

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.

We Whitbread Group Plc, 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.

Premises Licence Number

914

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Three Bells, Silver Street, Hordle	
Post town Lymington,	Post code SO41 0FN

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant Details

Daytime contact telephone number

Email address (optional)

Current postal address if different from premises address

Post Town Postcode

Part 3 – Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible? Approval is sought to the proposed works to the premises as soon as possible with the new layout to take effect on completion. The works are due to start on site on 23rd June with the premises planning to re-open mid / late November.

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--

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.

N/A

Please describe briefly the nature of the proposed variation (please read guidance note 1)

The variation proposed is to approve alterations to the premises as particularised on the plans deposited with the licensing authority and summarised as follows: -

1. It is proposed that an unlicensed 20 bed Premier Inn be constructed adjacent to the premises which occasions the conversion and de-licensing of a small area to the right of plan which, together with the extension, provides the reception and initial bedrooms as shown.
2. Re-design of the licensed layout particularly to the right of the main entrance.
3. Minor re-design of the bar / food servery.
4. New layout and re-arrangement of the screens internally with general refurbishment throughout.
5. Incorporation of external areas predominantly as existing as identified on the external plan deposited with the Licensing Authority for the purposes of sale by retail of alcohol and late night refreshment only.

There shall no change to the style of operation of the premises from the existing operation. The existing licensable activities permitted under the current Premises Licence are to be un-amended in terms of type or hours and accordingly boxes a – k have not been completed as they are not to be varied.

For the avoidance of doubt, all licensable activities permitted under the terms of the existing Premises Licence extend to the internal public areas identified outlined in red. The licensable activities to take place in the external areas outlined in red relate to sale by retail of alcohol and provision of late night refreshment only and accordingly boxes l and m have been completed.

Historically these premises were entitled to serve residents 24 hours a day under the usual permitted exemption. This right does not appear to be reflected in the current Licence and therefore as part of the application, we wish to restore the right to serve residents and their bona fide guests including residents in the proposed Premier Inn which is to be constructed on this site 24 hours a day. The premises will close to members of the public 30 minutes beyond standard and non-standard timings. They will however remain open to residents 24 hours a day (as is usual).

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.

Please tick ✓ yes

Provision of regulated entertainment

- 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 for:

- 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

Pl: Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day				Outdoors	
Start	Finish			Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day				Outdoors	
Start	Finish			Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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 (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			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			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 (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		Please give further details here (please read guidance note 3)
Tue					
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)
Thur					
Fri					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 (please read guidance note 5)
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 4)		
Fri					
Sat			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 (please read guidance note 5)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for playing recorded music (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

G

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

H

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

I

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

J

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

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoor
				Outdoor
Mon				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)	
Fri				
Sat			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 (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	✓
Mon	23:00	00:00	Please give further details here (please read guidance note 3) As per the existing Premises Licence	
Tue	23:00	00:00		
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	23:00	00:00		
Fri	23:00	00:00	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 (please read guidance note 5)	
Sat	23:00	00:00		
Sun	23:00	00:00	When the hours for the sale of alcohol are extended hereunder, the hours for this licensable activity are also extended (see box M below)	

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	10:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	✓
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			
				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)	
Non standard timings are to continue to apply as per the existing Premises Licence.					
Further, the premises shall be entitled to supply residents and their bona fide guests, including residents in the proposed Premier Inn with alcohol 24 hours a day.					

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)

None

Hc ; premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The premises shall close for service to the public at 30 minutes after the end of non-standard timings identified in Box M, but shall remain open to residents and their bona fide guests, including residents in the proposed Premier Inn 24 hours a day
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

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

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 15)

I have undertaken my own risk assessment.

No new steps have been identified in relation to the four licensing objectives save as below.

The proposed scheme of works is to upgrade the premises.

The Premises currently utilise the external areas for consumption and it is not anticipated that the inclusion of those areas within the licensed area specifically for sale by retail of alcohol and late night refreshment will adversely affect the licensing objectives.

The request in respect of the residents exemption seeks to restore the rights previously in place for these premises, which do not appear to be reflected in the current premises licence.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed.

c) Public safety

No further risks have been identified which need to be addressed

d) The prevention of public nuisance

No further risks have been identified which need to be addressed

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

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: John Gaunt & Partners

Date: 13th June 2008

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: John Gaunt & Partners

Date:

Capacity: Solicitors

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any) 0114 266 8664	
If you would prefer us to correspond with you by email your email address (optional)	

Sarah Wilson

From: Gary Worsley
Sent: 08 July 2008 16:57
To: Licensing e-mail address
Subject: FW: The Three Bells, Silver St, Hordle

Dear Licensing

Further to my email below, the opening hours for members of the public is for 30 minutes after non standard timings identifies in Box M. In Box M it says that non-standard timings are as per existing premises licence. The existing non-standard timings are as follows:- 'New Years eve 10:00 hours to New Years Day 00:00 hours' thus it would appear that they want 24 hour opening the rest of the time for members of the public.

I don't know if this is an intentional error or an oversight. Would you clarify with them please?

Gary

Gary Worsley
Environmental Health Officer
Environmental Protection

Email: gary.worsley@nfdc.gov.uk
Web: www.newforest.gov.uk
Tel: 023 8028 5274
Fax: 023 8028 5127
Disability Helpline: 01425 656096
Minicom: 023 8028 5416



Think before you print!

From: Gary Worsley
Sent: 08 July 2008 16:50
To: Licensing e-mail address
Subject: The Three Bells, Silver St, Hordle

Dear Licensing

Further to my conversation with Sarah earlier this afternoon, I have spoken to Mrs Hall of little Acorns who lives opposite the pub. We have dealt with complaints so there is a definite history with patrons using the front patio. I am in the process of arranging a site visit to meet with a representative of Whitbread's, but at this stage I am minded to object to food being served externally up to 00:00 hours, but I will clarify this once I have undertaken my visit.

On a different matter concerning the licence, I see they have applied for 00:00 to 24:00 hours opening times with the following caveat:- *'The premises shall close for service to the public at 30 minutes after the end of non-standard timings identified in Box M, but shall remain open to residents and their bonafide guests, including residents in the proposed Premier Inn 24 hours a day.'* This appears that they are applying for public closing time of 00:30 hours 7 days a week. *same as existing licence.*

This does not say when they will be allowed back in again so that it would appear that they would close to the public at 00:30 hours and then reopen again at 00:31 hours.

I was under the impression that outside areas do not need to be licensed for the consumption for alcohol but only for the supply of alcohol and also that residents opening hours and supply of alcohol is not licensed. Would you enlighten me on this please?

Regards

08/07/2008

rah Wilson

From: Gary Worsley
Sent: 10 July 2008 14:59
To:
Cc: Licensing e-mail address
Subject: The Three Bells, Silver Street, Hordle, SO41 0FN
Attachments: Three Bells, LTS, 21.08.06.doc; 2007 Nov 30 LT DPS.pdf; 2007 Nov 30 LT Whitbread.pdf; 2008 Jan LF Whitbread.pdf

Dear Ms Redford

I refer to our earlier conversation regarding an application to vary the premises licence at the above premises.

As discussed, we have received complaints of alleged noise nuisance from the premises as follows:-

1. 18 August 2006 – Noise from very loud music up until midnight. Complainant went to see landlord who was abusive;
2. 15 November 2007 – Noise from music and loud speaker and also people on patio smoking; Fireworks let off at 23:45 hours on 28 November 2007; Noise from patios in front of pub nearly every night from 19:00 to midnight.
3. 03 January 2008 – letter from Julia Landolfi advising the following:-
 - a. *There has been a complete change of management at the site;*
 - b. *The new Management team have been made aware of their responsibilities for preventing Statutory Noise Nuisance occurring and complying with the conditions of the Premises Licence;*
 - c. *The new management have advised me that there are currently no plans to hold further quiz nights;*
 - d. *There will be no amplified music from bands on site in future.*
4. Diary sheets returned back from a complainant and details shown in table below:-

Date	Noted at	Numbers	Characterisation	Location of nuisance
23 Dec 07	21:15		Laughing/joking/general high spirits, shouting and screaming between tables. Screeching tyres as cars leave. Loud music from parked cars.	Front entrance to pub
24 Dec 07	22:00	15-20 people	As above	Front entrance to pub
26 Dec 07	18:00 20:00 21:00 22:00 23:00	10-15 people 2-4 people 10-12 people 1-2 people 10-15 people		Front entrance to pub
Other days since 26 Dec 07 (excl 31 Dec) through end Jan 08	Evening times various. Estimated more than 50% of evening opening up to 23:00 or later	2-10 people	Various from quiet conversation to loud and boisterous with children jumping from table to table	Front entrance to pub

I have attached correspondence between this office and the pub premises/Whitbread for your information.

As mentioned, I am of the opinion that intensification of the patio areas should be avoided. At present, persons are able to purchase drinks and food at the bar, then take them outside but they are not allowed to

10/07/2008

16

purchase drinks outside. Allowing drinks to be purchased outside will tend to make those areas more attractive to use and thus intensify their use, potentially resulting in more noise disturbance.

Use of the patio areas after 23:00 hours also has the potential to exacerbate the existing noise problems.

I shall discuss my concerns at the meeting with Gary (surname has slipped my mind) of Whitbread at 10:30 hours Friday 11 July 2008 at the above premises and I shall let you know my comments to the Licensing Authority accordingly.

I am led to believe that the Licensing Authority has already received two objections from members of the public regarding noise and disturbance.

Please do not hesitate to contact me should you wish to discuss the matter in further detail.

Regards

*Gary Worsley
Environmental Health Officer
Environmental Protection*

*Email: gary.worsley@nfdc.gov.uk
Web: www.newforest.gov.uk
Tel: 023 8028 5274
Fax: 023 8028 5127
Disability Helpline: 01425 656096
Minicom: 023 8028 5416*



Think before you print!

Mr. P. Stickland
The Three Bells
Silver Street
Hordle
Lymington
SO41 0FN

My Ref: 06/01639/PN24
Your Ref:

21 August 2006

Dear Mr. Stickland

**ENVIRONMENTAL PROTECTION ACT 1990
ALLEGED NOISE NUISANCE FROM LOUD MUSIC AT THE THREE BELLS,
SILVER STREET, HORDLE**

We have received a complaint concerning alleged noise nuisance from your property.

The above Act requires the Local Authority to investigate complaints of this nature. I should stress at this stage that I am acting on details supplied by the complainant. If you have been incorrectly identified as the person responsible, then please accept my apologies and kindly let me know.

However, if you feel there may be some justification in the complaint, then I should be grateful if you would consider the matter and ways in which the situation may be improved.

In particular it is alleged that music at the premises was played at such a volume on Thursday 17 August 2006 that it was clearly audible inside neighbouring properties until midnight. I would remind you that Condition 4 of Annex 3 on your licence reference 822 states that 'At all times after 23.00hrs, music and noise emanating from the premises shall be inaudible at the boundary of all noise sensitive premises as marked on the plan that will be attached to the licence.' In addition, under the above legislation, where nuisance occurs or is likely to occur, a Local Authority can serve an Abatement Notice. Contravention of such a Notice could then result in prosecution in the Magistrates Court and/or confiscation of your noise making equipment.

As part of its investigation, the Local Authority may require the complainant(s) to complete diary sheets. If appropriate, Council Officers may also undertake monitoring of your premises to substantiate the complaint.

Your co-operation would be much appreciated and should you require any further information, please do not hesitate to contact me.

Yours sincerely

Miss F. Harris
Environmental Health Technician
Environmental Protection

Tel: 023 80285593
Fax: 023 80285127
Email: fiona.harris@nfdc.gov.uk

The Designated Premises Supervisor
The Three Bells
Silver Street
Hordle
Lymington
Hampshire
SO41 0FN

Our Ref: EPNSE/07/09827
Your Ref:

30 November 2007

Dear Sir/Madam

**ENVIRONMENTAL PROTECTION ACT 1990
LICENSING ACT 2003**

**Alleged Noise Nuisance from Amplified Music, Amplified Voice and the Use of the
Front Patio at The Three Bells, Silver Street, Hordle, Lymington**

Further to a letter to Mr Paul Stickland (DPS) on 21 August 2006, we are continuing to receive complaints concerning alleged noise nuisance from your premises.

These complaints allege that fireworks were let off at the pub at 23:45 hours on 28 November 2007, on Tuesdays the quizmaster is audible in the complainant's property and the noise from people using the front patio every day between the hours of 19:00 and after midnight is unbearable.

The above Act requires the Local Authority to investigate complaints of this nature. I should stress at this stage that I am acting on details supplied by the complainant. If you have been incorrectly identified as the person responsible, then please accept my apologies and kindly let me know.

However, if you feel there may be some justification in the complaint, then I should be grateful if you would consider the matter and ways in which the situation may be improved.

Please note, that under the above legislation, where nuisance occurs or is likely to occur, a Local Authority can serve an Abatement Notice. Contravention of such a Notice could then result in prosecution in the Magistrates Court and/or confiscation of your noise making equipment.

As part of its investigation, the Local Authority may require the complainant(s) to complete diary sheets. If appropriate, Council Officers may also undertake monitoring of your premises to substantiate the complaint.

I must also draw your attention to the requirement of your Premises Licence issued under the Licensing Act 2003 where it requires '*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 as marked on the plan that will be attached to the licence*'.

Also '*at all times prior to 23:00 hours, music emanating from the premises will be kept to a volume that is acceptable to the residents of nearby noise sensitive premises as marked on the plan that will be attached to the licence*'.

(Continued overleaf...)

Your co-operation would be much appreciated and should you require any further information, please do not hesitate to contact me.

Yours faithfully

Gary Worsley
Environmental Health Officer
Environmental Protection

Tel: 023 8028 5274
Fax: 023 8028 5127
Email: gary.worsley@nfdc.gov.uk

CC: Mr T Hetherington, Licensing Officer, Appletree Court, New Forest District Council, Lyndhurst, Hampshire, SO43 7PA

Whitbread Group PLC, Whitbread House, Parkstreet West, Luton, Bedfordshire, LU1 3BG

Whitbread Group Ltd
Whitbread House Plc
Parkstreet West
Luton
Bedfordshire
LU1 3BG

Our Ref: EPNSE/07/09827
Your Ref:

30 November 2007

Dear Sir/Madam

**ENVIRONMENTAL PROTECTION ACT 1990
LICENSING ACT 2003**

**Alleged Noise Nuisance from Amplified Music, Amplified Voice and the Use of the
Front Patio at The Three Bells, Silver Street, Hordle, Lymington**

Please be advised that I am dealing with noise complaints at the above premises that I am led to believe are owned and licensed by your company.

I have attached a copy of a letter sent to the Designated Premises Supervisor at the premises.

I also understand that the landlord/manager at the premises has recently changed. I would appreciate it if you would advise the new person(s) of their responsibilities for preventing Statutory Noise Nuisance occurring and also the conditions of the Premises Licence.

Also, if the allegations are correct then you should also be aware of your responsibilities to prevent Statutory Nuisance occurring and complying with the conditions of the Premises Licence.

Please do not hesitate to contact me should you wish to discuss the matter further.

Yours faithfully

Gary Worsley
Environmental Health Officer
Environmental Protection

Tel: 023 8028 5274
Fax: 023 8028 5127
Email: gary.worsley@nfdc.gov.uk

CC: Mr T Hetherington, Licensing Officer, New Forest District Council, Appletree Court, Lyndhurst, Hampshire, SO43 7PA

Gary Worsley
Environmental Health Officer
Environmental Protection
Appletree Court
Lyndhurst
Hampshire
SO43 7PA

3 January 2008

Dear Mr Worsley,

**ENVIRONMENTAL PROTECTION ACT 1990
LICENCING ACT 2003**

Alleged Noise Nuisance from Amplified Music, Amplified Voice and the Use of the Front Patio at The Three Bells, Silver Street, Hordle, Lymington.

With reference to your letter of the 30 November 2007, regarding noise at this site, Site Management have confirmed to me the following:

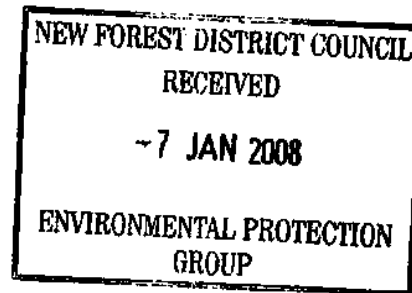
- There has been a complete change of Management at the site.
- The new Management team have been made aware of their responsibilities for preventing Statutory Noise Nuisance occurring and complying with the conditions of the Premises Licence.
- The new management team have advised me that there are currently no plans to hold further quiz nights.
- There will be no amplified music from bands on site in future.

I trust the above is satisfactory.

Julia Landolfi
Area Safety and Security Manager.

c.c. Trudi Murphy - General Manager
Gordon England - Operations manager

Whitbread[®]
Welcome with a smile



Whitbread Group PLC
Oakley House
Oakley Road
Luton
Bedfordshire LU4 9QH

T 01582 49 94 99
F 01582 49 92 40
www.whitbread.co.uk

Whitbread Group PLC is a company registered in England and Wales No. 20423
Registered Office: 100 Brook Hill Drive, Brook Hill Avenue, Boreham, Bedfordshire LU5 5NE



* Objection - EH Pollution with Proposed Conditions

Sarah Wilson

From: Gary Worsley
Sent: 14 July 2008 14:30
To: Licensing e-mail address
Cc:
Subject: RE: The Three Bells, Silver St, Hordle
Attachments: 094011 - Three Bells, Hordle.doc

Dear Licensing

To clarify, please find an amendment to my earlier comments. This is shown underlined in bold red.

Regards

Gary Worsley
Environmental Health Officer
Environmental Protection

Email: gary.worsley@nfdc.gov.uk
Web: www.newforest.gov.uk
Tel: 023 8028 5274
Fax: 023 8028 5127
Disability Helpline: 01425 656096
Minicom: 023 8028 5416

 Think before you print!

From: Gary Worsley
Sent: 14 July 2008 13:53
To: Licensing e-mail address
Cc:
Subject: The Three Bells, Silver St, Hordle

Dear Licensing

My comments are attached concerning the above premises.

Please do not hesitate to contact me should you wish to discuss the matter in further detail, however, I shall be out of the office between 15-17 July 2008, returning on Friday 18 July 2008.

Regards

Gary Worsley
Environmental Health Officer
Environmental Protection

Email: gary.worsley@nfdc.gov.uk
Web: www.newforest.gov.uk
Tel: 023 8028 5274
Fax: 023 8028 5127
Disability Helpline: 01425 656096
Minicom: 023 8028 5416

To:	All Responsible Authorities under the Licensing Act 2003
Our Ref:	SW\PREM\VAR\06-2008\1550\Three Bells (Hordle)
Date:	18 Jun 2008
Application Type:	Premises - Variation of Licence
Premise Details: (If Relevant)	Three Bells (Hordle) Silver Street Hordle Lymington Hampshire SO41 0FN
Applicant Details:	Whitbread Group plc Whitbread Court Houghton Hall Business Park Porz Avenue Dunstable Bedfordshire LU5 5XE

LICENSING ACT 2003

CONSULTATION

I should be pleased if you will assess the application and, if after due consideration, you wish to make representation you must advise the Council of the details of that representation by no later than 17/07/2008.

If we do not hear from you by that date we will assume you do not wish to offer a representation and continue with the licence application process.

PLANNING AUTHORITIES PLEASE NOTE

Inevitably there will be occasions when NFPA Development Control receive applications which should have been sent to NFDC Planning, and visa versa. In these instances on receipt of applications would both authorities quickly identify these applications and send them to the correct planning authority by way of the fastest possible means.

<p>Response:</p> <p>Dear Licensing</p> <p>Thank you for consulting the Environmental Protection team with the variation application at the above premises.</p> <p>I have the following comments to make.</p> <p>1. Late Night Refreshment</p> <p>I am objecting to this request as I believe that this will intensify the use of the front and side patio areas and will disturb the residents across Silver Street.</p> <p>I have no problem with internal Late Night Refreshment provision as per existing, but to clarify whether food could be consumed externally after 23:00 hours, I would like a condition that 'no food to be consumed externally after 23:00 hours'.</p>
--

2. Supply of Alcohol

I have concerns that this will also provide intensification to the front and side patio areas. I am objecting to this provision unless the applicant offers the following additional conditions with the latter to replace condition 5 of the existing license:-

- i Provide clear and legible notices displayed at exits and other circulatory areas requesting patrons to leave the premises quietly, having regard to the needs of local residents, in particular emphasising the need to refrain from :
 - a. Shouting;
 - b. Slamming car doors;
 - c. Playing car radios loudly; and
 - d. Sounding car horns;
- ii No alcohol shall be consumed externally after 23:00 hours;
- iii 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, musical instruments and any bass beat cannot be recognised at the boundary of the nearest noise sensitive property;

Also, it was noted during a meeting with Gary Botrill, Whitbread Project Leader, that they may offer a 3 month review. However I do not feel this necessary as if there is a problem with the premises due to noise, then we have the ability to call the licence in for review.

Please do not hesitate to contact me should you wish to discuss the matter in further detail.

Regards

Gary Worsley
Environmental Health Officer
Environmental Protection

Email: gary.worsley@nfdc.gov.uk

Web: www.newforest.gov.uk

Tel: 023 8028 5274

Fax: 023 8028 5127

Disability Helpline: 01425 656086

Minicom: 023 8028 5410

Sarah Wilson

From: Mrs Ross Hall
Sent: 08 July 2008 16:28
To: Licensing e-mail address
Cc: Cllr Andrew Tinsley;
Subject: Ref Licensing Application by Whitbread.'

Dear Sirs,

Reference to the Licensing Application by Whitbread PLC. For The Three Bells, Silver St. Hordle. Lymington Hants Application made 21st June 2008.

I wish to register a strong objection to the above application on the following grounds.

1 The smoking area instituted since the smoking ban in public buildings has been the source of totally unacceptable noise which travels across the road and is incredibly intrusive affecting the quality of my life and my health.

2 There is a great deal of documentation and history on your files regarding the noise nuisance. Gary Worsley (Environment & Health Department) has been kept fully in the picture and at his request I kept a diary, a copy of which was sent to him and also to Hordle Parish Council.

3 I understand that on the occasion of a previous licensing hearing that it was made clear to the company that noise made which could be audible within the boundaries of houses opposite the pub was not allowable .

4. The noise is compounded by drivers who, observing people in that area making a noise, toot their horns and the smokers reply by shouting at them.

5 At a meeting with Graham England (Whitbread Southern regional manager Andy and Sue Pitt-Pladdy and I suggested that it surely could be possible to move the smoking area making the front of the pub an attractive entrance for diners and residents for the Quality Inn.

Please may we have some consideration for neighbours so that GOOD RELATIONS CAN BE MAINTAINED.

Yours faithfully,

Ross E. Hall. (Mrs)

Cllr Andrew Tinsley

From: Mrs Ross Hall
To: Licensing e-mail address
Cc: Cllr Andrew Tinsley;
Subject: Ref Licensing Application by Whitbread.
Attachments:

Sent: Tue 08/07/2008 16:28

Dear Sirs,

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└ At a meeting with Graham England (Whitbread Southern regional manager Andy and Sue Pitt-Pladdy and I suggested that it surely could be possible to move the smoking area making the front of the pub an attractive entrance for diners and residents for the Quality Inn.

Please may we have some consideration for neighbours so that **GOOD RELATIONS CAN BE MAINTAINED.**

Yours faithfully,

Ross E. Hall. (Mrs)

Sarah Wilson

From:
Sent: 08 July 2008 23:47
To: Licensing e-mail address
Cc:
Subject: Three Bells License variation application

Application to Vary License – Three Bells Public House, Silver Street, Hordle SO41 0FN

We wish to submit our most strong objection to the recently submitted application to vary the license for the above property, on the following grounds:-

1. The noise nuisance level currently emanating from the outside drinking area at the front of the premises has significantly increased since the introduction of the smoking ban. Evidence of this nuisance has been submitted and is on file in your environmental health department. At times groups of upwards of 30 people gather outside, late at night and generate large amounts of sleep disturbing noise which can go on until the early hours. (Public Nuisance)
2. The existing condition of inaudible noise levels after 23.00 hours is rarely if not impossible to be kept when large groups congregate outside at the front of the premises. (Public Nuisance).
3. On occasions, there have been fights and other altercations late at night. Police have been called on such occasions and they should have records of such call outs. (Crime & Disorder)
4. With the re-introduction of 24 hour service for hotel residents – and a non licensed accommodation block, there is increased likelihood of even more disturbance from the premises – particularly for smoking patrons. (Public Nuisance)
5. The scope of service on the front patio/smoking area – the major source of nuisance to neighbours – is planned to increase from simple consumption of alcohol to the 'Sale by retail of alcohol and late night refreshment' is bound also to increase the unacceptable noise nuisance. (Public Nuisance)
6. The expressed ambition of Whitbread plc to 'upscale' the style and quality of the premises (an ambition that local neighbour residents support) and thus overcome previous noise nuisance problems will be made much more difficult if not impossible if this application is approved.

This application to vary the license in the manner contemplated, in conjunction with the development of the hotel accommodation block, shows a complete and cynical disregard for the interests of local residents, who have previously expressed their concerns and suggested other layout alternatives which would satisfy/mediate those concerns in a most positive manner to Whitbread Plc senior executives.

Yours faithfully

Sue & Andy Pitt-Pladdy
Sandleheath
Silver Street
Hordle
Lymington SO41 0FN

Sarah Wilson

From: [redacted]
Sent: 05 July 2008 10:47
To: Licensing e-mail address
Cc: [redacted]
Subject: Application for license variation for Three Bells, Hordle

Hello

We understand that Whitbread Group Plc have applied to have their Premises Licence for the Three Bells at Silver Street varied. Comments on the variation application have to be with the NFDC by the end of this coming week.

It is only by happy accident that as close neighbours we have only just discovered existence of the application. Was it only publicised for in the A&T? Were immediate neighbours not considered for direct communication?

We take a close interest in the developments at the Three Bells and would wish to comment on the application but now have little time to do so. We have consulted to NFDC website as indicated in the notice in the A&T of the 21st June, but can find neither the submitted application nor the 'particularised drawing' referred to in the notice.

Could you please indicate where on your website we can gain access to the application and associated drawings, or if these are not available on the site, please attach them to a an urgent reply (all) to this email.

Thanks and regards

Sue & Andy Pitt-Pladdy
Sandleheath
Silver Street
Hordle
Lymington SO41 0FN

Sarah Wilson

From: Ivor Spreadbury
Sent: 09 July 2008 10:33
To: Licensing e-mail address
Cc: .
Subject: Three Bells License variation application

Application to Vary License - Three Bells Public House, Silver Street, Hordle SO41 0FN

We wish to raise an objection to the recently submitted license variation of the Three Bells Public House, Silver Street, Hordle.

You will be aware no doubt of the complete disregard for local residents' concerns when the Planning Application was approved for the hotel at the Three Bells Public House. You will have copies of correspondence regarding our concerns about the noise and smoking areas which the Planning Application did not address. I was reliably informed by your planners that this was not a Planning Application concern but a Licensing concern. Our objection remains the same; the noise levels will increase as a result of the no smoking ban in public houses and, as a result of this ban, the customers at the Three Bells Public House come to the front of the premises to smoke and create noise, which is totally unacceptable to the residents who live opposite this public house.

I mentioned in my letter to you that it would be advantageous that all concerned parties should meet so that all areas of concern could be discussed and agreed by all before commencement of this particular project. Sadly this did not happen and we are now facing additional problems like variations to license. I have been extremely disappointed in the way this application has been dealt with, not only by NFDC in their inability to bring departments together before agreeing mutual development paths, but also by Whitbread who seem to totally ignore the wishes of the adjoining residents. I am therefore left with no alternative but to object to the license variation in the strongest terms and I would also wish to draw your attention to the letters of communication which your Licensing Department have sent to the residents concerning the management of the license at the premises, and the replies that have been sent to you.

Yours faithfully,

Kay and Ivor Spreadbury,
"Merbury House",
Vaggs Lane,
Hordle,
Lymington,
Hampshire,
SO41 0FP.

ah Wilson

From: Katharine O'Callaghan
Sent: 10 July 2008 15:43
To: Licensing e-mail address
Cc:
Subject: Objection to Three Bells License variation application - Three Silver Street, Hordle, Lymington, SO41 0FN

Dear Sarah,

We would like to raise an objection to the Three Bells License variation application under the headings of Prevention of Public Nuisance and Prevention of Crime and Disorder.

There has been an ongoing problem since the smoking ban was introduced regarding the levels of noise in the patio area outside the Three Bells, which has been very well documented. This noise can occur both during the day and late at night which has an immediate impact on the surrounding residents. I have a 22 month old who is regularly woken up by noise from customers drinking, swearing and shouting outside the pub, in particular large groups of people. The noise from the cars screeching off and beeping their horns at other customers is also very intrusive. There have been various incidents and altercations at the pub in the last few months involving the police which I'm sure the police will have records of. This is especially concerning for all living close by, especially those with young children.

We did not object to the proposal of the Premier Inn when Whitbread made the application but we did highlight our concerns regarding the noise levels outside the pub. We were given to understand that the current smoking area would be moved to the side of the building where there would be less impact on the immediate neighbours. It appears that our one request has been completely disregarded and that now, there are plans not only to maintain the area outside the pub but to increase this and to start serving food and allowing 24 hour drinking 'sale by retail of alcohol and late night refreshment' to 'hotel residents, their bona fide guests and occupiers of the premises'. As the accommodation block will not be licensed, this will mean that any residents wanting to drink will be doing so at the front of the building, in order not to disturb the hotel guests!

Understandably, I think you'll agree, we are all bitterly disappointed with this as there seems to be a complete disregard from Whitbread for the local residents. If the Premier Inn were located in a less residential area, this would not be such a big problem but this is a semi-rural village and at least five nearby households are affected by the noise. I was told by a Whitbread representative that the company was committed to working closely with local residents to ensure that all parties are happy and to maintain good relations but it appears that this is not the case. As a Public Relations consultant in the wine and spirit business, I understand how important it is to maintain good relations and I am very surprised that a company such as Whitbread is not doing more to work with the local residents, rather than risk completely alienating them.

We would definitely like to attend the hearing in October, together with our neighbours, in order to discuss this matter further but in the meantime, we would be grateful if you could make our views known.

I would just like to add that the only reason any of the immediate neighbours to the Three Bells were aware of this latest application was because someone alerted us to it in the local newspaper. I believe that the Three Bells was legally obliged to put up a notice for 28 days to inform us of their application but this did not happen - at least, if it did, it was placed in a location where none of us could see it. As the whole place is a building site at the moment, it be difficult to spot a small notice.

We look forward to hearing from you.

Regards,

Katharine & Andrew O'Callaghan
 Three Silver Street (previously known as 'Alja')
 Hordle
 Lymington
 Hampshire

10/07/2008

Sarah Wilson

From: -
Sent: 11 July 2008 07:58
To: Licensing e-mail address
Cc:
Subject: Objection to Three Bells Licence variation application - Silver Street, Hordle

Dear Sir

I would like to object in the strongest possible terms to the Three Bells licence variation application, together with the proposed alterations to the external layout to the front and side of the property. The grounds for objection are under the headings of Prevention of Public Nuisance (noise and disturbance) and Prevention of Crime and Disorder (public order altercations).

Since the imposition of the smoking ban inside public houses, the noise level outside the building to the front has increased to an unacceptable level on a regular basis, predominantly in the evening without any due consideration to the residents opposite. On several occasions either my 14 year old son or 11 year old daughter (sometimes both) have complained about the shouting outside or the noise of glasses waking them up or preventing them from sleeping (Public Nuisance). To cater for the groups of people who choose to sit outside for the duration of their visit to the pub the light pollution is now highly invasive (Public Nuisance). Families who visit often leave their children outside and many times the front area resembles and sounds like a play area (Public Nuisance). I even have had cause to complain about customers playing guitars and singing outside (Public Nuisance). The use of the patio area is now having a detrimental effect on family life in my garden and inside my home and scant regard is paid by Whitbread to keep this in check.

Towards the end of an evening it is now common place to hear cars sounding horns at the gathering patrons outside and for them to shout back - the foulness and content of the language is often testament to the quantity of alcohol consumed. Noisy altercations between customers leaving are very much on the increase as are visits by the police (Crime and Disorder).

Extending the patio area across the front of the pub and down to the side will only lead to an increase in all of the above in my view and disturb yet more households. If Whitbread's stated aim of keeping local residents on side had any credence why wasn't the beer garden to the rear made more use of in the wider development plans of the site? A realistic answer is that increased traffic in this area would undoubtedly impact on fee paying guests who obviously have a higher standing than village residents so therefore the problem is given to us. I cannot recollect ever being consulted on the constructing of the original patio or given any forum to express my views. This however, now appears to be standard Whitbread operating procedure. One of the licensing conditions is that the front door and windows are to be kept closed to minimise noise disturbance (Public Nuisance) - the door is permanently hooked open and I make a point to unhook it whenever I visit - another example as to the lack of consideration of the brewery.

As to my objections to the licence variation all of the points above remain valid. External front and side areas licensed for late night refreshment with a request for 24 hour a day consumption by residents whose residence remains unlicensed (where will these residents smoke?) is a calculated and devious way of maximising quiet to the rear - at locals' expense, again. If the interior layout of the pub reflected a genuine concern for the local community then the main serving area would be to the middle or rear of the building and provision provided for the smokers to exit to the very rear. A rear smoking patio area has always been proposed by locals.

'Residents and their bona fide guests' - under the requested variation does this mean that a party can

book a couple of rooms for the night and then throw a function for 50 invited friends to legitimately drink until dawn? It appears so.

I urge you to put the rights and requests of local village residents above those of a large corporate organisation keen to maximise profits without due thought to those same locals that it claims it wishes to work with and care about. Our views should always be of the highest priority in Whitebread's eyes.

I look forward to expressing my views in person to you later this year.

Yours Faithfully

Doug and Nicki Steers
De La Warr
Silver Street
Hordle
Lymington
SO41 0FN

Licensing Act 2003

Premises Licence

Issued under Section 125 of the above Act

Premises Licence Number	1165
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Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
Three Bells (Hordle) Silver Street Hordle Lymington Hampshire SO41 0FN	Map Ref (E): Map Ref (N): UPRN:
Telephone Number: 01425 610265 (premises)	

Where the licence is time limited the dates
This licence is NOT time limited

Licensable activities authorised by the licence
<ul style="list-style-type: none"> B) Films C) Indoor Sporting Events E) Performance of Live Music F) Recorded Music G) Performance of Dance I) Provision of Facilities of Making Music L) Late Night Refreshment M) Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Films			Exhibition of films may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
			Seasonal variations:		
Thur	10:00	00:00			
Fri	10:00	00:00			
			Non standard timings:		
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.		
Sun	10:00	00:00			



Disability Helpline
01425 656096

Minicom/Text: 023 8028 5416

Indoor Sporting Events			
Day	Start	Finish	Further details:
Mon	10:00	00:00	
Tue	10:00	00:00	
Wed	10:00	00:00	
			Seasonal variations:
Thur	10:00	00:00	
Fri	10:00	00:00	
			Non standard timings:
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.
Sun	10:00	00:00	

Live Music				Performance of live music may take place:	Indoors	Y
					Outdoors	
					Both	
Day	Start	Finish	Further details:			
Mon	10:00	00:00	Live music is not provided as a standard operating procedure. The application to include live music is made to permit only occasional provision and would be an ancillary activity. Any amplification would be an ancillary activity. Any amplification would be controlled by management systems.			
Tue	10:00	00:00				
Wed	10:00	00:00				
			Seasonal variations:			
Thur	10:00	00:00				
Fri	10:00	00:00				
			Non standard timings:			
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.			
Sun	10:00	00:00				

Recorded Music				Playing of recorded music may take place:	Indoors	Y
					Outdoors	
					Both	
Day	Start	Finish	Further details:			
Mon	10:00	00:00	Background music normally is only provided. Recorded music, including jukebox, with our without a DJ, during normal business hours or as part of functions and including audience participation will only be provided occasionally.			
Tue	10:00	00:00				
Wed	10:00	00:00				
			Seasonal variations:			
Thur	10:00	00:00				
Fri	10:00	00:00				
			Non standard timings:			
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.			
Sun	10:00	00:00				

Performance of Dance			Performance of dance may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details:		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00	Seasonal variations:		
Fri	10:00	00:00			
Sat	10:00	00:00	Non standard timings:		
Sun	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.		

Facilities for making Music			Description of the facilities for making music you will be providing: Normal facilities for making music will be on offer as conveniently available and as appropriate for this type of venue.		
			This entertainment will take place:	Indoor	Y
				Outdoor	
				Both	
Day	Start	Finish	Further details:		
Mon	10:00	00:00	To be used as and when required at any time when the premises are open for the sale of alcohol and will be under the control of the management.		
Tue	10:00	00:00			
Wed	10:00	00:00	Seasonal variations:		
Thur	10:00	00:00			
Fri	10:00	00:00	Non standard timings:		
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.		
Sun	10:00	00:00			

Late Night Refreshment					
Day	Start	Finish	Late Night Refreshment may take place:	Indoor	Y
Mon	23:00	00:00		Outdoor	
				Both	
Tue	23:00	00:00	Further details:		
Wed	23:00	00:00	To allow the provision of food and hot drinks for consumption on the premises at the managers discretion.		
Thur	23:00	00:00	Seasonal variations:		
Fri	23:00	00:00			
Sat	23:00	00:00	Non Standard timings:		
Sun	23:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.		

Supply of Alcohol			
Day	Start	Finish	Seasonal variations:
Mon	10:00	00:00	
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
			Non standard timings:
Fri	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.
Sat	10:00	00:00	
Sun	10:00	00:00	

The opening hours of the premises

Opening Hours			
Day	Start	Finish	Seasonal variations:
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
			Non standard timings:
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	10:00	00:30	

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies
Alcohol is supplied for consumption both ON and OFF the premises

Part 2

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

Whitbread Group plc
Whitbread Court
Houghton Hall Business Park
Porz Avenue
Dunstable
Bedfordshire
LU5 5XE

Telephone: 01582 424200

Email:

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

29423

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

rudy Murphy
Three Bells
Silver Street
Hordle
Lymington
Hampshire
SO41 0FN

Telephone:

Email:

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

Personal licence number: NDEVPA1052

Issuing authority: North Devon District Council

This licence is granted by New Forest District Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Date licence issued: 03/12/2007

Date first licence came into force: 24/11/2005

M Powell

CCTV & Licensing Manager
(Authorised Officer)

Annex 1 - Mandatory Conditions

Where licence authorises supply of alcohol:

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

Where the licence authorises exhibition of films:

- (1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where:
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section:

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Where licence authorises door supervision:

- (1) Each individual at the premises to carry out a security activity must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires this condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section:
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions consistent with the Operating Schedule

Additional steps proposed by the applicant in order to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

The types of regulated entertainment proposed materially do no more than reinstated the normal pub entertainment that was previously unregulated .

Applicant states that no new steps have been identified in relation to the four licensing objectives save as below:

b) The prevention of crime and disorder

Applicant states no further risks have been identified which need to be addressed.

Under the present licensing regime the premises already are able to open until 00:30hrs.

c) Public Safety

Applicant states no further risks have been identified which need to be addressed.

d) The prevention of public nuisance

Applicant states no further risks have been identified which need to be addressed.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

Annex 3 - Conditions attached after a hearing by the licensing authority

1. There shall be a maximum of 15 events involving live music in any single calendar year.
2. Notices shall be displayed in prominent positions within and outside the premises requiring patrons to leave quietly and respect local residents.
3. 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.
4. At all times after 23:00hrs, music and noise emanating from the premises shall be inaudible at the boundary of all noise sensitive* premises as marked on the plan that will be attached to the licence.
5. At all times prior to 23:00hrs, music emanating from the premises will be kept to a volume that is acceptable to the residents of nearby noise sensitive* premises, as marked on the plan that will be attached to the licence.

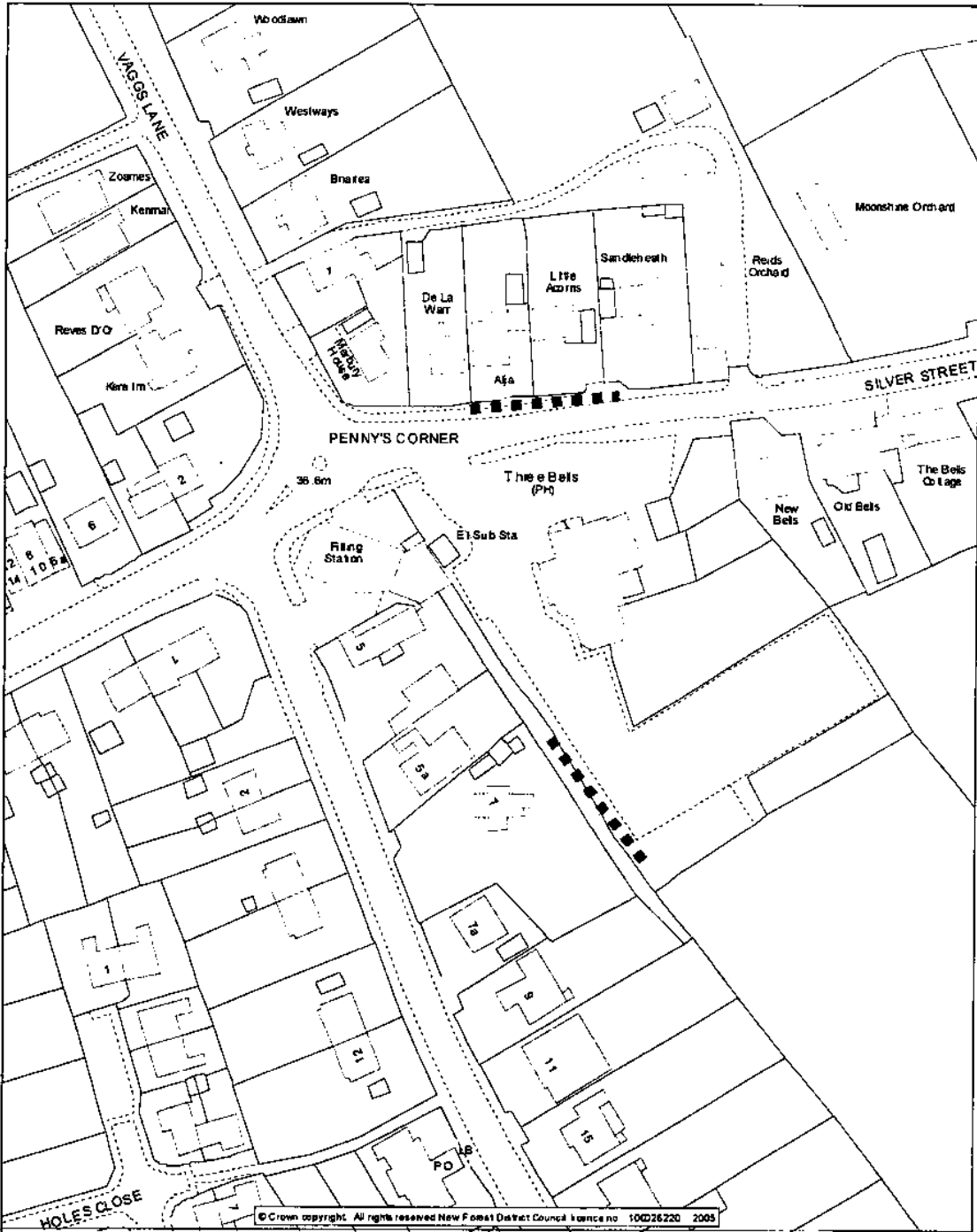
For the purposes of conditions 2 and 3 above, noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purpose likely to be affected by the music noise.


Annex 4 - Plans

This licence permits the licensable activities stated at the premises addressed above in accordance with the plan(s) attached (to follow).

Plan of Premises	
Plan/Drawing No:	98/29/03/A
Date of Plan:	December 1998

Noise Condition Plan
 Three Bells, Silver Street, Hordle, Lymington, Hampshire, SO41 0FN



 New Forest DISTRICT COUNCIL Annie Righton ASSISTANT DIRECTOR	Environmental Health Services New Forest District Council Appletree Court Lyndhurst Hants SO43 7PA Tel (023) 80285000	Title
	Date 18/08/05	(Empty space)

Premises Licence Summary

Issued under Section 125 of the above Act

Premises Licence Number	1165
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Premises details

Postal address of premises, or if none, ordnance survey map reference or description	
Three Bells (Hordle) Silver Street Hordle Lymington Hampshire SO41 0FN	Map Ref (E): Map Ref (N): UPRN:
Telephone Number: 01425 610265 (premises)	

Where the licence is time limited the dates
This licence is NOT time limited

Licensable activities authorised by the licence
B) Films C) Indoor Sporting Events E) Performance of Live Music F) Recorded Music G) Performance of Dance I) Provision of Facilities of Making Music L) Late Night Refreshment M) Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Films			Exhibition of films may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details:		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
			Seasonal variations:		
Thur	10:00	00:00			
Fri	10:00	00:00			
			Non standard timings:		
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.		
Sun	10:00	00:00			



Indoor Sporting Events			
Day	Start	Finish	Further details:
Mon	10:00	00:00	
Tue	10:00	00:00	
Wed	10:00	00:00	
			Seasonal variations:
Thur	10:00	00:00	
Fri	10:00	00:00	
			Non standard timings:
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.
Sun	10:00	00:00	

Live Music		Performance of live music may take place:		Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details:		
Mon	10:00	00:00	Live music is not provided as a standard operating procedure. The application to include live music is made to permit only occasional provision and would be an ancillary activity. Any amplification would be an ancillary activity. Any amplification would be controlled by management systems.		
Tue	10:00	00:00			
Wed	10:00	00:00			
			Seasonal variations:		
Thur	10:00	00:00			
Fri	10:00	00:00			
			Non standard timings:		
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.		
Sun	10:00	00:00			

Recorded Music		Playing of recorded music may take place:		Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details:		
Mon	10:00	00:00	Background music normally is only provided. Recorded music, including jukebox, with or without a DJ, during normal business hours or as part of functions and including audience participation will only be provided occasionally.		
Tue	10:00	00:00			
Wed	10:00	00:00			
			Seasonal variations:		
Thur	10:00	00:00			
Fri	10:00	00:00			
			Non standard timings:		
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.		
Sun	10:00	00:00			

Performance of Dance			Performance of dance may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details:		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
			Seasonal variations:		
Thur	10:00	00:00			
Fri	10:00	00:00			
			Non standard timings:		
Sat	10:00	00:00	New Years Eve 10:00hrs to New Years Day 00:00hrs.		
Sun	10:00	00:00			

Facilities for making Music			Description of the facilities for making music you will be providing: Normal facilities for making music will be on offer as conveniently available and as appropriate for this type of venue.		
			This entertainment will take place:	Indoor	Y
				Outdoor	
				Both	
Day	Start	Finish	Further details:		
Mon	10:00	00:00	To be used as and when required at any time when the premises are open for the sale of alcohol and will be under the control of the management.		
Tue	10:00	00:00			
Wed	10:00	00:00	Seasonal variations:		
Thur	10:00	00:00			
Fri	10:00	00:00	Non standard timings:		
			New Years Eve 10:00hrs to New Years Day 00:00hrs.		
Sat	10:00	00:00			
Sun	10:00	00:00			

Late Night Refreshment					
Day	Start	Finish	Late Night Refreshment may take place:	Indoor	Y
Mon	23:00	00:00		Outdoor	
				Both	
Tue	23:00	00:00	Further details:		
			To allow the provision of food and hot drinks for consumption on the premises at the managers discretion.		
Wed	23:00	00:00			
Thur	23:00	00:00	Seasonal variations:		
Fri	23:00	00:00			
Sat	23:00	00:00	Non Standard timings:		
			New Years Eve 10:00hrs to New Years Day 00:00hrs.		
Sun	23:00	00:00			

Supply of Alcohol			
Day	Start	Finish	Seasonal variations:
Mon	10:00	00:00	
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
Fri	10:00	00:00	Non standard timings: New Years Eve 10:00hrs to New Years Day 00:00hrs.
Sat	10:00	00:00	
Sun	10:00	00:00	

The opening hours of the premises

Opening Hours			
Day	Start	Finish	Seasonal variations:
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	00:30	Non standard timings:
Sat	10:00	00:30	
Sun	10:00	00:30	

Where the licence authorises supplies of alcohol whether these are on and / or off supplies
Alcohol is supplied for consumption both ON and OFF the premises

Name, (registered) address of holder of premises licence

Whitbread Group plc
Whitbread Court
Houghton Hall Business Park
Porz Avenue
Dunstable
Bedfordshire
LU5 5XE

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

29423

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Trudy Murphy

State whether access to the premises by children is restricted or prohibited

Not Restricted

Melanie Stephens

From: Sarah Wilson
Sent: 08 August 2008 15:52
To: Andy Rogers
Cc: Melanie Stephens; Martyn Powell
Subject: FW: THREE BELLS, LYMINGTON - HEARING: 12TH AUGUST 2008

Hi Andy.

Please see confirmation requesting an adjournment period of up to 2 months from John Gaunt Solicitors relating to the hearing for the above premises.

Regards

Sarah

Sarah Wilson

Licensing Assistant
Tel: 023 80 285293
Fax: 023 80 285596
Email: sarah.wilson@nfdc.gov.uk

From: Elaine Ibbotson [mailto:EIbbotson@john-gaunt.co.uk] **On Behalf Of** Michelle Hazlewood
Sent: 08 August 2008 15:48
To: Sarah Wilson
Subject: THREE BELLS, LYMINGTON - HEARING: 12TH AUGUST 2008

Dear Sirs,

We refer to the lengthy but beneficial meeting undertaken with the residents on the 7th August. As a result of those discussions, it is considered that various issues have been resolved but other matters remain outstanding which require further consideration and exploration with regard to potential remedies.

We would therefore be grateful if the hearing date could be adjourned for a period of up to 2 months so as to provide time for this to be undertaken and a mediation to occur between the parties.

Should you have any queries with regard to this request, we would be grateful if you would contact our Miss Hazlewood.

Yours faithfully

Michelle Hazlewood
John Gaunt & Partners

Sent by Elaine Ibbotson
Secretary to Michelle Hazlewood

John Gaunt & Partners

Omega Court 372 Cemetery Road Sheffield S11 8FT

Tel: 0114 2668664 Fax.: 0114 2660101/0114 2679613 [glass teams]

24 hour help line - 0114 2663400

Partners: John Gaunt Katharine Redford Tim Shield Michelle Hazlewood

Solicitors regulated by the Solicitors Regulation Authority



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Any unauthorised disclosure of information contained in this communication is strictly prohibited.

Melanie Stephens

From:
Sent: 21 August 2008 18:52
To: Gordon.England@Whitbread.Com; Gary Botterill; Michelle Hazlewood; Gary Worsley; Licensing e-mail address; Melanie Stephens
Cc:
Subject: Three Bells License variation application - Residents comments
Attachments: Objections from Silver Street North side residents 20 Aug 2008.doc

Hello everyone

Since the meeting at our address on the 7th August, we residents on the north side of Silver Street have been working on putting together a short, sharp precise expression of our feelings regarding the variation of license application by Whitbread following construction of the Premier Inn accommodation block, and its implications for us.

The attached word document should not necessarily be considered as a complete statement, although all except the Steers are prepared for it to be circulated. The Steers are away on holiday but we are confident it also reflects their opinions.

We hope that this will enable Whitbread to consider their response to the meeting and also for the NFDC to help us, as non professionals in these matters, navigate through what is undoubtedly a legal and procedural minefield. (Since we believe that there may some planning issues outstanding, could someone in the NFDC forward the attached to Development Control?)

We will all be interested in any responses to our attachment, and assume they will be circulated to everyone.

Thanks to all in advance

Sue & Andy Pitt-Pladdy
Sandleheath
Silver Street
Hordle
Lymington SO41 0FN

Melanie Stephens

From: Katharine O'Callaghan
Sent: 22 August 2008 07:33
To: Andy & Sue Pitt-Pladdy; Gordon.England@Whitbread.Com; Gary Botterill; Michelle Hazlewood; Gary Worsley; Licensing e-mail address; Melanie Stephens
Cc:
Subject: Re: Three Bells License variation application - Residents comments

Just one further point that we all feel very strongly about.

We would like assurances that should the patio remain, it would be used strictly for bona fide diners only, not for casual drinkers and that casual drinkers wanting to smoke would do so in a designated smoking area at the rear of the building.

Thank you.

Katharine & Andrew O'Callaghan
 3 Silver Street

Katharine O'Callaghan (Blackberry)
 Callaghan Communications
 3 Silver Street, Hordle, Lymington, Hampshire, SO41 0FN

From:
Date: Thu, 21 Aug 2008 18:52:12 +0100
To: <Gordon.England@Whitbread.Com>; Gary Botterill<gary.botterill@whitbread.com>; Michelle Hazlewood<mhazlewood@john-gaunt.co.uk>; Gary Worsley<gary.worsley@nfdc.gov.uk>; Martyn Powell<licensing@nfdc.gov.uk>; Mel Stephens<melanie.stephens@nfdc.gov.uk>
CC:

Subject: Three Bells License variation application - Residents comments

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Sue & Andy Pitt-Pladdy
Sandleheath
Silver Street
Hordle
Lymington SO41 0FN

Objections from Silver Street North side residents, to Three Bells application to vary license.

As already offered by Whitbread, after normal closing time (23.30 as is current practice and which should be enshrined in the licence) any service will be only internal to the premises and will be limited to residents who have reserved occupancy within the hotel. e.g where a hotel guest has reserved a family room with two adult and two children capacity, any internal after hours service should be to the benefit of only those persons expected to occupy the room.

Our objections are all about environmental nuisance in a generic sense to do with the patio areas.

1. **Planning.** Ideally, in order to assist in the management of outside eating and drinking, the appropriate area should be to the rear of the premises where any noise nuisance would affect Whitbread's hotel guests and therefore be actively managed.

With current designs, it is local residents who suffer disturbance. It is Whitbread who should be managing any nuisance – not local residents. We believe that the patio may have been constructed approximately two years ago in anticipation of the smoking ban being introduced, but that its planning basis is not clear, particularly as the premises may have lost car parking spaces in the process.

2. **Noise:** Disturbance by noise until late in the night from drinkers and smokers who treat it as a CLUB. Whitbread's current plans to use the patio for more dining covers will certainly exacerbate the noise nuisance.

Noise nuisance from the patio needs to be reduced by:-

- a) Permanent trellis reinforced evergreen screening of an adequate height around the patio.
 - b) Operating hours of the patio should stop no later than 22.30 with last food orders at 21.30.
 - c) Access to the patio to be from inside the premises only except in the situation of emergency.
 - d) Service to the general public for the whole premises to cease at 23.00 and have a closing time of 23.30.
 - e) Provision of later evening 'smoking only' facilities away from the patio towards the rear or side of the premises.
3. **Intrusive lighting/advertising/visibility:** Currently, very intense floodlighting of the patio area is installed together with large gaudy advertising panels and visibility from the patio into front gardens and drives.

To be at an acceptable level, lighting, advertising and visibility of patio users to our properties need to be materially reduced.

See over.....

For & on behalf of:-

Mr. R.A. & Mrs. S.P. Pitt-Pladdy, Sandleheath, Silver Street, Hordle SO41 0FN

Mrs. Ross Hall, Little Acorns, Silver Street, Hordle SO41 0FN

Mr. A. & Mrs. K. O'Callaghan, 3, Silver Street, Hordle, SO41 0FN

Mr. D. & Mrs. N. Steers, De le Warr, Silver Street, Hordle SO41 0FN

Mr. I. & Mrs. K. Spreadbury, Merbury House, Vaggs Lane, Hordle SO41 0FP

20 August 2008

Ms. Melanie Hazlewood
John Gaunt & Partners
Omega Court
372-374 Cemetary Road
Sheffield
S11 8FT



Sandleheath
Silver Street
Hordle
Lymington
Hants.
SO41 0FN

26 August 2008

Dear Melanie

**THREE BELLS, SILVER STREET, HORDLE, LYMINGTON SO41 0FN
RESIDENTS MEETING Thurs. 7th August Sandleheath, SO41 0FN**

I am writing on behalf of the residents of the North Side of Silver Street who attended the meeting at our house on the 7th August. We would all like to express our thanks for you inviting us to the meeting and feel that it was an excellent opportunity for us to express our views and hopefully have them taken into account by Whitbread, going forward. I'm sure that we all also thank you for travelling from Sheffield to meet us locally.

I must emphasise that what you witnessed are the views of mature, experienced local people, who were aware of the Three Bells when they moved to the area and who sincerely wish the enterprise every success, but not of course at the expense of their right to reasonable quiet and peaceful enjoyment of their own premises.

We have already produced a paper to which we all subscribe, and this was copied to you and all other attendees by e-mail on the 21 August, but in the event that you did not receive it, I have attached a duplicate for your consideration.

We are not professionals in these matters, but hope that the contents of the enclosed note will be seriously considered by Whitbread and any response be directed to all the attendees. No doubt you will be able to forward copies of this letter to Messrs England and Botterill of Whitbread plc as unfortunately I do not have their postal addresses.

Yours sincerely

Mr. R.A. & Mrs. S.P. Pitt-Pladdy

Cc: Mrs. R. Hall, Little Acorns, Silver Street, Hordle, SO41 0FN.
Mr. & Mrs. K. O'Callaghan, 3 Silver Street, Hordle, SO41 0FN

Enc: Objections from Silver Street North side residents, to Three Bells application to vary license.
Dated 20 August 2008

Mr D & Mrs. N. Steers, De le Warr, Silver Street, Hordle SO41 0FN
Mr. I. & Mrs. K. Spreadbury, Merbury House, Vaggs Lane, Hordle SO41 0FP

Mr. M. Powell, NFDC Appletree Court, SO43 7PA 02380 285505 ;
Mr. G. Worsley NFDC Appletree Court, SO43 7PA 02380 285274

Mr. G. England – Whibread plc
Mr. G. Botterill – Whitbread plc

Enc: Objections from Silver Street North side residents, to Three Bells application to vary license.
Dated 20 August 2008

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For & on behalf of:-

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Mr. A. & Mrs. K. O'Callaghan, 3, Silver Street, Hordle, SO41 0FN

Mr. D. & Mrs. N. Steers, De le Warr, Silver Street, Hordle SO41 0FN

Mr. I. & Mrs. K. Spreadbury, Merbury House, Vaggs Lane, Hordle SO41 0FP

20 August 2008