

LICENSING SUB – COMMITTEE

9 February 2009

Report of the Head of Legal Services

Contact Officer: John Myall. Tel No: 01962 848443

Application for the Variation of a Premises Licence:

The New Inn, Chapel road, Swanmore

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Part A.**1. Application**

Applicant: Greene King Retailing Limited

Premises: The New Inn, Chapel road, Swanmore

- 1.1 This application is to vary the premises licence for the New Inn under Section 34 of the Licensing Act 2003.
- 1.2 The application is to extend the hours for the sale of alcohol and provision of live music, to add recorded music, late night refreshment, dancing, exhibition of films, facilities for making music and indoor sporting events. The times for these activities are show in the application form at Appendix 1 and Section 5 of this report.
- 1.3 The applicant also wishes to remove conditions which prohibit the provision of recorded music and prohibit children on the premises after 2100 hours.
- 1.4 The premises licence was converted from a Justices licence in November 2005. At that time, all embedded restrictions inherent in the Licensing Act 1964 were transferred to the premises licence.
- 1.5 There was also an application to vary the licence by adding live music on Saturdays, and extending the times for the sale of alcohol on Fridays, Saturdays and Sundays. This application was determined by the Licensing Sub Committee on 7 September 2005.
- 1.6 The application to vary the licence in 2005 was granted with the conditions which are attached to the current premises licence which is shown at Appendix 1.
- 1.7 This application is to add regulated entertainment by way of films and indoor sporting events from 1100 to 2300 Sunday to Thursday and to 0100 Friday and Saturday.
- 1.8 It is also to extend live music from Saturdays only, between 2000 and 2300 Sunday to Thursday and 2330 Friday and Saturday, recorded music, facilities for making music and dancing from 2000 to 2300 Sunday to Thursday and 2330 Friday and Saturday.
- 1.9 Late night refreshment is requested from 2300 to 0100 Friday and Saturday, and for the sale of alcohol from 1100 to 2300 Sunday to Thursday and to 0100 Friday and Saturday.
- 1.10 There are requests for seasonal variations for bank holidays and the days preceding them. These are detailed in the application shown at Appendix 1.
- 1.11 No representations have been received from the responsible authorities.

- 1.12 15 representations have been received from interested parties, which are shown at Appendix 3. The representations relate to current noise and disorder from the premises, and concerns relating to all four licensing objectives.
- 1.13 There are no recorded complaints of noise or disorder since the current tenant, Mr Simon Hawkins, has been in place, either on the Council's database, Police records or the 101 tasking system.
- 1.14 Notice of the application was displayed outside of the premises for a period of 28 days until 15 January 2009, and advertised in the Daily Echo on 23 December 2008.
- 1.15 Hearing notices were sent to all parties on 16 January 2009.

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

Steps to promote the Licensing Objectives

Please see Section P Appendix 1

Relevant Representations

2. Responsible Authorities

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

Head of Environment

No representations received.

Hampshire Constabulary

No representations received.

Hampshire Fire and Rescue Service

No representations received.

Child Protection Team

No representations received.

Head of Building Control

No representations received.

Head of Safety Standards

No representations received.

3. Interested Parties

3.1 There have been 15 representations relating to all four licensing objectives, which are shown at Appendix 2.

4. Observations

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

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

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

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

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

1. Grant the licence subject to conditions in accordance with the operating schedule (modified to such extent as the authority considers necessary for the promotion of the licensing objectives) and the mandatory conditions;
2. Exclude from the scope of the licence any of the licensable activities to which the application relates;
3. Reject the application.

Terminal hours

The Sub-Committee should take account of the National Guidance and the Council's Licensing Policy with regard to terminal hours and take such steps as it considers necessary to promote the Licensing Objectives.

(Licensing Policy Part 4, A8)

Licensing Objectives.

Crime and Disorder

The Sub-Committee should consider any necessary conditions to prevent crime and public disorder relating to the premises having regard to the observations of the interested parties.

(Licensing Policy 1.6, 2.11, 2.17)

Public Safety

The Sub-Committee should consider any necessary conditions relating to public safety having regard to the observations of the interested parties.

(Licensing Policy Part 4, B3, B4)

Public Nuisance

The Sub-Committee should consider any necessary conditions to prevent public nuisance caused by noise pollution from the premises having regard to the observations of the interested parties.

(Licensing Policy Part 4, Section C)

Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children having regard to the Operating Schedule and the observations of the interested parties.

(Licensing Policy Part 4, D6, D7)

Human Rights

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

5. Conditions

Mandatory Conditions

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

1. No supply of alcohol may be made under the Premises Licence (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
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. (Additional mandatory condition)

Possible Conditions

The operating hours shown below are those requested by the applicant. If the application is granted, the Sub-Committee may wish to consider additional conditions to reflect the Operating Schedule. The conditions shown below are already attached to the licence.

Operating Hours

1. The hours the premises may be used for regulated entertainment shall be:
(Indoors only)

Films and indoor sporting events

- | | | |
|-------|---|----------------------------|
| (i) | <i>Sunday to Thursday</i> | <i>1100 to 2300</i> |
| (ii) | <i>Friday and Saturday</i> | <i>1100 to 0100</i> |
| (iii) | <i>Christmas Eve, New Year's Eve,
Bank Holidays
The day preceding a Bank Holiday</i> | <i>1100 to 0100</i> |

Live music, recorded music, facilities for making music and facilities for dancing

- | | | |
|------|-----------------------------------|----------------------------|
| (i) | <i>Sunday to Thursday</i> | <i>2000 to 2300</i> |
| (ii) | <i>Friday and Saturday</i> | <i>2000 to 2330</i> |

New Year's Eve***2000 to 0030***

2. The hours the premises may be used the provision of late night refreshment shall be:

(i) ***Friday and Saturday*** ***2300 to 0100***

3. The hours the premises may be used for the sale of alcohol shall be:

(i) ***Sunday to Thursday*** ***1100 to 2300***

(ii) ***Friday and Saturday*** ***1100 to 0100***

(iii) ***New Year's Eve*** ***1100 to 1100 January***

(iv) ***Christmas Eve, Bank Holidays***
The day preceding a Bank Holiday ***1100 to 0100***

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. 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.

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.

6. Other Considerations

Corporate Strategy (Relevance To:)

This report covers issues which affect the principles of “safer and more inclusive communities” and “safeguarding our high quality environment for the future.”

Resource Implications

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

Appendices

1. Application by Greene King Retailing Limited.
2. Representations by Interested Parties
3. Map of premises location.

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Greene King Retailing Limited


(Insert name(s) of applicant)

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


Premises licence number PREM254

Part 1 – Premises Details

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

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£7,000

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Greene King Retailing Limited Abbot House		
Post town	Bury St Edmunds	Post code	IP33 1QT

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To vary the hours for opening, sale of alcohol and live music.

To add recorded music, late night refreshment, dancing, exhibition of a film, making music and indoor sporting events.

To remove condition under Annex 2 Public Nuisance "No recorded music shall be played at the premises at any time".

To remove condition under Annex 2 Protection of Children "No children shall be permitted on the premises after 21:00 hours".

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

Provision of late night refreshment(if ticking yes, fill in box L)

Sale by retail of alcohol(if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day				Start	Finish
Mon				Outdoors	<input type="checkbox"/>
Tue				Both	<input type="checkbox"/>
			Please give further details here (please read guidance note 3)		
			State any seasonal variations for performing plays (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3) Moving pictures, films, pre-recorded videos, moving images etc.					
Mon	11:00	23:00						
Tue	11:00	23:00						
Wed	11:00	23:00				State any seasonal variations for the exhibition of films (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all Bank Holidays and the day preceding a bank holiday 11:00 - 01:00.		
Thur	11:00	23:00						
Fri	11:00	01:00				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11:00	01:00						
Sun	11:00	23:00						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) Darts, Pool - finals, exhibition matches etc
Day	Start	Finish	
Mon	11:00	23:00	
Tue	11:00	23:00	State any seasonal variations for indoor sporting events (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all Bank Holidays and the day preceding a bank holiday 11:00 - 01:00.
Wed	11:00	23:00	
Thur	11:00	23:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri	11:00	01:00	
Sat	11:00	01:00	
Sun	11:00	23:00	

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	20:00	23:00	Please give further details here (please read guidance note 3) Karaoke, bands etc		
Tue	20:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 4) New Years Eve 20:00 - 00:30		
Wed	20:00	23:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur	20:00	23:00			
Fri	20:00	23:30			
Sat	20:00	23:30			
Sun	20:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Discos, DJ etc		
Mon	20:00	23:00			
Tue	20:00	23:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) New Years Eve 20:00 - 00:30		
Wed	20:00	23:00			
Thur	20:00	23:00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	20:00	23:30			
Sat	20:00	23:30			
Sun	20:00	23:00			

G

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

H

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

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> Making provision for playing of music, whether live/recorded, recording performances, microphone with amplifier, karaoke machine etc.	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Outdoors <input type="checkbox"/>	
Day	Start	Finish	<u>Both</u> <input type="checkbox"/>	
Mon	20:00	23:00	<u>Please give further details here</u> (please read guidance note 3) When regulated entertainment occurs.	
Tue	20:00	23:00		
Wed	20:00	23:00	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) New Years Eve 20:00 - 00:30	
Thur	20:00	23:00		
Fri	20:00	23:30	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat	20:00	23:30		
Sun	20:00	23:00		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u> Tables and chairs moved to create a dance area.	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) When regulated entertainment takes place.	
Mon	20:00	23:00		
Tue	20:00	23:00		
Wed	20:00	23:00	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) New Years Eve 20:00 - 00:30	
Thur	20:00	23:00		
Fri	20:00	23:30	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat	20:00	23:30		
Sun	20:00	23:00		

K

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

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Hot food and drink being served.		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Years Day, all Bank Holidays and the day preceding a bank holiday 23:00 - 01:00. New Years Eve from 23:00 to the beginning of permitted hours the following day.		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	23:00	01:00			
Sat	23:00	01:00			
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Years Day, all Bank Holidays and the day preceding a bank holiday 11:00 - 01:00. New Years Eve from the end of permitted hours to the beginning of permitted hours the following day.		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 AWP, cigarette machine and alcohol.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) Christmas Eve, Christmas Day, Boxing Day, New Years Day, all Bank Holidays and the day preceding a bank holiday 11:00 - 01:20. New Years Eve from the end of permitted hours to the beginning of permitted hours the following day.
Day	Start	Finish	
Mon	11:00	23:20	
Tue	11:00	23:20	
Wed	11:00	23:20	
Thur	11:00	23:20	
Fri	11:00	01:20	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Sat	11:00	01:20	
Sun	11:00	23:20	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
To remove condition under Annex 2 Public Nuisance "No recorded music shall be played at the premises at any time".

To remove condition under Annex 2 Protection of Children "No children shall be permitted on the premises after 21:00 hours".

Please tick yes

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

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

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

P Describe the steps you intend to take to promote the four licensing objectives:

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

House is set in a rural village location and has a very good standing within the community as a well run village pub.

b) The prevention of crime and disorder

Depth of local knowledge and of community is an advantage when applied to reducing crime and disorder. 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. Proof of age scheme. Staff trained to refer to DPS in cases of doubt. Keep to agreed capacity limits. Will not run irresponsible drinks promotions. Site has well lit garden and outside areas. DPS has a good working relationship with the Chief of Police who lives in the locality. All external walkways and car parking areas shall be illuminated during the hours of darkness up to 30 minutes after the premises close.

c) Public safety

At least one member of staff/management is a dedicated 'first aider'. House is an active supporter of local paramedics (Bishops Waltham First Responders). Review DDA policy to ensure all reasonable steps have been taken to allow disabled customers to use premises in safety. Upkeep of emergency lighting & appropriate records kept. Upkeep of fire fighting equipment; adequate staff training and appropriate records kept. Trade within recognised capacity limits and ensure adequate levels of staff to meet expected levels of trade.

d) The prevention of public nuisance

Site has an unblemished record concerning public nuisance, partly through the fact it operates as a community local but more importantly from operating as a well run establishment. This results in having no noisy mechanical equipment being sited so as to interfere with neighbours; house ensures kitchen filters are regularly cleaned in order to reduce risk of food odours. No light pollution to neighbours, or use of external speakers. Site is regularly monitored particularly garden area to ensure no instances of excessive noise or unruly behaviour. Ensures deliveries and service providers (e.g. refuse) are at such an hour as not to cause nuisance to neighbours. 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. Regulated entertainment shall be restricted to the inside of the premises.

e) The protection of children from harm

Adhere to the Hampshire Constabulary's Challenge 21 Scheme. No unaccompanied children shall be permitted to be in the premises. Depth of local knowledge would help prevent any apparent attempts of underage drinking, but would be backed up by a strong policy on challenging attempts through staff training and use of photo ID schemes.


Please tick yes

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	20 November 2008
Capacity	Licensing Officer

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Natasha Wade (Licensing Officer)
Greene King Pub Partners
Licensing Department
Abbot House
Westgate Brewery

Post town	Bury St. Edmunds	Post code	IP33 1QT
------------------	------------------	------------------	----------

Telephone number (if any)	[REDACTED]
----------------------------------	------------

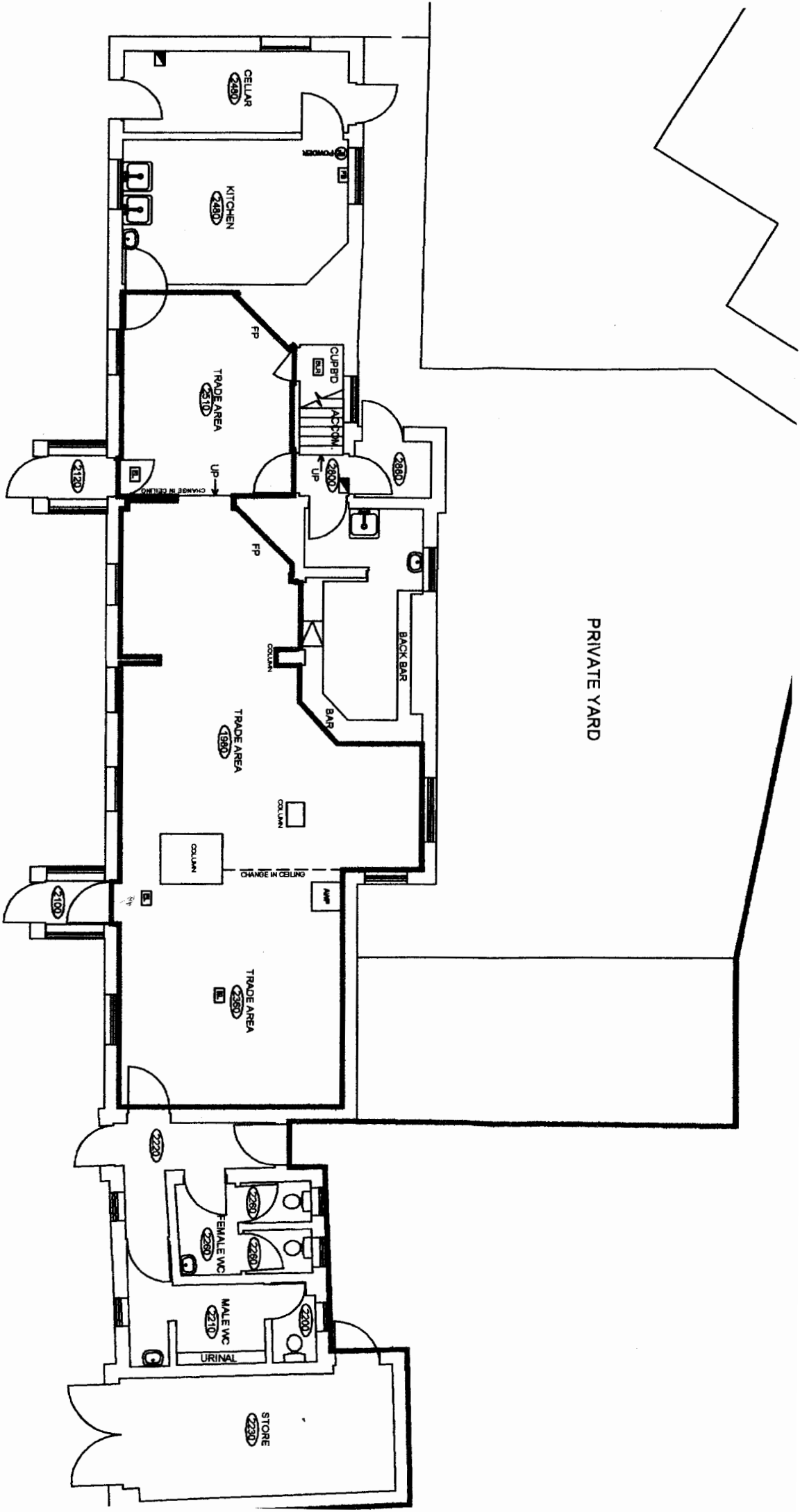
If you would prefer us to correspond with you by e-mail your e-mail address (optional)

[REDACTED]

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



PRIVATE YARD

CAR PARK

John Myall

From: robert azavedo [REDACTED]
Sent: 06 January 2009 15:45
To: Licensing
Subject: Greene King/New Inn, Swanmore

Robert Azavedo
Linsheron (Next door to New Inn Pub)
Chapel Road
Swanmore
Southampton
Hampshire SO32 2QB

Dear Sir,

With reference to the application from Greene King Retailing Limited to vary the premises license for New Inn, Chapel Road, Swanmore, SO32 2QB. I have objections to parts of the application. I have cut and pasted the text of the application and given my objections, by item. I have in the past supported this pub's application for Music and some late night opening. I even visit some Saturday nights to listen to live music. I have lived next door to this pub for 22 years and never had reason to complain. I say this to ensure you don't get the impression that I am some kind of kill joy, I have always taken the position that if you buy a house next door to a pub then a reasonable amount of noise should be expected. But recently things have significantly deteriorated. Some of the clients leaving the premises seem to have no control of the volume of their voices, or of the language they use. Recently, a person leaving the pub has damaged my front fence, and glasses are either left on my front wall (with a Greene King logo), or last Sunday even smashed on the road. I had to risk cutting myself clearing the glass from the road. So I feel I must object to the more extreme parts of this application.

Vary the hours for sale of alcohol (on and off the premises):-

- Friday and Saturday 1100 to 0100 (current hours 1100 to 0000)
 - I object to this on the grounds of public nuisance. Some of the customers that the pub now attracts seem to have no control on the volume of their voices and the language they use when leaving the pub and walking past my house in the early hours of the morning. My daughter has been woken many times recently at well past the current closing time of 0000. On the 31st December 2008/1st January 2009 This noise and abuse continued until well after 3:00AM

- Also Public Safety. I have recently had to clear broken glass from the pavement smashed by the departing drunken clients of this pub, and my fence damaged.
- Christmas Eve, Christmas Day, Boxing Day, New Years Day, all Bank Holidays and the day preceding a bank holiday 1100 to 0100.
 - I have no objection to this on the day preceding a bank holiday or on Christmas Eve. But I do object on the grounds of public nuisance to Boxing Day and New Years Day, people have to get up for work the next day, and being kept awake as drunken louts walk past our front gardens is not conducive to a good night's rest.
 - I object to this on the grounds of public nuisance. Some of the customers that the pub now attracts seem to have no control on the volume of their voices and the language they use when walking past my house some time after the pub is meant to be closed.
- New Years Eve from the end of permitted hours to the beginning of permitted hours the following day. (current hours 0000)
 - Twenty-four hours opening is totally unacceptable to me. I don't want this to be the pub everyone comes to, to binge drink. I object to this on the grounds of public nuisance. Some of the customers that the pub now attracts seem to have no control on the volume of their voices and the language they use when walking past my house. My Daughter has been woken many times recently at well past the current closing time of 0000.
 - Also Public Safety. I have recently had to clear broken glass from the pavement smashed by some of the departing drunken clients of this pub

Vary the hours for live music (indoors only):-

- Sunday to Thursday 2000 to 2300
 - I object to this on the grounds of public nuisance. Whilst I think Friday and Saturday are reasonable nights for live music, I think potentially seven days a week for live music is unacceptable. Especially in the Spring, Summer and Autumn evenings when windows have to be opened for ventilation, causing noise pollution. Last Saturday a complaint was made to the Police. By the time they arrived a few hours later, the Pub was shut. So nothing could be done.
- Friday and Saturday 2000 to 2330 (currently Saturdays only 2000 to 2330)
 - I can accept this, Friday and Saturday; Everyone deserves a bit of entertainment at weekends, when neighbours do not generally have to wake up for work the next day

To add films and indoor sporting events (indoors only):-

- Sunday to Thursday 1100 to 2300
 - Public Safety – The landlord already runs sporting events, (Sky Sports) his huge TV Screen is unsafely wired to the mains using an extension lead, and his Sky Plus box is precariously balanced on the edge of the screen. He has gone ahead with this facility without asking for permission, why ask now?
 - I have no objection to Darts or Pool teams playing their indoor games in the pub.
- Friday and Saturday 1100 to 0100
 - Public Safety – The landlord already runs sporting events, (Sky Sports) his huge TV Screen is unsafely wired to the mains using an extension lead, and his Sky Plus box is precariously balanced on the edge of the screen. He has gone ahead with this facility without asking for permission, why ask now?
 - I have no objection to Darts or Pool teams playing their indoor games in the pub.
- Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, all Bank Holidays and the day preceding a bank holiday 1100 to 0100.
 - Public Safety – The landlord already runs sporting events, (Sky Sports) his huge TV Screen is unsafely wired to the mains using an extension lead, and his Sky Plus box is

precariously balanced on the edge of the screen. He has gone ahead with this facility without asking for permission, why ask now?

To add recorded music, facilities for making music and facilities for dancing (indoors only):-

- Sunday to Thursday 2000 to 2300
 - Provided this music is played at a reasonable volume, through the pub's stereo, I have no objections to this. If it means loud discos potentially seven days a week, then I object on the grounds of public nuisance
- Friday and Saturday 2000 to 2330
 - Reasonable request
- New Years Eve 2000 to 0030
 - Reasonable request

To add late night refreshment (indoors only):-

- Friday and Saturday 2300 to 0100
 - 0000 is reasonable for closing on normal Fridays and Saturdays. As the pub never actually closes for 30 minutes to an hour after it should anyway! But I object to the later hours on the basis of public nuisance for reasons stated above
- Christmas Eve, Christmas Day, Boxing Day, New Years Day, all Bank Holidays and the day preceding a bank holiday 2300 to 0100.
 - I have no objection to this on the day preceding a bank holiday or on Christmas Eve. But I do object on the grounds of public nuisance to Boxing Day and New Years Day, people have to get up for work the next day, and being kept awake as drunken louts walk past our front gardens is not conducive to a good night's rest.
 - I object to this on the grounds of public nuisance. Some of the customers that the pub now attracts seem to have no control on the volume of their voices and the language they use when walking past my house some time after the pub is meant to be closed.
- New Years Eve from 2300 to the beginning of permitted hours the following day
 - Twenty-four hours opening is totally unacceptable to me. I don't want this to be the pub everyone comes to, to binge drink when other pubs have closed their doors. I object to this on the grounds of public nuisance. Some of the customers that the pub now attracts seem to have no control on the volume of their voices and the language they use when walking past my house. My Daughter has been woken many times recently at well past the current closing time of 0000.

To remove the following conditions from the current licence:-

- No recorded music shall be played at the premises at any time.
 - Provided this music is played at a reasonable volume, through the pub's stereo, I have no objections to this. If it means loud discos potentially seven days a week, then I object on the grounds of public nuisance
- No children shall be permitted to be on the premises after 2100 hours.
 - Protection of children, and public nuisance, if the premises include the garden. As it is, in the summer, people drink in the pub, leaving their children to play unsupervised in the garden. At 2300 a cranky, screaming, out of control child next door in the Garden is not a pleasant experience and definitely a public nuisance.

John Myall

From: [REDACTED]
Sent: 09 December 2008 22:19
To: Licensing
Subject: New Inn Chapel Road License extension

Sir/Madam

I am writing in connection to the application by Greene King Retailing Limited to vary the premises licence for the New Inn Pub in Chapel Road Swanmore.

For information I live two doors from the pub at The Retreat Chapel Road and we share the rear boundary with the pub garden.

My representations, for requesting this application is refused, are as follows

- Public Nuisance

Even with the current hours we are experiencing disruption and disturbance from the pub goers standing at the front of the pub smoking and shouting. This increases towards the end of the evening and is particularly bad just after closing time and lasts regularly for up to an hour after closing. This is particularly disturbing as our childrens bedrooms are at the front of the house and they are continually woken up by shouting and foul and obscene language and car doors slamming loudly. We believe that people leaving the pub have not in any way been encouraged to do this considerably by the Landlord.

We feel that if the proposed extensions were granted this would get much worse in what is a very peaceful residential village road. Also please note that prior to the current landlord's tenancy we have never experienced any such problem in the 12 years we have lived next to the New Inn.

- Public Safety

Chapel Road is a small, quiet village road and it is now regularly congested by poorly parked cars from people visiting the pub, which causes obstruction to residential properties and a potential hazard to pedestrians and vehicles.

There has also been a marked increase in the amount of broken glasses and bottles strewn around the front of the pub and in the close vicinity including my drive and pavement in front of the house.

- Public Disorder

There have been a number of occasions where clients leaving the pub have been involved in loud arguments and confrontations. We believe that increasing the amount of time alcohol is served in the pub will only increase these incidences.

28/01/2009

- General Comments

- I understand that the current Landlord is required to post notice of this application in a visible place, however he has failed to do so. I only found out about it by chance and not through the appropriate routes.
- The current Landlord is in fact already flouting some of these application requests by continually having live music played well after the licensed hours.
- Previous Landlords have always been reasonable and considerate and have responded to any request to curb excessive noise. However the current Landlord seems to be unaware that his pub is in a wholly residential area and he does not take in to account the needs of the surrounding community.

In summary I firmly believe that a village pub is an essential part of village life on the condition it is in keeping with its locality. Allowing these proposed changes to the Licence will only increase the likelihood of public nuisance, crime and disorder and detrimentally affect public safety.

I would be grateful if you could confirm the receipt of this e-mail by return

Mike Dunlop

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

John Myall

From: Alice Durrant [mailto:alice.durrant@bt.com]

Sent: 19 December 2008 21:34

To: Licensing

Heather Durrant
Green Gables
Chaple Road
Swanmore
Southampton
Hampshire
SO32 2QB

Dear Sir

With reference to the application from the Green King retailing limited to vary the premises license for The New Inn in Chaple Road, Swanmore so32 2qb.

I do not agree with the extened opening hours, as the noise level from the pub at closing time is bad, the language used by the people leaving the pub is terrible. There is often glasses thrown into my garden and sometimes there are broken glasses in my hedge which I then have to deal with in the morning. The noise in the garden from the smokers is awful at times, as is the language, come the summer when windows will be open it is going to be a problem with people sleeping, especailly as the pub is in a residentia road.

Yours
Mrs H.Durrant

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

Mr. Barry & Mrs Helen Eaton
Ty Mawr
Chapel Road
Swanmore
Hants
SO32 2QB

6.1.08

Re: New Inn, Chapel Road, Swanmore

Dear Sirs,

We wish to enter our concerns with regard to the recent application by Greene King Retailing Ltd for a variation to the licence at the above establishment. We do so with a significant amount of regret, having previously written in support of changes to the licence when an application was made in 2005 (copy attached). You will see from that letter that there were significant provisos to that support. Unfortunately, since the relatively recent change of tenancy these concerns have become all too relevant and form part of the justification of our objection on each of the 4 allowed grounds.

It may be questioned as to why until very recently there have been no formal complaints about the premises when there are now objections to the application for the change in license. In order to explain this, we believe that, like the majority of local people who have valued the community value of a village centre pub, that complaints should not be made frivolously and, indeed, there have been very few occasions until recently when it had been necessary to consider doing so. When those very rare occasions have occurred these have been readily resolved with the landlord.

Below are representations for each licensing objective:

Public Nuisance: The frequency and, more particularly, the volume of the music that has emanated from the pub has now got to the point where even with all of our windows shut we cannot hear our television or music at levels that we consider acceptable, it is frequently significantly louder than a lawnmower (which operates at the level of 90 – 95 decibels). It has on occasions actually woken our 8 year old daughter; a point I made during the one conversation I have had with the landlord, whose response, whilst sympathetic, was that he didn't think the noise had been that bad. In an old building with small rooms not designed for music which undoubtedly do not have modern levels of sound insulation and single glazed windows, the obtrusiveness of the volume in a village centre, surrounded by houses, is entirely inappropriate.

Even worse than the volume of the music is the noise made by rowdy, loud customers who congregate in the car park, frequently using offensive language, often directly under our window as we, and our children try to sleep. I appreciate that the ban on smoking inside has created a potential issue, but the fact is that this occurs regularly and goes on long after

closing time due to customers congregating in the car park. Again, when I had my conversation with the landlord on the 4th night running of disturbance, although he apologised, the point was made that he hadn't realised how disruptive his customers had been. No remedial action appears to have been taken to eliminate this nuisance.

The application to vary the hours for the sale of alcohol, vary the hours for live music, add films and indoor sporting events, add recorded music, facilities for making music and facilities for dancing and add late night refreshment will undermine this licensing objective..

Public Safety: Our concerns centre on 3 factors. Firstly, Chapel Road is a narrow, not particularly well lit road. Increased numbers of parked cars late at night must increase the potential for traffic incidents. Secondly, since the average age of the clientele has reduced significantly there has been a regular incidence of broken glass in both the road and on the pavements on Sunday mornings. It may be questioned as to whether these originate from within the New Inn, but Greene King Glasses are, presumably, more likely to come from a Greene King pub? Photographs of glasses left on neighbours walls can be supplied if required. Finally, the age and alcohol intake of some of the customers must give rise to concerns about safety.

The application to vary the hours for the sale of hours, vary the hours for live music, add films and indoor sporting events, add recorded music, facilities for making music and facilities for dancing and add late night refreshment will undermine this licensing objective.

Protection of Children: The removal of the current limitation of times for children being present in the pub, whilst at the same time altering the target clientele seems likely to encourage under 18s to both be present and attempt to obtain alcohol. Even if, as I am sure is the case, the landlord is extremely vigilant about underage drinking, there must be the potential for some "children" obtaining alcoholic beverages. The offensive nature of some of the language used by customers must also be a concern for children using the premises.

The noise and, prospect of this occurring 7 days a week and until later times, also does nothing to protect my children (aged 8, 13, 15). Having their sleep disturbed would not offer any protection to them!

I also believe that the Hampshire Police local plan for the Meon Valley aims to reduce underage drinking or the potential for it. The removal of this restriction seems to fly in the face of this aim.

The application to vary the hours for the sale of hours, vary the hours for live music, add films and indoor sporting events, add recorded music, facilities for making music and facilities for dancing and add late night refreshment will undermine this licensing objective.

Prevention of Crime or Disorder: Having spoken to other householders in the vicinity of the New Inn, I know that we are not the only ones to have raised the issue of disorder from customers leaving the premises with the landlord. Loud, offensive language being shouted down the street late at night is disorderly behaviour. The extra opening hours, which must be aimed at either keeping customers inside drinking, both longer and later, or attracting customers from establishments that have closed earlier, must increase the potential for disorder. The broken glass issue also seems associated with disorderly behaviour.

The application to vary the hours for the sale of hours, vary the hours for live music, add films and indoor sporting events, add recorded music, facilities for making music and facilities for dancing and add late night refreshment will undermine this licensing objective.

I would refer you to the Meon Valley Safer Neighbourhoods team page of Hampshire Police website. It states:

Meon Valley Safer Neighbourhoods three top priorities are:

- Vehicle related matters
- Antisocial behaviour
- Criminal damage.

It goes on to mention:

- Tackling the areas of concern which affect quality of life for local residents.
- Tackling underage drinking and nuisance youths, particularly in Bishop's Waltham and Swanmore.
- Identification of 'Hotspots' such as the bus shelter in the Square at Bishop's Waltham.

Having lived next door to the New Inn for 10 years quite happily, having enjoyed the facilities and benefits that the pub has brought to the village, it is upsetting to have to raise these issues. However, the prospect of the disruption to our lives, and that of our neighbours, (most of whom, like us, have lived happily close to the pub for many years) becoming even worse is not something that we want to contemplate. The extension of the period of noise that we would have to put up with is not a prospect that we look forward to.

I hope that you will consider our comments carefully and that you come to the conclusion that as much as we, and our neighbours, would like the pub to be a successful, thriving place, it cannot be at the expense of the quality of the lives of those surrounding it. In conclusion, we would ask you to consider the comments made in similar circumstances by Birmingham City Council licensing authority in August of 2008 with regard to Public Nuisance who commented: "Public nuisance should have the common law meaning i.e. it is a nuisance which should affect 'the reasonable comfort and convenience of a life of class of Her Majesty's subjects'"

Yours sincerely,

Barry Eaton

Helen Eaton

B.M. Eaton

H. Eaton

Mr & Mrs B. Eaton,
Ty Mawr,
Chapel Road,
Swanmore,
Hants,
SO32 2QB.
2.9.05

Re: New Inn, Swanmore.

Dear Sirs,

I am writing with regard to the application for the new license for the public house next door to my family home. I would confirm that generally there are very few instances of noise being a nuisance or there being any behaviour on the part of customers that could, in any way, be deemed to be anti social. Of course, there is the occasional over exuberant client who cannot resist calling goodnight to their fellow customers, but these instances are few and far between.

The only occasions that can cause the slightest upset to my family (there are 5 of us, including 3 children of 5, 9 & 12) is when the music held at the weekends is louder than normal. In most instances this is during the summer months when we, and the pub, have windows and doors open. This occasional disturbance never goes on beyond 11.00 pm and I am lead to believe that there is no intention for the music to become either more frequent nor carry on for extended hours.

As long as the hours for entertainment remain as suggested and levels of intrusion do not increase, I would have no objection to the licensing hours being extended to midnight. As we have both a reasonable landlord, who would respond to any request to curb excessive noise and, I presume, the opportunity to object should the circumstances change and the levels of disturbance become unreasonable, I have no objection to the request for a new altered licence.

The pub has been a centre for village life for a significant number of years. Most of the customers appear to be local people who themselves would object to excessive noise and bad behaviour. As such they generally respect the neighbours in the way that they would expect for themselves. It would be a shame if unreasonable objections could in any way impinge on the ability of the establishment to continue trading.

Yours Truly.

Barry Eaton.

John Myall

From: The Fellows Family [REDACTED]
Sent: 14 January 2009 15:39
To: Licensing
Subject: The New Inn, Chapel Road, Swanmore - OBJECTION LETTER

Lilford Lodge
Church Road
Swanmore
Hants
SO32 2PU

14 January 2009

Dear Sirs,

**The New Inn, Chapel Road, Swanmore
Application from Greene King Retailing Limited**

We are writing to object to the application for extended hours for music made by Greene King in relation to the New Inn in Swanmore.

Our house is about 150 metres from the back of the pub, and we already have some difficulty with the noise of music coming from the pub. This is audible inside our house even though it is being played inside the pub. Whenever the pub's back door is opened, the noise increases considerably and does on occasion prevent us and our children from getting to sleep.

The situation is obviously worse in the summer when windows are sometimes open and when the pub's back door is more frequently open.

For the pub's music to become more frequent and later into the night would be an unacceptable nuisance and we request very strongly that those aspects of this application be refused.

Yours faithfully,

Peter and Susie Fellows

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

28/01/2009

Mr and Mrs Mark Hasslacher
2 Sunnyside
Chapel Road
Swanmore
Hampshire
SO32 2QB

Mr John Miles
Licensing Section
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ

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

13 January 2009

Dear Mr Miles

**The New Inn Pub, Chapel Road, Swanmore, SO32 2QB
Greene King Retailing Limited application to vary the premises licence**

I refer to the above application.

Whilst we do not wish to prove obstructive, especially in the current economic climate, we do have concerns regarding the application to vary the premises licence at The New Inn Pub in Swanmore and therefore write to express these views.

Our first complaint is that we only recently became aware of the application, the notice being displayed in the window of the pub, resembling from the pavement a menu or the like, and certainly not obvious. We could easily have missed the application and not had the opportunity to express our views.

The pub is situated just four properties down the road from us. When the pub plays live music we can hear it quite clearly from our house. Currently this only occurs a couple of times a month, and only on Saturdays and the music always finishes by 11.30pm. However we do find it a nuisance and we have to ensure that bedroom windows (especially in our children's rooms) are closed. We would be very disappointed if the licence was extended such that the pub was able to play loud music more regularly. Our children are not yet of school age, however

we fear that if the licence was granted to enable live music to play during the week, it could be particularly disruptive.

Our greatest concern is that by extending the hours for sale of alcohol until 1am on Friday and Saturday evenings there could be increased noise and disorder in the early hours of the morning. We have a young family and have to protect our children's interests.

We have enjoyed evenings in the pub ourselves and find the new landlord and management very friendly and we wish them the best of luck, however we hope that you will take our views into account when considering the application.

Yours sincerely

Mr and Mrs Mark Hasslacher

John Myall

From: Fiona Noble [REDACTED]
Sent: 17 December 2008 18:19
To: Licensing
Subject: New Inn Chapel Road, Swanmore SO32 2QB: Varying of premises licence

As a resident living in close proximity to the New Inn and as someone who has been a regular customer of the pub I wish to make representation with regard to this application.

Public Nuisance :-

The request for longer opening hours, the playing of more live music and the proposed introduction of recorded music only confirms the impression that the New Inn wishes to change its nature from that of a village public house to more of a night club.

I would be opposed to the lifting of the restriction on recorded music at any time. (Disco music ?)

Opening until 0100 lends itself to attracting people who have already been drinking in other pubs in the area who continue to close at the "normal" closing times.

The coming and going of cars and people after midnight and the playing of late-night music can only cause noise disturbance in what is a residential area of family housing. This will be particularly pertinent in the summer months when both house and pub windows are open.

Protection of Children :-

It would seem highly inappropriate to remove the restriction which at present permits children to be on the premises until 2100 hours both on moral and safety grounds. Within the pub there is no facility for a family area. Children playing outside in the garden late in the evening will be a nuisance to neighbouring residences. The safety of the children both in the garden and the car park must be a major concern.

The request for extending the permitted hours on New Years Eve to allow all night opening would appear to be extreme.

M. J. Noble

Appledown, Chapel Road, Swanmore. SO32 2QB.

17/12/ 2008

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Orchard House
Chapel Road
Swanmore
SO32 2QB

16th December 2008

Licensing Department
Winchester City Council
Winchester

Dear Sir,

Re Application to vary the premises licence for the New Inn, Chapel Road, Swanmore, SO32 2QB

We are writing to object to the application to:

- Vary the hours of sale of alcohol from 1100 to 2300
- Vary the hours for live music to 23.30
- Add films and indoor sporting events to 0100
- Add recorded music to 2330
- Add late night refreshment to 0100
- Remove from the licence the playing of recorded music and not permitting children to be on the premises after 2100

The New Inn sits in a residential area of Swanmore on a narrow road, surrounded by houses. Our objections to this application are based on the following concerns:

- Public safety

We frequently find empty beer glasses and bottles left in the hedges, in neighbouring gardens and in the road after closing time at the New Inn. Those on the road get smashed by the traffic and several times we have cleared up broken glass from the gutter and pavement outside our house. Children walking to the local primary school along Chapel Road are at risk of injury.

- Public nuisance

There has been an increase in the frequency of live music at the New Inn and while this is tolerated during the winter months, it is a nuisance during warmer months when windows and doors are open and people like to sit in their gardens. There are often brawls outside the New Inn at closing time with associated noise and bad language. This is a nuisance to the residents (some with young children) who live in Chapel Road.

Since the car parking on site is limited, visitors to the New Inn park along the road, often blocking the drives of local residents, reducing visibility and safety and the ability to get in and out. There is also a considerable noise when

visitors leave the pub to go home, slamming their car doors and carrying on loud conversation, often with bad language.

- Protection of children

We do not see the need for children to be on the premises after 2100 and in view of the increasing likelihood of brawls and fights, they are at risk of injury if present. Children, whether they are on the premises or in neighbouring houses, should not be subjected to the bad language that often ensues between customers at closing time.

We also voice our concern that the New Inn did not see fit to inform local residents of this application nor was it forthcoming from Winchester City Council, making it look as if there is collaboration between them in order to get this application approved without the knowledge of local residents.

Yours faithfully

Martin & Jill Phipps

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

16 December 2008

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



CSS RECEIVED		
22 DEC 2008		
FAO	REPLY BY	No.
JM	05/01	3617

Dear Sir,

Reference: Application by Green King Retailing Ltd to vary the Premises License for
New Inn, Chapel Road, SWANMORE

We have seen a copy, from the Winchester CC website, of the proposed changes to the license for the New Inn in Chapel Road and have the following general comments and objections to the proposals.

1. Opening Hours. We object on the grounds of public nuisance to the *greatly* extended regular opening hours and feel that this will invite a big increase in disorder with more bad language in the street around the New Inn.

We also object to the proposed all day serving of alcohol on bank holidays and the day preceding bank holidays as this will be likely to cause disorder and nuisance around the pub which is in a quiet residential road.

2. Music and entertainment. We feel that permitting extended hours for music and entertainment will cause disorder and nuisance in the area surrounding the pub as the sound is bound to be heard outside.

3. Late night refreshment. The proposed serving of late night refreshment (alcoholic ?) would seem to only add to the chance of rowdiness outside the pub after closing time.

4. Protection of children. We object to the proposed lifting of the 2100 hours time limit for children to be on the pub premises.

We trust that our objections to the proposals will be considered when the license is reviewed.

Yours faithfully,

Malcolm and Jennifer Primmer



John Myall

From: Cathie Salter [REDACTED]
Sent: 15 December 2008 18:51
To: Licensing
Subject: New Inn, Chapel Road, Swanmore

White Owls
Spring Lane
Swanmore
SO32 2PT

Dear Sir

Re: New Inn, Chapel Road, Swanmore, SO32 2QB

We are extremely concerned to learn of the proposed alterations to the licensing arrangements at the New Inn. As near neighbours we wonder why we have not received any notification of this and only discovered this was being proposed when another neighbour found the application on a website?

The New Inn is a small pub with little room for anything other than a bar, pool table and a few tables for food to be served. It is situated in the middle of a residential area and is already causing the following problems:

- 1 Rowdy behaviour from smokers who congregate in the car park
- 2 Excessive noise from bands playing in the pub
- 3 Rowdy behaviour when the pub closes – car doors slamming, people shouting etc
- 4 Cars being parked along the narrow road and round into other residential streets
- 5 Glasses being left in the roadway from people drinking outside in the car park
- 6 We have to close all our windows on nights when there is a band playing which is totally unacceptable

These problems have already led to direct complaints to the new landlord but to no avail as he seems more focused on running his business than on the distress he is causing to the community he has moved into.

Yours faithfully

Mike and Cathie Salter

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John Myall

From: [REDACTED]
Sent: 01 January 2009 01:57
To: John Myall
Subject: Re: Objection Greene King retailing Ltd (New Inn, Swanmore)

Dear Mr Myall,

Sorry for the delay in replying but I have been away, and just noticed the request for my address which is as follows:

Bramdean Cottage,
Chapel Road
Swanmore
SO32 2QB

Yours sincerely

E Sanders

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

From: [REDACTED] [mailto:[REDACTED]]
Sent: 18 December 2008 23:41
To: Cindy Tetstall
Subject: Objection Greene King retailing Ltd (New Inn, Swanmore)
Dear Madam,

Further to my partners telephone conversation with you today, I wish my objection to the varying of the hours for the sale of alcohol, live music, films and indoor sporting events, and late night refreshment to be heard.

I object to these because this public house is situated in a quiet family residential area. During this year it has changed from a public house that sat side by side with the locals who used it without problems for many years, but now over the past few months it appears to be open after its official hours which in turn for some reason causes some of its customers on leaving to use the gardens as public conveniences, litter bins and a place to chant abusive songs. This has also coincided with recent damage to cars parked on the roadside.

Whilst I feel sure that the police are aware of this current trend (as I have seen them visit the premises on at least two occasions), I can only see the situation deteriorating if this current application is agreed.

With at least three other public houses within walking distance in this small village I again see no reason for more hours to be added to the current hours on offer at the public house. Given the excess speed at which some of the younger customer base drive out of the car park in their erratic manner I feel that it's an accident waiting to happen, hence with longer drinking hours to fuel this idiotic practise in my opinion it is not a sensible option to grant this application.

Yours sincerely,

Elizabeth Sanders

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Mr Michael Smith
Woodstock House
Church Road
Swanmore
SO32 2PU

16 Dec. 08

Winchester City Council Offices

Dear Sir

Reference: Application from Greene King Retailing Ltd to vary the premises licence for New Inn, Chapel Rd, Swanmore

I wish to add my own comments over and above those of my wife regarding the above application.

We moved into Swanmore in 1992 and because our property borders the New Inn I had some reservations with regard to living next to a public house. We therefore visited the establishment on several occasions over the period of a couple of months before purchasing our house in Church Road. We found then and have done until the latest tenant took over that the establishment was run as a quiet village pub and social gathering point for locals. We have lived in harmony with the New Inn for 15 years and as I am sure you will know from your records, extended hours have been limited to the odd occasion for a fete or jazz evening which many of the villagers attended.

The latest tenant sees his business earnings related to music groups, Sky TV and any other opportunities which may entice youngsters and enhance his profits. You will appreciate that indoor live entertainment with modern electronic equipment in the late hours is as good as outdoors. Late drinking, last orders and then the inevitable closing time with people, mostly young, spilling out into the centre of the village often adds another 30-60 minutes before silence is resumed. This is the most offensive period with shouting, singing and foul language.

In view of this I urge you to reject this application.

Yours sincerely

Michael Smith

Mrs Lyndsey Smith
Woodstock House
Church Road
Swanmore
SO32 2PU

16 Dec. 08

Winchester City Council Offices

Dear Sir

Reference: Application from Greene King Retailing Ltd to vary the premises licence for New Inn, Chapel Rd, Swanmore

I write to convey my deep concern about the above application and wish to register my strong disagreement to such variations. This was brought to my attention by a neighbour although I have seen nothing posted by the pub nor have I, as the owner of a property which shares a boundary with the pub, received any notification that such an application had been submitted. I find this lack of information totally unacceptable.

The New Inn is situated in the very heart of our village and is surrounded on all sides by residential housing, many of which are home to young children. Our house abuts the pub's garden and my sleep is already regularly disrupted on a Saturday night by the loud live music in the pub. Even at this time of year with windows and doors closed, the loud thump of the beat pervades my bedroom. I dread to think how those families trying to get young children to sleep during it must feel!

I am filled with horror at the thought of more frequent gigs going on longer into the night which will make sleep impossible once summer comes and windows are open. Not only that, but the pleasure of sitting quietly outside in our garden on a summer evening will be denied to us and our neighbours.

However, the music is only part of the problem. Once the pub closes we will be subjected to the noise of late night revellers making their way home. There is already much yelling and screaming as they leave and this will be exacerbated if the proposed increase and extension to opening hours should be approved.

This is not an inner city where youngsters go clubbing, it is a quiet village in the Meon Valley – I would therefore urge you to reject this application.

Finally, I would appreciate it if you would acknowledge receipt of this e mail as I understand that objections must be registered by 20 December 08.

Yours sincerely

Lyndsey Smith

John Myall

From: Colin Taylor [REDACTED]
Sent: 16 December 2008 10:17
To: Licensing
Subject: New Inn, Swanmore

Southwinds, Chapel Road, Swanmore, SO32 2QB. Tel. [REDACTED]

Dear Sir,

I write with reference to the **application by Green King Retailing** to vary the premises license for the **New Inn, Chapel Road, Swanmore**.

My family have been resident in Chapel Road since 1971 and have always been content with the country pub activities at the New Inn. However we are concerned that the character of the pub is possibly about to change. Please observe the following comments taken in the (un-numbered) order presented on the schedule published on the Winchester City Council website:-

1. Variation of the hours for the sale of alcohol (on and off the premises). I object on the grounds of public nuisance to the proposed extension to 0100 hours at weekends and bank holidays and in particular to all night opening at New Year. Recently there have been instances out in Chapel Road of noise and, particularly, bad language (disorder) late in the evening, mainly at weekends. Also it is common to find empty beer tins and bottles and occasional beer glasses stuffed into peoples hedges and thrown into gardens. This would be likely to increase if the closing time is extended.

2. Vary the hours of live music (indoors only). I fear that rowdiness and bad language in the road in the late evening and after closing time may become disorder and a nuisance to residents near the New Inn every day of the week and for this reason I object to this license variation.

3. To add films and indoor sporting events (indoors only). Rowdiness in the road during opening hours and after closing time may become disorder and a nuisance every day of the week and for this reason I object to this license variation. Particularly, I object to events (indoor) on the days preceding bank holidays on the grounds that extending events to two days increases the likelihood of street disorder and nuisance. Further, I do object strongly to any all-night opening on the grounds of increased likelihood of public nuisance.

4. To add recorded music, facilities for making music and facilities for dancing (indoors only). It is not easy to exercise control of the level of sound of recorded and making (live) music so as to prevent disturbance to people *outside* the building. Participants usually want it to be ever louder ! Even now, *with present license regulations*, I am conscious of occasional loud music noises from the New Inn, three doors away. I therefore object to this change on the grounds of most probable severe public nuisance to residents near the New Inn.

28/01/2009

5. To add late night refreshment (indoors only). No objection, assuming the refreshment is food, and not alcoholic drink (it is not made clear), and the said refreshment is made available and consumed indoors and not out in the street and within the hours prescribed by the license.

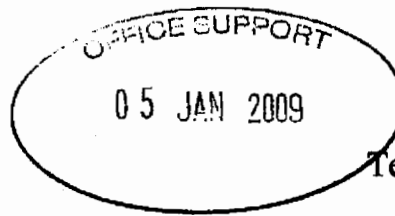
6. To remove the ban on recorded music and the exclusion of Children on Premises after 2100h restrictions. Given that some music is permitted within prescribed license hours the recorded music restriction may be lifted. However on the basis of protection of children I object to lifting of the 'Children on Premises after 2100h' restrictions.

Yours faithfully,

Colin B Taylor

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CSS RECEIVED		
05 JAN 2009		
FAO	REPLY BY	No.
JM		3640



September Cottage
Chapel Road
SWANMORE
Hampshire
SO32 2QA

Tel [REDACTED]

31-12-08

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

Dear Mr Myall,

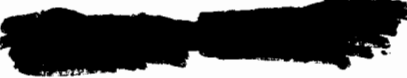
New Inn, Chapel Road, Swanmore, SO32 2QB

I have received notification that Greene King are applying to vary the current licensing agreement. I totally oppose any change in the current arrangements for the following reasons.

1. This public house is in the centre of the village surrounded by houses many with young children. The current landlord (and previous one) 'flouts' the existing agreement. As an example, loud music is played in the garden which is excluded in the current license. Even if music is played within the establishment, then all the doors and windows are left open and it is impossible to sit in one's garden in the summer. Even in the winter one can hear the noise indoors from 100 yards away through double glazing, especially the bonk, bonk of the base drum.
2. If you go round to the pub to tell them that they are contravening their license by the outside noise then all one gets in reply is an excuse i.e. 'there is nothing we can do it's a private party'. Or you ask them to turn the noise down and a few minutes later it is up to the previous level.
3. Please note the issues raised in my letter to you dated 22 July 2006, which typifies the problems we have.
4. Since the new landlord arrived, we have noticed a significant increase in noise levels. Also a tendency for the finishing up time of drinking to take longer than ever, leading to an increase in noise and general disruptive nuisance in the surrounding roads e.g. loud shouting and undesirable language.
5. This is not the case of a village losing its last pub. There are already four pubs within a few minutes walk of the centre.

In conclusion, I strongly oppose any changes to the current arrangements. The basis of my objection is on the grounds of public nuisance to those living in the surrounding area and the prevention of crime and disorder particularly when leaving the pub.

Yours sincerely,

A large, solid black rectangular redaction covering the signature area.

Crawford Wright.

John Myall

From: [REDACTED]
Sent: 18 December 2008 10:40
To: Licensing
Subject: New Inn, Chapel Road, Swanmore, SO32 2QB

We are writing to make representation in opposition to the request from Greene King retailing Ltd. to vary the premises licence for the New Inn, Chapel Road, Swanmore, SO32 2QB on the following grounds:-

1) Public safety

The behaviour of the clientele of the New Inn late at night is perceived as a threat to public safety by those of us whose houses are located on adjoining roads, especially, in the case of the section of Church Road between the Primary School and the Vicarage Lane/Chapel Road crossroad which is inadequately lit by public street lighting.

2) Public nuisance

The lack of any soundproofing in the building of the New Inn ensures that the noise levels during current hours represent a serious public nuisance to those of us whose properties abut the premises. The decibels of the current music played are such that the music is clearly audible within our property, located to the rear of the public house, through dense thick flint walls as is the noise from smokers outside the building. An extension of these hours would increase that public nuisance.

3) Protection of children

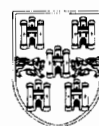
The noise levels and behaviour described in 1 and 2 above currently disturb the sleep of and frighten children resident in adjoining properties and an extension to the hours proposed would seriously threaten their protection. Further the proposed removal of conditions regarding the permit of children to the premises after 2100 cannot be considered as anything but a severe threat to those unfortunate children whose parents are sufficiently ignorant of child safety and welfare to wish to take them to such premises after this time and thus most in need of protection.

Mr.RK and Mrs.RW Young
Flint House
Church Road
Swanmore
SO32 2PU

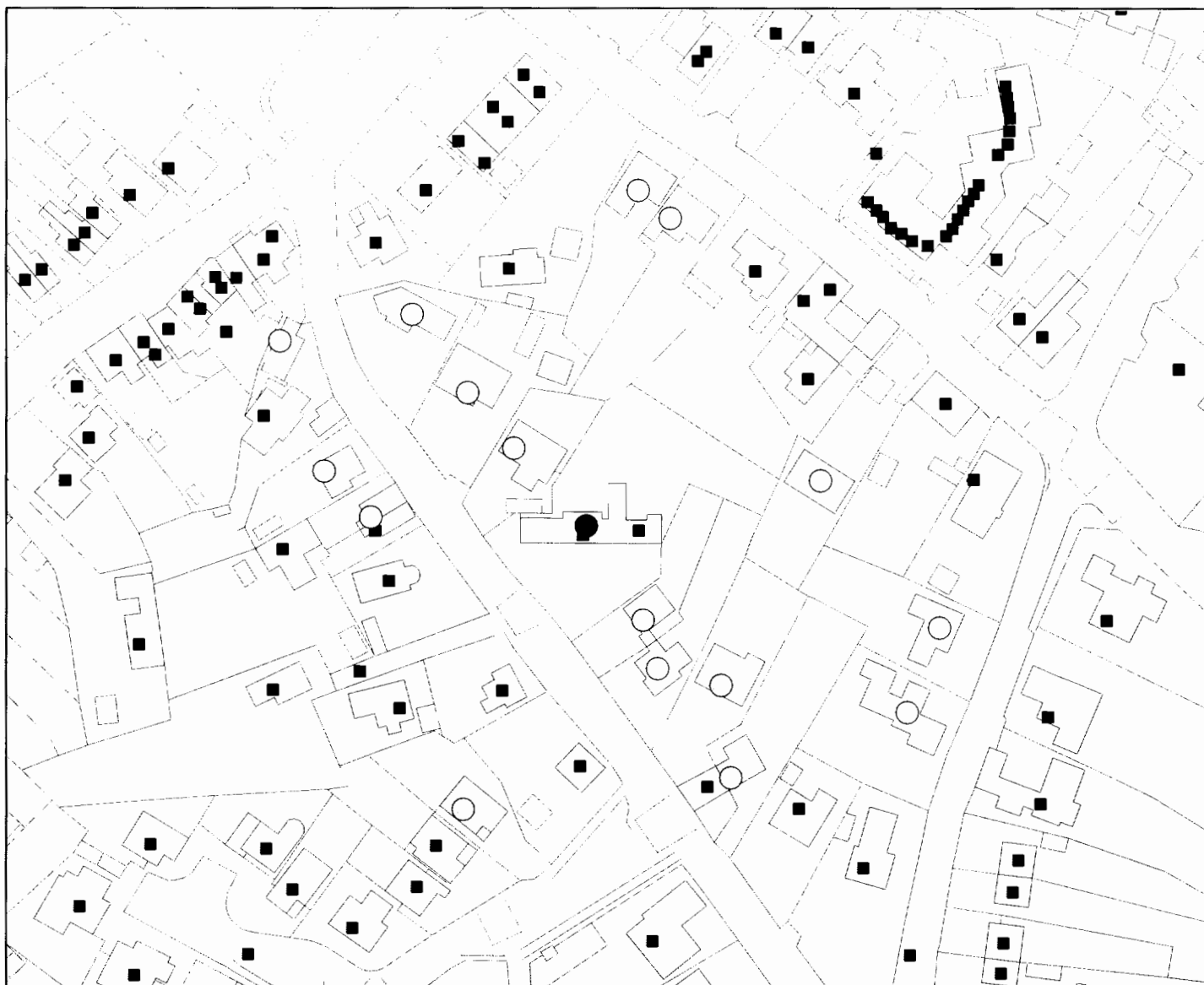
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New Inn Swanmore

Variation of Premises Licence



Winchester
City Council



Legend

Km 0.02 0.04 0.06 0.08 0.1 0.12



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Date	16 January 2009
SLA Number	00018301

Scale: