



Meeting Licensing Sub-Committee  
Date and Time Thursday, 20th January, 2022 at 2.30 pm.  
Venue Walton Suite, Guildhall Winchester

**Note:** *This meeting is being held in person at the location specified above. In line with relevant legislation and public health guidance the following arrangements apply. Members of the public should note that a live audio feed of the meeting will be available from the council's website ([www.winchester.gov.uk](http://www.winchester.gov.uk)) and the video recording will be publicly available on the council's YouTube channel shortly after the meeting.*

*A limited number of seats will be made available at the above named location. Please note that priority will be given to those who have made written representation to the application following confirmation with the Licensing Team, over those wishing to attend and observe. Those who may wish to observe must notify the council at least 3 working days in advance of the meeting.*

## AGENDA

- 1. Disclosure of Interests**  
To receive any disclosure of interests from Members and Officers in matters to be discussed.  
*Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests in accordance with legislation and the Council's Code of Conduct.*
- 2. Application for New Premises License - The Stable, 31B The Square, Winchester, Hampshire, SO23 9EX (LR554) (Pages 5 - 56)**

**L Kirkman**  
**Strategic Director and Monitoring Officer**

12 January 2022

Agenda Contact: Claire Buchanan, Senior Democratic Services Officer  
Tel: 01962 848 438 Email: [cbuchanan@winchester.gov.uk](mailto:cbuchanan@winchester.gov.uk)

### **The Membership of the Sub-Committee will be:**

Councillors Green (Chairperson), Bentote and Cunningham

**Reserve Member:** Councillor Laming

**Appointments** – The Sub-Committee consists of a Chairperson and two other Members who are appointed on a rota basis from the membership of the full Licensing and Regulation Committee (not including deputies) subject to availability. Four Members of the Committee have been nominated as Chairperson for the Sub-Committee and are also appointed on a rota basis.

For the information, the Membership of the Licensing and Regulation Committee is:

Councillors: Bentote, Cunningham, Green, Kurn, Laming, McLean, Read and Westwood  
(Deputies: Cllrs Cramoysan, Fern, Pearson and Ruffell)

### **FILMING AND BROADCAST NOTIFICATION**

This meeting will be recorded and broadcast live on the Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#).

## **Licensing Sub Committee - Procedure for Hearing Applications for Premises Licences and Club Premises Certificates**

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005, the hearing will take the form of a discussion led by the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers it necessary to properly consider the matter.

Written objections, representations and petitions will be circulated with the Agenda and Report and will be taken into account by Members of the Sub-Committee. Only those who have made "relevant representations" within the meaning of the Licensing Act 2003 will be entitled to be heard as of right by the Sub-Committee.

1. The **Chairperson** will set out the procedure to be followed during the hearing
2. **The Licensing Manager** will introduce the Report.
3. **Members** of the Sub-Committee may ask questions of the **Licensing Manager**.
4. The **Applicant** or representative may address the Sub-Committee as follows:- a) to clarify any points which the Licensing Authority has given notice of (Regulation 7(1)(d) of the Licensing Act 2003 (Hearings) Regulations 2005; b) to address the Sub-Committee and present the application.
5. **Members** of the Sub-Committee may ask questions of the **Applicant** or representative

Responsible Authorities who have made representations will then be allowed to introduce their representations. The Sub-Committee may ask them questions, and (subject to the permission of the Sub-Committee) the Applicant or representative may ask them questions.

6. **Environmental Health Officer**
7. **Police**
8. **Fire Service**
9. **Child Protection Team**
10. **South Downs National Park Authority**
11. **Health and Safety Executive**
12. **Trading Standards**
13. **NHS Public Health Manager**
14. **Licensing Authority**

Persons who have made Relevant Representations (within the meaning of the Licensing Act 2003) will then be allowed to introduce their representations. The Sub-Committee may ask them questions, and (subject to the permission of the Sub-Committee) the Applicant or representative may ask them questions.

15. **Persons making Relevant Representations**

16. The **Applicant** or representative may address the Sub-Committee in order to reply to any representation made.
17. **Members** of the Sub-Committee may ask questions of the **Applicant** or representative

The Sub-Committee will retire to consider the application in private with only the Head of Legal Services' representative and Democratic Services Officer in attendance. The Committee will reach its determination and notify the applicant of the decision, and give reasons for that decision, in accordance with Regulations 26 – 29 of the Licensing Act 2003 (Hearings) Regulations 2005.

## **LICENSING SUB – COMMITTEE**

Thursday 20 January 2021 14:30 Guildhall Winchester

Report of the Service Lead for Public Protection

Contact Officer: Briony Appletree

Tel: 01962 848188

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

Application: Application for the Grant of a New Premises Licence

Premises: The Stable, 31B The Square, Winchester, Hampshire,  
SO23 9EX

### **Part A. Report**

- 1 Application**
- 2 Responsible Authorities**
- 3 Other Representations**
- 4 Observations**
- 5 Conditions**
- 6 Other Considerations**

### **Part B. Appendices**

- Appendix 1 Application**
- Appendix 2 Representations from Responsible Authorities**
- Appendix 3 Current Premises Licence (PREM 196)**
- Appendix 4 Map of Premises Location**
- Appendix 5 Correspondence between Police and Applicant**

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

**Applicant:** The Stable Bar And Restaurants Limited

**Premises:** The Stable, 31B The Square, Winchester, Hampshire, SO23 9EX

- 1.1 This application is for the grant of a new premises licence under section 17 of the Licensing Act 2003 for The Stable, 31B The Square, Winchester, Hampshire, SO23 9EX.
- 1.2 The premises is described in the application as a 'bar and restaurant.' A plan of the premises location can be seen at Appendix 4.
- 1.3 The premises already has an existing premises licence in effect (see Appendix 3). This new application seeks to retain the same operating hours as the existing licence, with some modifications and conditions that reflect the current operation of the premises.
- 1.4 The application specifies live music, recorded music, late night refreshment and supply of alcohol (for consumption on and off the premises) as the licensable activities. The full application, including hours applied for and proposed conditions, can be seen at Appendix 1.
- 1.5 One representation has been received by a Responsible Authority; PC Brian Swallow of Hampshire Constabulary, on behalf of the Chief Officer of Police. This representation is set out in Appendix 2 to this report, and relates to the licensing objectives of prevention of crime and disorder, public safety and prevention of public nuisance.
- 1.6 It is understood that discussions about possible conditions were had between PC Brian Swallow and the applicant's appointed agent during the consultation period; however, no agreement was reached. A copy of the email correspondence can be seen at Appendix 5.
- 1.7 No representations were received by Other Persons.
- 1.8 Notice of the application was displayed outside of the premises for a period of 28 days until 20 December 2021, and advertised in the Hampshire Chronicle on 25 November 2021.
- 1.9 Notices of the hearing were sent to all Parties on 11 January 2022.

**Designated Premises Supervisor**

Taione Matasere Masuwale

**Steps to promote the Licensing Objectives**

Please see Section M 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:

#### **Environmental Health**

No representations received.

#### **Hampshire Constabulary**

PC Brian Swallow of Hampshire Constabulary, on behalf of the Chief Officer of Police, made a representation against the application. It relates to the licensing objectives of prevention of crime and disorder, public safety and prevention of public nuisance.

#### **Hampshire Fire and Rescue Service**

No representations received.

#### **Child Protection Team**

No representations received.

#### **Building Control**

No representations received.

#### **Head of Trading Standards**

No representations received.

#### **Public Health Manager**

No representations received.

#### **Home Office**

No representations received.

#### **Licensing Authority**

No representations received.

#### **Planning**

No representations received.



### 3. **Representations from Other Persons**

No representations have been received from any Other Persons.

### 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 appropriate 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 appropriate 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 appropriate to promote the Licensing Objectives.

(Licensing Policy 2.22 Part 4, A8, C4)

### **Licensing Objectives**

#### **Crime and Disorder**

The Sub-Committee should consider any appropriate conditions to prevent crime and public disorder relating to the premises having regard to the operating schedule and the representations.

(Licensing Policy 1.9, 2.9 - 2.11, 2.17, 2.19 – 2.21 and Part 4 Section A)

Public Safety

The Sub-Committee should consider any appropriate conditions relating to public safety having regard to the relating to the premises having regard to the operating schedule and the representations.

(Licensing Policy Part 4, B2, B3)

Public Nuisance

The Sub-Committee should consider any appropriate conditions to prevent public nuisance caused by noise pollution from the premises relating to the premises having regard to the operating schedule and the representations.

(Licensing Policy Part 4, Section C)

Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children relating to the premises having regard to the operating schedule and the representations.

(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, appropriate in a democratic society, and proportionate. Likewise, the residents may argue that their rights under Article 1 of the First Protocol would be infringed. If conditions are imposed, there should be no interference with any convention rights. To the extent that any interference may occur, it would be justifiable in a democratic society, and proportionate.

**Public Sector Equality Duty**

The Public Sector equality duty must be taken in to consideration with all decision making. The duty is stated in section 149 of The Equality Act 2010. This application raises no considerations under this Act.

## 5. Conditions

### Mandatory Conditions

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

*– effective from 1 October 2014*

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a times limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carried a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
 (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
 (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol,

- identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other an alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
    - (iii) still wine in a glass: 125ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

### **Possible Conditions**

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:

Monday to Wednesday	10:00 to 01:00
Thursday to Saturday	11:00 to 02:30
Sunday	10:00 to 00:00

From 10:00 on New Year’s Eve until the end of permitted hours on New Year’s Day, and for an additional hour on Christmas Eve, Bank Holidays and Sundays immediately preceding a Bank Holiday Monday.

2. The hours the premises may be used for the provision of regulated entertainment shall be:

Live Music	Monday to Wednesday	11:00 to 00:00
	Thursday and Saturday	11:00 to 01:00
	Friday	11:00 to 02:00
	Sunday	12:00 to 23:00

From 11:00 on New Year’s Eve until the end of permitted hours on New Year’s Day, and an additional hour on Christmas Eve, Bank Holidays and any Sunday immediately preceding a Bank Holiday Monday.

Recorded Music	Monday to Wednesday	11:30 to 01:30
	Thursday to Saturday	11:30 to 02:30
	Sunday	11:30 to 00:00

From 11:30 on New Year’s Eve until the end of permitted hours on New Year’s Day, and an additional hour on Christmas Eve, Bank Holidays and any Sunday immediately preceding a Bank Holiday Monday.

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

Monday to Wednesday	23:00 to 01:00
Thursday to Saturday	23:00 to 02:30
Sunday	23:00 to 00:00

From 23:00 on New Year's Eve until 05:00 on New Year's Day, and for an additional hour on Christmas Eve, Bank Holidays and Sundays immediately preceding a Bank Holiday Monday.

4. The hours the premises may open for other than Licensable Activities shall be:

Monday to Wednesday	08:00 to 01:00
Thursday to Saturday	08:00 to 02:30
Sunday	08:00 to 00:00

From 08:00 on New Year's Eve until the end of permitted hours on New Year's Day, and for an additional hour on Christmas Eve, Bank Holidays and Sundays immediately preceding a Bank Holiday Monday.

### **All Licensing Objectives**

- A1: This licence shall be of no effect unless and until premises licence number PREM 196 is surrendered.
- A2: The premises shall be a food-led establishment and to that end:
- (i) Substantial meals appropriate to the time of day shall be available to order at least from the time the premises open until 22:00 hours or an hour before the intended closing time of the premises, whichever is earlier;
  - (ii) A waiter/waitress service shall be in operation at all times; and
  - (iii) Non-alcoholic beverages including tea and coffee shall be available at all times the premises are open.

### **Crime and Disorder**

- CD1: The holder of the licence shall install and thereafter maintain in good working order a CCTV system that covers all public parts of the premises (except the lavatories). Recordings shall be accurately date and time stamped and retained for a minimum period of 30 days. The system shall be checked at least weekly and a written record shall be kept of those checks. Any defect will be noted along with details of steps taken to rectify the defect. The record shall be made available for inspection by police and other authorised officers on request.

CD2: Facilities shall be available to allow police and other authorised officers to view playbacks of CCTV recordings immediately on request and to be provided with copies in playable format as soon as is reasonably practicable, provided in every case that the request is compliant with data protection regulations.

CD3: The premises shall maintain an Incident Book and Refusals Register (either separately or as a single record) and use the same to record:

- Any incident occurring in the premises (including the external area) involving the commission (or suspected commission) of any criminal offence or incident of anti-social behaviour;
- Any occasion when a customer is refused service of alcohol and the reason for the refusal;
- Any occasion when a customer is asked to leave the premises (other than at closing time); and
- Any occasion when a person is refused admission to the premises.

The incident book/refusals register shall be made available for inspection by police and other authorised officers on request.

CD4: If it is intended that the premises will be open to the public beyond midnight on any day and/or any event is planned that is different from the normal operation of the premises (e.g. the televising of a major sporting event), the holder of the licence or the DPS shall carry out a risk assessment to determine:

- Whether it is appropriate to deploy door supervisors before, during and after the event;
- Whether it is inappropriate to use glass drinking vessels or serve alcohol in bottles; and
- Whether any additional measures need to be temporarily put in place to prevent crime and disorder.

The outcome(s) of the risk assessment shall then be implemented and if any door supervisor is deployed, full details of their deployment, including details of their SIA registration shall be recorded in the Incident Book.

Copies of any risk assessment shall be provided to the police and other authorised officers on request and retained for at least 12 months.

CD5: The premises licence holder will send a representative of the premises (wherever possible the DPS) to Pubwatch meetings or meetings of a similar scheme, so long as such a scheme is in existence and welcomes participation of the venue representative.

CD6: The DPS or their representative shall ensure that descriptions of disorderly/banned individuals are circulated to other licensed venues via the Pubwatch or similar scheme. The DPS will work in cooperation with

Hampshire Constabulary and other licensed venues by refusing entry to any person who has been included on the banned list.

### **Public Nuisance**

PN1: If it is intended to provide any form of live or recorded music as regulated entertainment other than in accordance with the Live Music Act as amended (i.e. after 23:00 hours) the holder of the licence will:

- Have in place a written noise management plan to ensure that neighbouring properties will not suffer from a noise nuisance;
- Undertake monitoring of noise levels outside the premises at least every 30 minutes to ensure that noise levels are not causing nuisance to the occupiers of any residential properties in the locality;
- Ensure that all amplified music is routed through a noise limiting device calibrated to the reasonable satisfaction of the Licensing Authority.

PN2: If the premises are open beyond midnight, the admission of new patrons will not be permitted after 01:30 hours.

PN3: The holder of the licence shall ensure that noise and odours from the premises are controlled in such a way as not to cause a public nuisance.

PN4: A notice shall be prominently displayed at the exit(s) from the premises requesting that patrons leave quietly.

### **Protection of Children**

PC1: The premises shall operate a 'Challenge 25' policy whereby any person who appears to be under the age of 25 shall be required to produce photographic proof of age in one or other of the forms prescribed by the mandatory conditions before being supplied with alcohol.

PC2: All staff involved in the sale of alcohol shall be trained regarding prohibited sales (to persons who are under-age or who are intoxicated) and the conditions attaching to this licence. Refresher training will be provided at least every 6 months.

Written records of all training will be maintained and made available for inspection by authorised officers on request.



## **6. Other Considerations**

### **Council Strategy Outcome (Relevance To:)**

This report relates to the fourth Strategic Outcome; 'Improving the quality of the District's environment' by working with partners and using powers available to us to make Winchester a safe and pleasant place to live, work and visit.

### **Resource Implications**

A statutory licence fee of £450.00 has been received. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

### **Appendices**

1. Application by The Stable Bar And Restaurants Limited
2. Representations by Responsible Authorities
3. Current Premises Licence (PREM 196)
4. Map of Premises Location
5. Correspondence between Police and Applicant

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**WINCHESTER CITY COUNCIL**

**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** The Stable Bar & Restaurants Limited

*(Insert name(s) of applicant)*

**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 <b>The Stable 31B The Square</b>			
<b>Post town</b>	Winchester	<b>Postcode</b>	<b>SO23 9EX</b>
Telephone number at premises (if any)		<b>01962 878 333</b>	
Non-domestic rateable value of premises		<b>£93,000.00</b>	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |    |   |                                     |                             |
|----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals *                  | <input type="checkbox"/>            | please complete section (A) |
| b) | a person other than an individual *             |                                     |                             |
|    | i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
|    | ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
|    | iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
|    | iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) | a recognised club                               | <input type="checkbox"/>            | please complete section (B) |
| d) | a charity                                       | <input type="checkbox"/>            | please complete section (B) |
| e) | the proprietor of an educational establishment  | <input type="checkbox"/>            | please complete section (B) |
| f) | a health service body                           | <input type="checkbox"/>            | 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 in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  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:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(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: The Stable Bar & Restaurants Limited
Address 34 Anyards Road, Cobham KT11 2LA
Registered number (where applicable) 08231786
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD MM YYYY

**AS SOON AS POSSIBLE**

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

DD MM YYYY

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

The premises benefit from a Premises Licence – PREM196 21/00692/LAVDPS which was granted at a time that the premises effectively operated as a late night bar/venue. The conditions attaching to the licence reflect an operation of that type.

It currently operates as a bar and restaurant and it follows that a number of the current conditions are not appropriate. Further, the current operators do not open to the extent permitted by the licence but wish to retain the current hours (with modifications to remove inconsistencies in the existing licence) subject to amended conditions.

Having considered the options, the applicant has concluded that it is more appropriate to make an application for the grant of a new licence, rather than to seek to vary the existing licence.

In addition, the plans attached to this application differ slightly from the plans currently approved in that they include a bar/servery on the first floor.

The existing licence will be surrendered before any new licence comes into effect.

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

Not applicable

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- 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 late night refreshment** (if ticking yes, fill in box I)

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

**In all cases complete boxes K, L and M**

**Sections A – D inclusive, G and H are blank and have been omitted in the interest of sustainability.**

## E

Live music Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	00:00	<b>Please give further details here</b> (please read guidance note 3) The vast majority of live music performances would be exempt under the Live Music Act but it is thought appropriate to retain live music on the Licence, subject to additional conditions if provided after 23:00.		
Tue	11:00	00:00			
Wed	11:00	00:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4) None.		
Thur	11:00	01:00			
Fri	11:00	02:00	<b>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</b> (please read guidance note 5)  From 11:00 hours on New Year’s Eve until the end of permitted hours on New Year’s Day and an additional hour on Christmas Eve, Bank Holidays and any Sunday immediately preceding a Bank Holiday Monday.		
Sat	11:00	01:00			
Sun	12:00	23:00			

## F

Recorded music Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:30	01:30	<b>Please give further details here</b> (please read guidance note 3) The vast majority of recorded music performances would be exempt under the Live Music Act but it is thought appropriate to retain live music on the Licence, subject to additional conditions if provided after 23:00.		
Tue	11:30	01:30			
Wed	11:30	01:30	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4) None.		
Thur	11:30	02:30			
Fri	11:30	02:30	<b>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</b> (please read guidance note 5)  From 11:30 hours on New Year’s Eve until the end of permitted hours on New Year’s Day and an additional hour on Christmas Eve, Bank Holidays and any Sunday immediately preceding a Bank Holiday Monday.		
Sat	11:30	02:30			
Sun	11:30	00:00			

# I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	01:00	<b>Please give further details here</b> (please read guidance note 3)  Hot food and drink might be made available at all times the premises are open.		
Tue	23:00	01:00			
Wed	23:00	01:00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) None.		
Thur	23:00	02:30			
Fri	23:00	02:30	<b>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</b> (please read guidance note 5)		
Sat	23:00	02:30			
Sun	23:00	00:00	From 23:00 hours on New Year’s Eve until 05:00 hours on New Year’s Day and for an additional hour on Christmas Eve, Bank Holidays and Sundays immediately preceding a Bank Holiday Monday.		

# J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Mon	10:00	01:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) None.		
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	11:00	02:30	<b>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</b> (please read guidance note 5)  From 10:00 hours on New Year’s Eve until the end of permitted hours on New Year’s Day and for an additional hour on Christmas Eve, Bank Holidays and Sundays immediately preceding a Bank Holiday Monday.		
Fri	11:00	02:30			
Sat	11:00	02:30			
Sun	10:00	00:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Taione Matasere Masuwale	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) LBH-PER-N-1431	
Issuing licensing authority (if known) London Borough of Hackney	

**K**

**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).

No adult entertainment or the like will be provided.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4) None.
Day	Start	Finish	
Mon	08:00	01:00	
Tue	08:00	01:00	
Wed	08:00	01:00	
Thur	08:00	02:30	
Fri	08:00	02:30	
Sat	08:00	02:30	
Sun	08:00	00:00	<b>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</b> (please read guidance note 5)  From 08:00 hours on New Year's Eve until the end of permitted hours on New Year's Day and for an additional hour on Christmas Eve, Bank Holidays and Sundays immediately preceding a Bank Holiday Monday.



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

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

The relevant mandatory conditions shall apply to the licence.

This licence shall be of no effect unless and until Premises Licence Number PREM196 21/00692/LAVDPS is surrendered.

The premises shall be a food-led establishment and to that end:

Substantial meals appropriate to the time of day shall be available to order at least from the time the premises open until 22:00 hours or an hour before the intended closing time of the premises, whichever is earlier;

A waiter/waitress service shall be in operation at all times; and

Non-alcoholic beverages including tea and coffee shall be available at all times the premises are open.

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

The holder of the licence shall install and thereafter maintain in good working order a CCTV system that covers all public parts of the premises (except the lavatories). Recordings shall be accurately date and time stamped and retained for a minimum period of 30 days. The system shall be checked at least weekly and a written record shall be kept of those checks. Any defect will be noted along with details of steps taken to rectify the defect. The record shall be made available for inspection by police and other authorised officers on request.

Facilities shall be available to allow police and other authorised officers to view playbacks of recordings immediately on request and to be provided with copies in playable format as soon as is reasonably practicable, provided in every case that the request is compliant with data protection regulations.

The premises shall maintain an Incident Book and Refusals Register (either separately or as a single record) and use the same to record:

Any incident occurring in the premises (including the external area) involving the commission (or suspected commission) of any criminal offence or incident of anti-social behaviour;

Any occasion when a customer is refused service of alcohol and the reason for the refusal;

Any occasion when a customer is asked to leave the premises (other than at closing time); and

Any occasion when a person is refused admission to the premises.

The incident book/refusals register shall be made available for inspection by police and other authorised officers on request.

If it is intended that the premises will be open to the public beyond midnight on any day and/or any event is planned that is different from the normal operation of the premises (e.g. the televising of a major sporting event), the holder of the licence or the DPS shall carry out a risk assessment to determine:

Whether it is appropriate to deploy door supervisors before, during and after the event;

Whether it is inappropriate to use glass drinking vessels or serve alcohol in bottles; and

Whether any additional measures need to be temporarily put in place to prevent crime and disorder.

The outcome(s) of the risk assessment shall then be implemented and if any door supervisor is deployed, full details of their deployment, including details of their SIA registration shall be recorded in the Incident Book.

Copies of any risk assessment shall be provided to the police and other authorised officers on request and retained for at least 12 months.

The premises licence holder will send a representative of the premises (wherever possible the DPS) to Pubwatch meetings or meetings of a similar scheme, so long as such a scheme is in existence and welcomes participation of the venue representative.

The DPS or their representative shall ensure that descriptions of disorderly/banned individuals are circulated to other licensed venues via the Pubwatch or similar scheme. The DPS will work in cooperation

with Hampshire Constabulary and other licensed venues by refusing entry to any person who has been included on the banned list.

**c) Public safety**

*Note – not intended to become a condition on the licence – the applicant has carefully considered this licensing objective and has concluded that all relevant matters are covered by other regulations, including but not limited to the Regulatory Reform (Fire Safety) Order 2005 and does not therefore propose any specific conditions under this head.*

**d) The prevention of public nuisance**

If it is intended to provide any form of live or recorded music as regulated entertainment other than in accordance with the Live Music Act as amended (i.e. after 23:00 hours) the holder of the licence will:

Have in place a written noise management plan to ensure that neighbouring properties will not suffer from an noise nuisance;

Undertake monitoring of noise levels outside the premises at least every 30 minutes to ensure that noise levels are not causing nuisance to the occupiers of any residential properties in the locality;

Ensure that all amplified music is routed through a noise limiting device calibrated to the reasonable satisfaction of the Licensing Authority.

If the premises are open beyond midnight, the admission of new patrons will not be permitted after 01:30 hours.

The holder of the licence shall ensure that noise and odours from the premises are controlled in such a way as not to cause a public nuisance.

A notice shall be prominently displayed at the exit(s) from the premises requesting that patrons leave quietly.

**e) The protection of children from harm**

The premises shall operate a “Challenge 25 policy” whereby any person who appears to be under the age of 25 shall be required to produce photographic proof of age in one or other of the forms prescribed by the mandatory conditions before being supplied with alcohol.

All staff involved in the sale of alcohol shall be trained regarding prohibited sales (to persons who are under-age or who are intoxicated) and the conditions attaching to this licence. Refresher training will be provided at least every 6 months.

Written records of all training will be maintained and made available for inspection by authorised officers on request.

**Checklist:**

**Please tick to indicate agreement**

- 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 designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	████████████████████
Date	22 <sup>nd</sup> November 2021
Capacity	Solicitors for the Applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Philip Day Laceys Solicitors LLP 9 Poole Road			
Post town	<b>Bournemouth</b>	Postcode	<b>BH2 5QR</b>
Telephone number (if any)	██████████ (Direct)	██████████ (Reception)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
████████████████████			

**Notes for Guidance**

**The Notes do not form part of the application and have been omitted in the interests of sustainability and saving paper.**

## Consent of individual to being specified as premises supervisor

I Taione Matasere Masuwale  
*(full name of prospective premises supervisor)*

of [REDACTED]  
*(home address of prospective premises supervisor)*

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for the grant of a new licence  
*(type of application)*

By The Stable Bar & Restaurants Limited  
*(name of applicant)*

relating to a premises licence – Not Applicable – new licence application  
*(number of existing licence, if any)*

for  
The Stable, 31B The Square, Winchester SO23 9EX  
*(name and address of premises to which the application relates)*

and any premises licence to be granted or varied in respect of this application made by  
The Stable Bar & Restaurants Limited  
*(name of applicant)*

concerning the supply of alcohol at  
The Stable, 31B The Square, Winchester SO23 9EX  
*(Name and address of premises to which application relates)*

I also confirm that I am entitled to work in the United Kingdom and currently hold a personal licence, details of which I set out below.

Personal Licence number  
LBH-PER-N-1431  
*(insert personal licence number if any)*

Personal licence issuing authority  
London Borough of Hackney, Licensing Service, Hackney Service Centre, 1 Hillman Street E8 1DY Tel: 020 8356 4970  
*(insert name and address and telephone number of personal licence issuing authority, if any)*

Signed

Name (please print) Taione Matasere Masuwale

Date 24/09/2021



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**KEY:**

- Property Boundary
- - - Area where licensable activity will take place
- (S) Smoke Detector
- (H) Heat Detector
- [FAP] Fire Alarm Panel
- [CP] Call Point
- ⊙ Sounder Base

all dimensions to be confirmed on site  
all works to be carried out in accordance with current Building Regulations  
drawings and design copyright of SE Architecture and may not be copied, altered or  
reproduced without authority

project:  
**Winchester Stable.**  
**31b The Square. Winchester. S023 9EX**

drawing:  
**1 : Proposed First Floor Licence Plan**  
**1 : 50 on A2**

July 2020

**SE Architecture**  
07814 685519  
www.se-architecture.co.uk



0 | scale 1 : 50 | 5m

**KEY:**

- Property Boundary
- - - Area where licensable activity will take place
- S Smoke Detector
- H Heat Detector
- FAP Fire Alarm Panel
- CP Call Point
- ⊙ Sounder Base

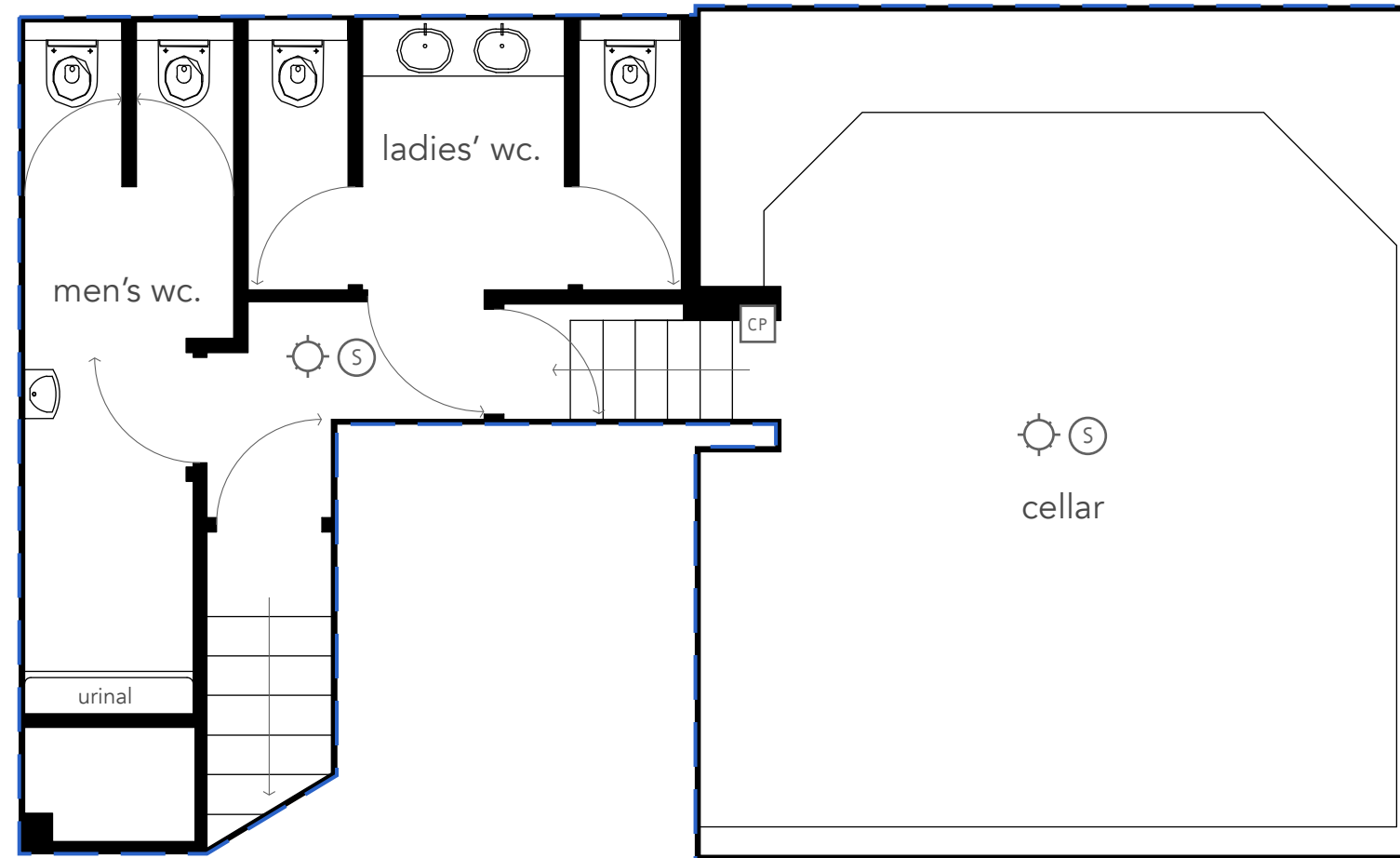
all dimensions to be confirmed on site  
all works to be carried out in accordance with current Building Regulations  
drawings and design copyright of SE Architecture and may not be copied, altered or  
reproduced without authority

project:  
**Winchester Stable.**  
**31b The Square, Winchester. S023 9EX**

drawing:  
**2 : Proposed Ground Floor Licence Plan**  
**1 : 50 on A2**

July 2020

**SE Architecture**  
07814 685519  
www.se-architecture.co.uk



0 | scale 1 : 50 | 5m

**KEY:**

- Property Boundary
- Area where licensable activity will take place
- S Smoke Detector
- H Heat Detector
- FAP Fire Alarm Panel
- CP Call Point
- S Sounder Base

all dimensions to be confirmed on site  
all works to be carried out in accordance with current Building Regulations  
drawings and design copyright of SE Architecture and may not be copied, altered or  
reproduced without authority

project:  
**Winchester Stable.**  
**31b The Square. Winchester. S023 9EX**

drawing:  
**3 : Proposed Basement Licence Plan**  
**1 : 50 on A2**

July 2020

**SE Architecture**  
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www.se-architecture.co.uk

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RESTRICTED



## Form for representations/objections from Hampshire Constabulary

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

**Hampshire Constabulary is a responsible authority and wish to make a -representation- under the Licensing Act 2003, regarding the:**

<input checked="" type="checkbox"/>	.1: New Premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	.2: Variation of premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	3: Minor variation of premises licence/club prem certificate	Representation within 10 days
<input type="checkbox"/>	4: Variation of DPS	Object within 14 days
<input type="checkbox"/>	5: Transfer of premises licence	Object within 14 days
<input type="checkbox"/>	6: Standard temporary event notice	Object within 3 working days
<input type="checkbox"/>	7: Late temporary event notice	Object with 3 working days
<input type="checkbox"/>	8: Application for a personal licence	Object within 14 days
<input type="checkbox"/>	9: Provisional statement	Representation within 28 days
<input type="checkbox"/>	10: Ancillary sales notice	Object within 3 working days
<input type="checkbox"/>	11: Interim authority notice	Object within 2 working days

Name of Applicant:	The Stable Bar & Resturant Ltd
Name of Proposed DPS:	Taione Matasere Masuwale

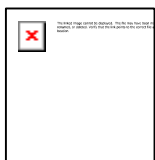
Details of relevant conviction ( Personal Licence Applications ONLY)
N/A

Postal address of premises:	The Stable 31B The Square Winchester
Postcode:	SO23 9EX

### **Details of responsible authority applicant**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title / Rank:	PC
Surname:	Swallow	First Names:	Brian		
Current postal address :	Bishops Waltham Police Station Hoe Road Bishops Waltham Hampshire				
Postcode:	SO32 1DS				
Daytime telephone number:	[REDACTED]				
E-mail address: (optional)	[REDACTED]				

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003



## Form for representations/objections from Hampshire Constabulary

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

- |   |                                     |
|---|-------------------------------------|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) Public safety                        | <input checked="" type="checkbox"/> |
| 3) The prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) The protection of children from harm | <input type="checkbox"/>            |

*Please select  
one or more  
boxes*

Please state the ground(s) for -representation-:

This application is concerning. The applicant already benefits from a premises licence at this address for the same business and operation. I myself facilitated the existing application in 2015 with its conditions to support its operation.

The venue has continued to operate under this premises licence since its inception, through the current pandemic and up to the time of writing with no concerns from the police or I believe any other responsible authority.

During the pandemic, guidance was issued from government to the hospitality industry and the responsible authorities to assist the venues affected back loss of revenue. One of those specific mentioned areas was concerning SIA staff working at venues. It was rightly identified that the cost of employing security at venues was becoming very difficult to sustain as most had to adhere to formal conditions on their licences. I, like many other licensing officers facilitated minor variations to temporarily remove such conditions and assist the venues.

The Stable did not make any formal or for that matter informal request to remove their SIA condition from their licence.

In November 2021 I received this new application. There was no communication prior to its submission as suggested within the 182 guidance.

The main contentious point for this applications in relation to SIA security. The applicant wishes to remove the requirement to employ SIA security if it operates past 00:00 to that of a risk assessed based condition. In my experience operators who have such a condition very seldom if ever actually employ SIA security. To the point where in my opinion, a risk-assessed condition is just an empty promise with very little consequence if it is abused.

The applicant also wishes to retain the very late operating and licensable hours, 02:30 on weekends. This puts this venue very firmly into the category of a night-time economy venue. To put it into context, there are only two other venues in Winchester who operate past this time and as such both have very robust SIA and supporting conditions such as bodyworn video to prevent crime and disorder.

The operator states in their application that they are a food led operation, yet they offer a condition where by the supply of food would cease at 22:00 but the supply of alcohol would continue to 02:30.

During the consultation period, I have formally offered suggested conditions to support and ensure that this licence would facilitate a food led venue, albeit with a very late operating terminal hour. To date I have not received a formal written response (although verbal discussions have been had)

## Form for representations/objections from Hampshire Constabulary

Winchester, although it does not benefit from a cumulative impact area, it certainly suffers from alcohol related crime, disorder and public nuisance, especially within the NTE. In recent months 2 venues, very close geographically, have had their licence reviewed for failing to uphold the licensing objectives of the prevention of crime and disorder.

If this application is granted, the operator would surrender its existing licence. If this were to happen the licensing objectives of the prevention of crime and disorder, public safety and public nuisance would be undermined.

**It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation**

Police recommendations (including any conditions)

Refuse application

Signature of Officer Completing

Name	Brian Swallow	Collar Number:	2903
Signature:	██████████	Date:	17/12/2021

Signature of Authorising Officer

Name	Robert Cohen	Collar Number:	2849
Signature:	██████████	Date:	17/12/2021

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## Premises Licence

**Premises Licence Number**

PREM196

21/01051/LAVDPS

### Part 1 – Premises Details

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

The Stable  
31B The Square  
Winchester  
Hampshire  
SO23 9EX

**Telephone number**

**Where the licence is time limited the dates**

**Times the licence authorises the carrying out of licensable activities**

e) Live Music

- (i) **Monday to Wednesday 1100 to 0000**
- (ii) **Thursday 1100 to 0100**
- (iii) **Friday 1100 to 0200**
- (iv) **Saturday 1100 to 0100**
- (v) **Sunday 1200 to 2300**

f) Recorded Music

- (i) **Monday to Wednesday 1130 to 0130**
- (ii) **Thursday to Saturday 1130 to 0230**
- (iii) **Sunday 1130 to 0000**

- g) Performance of Dance  
h) Anything of similar description to Live Music, Recorded Music or Performance of Dance  
i) Provision of Late Night refreshment
- (i) **Monday to Wednesday 2300 to 0100**
  - (ii) **Thursday to Saturday 2300 to 0230**
  - (iii) **Sunday 2300 to 0000**
  - (vi) **New Years Eve 2300 to 0500**
- j) Supply of Alcohol
- (i) **Monday to Wednesday 1000 to 0100**
  - (ii) **Thursday to Saturday 1130 to 0230**
  - (iii) **Sunday 1000 to 0000**
  - (vi) **New Years Eve 1000 to 1000 1 January**

**The above hours may be extended by 1 hour on; Christmas Eve and Bank Holidays.**

**The opening hours of the premises**

N/A

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

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

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

The Stable Bar & Restaurant Limited  
34 Anyards Road  
Cobham  
KT11 2LA

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

Registered Company Number                      **08231786**

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

Taione Matasere Masuwale



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Personal Licence Number                      **LBH-PER-N-1431**

Licensing Authority                              **London Borough of Hackney**

A handwritten signature in cursive script, appearing to read "David Shegvan".

Service Lead for Public Protection



## **Annex 1 – Mandatory conditions**

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

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

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

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

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

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



3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

### **Crime and Disorder**

#### **CD1. PUBWATCH**

(a).The premises licence holder will send a representative of the premises (whenever possible the DPS) to pub watch meetings or meetings of any similar scheme, so long as such a scheme is in existence and welcomes participation of the venue representative.

(b).The DPS or their representative shall ensure that descriptions of disorderly/banned individuals are circulated to other licensed venues via the Pubwatch or similar scheme. The DPS will work in cooperation with Hampshire Constabulary and other licensed venues by refusing entry to any person who has been included on the 'banned list

CD2. There shall be no entry to new patrons after 0130 on any night.

### **Public Safety**

#### **PS1. SIA NUMBERS**

Whenever the premises are open to conduct any licensable activities after midnight, they shall implement the following:- from 21:00 until the closing time of the venue a ratio of 2 SIA-registered door supervisors shall be employed for the first 100 persons and then 1 door supervisor per hundred persons thereafter; e.g. 1:100, 2:101-200, 3:201-300, 4:301+.

PS2. All door staff on duty at the premises will wear a fluorescent and/or reflective orange tabard at all times.

PS3. A refusal log will be maintained which will record promptly the reason for refusal and if a person is ejected from the premises, details of the incident

including the staff member involved and a summary of the circumstances. This record must be completed promptly but in any event, prior to the end of that member of staff's shift.

PS4. A nominated member of door staff will be positioned at the entrance/exit door and will be responsible for controlling the numbers in the premises using a suitable device."

PS5. SECURITY REGISTER

The licence holder shall maintain a duty register giving details of each and every person employed in the role of a security/door person and shall provide upon request by any Police Officer or Council Officer, the following details:-

- (a) The licence number, name, date of birth and residential address and telephone number of that person;
- (b) The time at which he/she commenced that period of duty, with a signed acknowledgement by that person;
- (c) The time at which he/she finished the period of duty, with a signed acknowledgement by that person;
- (d) Any times during the period of duty when he/she was not on duty;
- (e) If that person is not an employee of the licence holder, the name of the person by whom that person is employed or through whom the services of that person were engaged;
- (f) The register shall be so kept that it can be readily inspected by an authorised officer of the Council or Police Officer;
- (g) The duty register shall comprise of a bound, consecutively page-numbered book and the licence holder shall ensure that this register is kept in a secure environment in order to prevent unauthorised access or alterations to same

PS6. Prominent clear notices shall be displayed at the point of sale and at the exit to the premises requesting patrons to use litter bins provided and requesting customers to respect the needs of local residents, to leave the area quietly.

PS7. WRITTEN POLICIES

- (a) Written policies on the ejection of customers and the refusal of entry of customers shall be implemented following discussions with the Police.
- (b) A bar staff refusals register shall be implemented and maintained at the premises and made available on request to police officers or authorised Officers of Winchester City Council.
- (c) A written policy on how the venue will tackle and deal with drugs and drug prevention shall be implemented following agreement with the Police.

## Public Nuisance

- PN1. 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.

## Protection of Children

- PC1. The premises shall adopt and implement Challenge 21 in relation to the sale of alcohol.

PC2. STAFF TRAINING

Before commencing their duties all new staff must receive information and training concerning the sale of age-restricted products. This training must cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age. All employees will sign a letter to acknowledge that they have completed this training and have understood their responsibilities on this area. This training should be reviewed and updated at reasonable intervals

Conditions from existing licences:-

### TOILETS

From 2100 hours, the toilet facilities will be checked hourly. These checks shall be recorded in a bound log which shall be kept on the premises at all times and made available on request to police officers or authorised Officers of Winchester City Council. Any occurrences outside of normal cleaning, i.e. the finding of drugs or associated items shall be recorded in the log.








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

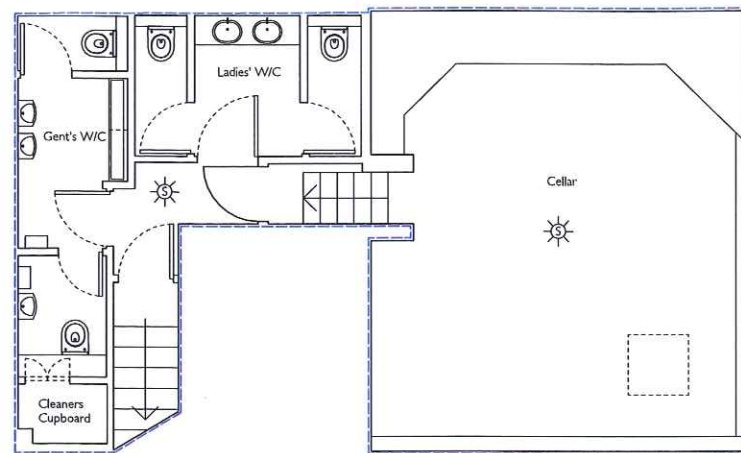
1. A CCTV System shall be installed and maintained to a standard agreed with Police within 3 months;
  - i. The system shall be capable of producing evidential standard quality images with a minimum of six frames per second operating in normal conditions within the public areas.
  - ii. All public areas shall be covered by CCTV. This shall include the front door and bar areas and shall be capable of providing good quality head and shoulder images;

- iii. All images shall be retained for 30 days and made available to an authorised officer on request;
  - iv. There shall always be a member of staff capable of operating the CCTV system whilst the premises are open for licensable activity;
  - v. Any images recovered shall 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, or DVD player. This will be without the requirement for addition software to be installed;
  - vi. The CCTV system shall be operating at all times whilst the premises are open for licensable activity;
  - vii. Records shall be made and kept for inspection to show that the system is functioning correctly and that data is being securely retained;
2. Prior to conducting regulated entertainment after 23:30 on any day no Regulated Entertainment consisting of amplified or live music shall be provided until a noise limiter is installed, calibrated and maintained to the written satisfaction of the Licensing Authority. All amplification systems shall be routed through the noise limiter;
  3. Prior to conducting regulated entertainment after 23:30 on any day an acoustic report, prepared by a competent person shall be obtained by the Premises Licence Holder within 21 days, and any remedial works proposed by that report to be agreed, implemented and completed to the satisfaction of the of the Licensing Authority. Any remedial works shall be completed within a timescale agreed by the Licensing Authority.
  4. A noise management plan shall be in place to ensure that there are suitable measures taken to prevent unreasonable disturbance to neighbours. The plan shall be approved in writing by the licensing authority and any proposed amendments by either party shall be agreed in writing by both parties;

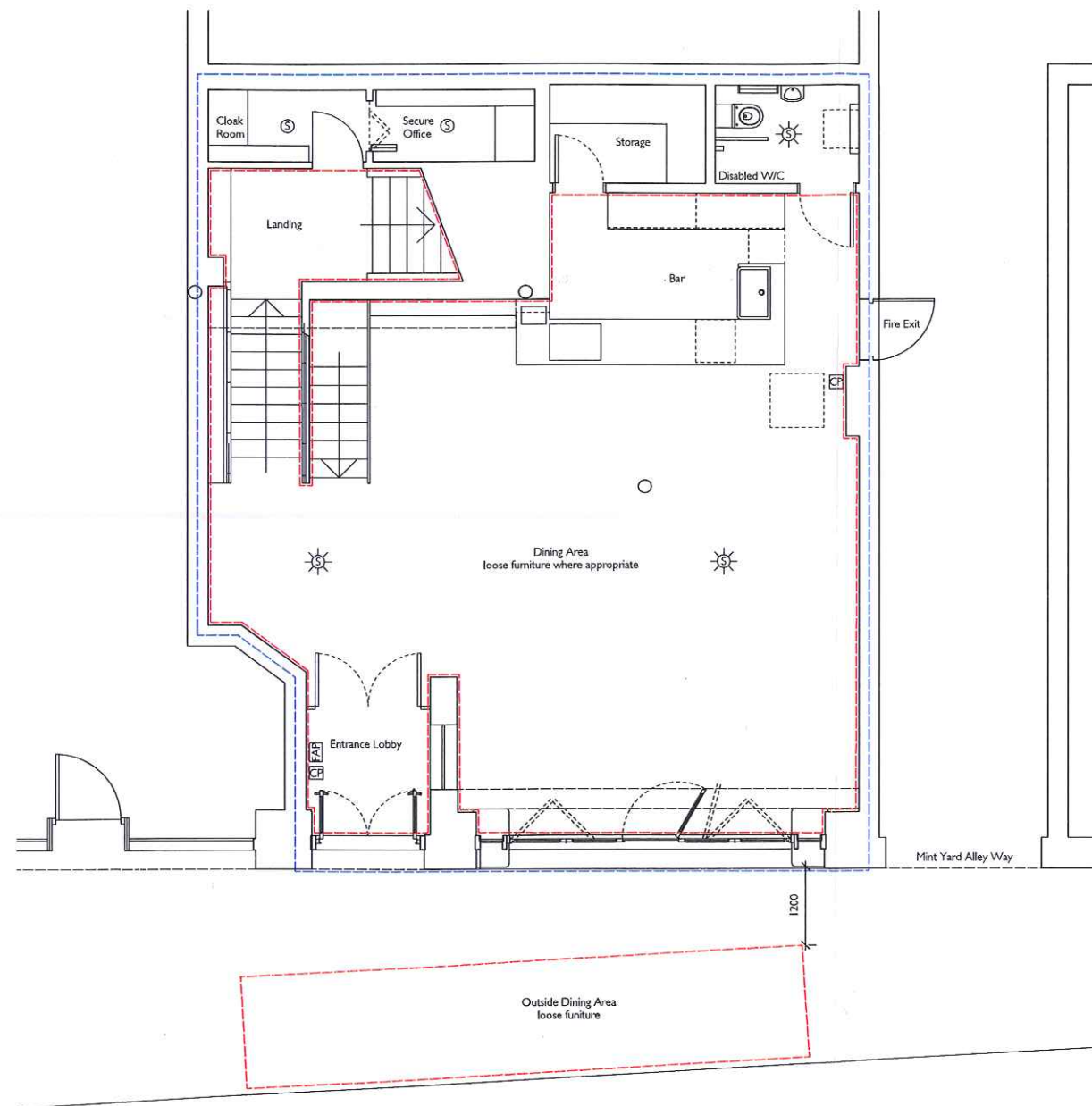
#### **Annex 4 – Plans**

See attached

KEY	
	Property boundary
	Area where licensable activity will take place
	Smoke Detector
	Heat Detector
	Fire Alarm Panel
	Call Point
	Indicates Sounder Base

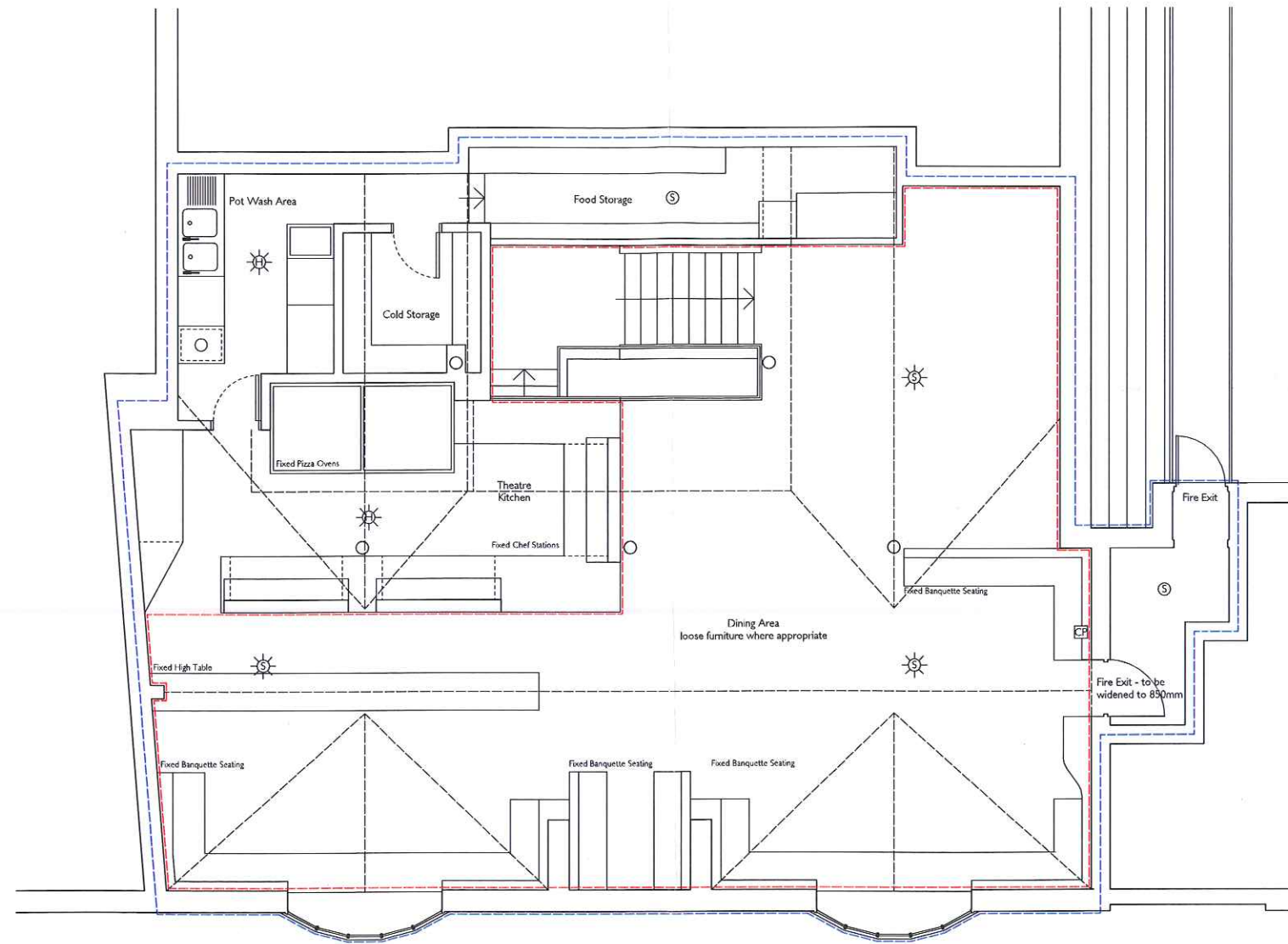


Proposed Basement Licence Plan



Proposed Ground Floor Licence Plan

KEY	
	Property boundary
	Area where licensable activity will take place
	Smoke Detector
	Heat Detector
	Fire Alarm Panel
	Call Point
	Indicates Sounder Base



Proposed First Floor Licence Plan

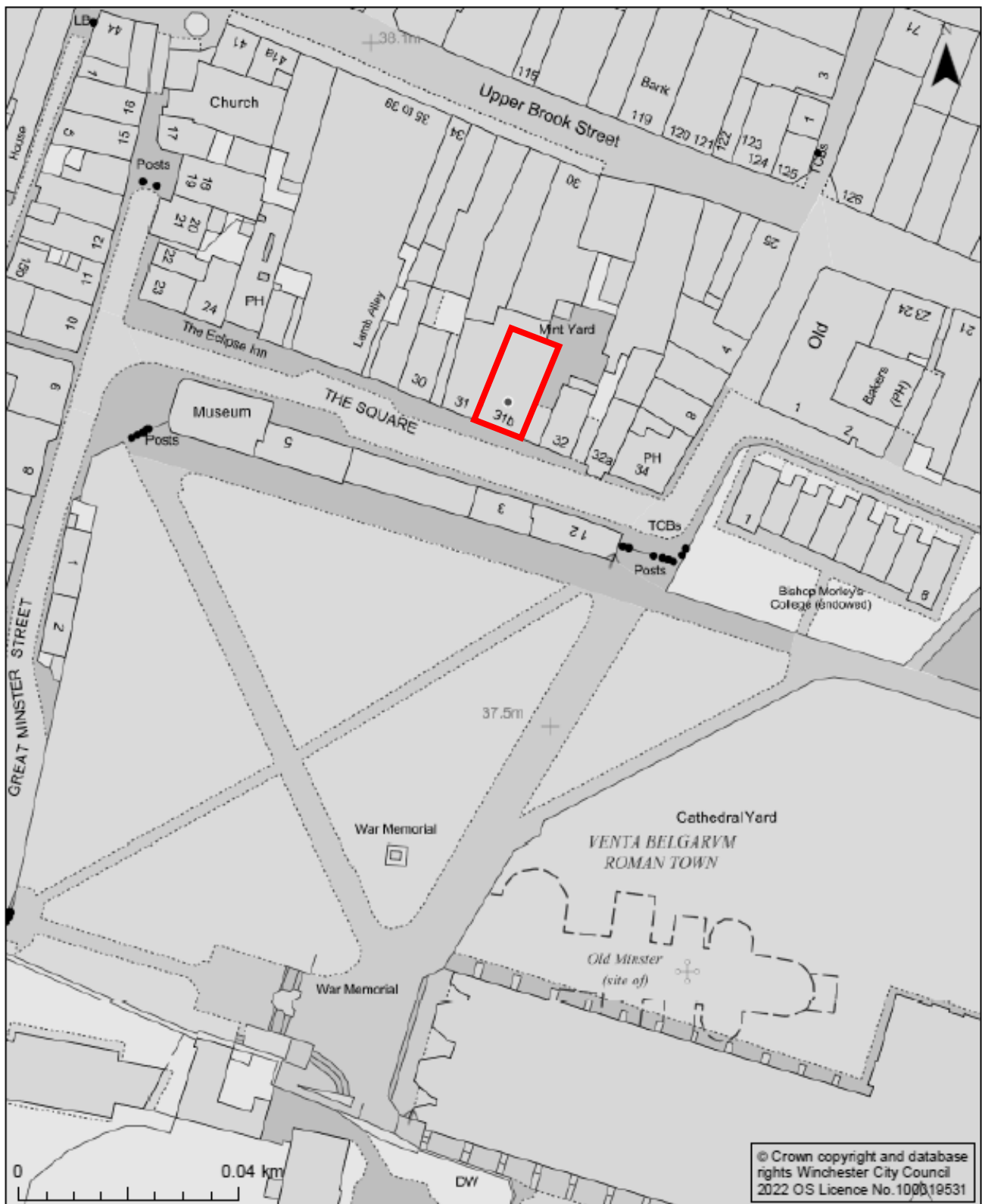


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Appendix 4 – Map of Premises Location

The premises is outlined on this map in red.



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## Appendix 5 – Correspondence between Police and Applicant

**From:** Swallow, Brian (2903) [REDACTED]  
**Sent:** 29 November 2021 12:20  
**To:** Philip Day <[REDACTED]>  
**Subject:** FW: Application for a NEW Premises Licence - The Stable, 31B The Square, Winchester. SO23 9EX

Afternoon Phillip, hope you're well

This application puzzles me somewhat, so let me see if I have this right.

A new bar is being added to the 1<sup>st</sup> floor but the venue is becoming more food led? The existing terminal hours are to remain (02:30) but food shall only be served until 22:00 . Oh and the door staff provision is too be removed and replaced with a risk assessment basis.

All of this has been applied for on a new application? I can only assume that the water is being tested without risk to the existing licence.

I'll save us all a bit of time. Currently this is a night time economy venue in a vibrant City. If it intends to be a "restaurant" then I am happy to negotiate restaurant conditions that support a midnight closure with associated licensable activities Monday to Sunday. Otherwise, for a 02:30 terminal hour it's a night time economy venue and I shall be very minded to make reps on it.

See what they think

Regards

Brian

***PC 2903 Brian Swallow***

*Licensing Officer  
Licensing and Alcohol Harm Reduction Team  
Bishops Waltham Police Station  
Hoe Road  
Hampshire  
SO32 1DS*

Appendix 5 – Correspondence between Police and Applicant

**From:** [REDACTED]  
**Sent:** 29 November 2021 12:24  
**To:** Swallow, Brian (2903)  
**Subject:** RE: Application for a NEW Premises Licence - The Stable, 31B The Square, Winchester. SO23 9EX

Hi Brian

Thank you for this which did raise a smile!

I think it best in the first instance if we were to chat. I am extremely busy today but could we arrange a time to talk either tomorrow or Thursday?

Regards

Philip

## Appendix 5 – Correspondence between Police and Applicant

**From:** Swallow, Brian (2903) [REDACTED]  
**Sent:** 07 December 2021 12:53  
**To:** Philip Day <[REDACTED]>  
**Subject:** RE: Application for a NEW Premises Licence - The Stable, 31B The Square, Winchester. SO23 9EX

Afternoon Phillip

As discussed, please see my below proposals and some rationale:

I have purposely not mentioned any conditions that have an environmental impact as I know that Abby Toms at WCC would be in a position to comment. I have removed any reference to SIA as I am not a great fan of risk assessment conditions so they either have them or they don't. I have also not included any Pubwatch condition as they are reliant on a third party.

I would suggest that if your client intends to host any event that operates outside of the restaurant condition parameters, a TEN could be applied for but on the undertaking that all other conditions would be adopted as though they were attached to the TEN

As my sweetener for your client, I have not (presently) included any wind down or last entry stipulations.

#### CCTV

*A colour recording CCTV system that captures images from the main public areas shall be fully operational whilst licensable activities are taking place.*

*The system shall be able to cope with all levels of illumination.*

*The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.*

*The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.*

*The system clock shall be checked regularly for accuracy taking account of GMT and BST. Digital systems shall have sufficient storage capacity for 28 days evidential quality recordings (minimum 4 frames per second).*

*The images produced shall be date and time stamped.*

*A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.*

*An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises.*

*It is important that the Police are able to access data from the systems quickly and easily.*

*Therefore provision shall be made that at all times the venue is operating under its premises licence, a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment*

*Ensure all operators receive training from the installer when equipment is installed and that this is cascaded down to new members of nominated staff.*

*Have a simple operator's manual available to assist in replaying and exporting data (particularly important with digital systems) and to produce images to the police or responsible authority for the purpose of the prevention and detection of crime as long as the request is lawful and complies with GDPR.*

## Appendix 5 – Correspondence between Police and Applicant

*In the event of a technical failure of the CCTV equipment, the premises licence holder or DPS shall notify the police licensing department responsible for the area within 24 hours.*

### Refusals Log

*A log, either written or electronic shall be kept of all refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the venue manager/manageress or their deputy in their absence.*

*The refusals log shall be kept and maintained at the premises and shall be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.*

*The record of refusals shall be retained for 12 months.*

### STAFF TRAINING

*Before commencing their duties all new staff who are involved the sale or supply of alcohol, shall receive information and training concerning the sale of age-restricted products.*

*This training shall cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item under the legal age.*

*All employees shall sign an acknowledgement that they have completed this training and have understood their responsibilities on this area.*

*This training should be reviewed and updated at reasonable intervals but at least every 6 months*

### VULNERABILITY

*A written policy on how the venue will deal with vulnerability shall be implemented and as a minimum shall include the following:*

*A definition of the different types of vulnerability that may present at the premises.*

*How best to communicate with vulnerable people. For example, people who are drunk, people on their own, people behaving aggressively and people who are ill.*

*How to safeguard vulnerable people, including information on first aid administration and referral to the ambulance service and police where relevant.*

*Best practice for partnering with agencies, such as taxi companies, local authorities and other venues.*

*What to do if you sense a vulnerable person is in danger, for example if they leave the venue alone or with people they didn't arrive with.*

### CHALLENGE 25

*There shall be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.*

*Acceptable identification for the purposes of age verification shall include a valid photo card driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.*

*If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol shall be made to or for that person.*

*'Challenge 25' posters shall be displayed in prominent positions at the premises.*

## Appendix 5 – Correspondence between Police and Applicant

RESTURANT CONDITION

*The premises shall only operate as a restaurant where;*

*Customers are shown to their table.*

*Substantial table meals are prepared on the premises and are served and consumed at the table using non-disposable crockery.*

*No take-away service of food or drink for immediate consumption is provided.*

*Intoxicating liquor is only sold, supplied or consumed on the premises to persons who are bona fide customers supplied with substantial table meals.*

*Waiter/Waitress service shall be available throughout the premises at all times*

*Substantial food shall be available until at least one hour before the intended closure of the premises.*

*Consumption of alcohol in the bar area is restricted to customers waiting to be escorted to a table*

*Numbers of patrons drinking in the bar areas (not awaiting tables) shall not exceed (6) persons*

*Alcohol shall only be sold or supplied to customers who are engaging in a sit down table meal, as an ancillary to that meal.*

Regards

Brian

**PC 2903 Brian Swallow**

*Licensing Officer*

*Licensing and Alcohol Harm Reduction Team*

*Bishops Waltham Police Station*

*Hoe Road*

*Hampshire*

*SO32 1DS*

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