

Part A.**1. Application**

Applicant: Mr Paul Bernard Malec

Premises: Arty's Wine Bar & Restaurant, Unit D South Square, Knowle

- 1.1 This application is for a new premises licence under Section 17 of the Licensing Act 2003 for Arty's Wine Bar & Restaurant.
- 1.2 The application is for regulated entertainment consisting of live music, recorded music, provision of facilities for dancing and supply of alcohol.
- 1.3 Due to a representation from Environmental Health, the applicant agreed to withdraw regulated entertainment from the application and to restrict the outdoor seating area from Sunday to Thursday 0900 to 2000 and Friday and Saturday 0900 to 2100.
- 1.4 Hampshire Constabulary also made a representation to this application with concerns that the licensing objectives were not fully addressed. The applicant agreed conditions with the Police which can be found on page 6.
- 1.5 Representations have been received from 12 interested parties. These representations are set out in Appendix 2.
- 1.6 Notice of the application was displayed outside of the premises for a period of 28 days until 13 October 2009, and advertised in the September 2009 edition of the Knowle Post.
- 1.7 The Operating Schedule, copied at Appendix 1, proposes the Relevant Licensable Activities.

Designated Premises Supervisor

Mr Paul Bernard Malec

Steps to promote the Licensing Objectives

Please see Section Q Appendix 1

Notice of Hearing

Notices of the hearing were sent to all Parties on 20 October 2009.

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

The Head of Environment did make a relevant representation to this application with concerns regarding the public nuisance licensing objective. The applicant agreed to amend the application and agreed a condition which can be found on page 6.

Hampshire Constabulary

The Chief Officer of Police did make a relevant representation to this application with concerns regarding all four licensing objectives. The applicant has agreed conditions which can be found on page 6.

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

Representations against this application have been received from 12 interested parties. The main concerns relate to public nuisance and crime and disorder. These representations are in 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. refuse to specify a person in the licence as the premises supervisor;
4. 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 operating schedule and the observations of the Police and 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 operating schedule and the observations of the Police.

(Licensing Policy Part 4, B3, B4)

Public Nuisance

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

(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.

Possible Conditions

If the application is granted, the Sub-Committee may wish to consider the following conditions to reflect the Operating Schedule:

Operating Hours

1. The hours the premises may be used for the sale of alcohol shall be:
 - (i) **Monday to Wednesday** **1100 to 2300**
 - (ii) **Thursday to Saturday** **1100 to 0000**
 - (iii) **Sunday** **1200 to 2230**
 - (iv) **The above hours may be extended to 0100 on New Years Eve**
2. The hours the premises may open for other than Licensable Activities shall be:
 - (i) **Monday to Wednesday** **1000 to 2300**
 - (ii) **Thursday to Saturday** **1000 to 0000**
 - (iii) **Sunday** **1200 to 2230**
 - (iv) **The above hours may be extended to 0100 on New Years Eve**

All Licensing Objectives

[Dealt with in relevant sections below].

Crime and Disorder

1. A CCTV System must be installed no later than 1 December 2009 and maintained to a standard agreed with the Police crime prevention officer.
2. The CCTV system must be capable of producing evidential standard quality images on a real time basis operating in normal conditions within the public areas.
3. All public areas must be covered by CCTV. This must include the front door and bar/counter areas and must be capable of providing good quality head and shoulder images.
4. All CCTV images must be retained for 30 days and made available to an authorised officer on request.
5. There must always be a member of staff capable of operating the CCTV system whilst the premises are open for licensable activity.
6. Any CCTV images recovered must be in a format that can be readily taken away and viewed on any computer operating on any windows based program acceptable to the Police.
7. The CCTV system must be operating at all times whilst the premises are open for licensable activity.
8. All staff dealing directly with the public shall receive appropriate training in respect of the sale of alcohol to persons who appear drunk and conflict management. This must be recorded in a format that can be viewed by Police and updated with the dates when each employee has received the training.
9. There must always be at least one Personal Licence holder on duty Friday & Saturday evenings from 1900-until close of business.

Public Safety

None

Public Nuisance

1. Prominent, clear notices shall be displayed at the entrance/exit points requesting customers to respect the needs of local residents, to leave the premises and the area quietly.
2. The outside seating area shall only be used during the hours of 1000 to 2000 Sunday to Thursday and 1000 to 2100 Friday and Saturdays.

Protection of Children

1. The premises shall adopt and implement the Challenge 21 Scheme.
2. The licence holder shall ensure that all cashiers are trained (and refresher trained at least once every 6 months) to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age.
3. Evidence of proof of age shall be photographic, such as passport or photographic driving licence or identification including the PASS logo until other effective identification technology (for example, thumb print or pupil recognition) is introduced.
4. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
5. Prominent notices will be displayed in the store advising customers that they may be asked to provide evidence of age.
6. All cashiers shall be instructed, through training (and refresher trained at least once every 6 months) to enter in a refusal book (or electronic equivalent) details of any refusal to make a sale of alcohol to a customer such refusal book (or electronic equivalent) to be monitored by the licence holder on a regular basis and at least once every 2 weeks.

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

A licence fee of £100 has been received. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

Appendices

1. Application by Mr Paul Malec
2. Representations by Interested Parties
3. Map of premises location showing representations

LA P1

Application for a premises licence to be granted 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 PAUL MILES apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, Ordnance survey map reference or description	
UNIT D SOUTH SQUARE KNOWLE WARRINGTON	
NR WICKHAM TO BE KNOWN AS ARTYS	
Post town	Post code
	PO17 5FL

Telephone number at premises (if any)

Not Part 1 yet

Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

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14 SEP 2009

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- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or Please tick yes
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname MALEC First names PAUL ROSENARD

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

8 TOTSOME COTTAGE KNOWLE ESTATE WICKHAM

Post Town

Postcode

PO175LT

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick
yes

I am 18 years old or over

Current postal
address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS.

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name	<input type="text" value="N/A"/>
Address	<input type="text" value="N/A"/>
Registered number (where applicable)	<input type="text" value="N/A"/>
Description of applicant (for example partnership, company, unincorporated association etc)	<input type="text" value="N/A"/>
Telephone number (if any)	<input type="text" value="N/A"/>
E-mail address (optional)	<input type="text" value="N/A"/>

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	3	102009

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)

THE PREMISES ARE LOCATED ON THE GROUND FLOOR OF WHAT USED TO BE DECEBAN AT THE OLD CHURCH KNOWE, IT IS A 2000 SQ FT UNIT ALL ON ONE LEVEL AND HAS APPROXIMATELY 150 SEATINGS ON THE PREMISES. WE WILL PROVIDE A RESTAURANT/BAR AND COFFEE SHOP FACILITY, AND THE PREMISES WILL BE PREDOMINANTLY RETAIL RELATED. WE HAVE TO INSTALL INFORMATION SCREENS, AND WIFI FACILITIES, AND WE ARE ORIENTATING THE BUSINESS TO GIVE THE NEW VILLAGE A FOCUS MEETING PLACE.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

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 [X] (please read guidance note 2)	Indoors	Outdoors	Both
Mon	19:00	23:00	<p>Please give further details here (please read guidance note 3) WE WILL ONLY BE HAVING LIVE PERFORMANCES ON ONE OR TWO DAYS A WEEK AS THIS WHEN REQUIRED</p> <p>State any seasonal variations for the performance of live music (please read guidance note 4)</p>			
Tue	19:00	23:00				
Wed	19:00	23:00				
Thur	19:00	24:00				
Fri	19:00	24:00				
Sat	19:00	24:00				
Sun	13:00	16:00				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick [X] (please read guidance note 2)	Indoors	Outdoors	Both
Mon	10:00	23:00	<p>Please give further details here (please read guidance note 3) RECORDED MUSIC WILL BE AVAILABLE Whilst we are open.</p> <p>State any seasonal variations for playing recorded music (please read guidance note 4)</p>			<input checked="" type="checkbox"/>
Tue	10:00	23:00				
Wed	10:00	23:00				
Thur	10:00	24:00				
Fri	10:00	24:00				
Sat	10:00	24:00				
Sun	10:00	22:30				

Sat				<p>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <p><i>NA</i></p>
Sun				

<p>Provision of facilities for making music Standard days and timings (please read guidance note 6)</p>				<p>Please give a description of the facilities for making music you will be providing</p>
Day	Start	Finish		
Mon				<p>Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)</p> <p>Please give further details here (please read guidance note 3)</p> <p><i>NA</i></p> <p>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

<p>Provision of facilities for dancing Standard days and timings (please read guidance note 6)</p>				<p>Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)</p>
Day	Start	Finish		
				<p>Please give a description of the facilities for dancing you will be providing</p> <p><i>ONLY AT SPECIAL FUNCTIONS BIRTHDAY / WEDDING / ANNIVERSARY ETC</i></p>

Mon	1900	2300	Please give further details here (please read guidance note 3)
Tue	1900	2300	
Wed	1900	2300	
Thur	1900	2400	
Fri	1900	2400	
Sat	1900	2200	
Sun	1900	22.30	
			State any seasonal variations for providing dancing facilities (please read guidance note 4)
			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 (please read guidance note 5)

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))			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick <input checked="" type="checkbox"/> (please read guidance note 2)	
Mon			Indoor	
			Outdoor	
			Both	
Tue			Please give further details here (please read guidance note 3)	
Wed			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or K (please read guidance note 4)	
Thur				
Fri				
Sat				
Sun			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 (please read guidance note 5)	

Late night refreshment		Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	Outdoors
Standard days and timings (please read guidance note 6)	Day		Start	Finish
Mon		<p>Please give further details here (please read guidance note 3)</p> <p style="text-align: center;"><i>None</i></p> <p>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</p>		
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

Supply of alcohol		Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	Off the premises	Both
Standard days and timings (please read guidance note 6)	Day		Start	Finish	Both
Mon		<p>State any seasonal variations for the supply of alcohol (please read guidance note 4)</p> <p>Additional hours on National Day because of New Year's Eve, XMAS etc</p> <p>0100</p> <p>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)</p>			
Tue					
Wed					
Thur					
Fri					
Sat					
Sat					

Sun	1200	2230	
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State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Paul MAIER
 Address 8 TOTSONME COTTAGE
KNOWLE MR WILKHAM
 Postcode PA175LT
825
 Personal Licence number (if known)
 Issuing licensing authority (if known) WILKHAM

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)

~~N/A~~

O

Hours premises are open to the public			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	1200	2300	Non standard timings. Where you intend to use 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) NEW YEAR EVE XMAS SPECIAL OCCASIONS
Tue	1200	2300	
Wed	1200	2300	
Thur	1100		
Fri	1500	2400	
Sat	1100	2400	
Sun	1200	2230	

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)

Operating Schemes & Training will be intended to make sure all staff are fully aware of the importance of fulfilling all license laws and objectives through into consideration public safety and the importance of total vigilance whilst open

b) The prevention of crime and disorder

To have an operating schedule to strategically address any anticipated problems of crime or disorder indicating the nearest we will take to address any of these issues and also to include measures to prevent the supply of illegal drugs

c) Public safety

Ensure that the premises will be properly managed and maintained to ensure public safety at all times

d) The prevention of public nuisance

Take reasonable steps to prevent disturbance to local residents by sound leakage i.e. from music, parties, equipment and to ensure the premises have quickly responding any local residents

e) The protection of children from harm

Are aware of

Make sure all operators have responsibility to protect children from any early exposure to strong and explicit language and that there is a complete understanding of who can consume alcohol, and that if there is in doubt, they refuse, where ever a photo I.D.

- Please tick yes
- I have made or enclosed payment of the fee
 - I have enclosed the plan of the premises
 - I have sent copies of this application and the plan to responsible authorities and others where applicable
 - I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
 - I understand that I must now advertise my application
 - 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 4 – Signatures (please read guidance note 10)

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

Signature

[Redacted Signature]

Date.....

Capacity

DUNCAN / SOLICITOR

For joint applications signature of 2nd applicant 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

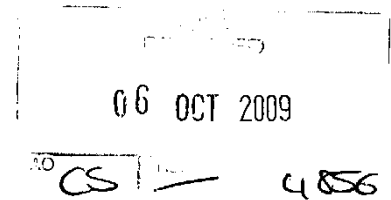
Date.....

Capacity

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

Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

**Mr Andrew Cutmore
50 Knowle Avenue
Knowle Village
Fareham
PO17 5FR**



The Head of Legal Services
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ



5th October 2009

Dear Sir/Madam

Licensing application for Arty's, Unit D, South Square, Knowle Village.

I am writing in regard to the above licensing application to Winchester City Council.

As a local resident living close to the above premises, I am writing to object to a plan which is likely to compromise my right to the quiet enjoyment of my home. Knowle Village has been marketed as a quiet, family location in which to live and it seems that these proposals risk transforming a quiet village centre into a town centre environment, out of keeping with the character of the community.

My first objections are on the grounds of public nuisance:

1. Unit D has no sound proofing and what amounts to the ground floor is almost entirely a glazed area and the high brick walls are not even plastered. Music used for dancing cannot be contained in the building as it stands and the benefits of sound proofing will be off set by the passing customers and staff to the tables and chairs outside.
2. Unlike older properties in established town centres, the low rise, high density, newly built flats and houses surrounding the square have no sound proofing and thin walls will offer no protection against amplified dance music.
3. The South Square is overlooked by many bedrooms and sitting rooms, where the enclosed 20M designated area for external drinking and dining tables would create a speaker like effect causing the buzz of lively conversation to reverberate off the walls and through all surrounding open windows on summer evenings.
4. Parking in Knowle Village is in designated parking bays. The very limited, unrestricted parking close to the South Square is already fully utilised by residents and customers at the Village Shop. Whilst current spaces might be adequate for staff, they would offer very limited spaces for customers for even a medium sized business on a weekday and weekends and special events and parties would create an acute parking problem spreading to the adjacent streets.
5. I am concerned at the likely disruption caused by the slamming of car doors and late night revellers as they return home after a good night out. If used for functions the numbers leaving the bar could amount to as many as 100 late on in the evening.

My second objections are on the grounds of public safety:

1. The road system at Knowle is intentionally designed for the use of residents only. Having narrow gaps and cobbled sections in order to reduce the speed and flow of traffic, the road infrastructure does not lend itself to the volume associated with a wedding party and the safety problems associated with reversing on mains roads. An increase on the existing problems with inappropriate parking can only lead to a greater risk of accidents which is only to be expected.
2. From what I have seen, Knowle Village has a small largely family population incapable of providing sufficient customers for a year round late night bar. If a business of this kind is to be viable in a location 2 to 3 miles away from the next community it will be dependant on people driving to the village potentially increasing the risk of drink driving or if a taxi is the preferred option it will impact on the Village for all the reason mentioned above.

My third objections are on the grounds of preventing crime and disorder and the protection of my children and others living within the village:

1. As I mentioned previously, Knowle Village has a relatively high proportion of young families, mine included. Children of school age living close to the South Square with unrestricted music and animated social gatherings round the exterior tables until 2300 on Mondays, Tuesdays and Wednesdays can be expected to have disturbed sleep on school nights. The newly introduced regulations on smoking inside restaurants can be expected to make the Square user friendly for smokers and unfriendly for parents who do not wish their children to view this habit as a positive one.
2. The Police are aware of a regular group of teenagers who currently conduct their social life in and around the Square already and their unsupervised presence in and around licensed premises until midnight makes the wine bar a dubious benefit. In his application the owner plans to take steps to prohibit the sale of drugs, thereby implying that the anticipated clientele will wish to use them. Is this exposure to narcotics something that we wish to encourage for young people already displaying social problems?

My family and I moved to Knowle Village for its quiet, village atmosphere. These proposals stand to compromise those benefits and serve the interests of the few over those of the many. Ultimately, this proposal is out of keeping with the character of the community and despite assurances by the owner, guarantees cannot be made on behalf of future licensees about the nature and ethos provided. Furthermore, it is impossible to police human nature. I would ask that you reject this application and preserve the character and quality of this lovely village environment.

Yours faithfully



Andrew Cutmore

CC: Mr John Myal & Ms Carol Stefanzuk-Licensing Department, WCC.

J Mayall



06 OCT 2009

CS 4857

4 Paston House
South Square
Knowle
Fareham
PO175FP

Dear Sir madam

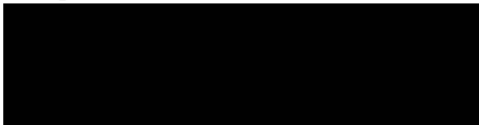
I am writing in objection to the recent application for the Wine bar to be granted in the middle of Knowle Village located in South Square.

I live directly above the plaza and having music played until midnight is unacceptable, especially on weeknights when people have work the next day.

The building can not control the level of noise and would filter throughout the surroundings area.

If this is granted it would upset many people in the surrounding area.

Regards



Victoria Gunby



57, Knowle Avenue,
Knowle Village,
Fareham,
Hampshire,
PO17 5LU.

12 OCT 2009

AS 21/10 4882

6002 130 7.1

The Head of Legal Services,
Winchester City Council,
City Offices,
Colebrook Street,
Winchester,
SO23 9LJ.

3rd October 2009.

Dear Sir or Madam,

Re Licensing application for Arty's, Unit D, South Square, Knowle Village.

I would like to register my objection to the above licensing application. I am a resident of Knowle village, and live within one hundred yards of the named premises in this application. One of the main reasons I decided to live in Knowle was the quiet, village like aspect to this part of Hampshire. I believe that this proposed application will fundamentally change the character of the village in which I live and I do not believe that should be allowed to happen.

My objections can be split into three main categories. Firstly, on the grounds of public nuisance;-

1. Unit D has no sound proofing, indeed its outer walls are mainly glass. Music for dancing, especially live music, will not be kept inside the building, and so will be heard around the village, particularly close to the building, where I live.
2. The houses that we live in have no specific sound proofing against such noise.
3. Unit D sits at the head of a small square, and this square is proposed to be an area for outside drinking and dining. Our houses, and many others, overlook this square, and the noise created would be loud, especially on a summer evening with open windows. Most unsatisfactory.
4. There is already an issue with parking within the village, with all residents having designated parking bays, and there being insufficient bays to go round now. Any increase in car numbers, as would surely happen if this application were to be granted, would cause severe parking problems in the village. Indeed, we have just had a trial using clamping in certain streets to alleviate parking problems that we already have.
5. I am also worried about noise levels late at night caused by conversation and door banging as people return home. If numbers are considerable then this noise will be intolerable.

Secondly, I am concerned about issues of public safety;-

1. Our road system is designed for use of residents only. We have traffic calming measures in place to aid the locals to remain safe. I believe increased traffic volume would lead to a higher risk of accidents on already crowded roads. I think traffic

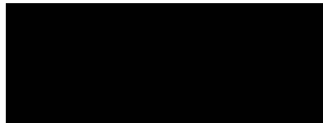
volume is bound to increase as people have to drive to the village; public transport is of no use in the evenings!! With this must also come the risk of drink driving, surely not to be encouraged by such an application?

Thirdly, I would ask you to consider the prevention of crime and disorder, and protection of young children;-

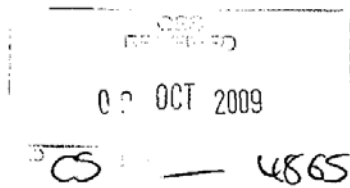
1. The police are already aware of a group of youths who frequent the village, already causing some concern to residents. Indeed, a recent newsletter makes mention of finding drugs paraphernalia, empty beer bottles and litter at locations in and around the village. I believe that this application, if granted, would not help these youngsters behave any better – it must make it liable to get worse.
2. The village is made up of a cross section of society, with many young families. I think this proposal would have detrimental effects on young children, in that it would expose them to smoking and drinking in the open in South Square, and a higher risk of accidents due to higher traffic volumes on already over-crowded streets.

In summary, I came to live in Knowle mainly to enjoy a quiet and village style atmosphere, a rare commodity these days. This proposal is surely not in keeping with the ethos of village life that Knowle seeks to achieve. And indeed, as expressed in my letter, has too many negatives to be good for the area. I would ask you to reject this application.

Yours faithfully,

A solid black rectangular box used to redact the signature of the sender.

Ms Brenda Mintram



5 Paston House
South Square
Knowle Village
Fareham
PO17 5FP

The Head of Legal Services,
Winchester City Council,
City Offices,
Colebrook St,
Winchester
SO23 9LJ



Dear Sir or Madam,

Licensing application for Arty's, Unit D, South Square, Knowle Village

I am writing in regard to the above licensing application to Winchester City Council.

As a local resident living close to the above premises, I am writing to object to a plan which is likely to compromise my right to the quiet enjoyment of my home. Knowle Village has been marketed as a quiet, family location in which to live and it seems that these proposals risk transforming a quiet village centre into a town centre environment.

My chief objections are on the grounds of public nuisance:

1. Unit D has no sound-proofing: what amounts to the ground-floor is almost entirely a glazed area and the high brick walls are not even plastered. Music used for dancing cannot be contained in the building as it stands.
2. Unlike older properties in established town-centres, the low-rise, high-density, newly-built flats and houses surrounding the Square have no sound-proofing and thin walls affording no protection against amplified dance music.
3. The small square is overlooked by our bedrooms and sitting rooms, where the enclosed 20m designated area for external drinking and dining tables would create a speaker-like effect causing the buzz of lively conversation to reverberate off the walls and through our open windows on summer evenings.
4. Parking in Knowle Village is in designated parking bays. The very limited, unrestricted parking close to the Square is already fully utilized by residents and customers at the village shop. Whilst current spaces might be adequate for staff, they would offer very limited spaces for customers for even a medium-sized business on a weekday; weekends/special events would create an acute parking problem spreading to the adjacent streets.
5. I am concerned at the likely disruption caused by the slamming of car doors, and loud conversation/shouting late at night as customers return home after a good night out between 2300-2400.

*(in one of which I live)

Secondly, I am concerned about the issues that the proposals raise for public safety.

1. The road system at Knowle is intentionally designed for the use of residents only, having narrow gaps and cobbled sections in order to reduce the speed and flow of traffic. The road infrastructure does not lend itself to the volume of traffic associated with, for example, a wedding party, the safety problems associated with reversing on main roads. An increase on the existing problems with inappropriate parking can only be expected to lead to a greater risk of accidents.

2. In my opinion, Knowle Village has a small largely family population incapable of providing sufficient customers for a year-round late-night bar. If a business of this kind is to be viable in a location 2-3 miles from the next community it will be dependent on people driving to the village thereby increasing the risk of drink-driving.

Thirdly, I wish to object on the grounds of preventing crime and disorder, and the protection of children:

1. As mentioned previously, Knowle Village has a relatively high proportion of young families. Children of school age living close to the Square with unrestricted music and animated social gatherings round the exterior dinner tables until 2300 on Mondays, Tuesdays and Wednesdays can be expected to have disturbed sleep on school nights. The newly introduced regulations on smoking inside restaurants can be expected to make the Square user-friendly for smokers and unfriendly to parents who don't wish their children to view the habit as positive.
2. The Police are aware of a regular group of teenagers who currently conduct their social life in and around the Square; their unsupervised presence in and around a licensed premises until midnight makes the wine bar a dubious benefit. In his application, the owner plans to take steps to prohibit the sale of drugs, thereby implying that the anticipated clientele will wish to use them. Is the exposure to narcotics something we wish to encourage for young people already displaying social problems?

I have moved to Knowle Village for its quiet, village atmosphere. These proposals stand to seriously compromise those benefits and serve the interests of the few over those of the many. I would ask you to reject this application and preserve the character and quality of this village environment.

Yours faithfully,



Sarah Morgan

63 Knowle Avenue
Knowle
Fareham
Hants
PO17 5LU

12 OCT 2009

CS — 4881

10 October 2009

Ms Carol Stefanczuk,
Assistant Licensing & Registration Officer,
Licensing Department
City Offices,
Colebrook Street,
Winchester,
SO23 9RJ



Dear Ms Stefanczuk,

Licensing of Arty's. South Square, Knowle, Fareham

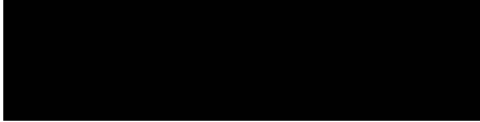
Thank you for your letter of 9 October (ref. PREM561) regarding the above application.

I am pleased to note that the applicant has amended his application to withdraw the entertainment aspect of his plans for the premises. However, I have serious concerns about the impact of the proposals for our rights as residents to the quiet enjoyment of our homes, and the foreseeable disruption they represent for this quiet location. My objections are as follows:

1. The proposed Thursday - Saturday opening hours (1100-0000) reflect the anticipated demand for the wine bar as a lively social venue, where groups will gather for a pleasant evening out. The use of the Square by animated groups at the weekends will create a **significant amount of noise in a small, enclosed residential space**. Anyone living in Knowle is aware of the remarkable way in which sound reverberates against the buildings. Unlike an urban location, the drone of traffic does not dull the echo of raised voices. One can easily anticipate that for six months of the year one could find 30+ people having a good night out in the Square at the very time that most of us will need to open our bedroom windows and be trying to go to sleep. I can well foresee that the close proximity of bedrooms only just above street-level will render them unusable by anyone not taking part in the bonhomie below. I believe that the use of external seating in the Square in the evenings is inappropriate, creating a conflict of interests where the licensee and wine bar customers will profit at residents' expense.
2. In relation to 1 above, unlike established city/town centre properties, the **modern construction methods** used for the flats and houses adjacent to the Square offer insufficient insulation against the noise associated with the bonhomie of parties gathering in the Square. We can also anticipate the inevitable slamming of car doors as customers and staff leave at midnight and beyond on Thursday-Saturday nights.
3. The **level of parking** available in Knowle Avenue is sufficient for the use of customers in a quiet village centre. It is insufficient for the clientele associated with a wine bar, there being at best, parking for eight-ten cars, offering inadequate provision for staff and customers in a location with no public transport after 1900. Without a designated customer car-park, a business of this kind makes can only exacerbate the existing parking problems leading to 'bad' parking to the point of unacceptable frustration to residents.

Despite the welcome amendments made to the original licensing application, I believe the above are substantial issues that will detract from the distinctive quality of our local environment and quality of life.

Yours sincerely,



Revd David Simpson
Chaplain, RN

63 Knowle Avenue,
Knowle,
Fareham
Hants
PO17 5LU
28 September 2009

The Head of Legal Services,
Winchester City Council,
City Offices,
Colebrook St,
Winchester
SO23 9LJ

Dear Sir or Madam,

Licensing application for Arty's, Unit D, South Square, Knowle Village

I am writing in regard to the above licensing application to Winchester City Council.

As a local resident living close to the above premises, I am writing to object to a plan which is likely to compromise my right to the quiet enjoyment of my home. Knowle Village has been marketed as a quiet, family location in which to live and it seems that these proposals risk transforming a quiet village centre into a town centre environment, out of keeping with the character of the community.

My chief objections are on the grounds of public nuisance:

1. Unit D has no sound-proofing: what amounts to the ground-floor is almost entirely a glazed area and the high brick walls are not even plastered. Music used for dancing cannot be contained in the building as it stands and the benefits of sound-proofing will be off-set by the passing of customers and staff to the tables and chairs outside.
2. Unlike older properties in established town-centres, the low-rise, high-density, newly-built flats and houses surrounding the Square have no sound-proofing and thin walls affording no protection against amplified dance music.
3. The small square is overlooked by our bedrooms and sitting rooms, where the enclosed 20m designated area for external drinking and dining tables would create a speaker-like effect causing the buzz of lively conversation to reverberate off the walls and through our open windows on summer evenings.
4. Parking in Knowle Village is in designated parking bays. The very limited, unrestricted parking close to the Square is already fully utilized by residents and customers at the village shop. Whilst current spaces might be adequate for staff, they would offer very limited spaces for customers for even a medium-sized business on a weekday; weekends/special events would create an acute parking problem spreading to the adjacent streets.
5. I am concerned at the likely disruption caused by the slamming of car doors, and late-night revellers as customers return home after a good night out between 2300-2400. If used for functions the numbers leaving the bar could amount to as many as 100 late on in the evening.

Secondly, I am concerned about the issues that the proposals raise for public safety.

1. The road system at Knowle is intentionally designed for the use of residents only, having narrow gaps and cobbled sections in order to reduce the speed and flow of traffic. The road infrastructure does not lend itself to the volume of traffic associated with a wedding party and the safety problems associated with reversing on main roads. An increase on the existing problems with inappropriate parking can only be expected to lead to a greater risk of accidents.

2. In my opinion, Knowle Village has a small largely family population incapable of providing sufficient customers for a year-round late-night bar. If a business of this kind is to be viable in a location 2-3 miles from the next community it will be dependent on people driving to the village thereby increasing the risk of drink-driving.

Thirdly, I wish to object on the grounds of preventing crime and disorder, and the protection of children:

1. As mentioned previously, Knowle Village has a relatively high proportion of young families. Children of school age living close to the Square with unrestricted music and animated social gatherings round the exterior dinner tables until 2300 on Mondays, Tuesdays and Wednesdays can be expected to have disturbed sleep on school nights. The newly introduced regulations on smoking inside restaurants can be expected to make the Square user-friendly for smokers and unfriendly to parents who don't wish their children to view the habit as positive.
2. The Police are aware of a regular group of teenagers who currently conduct their social life in and around the Square; their unsupervised presence in and around a licensed premises until midnight makes the wine bar a dubious benefit. In his application, the owner plans to take steps to prohibit the sale of drugs, thereby implying that the anticipated clientele will wish to use them. Is the exposure to narcotics something we wish to encourage for young people already displaying social problems?

I have moved to Knowle Village for its quiet, village atmosphere. These proposals stand to compromise those benefits and serve the interests of the few over those of the many. Ultimately, this proposal is out of keeping with the character of the community and, despite assurances by the owner, guarantees cannot be made on behalf of future licensees about the nature and ethos provided. Furthermore, it is impossible to police human nature. I would ask you to reject this application and preserve the character and quality of this village environment.

Yours sincerely,



Revd David Simpson

Mr Steven Smith
1 Consort Mews
Knowle
Fareham
Hampshire
PO17 5FH

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

12 October 2009

Subj: Arty's Wine Bar and Restaurant, South Square, Knowle, Fareham

Dear Sir,

I wish to register my objections to the following licensing proposal (copied from your website);

- **live music - Monday to Wednesday 1900 to 2300 every day, Thursday to Saturday 1900 to 0000 every day and Sunday 1300 to 1600.**
- **Recorded music - Monday to Wednesday 1000 to 2300 every day, Thursday to Saturday 1000 to 0000 every day and Sunday 1200 to 2230.**
- **Provision of facilities for dancing - Monday to Wednesday 1900 to 2300 every day, Thursday to Saturday 1900 to 0000 every day and Sunday 1900 to 2230.**
- **Supply of alcohol - Monday to Wednesday 1100 to 2300 every day, Thursday to Saturday 1100 to 0000 every day, Sunday 1200 to 2230 and New Years Eve until 0100.**

Those areas highlighted in bold are my areas of objection and are expanded upon below.

Introduction.

My house overlooks the site of the bar and is within 10 meters of the premises to be licensed. The property I own is within the Grade II listed building of the old hospital and is of brick construction with single glazed sash windows. My Living room and kitchen windows overlook the bar area on the ground floor. The first floor has the Master and No2 bedroom (of 3) overlook the bar.

The surrounding area consists of a mixture of new build houses/flats and converted apartments and houses within the former hospital buildings. To the sides it is enclosed by buildings and to its front it is surrounded by 3 story flats.

My objections are as follows:

Prevention of crime and disorder

The Bars current position is, as already stated, within a residential area. The opening hours will effectively allow all day drinking until late into the night. To avoid the possibility of anti-social behaviour at closing time or at other times of the day there will have to be a presence of Police officers or CSO's. This will have to be at regular intervals during the day and permanently at closing time at night.

The area contains a high density of homes and allocated parking areas. All of which will potentially become the site of accidental or intentional vandalism or property damage/theft.

Public safety

To function as a profitable business there is the very real need that Arty's will need to attract custom/functions from outside of the village. As mentioned above the Bars position is within a residential, high density housing area with limited parking and choke points. The limited parking, on roads which are not controlled by the Council, will encourage inconsiderate or dangerous parking. Emergency service access around the choke points could be disrupted with potential risk to life and property.

Public nuisance

Following on from the potential disorder caused by revellers there is also the issue of pollution from the bar, its activities or staff/customers. In particular the following are areas of concern;

Light pollution

The bar has a large proportion of the building made up from Windows. These windows have no screening to prevent the escape of light from stage lighting which may be used by the normal operation of a live band or DJ type scenario. Those who live within the sight of the Bar in the former hospital building will have this light seepage to contend with. My particular rooms overlook the bar itself so would be directly affected.

Noise Pollution

Arty's Bar has no apparent sound proofing. As mentioned before 3 of the walls consist of 50% glass of a construction that will provide little noise reduction (this will be further reduced by the opening of windows during warm weather). It has been evident during the construction phase that noise within the bar area will be transmitted freely outside. The bar is enclosed by buildings on all sides. Noise will be trapped and reverberate, this may be music or vocal exuberance by customers while in the bar or on leaving. The timings for the music/dancing/live music would potentially interfere with the sleep patterns of my family.

During the summer months there will be either a desire to place seating outside or for customers to stand outside. This will remove any form of noise control from noise produced up to, and exceeding, the stated licensing hours.

Customers of the bar may consider the surrounding area to be a safe area for them to allow their children to play while they are in the bar or restaurant area. Whilst Knowle is a good family environment the increase in children in the area and the associated noise will impact upon the enjoyment of the otherwise peaceful area by those who live within close proximity to the bar.

There is no apparent area for the disposal of glass. This is a noisy process and if conducted as part of the clearing of the bar at night and not within a sound proof area will cause massive disturbance.

Environmental Pollution

Disposal of bar/restaurant waste within a tightly packed residential area has an environmental impact with the attraction of vermin to badly packed or accessible food waste. This includes rats with the threat to health of adults and children by their secretions and Foxes who will be attracted to an easy meal from the surrounding countryside. The foxes will then become a threat to family pets including cats, dogs and small animals caged within gardens near the bar area.

Litter is a problem which is dealt with during the week by the management company for the area who provide a patrol to clear up. This does not function at the weekend and will entail a build up of litter in the square and surrounding area. This will be exacerbated by smokers having to be outside of the bar interior and by any exterior tables used.

Furthermore any external seating will provide the potential for broken glass or bottles to be left in an area which has a shopping area, transit routes for access around the village by foot and a small grass area used by children to play on.

Yours Sincerely

S C Smith

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

From: Mark Stewart [REDACTED]

Sent: 06 October 2009 21:27

To: Licensing

Subject: Arty's Wine Bar and Restaurant, South Square, Knowle, Fareham

The Head of Legal Services,
Winchester City Council,
City Offices,
Colebrook St,
Winchester.
SO23 9LJ

06th October 2009

Dear Sir or Madam,

Licensing application for Arty's Unit D South Square Knowle Village

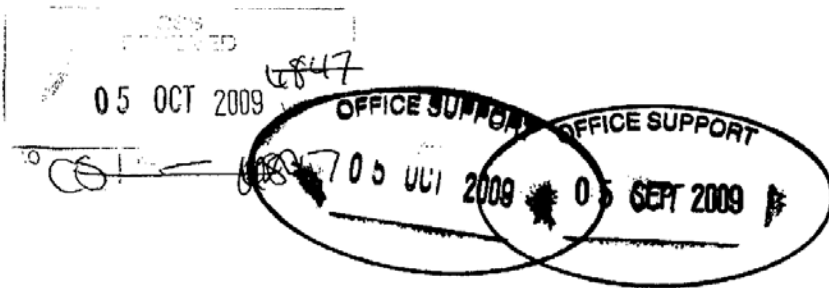
I am writing to you to strongly object to the above application for the following reasons.

1. **Noise:** Knowle Village is a quiet residential place to live, and granting the above application will irreversibly change this aspect. The sound around the square area and the lack of soundproofing within this building together with the nature of the surrounding brick building's, will mean that all houses within this vicinity will suffer from an amplification of noise and echoes, at a time of night that is totally unacceptable and inappropriate.
2. **Parking:** This is an on going battle within the village, as there is already insufficient parking for residents resulting in parking down side roads, which frankly are hazardous to other road users, emergency vehicle access and pedestrians. I would assume that Arty's proposal is only viable if it can attract outside clientele, which will add to Knowle's parking problems. Where exactly are these people going to park when there is already a shortage of residents parking, and no alternative car park?
3. **Alcohol:** The introduction of a licensed premises so close to a residential area is most likely going to lead to disruptive anti-social behaviour, increasing the necessity for policing and no doubt inviting more complaints to the authorities from residents.

I hope that you will consider very carefully the impact on Knowle, before granting in favour of this proposal. My young family and I have now lived in Knowle for 4 years, and have enjoyed its relatively unique peaceful, rural, village qualities and would very much like this to continue in the future.

Yours faithfully,

Captain Mark Stewart
87 Knowle Ave, Knowle Village, PO17 5LU



4 Paston House
South Square
Knowle
Fareham
PO175FP

Dear Sir madam

I am writing in objection to the recent application for the Wine bar to be granted in the middle of Knowle Village located in South Square.

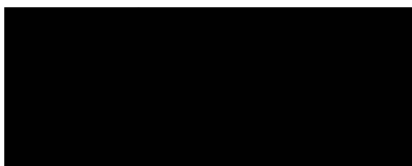
I live directly above the plaza and having music played until midnight is unacceptable, especially on weeknights when people have work the next day.

I have lived here for 3 years and for the first 18 months I had shouting kids and unruly behaviour in the manner of footballs being kicked at the walls and screaming. This has stopped as now the playing field and skating ramp has now been in place, this has also eased the police's duty. I feel to have this would be totally wrong to have the license granted.

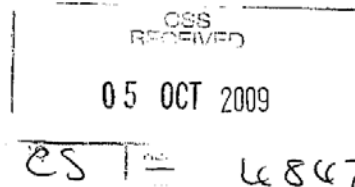
The owner has also asked to use the plaza as a seating area, this brings the noise levels outside and would make me have to close my balcony doors due to noise levels again. The building in question is not in a fit state to monitor noise levels and is not correctly insulated to control if music is played.

Knowle is a quiet village which would could do with staying as it is. If people would like to have a drink then the town centre is only a short trip away and keeps anti social behaviour to a minimum as this may in courage under age drinking as it is an isolated area and may not be policed like the town centre.

Please consider this fully, I am sure that many people in the area have many other reasons and an isolated area such as Knowle should be kept to its one shop.



Ashley Stillwell



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

From: Grant Thomson [REDACTED]
Sent: 13 October 2009 20:56
To: Carol Stefanczuk
Subject: Re: Objection to Licensing application - Arty's - Knowle Village

Hi Carol,

Thanks for getting back to me. I appreciate the positive response and that the applicant has made some concessions but the fact remains that the nature of the location does not lend itself to a 7-day a week late night drinking establishment.

Noise is my major objection to the application. It will be a major issue with late night drinkers leaving the establishment or people drinking, smoking or talking outside. I live across from the premises and no doubt people will be parking outside of my house which means car doors and engines well past normal hours. The tranquil village setting that we moved in to will be lost and will seriously impact my quality of living.

On the positive side, a day and early evening facility would no doubt enhance the village and would be one that I would support. It's the later evening noise implications that I strongly object to.

Cheers,

Grant

[REDACTED]

On 13 Oct 2009, at 11:28, <CStefanczuk@WINCHESTER.GOV.UK>
<CStefanczuk@WINCHESTER.GOV.UK> wrote:

Dear Mr Thomson,

I refer to your representation regarding the above premises.

Following a representation from Environment Protection (a Responsible Authority under the Act), the applicant has agreed to withdraw the regulated entertainment consisting of live music, recorded music and provision of facilities for dancing from his application. The application therefore stands as supply of alcohol only, as follows; Monday to Wednesday 1100 to 2300, Thursday to Saturday 1100 to 0000, Sunday 1200 to 2230 and New Years Eve until 0100.

The applicant has also agreed to restrict the use of the outside seating area to Sunday to Thursday 0900 to 2000 and Friday and Saturday 0900 to 2100.

If the above agreement alleviates your concerns and you are in a position to withdraw your representation, please let me know by 16 October 2009 at the latest. If you still believe that as a local resident you will be affected by the granting of this licence, the Council will proceed with a hearing.

If you have any queries, please contact me.

Regards

Carol Stefanczuk
Assistant Licensing and Registration Officer
Winchester City Council
City Offices
Colebrook Street
Winchester, SO23 9LJ
Tel: 01962 848 188 (Ext: 2188)
Fax: 01962 848 555
cstefanczuk@winchester.gov.uk
www.winchester.gov.uk

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

From: Grant Thomson [REDACTED]
Sent: 06 October 2009 19:46
To: Licensing
Subject: Objection to Licensing application - Arty's - Knowle Village

Dear Sir/Madam,

Licensing application for Arty's Unit D South Square Knowle Village

I am writing to strongly object to the licensing application for Arty's Wine Bar, South Square, Knowle Village. I live at 65 Knowle Avenue, directly across the street from the building, and must object under the grounds of 'public nuisance' and 'protection of children'.

Parking and noise are already a problem in Knowle Village and the implementation of the proposed licensing application will only cause these issues to increase and may make living in and enjoying our house/village impossible.

My objections are primarily due to the following;

- **Noise** - The building that Arty's will be in has no sound proofing and the acoustics of the square mean that all noise is amplified and impacts those living nearby. Music played late in to the evening will impact all of the people living nearby. The proposed use of the square for customer tables, and presumably for outside smoking, means that noise will go on well past acceptable times and be intolerable for residents. This would be completely inappropriate for what is designed to be a quiet, village location.
- **Parking** - Parking in Knowle is already an issue and has been the subject of numerous paper and TV articles so the addition of a Wine Bar with NO customer parking will only exasperate the problem. This will make parking outside residents' houses the norm and late night noise and slamming of doors will be a major issue. Patrons will also have to drive to the Wine Bar if coming from outside of the village so the risk of drunk driving will increase.
- I have two young children and a bar with late licensing may impact their sleeping on school nights. The use of the square area for smoking is also unacceptable for a location that has a high proportion of young children. We do not want them to view smoking as acceptable.

I would ask you to reject the licensing application for 'Artys' and help preserve the quiet village atmosphere of Knowle Village. Granting the application will irreversibly change the nature of living in the village.

Yours sincerely,

Grant Thomson

A solid black rectangular redaction box covering the signature area.

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

From: Kerry S Thomson [REDACTED]

Sent: 09 October 2009 16:16

To: Licensing

Subject: Objection to Licensing Application - Arty's, Knowle Village

Importance: High

Licensing application for Arty's, Unit D South Square Knowle Village

I am writing to strongly object to the licensing application for Arty's Wine Bar, South Square, Knowle Village. As a local resident living opposite the premises, I am objecting to the plan which is likely to compromise my right to the quiet enjoyment and safety of my home. The grounds for this objection are 'public nuisance', 'prevention of crime and disorder' and 'protection of children'.

Public Nuisance:

- **Noise** - The Arty's premises has not been specifically sound proofed (the floor is just concrete, with majority of external walls glazed) which coupled with the existing acoustics of the Square, means that all noise is amplified and impacts those living nearby. Live music played late in to the evening will impact all of the people living in the vicinity. The proposed use of the square for customer tables, and presumably for outside smoking, means that noise will go on well past acceptable times and be intolerable for residents every night of the week. This would be completely inappropriate for what is designed to be a quiet, family orientated village location.
- **Parking** - Parking in Knowle is already an issue and has been the subject of numerous paper and TV articles. Residents parking is managed via designated bays, which do not support the volume of cars already within the village, hence a Residents Association sub-committee has been established to try and solution additional parking to support the current needs of residents. There is a very limited unrestricted parking close to the Square for use by all 5 Shop units, however this may just be adequate to accommodate the staff of the Shop Units, but not the introduction of additional traffic from Arty's patrons coming from outside the village (which must be required to make the business sustainable), meaning all parking issues will be exasperated and have a knock-on effect to other streets within the village. This will make parking outside residents' houses throughout the village the norm and late night noise and slamming of doors will be a major issue.

Prevention of Crime and Disorder

- **Youths** - Similar to many villages, Knowle has been tackling the issue of groups of youths congregating within the Square over recent years. Hampshire Police have been regularly visiting the village and have now nurtured a safe/quiet environment for all residents. My concerns is the opening of an establishment that sells alcohol late into the night (every night) will provide a tempting environment to reintroduce issues and encourage the young adults to regroup and partake in late night socialising. The proposed tables/chairs outside Arty's will provide an environment that fosters this.

- **Criminal Damage** - The introduction of long drinking hours will no doubt have a knock-on effect to the volume of criminal damage within the village, whether intentional/willful vandalism through intoxicated individuals, or by accidents from patrons leaving Arty's after a number of hours drinking.

Protection of Children

- **Disturbed Sleep** - Knowle has a large number of young families (I have two young children myself). Any living in the vicinity to the Square can expect to have disturbed sleep, with the introduction of unrestricted live music and animated social gatherings round the outside tables until very late every night.
- **Smoking** - The expected use of the communal Square area for smoking is also unacceptable for a location that has a high proportion of young children. We do not want them to view smoking as positive and acceptable, when we are now fully aware of the health implications.

I would ask you to reject the licensing application for 'Arty's' and help preserve the quiet village environment of Knowle Village. Granting the application will irreversibly change the nature of living in the village.

Kind regards,



Kerry Thomson
65 Knowle Avenue, Knowle, Fareham. PO17 5LU

12 OCT 2009

57, Knowle Avenue,
Knowle Village,
Fareham,
Hampshire,
PO17 5LU.

CS - 4853



The Head of Legal Services
Winchester City Council,
City Offices,
Colebrook Street,
Winchester,
SO23 9LJ.

3rd October 2009.

Dear Sir or Madam,

Re Licensing application for Arty's, Unit D, South Square, Knowle Village.

I would like to register my objection to the above licensing application. I am a resident of Knowle village, and live within one hundred yards of the named premises in this application. One of the main reasons I decided to live in Knowle was the quiet, village like aspect to this part of Hampshire. I believe that this proposed application will fundamentally change the character of the village in which I live and I do not believe that should be allowed to happen.

My objections can be split into three main categories. Firstly, on the grounds of public nuisance;-

1. Unit D has no sound proofing, indeed its outer walls are mainly glass. Music for dancing, especially live music, will not be kept inside the building, and so will be heard around the village, particularly close to the building, where I live.
2. The houses that we live in have no specific sound proofing against such noise.
3. Unit D sits at the head of a small square, and this square is proposed to be an area for outside drinking and dining. Our houses, and many others, overlook this square, and the noise created would be loud, especially on a summer evening with open windows. Most unsatisfactory.
4. There is already an issue with parking within the village, with all residents having designated parking bays, and there being insufficient bays to go round now. Any increase in car numbers, as would surely happen if this application were to be granted, would cause severe parking problems in the village. Indeed, we have just had a trial using clamping in certain streets to alleviate parking problems that we already have.
5. I am also worried about noise levels late at night caused by conversation and door banging as people return home. If numbers are considerable then this noise will be intolerable.

Secondly, I am concerned about issues of public safety;-

1. Our road system is designed for use of residents only. We have traffic calming measures in place to aid the locals to remain safe. I believe increased traffic volume would lead to a higher risk of accidents on already crowded roads. I think traffic

volume is bound to increase as people have to drive to the village; public transport is of no use in the evenings!! With this must also come the risk of drink driving, surely not to be encouraged by such an application?

Thirdly, I would ask you to consider the prevention of crime and disorder, and protection of young children;-

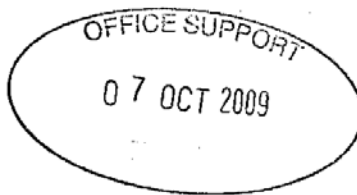
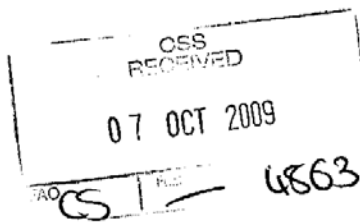
1. The police are already aware of a group of youths who frequent the village, already causing some concern to residents. Indeed, a recent newsletter makes mention of finding drugs paraphernalia, empty beer bottles and litter at locations in and around the village. I believe that this application, if granted, would not help these youngsters behave any better – it must make it liable to get worse.
2. The village is made up of a cross section of society, with many young families. I think this proposal would have detrimental effects on young children, in that it would expose them to smoking and drinking in the open in South Square, and a higher risk of accidents due to higher traffic volumes on already over-crowded streets.

In summary, I came to live in Knowle mainly to enjoy a quiet and village style atmosphere, a rare commodity these days. This proposal is surely not in keeping with the ethos of village life that Knowle seeks to achieve. And indeed, as expressed in my letter, has too many negatives to be good for the area.
I would ask you to reject this application.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Mr Charles Upsher



Ms Linda Wallace
59 Knowle Avenue
Knowle Village
Fareham
PO17 5LU

3rd October 2009

The Head of Legal Services,
Winchester City Council,
City Offices,
Colebrook St,
Winchester
SO23 9LJ

Dear Sir or Madam,

Licensing application for Arty's, Unit D, South Square, Knowle Village

I am writing in regard to the above licensing application to Winchester City Council.

As a local resident living close to the above premises, I am writing to object to a plan which is likely to compromise my right to the quiet enjoyment of my home. Knowle Village has been marketed as a quiet, family location in which to live and it seems that these proposals risk transforming a quiet village centre into a town centre environment, out of keeping with the character of the community.

My chief objections are on the grounds of public nuisance:

1. Unit D has no sound-proofing: what amounts to the ground-floor is almost entirely a glazed area and the high brick walls are not even plastered. Music used for dancing cannot be contained in the building as it stands and the benefits of sound-proofing will be off-set by the passing of customers and staff to the tables and chairs outside.
2. Unlike older properties in established town-centres, the low-rise, high-density, newly-built flats and houses surrounding the Square have no sound-proofing and thin walls affording no protection against amplified dance music.
3. The small square is overlooked by our bedrooms and sitting rooms, where the enclosed 20m designated area for external drinking and dining tables would create a speaker-like effect causing the buzz of lively conversation to reverberate off the walls and through our open windows on summer evenings.
4. Parking in Knowle Village is in designated parking bays. The very limited, unrestricted parking close to the Square is already fully utilized by residents and customers at the village shop. Whilst current spaces might be adequate for staff, they would offer very limited spaces for customers for even a medium-sized business on a weekday; weekends/special events would create an acute parking problem spreading to the adjacent streets.

5. I am concerned at the likely disruption caused by the slamming of car doors, and late-night revellers as customers return home after a good night out between 2300-2400. If used for functions the numbers leaving the bar could amount to as many as 100 late on in the evening.

Secondly, I am concerned about the issues that the proposals raise for public safety.

1. The road system at Knowle is intentionally designed for the use of residents only, having narrow gaps and cobbled sections in order to reduce the speed and flow of traffic. The road infrastructure does not lend itself to the volume of traffic associated with a wedding party and the safety problems associated with reversing on main roads. An increase on the existing problems with inappropriate parking can only be expected to lead to a greater risk of accidents.

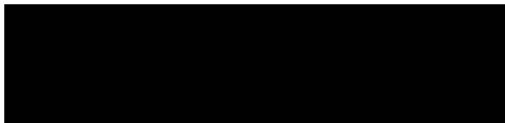
2. In my opinion, Knowle Village has a small largely family population incapable of providing sufficient customers for a year-round late-night bar. If a business of this kind is to be viable in a location 2-3 miles from the next community it will be dependent on people driving to the village thereby increasing the risk of drink-driving.

Thirdly, I wish to object on the grounds of preventing crime and disorder, and the protection of children:

1. As mentioned previously, Knowle Village has a relatively high proportion of young families. Children of school age living close to the Square with unrestricted music and animated social gatherings round the exterior dinner tables until 2300 on Mondays, Tuesdays and Wednesdays can be expected to have disturbed sleep on school nights. The newly introduced regulations on smoking inside restaurants can be expected to make the Square user-friendly for smokers and unfriendly to parents who don't wish their children to view the habit as positive.
2. The Police are aware of a regular group of teenagers who currently conduct their social life in and around the Square; their unsupervised presence in and around a licensed premises until midnight makes the wine bar a dubious benefit. In his application, the owner plans to take steps to prohibit the sale of drugs, thereby implying that the anticipated clientele will wish to use them. Is the exposure to narcotics something we wish to encourage for young people already displaying social problems?

I have moved to Knowle Village for its quiet, village atmosphere. These proposals stand to compromise those benefits and serve the interests of the few over those of the many. Ultimately, this proposal is out of keeping with the character of the community and despite assurances by the owner, guarantees cannot be made on behalf of future licensees about the nature and ethos provided. Furthermore, it is impossible to police human nature. I would ask you to reject this application and preserve the character and quality of this village environment.

Yours sincerely,



Ms L Wallace

PREM 561 Arty's Wine Bar

Application for Grant of Premises Licence



Winchester

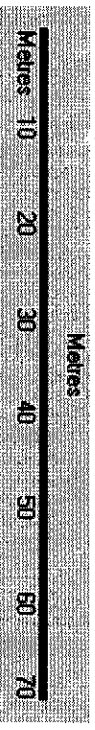
City Council



Legend

- Premises
- ▲ Interested parties.

Scale:



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Organisation	Winchester City Council
Department	Legal Services
Comments	
Date	27 October 2009
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