

**LICENSING SUB – COMMITTEE**

25 February 2016

Report of the Head of Environmental Health and Licensing

Contact Officer: Carol Stefanczuk. Tel No: 01962 848 188.  
Email: cstefanczuk@winchester.gov.uk

Application: Review of Premises Licence

Premises: First In Last Out, 37 Wales Street, Winchester, SO23 0ET

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

**Applicant:** Mrs Abigail Toms, Environmental Health Manager

**Premises:** First In Last Out, 37 Wales Street, Winchester, SO23 0ET

- 1.1 An application to review the premises licence for First In Last Out has been submitted by the Environmental Health Manager, Winchester City Council (a responsible authority), under section 51 of the Licensing Act 2003. The application was received on 24 December 2015 (Appendix 1).
- 1.2 The review application relates to the prevention of public nuisance licensing objective following complaints and noise monitoring visits carried out near to the premises in 2015.
- 1.3 A copy of the application was sent to the other responsible authorities and to the licence holders.
- 1.4 The notice of review was displayed outside of the premises for a minimum of 28 days starting 24 December 2015. A copy of the notice was also displayed at the City Offices and on the Council's website.
- 1.5 The First In Last Out is a public house authorised under a premises licence for live and recorded music and the supply of alcohol for consumption on and off the premises.
- 1.6 The premises licence holders, Punch Taverns PLC, have held the premises licence since the Licensing Act 2003 came into force on 24 November 2005.
- 1.7 In August 2015, two complaints from different residents of Colson Road were received by Environmental Protection alleging noise disturbance from loud music and from patrons screaming and shouting late at night.
- 1.8 A warning letter was sent to the premises licence holder and designated premises supervisor (DPS) but no response was received (Appendix 5(a)).
- 1.9 In October 2015, a further two complaints from residents of different properties in Colson Road were received by Environmental Protection alleging noise disturbance from loud live music and noise from patrons using the garden.
- 1.10 A further warning letter was sent to the DPS. No response was received.
- 1.11 On the evening of Friday 16 October 2015, at approximately 2230, Mrs Toms and Phil Tidridge, Environmental Health Officer, carried out noise

monitoring from Colson Road. Details of their observations can be found on page 4 of the application at Appendix 1.

- 1.12 Following the noise monitoring on 16 October 2015, log sheets were received from one of the residents of Colson Road detailing several occasions of disturbance.
- 1.13 Mrs Toms and David Ingram, Head of Environmental Health & Licensing, carried out further noise monitoring during the evening of Saturday 12 December 2015. Mrs Toms describes in her application that; *“Given the close proximity of residences, overlooking the pub, I was in no doubt that the level of patron noise and accompanying bass thump from the pub, was causing a public nuisance.”* Full details of their observations can be found on page 4 of the application at Appendix 1.
- 1.14 The applicant, Mrs Toms, has asked the Sub-Committee to consider reducing the hours of live and recorded music and the sale of alcohol Thursday to Sunday and on New Year’s Eve. Mrs Toms also asks the Sub-Committee to consider restricting the use of the garden to smokers only after 2230 and the inclusion of a satisfactory Noise Management Plan.
- 1.15 A representation was received by a resident of Wales Street who wished to remain anonymous (Appendix 2).
- 1.16 Anonymous representations are not usually considered valid, unless there are exceptional circumstances. In this case, the Licensing Manager decided that in view of the comments made in the representation and following a discussion with the individual, that there were sufficient reasons for the representation to remain anonymous. The individual has been made aware that the anonymous representation may carry less weight.
- 1.17 The individual’s representation also refers to the public nuisance licensing objective alleging noise nuisance and inappropriate behaviour.
- 1.18 Environmental Protection and Licensing have previously visited the premises on 26 April 2011. A follow up letter was sent dated 27 April 2011 (Appendix 5(b)).
- 1.19 Following complaints to the licensing section received in September 2014, a letter was sent to the current designated premises supervisor at the time, Susan Hayes, and copied to Punch Taverns dated 9 October 2014 (Appendix 5(b)).
- 1.20 Notices of the hearing were sent to all Parties on 9 February 2016.

**Current Designated Premises Supervisor**

Jonathan Mark Sweeney (from 5 January 2016)

**Previous Designated Premises Supervisors** (relevant to this application)

Edward Puno from 26 August 2015 to 5 January 2016

Susan Hayes from 30 April 2014 to 26 August 2015

**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:

**Environmental Health**

Applicant

**Hampshire Constabulary**

No representations received.

**Hampshire Fire and Rescue Service**

No representations received.

**Child Protection Team**

No representations received.

**Building Control**

No representations received.

**Head of Safety Standards**

No representations received.

**Public Health Manager**

No representations received.

**Licensing Authority**

No representations received.

**3. Representations from Other Persons**

One anonymous representation received in relation to the public nuisance licensing objective.

#### **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 licensing authority must, having regard to the application and any relevant representations, take such steps showed below as it considers necessary for the promotion of the licensing objectives:-
- a) Modify the conditions attached to the licence either permanently or for a period not exceeding three months.
  - b) Exclude a licensable activity either permanently or for a period not exceeding three months.
  - c) Remove the Designated Premises Supervisor.
  - d) Suspend the licence for a period not exceeding three months.
  - e) Revoke the licence.
- 4.5 If the Sub-Committee decides that none of the above measures are appropriate, it may take no action.

#### **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, appropriate 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

The Mandatory Conditions are imposed on a premises licence in any case.

Mandatory Conditions

### **Where the Licence Authorises Supply of Alcohol:**

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.

### **Where the Licence requires Door Supervision:**

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

### **The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014**

*– effective from 1 October 2014*

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can

- reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
    - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
    - (3) 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 either—
      - (a) a holographic mark, or
      - (b) an ultraviolet feature.
  4. The responsible person must 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;
    - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
    - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014**  
**– effective from 28 May 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) “permitted price” is the price found by applying the formula-  **$P = D + (D \times V)$**   
 where-
    - (i) **P** is the permitted price,



- (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
  4. (1) Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
    - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Possible Conditions**

The Sub-Committee may wish to consider whether any further conditions are considered necessary to promote the prevention of public nuisance licensing objective, in the light of the application and the representation by Environmental Protection.

## **6. Other Considerations**

### **Community Strategy and Portfolio Plans (Relevance To:)**

This report covers issues which affect the Outcomes of High Quality Environment and Active Communities.

There is no direct link to Portfolio Plans as the requirements under the Licensing Act 2003 are statutory functions.

### **Resource Implications**

No fee is applicable for this application. In regulating the activities it is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

### **Appendices**

1. Application by Mrs Abigail Toms, Environmental Health Manager
2. Representations by other persons
3. Current premises licence (redacted) and plan
4. Map of premises location
5. (a) Correspondence sent by Environmental Protection to the premises licence holder and designated premises supervisor
  - Standard EH warning letter
  - Email to Edward Puno 19 October 2015
- (b) Historic correspondence sent by Licensing
  - Letter to Mr Sweeney dated 27 April 2011
  - Letter to Susan Hayes, DPS at the time, dated 9 October 2014
  - Copy of letter to Susan Hayes to Punch Taverns, dated 9 October 2014



# Winchester

City Council

## 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

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> First In Last Out 37 Wales Street Winchester	
<b>Post town</b> Winchester	<b>Post code (if known)</b> SO23 8ET

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Punch Taverns plc Jubilee House Second Avenue Burton Upon Trent Staffordshire DE14 2WF
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<b>Number of premises licence or club premises certificate (if known)</b> PREM 394
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#### Part 2 - Applicant details

I am

Please tick yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

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)**

Mr  Mrs  Miss  Ms

Other  
title  
(for example, Rev)

Please tick yes

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 Manager Winchester City Council Colebrook Street Winchester Hampshire 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)**

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

Please tick one or more boxes

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

**Please state the ground(s) for review (please read guidance note 2)**

The prevention of public nuisance

**Please provide as much information as possible to support the application**  
(please read guidance note 3)

The First In Last Out Public House is a licensed premises incorporating a garden area that borders a cul de sac of residential properties in Colson Road.

The Public House currently benefits from a licence that permits playing of live and recorded music until from 1100 to 0100 on Thurs- Sat and includes a garden/ patio area at the rear as part of the licensed area.

In August 2015, this Department received 2 complaints from different residents in Colson Road alleging noise disturbance from loud music and from patrons screaming / shouting late at night. A warning letter was sent to the Premises Licence Holder and Designated Premises Supervisor (DPS), but no response was received.

In October 2015, a further 2 complaints were received from 2 different properties to those that had complained in August, again from Colson Road and again alleging noise disturbance from loud live music and noise from patrons using the garden.

A warning letter was sent to the Designated Premises Supervisor and log sheets were sent to the complainants. There was no response from the Designated Premises Supervisor.

On the evening of Friday 16<sup>th</sup> October 2015, at approximately 2230, my colleague Phil Tidridge and I carried out noise monitoring from Colson Road. We noted that the rear patio doors had been left open and there was considerable noise escape from the premises resulting in excessive noise of recorded music with a dominant bass thump that could be clearly heard in Colson Road and was, in my view certainly likely to cause public nuisance. There were few people in the garden area at the time. We spoke to the Designated Premises Supervisor Eddie Puno on site and asked him to reduce the volume, to close the rear patio doors and to monitor noise levels from the garden area to ensure that public nuisance would be prevented.

This was followed up with an e-mail to the Premises Licence Holder Punch Taverns and DPS. Punch Taverns replied stating that their Partnership Development Manager would contact me. However this did not happen. The DPS Eddie Puno did visit the City Council Offices on 27<sup>th</sup> October 2015 and advised me that he had put into place a series of control measures to prevent public nuisance from the music and the garden area.

Following this, log sheets were received from one of the residents in Colson detailing several occasions of disturbance

My colleague David Ingram and I carried out further noise monitoring on the night of Saturday 12<sup>th</sup> December.

We arrived at the premises at 23:10, parking in the car park adjacent to the pub garden in Colson Road. Upon parking the car we were immediately aware of loud conversational noise and shouting coming from the pub garden, attended by a highly audible bass thump, coming from inside the pub and which fluctuated wildly with the opening and closing of the rear door to the pub.

Given the close proximity of residences, overlooking the pub garden, I was in no doubt that the level of patron noise and accompanying bass thump from the pub, was causing a public nuisance.

David and I wanted to establish the numbers of people outside the pub garden, so we entered the front of the pub and proceeded to the rear garden. On walking through the pub we passed a DJ who was playing very loud and bass heavy dance music, but the pub was relatively empty with only a handful of people dancing and a few people scattered around. We walked out into the pub garden and counted only approximately 15 patrons in this area, which was a surprise given the cacophony of noise they were creating. There were females screaming and men shouting and it was clear that the majority were heavily under the influence of alcohol and oblivious or uncaring of the residences in close proximity.

We noted that there were no obvious measures or staff being deployed by the pub management to 'control' this rowdy behaviour. David and I walked back through the pub and noted that there was a small crowd in a side room watching a boxing match on a large flat screen, which appeared to be finishing. All the while without pause, the very loud music continued with a heavy bass content and it struck me that given the limited number of people enjoying the music, that there was no need to be playing it at such a loud volume.

At 23:37 we sat back in the car and discussed the situation. The music continued and from our position was clearly audible and the words of the music recognisable, even with the car windows shut.

There was also an evident altercation taking place in the garden with a burst of shouting and swearing between two males, all of which was very intrusive and would without doubt be clearly audible in adjacent residences. After discussing the situation both David and I were of the view that this was presenting a Public Nuisance and undermining the same objective set down within the Licensing Act 2003, and as such, merited a Review application. Although technically we did not witness this from inside a residential property, I am also of the view that what I witnessed was so loud as to present a statutory noise nuisance and in breach of the Environmental Protection Act 1990.

Despite attempts to resolve the noise issues informally, local residents are still being disturbed on a frequent basis.

With a premises that is so closely located to a large number of residential properties, it is my view that noise from both music and the garden area should be vigilantly managed to avoid causing disturbance.

I would ask that the Licensing Committee give consideration to reducing the hours of live and recorded music and sale of alcohol on Thurs - Sunday and on New Years Eve and that the use of the garden is restricted to use by smokers only after 2230, supported by the provision of an agreed Noise Management Plan.

Have you made an application for review relating to the premises before?

Please tick yes

If yes please state the date of that application

Day Month Year

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

Not applicable



- 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

Please tick yes



**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 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date 24.12.15

Capacity Environmental Health Manager

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)</b> As above	
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. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

**From:** [redacted]  
**Sent:** 27 January 2016 11:59  
**To:** Licensing  
**Subject:** Re: Review of Premises Licence First in Last Out Public House

Dear Carol

Thank you for your email of 26th January.

I am happy for redacted versions of my emails to be included in the public document but with the removal of all references to [redacted] as my previous abode.

I would like to add that, having talked to neighbours about this pub over the past year or so, there seems to be a consensus that despite fairly frequent changes of manager/landlord nothing seems to change or improve.

Many thanks

[redacted]

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On Tuesday, 26 January 2016, <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> wrote:

Dear [redacted],

Thank you for your email. I understand your position and ask that you consider the following.

Anonymous representations are not usually taken into consideration, however, in view of the nature of your comments, I think it is relevant for the Licensing Sub Committee to consider. Albeit, less weight would be given to your comments if they are anonymous.

I propose that the attached document is provided in the public document (report to Licensing Sub Committee) which is a redacted version of your emails. Please confirm if you agree or withhold consent to this document being included in the public report no later than Friday 29 January. A reminder that the public report is available on the Council's website and forwarded to the licence holder and their Solicitors for their consideration.

If you would like to discuss this matter please call me on 01962 848 188.

Regards  
Carol

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**From:** [redacted]  
**Sent:** 22 January 2016 20:15  
**To:** Licensing  
**Subject:** Re: Review of Premises Licence First in Last Out Public House

Hi Carol

Having thought about it a lot....talked to neighbours.. And lately this week having seen 2 drug deals going down at path at end of our garden...obviously harsher than cannabis given the shaky state of recipient...Have decided cannot risk my name , address being used.

Hopefully someone will feed the fact that I feel vulnerable/intimidated to the committee!

I am elderly and quite disabled....so are many around here....hopefully this will be noted. please let the committee know that people around here are having their lives and freedoms restrict through fear and intimidation.

I will try to call u to confirm before 29th. But although I hate to do this please remove my submission.

Thanks

[redacted]

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On Friday, 22 January 2016, <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> wrote:

Dear [redacted],

Thank you for your representation.

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 contact me no later than Friday 29 January 2016 if you do not wish your details to be published (signatures, telephone numbers and email addresses will not be published).**

When relevant representations are received, the authority must hold a hearing to determine the application by the Licensing Sub Committee, unless all

parties agree that a hearing is not necessary. If a hearing is arranged, it will be held at Winchester Guildhall on a date to be confirmed.

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 <https://www.gov.uk/alcohol-licensing> and <http://www.winchester.gov.uk/licensing/alcohol-entertainment/representations-licensing-act-2003-applications/> which gives some guidance for persons making representation.

If you have any queries, please contact me.

Yours sincerely

Carol Stefanczuk  
Licensing Manager

Winchester City Council, City Offices, Colebrook Street, Winchester, SO23 9LJ  
Tel: 01962 848 188 - Email: [cstefanczuk@winchester.gov.uk](mailto:cstefanczuk@winchester.gov.uk) -  
Web: [www.winchester.gov.uk/licensing](http://www.winchester.gov.uk/licensing)

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**From:** [redacted]  
**Sent:** 08 January 2016 08:21  
**To:** Licensing  
**Subject:** Review of Premises Licence First in Last Out Public House

To whom it may concern, we wish to comment on the above review application from Environmental Health with regard to the Prevention of Public Nuisance.

We are residents of [redacted] Wales Street, [redacted], and have lived here for approx. 18 months. We moved here from [redacted] expecting a gentler and more peaceful way of life. We have been shocked by the amount of noise and awful behaviours emanating from the above premises. We have written to our councillors on previous occasions but nothing positive has resulted.

Concerning the Prevention of crime and disorder:

On many occasions, especially at weekends, there have been very drunken men yelling loudly, falling over, fighting, being sick on our doorstep and even urinating against a neighbour's wall. I have also observed a young woman walking home and being verbally abused by men outside this pub, smoking in the street. A most upsetting experience for her.

From my experience of living in [redacted], [redacted] I am very aware that drug dealing/ cannabis smoking also goes on outside this venue, by people who have been drinking in the bar.

The events above will also apply to the Public Safety criteria.

The late licence for music and parties feels totally inappropriate for a bar surrounded by residential properties. As it is generally quiet in this area, and the building is not sound proofed due to its age, any noise past 11pm is very loud and disturbing. This is particularly difficult in summer months when customers are in the pub garden and our windows need to be open. I wonder how many other late licences are given to establishments in this type of location in Winchester?

We now have a Premier Inn just up the road and visitors to Winchester, often with children, have to walk past this pub on their way back to their lodgings. I would suggest that the above described behaviours do not give a very good impression of the area.

The owners/landlord of this pub have absolutely no respect for their neighbours many of whom now feel thoroughly intimidated by them; hence you may not get many responses as people are too scared to give their names.

In conclusion, this venue is in a most beautiful old building which could be put to a much better purpose. The licence should be revoked as soon as possible in order to stop causing such misery to this neighbourhood.

[redacted]



## Premises Licence

Premises Licence Number

PREM394

16/00093/LAVDPS

### Part 1 – Premises Details

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

First In Last Out  
37 Wales Street  
Winchester  
Hampshire  
SO23 8ET

Telephone number 01962 865 963

Where the licence is time limited the dates

Licensable activities authorised by the licence

- e) Live Music
- f) Recorded Music
- m) Supply of Alcohol

Times the licence authorises the carrying out of licensable activities

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

- e) Live Music
- f) Recorded Music
  - (i) **Monday to Wednesday 1100 to 2300**
  - (ii) **Thursday to Saturday 1100 to 0100**
  - (iii) **Sunday 1200 to 2230**
- m) Supply of Alcohol
  - (i) **Monday to Wednesday 1100 to 2300**
  - (ii) **Thursday to Saturday 1100 to 0100**

- |       |                      |   |
|-------|----------------------|---|
| (iii) | <i>Sunday</i>        | <i>1200 to 2230</i>                                 |
| (iv)  | <i>Christmas Day</i> | <i>1200 to 1500</i><br><i>1900 to 2230</i>          |
| (v)   | <i>New Years Eve</i> | <i>1000 to 1000 1 January (1200 if on a Sunday)</i> |

The above hours may be extended by 1 hour on; Christmas Eve, Boxing Day, New Years Day, Spring and August Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, Friday Saturday and Sunday of Bank Holiday weekends.

**The opening hours of the premises**

- |       |                             |                     |
|-------|-----------------------------|---------------------|
| (i)   | <i>Monday to Wednesday</i>  | <i>1100 to 2330</i> |
| (ii)  | <i>Thursday to Saturday</i> | <i>1100 to 0130</i> |
| (iii) | <i>Sunday</i>               | <i>1200 to 2300</i> |

**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**

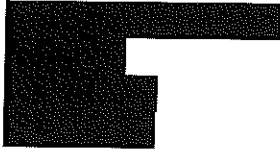
Punch Taverns Plc  
Jubilee House  
Second Avenue  
Burton Upon Trent  
Staffordshire  
DE14 2WF

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

Registered Company Number                      03752645  
Registered Charity Number

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

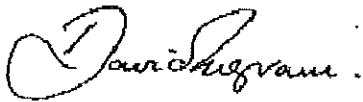
Jonathan Mark Sweeney



**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                      765

Licensing Authority                              Fareham Borough Council

A handwritten signature in cursive script, reading "David Heyman".

Head of Environmental Health & Licensing



## **Annex 1 – Mandatory conditions**

### **Where the Licence Authorises Supply of Alcohol:**

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.

### **Where the Licence requires Door Supervision:**

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

### **The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 – effective from 1 October 2014**

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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 either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. The responsible person must 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;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014**  
**– effective from 28 May 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula-  $P = D + (D \times V)$  where-
    - (i) **P** is the permitted price,
    - (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **Crime and Disorder**

1. All staff shall be trained to monitor all trading areas and report any suspicious incidents, criminal activity or disorder.
2. All external walkways and car parking areas shall be illuminated during the hours of darkness up to 30 minutes after the premises close.
3. A suitable and sufficient CCTV camera system linked to a suitable recording facility shall, so far as is reasonably practicable, be operational at the premises during any period in which licensable activities are permitted. All cameras that are fitted at the premises must be capable of recording at the same time.
4. So far as is reasonably practicable, the CCTV system must be maintained in good working order at all times.
5. CCTV recordings and footage must be retained for a minimum period of 28 days and be made available for review by the Police upon request (subject to the requirements of the Data Protection legislation in force at the time).
6. All CCTV recorded images/footage and copies thereof shall, so far as is reasonably practicable, display the correct time and date of each recording.
7. The premises shall be a member of any Pubwatch scheme which is available.

### **Public Safety**

1. The emergency lighting, illuminated exit signs and fire detection system shall be properly maintained.
2. All fire fighting equipment shall be serviced annually.

## **Public Nuisance**

1. Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents.
2. Local taxi company telephone numbers shall be prominently displayed on the premises near exits and the licensee shall liaise with taxi firms to alleviating possible disturbance.

## **Protection of Children**

1. No unaccompanied children shall be allowed in the premises.

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

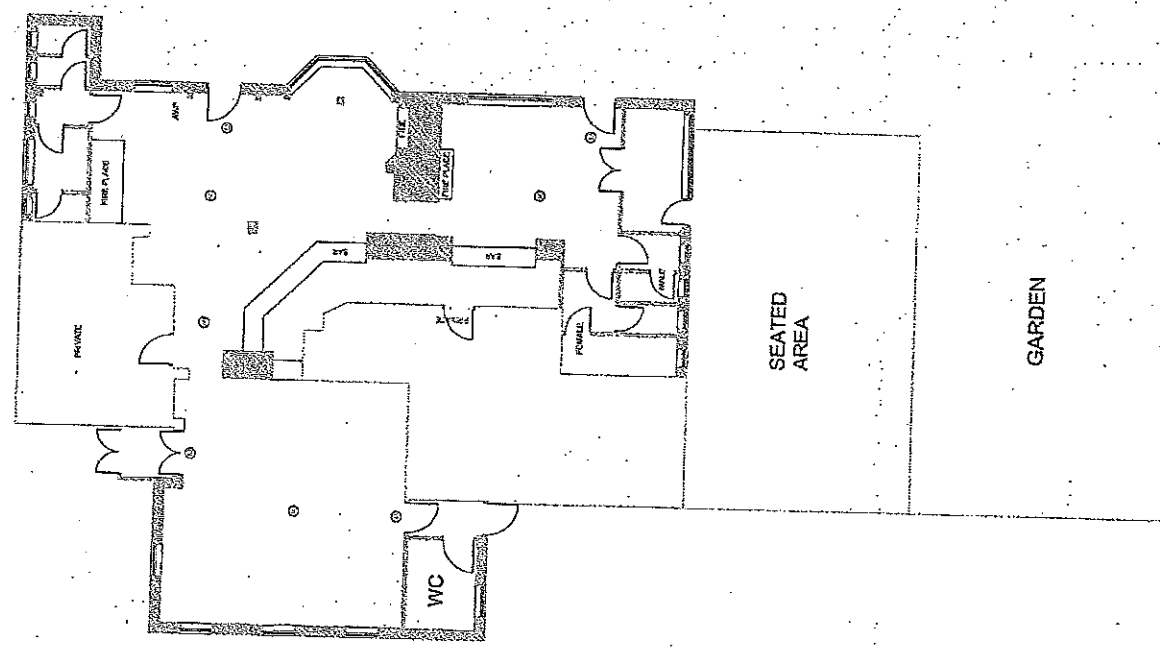
n/a

## **Annex 4 – Plans**

See attached .

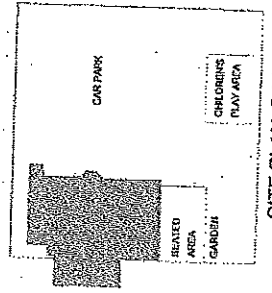
PREM 394

\* Beer garden / external seating / outside area - for consumption of alcohol only. NO licensable activities.



**KEY**

- BRIDGE DETECTOR
- ⊙ ILLUMINATED EXIT SIGN WITH DIRECTIONAL ARROW
- ▲ FIRE FIGHTING

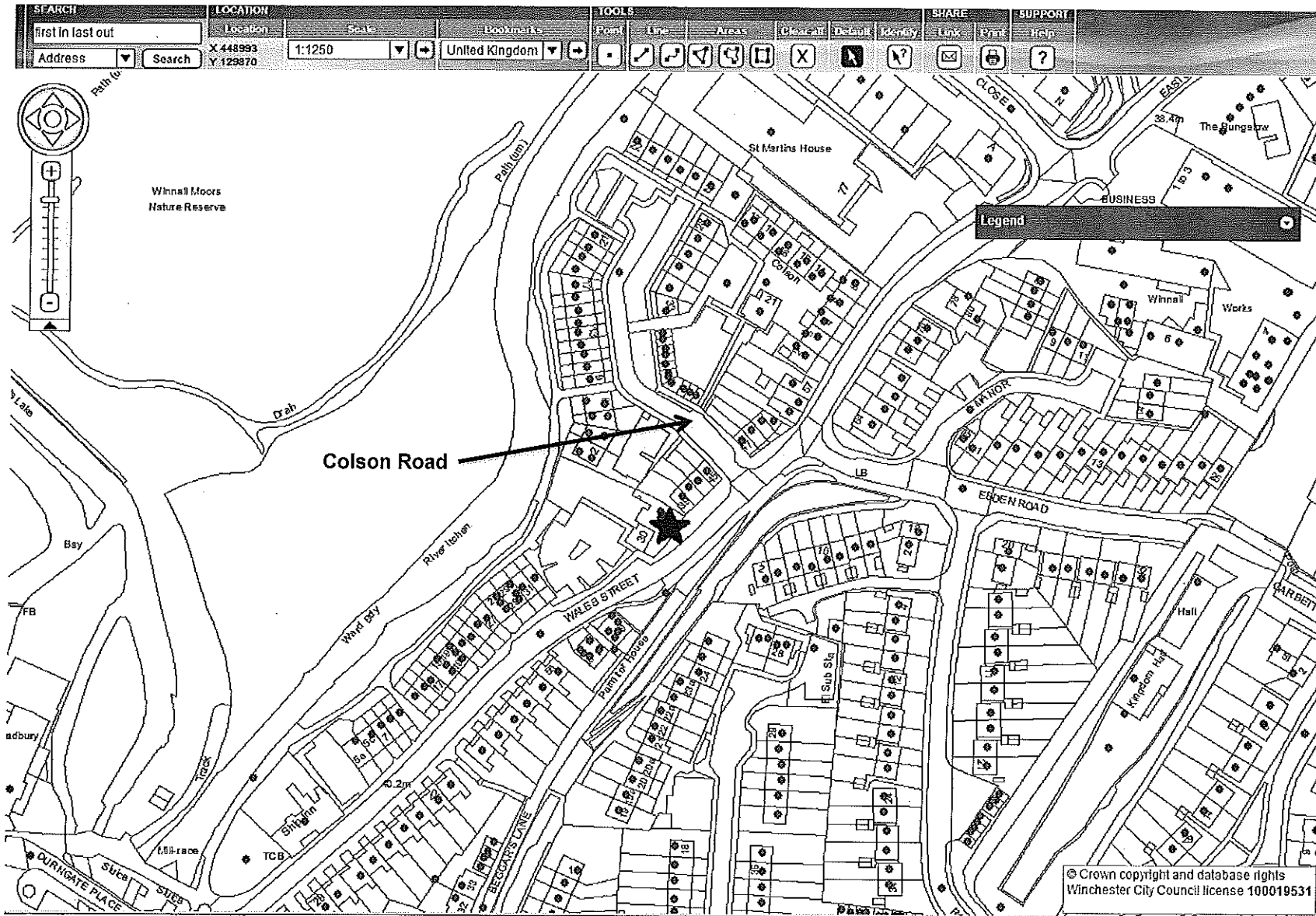


SITE PLAN @ 1:500

EXISTING GROUND FLOOR PLAN

<p><b>ROMANS Surveyors</b></p> <p>1 WILD SWAMP LANE, WITCHAM, WIMBORNE, DORSET, DT98 3JL        01929 257181 FAX 01929 257182        25 WILD SWAMP LANE, WIMBORNE, DORSET, DT98 3JL        01929 257181 FAX 01929 257182        WWW.ROMANSURVEYORS.CO.UK</p>	
<p><b>Punch Taverns</b></p> <p>PROJECT NO: <b>First in last out, Winchester. SO23 0ET.</b></p>	
<p>DATE: 12/02/20</p> <p>BY: JAY 200</p> <p>SCALE: 1:100</p>	<p>EXISTING FLOOR PLANS</p> <p>DATE: 12/02/20</p> <p>SCALE: 1:100</p>
<p>ROMANS Group</p> <p>100 WIMBORNE ROAD, WIMBORNE, DORSET, DT98 3JL</p> <p>01929 257181 FAX 01929 257182</p> <p>WWW.ROMANSURVEYORS.CO.UK</p>	
<p>OUTLET NO. B566523</p>	

First In Last Out, 37 Wales Street, Winchester, SO23 8ET



★ Indicates the location of premises

**Environmental  
Health**

City Offices  
Colebrook Street  
Winchester  
Hampshire  
SO23 9LJ

**STANDARD EH WARNING LETTER**

tel 01962 840 222  
fax 01962 841 365

telephone calls may be recorded

**website** [www.winchester.gov.uk](http://www.winchester.gov.uk)

Your Ref:  
Our Ref:  
Enq to: Mrs Abigail Toms  
Direct Line: 01962 848 598  
Email: [atoms@winchester.gov.uk](mailto:atoms@winchester.gov.uk)

Dear Sir/Madam,

Polite advisory letter of alleged noise nuisance from loud music / noise in the garden

[PREMISES NAME AND ADDRESS]

We are writing to inform you that this department has recently received a complaint alleging that your address has been the source of noise nuisance from .

Please be aware that this letter is not an accusation and officers have not witnessed the alleged noise nuisance. However, it is our policy to try and resolve matters informally and we therefore find it useful to bring the complaint to your attention at this stage.

If you feel that there may be some truth in this complaint, this letter is intended to give you the opportunity to change your behaviour so as not to cause further nuisance to your neighbours.

Should you feel that there is no foundation for this complaint, that it is malicious or may have been made in error, you may ignore this letter. Please contact us on the above telephone number if you want to discuss this matter further.

Yours faithfully,

Environmental Protection

CUSTOMER  
SERVICE  
EXCELLENCE



The Government Standard



INVESTOR IN PEOPLE

**David Ingram Head of Environmental Health**



printed on recycled paper

**From:** Abigail Toms  
**Sent:** 19 Oct 2015 16:16:27 +0100  
**To:** [REDACTED]  
**Cc:** 'alix.horne@punchtaverns.com'; 'risk@punchtaverns.com'; '\_Licensing'  
**Subject:** PREM 394 First In Last Out - noise complaints

Dear Mr Puno

As you are aware, this Department has received 4 complaints alleging noise disturbance from loud music since August. On Friday 16<sup>th</sup> October at approximately 2230, my colleague Phil Tidridge and I witnessed excessive loud music coming from your premises in Coulson Road. The style of music being played with dominant bass frequencies was significantly adding to the level of this noise disturbance.

We noted that the rear patio doors to the games room were open whilst you had a DJ adjacent to the bar area allowing noise escape.

This is not acceptable as I am sure you will agree. It is only because of your expedient action and willingness to improve the situation that this Department has decided not to take formal action at this stage. However as you suggested we feel that it would be useful to meet with you to discuss your overall approach to noise management to avoid a similar situation in the future.

I am available to meet with you on Monday 26<sup>th</sup> or Tuesday 27<sup>th</sup> October. If you could confirm your availability as soon as possible it would be appreciated.

Regards

Abigail



**Legal  
Services**

City Offices  
Colebrook Street  
Winchester  
Hampshire  
SO23 9LJ

tel 01962 840 222

fax 01962 848 555

telephone calls may be recorded

email [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)

website [www.winchester.gov.uk](http://www.winchester.gov.uk)

DX 120400 WINCHESTER 5

Mr Jonathan Sweeney



Your Ref:

Our Ref: PREM394

Enq to: Carol Stefanczuk

Direct Line: 01962 848 188

Email: [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)

27 April 2011

Dear Mr Sweeney

**First In Last Out, 37 Wales Street, Winchester, SO23 8ET**

I refer to a telephone conversation you had with my colleague Ashton Taylor on 20 April 2011 and my visit to the above premises on 26 April 2011 with Mrs Abigail Toms, Environmental Health Officer. Our visit was prompted by complaints we have received regarding the use of a speaker in the garden which allegedly causes a disturbance to local residents at the rear of the premises.

As discussed, the speaker must only be used for background music as part of the atmosphere, it must not be used for providing regulated entertainment as the premises licence authorises the licensable activities indoors only.

You confirmed that the speaker volume is always kept to background level and the music is turned off at 9pm everyday. You also confirmed that your colleague Chris Gibbs, who manages the premises in your absence, is aware of this.

As Mrs Toms confirmed during our visit, if we receive any further complaints of this nature, Officers may carry out monitoring of the premises over the next six months to establish if any further action is required.

On a further note, as I left the premises via the front exit, I did not see any taxi company details. I must remind you of the following condition on the premises licence:-

- Local taxi company telephone numbers shall be prominently displayed on the premises near the exits and the licensee shall liaise with taxi firms to alleviate possible disturbance.

Please ensure you address this immediately.



If you have any further queries regarding this letter, please contact me on the details above. Any noise related queries should be directed to Mrs Toms on 01962 848 598 or [environment@winchester.gov.uk](mailto:environment@winchester.gov.uk).

Yours sincerely

Carol Stefanczuk  
Assistant Licensing and Registration Officer

cc. Mrs Abigail Toms, Environmental Health Officer, Winchester City Council  
Punch Taverns Plc, Jubilee House, Second Avenue, Burton Upon Trent, DE14 2WF

**Environmental Health &  
Licensing**

City Offices  
Colebrook Street  
Winchester  
Hampshire  
SO23 9LJ

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email [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)

website [www.winchester.gov.uk](http://www.winchester.gov.uk)

DX 120400 WINCHESTER 5

Ms Susan Hayes  
8 Moss Road  
Winchester  
Hampshire  
SO23 0NG

Your Ref:  
Our Ref: PREM394  
Enq to: Carol Stefanczuk  
Direct Line: 01962 848 188  
Email: [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)

09 October 2014

Dear Ms Hayes

**First In Last Out, 37 Wales Street, Winchester, SO23 8ET**

I am writing to you as the current designated premises supervisor at the above premises.

The City Council has recently received complaints in relation to noise emanating from the above premises and alleging that music has been provided in the garden until 0130am and later.

There is no record of any Temporary Event Notices acknowledged for this premises. I enclose a document detailing the times the premises are permitted to provide licensable activities and conditions of the licence.

If the City Council continues to receive complaints of this nature they will be investigated and formal action may follow. I have copied this letter to the Premises Licence Holder, Punch Taverns Plc.

If you wish to discuss the contents of this letter, please do not hesitate to contact me on 01962 848 188.

Yours sincerely

Carol Stefanczuk  
Licensing Manager

Encs.

CC. Mrs Abigail Toms, Environmental Health Manager and Punch Taverns Plc

CUSTOMER  
SERVICE  
EXCELLENCE



The Government Standard



INVESTOR IN PEOPLE

David Ingram Head of Environmental Health & Licensing



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**PREM 394**

**First In Last Out, 37 Wales Street, Winchester, SO23 8ET**

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

- e) Live Music
- f) Recorded Music
  - (i) *Monday to Wednesday 1100 to 2300*
  - (ii) *Thursday to Saturday 1100 to 0100*
  - (iii) *Sunday 1200 to 2230*
- m) Supply of Alcohol
  - (i) *Monday to Wednesday 1100 to 2300*
  - (ii) *Thursday to Saturday 1100 to 0100*
  - (iii) *Sunday 1200 to 2230*
  - (iv) *Christmas Day 1200 to 1500  
1900 to 2230*
  - (v) *New Years Eve 1000 to 1000 1 January (1200 if on  
a Sunday)*

The above hours may be extended by 1 hour on; Christmas Eve, Boxing Day, New Years Day, Spring and August Bank Holiday, Good Friday, Easter Saturday, Easter Sunday, Easter Monday, Friday Saturday and Sunday of Bank Holiday weekends.

Conditions of licence

**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.

4. 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.
5. 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
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.
11. 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  2. For the purposes of the condition set out in paragraph 1-
    - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
    - (b) “permitted price” is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

- (i) **P** is the permitted price,
- (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

- (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the Operating Schedule**

### **Crime and Disorder**

1. All staff shall be trained to monitor all trading areas and report any suspicious incidents, criminal activity or disorder.
2. All external walkways and car parking areas shall be illuminated during the hours of darkness up to 30 minutes after the premises close.
3. A suitable and sufficient CCTV camera system linked to a suitable recording facility shall, so far as is reasonably practicable, be operational at the premises during any period in which licensable activities are permitted. All cameras that are fitted at the premises must be capable of recording at the same time.

4. So far as is reasonably practicable, the CCTV system must be maintained in good working order at all times.
5. CCTV recordings and footage must be retained for a minimum period of 28 days and be made available for review by the Police upon request (subject to the requirements of the Data Protection legislation in force at the time).
6. All CCTV recorded images/footage and copies thereof shall, so far as is reasonably practicable, display the correct time and date of each recording.
7. The premises shall be a member of any Pubwatch scheme which is available.

### **Public Safety**

1. The emergency lighting, illuminated exit signs and fire detection system shall be properly maintained.
2. All fire fighting equipment shall be serviced annually.

### **Public Nuisance**

1. Staff shall be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises so as to minimize disturbance to local residents.
2. Local taxi company telephone numbers shall be prominently displayed on the premises near exits and the licensee shall liaise with taxi firms to alleviating possible disturbance.

### **Protection of Children**

1. No unaccompanied children shall be allowed in the premises.

**Environmental Health &  
Licensing**

City Offices  
Colebrook Street  
Winchester  
Hampshire  
SO23 9LJ

tel 01962 840 222

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website [www.winchester.gov.uk](http://www.winchester.gov.uk)

DX 120400 WINCHESTER 5

Punch Taverns Plc  
Jubilee House  
Second Avenue  
Burton Upon Trent  
Staffordshire  
DE14 2WF

Your Ref:  
Our Ref: PREM394  
Enq to: Carol Stefanczuk  
Direct Line: 01962 848 188  
Email: [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)

09 October 2014

Dear Sirs

**First In Last Out, 37 Wales Street, Winchester, SO23 8ET**

Please find enclosed a copy of the letter sent to Susan Hayes, the current designated premises supervisor at the above premises.

If you wish to discuss the contents of the letter, please do not hesitate to contact me on 01962 848 188.

Yours faithfully

Carol Stefanczuk  
Licensing Manager

Encs.



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**David Ingram Head of Environmental Health & Licensing**



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