

Objection (Police)

743

**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

I/We Funki Fusion Ltd.

*(Insert name(s) of applicant)*

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

<b>Premises licence number</b>
--------------------------------

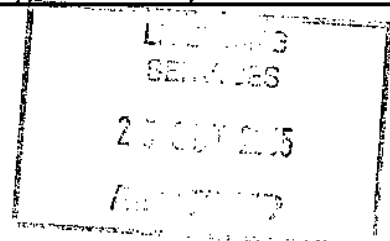
**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Fusion Inn Queen Street Lymington Hampshire			
<b>Post town</b>	Southampton	<b>Post code</b>	SO41 9NE

<b>Telephone number at premises (if any)</b>	01590 672139
<b>Non-domestic rateable value of premises</b>	£23250

**Part 2 – Applicant details**

<b>Daytime contact telephone number</b>	01590 672139		
<b>E-mail address (optional)</b>			
<b>Current postal address if different from premises address</b>			
<b>Post Town</b>		<b>Postcode</b>	



**Part 3 - Variation**

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

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

1. To extend the hours for the supply of alcohol to 24 hours per day.
2. To provide live entertainment (as detailed) during alcohol hours as in 1. above.

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

#### Part 4 Operating Schedule

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

##### **Provision of regulated entertainment**

**Please tick yes**

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

##### **Provision of entertainment facilities:**

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

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

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

**In all cases complete boxes N, O and P**

**A**

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

**B**

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

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Wed			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**D**

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

**E**

<b>Live music</b> 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"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) Individual piano player.					
Mon	2000	2300						
Tue	2000	2300						
Wed	2000	2300						
Thur	2000	2300						
Fri	2000	2300						
Sat	2000	2300						
Sun	2000	2300						
						<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
						<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)		



**F**

<b>Recorded music</b> 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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					

**G**

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

**H**

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

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

**J**

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

**K**

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

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur					
Fri			<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					
Sun					

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)</b>	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>					
Mon	0000	2400						
Tue	0000	2400						
Wed	0000	2400						
Thur	0000	2400						
Fri	0000	2400						
Sat	0000	2400						
Sun	0000	2400						
						<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 (please read guidance note 5)</b>		

**N**

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



O

<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)	
Day	Start	Finish		
Mon				
	0000	2400		
Tue				
	0000	2400		
Wed				
	0000	2400		
Thur				<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)
	0000	2400		
Fri				
	0000	2400		
Sat				
	0000	2400		
Sun				
	0000	2400		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence  
We were informed on 11.10.05 that the licence was granted, and we could proceed with the variation application. Application ref no is 541. No paperwork has yet been received.

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

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

The public house is a member of the Pubwatch scheme.  
No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.  
No irresponsible sales promotions of alcoholic beverages shall be offered to customers.

**c) Public safety**

All escape routes and exits will be kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.  
All staff are trained and made aware of the evacuation procedure in the event of a fire occurring.

**d) The prevention of public nuisance**

The premises can be open to the public 24 hours, however music is only from 2000 to 2300.  
No regulated entertainment of any type is to take place in the garden areas of the premises at any time.

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

Anyone who appears to be under 21 and who is attempting to buy alcohol must be required to produce proof of age before such sale is made.

Please tick yes

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

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

**Part 5 – Signatures** (please read guidance note 10)

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

Signature	<i>[Handwritten Signature]</i>
Date	<i>11.10.05</i>
Capacity	Solicitors

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

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)</b>			
Rothera Dowson Solicitors 2 Kayes Walk Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1PZ
<b>Telephone number (if any)</b>	0115 910 0600		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> licensing@rotheradowson.co.uk			

## Notes for Guidance

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

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

**Explanation for the Premises Licence not being included  
with the Application to Vary.**

The Premises Licence for these premises is not enclosed with this Application as it has not yet been received from the issuing authority following the conversion of that Licence under the transitional provisions.

Dated: 24 October 2005

Signed: Rothera Dowson  
Rothera Dowson Solicitors

\* Amendment \*

**ROTHERA DOWSON**

SOLICITORS AND NOTARIES

Licensing Services  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire  
SO43 7PA

Our Ref: AGP/PB-P/061647  
Your Ref:  
Date: 09 November 2005  
Email: [licensing@rotheradowson.co.uk](mailto:licensing@rotheradowson.co.uk)

Dear Sirs,

**Re: The Fusion Inn, Queen Street, Lymington, Southampton, Hampshire SO41 9NG**

Following representation from Environmental Protection we have amended the section P of our application and would be grateful if you would substitute it for the original.

Yours faithfully

**Rothera Dowson**

**SENIOR PARTNER:**

J J Boden

**PARTNERS:**

J D Allen  
A J Balkitis  
D G Brydon  
P A Cobb  
J Collard  
C A Doughty  
M A Foulds  
C J Fox  
J Gardiner  
C J George  
J E George  
R B Hammond  
A G Priest  
A J Redgate  
T C W Redgate  
J E Smith  
C A Underwood  
R G Waldron

**ASSOCIATES:**

A R Fernandes  
S J Phillipe  
L K Sear

**FINANCIAL SERVICES:**

B Morgan

**CONSULTANTS:**

C C Hodson  
P I Rothera

**2 KAYES WALK STONEY STREET THE LACE MARKET NOTTINGHAM NG1 1PZ**  
Telephone: (0115) 9100 600 Fax: (0115) 9100 800 DX: 10028 Nottingham

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[www.rotheradowson.co.uk](http://www.rotheradowson.co.uk)

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Regulated by the Law Society of England and Wales.

Community Legal Service Criminal Defence Service



**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

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

The public house is a member of the Pubwatch scheme.

No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

No irresponsible sales promotions of alcoholic beverages shall be offered to customers.

**c) Public safety**

All escape routes and exits will be kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.

All staff are trained and made aware of the evacuation procedure in the event of a fire occurring.

**d) The prevention of public nuisance**

The premises can be open to the public 24 hours, however music is only from 2000 to 2300.

No regulated entertainment of any type is to take place in the garden areas of the premises at any time.

The licence holder or nominated representative shall receive and respond to complaints at all times that the premises are open to the public.

All customers shall be excluded from the external drinking area between the hours of 23:00 and 09:00.

The disposal of refuse into outdoor storage receptacles will not take place between 23:00 – 07:00.

Between the Hours of 2300 and 0800 all doors and windows will be kept closed except for access and egress.

Arrangements will be put in place to ensure that waste collection contractors do not collect



refuse between 19:00 – 07:00.

Arrangements will be put in place to ensure that deliveries of consumables will not take place between the hours of 19:00 – 07:00.

So as to minimise disturbance to local residents late at night staff will be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises.

At each exit point a prominent and clear notice will be displayed to the effect that customers should be considerate to local residents by leaving the premises and the area quietly

Prior to 2300, music noise emanating from the premises whilst audible, is so low that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises..

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

Anyone who appears to be under 21 and who is attempting to buy alcohol must be required to produce proof of age before such sale is made.

**Please tick yes**

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

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**Part 5 – Signatures** (please read guidance note 10)

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

Signature	
Date	
Capacity	Solicitors



**FORM FOR REPRESENTATIONS FROM HAMPSHIRE CONSTABULARY**

Before completing this form please read the guidance notes on page 3.  
If you are completing this form by hand please write legibly inside the boxes in black ink and stay within the box provided.  
Once completed please send your representation form to your local Inspector for consideration by the Police licensing objection panel.  
You must keep a copy of the completed form for police records.

**Hampshire Constabulary wish to make a representation(s)**

**regarding the granting of the Premises Licence issued under the Licensing Act 2003, for the premises described in Part 1 below.**

**Part 1 – Premises or Club Premises Details**

<b>Postal address of premises or club premises</b>  FUSION INN QUEEN STREET	
<b>Post town</b> LYMINGTON.	<b>Post code</b> SO41 9NE.

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>  Poonsawat KLUNGARUUTH
--

**Part 2 – Police Details**

Hampshire Constabulary are a responsible authority

<b>Name and address</b>  Hampshire Constabulary Lymington Police Station Southampton Road Lymington.
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**This application to object relates to the following licensing objective(s)**

Please tick one or more boxes ✓

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

**Please state the ground(s) for representation (please read guidance note 1)**

The FUSION INN located in QUEENS STREET, LYMINGTON have applied for a variation to their premises licence that would allow the premises to supply alcohol 24 hours a day, 7 days a week. My concerns in respect of this application fall under 2 of the 4 licensing objectives as detailed below:

The Prevention of Crime & Disorder.

The current closing time for these premises, which benefits from a restaurant licence, is 2400 Monday to Saturday with 20 minutes drinking up time. For the area surrounding QUEEN STREET, the most commonly reported incidents are public order incidents; these represent 39% of all calls to the police. These incidents are concentrated between the hours of 2100 – 0159 on all days of the week, with a slight increase at weekends. **It is the reduction of these incidents that would contribute most to tackling anti-social behaviour and associated crime and disorder in the locality of QUEEN STREET.** As a direct result of the known anti-social behaviour and associated crime and disorder that occurs in the vicinity of these premises police regularly target this area for increased foot patrols on a Friday and Saturday night between the hours of 2330 and 0015. Once the premises have closed the dispersal of the crowd is generally towards the local kebab shop which is located approximately 15 metres away. I believe that should this application be granted then the incidents of anti-social behaviour and associated crime and disorder could increase dramatically for the following reasons:

The dispersal of the crowd from the area will be much less rapid and could feasibly continue until much later in the night, giving a much higher probability of crime & disorder taking place.

This premises would be the only outlet in the whole area to stay open 24 hours a day and therefore attract many persons from much further a field than Lymington, giving a much higher probability of crime and disorder taking place.

The section of society that will be utilising these premises at this time of night will generally fall into the 18 to 25 year old age group. They will be either in drink or drunk and as such the probability that they will be involved in crime as either an instigator or an aggrieved increases sharply compared to other sections of society. An increase in the opening hours of this premises which will significantly prolong the amount of time these people are on the streets with the associated aggravating factors will have a detrimental effect on the prevention of crime and disorder objective.

The Prevention of Public Nuisance.

The police receive regular letters from the various residents of QUEENS STREET that live in close proximity to these premises. The letters list many issues that the writers request the police to deal with including the use of obscene language, shouting and unruly behaviour, urinating and vomiting both in the streets and against residents' windows. The activities of the persons that frequent the premises generally disrupt the residents' peace and quiet in the early hours of the morning. Further to this I have noted that due to the narrow pavement in QUEENS STREET persons often congregate in the road causing danger to both themselves and other road users. I believe that should this application be granted then the incidents of public nuisance and subsequent further erosion of the quality of life for the residents of QUEENS STREET could increase dramatically for the following reasons.

The dispersal of the crowd from the area will be much less rapid and could feasibly continue until much later in the night, giving a much higher probability of crime & disorder taking place.

This premises would be the only outlet in the whole area to stay open 24 hours a day and therefore attract many persons from much further a field than Lymington, giving a much higher probability of crime and disorder taking place.

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

**Part 3 – Signatures** (please read guidance note 3)

**Signature of Police Licensing Officer**

Signature...Paul HOWLETT. PS.1630.....

Date..... 01<sup>st</sup> November 2005.....

**NOTES FOR GUIDANCE**

1. The ground(s) for representation must be based on one of the licensing objectives.
2. Please list any additional information or details, for example dates of problems which are included in the grounds for representation if available.
3. The representation form must be signed.

# Licensing Memo

Premises: The Fusion, Lymington

From: Mat Robinson, Senior Environmental Health Officer.

Date: 21 November 2005

## OBJECTION

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The operators have agreed to changes to their operating schedule. Letter attached. Whilst we welcome this change to their operating schedule, we remain concerned that there is potential for public nuisance from this premises operating in this residential area 24 hours a day.

I wish to formally object to this application on the grounds of public nuisance.

Mat Robinson

Senior Environmental Health Officer  
Environmental Protection

New Forest District Council, Appletree Court, Lyndhurst, Hampshire, SO43 7PA.  
Tel: (023) 3020 5167, Fax: (023) 8028 5127, Minicom: (023) 8028 5416  
e-mail: [mat.robinson@nfdc.gov.uk](mailto:mat.robinson@nfdc.gov.uk), website: [www.nfdc.gov.uk](http://www.nfdc.gov.uk)

## Mat Robinson

---

To: Licensing@rotheradowson.co.uk  
Subject: Licence Application for the Fusion Inn.

I have been asked to comment on your application with regards the issue of public nuisance. My concerns relate specifically to noise. I note that you are applying for an individual piano player every night from 2000 to 2300 and for the premises to be open and alcohol to be served 24 hours a day. There is potential for noise nuisance to be caused by the holding of such regulated entertainment **unless** suitable controls are in place at the venue.

May I refer you to Section C, the prevention of public nuisance, of the Licensing Policy 2003. (7<sup>th</sup> January 2005). A copy of this document is available at [www.nfdc.gov.uk](http://www.nfdc.gov.uk).

I would like you to consider adding the following controls to your operating schedule. These are designed to minimise the impact of 24 hours drinking/opening on the local community. I would like you to consider adding following conditions to your operating schedule.

- . The licence holder or nominated representative shall receive and respond to complaints at all times that the premises are open to the public.*
- . All customers shall be excluded from the external drinking area between the hours of 0900 and 2300.*
- . The disposal of refuse into outdoor storage receptacles will not take place between 23:00 – 07:00.*
- . Between the Hours of 2300 and 0800 all door and windows will be kept closed except for access and egress.*
- . Arrangements will be put in place to ensure that waste collection contractors do not collect refuse between 19:00 – 07:00.*
- . Arrangements will be put in place to ensure that deliveries of consumables will not take place between the hours of 19:00 – 07:00.*
- . So as to minimise disturbance to local residents late at night staff will be given appropriate instructions and training to encourage customers to leave the premises quietly and not to loiter in the vicinity of the premises.*
- . At each exit point a prominent and clear notice will be displayed to the effect that customers should be considerate to local residents by leaving the premises and the area quietly*
- . Prior to 2300, music noise emanating from the premises whilst audible, is so low that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises.*

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

Moreover, I would like you to consider revising the proposed alcohol sale hours at this premises. This is a residential area and I have concerns that even with strict controls in place at the venue there is potential for nuisance to be caused to your neighbours.

As the application stands at the moment I would consider putting in a formal objection as the application does not comply with our licensing policy.

Please contact me to discuss this matter.

Yours sincerely

Mat Robinson  
Senior Environmental Health Officer  
Environmental Protection

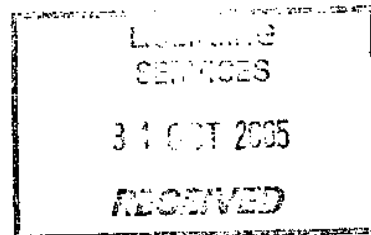
New Forest District Council, Appletree Court, Lyndhurst, Hampshire, SO43 7PA.  
Tel: (023) 8028 5167, Fax: (023) 8028 5127, Minicom: (023) 8028 5416  
e-mail: [mat.robinson@nfdc.gov.uk](mailto:mat.robinson@nfdc.gov.uk), website: [www.nfdc.gov.uk](http://www.nfdc.gov.uk)

EUGENE ASHLEY  
The Little House  
10 Roundhouse Mews  
St. Thomas Park  
Lymington, Hampshire SO41 9NL

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28<sup>th</sup> October 2005

Licensing Department  
New Forest District Council  
Appletree Court  
Lyndhurst, Hampshire SO43 7PA



Re: The Fusion Inn, Queen Street, Lymington

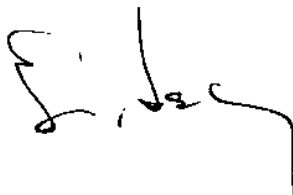
Dear Sir or Madam:

It has come to my attention that the licensee of the above-referenced public house has applied for an extension to their license that would permit them to remain open 24 hours and to have live music at any time.

I would like to express my strong objection to this application. Since The Fusion Inn is located in a largely residential area I feel that the existing hours are perfectly adequate. The rear of our house directly overlooks the pub garden and rear entrance and late night noise would be an intolerable disturbance.

Queen Street has become notorious for late-night noise and unsocial, even unlawful, behaviour. While I recognise that we live in an urban area and must expect some disturbance, I do not feel that we should have to tolerate this later into the night than at present.

Sincerely,





**RUTH CORNWALL**

**1 Queens Mews, Queen Street, Lymington, Hants SO41 9NH  
Tel 01590 610544 Mobile: 079867 9648**

Licensing Department  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hants SO43 7PA



29 October 2005

Dear Sirs

**Re. Licensed and Eating Places in the Queen Street Area**

I understand that the Kebab House and Chicken & Fish Bar in Queen Street have applied for an extension to their licensed hours to 5am each morning. I wish to object to this change on the following issues:

**Public nuisance, disorder and crime**

It is already a regular feature of Friday, Saturday and Sunday nights (and during this particularly warm dy summer, other nights) for there to be a disorderly crowd of drunken people congregating in Queen Street around d the two food establishments from 11pm onwards and often through to 2am. These are customers of the two pubs in Quuen Street and, judging by the number of cars illegally parked along Queen Street, they are also late night revellers from other licensed premises in Lymington. Their disorderly conduct results in:

- excessive a noise (shouting and swearing);
- fighting (and, I believe recently bodily harm through stabbing);
- breaking windows and other criminal damage to property
- vomiting, urinating and throwing food around (it is not unusual to find on an early morning that the entrance to Queens Mews around the gate area is strewn with food, vomit and pools of urine.

These occurrences are not only unpleasant but often serious enough to prevent sleep. As I have to rise early to go to work, lack of sleep can interfere with my work performance and lead to health problems.

**Public Safety**

The congregation of large numbers in the street outside the two food establishments is a threat to innocent passers by who may get caught up in any affray that regularly breaks out. As a single woman I am already intimidated by the thought of having to get through these crowds when returning home late at night. The fact that the people spill into the road itself also constitutes a danger to those in the crowd. On returning home at 11.30pm last night (Friday 28 Oct), my friend, who drove me home, had to break and take avoiding action as he entered Queen Street (from Christchurch direction) to avoid hitting those in the road.

**Environmental health**

The takeaway nature of the food premises means combined with the drunken nature of the customers results in discarded food lying in the street on a regular basis. Since the Chicken and GFis Bar opened, this problem has increased with a regular supply of discarded chicken bones along the street. This constitutes a danger to my dog, is likely to lead to an infestation of rats in the area and is a public nuisance on the paths.

I might add here, that in the two years I have lived in Queens Mews, the pavement on the west side has NEVER been cleaned; the greasy stains of ingrained food etc can be clearly seen on the pavement from the Tripp0 to the Taxi office.

#### Traffic offences

Queen Street is regularly used as a parking bay for customers of the takeaway premises despite being a double yellow line area. As a partially sighted person this causes difficulty in crossing the road because of the obscured view as well as difficulty in friends collecting or delivering me home to avoid walking in the dark and through crowds of drunken people.

I am aware that some of these objections are to the actual existence of takeaway establishments in Queen Street at all, but to extend their opening hours to 5am which significantly increase the issues raised above.

I also believe that ~~the~~ **Fusion Inn** and the **Thomas Tripp** may have applied for a 24-hour licence and that ~~they~~ Fusion Inn wishes to have a music licence to play live music through the night. My objections to these applications are as outlined above.

Queen Street, Roundhouse Court and surrounding areas of Belmore Lane, Priestlands Place etc are becoming more and more residentially biased (Roundhouse Court has just been extended behind the Fusion Inn and the Wellworthy site is likely to be developed as housing in the near future.) This means that any applications that affect residents, their safety, health and quality of life must be taken seriously. The security and viability of other businesses in the area must also be safeguarded and taken into account. It would not be desirable for the balance of types of businesses in the Queen Street area to be pushed into a ghetto of loud music, drunk and disorderly people, unhygienic food dumping and rat infestation.

Yours faithfully



Mrs Ruth Cornwall

New Forest District Council  
Licensing Dept  
Appletree Court  
Lyndhurst  
SO43 7PA

5 Hill House  
Lymington  
Hants  
SO41 9GB

29 Oct 2005

EXTENDED OPENING HOURS – QUEEN STREET, LYMINGTON

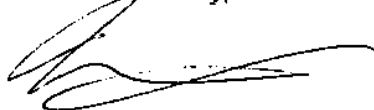
THE KEBAB HOUSE & CHARLIES FISH & CHICKEN BAR

It is understood that applications have been made for extended trading hours for two food takeaway businesses in Queen Street – virtually all-night trading has been rumoured locally. If this is to be combined with extended licensing hours for local public houses e.g. Fusion Inn and Thomas Tripp, then we must anticipate this becoming a 'No-Go' area again as was the case before the closure of the Black Cat public house. There have been many instances of unruly and criminal behaviour in Queen Street over the past years and local residents have learnt to avoid the area after 10.00 pm for our own safety.

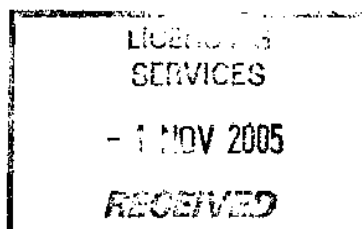
At the present time, there are often night time disturbances (1.00 to 2.00 am) presumably as clients are leaving the local hostelrys later than normal hours. It is especially loud near to this property when people are recovering their vehicles from Morrisons Car Park due to shouting and revving of car engines. Complaints have been made to the Police in the past and we are encouraged to do so in order that calls may be recorded for use in making representations to yourselves when Licensing Applications are being considered. As there is also CCTV installed in the area, there should be ample visual evidence of the disturbances but without any indication of the accompanying noise levels. It is not uncommon to be woken in the early hours – this in a predominantly retirement area.

We local residents trust that the above factors will be taken into account when reaching any future decisions on licensing hours in this locality.

Yours faithfully,



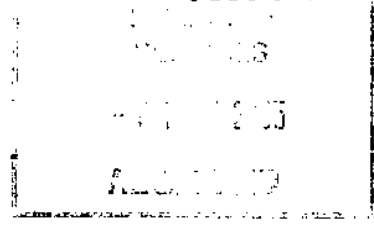
Ian Large



743

From Group Captain G Brian Walford OBE

6 Priestlands Place  
Lymington SO41 9GA  
01590 674119



The Chairman  
Licensing Magistrates  
Licensing Department  
New Forest District Council  
Appletree Court  
Lyndhurst SO43 7PA

4<sup>th</sup> November 2005

Dear Sir

It is with considerable alarm that we hear of the application to extend the drinking license to 24 hours of the Fusion Inn in Queen Street, Lymington.

It should be a matter of record that over the past 21 years of our owner residency of the above address, that we have had to endure the regular late night disturbances involving violent and vulgar misbehaviour, shouting, vomiting, and repeated vandalism of the plants which front this property.

My wife and I are advanced octogenarians and far beyond any capability of protecting ourselves or our property. To appeal for safety and protection from public nuisance is surely not too much to ask in the evening of life, from one born in the First World War and who fought in the Second.

It is unreasonable to imagine that extending the license of these premises to 5am could lead to anything except increased local disturbances arising from the current cult of binge drinking.

The police have repeatedly made clear that their limited resources simply do not enable them to keep the peace everywhere late at night. The way forward seems thus confined to limiting drinking hours. For all these reasons we emphatically object to the extension of this license.

I am copying this letter to the local Superintendent of Police and my Member of Parliament.

Yours faithfully

Brian Walford

**Tony Hetherington**

---

**From:** Nick Coleman [nick.coleman@dsl.pipex.com]  
**Sent:** 18 November 2005 13:39  
**To:** Tony Hetherington  
**Subject:** Licence application - Fusion Inn - objection

Dear Mr Hetherington,

**Re: Fusion Inn, Queen Street, Lymington.**

I understand that an application has been made by the owners of this establishment to extend their licensing hours so that they can stay open and sell alcohol for 24 hours a day, and have live music from 8 to 11 pm. As residents close-by, **we are writing to object strongly to these points in this application.** These premises are within 30 metres of an area where threats to public safety and crime and disorder are rife. The proposed licence conditions will exacerbate already existing problems of crime, disorder, public safety and public nuisance. Any change to the current licence terms should be minimal - preferable none at all as the problems in the immediate area are already excessive.

We are objecting on the grounds of:

1. **Crime & disorder:** it is already normal for our sleep in Roundhouse Court to be disturbed by shouting, fights, vomiting, urinating, scattering waste, and loud disorder in the evening. Our residential development is regularly damaged by customers of the nearby establishments and we have a siege plan in operation to protect our property (electronic gates, infra-red lights, emergency call numbers, etc. etc.). As the Hampshire Police Crime Audit states: *"During 2001-2002, there is an even spread of incidents occurring over each day of the week. During 2002 - 2003, most incidents occurred on Monday, Friday and Sunday. During 2003-2004, most incidents occurred on Tuesday and Sunday. The majority of incidents occurred mainly after pub closing time and most frequently at premises such as kebab shops and fast food outlets"*. I.e. the conditions immediately adjacent to the Fusion Inn.
2. **Public safety:** we are deeply concerned about personal safety. We never ever now walk in Queen Street in the late evening. We are even afraid to walk from our home onto St. Thomas Street as this end of Lymington is a magnet for rowdy pushy drunken louts. For example, if we want to get a take-away from Ask, 200m away near the church, we drive there rather than risk being pushed off the pavements. We are now having to spend large amounts of money to re-install, and install additional, gates to protect ourselves. What on earth is the point of living in the area if, as soon as we manage to increase our protective measure at our own cost, the NFDC extends the rights of the source of the threat? Absurd!
3. **Public nuisance.** See above comments

We acknowledge that the owners of the Fusion Inn have improved matters since they took over management and changed the previously disorderly pub to what is now an acceptable local facility. However, this application is clearly a step backwards. Therefore we strongly urge the NFDC Licensing Panel to hold crime and disorder at bay in the particularly nasty area of Lymington by rejecting this application.

NC & EAM Coleman  
7 Roundhouse Court  
St Thomas Street  
SO41 9LY

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<http://www.star.net.uk>

18/11/2005

01590 688653

2 Lynwood Court  
Priestlands Place  
Lymington  
Hampshire  
SO41 9GA

18.11.2005

New Forest District Council,  
Licensing Services,  
Appletree Court  
Lyndhurst SO43 7PA

Dear Sir or Madam,

Reference: Fusion Inn, Queen Street, Lymington.

Application to extend their licensing hours to 24 hours a day.

On behalf of myself and other elderly residents at this address we strongly object to the extension of opening hours at the referenced address.

I understand the applicant wishes to serve alcohol and allow live music to be performed during these hours.

You may not be aware of the many problems we have to endure in this area, mostly in the evenings up to approximately midnight and sometimes beyond.

Most Saturday and Sunday mornings I myself pick up broken drinking glasses, glass bottles, drink cans, discarded food bought from Kebab House in Queens Street, and last but not least, rinse away urine from one or two of our doors which is not a pleasant task within our archway. I carry out these chores at almost 80 years old because the remainder of the elderly are women. This should not be necessary if the surrounding area was policed at strategic hours.

In addition the drunken vandalism which includes the smashing of our electric gate code box and beam cover at a replacement cost of almost £600 (this is a reported police incident). On another occasion a traffic cone thrown at a first floor glass door luckily without damage but frightening. Houses opposite have had their garden flowers pulled out of boxes and the contents strewn over the road.

Apart from vandalism the loud shouting up to approximately midnight keeps residents awake at weekends so heaven help us if this continued throughout the night.

On more than one occasion we have called the police to deal with drunken fights as they seem to attract passers by who stand and cause more shouting and noise.

Thoughts must be given to the fact that Queen Street is very narrow and this includes very narrow pavements. Drunks coming out of the Fusion Inn say mid afternoon onwards could cause problems with heavy traffic and pedestrians with children. With this in mind an increase in licensing hours might not be in the interest of Public Safety.

It appears that we have limited Police coverage of Lymington at the moment and the cameras that have been installed do not act as a deterrent to better behaviour of these yobs. Having many problems at the moment we residents do not want to increase them and I am sure the police will feel the same.

We appeal to common sense that this application is refused.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'R.J. Penney', with a horizontal line drawn underneath the name.

R.J. Penney (Mr)

**M.E.FENNER**

---

**RESIDENTIAL**

---

27a St Thomas Street, Lymington, Hants, SO41 9NE. 01590672860

Licensing Dept  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hants

16/11/05

**Ref THE FUSION INN, Queen Street, Lymington , Hants**

---

Dear Sirs

I wish to object in the strongest possible terms to the application for 24 hour opening for the Fusion Inn.

Our residents in ROUNDHOUSE MEWS and ROUNDHOUSE COURT have increasingly been the victims of anti-social behaviour generated by Pubs and Take-Aways in the Queen Street area.

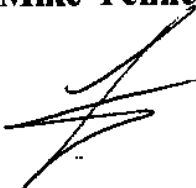
We have been forced to install security gates to protect our residents from drunks who infest the area late at night ; creating a ghetto , from which our older residents are afraid to venture after dark.

It is our experience that the licensees of The Fusion Inn have scant regard for the welfare of the St Thomas Park community , who are mostly elderly and very vulnerable to the yob culture generated by such an establishment.

I trust the application for 24 hour drinking will be summarily rejected ; protecting us from the fate of other town centres that have been turned into "No Go" areas after the hours of darkness; and litter and vomit strewn areas in daylight hours.

Yours Faithfully

Mike Fenner





**E.G.FENNER**  
**TELEVISION & ELECTRICAL**  
27 St Thomas Street LYMINGTON Hants SO41 9NE  
Tel. 01590 672860 Fax.677504

**Licensing Dept**  
**New Forest District Council**  
**Appletree Court**  
**Lyndhurst**  
**Hants**  
**SO41 7PA**

**16/11/05**

**Ref THE FUSION INN , Queen Street, Lymington , Hants**

**Dear Sirs**

**I wish to object in the strongest possible terms to the application for 24 hour opening from the Fusion Inn.**

**We have increasingly become the victim of anti-social behaviour generated by Pubs and Take-Aways in the Queen Street area.**

**It has become an unpleasant Saturday and Sunday morning routine to wash vomit , litter & urine from the doors , windows and pavement of our premises.**

**More seriously, an attempted break-in at the rear of our premises in St Thomas Park was committed by a drunk , directly linked to the Fusion Inn.**

**The licensees of the Fusion Inn have had little or no respect for residents and businesses of St Thomas Park in the past, and I fear this lack of care will be compounded by longer opening hours.**

**I trust the application for 24 hour drinking will be summarily rejected ; protecting us from the fate of other town centres that have been turned into “No Go” areas after the hours of darkness ; and litter and vomit strewn areas in daylight hours.**

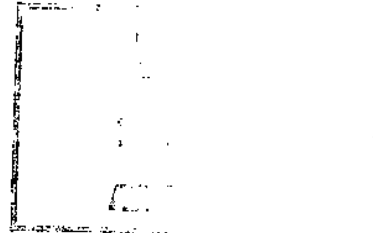
**Yours Faithfully**

A handwritten signature in black ink, consisting of several overlapping, sweeping strokes that form a stylized, somewhat abstract representation of the name 'Mike Fenner'.

**Mike Fenner**

Spirals  
24a Queen Street  
Lymington  
Hants  
SO41 9NG

The Licensing Dept,  
N.F.D.C.  
Appletree Court  
Lyndhurst  
SO43 7PA



14<sup>th</sup> November 2005

Dear Sirs

**Re: The Fusion Inn, Queen Street, Lymington**

We are writing concerning the application for the above premises for a 24 hours license with music.

Our property ended up adjoining the Fusion Inn when an extension was granted despite our objections, some years ago. Since then, we have endured on many occasions, loud music which has disrupted our quality of life and sleep. We were forced, when the establishment was called the Black Cat, to call in Environmental Health who monitored the situation.

During the course of their investigation, Environmental Health proved conclusively that the sound installation between the two properties, promised by the builders, was never installed. We can only assume this was a cost cutting exercise by the then current brewery. We now have a situation, proven in the last court case which we won, that there is at best, only a 9" solid wall between the Fusion Inn and our property. The outcome of this is that whenever music is played, we are forced to endure whatever decibels they decide to play and to whatever hours they keep. This is totally unacceptable and a public nuisance and we surely have the right to a quality of life.

Until some months ago, when the then manager left, we had experienced no problems for about a year. He was very understanding and the music was at a level that did not disturb us. However, after that we have been subjected to louder music – indeed on 8 September this year, we contacted Tony Hetherington of the Licensing Department to ask exactly what their license entailed. We also stated that we would, as we always have done, try the personal approach to see if we could resolve the issue amicably.

On Sunday, 6 November, the music was loud coming through the wall and we rang the Fusion Inn and asked to speak to the licensee. We were told he was not there so said to the man there that the music was getting exceptionally loud and particularly this night. This was at 8.50p.m. We were asked where we were, we told him and the man said he would turn the speakers round. We thanked him and he replied 'no worries.' He was very amiable.

By 10.30p.m, the music still was as loud so we spoke to the same man who said he had spoken to the licensee and he had told him not to turn the sound down as 'it would spoil the atmosphere.' We said it was now 10.30 and it was supposed to stop now anyway but he replied 'no it doesn't, it can go on until 11.00.' We told him it was a Sunday and he said 'what difference does that make.' He obviously did not even know the then licensing hours. He also stated that the music wasn't loud anyway, and we said how could he know when he had not even been in our house.

We again said the music was too loud and it was impossible to get to sleep - one of us had a very early start in the morning. We were then told we had to accept we lived next to a public house and we replied that we expect a certain level of noise but not this amount and certainly not past licensing hours. Anyway, it does not matter what time it is the music is too loud to be reasonable. The reply was that he did not want to cause any hassle, all he could do was apologise but it will ruin the atmosphere. We told him to either turn it down or off but he said he could not. We informed him that we would contact the Environmental Health and get them to monitor the situation to which he stated that this one would be the last song.

As Lymington born and bred we and the residents of Queen Street are subjected on a regular basis to crime and disorder, and public nuisance - we have had numerous occasions of broken shop windows, drunken brawls which have resulted in broken bottle injuries, attempted grievous bodily harm with a metal bar and many others. The local Police obviously have a record of all the incidents which are too numerous for us to mention here..

We have also witnessed groups of drunken youngsters - sometimes fifty to sixty - who spread-eagle across the street and block pavements and doorways. Many is the time the screech of brakes is heard as vehicles come round the corner to be met by pedestrians blocking the street. This problem will be exacerbated if the premises stay open until 05.00 hours. People will not leave the vicinity until approx. 06.00. The supermarket lorries do a lot of their deliveries at night and will not expect congestion such as this at this time and especially not in a one way street. It is also very intimidating to have to walk to one's front door through gangs of drunken youngsters and even more so when they lean against and block your doorway.

We experience much public nuisance which again will increase with extended openings. We have to contend with urinating in doorways and even worse, defecating, pools of vomit, takeaway food being smeared on the pavements,

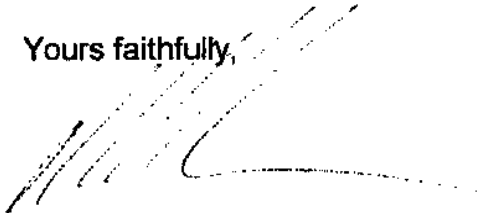
doors, windows and even on occasions posted through letterboxes, and broken bottles and cans of alcohol scattered everywhere. The level of shouting and screaming that occurs when fights and arguments break out disturbs our sleep now and should this establishment stay open 24 hours, we will undoubtedly on occasions, get hardly any sleep at all.

We feel quite strongly from our many years of living in Queen Street that there is a moral duty to sometimes protect youngsters from themselves. Allowing 24 hours opening will result in more drunkenness and consequently more fights and brawls with all that that entails.

We love our market town and feel it is all our duty to protect our heritage and way of life.

We therefore object most strongly to this application and hope that the opening hours will stay as they are now.

Yours faithfully,



Roger Lee



Patricia Lee



Vicki Lee



Charlotte Lee

20/11/05

F/AT 12,  
Roundhouse Canal  
4 Thurman Street  
Livington Hants  
SO24-9LY

To Whom it may Concern  
Licensing Department,

I wish to  
raise my objection to The Fusion Inn  
having extended opening hours  
to 24 with live music etc. The  
reasons being Noise, Public Disturbance  
when leaving pub and making way  
home with misty eyes, bad language  
and damage to property through  
being drunk.

Yours sincerely  
Mrs Water

2 Queens Mews  
Queen Street  
Lymington  
Hants.  
SO41 9NH

21<sup>st</sup>, November, 2005

Licensing Department  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hants.  
SO43 7PA

Dear Sirs,

Re: Application by owners of The Fusion Inn,  
Queen St. Lymington to extend their licences to remain open,  
24 hours a day for the sale of alcohol and to play music.

I wish to strongly object to this application. I am a resident living very close to these premises and this area of the town already suffers from far too much a concentration of unruly, loud, dirty and often violent behaviour late at night. The people behaving in anti-social ways have usually consumed too much alcohol. Granting this unlimited Licence for alcohol and music would attract many more people, who have already been drinking, to this small area of the town after other pubs in the town, and further afield, have closed.

It must be emphasised that this small area at the top of the town has a high concentration of residential properties happily co-existing with most of the local commercial premises. It is when an imbalance in this relationship is allowed by unreasonable and inappropriate Licencing for the given location, that life becomes very distressing for a large number of local people trying to get some hours of peace and quiet in the dead of the night. A 24 hour Licence for the Fusion Inn would mean that local residents would never know when disturbances would stop during the night.

**This locality already has a concentration of loud and unacceptable behaviour late at night, much more than its fair share when considering the town as a whole.**

**The Prevention of Crime and Disorder**

The Fusion Inn would be the only place to go for late night revellers. These are mostly young people who cannot control their behaviour under the influence of alcohol and cause expensive damage to private property and cars and shop windows. Fights break out

and some individuals have received serious injuries. The Police and Ambulance Service have had to be called on numerous occasions.

### **Public Safety**

This small locality in the town already has a problem with Public Safety after 11pm when many young people who have drunk too much alcohol and who behave in very antisocial ways are already in the vicinity. They intimidate other people passing on the narrow footpath causing them to step into the road when traffic is passing. It is not unusual for crowds of up to about 60 or 70 to block the road. Traffic is forced to slow down or stop in order to avoid hitting some of these young people who are a danger to themselves and passing motorists.

### **The Prevention of Public Nuisance**

Examples of Public Nuisance include:

Shouting and screaming abuse at present until well after 1pm.

Fighting and serious violent behaviour

Urinating and vomiting in the passageway access to my address and close to other residential properties

Standing in the road when traffic is passing and being a danger to themselves and motorists

Vandalism to cars and property in nearby roads

I strongly believe that extending this licence at all will make these problems worse. If people who have already been drinking alcohol elsewhere then go to the Fusion Inn after other pubs have closed, presumably to continue drinking until the early hours, their behaviour will not have improved when they eventually do leave the Fusion Inn and there will be no end time at night to these problems, for local residents. I feel that there will be an increase in noise nuisance and crime to property and cars and local people, many of whom are elderly, will feel more threatened. I have to walk from my car to home at night and as a resident should be allowed to do so in a non-threatening environment. Local residents are entitled to have a part of the night when the town goes quiet and we are allowed to sleep without noise and nuisance. The Fusion Inn has two entrances, the front opens onto Queen Street and the rear onto St. Thomas Park.

Residents of Lymington deserve consideration and are entitled to some hours of peace and quiet during the middle of the night. The character of the town and its reputation is being affected and can be dramatically changed for the worse by allowing certain Licences or extensions and improved by denying or withdrawing others.

Please do not extend this Licence.

Yours faithfully



Doreen Stenner

**Air Commodore J.L.Mitchell RAF(retd).  
23, St. Thomas Park  
Lymington, Hants  
SO41 9NF**

The Licensing Dept.,  
New Forest District Council,  
Lyndhurst, SO43 7PA

21<sup>st</sup>. November, '05

Application by the Fusion Inn, Queen St., Lymington for 24 Hour Licence

I live even nearer to this establishment than to the Kebab Shop, the subject of my previous letter of objection to an extension of hours. The Fusion Inn was formerly the Black Cat, very well-known to you and the Hampshire Constabulary.

To date, the Licencee of this renamed and refurbished public-house has an impeccable record with the local residents; he has catered for a different clientele and provided an interesting catering menu. Should this change of licence be granted there is an obvious risk that it could turn into a night-club with the attendant noise and car-parking problems. The Owners of the premises might change and the present very competent Landlord be replaced by a quite different style of management and customer. We should then be faced with a very different situation.

It is difficult to believe that the Licensing Authority could contemplate introducing 24-hour operation of this nature into a residential area of increasing density. Members will be aware that the NFDC Planners have allowed a new block of high-density mini-flats to be built in St. Thomas' Park, literally over-looking the Fusion Inn. Parking is extremely tight for the new occupants. The Inn has very restricted parking spaces of its own: with this extension granted the traffic situation in St. Thomas' Park could become difficult for all, to say the least.

I will not rehearse again the local problems of the area - inebriation and public biliousness, closing-time noise. You are only too aware of them. I therefore add my strong protest to such an extension of hours and trust that it will be turned down.

Yours faithfully,



(J.L.Mitchell)

21st November 2001

The Local House,

Prayer Road,

Hymington, Hants SO41 9SF

Dear Sirs

Fusion Inn, Queen St, Hymington

I wish to object to the application of  
a 24 hour licence with music.

There seems no end to the amount of  
the Queen Street area, with the application  
by the Thomas Tripp PH, and the application  
by the Local House and the fact as Charles has  
immediately opposed the Fusion.

You will be well aware of the concern of  
local people and the Police as to the level of  
noise and drinks already suffered. If successful,  
this application can only contribute to it.

Public safety is already compromised by the volume & threat of violence from youth & gangs attracted to the public houses and the just juv outlets. Notwithstanding the double yellow line, there are nearly always cars parked outside these outlets, restricting traffic flow. To permit yet more people to mull about in Queen Street and the surrounding area is asking for trouble. For some reason, the police make no effort to prevent this illegal parking.

The public nuisance aspect is also clear. Noise, light, obstruction are a constant feature. There are children living and trying to sleep nearby, and the effect of continuing & extending the nuisance can only be harmful to them.

If the application succeeds in whole or in part, I ask that it be subject to the most stringent conditions as to noise or

Number permitted at the premises.

Yours faithfully,

W. P. Andrew. Jnr

(ANDREW - JONES)

Susan Burgess  
3 Athelstan Court  
St. Thomas Park  
LYMINGTON  
Hampshire  
SO41 9FB

19 November 2005

Licensing Dept.  
New Forest District Council  
Applebee Court  
LYNDHURST  
Hants  
SO41 7PA.

Re: Fusion Inn: Application for extension of licence

Dear Sir,

I am writing to record my objection to the above application on the grounds of public nuisance. I am already woken by excessive noise level on the street outside my bedroom window in the early hours of the morning, and have no wish to have the nuisance extended.

Yours faithfully,

Susan J. Burgess

MRS. SWAN J. BURGESS

5 Queen's Mews  
Queen Street  
Lymington  
Hampshire  
SO41 9NH

Licensing Department  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire  
SO43 7PA

13<sup>th</sup> November 2005

**Re Licence extension for Fuslon Inn, Queen Street, Lymington to serve alcohol for 24 hours a day and allow live music to be performed during these hours**

Dear Sir/ Madam,

I gather that the above named establishment has applied for a licence extension to serve alcohol and allow live music to be performed for 24 hours a day. I wish to register my strong objection to this application.

As a resident of Queen Street, I already have to endure the anti-social behaviour of drunken youths who spill out along Queen Street after pub closing time and create havoc until 1 am or later. Due to the close proximity of several pubs in this small area, in conjunction with the presence of The Kebab House and Charlie's Fish & Chicken Bar, Queen Street appears to act as a magnet for local youths. Extending FUSION INN's hours of opening to 24 hours a day, seven days a week, would surely exacerbate an already intolerable situation as follows:

## **1 Crime and Disorder**

Many incidences of Crime and Disorder already occur along Queen Street between the hours of 9 pm and 2 am, as a direct result of excessive alcohol consumption. These include acts of violence (sometimes resulting in serious injury) and vandalism of private property in this conservation area (eg smashed windows and damage to gates, gardens and cars). If FUSION INN remains open for 24 hours a day, drunken customers (who, most likely, will have consumed even more alcohol) will inevitably be present around the locality later into the night, resulting in a higher probability of Crime and Disorder taking place.

As far as I am aware, FUSION INN would be the only establishment in the area selling alcohol throughout the night. This is likely to attract more youths into the area, thus compounding existing problems.

Local police already target this area on Friday and Saturday nights when undertaking foot patrols between 10 pm and midnight, in order to calm down anti-social behaviour. Surely the police have better things to do with their time than monitor this street more closely and for longer periods of time.

## 2 Public Safety

### 4 Protection of Children from Harm

After vacating FUSION INN and other pubs in the area, drunken customers meander over the length of Queen Street, having apparently lost all road sense; indeed they take over the road. This provides a risk not only to their own safety, but also to other pedestrians and to drivers. If increased numbers of young people are drawn to the area due to the all night opening of FUSION INN, this situation can only worsen.

Residents, such as myself, feel threatened if returning home late at night, lest we become entangled in an unfolding brawl (which occur only too frequently).

Later opening hours may result in more beer glasses and bottles being discarded along the street. These often become smashed, which could result in injury to the public, particularly to children walking along pavements the following morning.

## 3 Public Nuisance

The level of noise pollution along Queen Street is already intolerable between 11 pm and 1 am, particularly on Friday and Saturday nights. As a local resident, I am frequently woken up in the early hours of the morning by drunks shouting obscenities on the street outside my window, fighting and by raucous drunken singing. I cannot imagine how this situation could possibly be improved by extending the licence hours of FUSION INN, enabling even more alcohol to be consumed. In addition, the performance of live music at any time during the night is likely to keep residents awake.

Anti-social behaviour of FUSION INN customers and frequenters of other local pubs is not limited to noise pollution; regrettably they also urinate and vomit along the street and inside private gardens, such as my own. Food and faeces have even been posted through letterboxes along Queen Street, surely as a result of excessive alcohol consumption.

The one small consolation of this appalling anti-social behaviour is that it generally stops at 1 am. Should this application be granted, residents can expect to pay additional repair costs for broken or damaged property and to endure disturbance throughout the night, resulting in lack of sleep, as drunken groups of customers make their way home.

Many local residents lead busy professional lives, and need to get up at 6.30 am or earlier for work. If FUSION INN remains open for 24 hours a day, this could mean interrupted sleep throughout the night. I acknowledge that this is an urban area and that some level of noise is to be expected; however, I believe that residents have a right to a period of time during the night of relative quiet in order that rest and sleep are possible.

Continued on next page



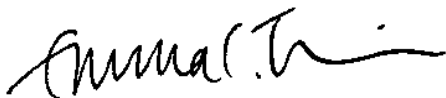
Until recently, residents and businesses in Lymington have lived alongside one another in a healthy manner. Indeed, I am sure that a number of local residents support the business of FUSION INN by enjoying a drink or evening meal there on occasions. As a young person myself, I welcome well managed local pubs and bars where I can socialise with friends. There is plenty of opportunity to do this before 11.15 pm. Where is the need to continue drinking throughout the night? I acknowledge that many customers do behave responsibly on leaving the pub and do not make a nuisance of themselves. Unfortunately for FUSION INN, and more particularly for local residents, a considerable percentage of customers behave unacceptably on leaving the pub. Whilst these problems remain, it is my opinion that a licence extension should not even be considered.

The relationship between residents and local businesses can only continue in a harmonious way if both businesses and residents cooperate and act with consideration towards one another. I do not feel that the decision of FUSION INN to apply for a licence extension to serve alcohol and allow live music to be performed for 24 hours a day, seven days a week, shows consideration towards local residents, who are already forced to endure the unpleasant behaviour of too many drunken customers until late into the evening.

I implore you to consider the above points carefully.

Thank you for your attention.

Yours faithfully,



Emma Travis

P.S. Please note that there appears to be a discrepancy of the advertised dates by which objections need to be received. When I spoke to somebody in the Licensing Department at the NFDC over the phone, the deadline I was given was 22<sup>nd</sup> November. The deadline on the notice posted outside FUSION INN is 23<sup>rd</sup> November. I therefore request that you consider objections received on 23<sup>rd</sup> November.

P.P.S. In relation to the above-mentioned notice, FUSION INN has positioned the application in the bottom corner of a beautiful bay window decorated with leading between small rhombus-shaped panes of glass. It is therefore rather difficult to read, as the leading obscures some of the writing. I have politely requested that the notice be moved to a window where it may be read more easily. This request has not been acted upon.

*Flat 4  
Hill House  
Highfield  
Lymington  
Hampshire  
SO41 9GB*

21 November 2005

Licensing Department  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire  
SO41 7PA

Dear Sir or Madam,

***Re: The Fusion Inn, Queen Street, Lymington ~ Application for 24 Hour Licence***

I write concerning the above application and wish to lodge an objection.

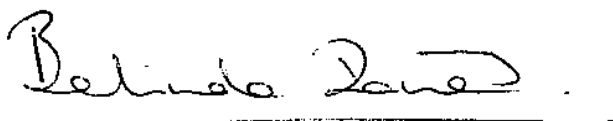
As I am sure you are very aware Queen Street and the surrounding areas are of mixed use and those of us who live in the vicinity are already subject to anti social behaviour on a regular basis. I am therefore, writing to object to this application on the grounds that any increase in licensing hours will exacerbate the problems which we already experience namely:~

- Crime and Disorder
- Public Safety ~ particularly for children and older people.
- Public Nuisance

I am often disturbed in the early hours of the morning as people make their way home after a night out and I can only imagine that this would be far worse if a 24 hour licence was granted.

I very much hope that the residents of the area will be able to quietly enjoy our homes.

Yours faithfully,



---

Belinda Davies

Licensing Dept  
New 4<sup>th</sup> Dist Council,  
Apple tree court,  
Lynnhurst SO41 7PA.

No 1, Mailand Court,  
Belmore Lane,  
Lymington,  
Hants SO41 3NL

Dear Sirs,

I wish to object most strongly to the application submitted by "The Fusion Inn" to have their licence extended to serve alcohol for 24 hrs a day & to have live music performed during these hours.

I live on the corner of Belmore Lane & St Thomas St, about 250 yds from the Inn & have viewed many a bad scene, having been waken up by all the noise, & shouting & screaming that goes on & all the fighting. They also go pressing door bells & urinating all over the place, especially in the show yard of the funeral stone masons, right opposite my flat.

I object on the grounds of:-

- ① Crime & disorder.
- ② Public Safety.
- ③ Public Nuisance.

Yours Sincerely  
Maureen Knott.

22 ST THOMAS PARK  
LYMINGTON, HANTS  
SO41 9NF

21/11/05

Licensing Dept  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hants SO43 7PA

Dear Sir

Application by the Fusion Bar for a  
24 hour licence

I have reviewed this establishment than  
the Kebab Shop:

To date, the licensee has run our bar  
with good record for a different clientele  
with a change to a 24 licence this  
could bring in a different clientele. If  
it becomes a Night Club it could be very

noisy and cause Car Parking problems

It is seem impossible to think that the Licensing Authority would contemplate a 24 hour license.

The New Flats in St Thomas Park will have to bear the Noise likewise. But Parking around is very tight especially at the New Flats.

I sincerely hope this plan will be turned down.

Yours Faithfully

John P TREGEAR  
(JOHN P TREGEAR)