

**NEW FOREST DISTRICT COUNCIL**

**LICENSING ACT 2003**

**APPLICATION: Forest Lodge Hotel, Pikes Hill, Lyndhurst**

**Decision of the Licensing Sub-Committee hearing held at Appletree Court,  
Lyndhurst on Wednesday, 6 June 2007 at 10.00 a.m.**

---

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

Councillor L R Puttock - Chairman  
Councillor J A G Hutchins  
Councillor S S Wade

---

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

Applicant:  
Christine Turner, New Forest Hotels PLC

Objectors:  
Mr J A Edwards and Mrs V J Lane

---

**3. Other Persons attending the Hearing**

Cllr Shotter – Observer

---

**4. Parties not attending the Hearing**

None.

---

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

Ms S Sharp – 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:

- E. Live music:
  - Monday 19.00 to 24.00
  - Tuesday 19.00 to 24.00
  - Wednesday 19.00 to 24.00
  - Thursday 19.00 to 24.00
  - Friday 19.00 to 24.00
  - Saturday 19.00 to 24.00
  - Sunday 19.00 to 24.00
  
- F. Recorded Music
  - Monday 19.00 to 24.00
  - Tuesday 19.00 to 24.00
  - Wednesday 19.00 to 24.00
  - Thursday 19.00 to 24.00
  - Friday 19.00 to 24.00
  - Saturday 19.00 to 24.00
  - Sunday 19.00 to 24.00
  
- G. Performances of dance:
  - Monday 19.00 to 24.00
  - Tuesday 19.00 to 24.00
  - Wednesday 19.00 to 24.00
  - Thursday 19.00 to 24.00
  - Friday 19.00 to 24.00
  - Saturday 19.00 to 24.00
  - Sunday 19.00 to 24.00
  
- J. Provision of facilities for dancing:
  - Monday 19.00 to 24.00
  - Tuesday 19.00 to 24.00
  - Wednesday 19.00 to 24.00
  - Thursday 19.00 to 24.00
  - Friday 19.00 to 24.00
  - Saturday 19.00 to 24.00
  - Sunday 19.00 to 24.00
  
- L. Late night refreshment:
  - Monday 23.00 to 24.00
  - Tuesday 23.00 to 24.00
  - Wednesday 23.00 to 24.00
  - Thursday 23.00 to 24.00
  - Friday 23.00 to 24.00
  - Saturday 23.00 to 24.00
  - Sunday 23.00 to 24.00
  
- M. Supply of alcohol:
  - Monday 10.00 to 24.00
  - Tuesday 10.00 to 24.00
  - Wednesday 10.00 to 24.00
  - Thursday 10.00 to 24.00
  - Friday 10.00 to 24.00
  - Saturday 10.00 to 24.00
  - Sunday 10.00 to 24.00

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

Monday 07.00 to 24.30  
Tuesday 07.00 to 24.30  
Wednesday 07.00 to 24.30  
Thursday 07.00 to 24.30  
Friday 07.00 to 24.30  
Saturday 07.00 to 24.30  
Sunday 07.00 to 24.30

### **Mandatory conditions:**

As provided in the Licensing Act 2003

### **Other conditions:**

1. At all times prior to 23.00 hours, live and recorded music and noise emanating from the premises, whilst audible, shall be so low that distinct tunes, lyrics, speech, musical instruments and any bass beat cannot be recognised at the boundary of all noise sensitive premises\*;
2. At all times after 23.00 hours, music and noise emanating from the premises shall be inaudible at the boundary of all noise sensitive premises\*;
3. At all times after 19.00 hours the windows and doors of the function room will remain closed;
4. There shall be no consumption of drinks in any part of the external area of the premises after 22.00 hours;
5. Signs will be displayed reminding patrons of the residential area and requesting them to exit the premises quietly.

\* For the purposes of condition 1 & 2 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 purposes 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.

Following the extension of these premises including the function room and larger patio area, the Sub-Committee felt that the conditions which had been offered and agreed by the Applicant (Conditions 1, 2 & 5) were reasonable and appropriate.

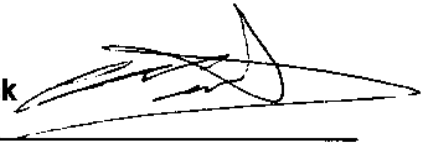
The Sub-Committee heard detailed evidence from the Objectors about noise nuisance which they stated they were suffering and which emanated from the premises including noise from persons congregating outside and from the noise and beat music inside the premises and from amplified voice.

Taking this evidence into account and having regard to the proximity of the premises to a number of residential properties, the Sub-Committee felt that it was reasonable and proportionate to impose Conditions 3 and 4, and the Applicant had already indicated that they would be agreeable to Condition 3.

The Sub-Committee reminded the objectors that the Local Authority did have powers of enforcement including powers under the Environmental Protection Act 1990, and powers of enforcement and review under the Licensing Act 2003.

**Date: 06.06.07**

**Licensing Sub-Committee Chairman: Cllr L R Puttock**



---

**FOR OFFICE USE ONLY**

**Decision notified to interested parties on 07.06.07**