

NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

APPLICATION: The Coach and Horses, Southampton Road, Cadnam

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,
Lyndhurst on Thursday, 22 September 2005**

1. Members of the Licensing Sub-Committee

Councillor W H Dow - Chairman
Councillor M G H Fidler
Councillor P R Woods

2. Parties and their Representatives attending the Hearing

Mrs A Morrison – Applicant
Tania Lambelle – for the applicant
James Francis – for the applicant

3. Other Persons attending the Hearing

Mr & Mrs Albery
Mr M Ballen
Mr J Gould
Mrs G Holland – represented by Councillor D Tipp
Mr R Limbrick
Mr P Luke – represented by Mrs V Russell
Mrs J Maskell – represented by Mrs V Russell
Mrs J Mitchell
Mr & Mrs Bricknell
Mr P Keeley
Councillor D Tipp
Mr R Short

4. Parties not attending the Hearing

Mr J Goodchild

5. Officers attending to assist the Sub-Committee

Ms J Mutlow – Legal Advisor
Ms K Mason - Clerk

6. Decision of the Sub-Committee

The application is granted on the following terms and conditions.

Licensable activities and times permitted:

C. Indoor sporting events:

Thursday 19.00 to 00.00

E. & F. Live music/Recorded music:

The combined total of events involving live or recorded music shall be limited to 2 events per calendar month and the hours during which they shall be permitted will be:

Indoors – 19.00 to 22.30

Outdoors – 12.00 to 21.30

I. & J. Provision of facilities for making music/dancing:

These will only be used in conjunction with the licensable activities permitted at sections E and F above.

L. Late night refreshment:

Monday 23.00 to 23.30

Tuesday 23.00 to 23.30

Wednesday 23.00 to 23.30

Thursday 23.00 to 23.30

Friday 23.00 to 00.00

Saturday 23.00 to 00.00

Sunday 23.00 to 23.30

M. Supply of alcohol:

Monday 11.00 to 23.30

Tuesday 11.00 to 23.30

Wednesday 11.00 to 23.30

Thursday 11.00 to 23.30

Friday 11.00 to 00.00

Saturday 11.00 to 00.00

Sunday 12.00 to 23.30

Non-standard timings

The licensable activity listed at section M. above (supply of alcohol) shall be permitted for a further additional hour until 01.00 hours on the following dates: -

- Christmas Eve
- Boxing Day

The licensable activity listed at section M. above (supply of alcohol) shall be permitted for a further additional hour until 01.00 hours on a further 12 occasions per calendar year provided that the Licensing Authority is notified at least 7 days prior to the event

The permitted hours for New Years Eve/New Years Day will be 10.00 hours on New Years Eve to 00.30 hours on 2nd January.

Hours premises to be open to the public

Monday 10.00 to 00.00
Tuesday 10.00 to 00.00
Wednesday 10.00 to 00.00
Thursday 10.00 to 00.00
Friday 10.00 to 00.30
Saturday 10.00 to 00.30
Sunday 10.00 to 00.00

Non-standard opening hours

The premises shall be permitted to be open to the public for a further additional hour on the following dates: -

- Christmas Eve
- Boxing Day

The premises shall be permitted to be open to the public for a further additional hour on a further 12 occasions per calendar year. These 12 occasions are the same occasions referred to under non-standard timings above and not in addition to them.

The permitted hours for New Years Eve/New Years Day will be 10.00 hours on New Years Eve to 00.30 hours on 2nd January.

Mandatory conditions:

As provided in the Licensing Act 2003

Other conditions:

1. Notices shall be displayed prominently both inside and outside the premises requesting that patrons leave quietly and respect local residents.
2. The D. P.S. or his/her nominated representative shall receive and respond to complaints throughout the duration of any regulated entertainment.
3. Between the hours of 21.00 and 23.00 hours music and noise from amplified speech emanating from the premises shall be inaudible at the boundary of any noise sensitive* premises.

* For the purposes of condition 3 above, noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purpose likely to be affected by the music noise.

7. Reasons for the Decision

The Sub-Committee carefully considered the evidence, both written and oral, supplied by the parties.

In respect of the finish time for the licensable activities the Sub-Committee had particular regard to representations concerning noise nuisance and rowdy behaviour. They accepted that at present there are occasions where some limited noise occurs, in particular at 'turn out' time. However, they noted that no objections to the application for increased opening hours had been made by the Environmental Health Department or the Police.

The Sub-Committee considered that permitting a slightly longer period for licensable activities would enable customers to emerge from the premises at a more gradual rate. It further considered that this would reduce the concentrated effect of noise likely to arise when numbers of people leave the premises at the same time and this would promote the licensing objective relating to the prevention of public nuisance.

However, permitting an extension of the hours during which the supply of alcohol is permitted beyond 23.30 during the working week (with a working day to follow) would not be likely to promote the licensing objectives relating to the prevention of public nuisance and prevention of crime and disorder. It is for this reason that when there is a working day the next day, licensable activities will cease at 23.30 with closing a half hour later.

On Fridays and Saturdays, the Sub-Committee considered that the public nuisance effect of noise at 'turning out' time would not be so significant until slightly later, as they are not followed by a working day.

The Sub-Committee were impressed by the current management of the premises.

Date: 22.09.05

Licensing Sub-Committee Chairman: Cllr W H Dow

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Decision noted to interested parties on 26 September 2005