

Resume of application	Location on file
<p data-bbox="156 353 855 389">Variation of the existing Club Premises Certificate.</p> <p data-bbox="156 461 1145 524">The Club Premises currently benefits from a Club Premises Certificate which authorises the sale of alcohol both on and off the premises.</p> <p data-bbox="156 555 1152 618">In addition to the above, the Club Premises now wishes to provide Live Music on the following days and hours (Indoors only):</p> <p data-bbox="156 649 555 685">Monday 15:00hrs to 21:00hrs</p> <p data-bbox="156 685 555 721">Friday 18:00hrs to 22:30hrs</p> <p data-bbox="156 721 555 757">Saturday 18:00hrs to 22:30hrs</p> <p data-bbox="156 788 1110 851">Non-Standard timings for possible Bank Holiday Mondays' and Christmas Time.</p>	<p data-bbox="1241 336 1276 380">A</p>

Responsible Authority	Brief details of representations	Location on file
Police	No representations. However, please note that there have been meetings with committee members to discuss breaches of current licence - advice and guidance offered.	B
Fire Service	No representations	
Trading Standards	No representations	
Social Services	No representations	
Pollution	<p>Objection to the variation of the Club Premises Certificate from Environmental Protection based on grounds of public nuisance.</p> <p>It is felt that in order to avoid future excessive music noise emanating from the premises when events involving regulated entertainment take place, it is necessary for the premises to be acoustically treated to the satisfaction of the Environmental Health Officer.</p>	
Health and Safety	No representations	
Planning	No representations	

Licensing Objective	Brief details of representations	Location on file
<p>Prevention of Crime and Disorder</p> <p>Public Nuisance</p> <p>Public Safety</p> <p>Protection Of Children</p>	<p>There are 5 letters making representations (four from members of the public and one from Hyde Parish Council), many of which cover several areas of the Licensing Objectives.</p> <p>It is alleged that the Club has been found to be in breach of currently licensing laws in selling alcohol to non-members.</p> <p>Potential for vandalism if more people are attracted to the Club from outside the neighbourhood.</p> <p>There is a history of nuisance being caused to local residents due to loud music from the premises which has been the cause of a Noise Abatement Notice being served on the premises in the past.</p> <p>It is felt that there could be an increase in traffic going through the village. Parking overflow has in the past restricted the width of the narrow lane leading to Hyde Club, which could prevent access for emergency services should the need arise.</p> <p>The original letters with copies of the acknowledgment letters attached are located in Section C</p>	<p>C</p>

190⁰⁰

Application to vary a club premises certificate to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

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.

HYDE EX-SERVICEMAN'S & SOCIAL CLUB
(Insert name of club)

club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in Part 1 below

Club premises certificate number X LICENSE NO. 305.
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Part 1 - Club premises details

Name of club HYDE EX-SERVICEMAN'S & SOCIAL CLUB			
Postal address of premises, if any, or if none ordnance survey map reference or description HERN LANE HYDE FORDING BRIDGE HANTS.			
Post Town	FORDING BRIDGE	Postcode	SP6 2QH.
Telephone number (if any)			
E-mail address (optional)			

Name of person performing duties of a secretary to the club MS. INGRID FAIRGRIEVE			
Address of person performing duties of a secretary to the club 32 FAIRLIE PARK RINGWOOD HANTS			
Post Town		Postcode	BT26 1TA
Daytime contact telephone number (if any)			
E-mail address (optional)			

28 APR 2003

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Part 2 – Applicant details

Daytime contact telephone number (if any)			
E-mail address (optional)			
Current postal address if different from premises address	N/A. ↑ ON BEHALF OF HYDE CLUB.		
Post Town		Postcode	

Part 3 - Variation

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

If not when do you want the variation to take effect from N/A. Day Month Year

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

ADDITION OF AMPLIFIED MUSIC EVENTS WITHIN THE BUILDING.

If the club's 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.

Part 4 – Club Operating Schedule

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

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

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 entertainments (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)

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box L)

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (if ticking yes, fill in box L)

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

A

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

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			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 the club intends to use the premises for the boxing or wrestling entertainment at different times from 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 (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1500	2100	AMPLIFIED MUSIC (SOME JAZZ WHICH WILL <u>NOT</u> BE AMPLIFIED).		
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 4) FRIDAY/SATURDAY COULD BE 15 ⁰⁰ -21 ⁰⁰ WINDOW.		
Fri	1800	2230	Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5) POSSIBLY BANK HOLIDAY MONDAYS AND XMAS TIME (EG BOXING DAY)		
Sat	1800 2000	2230			
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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur			Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

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

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

J

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

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

L

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for <u>consumption (Please tick box)</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon			State any seasonal variations (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

M

Hours club premises are open to the members and guests Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			ONLY WHERE 23.30 ENDINGS OCCUR. (I.E. EXTEND 11.00 - 23.00 STANDARD HOURS NOW TO 11.00 - 23.30 (DRINKING UP + 20 MINS).
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list (please read guidance note 5)

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)

NOT APPLICABLE

0

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

Please tick yes

- I have enclosed the club premises certificate
- I have enclosed the relevant part of the club premises certificate

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

Reasons why the club has failed to enclose the club premises certificate or relevant part of it

P Describe the steps you intend to take to promote the four licensing objectives:

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

WE WILL UPHOLD ALL GENERAL LICENSING CONDITIONS AS WE HAVE UNDER MR. BINGHAM FOR LAST FIVE YEARS (LICENSE HOLDER).

b) The prevention of crime and disorder

THE STANDARD CONDITIONS WILL APPLY AS WE RUN THE CLUB NOW, COMMITTEE MEMBERS WILL ALWAYS BE ON HAND.

c) Public safety

EXTRA CARE WILL BE TAKEN TO ENSURE PUBLIC SAFETY (EG ON DANCE FLOOR -). A COMMITTEE MEMBER WILL ALWAYS BE ON HAND TO ASSIST.

d) The prevention of public nuisance

NOISE LEVELS etc → WE WILL BE EXTRA CAREFUL FOLLOWING PRESENT SITUATIONS, ALL DOORS TO OUTSIDE WILL BE CLOSED ON A STRICT BASIS. ONLY OPEN TO ALLOW EXIT OR SMOKING.

e) The protection of children from harm

NOT APPLICABLE. ALL CHILDREN AS PER NEW ARE SUPERVISED BY PARENT/GUARDIAN.

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
- I understand that I must now advertise my application
- I have enclosed the club premises certificate or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

4180⁰⁰

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)

I KEVIN JOHN BINGHAM
(insert full name)

make this application on behalf of the club and have authority to bind the club

Signature	x
Date	25/3/09
Capacity	STEWARDS

Address for correspondence associated with this application (please read guidance note 11)		
AL. KEVIN BINGHAM HYDE SOCIAL CLUB HEARN LANE HYDE FORDINGBROOK		
Post town	FORDINGBROOK	Post code
Telephone number (if any)	SP62QH	
If you would prefer us to correspond with you by e mail your e mail address (optional)		

plse copy to

Data Protection Act 1998

The information you provide will be held in accordance with the Data Protection Act 1998, and statutory requirements including the Licensing Act 2003 and the Gambling Act 2005. It will not be used for any purpose that is not compatible with the purpose for which it was collected.

Licensing Act 2003

Club Premises Certificate Summary

Issued under Section 125 of the above Act

Club Premises Certificate Number	305
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Club Details

Name of club in whose name this certificate is granted and relevant postal address of club	
Hyde Ex-Servicemen and Social Club. Hern Lane Fordingbridge Hampshire SP6 2QG	Map Ref (E): Map Ref (N): UPRN:
Telephone Number:	

If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description	
	Map Ref (E): Map Ref (N): UPRN:
Telephone Number:	

Where the club premises certificate is time limited the dates
This certificate is NOT time limited

Qualifying club activities authorised by the certificate
L) Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

L) Supply of Alcohol			
Day	Start	Finish	Further Details:
Mon	10:00	23:00	See Annex 2 for relevant restrictions
Tue	10:00	23:00	
Wed	10:00	23:00	
Seasonal Variations:			
Thur	10:00	23:00	Good Friday, 12:00 - 22:30 hours
			New Year's Eve, except on a Sunday, 10:00 - 23:00 hours
Fri	10:00	23:00	New Year's Eve on a Sunday, 12:00 - 22:30 hours
Sat	10:00	23:00	New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st
Sun	12:00	22:30	December)

Certified a true and complete copy of the original - 7 FEB 2007 NFDC Licensing Services
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C. ah Wilson

From: Gary Worsley
Sent: 26 May 2009 10:15
To: Licensing e-mail address; 'western.licensing@hampshire.pnn.police.uk'
Cc: Carole Gallagher; Edward Vandyck
Subject: FW: TEN - 1959 Hyde Ex- Service And Social Club HYDE EX-SERVICE AND SOCIAL CLUB, HERN LANE, HYDE, FORDINGBRIDGE, SP6 2QH

Dear NFDC Licensing and Police Licensing

With regards to the TEN for Hyde Club on 25 May 2009 I made a visit to the site between the hours of 19:30 and 21:00.

During the early parts of my visit the music noise was at an acceptable level, however, the music noise increased to an unacceptable level to the point whereby I believe that the Abatement Notice served on the Club in 2005 was contravened.

At 19:30 hours I heard what sounded like an acoustic guitar being played outside the club with several people singing an Oasis song – 'Don't look back in anger'. This might have been an impromptu performance but appeared to be outside on the terrace directly outside the club. Clearly a lack of management.

At 20:16 hours I heard a vehicle screech off wheel spinning on what sounded like gravel for several seconds and this appeared to be from the club car park.

At approximately 20:00 hours, several bottles were thrown into the bottle bank and was rather loud.

The music noise crescendo continued until 20:45 hours which appeared to be in contravention of their TEN which should have finished by 20:30 hours.

I could also hear several expletives such as F*cking/F*ck that could be heard in the rear garden of Uphill from two males shouting at each other at the Club. Not very pleasant to hear whilst relaxing in a garden on a nice warm evening.

As I was packing up my car to leave at 21:03 hours I flagged down a Police car coming up Hern Lane, just below the club. I spoke to the officers asking if they were there for the TEN at the club to which they advised they didn't know anything was going on there. They advised that they were trying to find the driver of a car which had crashed in the vicinity. On my way in, earlier in the evening, I recalled an incident on the A338 and thought it was that incident; however, as I left the site I drove down Hern Lane in the direction of the A338 and approximately 100m down the lane a white car was in the ditch with the lights still on. I can only presume that it might have been the vehicle that wheel span out of the Club car park about ¾ hour earlier.

In my opinion I believe that the Abatement Notice served on the club under the Environmental Protection Act 1990 has been contravened and as such I shall be requesting the police licensing team to object to any further TEN's to avoid a criminal act taking place in contravening the Abatement Notice which carries a level 5 fine of £20,000 upon conviction in the Magistrates' Court.

In light of the above comments this visit gives me a clear view that the premises are not suitable for regulated entertainment of this nature with the club in its present condition.

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

Regards

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26/05/2009

G2

Gary Worsley
 Environmental Health Officer
 Environmental Protection | Public Health and Community Safety

Tel: 023 8028 5274 | HSPN: 8 777 5274
 Fax: 023 8028 5127 | Minicom: 023 8028 5416
 Disability Helpline: 01425 656096
gary.worsley@nfdc.gov.uk | www.newforest.gov.uk



From: licensing@nfdc.gov.uk [mailto:licensing@nfdc.gov.uk]
Sent: 08 May 2009 16:00
To: Env Prot
Subject: TEN - 1959 Hyde Ex- Service And Social Club HYDE EX-SERVICE AND SOCIAL CLUB, HERN LANE, HYDE, FORDINGBRIDGE, SP6 2QH

This is a notification of a Temporary Event Notice that has been received on the below address, for which there is an open noise nuisance case.

To:	Environmental Protection
Our Ref:	LICTE/09/02657 - PS
Date:	08 May 2009
Application Type:	Temporary Events Notice
Date(s) Of Proposed Event:	25/05/2009 15:00:00 to 25/05/2009 20:30:00
Premise Address:	Hyde Ex- Service And Social Club Hyde Ex-Service And Social Club, Hern Lane, Hyde, Fordingbridge, SP6 2QH
Applicant Details:	Kevin John Bingham South Down Farm Bungalow Rockbourne Road Coombe Bissett Salisbury SP5 4LW
Event Details:	Members Birthday Party - Sale of alcohol & regulated entertainment 25th May 2009 - 1500 - 2030 100 people

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26/05/2009

ah Wilson

From: Gary Worsley
Sent: 22 May 2009 16:31
To: Licensing e-mail address
Subject: 02486 Hyde Club.doc

Dear Licensing

Please find my comments of objection with regards to the above licesning varisation application.

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

To:	The Responsible Authorities
Our Ref:	LICPR/05/00429 - SW
Date:	30 April 2009
Application Type:	Variation club premises certificate (S84)
Premises Details:	Hyde Ex- Service And Social Club Hyde Ex-Service And Social Club, Hern Lane, Hyde, Fordingbridge, SP6 2QH
Applicant Details:	Hyde Ex-Serviceman's & Social Club Hern Lane Hyde Fordingbridge Hampshire SP6 2QH

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 **25 May 2009**.

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 NFNPA 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.

Response:

As you may be aware the Club has a history with regards to noise complaints and these were substantiated in May 2005 and a subsequent Noise Abatement Notice was served under the Environmental Protection Act 1990 on the Club to prohibit a statutory nuisance from recurring due to amplified music and speech.

At the time the noise abatement notice was served, it was made very clear to the committee that extensive works would need to be undertaken to make this venue suitable for amplified music events.

There have been several Temporary Event Notices (TEN's) in 2008/9 and we have received several complaints of alleged excessive music noise from these events.

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I visited the club on the evening of 20 May 2009 on a pre-arranged appointment to listen to the external noise levels associated with a live band. The noise could be heard on the road below Cass Cottage, at the road to the entrance to Rippleside and outside Honeysuckle Cottage. I found that there were several acoustically weak points in the building. These were the two Vent-axia type air movement fans in the left hand wall in room 1 (as per the plan provided), the four windows in room 1 and the fire door to room 1. It is likely that the window in room 2 opposite the bar (between the fire door and lobby entrance) is also a weak point. The doors to rooms 1 and 2 would most definitely be weak points if these were used for access and egress during regulated entertainment performances.

The club chairman advised that they are willing to undertake some acoustic work and I gave limited advice on covering over the windows and vent axia fans.

As with any venue that will have say 100 people attending, there will be a need for ventilation in the room and this is where the problem arises with both the windows and fans blocked off to prevent the escape of the music noise.

The above list of acoustically weak points are not exhaustive and it may be found on treating the ones I have pointed out above that there are other weak points such as the roof and walls etc.

For information only – Although outside the scope of the Licensing Act 2003, if the Club were to acoustically insulate the club to achieve the licensing objective 'Prevention of Public Nuisance' the Club must still ensure that they insulate the Club to prevent a Statutory Nuisance occurring. Statutory nuisance can be both public and private nuisance and thus affect just one property.

Speaking to the Steward on 20 May 2009 he advised that performances would only be undertaken until 21:00 hours, however, the application is until 22:30 hours. He also mentioned that they only wanted one performance per month; however, the application shows Mondays, Fridays and Saturdays with no restriction over the number of occasions events may take place.

There is also no noise management and monitoring policy attached to the operating schedule to show how the committee will control noise from the venue, including exiting of patrons plus their cars.

In light of the above, (except the last paragraph, which was for information only) the club in its present condition is not a suitable venue for regulated entertainment and I therefore object to this application until the premises have been acoustically treated to the satisfaction of the Environmental Health Officer.

Gary Worsley
Environmental Health Officer
Environmental Protection
Public Health & Community Safety
023 8028 5274

* Objection *

The CCTV and Licensing manager
Licensing services
New Forest District Council
Appletree Court
Lyndhurst
Hampshire SO43 7PA

Ms Moya Norman
Uphill
Hyde
Fordingbridge
Hants SP6 2QQ

11th May 2009

Subject: Application for Licence Variation by Hyde Club to include Amplified Live Music
Notice dated 28/04/2009

We, the undersigned, object to the licence variation to include amplified live music, applied for by Hyde Club, on the following grounds:

1. Prevention of Crime and Disorder:

On a test purchase operation by Hampshire police on April 3rd 2009 checking underage drinking, Hyde club breached the terms of their licence. See <http://www.hampshire.police.uk/Internet/news/releases/Two+New+Forest+licensed+premises+fail+test+purchase+operation.htm>

2. Prevention of Public Nuisance:

There is a Noise Abatement Order in force, which would be breached by live amplified music. After every musical event held by Hyde club, subsequent to the Noise Abatement Order of July 2003, the surrounding neighbours have complained to the New Forest District Council about the level of noise, including noise and loud swearing in the car park after these events.

Ref: Letters to Mr Gary Worsley 15th April 2009, 10th November 2008, 25th August 2008, and 7th February 2008, and to Mrs Gallagher 28th October 2007.

The event on 31st January 2009 Hyde Club broke the terms of the TEN, in that the event went over the time allowed by the TEN. On this occasion complaints were sent by phone and email to Mr Worsley.

3. Public Safety:

These events mean much more traffic going through the village. Parking overflow has in the past restricted the width of the narrow lane leading to Hyde Club, which would have prevented access for emergency services.

Sincerely,

* Objection *

The CCTV and Licensing manager
Licensing services
New Forest District Council
Appletree Court
Lyndhurst
Hampshire SO43 7PA

Little Orchard
Hyde
Fordingbridge
Hants SP6 2QH

11th May 2009

Subject: Application for Licence Variation by Hyde Club to include Amplified Live Music
Notice dated 28/04/2009

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29

16 MAY 2009

* Objection *

The CCTV and Licensing manager
Licensing services
New Forest District Council
Appletree Court
Lyndhurst
Hampshire SO43 7PA

Rippleside
Hyde
Fordingbridge
Hants SP6 2QH

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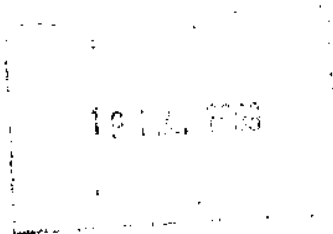
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Sincerely,

Honeysuckle Cottage,
Hungerford Hill, Hyde,
Fordingbridge, Hants,
SP6 2QG

14 May 2009

The CCTV and Licensing Manager,
Licensing Services,
New Forest District Council,
Appletree Court, Lyndhurst,
Hants, SO43 7PA



Dear Sir/Madam,

Re: Hyde Club application for Premises Licence variation

We are writing to you in relation to the above to outline our objection to this application.

1. Prevention of Public Nuisance

Due to regular and disturbing noise levels, the previous owners and neighbours of Honeysuckle Cottage were driven to obtain a Noise Abatement Order in 2003 against Hyde Club, which we have been informed is not subject to an expiration date. Since our occupation of the property (July 2006) Hyde Club has continually breached this Order, holding events at which amplified music was played and causing general noise nuisance; with no regard for surrounding residents. Numerous verbal complaints of excessive volume were made to the management of the Club with no effect.

We have been working closely with Mr Gary Worsley, Environmental Health Officer, during our occupation of the property and, like our neighbours, have written to him several times to formally complain about the public nuisance caused by the Club; which is not only restricted to music but also inappropriate language and behaviour.

We are therefore objecting on the grounds that primarily the current situation has not changed from the original problem for which the noise abatement order was served, that the proximity of housing and very low background noise level, and being within the bounds of the New Forest National Park, suggests that amplified music is neither acceptable nor necessary and will cause a public nuisance.

2. Prevention of Crime and Disorder

In recent weeks the Club has also been found to be in breach of current licensing laws, in the selling of alcohol to non-members, which we assume you are aware of. Despite the existence of the Noise Abatement Order and current licensing laws the Club seems to have shown no regard in adhering to these binding rules.

3. Public Safety

With regard to public safety, we do not feel able to comment on this specifically.

In summary, we are objecting to this application on the grounds that any event utilising amplified music will constitute a public nuisance.

Yours sincerely,


PP. Dr Mark and Mrs Kerri Bechter

* Objection *

HYDE PARISH COUNCIL



Clerk: Mrs M.J. Matthews

Crombies,

Hyde, Fordingbridge, Hants, SP6 2QE

18.5.09.

Paul Weston, Licensing Officer
NFDC
Appletree Court,
Lyndhurst. SO43 7PA

21 MAY 2009

16th May 2009

Dear Mr Weston

Re LICPRE/05/00429. Application to vary the licence to allow live music.

Hyde parish councillors wish to oppose the granting of this licence on the following grounds:

- public nuisance. There is a long history of the Club causing nuisance to local residence because of loud music and there is already a noise abatement order in place. The addition of live music would be bound to exacerbate this problem.
- public safety. The Club is situated on a narrow country lane and any additional vehicles attracted to the Club by the addition of loud music would cause a hazard on the lane, as would overflow car-parking.
- there is a potential for vandalism if more people are attracted to the Club from outside the neighbourhood.

Yours sincerely,

Margaret Matthews. Clerk, Hyde Parish Council.

Sarah Wilson

From: Sarah Wilson on behalf of Licensing e-mail address
Sent: 28 May 2009 14:29
To: 'Moya Norman'
Cc: Paul Weston; Martyn Powell
Subject: RE: Hyde Club variation of licence

Hello Moya

Thank you for your email providing the below information for our records.

I can confirm at this stage, we have not received any written amendment to the current variation application by the Club stating that they wish to have only one live music event per month at the premises. So at present, the application is still asking for the facility to provide live music on a Monday, Friday and Saturday, also Bank Holiday Mondays and Christmas Time.

Please note, that although they have requested these hours it doesn't necessarily mean that their intention is to have live music three times a week, every week but they would have that option available if required and if the licence application was approved.

I hope this may clarify matters a little.

Kind regards,

Sarah Wilson
Licensing Assistant
Tel: 023 80 285505
Fax: 023 80 285596
Email: sarah.wilson@nfdc.gov.uk

From: Moya Norman
Sent: 28 May 2009 12:46
To: Licensing e-mail address
Cc: Gary Worsley
Subject: Hyde Club variation of licence

I wish to place the following on record, although I spoke to a very helpful lady in your department earlier today:

Hyde Club's Licensing Act 2003 notice delivered to us and our neighbours states in a hand written amendment that the music application is for one event per month. When I attended the last Parish Council meeting, Councillor Bill Dow explained he thought the application was for 3 times a week, which is why I had checked with New Forest District Council. Indeed the application is for 3 times a week.

No doubt this will come out at the hearing, but I thought it was important enough to put it in writing.

Your department has been unfailingly helpful and informative, so many thanks.

Moya Norman
Uphill
Hyde
Fordingbridge
Hants SP6 2QQ.

Information from ESET NOD32 Antivirus, version of virus signature database 4110
(20090528)

34

28/05/2009