

**NEW FOREST DISTRICT COUNCIL**

**LICENSING ACT 2003**

**APPLICATION: EMPRESS OF BLANDINGS, ROMSEY ROAD, COPYTHORNE**

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,  
Lyndhurst on Thursday, 29 September 2005 at 6.00 pm.**

---

**1. Members of the Licensing Sub-Committee**

Councillor R C H Hale - Chairman  
Councillor J Penwarden  
Councillor G M Walmsley

---

**2. Parties and their Representatives attending the Hearing**

Mr. A Parker – Regional Manager, Hall & Woodhouse Ltd, Applicant  
Mr. Farmer – Licensee

Objectors  
Mr. R Green  
Mr. & Mrs. C Rowlatt  
Mr. M Walley & Ms. L Oliver

---

**3. Other Persons attending the Hearing**

None.

---

**4. Parties not attending the Hearing**

Ms. S Jenkins  
Mr. & Mrs. Durban  
Ms. J Wright  
Mr. R & Mrs. B Davis  
Mr. M & Mrs. C Butler  
Mr. & Mrs. Gilkes  
Mr. A Holley  
Ms. J Burley  
Mr. J Twigg

---

**5. Officers attending to assist the Sub-Committee**

Ms. J Mutlow – Legal Advisor  
Mrs. M Dunsmore - Clerk

---

**6. Decision of the Sub-Committee**

The application is granted on the following terms and conditions.

**Licensable activities and times permitted:**

- B. Films:  
Monday 07.00 to 00.00  
Tuesday 07.00 to 00.00  
Wednesday 07.00 to 00.00  
Thursday 07.00 to 00.00  
Friday 07.00 to 01.00  
Saturday 07.00 to 01.00  
Sunday 07.00 to 00.00
- E. Live music:  
Monday 07.00 to 00.00  
Tuesday 07.00 to 00.00  
Wednesday 07.00 to 00.00  
Thursday 07.00 to 00.00  
Friday 07.00 to 01.00  
Saturday 07.00 to 01.00  
Sunday 07.00 to 00.00
- F. Recorded music:  
Monday 07.00 to 00.00  
Tuesday 07.00 to 00.00  
Wednesday 07.00 to 00.00  
Thursday 07.00 to 00.00  
Friday 07.00 to 01.00  
Saturday 07.00 to 01.00  
Sunday 07.00 to 00.00
- I. Provision of facilities for making music:  
Monday 07.00 to 00.00  
Tuesday 07.00 to 00.00  
Wednesday 07.00 to 00.00  
Thursday 07.00 to 00.00  
Friday 07.00 to 01.00  
Saturday 07.00 to 01.00  
Sunday 07.00 to 00.00
- J. Provision of facilities for dancing:  
Monday 07.00 to 00.00  
Tuesday 07.00 to 00.00  
Wednesday 07.00 to 00.00  
Thursday 07.00 to 00.00  
Friday 07.00 to 01.00  
Saturday 07.00 to 01.00  
Sunday 07.00 to 00.00

- L. Late night refreshment:  
Monday 23.00 to 00.00  
Tuesday 23.00 to 00.00  
Wednesday 23.00 to 00.00  
Thursday 23.00 to 00.00  
Friday 23.00 to 01.00  
Saturday 23.00 to 01.00  
Sunday 23.00 to 00.00

- M. Supply of alcohol:  
Monday 07.00 to 00.00  
Tuesday 07.00 to 00.00  
Wednesday 07.00 to 00.00  
Thursday 07.00 to 00.00  
Friday 07.00 to 01.00  
Saturday 07.00 to 01.00  
Sunday 07.00 to 00.00

**Non-standard timings**

The licensable activities above will be permitted from 07.00 hours on New Years Eve to 01.00 hours on 2 January.

**Hours premises to be open to the public**

- Monday 07.00 to 00.30  
Tuesday 07.00 to 00.30  
Wednesday 07.00 to 00.30  
Thursday 07.00 to 00.30  
Friday 07.00 to 01.30  
Saturday 07.00 to 01.30  
Sunday 07.00 to 00.30

**Non-standard hours**

The premises will be permitted to be open to the public from 07.00 hours on New Years Eve to 01.00 hours on 2 January.

**Mandatory conditions:**

As provided in the Licensing Act 2003

**Other conditions:**

1. No persons under the age of 14 will be permitted to enter or remain on the premises after 21.00 hours.
2. No off-sales will be permitted from the premises.
3. All external drinking shall cease at 23.00 hours and all glasses, containers and other receptacles for alcohol or other beverages shall be removed from patrons choosing to remain outside the premises by 23.00 hours.
4. The Licensee or his/her nominated representative shall receive and respond to complaints throughout the duration of any regulated entertainment.
5. All external doors and windows shall be kept closed, other than for the purposes of access and egress, when events involving live and/or amplified music (including amplified speech) are taking place.
6. All windows at the rear of the function room of the premises shall be kept closed at all times when private functions are taking place.

7. Signage will be displayed in prominent locations both inside and outside the premises requesting patrons to leave quietly and respect local residents.
8. After 23.00 hours music and noise emanating from the premises shall be inaudible at the boundary of all noise sensitive premises\*.
9. Prior to 23.00 hours, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises\*.

\* For the purposes of conditions 8 and 9 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. They accepted that at present there are occasions where noise occurs, particularly when the premises function room is being used for private parties. However, they noted that the objections to the application for increased opening hours made by the Environmental Health Department and the Police had been withdrawn following the Applicants agreement to reduce the hours applied for.

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 sale of alcohol (and other licensable activities excluding late night refreshment) 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 considers 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 also of the view that the noise and anti- social behaviour experienced by the objectors could not all be attributed to those drinking at the Empress of Blandings.

There were no relevant representations made in respect of that part of the application to remove the embedded restrictions as set out in the application (including permitting children in the bar) and therefore this part of the application is granted.

**Date: 29.09.05**

**Licensing Sub-Committee Chairman: Cllr R C H Hale**

---

**FOR OFFICE USE ONLY**

**Decision notified to interested parties on 30 September 2005**