcode: | SO32 2QB |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) |
| Greene King Retailing Ltd Abbot House Bury St Edmonds Suffolk IP33 1QT |

Police Details

Hampshire Constabulary is a responsible authority.

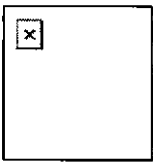
| |
|--|
| Name and address: |
| Winchester Police Station North Walls Winchester SO23 8DW |

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

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

Please select

RESTRICTED

**HAMPSHIRE CONSTABULARY****RESTRICTED****NEW GRANT OR VARIATION OF PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY**

- | | | |
|---|-------------------------------------|----------------------|
| 2) Public safety | <input type="checkbox"/> | <hr/> |
| 3) The prevention of public nuisance | <input checked="" type="checkbox"/> | one or more boxes |
| 4) The protection of children from harm | <input type="checkbox"/> | |

State the ground(s) for representation *(please read guidance notes 1 & 2)*

This report has been submitted in response to the Premises Licence Review applied for by the Environment Dept at Winchester City Council. The representation relates to the New Inn Swanmore.

Police have fourteen reports recorded on the Record Management System (RMS) directly relating to noise or nuisance issues at the New Inn Swanmore since 01/03/2009. Seven of these reports have been made this year alone.

Although noise is primarily the issue of the Environment Dept the Police also receive noise complaints from the public. One of the reasons perhaps being that Winchester City Council do not operate a 24 hour call out system. Also due to operational demands it is not always possible that there will be a Police attendance for noise complaints.

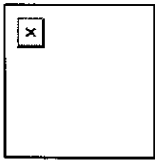
Unfortunately the New Inn is surrounded by residential dwellings and situated in a semi rural area. Due to the location of the New Inn the premises are always likely to attract noise complaints as there are few other sources nearby that could generate the same level of noise nuisance.

It is clear that there has been considerable noise nuisance for residents relating to the premises since the current named DPS took over the tenancy in July 2008.

This was very apparent when a variation was applied for in February 2009 and refused at the Hearing due to the level of complaints by residents. I also know following conversations with some residents that many have 'suffered in silence' with under reporting of issues to either the Environment Dept or Police in the past.

The current Premises Licence conditions involving regulated entertainment are restrictive in that it only authorises live music on Saturdays. Although from the reports it appears that many of the Licence conditions have not been complied with.

RESTRICTED

**HAMPSHIRE CONSTABULARY****RESTRICTED****NEW GRANT OR VARIATION OF PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY**

Complaints also appear to relate to when Temporary Event Notices (TEN'S) are submitted. Unfortunately once a TEN application is submitted and accepted by the Council only the Police can object. This can only be within 48 hrs and only be when the Crime and Disorder Licensing Objective is likely to be undermined. Noise is not considered 'crime and disorder,' and there is also no current mechanism to apply any further restrictions whatsoever to a TEN. This is the case for either before application or following a Hearing at a Licensing Sub Committee, where it can only be granted or refused.

The issue of TEN'S overriding existing restrictive Premises Licence conditions are well known. I am aware that the Environment Dept are currently investigating their powers under the Environmental Protection Act 1990 in relation to this Premises.

My conclusion is that I fully agree with the Environment Review recommendations in their entirety.

1. That the Facility for Live Music is removed from the Premises Licence.
2. That use of the garden is prohibited after 2100
3. That the supply of alcohol and opening hours of the premises are reduced to finish at 2300 to avoid causing public nuisance when patrons are exiting the premises.

State any conditions that the Police seek to negate the need for a hearing

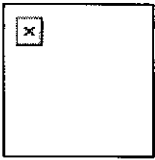
All of the above

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS REPRESENTATION

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

Recommendation of Police Officer

RESTRICTED



HAMPSHIRE CONSTABULARY

RESTRICTED

**NEW GRANT OR VARIATION OF PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY**

As above

Signature of Police Officer Completing

Signature: Gary Miller PC 1526 Licensing Officer Winchester District

Date: 20/09/2010

Recommendation of Police Sergeant

As above

Signature of Police Sergeant

Signature: A/Insp 2920 Hibberd

Date: 20/09/2010

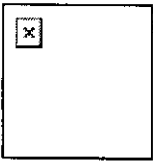
Decision of Police Licensing Inspector

Signature of Police Licensing Inspector

Signature:

Date:

RESTRICTED

**HAMPSHIRE CONSTABULARY****RESTRICTED****NEW GRANT OR VARIATION OF PREMISES LICENCE
OR CLUB PREMISES CERTIFICATE
FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY****NOTES FOR GUIDANCE**

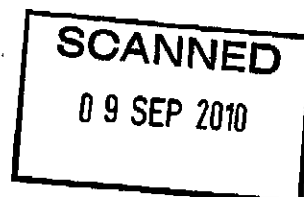
1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for representation if available.
3. The representation form must be signed.

RESTRICTED

Appledown
Chapel Road
Swanmore
Southampton
SO32 2QB

6th. September 2010.

Abigail Toms
Environmental Health Officer
Winchester



Dear Ms Toms,

Re- Noise nuisance and public disturbance relating to the New Inn, Swanmore.

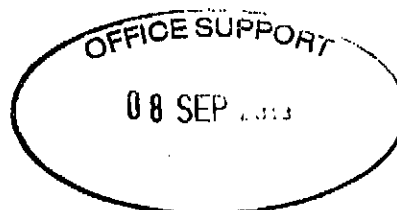
As a resident living in Chapel Road, Swanmore -, almost opposite to the New Inn, I am writing to support the action with regard to the need for a review of the licence of this public house.

Over the past two years there have been a host of instances of what have amounted to public nuisance in the locality emanating from the New Inn. Such instances have included unacceptable noise from the pub late at night with shouting and swearing in the street at any time between 11.30 p.m . and 3 a.m. the next morning. In addition there have been instances of urinating in the street and for the need to clear broken beer glasses from the pavement and the road the morning following late night drinking sessions – especially at weekends.

In short the nuisance caused by the manner in which this pub appears to be run, in my opinion and experience, has had a very detrimental effect on the local environment.

Yours sincerely


Michael J. Noble



Mr and Mrs MF Smith
Woodstock House
Church Road
Swanmore
Hants SO32 2PU

3 Sept 10

Mr John Myall
Licensing Manger

Dear Sir

Ref: Review of the Premises Licence (PREM 254) held by Greene King for the New Inn public house, Swanmore

I regret that I am unable to attend the hearing to review the Premises Licence held by Greene King for the New Inn, however, I would like this letter to be submitted in my absence.

My husband and I have lived next door to the New Inn for almost twenty years during which time there have been several licensees with whom we enjoyed a good relationship. Throughout the majority of that time it has been run as a village pub and indeed we have walked around on a number of occasions for a quiet drink and bar snack. On Bank Holidays it was customary to have a BBQ and music in the garden, which many of the residents of the village attended, in order to raise money for a local First Responder charity.

Unfortunately all that changed when the current licensee took over. He encouraged the youth of the surrounding district to frequent the pub by introducing regular live music gigs. The problem has been that even though the music has been inside on many occasions it has been so loud that it has been impossible to enjoy summer evenings in our garden. I have had to close bedroom windows on retiring but have still had to endure the thump, thump of the bass intruding. Coupled with this has been the screaming and shouting of people drinking and smoking in the garden and even worse when leaving the pub in the small hours. Swanmore is a quiet village so the noise is horrendous at one and two in the morning.

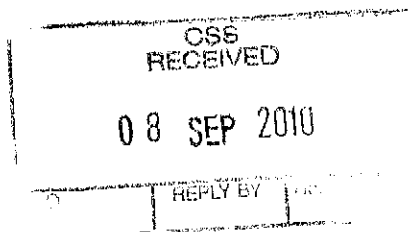
When the problem first started, I tried speaking to the licensee direct but as this had no effect, I have found it necessary to phone the police on numerous occasions to complain about the intolerable noise. My neighbours and I have also met with Abigail Toms, Environmental Health Officer who has taken up our complaints.

In view of the above, I hope you will review the license for the New Inn accordingly.

Yours faithfully

Mike and Lyndsey Smith

September Cottage
Chapel Road
SWANMORE
Hampshire
SO32 2OA



0-07-10

John Myall
Licensing and Registration Manager
Winchester City Council
Colebrook Street
WINCHESTER
Hampshire
SO23 9LJ



Dear Mr Myall,

Licensing Act 2003
Review of Premise Licence (PREM 254)
New Inn Chapel Road

I have been advised by Abigail Toms, Environment Health Officer that there will be a review of the above license. I write to inform you that I wish to attend this hearing and would like to express my views in person to the hearing. In summary I would like the following to be noted by the review panel.

1. This establishment appears to have been hi-jacked. It is no longer the village pub that it used to be, it is like a club, not for village people but for outsiders. The pub has not recently advertised locally in the village magazine which some 1400 copies are distributed free to every house in the village.
2. The noise, especially loud amplified music, has been impossible to live with. Although we are about 100 yards from the pub we cannot use our garden or even sit indoors the sound is so loud even through two sets of double glazing. The situation is particularly serious when a TEN (Temporary Event Notice) is granted.
3. At weekends there is often loud noise, screaming, shrieking, car doors being slammed, cars screeching as people leave. Although the license only covers drinking up to midnight, these events often happen well after 1-0am.
4. The police have been called on a number of occasions; Winchester City Environmental Officers have listened to resident's problems and monitored the situation. Correspondence relating to residents problems has been sent to two members of Parliament Winchester and Meon Valley, also to Chief Superintendent Karen Manners, Central OCU Commander.

Would the Licensing Committee please take firm positive action to stop and prevent any further problems from this pub which have made the residents lives extremely unpleasant and I feel is unacceptable in a civilised society.

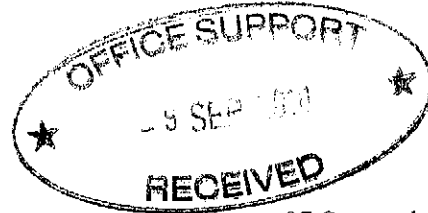
Would you please confirm acceptance of this letter and inform me of the place and time of the review.

Yours sincerely

Crawford Wright.

WHITE OWLS
SPRING LANE
SWANMORE
SOUTHAMPTON
SO32 2PT

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



07 September 2010

Dear Sir

Reference: Review of Premises Licence, PREM 254, The New Inn, Swanmore

I am delighted to see that the licence of the above premises is to be reviewed on the basis of "prevention of public nuisance".

Our home, where we have lived since 1981, has been blighted since the arrival of the current landlord by the continual noise from the pub and the rowdy behaviour of its seemingly young customers. Our house is less than 60 metres away from the pub and separated only by a garden so there is nothing to deaden the noise.

The problem is particularly bad on weekends when drinkers congregate in the car park. The noise / nuisance level is so bad that on many evenings we have had to shut all of our windows which on hot summer evenings has made sleeping very difficult.

Walking, or even driving, past the pub can be an intimidating experience with so many drinkers hanging around outside. From a safety point of view, it is not uncommon after a Friday or Saturday night to see bottles and glasses left in the roadway.

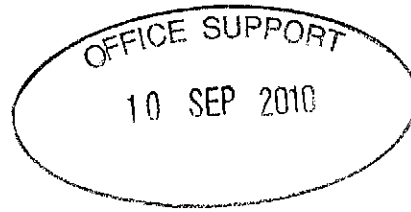
Anecdotal evidence would also suggest that vandalism has increased in the village as youngsters stagger home from the New Inn – hanging baskets torn down and ornaments removed from old people's gardens.

The village has lived at peace with a variety of landlords over the last thirty years. The current move to turn the New Inn into a young person's venue is not appropriate to a residential village centre location.

Yours faithfully

Michael R Salter

Southwinds,
Chapel Road,
Swanmore,
Southampton,
SO32 2QB



6 September 2010

Mrs. Abigail Toms, Environmental Health Officer
City Offices,
Colebrook Street,
Winchester, Hampshire,
SO23 9LJ

Dear Mrs. Toms,

Ref. New Inn Swanmore

I attach a General Complaints Logsheet referencing noise in the road after midnight on Wednesday/Thursday last week.

Regarding the forthcoming licence review hearing I would like it to be considered that The New Inn in Swanmore used to be a pleasant village pub where village residents could meet their friends and have 'a drink and a game of darts, or whatever'. There were even occasional Morris Dancers on a summer evening! Since the present management took over the majority of people who used to frequent the New Inn do not feel they can go there any more due to the complete change of the pub atmosphere to that of a noisy city pub for young people. This is not what is required in a quiet residential village street.

We have lived for very nearly forty years in Chapel Road three doors along from the New Inn. We hear noise and bad language out in the road long after midnight, mainly on a Friday and Saturday night, but not every week. Other residents living in the area behind the pub hear the noisy 'music' from the pub garden and from inside the building but, perhaps, not so much the *street* noise.

You must have heard all this before, but there may now be an opportunity to get something done about the problem and return the pub to keeping reasonable regular opening hours without the late night disturbances.

Yours sincerely,

Colin Taylor

PS. The New Inn seems to be **closed** at the moment. I think, due to the departure of the landlord !

Copy: John Myall



Winchester
City Council

Premises Licence

Premises Licence Number

PREM254

05/00964/LAPRMV

Part 1 – Premises Details

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

New Inn
Chapel Road
Swanmore
Southampton
Hampshire
SO32 2QB

Telephone number

Where the licence is time limited the dates

Licensable activities authorised by the licence

- e) Live Music
- m) Supply of Alcohol

Times the licence authorises the carrying out of licensable activities

- e) Live Music
 - Indoors of premises only.
 - (i) **Saturdays only** **2000 to 2330**

m) Supply of Alcohol

- (i) **Sunday to Thursday** 1100 to 2300
- (ii) **Friday and Saturday** 1100 to 0000
- (iii) **The above times to be extended to 0000 on Sundays of Bank Holiday weekends, Christmas Eve, Christmas Day, Boxing Day, and other Bank Holidays.**

The opening hours of the premises

- (i) **Sunday to Thursday** 1100 to 2320
- (ii) **Friday and Saturday** 1100 to 0020
- (iii) **The above times to be extended to 0020 on Sundays of Bank Holiday weekends, Christmas Eve, Christmas Day, Boxing Day, and other Bank Holidays.**

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

Alcohol is supplied for consumption both on and off the Premises

Part 2

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

Greene King Retailing Limited
Abbot House
Bury St Edmunds
Suffolk
IP33 1QT

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

Registered Company Number 5265451
Registered Charity Number

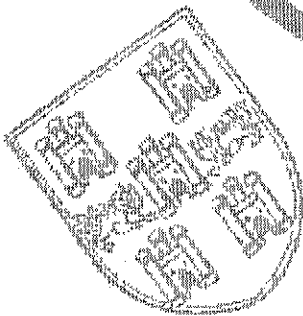
Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Simon Hawkins
The New Inn
Chapel Road
Swanmore
SO32 2QB

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 | PERS53 |
| 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.

Annex 2 – Conditions consistent with the Operating Schedule

See Annex 3

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

Crime and Disorder

1. All external walkways and car parking areas shall be illuminated during the hours of darkness up to 30 minutes after the premises close.
2. Trained staff shall maintain a close watch on the trading area and behaviour of customers at all times and shall either a) take appropriate action where needed or b) report concerns to their manager (where they are not authorised to deal personally with an issue).

Public Safety

None

Public Nuisance

1. Whilst music is being played as part of regulated entertainment, the licensee or appointed member of staff shall check periodically that noise levels are acceptable. Such monitoring shall be carried out at the boundary of the premises to ensure that local residents are not likely to be disturbed.
2. Regulated entertainment shall be restricted to the inside of the premises.
3. No recorded music shall be played at the premises at any time.

Protection of Children

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

2. No unaccompanied children shall be permitted to be on the premises.
3. No children shall be permitted to be on the premises after 2100 hours.

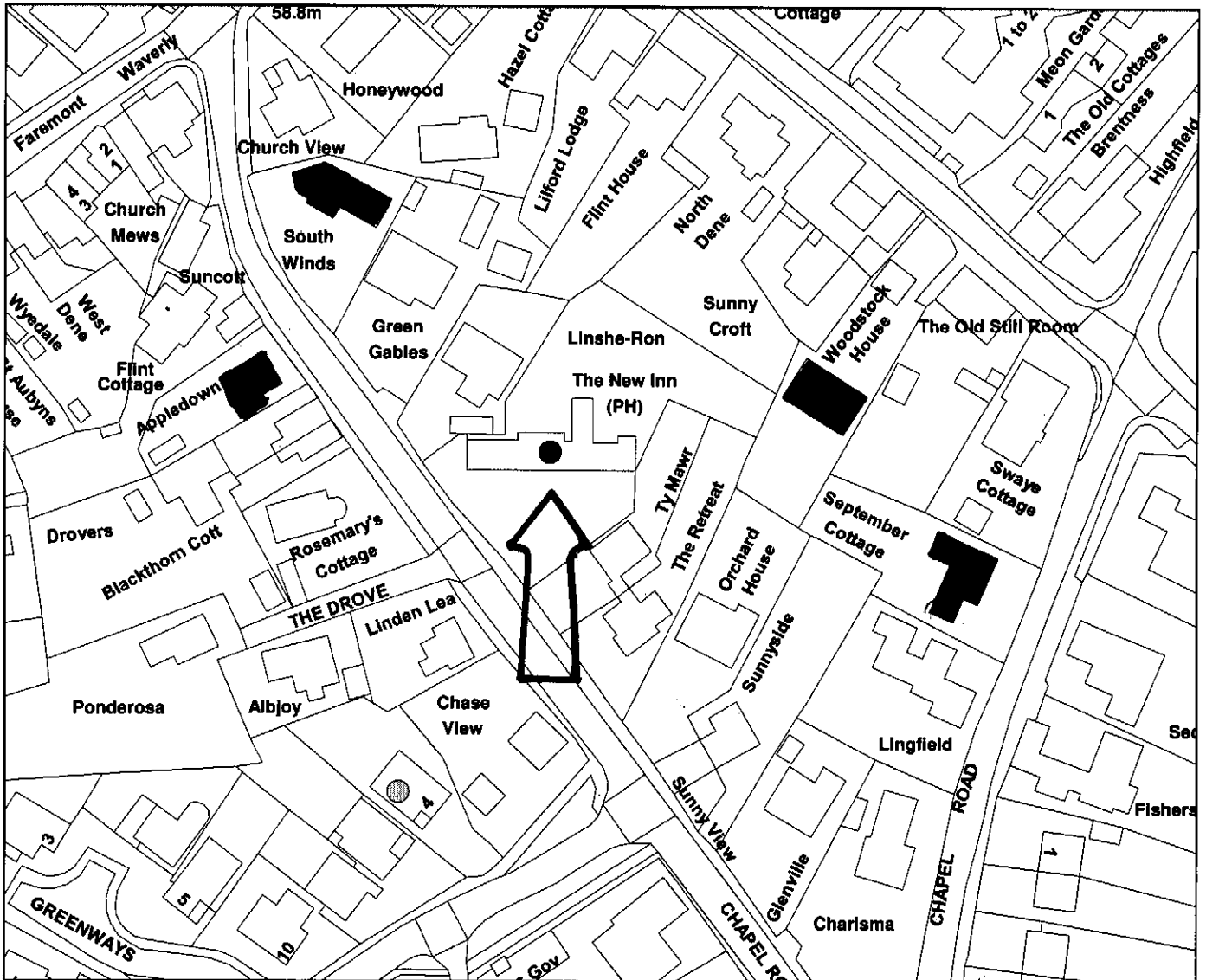
Annex 4 – Plans

See attached



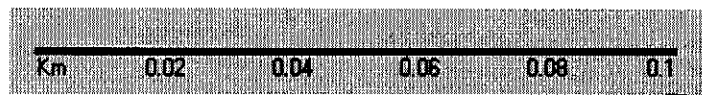
Appendix 4b

New Inn Swanmore



Legend

Scale:



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