

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We **East Close Ltd**

(Insert name(s) of applicant)

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

| |
|--|
| Premises licence number 1295 |
|--|

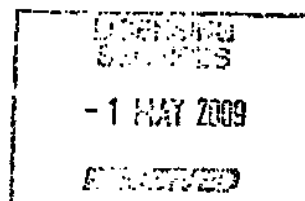
Part 1 – Premises Details

| | | | |
|--|--------------|------------------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description East Close Country Hotel Lyndhurst Road Hinton St Michael | | | |
| Post town | Christchurch | Post code | BH23 7EF |

| | |
|--|--------|
| Telephone number at premises (if any) | |
| Non-domestic rateable value of premises | £38000 |

Part 2 – Applicant details

| | |
|--|--|
| Daytime contact telephone number | |
| E-mail 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?

If not do you want the variation to take effect from

| Day | | Month | | Year | |
|-----|--|-------|--|------|--|
| | | | | | |

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
Alterations to layout plans as shown on drawing No ECCH/065/07/043

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

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

In all cases complete boxes N, O and P

A

| | | | | | |
|---|--------------|---------------|--|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play 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 performing plays (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | 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) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

B

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|---|--------------|---------------|--|----------|--------------------------|
| Films Standard days and timings (please read guidance note 6) | | | <u>Will the exhibition of films take place 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"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>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</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

C

| | | | |
|--|--------------|---------------|---|
| Indoor sporting events Standard days and timings (please read guidance note 6) | | | <u>Please give further details</u> (please read guidance note 3) |
| Day | Start | Finish | |
| Mon | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) |
| Tue | | | |
| Wed | | | |
| Thur | | | <u>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</u> (please read guidance note 5) |
| Fri | | | |
| Sat | | | |
| Sun | | | |
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D

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|--|-------|--------|--|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place 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"/> |
| | | | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>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</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

E

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|--|--------------|---------------|--|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 6) | | | <u>Will the performance of live music take place 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"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>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</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

F

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|---|-------|--------|--|----------|--------------------------|
| 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 you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

G

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|---|-------|--------|---|----------|--------------------------|
| Performances of dance Standard days and timings (please read guidance note 6) | | | <u>Will the performance of dance take place 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"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

H

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|---|-------|--------|--|----------|--------------------------|
| <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 you 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 | | | | | |
| Fri | | | <p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p> | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | <p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p> | | |

| | | | | | |
|--|--------------|---------------|---|--|--|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the facilities for making music you 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 <input type="checkbox"/> 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 you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

J

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

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|--|--------------|---------------|---|----------|--------------------------|
| 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 you 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 facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sun | | | | | |

L

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|--|--------------|---------------|--|----------|--------------------------|
| 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 (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 | | | | | |
| | | | | | |
| Wed | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | 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 | | | | | |
| | | | | | |
| Sun | | | | | |
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M

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

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

O

| | | | |
|---|--------------|---------------|---|
| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) |
| Wed | | | |
| Thur | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |
| | | | |

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 9)

The licensing objectives and the Council's policy were considered fully when the premises licence application was made, and conditions are imposed.

Further consideration has been given having regard to the application now presented. Having regard to the nature of the premises, no further steps are considered necessary, having regard to the upgrading that will be achieved

b) The prevention of crime and disorder

Having regard to the measures already offered/imposed, no further steps are considered necessary.

c) Public safety

Having regard to the measures already offered/imposed, and the ongoing authority checks, no further steps are considered necessary.

d) The prevention of public nuisance

Having regard to the measures already offered/imposed, no further steps are considered necessary.

e) The protection of children from harm

Having regard to the measures already offered/imposed, no further steps are considered necessary.

Please tick yes

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

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

Part 5 – Signatures (please read guidance note 10)

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

| | |
|-----------|--|
| Signature | |
| Date | 29 April 2009 |
| Capacity | Solicitor for and on behalf of the Applicant |

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

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Julia Palmer
JCP Law
Potterne Farm Cottage
Potterne Way

| | | | |
|-----------|----------|-----------|----------|
| Post town | Wimborne | Post code | BH21 6RS |
|-----------|----------|-----------|----------|

| | |
|---------------------------|--|
| Telephone number (if any) | |
|---------------------------|--|

| | |
|--|--|
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) | |
|--|--|

Notes for Guidance

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

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

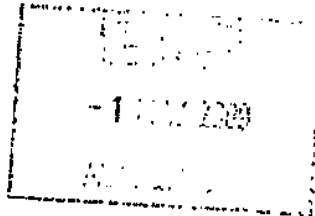
Phone:

Mobile :

Fax

E-mail

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



29 April 2009

Dear Sir/Madam

**Applications for New Premises Licences/alternative variation
For East Close Country Hotel and the Conqueror Bar, Hinton St Michael
Licence No 1295**

I am instructed by the current licence holders, East Close Ltd, in connection with their upgrading and proposed re-opening of these premises. Those instructions are to make new licence applications to permit the above premises to operate as an Hotel and Gastro bar respectively.

It is hoped that work will be completed on the premises to enable them to re-open on or about 26 May. To enable this timetable to be met, I am also applying for a TEN. Having regard to the fact that representations leading to a hearing (which will inevitably delay the consideration of the applications and potential grant until later in June) may be lodged, I am also applying for additional TENs and/or an additional application to vary the existing licence simply as to the plan layout, together with an application to vary the DPS on this current licence.

If the new licences are granted, the existing licence will be surrendered on the new licences being taken up.

I am accordingly enclosing :

1. Application for a New Premises Licence for the East Close Country Hotel.
2. Consent of Mr Warner to being the DPS.
3. Application for New Premises Licence for the Conqueror Bar.
4. Consent of Mr Fudge to being the DPS.
5. An Information statement explaining the applications and assisting as to the proposed operations

Julia C Palmer

Solicitor and Sole Practitioner Regulated by the Solicitors Regulation Authority

6. Proposed conditions for the East Close Country Hotel and for The Conqueror Bar
7. The location plan referred to in the application.
8. Drawing No ECCH/065/07/043 to a scale of 1:100 showing the East Close Country Hotel building outlined in blue. NB : Loose furniture is shown for information only and is not part of the plan.
9. Drawing No ECCH/065/07/043 to a scale of 1:100 showing the adjoining Conqueror Bar building outlined in red. NB : Loose furniture is shown for information only and is not part of the plan.
10. My client's two cheques in the sums of £315.00 each for each of the applications.
11. The additional plan only variation application and a further cheque for £315.✘ Please rely on drawing No ECCH/065/07/043 filed with this letter in support of that application.
12. The application to vary DPS (into Mr Fudge's name) on the existing licence and my firm's cheque for £23 in discharge of your fee.
13. The existing Licence.
14. For your information, a copy of the advertisements that will be placed on the premises with the same wording in the press. If for any reason you consider any alterations should be made, please revert by return.
15. The Temporary Event Notices for the period 26 May to 29 May, when the application may hopefully be considered and granted if no representations are lodged, and 31 May to 3 June, 5 June to 8 June and 10 June to 12 June if they are. Any TENs which are not required will be withdrawn as appropriate.
16. My firm's cheque for £84 in discharge of your fees for the TENs.

I confirm that I have served the Responsible Authorities, as helpfully listed on your website, with the relevant applications and supporting documents by post today.

Please do not hesitate to let me know should you require anything further. Kindly forward the Premises Licence grant document to this office in due course.

Yours sincerely

JULIA PALMER

* This will now be sent to you direct & will be with you tomorrow
6

EAST CLOSE COUNTRY HOTEL and THE CONQUEROR BAR

ADDITIONAL INFORMATION

The Current operation

The East Close Country Hotel has been operating in the New Forest as a country hotel with a separate public bar for many years. It is sited on the A35 Lyndhurst Road at the edge of Hinton. It is part of the Meyrick Estate, and has extensive grounds. It is isolated, with only 3 farms in the vicinity. The hotel became tired of late, but the lease has now been taken by East Close Ltd, who hold the current Premises Licence. It is currently closed whilst undergoing the major refurbishment.

East Close Ltd and the provenance of its directors

Its directors have a wealth of experience between them of business locally, including the hospitality industry.

Bournemouth operated premises owned by companies directed by Andy Price include the renowned and award-winning West Beach and Print Room, and the popular Aruba. All offer gourmet food with bar and entertainment, and a high standard of service.

As well as dedicated site managers, the group now has an experienced Operations Manager, Nick Warner, who is co-ordinating and controlling the offers and standards.

The Boutique Hotel

The East Close has long operated as a country hotel, offering accommodation and full function, entertainment and bar facilities for residents and public alike. With its extensive grounds, the vision for the future of the hotel is to extend the country pursuits and commensurate facilities offered, and to make the hotel a focal point for those visiting and staying in the National Park. It will have on site parking for hotel guests, staff and others visiting.

A complete refurbishment of this Grade II listed building is being tastefully undertaken, in close co-operation with the authorities. This will allow a 15 bedroom boutique hotel with a cocktail bar and will enable the addition of disabled facilities where appropriate.

A “boutique hotel” is a comparatively new concept, with the sort of accommodation, service and facilities found in a top 5 star hotel in London being replicated in an intimate country hotel. The emphasis is on quality. This will fully complement the National Park status of the New Forest.

Premium prices can be charged for such accommodation, which remains rare in the area, and the comfort of the residential guests will take top priority. This will result in great care being taken to ensure that there is neither nuisance nor annoyance from any of the other facilities offered at the premises. This will, in turn, assist greatly in the furtherance of the licensing objectives and protection of the three neighbouring premises.

An impressive new entrance to the bar is being constructed, with the two being joined together for the first time. The extensive works are costing around £1.5m, and will bring this hotel and environs up to the highest standard and a genuine jewel in the Park's crown.

Functions

This lovely setting will be available for those wishing to hold their wedding reception or similar celebration, as well as events such as exclusive smaller Classic Concerts in the Park, or Jazz ensembles for the connoisseur.

An application will be made for a Wedding Licence for the folly chapel.

A site for marquees for such events has been chosen, with easy access to the parking area and main hotel. The barn food servery will also be available for those using the grounds, with any bar facilities being secured or removed when not in use. When either marquee/s or barn is used, they will be properly staffed and supervised.

The applications

A new licence application is being made for the hotel, and a separate one for the bar, to ensure that licensing is fully up to date, and customers properly catered for. The existing licence, which covers both hotel and bar etc, is still very much as it was under the Licensing Act 1964, with some otiose and unnecessary conditions carried forward on transition (primarily under the old PEL regime).

The new applications take into account modern licensing requirements, and the applicant willingly offers conditions at the outset to ensure controls are fully in place to maintain the licensing objectives, even if this Company should cease to be involved with it. Although with this major investment, there are no plans for that. The applicant appreciates, however, that licensing and responsible authorities will wish to have that assurance.

Staffing

The new teams at the premises will work independently, but with the advantage of being able to offer back up and support to each other. There will be a strong staff to customer ratio, with considerable emphasis being placed on excellent service.

There will be a pyramid structure with the Operations Manager (answerable directly to the Board) at the top, the two managers and their teams under

that, and a full support staff, including the usual catering, waiting and hotel staff, to ensure good service.

The splitting of the licence will mean a separate DPS for both hotel and bar, which will give added control and supervision, as well as accountability.

Members of staff who will be involved in the sale of alcohol will be trained to ensure that they are familiar with the legal requirements and Company policies, which will include, for example, Challenge 21.

The Conqueror

The Conqueror is to be gastro-pub, with a top quality chef and an experienced DPS to run the show. With many years of success in this particular field behind the Company, it promises to be an appropriate, popular and fitting use for the old Stable bar. As with the group's other venues, the Conqueror wishes to have the ability to offer regulated entertainment to compliment the food offer.

The bar itself will have lounge style seating and capability nearer to the entrance, with dining areas laid out towards the rear and in the old bar area. Customers will, however, be able to eat where they choose, including in the outside garden area at the back of the bar. It is anticipated that hotel guests will wish to take advantage of the gastro-pub dining, particularly at lunchtimes and in the evening.

Surrender of the existing licence

If the new licences are granted to the satisfaction of the applicant, the existing licence will be surrendered on the new licences being taken up. Until that time, and until the appropriate Responsible Authorities have approved the works, the new licence will remain in abeyance.

6.3.09

Julia Wilson

From: Gary Worsley
 Sent: 28 May 2009 15:32
 To: Licensing e-mail address
 Cc: julia.palmer
 Subject: 02485 - East Close Hotel - Grant.doc

Dear Licensing

Please find my comments with regards the above premises licence 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

023 8028 5274

| | |
|-----------------------------|--|
| To: | The Responsible Authorities |
| Our Ref: | LICPR/09/02510 - SW |
| Date: | 05 May 2009 |
| Application Type: | Grant of Premises Licence (S17) |
| Premises Details: | ** 2 X Premises Licences in Force** East Close Hotel, Lyndhurst Road, Hinton, Christchurch, BH23 7EF |
| Proposed Applicant Details: | East Close Limited R/O Lyndhurst Road Hinton Christchurch Dorset BH23 7EF |

**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 **28 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 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.

| |
|---|
| Response: |
| The East Close Hotel is located adjacent to the A35 Christchurch to Lyndhurst road which is busy with traffic during the day and evening periods creating a higher background noise level. The traffic tails off during the night and early morning periods such that the road becomes very light in traffic and due to its rural location, the background noise level during |

the periods will be very low.

This application is requesting a 'carte blanche' style provision for regulated entertainment, 24 hours per day and 7 days a week for both internal and external events.

I have been advised by the DPS and Events Manager that external events will take place in a marquee within the semi circular walled area to the North of the hotel and possibly in the patio area directly outside hotel's dining area. It was also mentioned that 'Party in the Park' type events might also be held once the business has become established.

Although the premises are located in a rural location there are several noise sensitive premises in the vicinity – 1, Dairy Cottage, 2, Dairy Cottage and Dairy Cottage, East Close Farm at 200-300m, The Dell House, Beckley Road at 450m The Cottage, South Drive at 480m, Woodland Cottage, South Drive at 530m, Woodsmoke, South Drive at 550m and Ames Cottage, Beckley Road at 609m distance from the hotel and the external marquee area.

It is likely that external events taking place in the walled area will cause a disturbance to the above residents. The walled area is semi circular in shape and is situated so that any noise made in the marquee will reflect off the wall towards the properties in a Southerly, South Easterly and Easterly direction. Marquees also offer little or no noise attenuation but there will be some distance attenuation to properties in the vicinity and some attenuation due to the 200m belt of trees when they are in full leaf. However, information received, suggests that external events held under the previous ownership were clearly audible at properties to the East, until 24:00 hours when the events ceased.

The applicant has provided information to control noise from deliveries, barrel movements and patrons leaving during the quiet hours, but has failed to provide any information on how event noise will be controlled to comply with one of the four licensing objectives – The Prevention of Public Nuisance.

Should the Licensing Committee be minded to grant approval for the premises licence, to prevent public nuisance from occurring they should be mindful of the following:-

1. Any music and noise emanating from the premise shall either cease at 23:00 hours or between the hours of 23:00 and 00:00 be inaudible at the boundary of all noise sensitive premises;
2. No external regulated entertainment shall take place after 00:00 hours
3. Any music and noise emanating from the premises prior to 23:00 hours shall be so low that distinct tunes, lyrics, musical instruments, and any bass beat cannot be recognised at the boundary of all noise sensitive premises;
4. A noise management plan shall be provided to ensure that noise emanating from the premises does not cause a public nuisance.
5. Large external functions such as 'Party in the Park' type events are only allowed following further consultation from the Responsible Authorities to prevent Public Nuisance.

In light of the above comments I object to the granting of this premises licence.

Gary Worsley
Environmental Health Officer
Environmental Protection

To:

* Pollution E.H. - Objection * Page 1 of 3

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In light of the above comments I object to the granting of this premises licence.

Gary Worsley
Environmental Health Officer
Environmental Protection

* Objection

Licensing Service
 New Forest District Council
 Fax 02380 285596

R.2. Frank
 The Cottage
 Ossemsley
 Christchurch
 Dorset BH23 7SE

Dear Sirs,

28d May 09

Re: East Close Hotel and Conqueror outdoor application for late (24 hour) music and function licence.

Both my wife and I have suffered in the past from extended hours music and function/party noise from the East Close Hotel, especially with our windows open in the warm months. We have complained in the past to both management and council and strongly object to the granting of this new owner being granted this licence which will create late night outdoor noise and disturbance under the Provisions of Public Nuisance act.

Yours faithfully

Woodland Cottage,
Osensley,
Chuteval
BH23 7 EE
26-5-09.

* Objection

Dear Sir,

We wish to lodge our objection

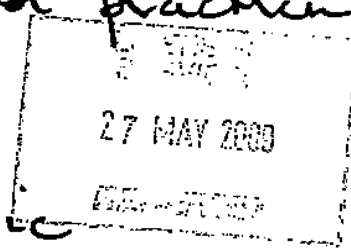
to the application by East Chase Hotel and the
Langens Bar to alter the conditions of their licence

This immediate area is RURAL RESIDENTIAL.

Normally this would preclude the creation
of conditions which could facilitate a
PUBLIC NUISANCE over the twenty four hour period
of such a licence.

The proposed changes would include
internal and EXTERNAL to the hotel and appear
to include;

1. Live entertainment and practicing of music
2. Sports events
3. Film
4. Light shows & music
5. Provision of food and drink for residents
and their guests again over 24 hour period.



This is the New Forest National Park NOT
Las Vegas. Where else in the UK would this
violation be allowed?

... would this application for total flexibility
of licensing regulations then residents of the
area could or would be subjected to
music live or piped into the hotel/Bar and
into the grounds at any time day or night.
There appears to be an application to serve
food internally or externally, between
11.30 ^{am} and 5.30 ^{pm}. The same application
for sporting competitions again external
or internal to buildings. The list for change
goes on and on, not always for the better.

We hope the Committee will appreciate
that there can be no justification in
changing this rural residential area.
Other hotels i.e. Chester Glen, the Rhodes,
Captains Club, Terra Nova all provide
public services but with no disruption
to the immediate environment.

Change may be necessary BUT it
must also be "for the good"
Yours sincerely

Sarah Wilson

From: Gary Worsley
Sent: 01 June 2009 13:55
To: Licensing e-mail address
Cc: 'julia.palmer(Carole Gallagher, Edward Vandyck
Subject: East Close Hotel - Grant and Variation Licensing Application

Dear Licensing

I refer to my discussion with Paul Weston, Licensing Officer, earlier this afternoon concerning the above premises licence applications.

As you are aware, I have objected to the grant of a new premises licence application as per my recent comments, however, clarification was required as to whether I have objected to the Variation application.

As I am aware, the existing Premises Licence for the East Close Hotel has provision for both indoor and outdoor regulated entertainment, however, the plan attached to the existing premises licence shows internal layout only and does not include any external areas for licensable activities.

The Variation includes a plan to show the entire hotel grounds where licensable activities may take place.

Therefore to clarify, I object to the Variation to the East Close Hotel premises licence if outside entertainment was not allowed due to the missing plan on the existing premises licence and the Variation would allow all external areas to be included, or if the external areas have been increased. There would need to be some control of noise as per my original comments to prevent the occurrence of public nuisance.

There would be no point in objecting to the Variation if the inclusion of the plan to include the whole of the hotel's external area was to correct an omission and there was no change to the external areas where licensable activities are allowed.

I might also point out that should the applicant agree to my conditions before the licensing hearing then I would remove my objection.

I hope the above clarifies my situation but 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 | 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

 Think before you print!

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We **East Close Limited**

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

East Close Country Hotel
Lyndhurst Road
Hinton St Michael

1 MAY 2010

Post town Christchurch

Post code BH23 7EF

Telephone number at premises (if any)

Non-domestic rateable value of premises £38000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - o statutory function or
 - o a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|---|------------------------------|-------------------------------|-----------------------------|--|--|
| <input type="checkbox"/> Mr | <input type="checkbox"/> Mrs | <input type="checkbox"/> Miss | <input type="checkbox"/> Ms | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | <input type="checkbox"/> Please tick yes | |
| Current postal address if different from premises address | | | | | |
| Post Town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--|--|
| <input type="checkbox"/> Mr | <input type="checkbox"/> Mrs | <input type="checkbox"/> Miss | <input type="checkbox"/> Ms | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | <input type="checkbox"/> Please tick yes | |

| | | | |
|---|--|----------|--|
| Current postal address if different from premises address | | | |
| Post Town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

| |
|--|
| Name East Close Limited |
| Address R/O Lyndhurst Road Hinton Christchurch Dorset BH23 7EF |
| Registered number (where applicable) 06208390 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 2 | 8 | 0 | 5 | 2 | 0 | 0 | 9 |
|---|---|---|---|---|---|---|---|

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

Please give a general description of the premises (please read guidance note1)
Residential country hotel and grounds with non-resident facilities including bars, restaurants,
function, sport and entertainment facilities

The hotel is shown in its grounds outlined in red on the attached location map. The extent of
the boundaries of the buildings are shown on this map by a solid black line. Detail of the
internal layout is shown on the attached drawing no ECCH/065/07/043 and outlined in blue.
Areas for licensable activities within this area are resident access areas except WCs and
kitchens. Where indicated in this application, licensable activities will also take place in the
grounds and in temporary and permanent structures in those grounds.

The contiguous Conqueror bar is shown to assist, but is the subject of a separate application

If 5,000 or more people are expected to attend the premises at any
one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the
Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|--|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play 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 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 (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) To ensure necessary permission for films shown by DVD or video on screen, TV or similar | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | State any seasonal variations for the exhibition of films (please read guidance note 4) | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | 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) NOTE: the hours requested are for residents and to allow flexibility for extensions for functions and events at the premises, including seasonal extensions such as Bank Holiday weekends, Christmas period, Saints days etc. It is proposed that the usual terminal hours for licensable activities for non-residents will remain much as currently granted ie 0000 hours | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | | | |
| Sun | 0001 | 0000 | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 6) | | | Please give further details (please read guidance note 3) Possible spectators at events or matches at or in games/sports facilities provided on site. |
|---|-------|--------|---|
| Day | Start | Finish | |
| Mon | 0001 | 0000 | |
| | | | |
| Tue | 0001 | 0000 | State any seasonal variations for indoor sporting events (please read guidance note 4) |
| | | | |
| Wed | 0001 | 0000 | |
| | | | |
| Thur | 0001 | 0000 | 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) Please see note at Box B |
| | | | |
| Fri | 0001 | 0000 | |
| | | | |
| Sat | 0001 | 0000 | |
| | | | |
| Sun | 0001 | 0000 | |
| | | | |

D

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place 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"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>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</u> (please read guidance note 5) | | |
| Fri | | | | | |
| 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 type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) For provision of live performers for enjoyment of hotel guests and attendees | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | State any seasonal variations for the performance of live music (please read guidance note 4) | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | 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) Please see note at Box B | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | | | |
| Sun | 0001 | 0000 | | | |

F

| | | | | | | | | |
|--|--------------|---------------|--|----------|-------------------------------------|--|--|--|
| Recorded music Standard days and timings (please read guidance note 6) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> | | | |
| | | | | Outdoors | <input type="checkbox"/> | | | |
| | | | | Both | <input checked="" type="checkbox"/> | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) for the provision of recorded music for hotel guests and attendees | | | | | |
| Mon | 0001 | 0000 | | | | | | |
| Tue | 0001 | 0000 | | | | | | |
| Wed | 0001 | 0000 | | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) | | |
| Thur | 0001 | 0000 | | | | | | |
| Fri | 0001 | 0000 | | | | | | |
| Sat | 0001 | 0000 | | | | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see note at Box B | | |
| Sun | 0001 | 0000 | | | | | | |

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"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) for the performance of dance to or by hotel guests and attendees | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | State any seasonal variations for the performance of dance (please read guidance note 4) | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) Please see note at Box B | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | | | |
| Sun | 0001 | 0000 | | | |

H

| | | | | | |
|--|-------|--------|--|----------|-------------------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment you will be providing</u> potential comperes for events, MC at functions, quizzes and similar including possible karaoke | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | 0001 | 0000 | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Tue | 0001 | 0000 | <u>Please give further details here</u> (please read guidance note 3) For hotel guests and attendees | | |
| Wed | 0001 | 0000 | | | |
| | | | | | |
| Thur | 0001 | 0000 | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) | | |
| Fri | 0001 | 0000 | | | |
| | | | | | |
| Sat | 0001 | 0000 | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see note at Box B | | |
| Sun | 0001 | 0000 | | | |

| | | | | | |
|--|--------------------------|----------|---|------|-------------------------------------|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the facilities for making music you will be providing</u> Facilities required by performers in pursuance of their art : | | |
| | | | <u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2) | | |
| Indoors | <input type="checkbox"/> | Outdoors | <input type="checkbox"/> | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) For the enjoyment of hotel guests and attendees | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | | | |
| Wed | 0001 | 0000 | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | | |
| Thur | 0001 | 0000 | | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | <u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see note at Box B | | |
| Sun | 0001 | 0000 | | | |
| | | | | | |

J

| | | | | |
|---|-------|--------|--|--|
| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | <u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2) | Indoors <input type="checkbox"/> |
| | | | | Outdoors <input type="checkbox"/> |
| | | | | Both <input checked="" type="checkbox"/> |
| | | | <u>Please give a description of the facilities for dancing you will be providing</u> Provision of facilities for customers and performers if appropriate to dance | |
| Day | Start | Finish | | |
| Mon | 0001 | 0000 | <u>Please give further details here</u> (please read guidance note 3) For the enjoyment of hotel guests and attendees | |
| Tue | 0001 | 0000 | | |
| Wed | 0001 | 0000 | <u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) | |
| Thur | 0001 | 0000 | | |
| Fri | 0001 | 0000 | <u>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</u> (please read guidance note 5) Please see note at Box B | |
| Sat | 0001 | 0000 | | |
| Sun | 0001 | 0000 | | |

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 you will be providing</u> Quizzes, compere, MC and similar entertainments | | |
| 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 | 0001 | 0000 | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Tue | 0001 | 0000 | <u>Please give further details here</u> (please read guidance note 3) for the enjoyment of hotel guests and attendees | | |
| Wed | 0001 | 0000 | | | |
| | | | | | |
| Thur | 0001 | 0000 | <u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) | | |
| Fri | 0001 | 0000 | | | |
| | | | | | |
| Sat | 0001 | 0000 | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see note at Box B | | |
| Sun | 0001 | 0000 | | | |
| | | | | | |

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 (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) For non-resident hotel guests to enjoy hot refreshments if required during these times | | |
| Mon | 2300 | 0500 | | | |
| Tue | 2300 | 0500 | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | | |
| Wed | 2300 | 0500 | | | |
| Thur | 2300 | 0500 | 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) Please see note at Box B | | |
| Fri | 2300 | 0500 | | | |
| Sat | 2300 | 0500 | | | |
| Sun | 2300 | 0500 | | | |

M

| | | | | | |
|---|--------------|---------------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | | | |
| Sun | 0001 | 0000 | 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) Please see note at Box B | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

| | |
|--|----------|
| Name Nicholas James Warner | |
| Address Flat 1 11 Durrant Road Poole Dorset | |
| Postcode | BH14 8TX |
| Personal Licence number (if known) BH16329 | |
| Issuing licensing authority (if known) Bournemouth Borough Council | |

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

O

| | | | |
|--|-------|--------|---|
| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | 0001 | 0000 | Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) Please see note to Box B. Half an hour will be added to times for non-residents for "winding down" time following the terminal hour adopted for licensable activities. |
| Tue | 0001 | 0000 | |
| Wed | 0001 | 0000 | |
| Thur | 0001 | 0000 | |
| Fri | 0001 | 0000 | |
| Sat | 0001 | 0000 | |
| Sun | 0001 | 0000 | |
| | | | |

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)

The applicants have satisfied themselves on the basis of their considerations and risk assessments (taking into account Government Guidance and the Council's policy) that there will be no detriment to the licensing objectives.

The premises have operated satisfactorily as a country hotel with additional and commensurate non-resident facilities for many years without detriment to the licensing objectives. Whilst there will be considerable upgrading and improvement, no fundamental alteration in this operation is proposed and there is no reason to believe that any future detriment will occur.

A statement amplifying these considerations is attached for information and assistance, but is not part of the operating schedule. Conditions are offered to show compliance with the licensing objectives where appropriate.

b) The prevention of crime and disorder

Please see above. Liaison has already been effected with the licensing officer and Crime Prevention Officer, and recommendations taken on board.

c) Public safety

Please see above. In addition, the premises are currently undergoing a major refurbishment and they will be carried out to the high standard modern specifications, including all the public safety measures. The experienced company directors and operatives are well aware of the need to carry out full risk assessments for health and safety, fire safety and food safety matters.

The Fire Risk assessment will have regard to fire precautionary measures stipulated at Condition 39 of the current Premises Licence.

d) The prevention of public nuisance

Please see above. The high standard refurbishment will include the connection of the main buildings on site, leading to less movement externally between the two. The construction works will include acoustic attenuation if and where required.

e) The protection of children from harm

Please see above. Whilst this will be a family hotel, children will be expected to be accompanied by responsible adults, especially in areas where alcohol is available.

In the event that any entertainments have an adult content that management considers make them inappropriate for children, or children of a certain age, they will be excluded from the room/s or area/s concerned.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

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

| | |
|-----------|--|
| Signature | |
| Date | 29 April 2009 |
| Capacity | Solicitor for and on behalf of the applicant |

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|--|----------|------------------|----------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) | | | |
| Julia Palmer JCP Law Potterne Farm Cottage Potterne Way Three Cross | | | |
| Post town | Wimborne | Post code | BH21 6RS |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) | | | |

Notes for Guidance

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

~~Amendment~~

Sarah Wilson

From: 6 OCU Licensing Mailbox [western.licensing@hampshire.pnn.police.uk]
Sent: 28 May 2009 15:16
To: Licensing e-mail address
Subject: RE: East Close Hotel

Hampshire Constabulary have no objections the granting of a premises licence at East Close Hotel & The Conqueror, please see the agree proposals below for both of the new premises as agreed with the applicant.

Yours sincerely

Georgie Fice
 6 OCU Licensing Team
 Hampshire Police
 ☎ 08450 454545 ext. 734 -174
 ☎ 023 8067 0904 (DDI)
 ✉ western.licensing@hampshire.pnn.police.uk

From: Julia Palmer [mailto:Julia.Palmer@]
Sent: 27 May 2009 16:51
To: 6 OCU Licensing Mailbox
Subject: East Close Hotel
Importance: High

Apologies again : Clause 2 should read variations (as in italics) to tie in with Clause 1.
 Julia

Without prejudice save as to costs.

Good afternoon. My apologies for the delay in coming back to you. I have now spoken with my client, and on the basis that the same will avoid the Police lodging any formal representation to any of the applications, they thank you for your consideration and will offer the following conditions to be added to the East Close Hotel and Conqueror new premises licence conditions :

1. The supply of intoxicating liquor will be limited for non-residents (excludes genuine guests of residents) to 01:00 except
 - a) an extra hour will be allowed on the seasonal variations as defined below
 - b) until the extended time permitted on the non-standard timings as defined below and
 - c) from the cessation of the terminal hour on New Year's Eve to the start of permitted hours on New Year's Day.
2. Seasonal *variations* will be during the month of December, on Bank/public holiday weekends (Friday to Monday inclusive); on St Valentines, St George's, St Andrew's, St Patrick's, and St David's Days and on change from GMT to BST.
3. Non-standard timings will be on a maximum of 20 occasions each calendar year on 10 working days' notice (or such shorter period as may be allowed) given to the Police and the Licensing Authority of a special occasion or an event until 03:00 or

ch longer time as the Police may permit.

I am hopeful that this will meet with your approval. If you are able to kindly agree that, I shall confirm to the Licensing Officer that the applications are amended to the above effect.

Kind regards

Julia Palmer
JCP Law
Potterne Farm Cottage
Potterne Way
Wimborne
BH21 6RS

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East Close Country Hotel, Lyndhurst Road, Hinton St Michael

PROPOSED CONDITIONS

Prevention of Crime and Disorder

1. The Licensee shall install and maintain a CCTV system to the reasonable standard which has been agreed with the Hampshire Constabulary Crime Prevention Officer
2. CCTV recordings shall be retained for a calendar month and these will be made available to the Police on request (subject to the Data Protection Act 1998).
3. Front of house staff will be trained to meet the requirements of the Licensing Act 2003.
4. Front of house staff will be advised that they must request identification from any persons who look under 21 years before they are sold alcohol.
5. The only identification that will be acceptable as proof of age will be that approved by PASS, photo driving licence or passport.
6. The supply of intoxicating liquor will be limited for non-residents (excludes genuine guests of residents) to 01:00 except
 - a) an extra hour will be allowed on the seasonal variations as defined below
 - b) until the extended time permitted on the non-standard timings as defined below and
 - c) from the cessation of the terminal hour on New Year's Eve to the start of permitted hours on New Year's Day.
7. Seasonal variations will be during the month of December, on Bank/public holiday weekends (Friday to Monday inclusive); on St Valentines, St George's, St Andrew's, St Patrick's, and St David's Days and on change from GMT to BST.
8. Non-standard timings will be on a maximum of 20 occasions each calendar year on 10 working days' notice (or such shorter period as may be allowed) given to the Police and the Licensing Authority of a

special occasion or an event until 03:00 or such longer time as the Police may permit.

Public Safety

9. An adequate amount of seating will be provided in the areas where licensable activities take place.
10. The premises will not be used under this Licence until the appropriate Responsible Authorities have indicated their satisfaction of the works.

Prevention of Nuisance

11. No deliveries at the premises will be arranged between 2200 hours and 0630 hours the following day.
12. There will be no removal of barrels or crates into outside areas between 2400 hours and 0630 hours the following day.
13. Night time staff will be reminded to leave the premises quietly.
14. Customers leaving the premises at night will be reminded to do so quickly and quietly to prevent disturbance to residents in the vicinity.

Protection of Children from Harm

15. Supervision by a responsible adult of any children in bar areas will be encouraged.

27.5.09

Conditions in red requested by the Police

To:

* Pollution E.H. - Objection * Page 1 of 2 *

ah Wilson

From: Gary Worsley
Sent: 28 May 2009 15:32
To: Licensing e-mail address
Cc: julia.palmer
Subject: 02485 - East Close Hotel - Grant.doc

Dear Licensing

Please find my comments with regards the above premises licence 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

023 8028 5274

| | |
|-----------------------------|--|
| To: | The Responsible Authorities |
| Our Ref: | LICPR/09/02510 - SW |
| Date: | 05 May 2009 |
| Application Type: | Grant of Premises Licence (S17) |
| Premises Details: | ** 2 X Premises Licences In Force** East Close Hotel, Lyndhurst Road, Hinton, Christchurch, BH23 7EF |
| Proposed Applicant Details: | East Close Limited R/O Lyndhurst Road Hinton Christchurch Dorset BH23 7EF |

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 28 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:

The East Close Hotel is located adjacent to the A35 Christchurch to Lyndhurst road which is busy with traffic during the day and evening periods creating a higher background noise level. The traffic tails off during the night and early morning periods such that the road becomes very light in traffic and due to its rural location, the background noise level during

28/05/2009

These periods will be very low.

This application is requesting a 'carte blanche' style provision for regulated entertainment, 24 hours per day and 7 days a week for both internal and external events.

I have been advised by the DPS and Events Manager that external events will take place in a marquee within the semi circular walled area to the North of the hotel and possibly in the patio area directly outside hotel's dining area. It was also mentioned that 'Party in the Park' type events might also be held once the business has become established.

Although the premises are located in a rural location there are several noise sensitive premises in the vicinity – 1, Dairy Cottage, 2, Dairy Cottage and Dairy Cottage, East Close Farm at 200-300m, The Dell House, Beckley Road at 450m The Cottage, South Drive at 480m, Woodland Cottage, South Drive at 530m, Woodsmoke, South Drive at 550m and Ames Cottage, Beckley Road at 609m distance from the hotel and the external marquee area.

It is likely that external events taking place in the walled area will cause a disturbance to the above residents. The walled area is semi circular in shape and is situated so that any noise made in the marquee will reflect off the wall towards the properties in a Southerly, South Easterly and Easterly direction. Marquees also offer little or no noise attenuation but there will be some distance attenuation to properties in the vicinity and some attenuation due to the 200m belt of trees when they are in full leaf. However, information received, suggests that external events held under the previous ownership were clearly audible at properties to the East, until 24:00 hours when the events ceased.

The applicant has provided information to control noise from deliveries, barrel movements and patrons leaving during the quiet hours, but has failed to provide any information on how event noise will be controlled to comply with one of the four licensing objectives – The Prevention of Public Nuisance.

Should the Licensing Committee be minded to grant approval for the premises licence, to prevent public nuisance from occurring they should be mindful of the following:-

1. Any music and noise emanating from the premise shall either cease at 23:00 hours or between the hours of 23:00 and 00:00 be inaudible at the boundary of all noise sensitive premises;
2. No external regulated entertainment shall take place after 00:00 hours
3. Any music and noise emanating from the premises prior to 23:00 hours shall be so low that distinct tunes, lyrics, musical instruments, and any bass beat cannot be recognised at the boundary of all noise sensitive premises;
4. A noise management plan shall be provided to ensure that noise emanating from the premises does not cause a public nuisance.
5. Large external functions such as 'Party in the Park' type events are only allowed following further consultation from the Responsible Authorities to prevent Public Nuisance.

In light of the above comments I object to the granting of this premises licence.

Gary Worsley
Environmental Health Officer
Environmental Protection

* Objection

Licensing Service
New Forest District Council
Fax 02380 285596

R. Z. Frank
The Cottage
Ossemsley
Christchurch
Dorset BH23 7EE

Dear Sirs,

28d May 09

Re: East Close Hotel and Conqueror outdoor
application for late (24 hour) music and
function licence.

Both my wife and I have suffered
in the past from extended hours
music and function/party noise from
the East Close Hotel, especially with
our windows open in the warm months.
We have complained in the past to
both management and council and
strongly object to the granting of this
new owner being granted this licence
which will create late night outdoor
noise and disturbance under the Provisions
of Public Nuisance Act.
Yours faithfully

Woodland Cottage,
Osensley,
Christchurch
BH23 7EE
26-5-09.

* Objection

Dear Sir,

We wish to lodge our objection to the application by East Chase Hotel and the Conqueror Bar to alter the conditions of their licences.

This immediate area is RURAL RESIDENTIAL. Normally this would preclude the creation of conditions which could facilitate a PUBLIC NUISANCE over the term of such a licence.

The proposed changes would include internal and EXTERNAL to the hotel and appear to include;

1. Live entertainment and practicing of music
2. Sports events
3. Film
4. Light shows & music
5. Provision of food and drink for residents

and their guests again over 24 hour period.

This is the New Forest National Park NOT Las Vegas. Where else in the UK would this violation be allowed?

to voice this application for total flexibility
of licensing regulations then residents of the
area could or would be subjected to
music live or piped into the hotel/Bar and
into the grounds at any time day or night.
There appears to be an application to serve
food internally or externally, between
11.30 am and 5.30 pm. The same application
for sporting competitions again external
or internal to buildings. The list for change
goes on and on, not always for the better.

We hope the Committee will appreciate
that there can be no justification in
changing this rural residential area.
Other hotels i.e. Chester Glen, the Rhodes,
Captains Club, Terra Nova all provide
public services but with no disruption
to the immediate environment.

Change may be necessary BUT it
must also be "for the good"
Yours sincerely

Sarah Wilson

From: Gary Worsley
Sent: 01 June 2009 13:55
To: Licensing e-mail address
Cc: 'julia.paine'; Carole Gallagher; Edward Vandyck
Subject: East Close Hotel - Grant and Variation Licensing Application

Dear Licensing

I refer to my discussion with Paul Weston, Licensing Officer, earlier this afternoon concerning the above premises licence applications.

As you are aware, I have objected to the grant of a new premises licence application as per my recent comments, however, clarification was required as to whether I have objected to the Variation application.

As I am aware, the existing Premises Licence for the East Close Hotel has provision for both indoor and outdoor regulated entertainment, however, the plan attached to the existing premises licence shows internal layout only and does not include any external areas for licensable activities.

The Variation includes a plan to show the entire hotel grounds where licensable activities may take place.

Therefore to clarify, I object to the Variation to the East Close Hotel premises licence if outside entertainment was not allowed due to the missing plan on the existing premises licence and the Variation would allow all external areas to be included, or if the external areas have been increased. There would need to be some control of noise as per my original comments to prevent the occurrence of public nuisance.

There would be no point in objecting to the Variation if the inclusion of the plan to include the whole of the hotel's external area was to correct an omission and there was no change to the external areas where licensable activities are allowed.

I might also point out that should the applicant agree to my conditions before the licensing hearing then I would remove my objection.

I hope the above clarifies my situation but 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 | 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



Think before you print!

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We East Close Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

| | | | |
|--|--------------|-----------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description | | | |
| The Conqueror Lyndhurst Road Hinton St Michael 2009 | | | |
| Post town | Christchurch | Post code | BH23 7EF |
| Telephone number at premises (if any) | | | |
| Non-domestic rateable value of premises | | £38000 | |

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|---|------------------------------|-------------------------------|-----------------------------|--|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | <input type="checkbox"/> Please tick yes | |
| Current postal address if different from premises address | | | | | |
| Post Town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | <input type="checkbox"/> Please tick yes | |

| | | | |
|---|--|----------|--|
| Current postal address if different from premises address | | | |
| Post Town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

| |
|--|
| Name East Close Limited |
| Address R/O Lyndhurst Road Hinton Christchurch Dorset BH23 7EF |
| Registered number (where applicable) 06208390 |
| Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | | | | |
|-----|---|-------|---|------|---|
| Day | | Month | | Year | |
| 2 | 8 | 0 | 5 | 2 | 0 |
| 0 | 9 | | | | |

If you wish the licence to be valid only for a limited period, when do you want it to end?

| | | | | | |
|-----|--|-------|--|------|--|
| Day | | Month | | Year | |
| | | | | | |
| | | | | | |

Please give a general description of the premises (please read guidance note1)
Bar with food and entertainment

The Conqueror is shown contiguous to the Hotel in its grounds, outlined in red on the attached location map. The extent of the boundaries of the buildings are shown on this map by a solid black line. Detail of the internal layout is shown on the attached drawing no ECCH/065/07/043 and outlined in red. Areas for licensable activities within this area are public areas except bar lobby and WCs. Where indicated in this application, licensable activities will also take place in the external areas and in temporary and permanent structures in those areas.

The contiguous Hotel is shown to assist, but is the subject of a separate application

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

| | | | | | |
|---|-------|--------|--|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play 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 performing plays (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | 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) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

B

| | | | | | |
|---|--------------|---------------|--|----------|-------------------------------------|
| Films Standard days and timings (please read guidance note 6) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) To ensure necessary permission for films shown by DVD or video on screen, TV or similar <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) <u>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</u> (please read guidance note 5) NOTE: the hours requested are to allow flexibility for extensions for functions and events at the premises, including seasonal extensions such as Bank Holiday weekends, Christmas period, Saints days etc. It is proposed that the usual terminal hours for licensable activities for customers will be 0000 hours. | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | | | |
| Sun | 0001 | 0000 | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 6) | | | <u>Please give further details</u> (please read guidance note 3) Possible spectators at events or matches at or in games/sports facilities provided on site. |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | 0001 | 0000 | |
| | | | |
| Tue | 0001 | 0000 | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) |
| | | | |
| Wed | 0001 | 0000 | |
| | | | |
| Thur | 0001 | 0000 | <u>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</u> (please read guidance note 5) Please see note at Box B |
| | | | |
| Fri | 0001 | 0000 | |
| | | | |
| Sat | 0001 | 0000 | |
| | | | |
| Sun | 0001 | 0000 | |
| | | | |

D

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|--|--------------|---------------|--|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place 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"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>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</u> (please read guidance note 5) | | |
| Fri | | | | | |
| 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 type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| | | | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 3) For provision of live performers for enjoyment of customers | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | | | |
| | | | State any seasonal variations for the performance of live music (please read guidance note 4) | | |
| Sun | 0001 | 0000 | | | |
| | | | | | |
| | | | 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) Please see note at Box B | | |
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F

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|--|--------------|---------------|---|----------|-------------------------------------|
| 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 checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) for the provision of recorded music for customers | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | | | |
| Wed | 0001 | 0000 | State any seasonal variations for the playing of recorded music (please read guidance note 4) | | |
| Thur | 0001 | 0000 | | | |
| Fri | 0001 | 0000 | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) Please see note at Box B | | |
| Sat | 0001 | 0000 | | | |
| Sun | 0001 | 0000 | | | |

G

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|---|--------------|---------------|--|----------|-------------------------------------|
| 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"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) for the performance of dance to or by customers | | |
| Mon | 0001 | 0000 | | | |
| Tue | 0001 | 0000 | State any seasonal variations for the performance of dance (please read guidance note 4) | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) Please see note at Box B | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | | | |
| Sun | 0001 | 0000 | | | |

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 you will be providing</u> potential comperes for events, MC at functions, quizzes and similar including possible karaoke</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 | 0001 | 0000 | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Tue | 0001 | 0000 | <p><u>Please give further details here</u> (please read guidance note 3) For customers</p> | | |
| Wed | 0001 | 0000 | | | |
| | | | | | |
| Thur | 0001 | 0000 | <p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p> | | |
| Fri | 0001 | 0000 | | | |
| | | | | | |
| Sat | 0001 | 0000 | <p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see note at Box B</p> | | |
| Sun | 0001 | 0000 | | | |
| | | | | | |

1

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|--|--------------|---------------|---|--|--|-------------------------------------|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the facilities for making music you will be providing</u> Facilities required by performers in pursuance of their art : | | | |
| | | | <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 checked="" type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) For the enjoyment of customers | | | |
| Mon | 0001 | 0000 | | | | |
| | | | | | | |
| Tue | 0001 | 0000 | | | | |
| | | | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | | | |
| Wed | 0001 | 0000 | | | | |
| | | | | | | |
| Thur | 0001 | 0000 | | | | |
| | | | <u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see note at Box B | | | |
| Fri | 0001 | 0000 | | | | |
| | | | | | | |
| Sat | 0001 | 0000 | | | | |
| | | | | | | |
| Sun | 0001 | 0000 | | | | |
| | | | | | | |

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 (see guidance note 2) | Indoors <input type="checkbox"/> |
| | | | | Outdoors <input type="checkbox"/> |
| | | | | Both <input checked="" type="checkbox"/> |
| | | | Please give a description of the facilities for dancing you will be providing Provision of facilities for customers and performers if appropriate to dance | |
| Day | Start | Finish | | |
| Mon | 0001 | 0000 | Please give further details here (please read guidance note 3) For the enjoyment of customers | |
| Tue | 0001 | 0000 | | |
| Wed | 0001 | 0000 | State any seasonal variations for providing dancing facilities (please read guidance note 4) | |
| Thur | 0001 | 0000 | | |
| Fri | 0001 | 0000 | 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) Please see note at Box B | |
| Sat | 0001 | 0000 | | |
| Sun | 0001 | 0000 | | |

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 you will be providing</u> Quizzes, compere, MC and similar entertainments | | |
| 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 | 0001 | 0000 | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Tue | 0001 | 0000 | <u>Please give further details here</u> (please read guidance note 3) for the enjoyment of customers | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | <u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see note at Box B | | |
| Sun | 0001 | 0000 | | | |

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 (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) For customers to enjoy hot refreshments if required during these times State any seasonal variations for the provision of late night refreshment (please read guidance note 4) 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) Please see note at Box B | | |
| Mon | 2300 | 0500 | | | |
| Tue | 2300 | 0500 | | | |
| Wed | 2300 | 0500 | | | |
| Thur | 2300 | 0500 | | | |
| Fri | 2300 | 0500 | | | |
| Sat | 2300 | 0500 | | | |
| Sun | 2300 | 0500 | | | |

M

| | | | | | |
|---|--------------|---------------|---|-------------------------------------|--------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 0001 | 0000 | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | |
| Tue | 0001 | 0000 | | | |
| Wed | 0001 | 0000 | | | |
| Thur | 0001 | 0000 | 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) Please see note at Box B | | |
| Fri | 0001 | 0000 | | | |
| Sat | 0001 | 0000 | | | |
| Sun | 0001 | 0000 | | | |
| | | | Both | <input checked="" type="checkbox"/> | |

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

| | |
|--|---------|
| Name Paul Andrew Fudge | |
| Address 49a Fortescue Road Bournemouth | |
| Postcode | BH3 7JU |
| Personal Licence number (if known) BH16329 | |
| Issuing licensing authority (if known) Bournemouth Borough Council | |

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

O

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
|--|-------|--------|---|
| Day | Start | Finish | |
| Mon | 0001 | 0000 | <p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) Please see note to Box B. Half an hour will be added to times for non-residents for "winding down" time following the terminal hour adopted for licensable activities.</p> |
| | | | |
| Tue | 0001 | 0000 | |
| | | | |
| Wed | 0001 | 0000 | |
| | | | |
| Thur | 0001 | 0000 | |
| | | | |
| Fri | 0001 | 0000 | |
| | | | |
| Sat | 0001 | 0000 | |
| | | | |
| Sun | 0001 | 0000 | |
| | | | |

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)

The applicants have satisfied themselves on the basis of their considerations and risk assessments (taking into account Government Guidance and the Council's policy) that there will be no detriment to the licensing objectives.

The premises have operated satisfactorily as a bar with entertainment facilities for many years without detriment to the licensing objectives. Whilst there will be considerable upgrading and improvement, no fundamental alteration in this operation is proposed and there is no reason to believe that any future detriment will occur.

A statement amplifying these considerations is attached for information and assistance, but is not part of the operating schedule. Conditions are offered to show compliance with the licensing objectives where appropriate.

b) The prevention of crime and disorder

Please see above. Liaison has already been effected with the licensing officer and Crime Prevention Officer, and recommendations taken on board.

c) Public safety

Please see above. In addition, the premises are currently undergoing a major refurbishment and they will be carried out to the high standard modern specifications, including all the public safety measures. The experienced company directors and operatives are well aware of the need to carry out full risk assessments for health and safety, fire safety and food safety matters.

The Fire Risk assessment will have regard to fire precautionary measures stipulated at Condition 39 of the current Premises Licence.

d) The prevention of public nuisance

Please see above. The high standard refurbishment will include the connection of the main buildings on site, leading to less movement externally between the two. The construction works will include acoustic attenuation if and where required.

e) The protection of children from harm

Please see above. Children will be expected to be accompanied by responsible adults

In the event that any entertainments have an adult content that management considers make them inappropriate for children, or children of a certain age, they will be excluded from the room/s or area/s concerned.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

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

| | |
|-----------|--|
| Signature | |
| Date | 29 April 2009 |
| Capacity | Solicitor for and on behalf of the applicant |

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

| | | | |
|--|----------|------------------|----------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) | | | |
| Julia Palmer JCP Law Potterne Farm Cottage Potterne Way Three Cross | | | |
| Post town | Wimborne | Post code | BH21 6RS |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail your e-mail address (optional) | | | |

Notes for Guidance

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

Potterne Farm Cottage
Potterne Way
Three Legged Cross
Wimborne BH21 6RS

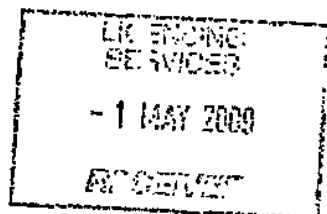
Phone:

Mobile :

Fax :

E-mail:

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



29 April 2009

Dear Sir/Madam

**Applications for New Premises Licences/alternative variation
For East Close Country Hotel and the Conqueror Bar, Hinton St Michael
Licence No 1295**

I am instructed by the current licence holders, East Close Ltd, in connection with their upgrading and proposed re-opening of these premises. Those instructions are to make new licence applications to permit the above premises to operate as an Hotel and Gastro bar respectively.

It is hoped that work will be completed on the premises to enable them to re-open on or about 26 May. To enable this timetable to be met, I am also applying for a TEN. Having regard to the fact that representations leading to a hearing (which will inevitably delay the consideration of the applications and potential grant until later in June) may be lodged, I am also applying for additional TENs and/or an additional application to vary the existing licence simply as to the plan layout, together with an application to vary the DPS on this current licence.

If the new licences are granted, the existing licence will be surrendered on the new licences being taken up.

I am accordingly enclosing :

1. Application for a New Premises Licence for the East Close Country Hotel.
2. Consent of Mr Warner to being the DPS.
3. Application for New Premises Licence for the Conqueror Bar.
4. Consent of Mr Fudge to being the DPS.
5. An information statement explaining the applications and assisting as to the proposed operations

Julia C Palmer

Solicitor and Sole Practitioner Regulated by the Solicitors Regulation Authority

6. Proposed conditions for the East Close Country Hotel and for The Conqueror Bar
7. The location plan referred to in the application.
8. Drawing No ECCH/065/07/043 to a scale of 1:100 showing the East Close Country Hotel building outlined in blue. NB : Loose furniture is shown for information only and is not part of the plan.
9. Drawing No ECCH/065/07/043 to a scale of 1:100 showing the adjoining Conqueror Bar building outlined in red. NB : Loose furniture is shown for information only and is not part of the plan.
10. My client's two cheques in the sums of £315.00 each for each of the applications.
11. The additional plan only variation application and a further cheque for £315.✳
Please rely on drawing No ECCH/065/07/043 filed with this letter in support of that application.
12. The application to vary DPS (into Mr Fudge's name) on the existing licence and my firm's cheque for £23 in discharge of your fee.
13. The existing Licence.
14. For your information, a copy of the advertisements that will be placed on the premises with the same wording in the press. If for any reason you consider any alterations should be made, please revert by return.
15. The Temporary Event Notices for the period 26 May to 29 May, when the application may hopefully be considered and granted if no representations are lodged, and 31 May to 3 June, 5 June to 8 June and 10 June to 12 June if they are. Any TENS which are not required will be withdrawn as appropriate.
16. My firm's cheque for £84 in discharge of your fees for the TENS.

I confirm that I have served the Responsible Authorities, as helpfully listed on your website, with the relevant applications and supporting documents by post today.

Please do not hesitate to let me know should you require anything further. Kindly forward the Premises Licence grant document to this office in due course.

Yours sincerely

JULIA PALMER

* This will now be sent to you direct & will be with you tomorrow

EAST CLOSE COUNTRY HOTEL and THE CONQUEROR BAR

ADDITIONAL INFORMATION

The Current operation

The East Close Country Hotel has been operating in the New Forest as a country hotel with a separate public bar for many years. It is sited on the A35 Lyndhurst Road at the edge of Hinton. It is part of the Meyrick Estate, and has extensive grounds. It is isolated, with only 3 farms in the vicinity. The hotel became tired of late, but the lease has now been taken by East Close Ltd, who hold the current Premises Licence. It is currently closed whilst undergoing the major refurbishment.

East Close Ltd and the provenance of its directors

Its directors have a wealth of experience between them of business locally, including the hospitality industry.

Bournemouth operated premises owned by companies directed by Andy Price include the renowned and award-winning West Beach and Print Room, and the popular Aruba. All offer gourmet food with bar and entertainment, and a high standard of service.

As well as dedicated site managers, the group now has an experienced Operations Manager, Nick Warner, who is co-ordinating and controlling the offers and standards.

The Boutique Hotel

The East Close has long operated as a country hotel, offering accommodation and full function, entertainment and bar facilities for residents and public alike. With its extensive grounds, the vision for the future of the hotel is to extend the country pursuits and commensurate facilities offered, and to make the hotel a focal point for those visiting and staying in the National Park. It will have on site parking for hotel guests, staff and others visiting.

A complete refurbishment of this Grade II listed building is being tastefully undertaken, in close co-operation with the authorities. This will allow a 15 bedroom boutique hotel with a cocktail bar and will enable the addition of disabled facilities where appropriate.

A "boutique hotel" is a comparatively new concept, with the sort of accommodation, service and facilities found in a top 5 star hotel in London being replicated in an intimate country hotel. The emphasis is on quality. This will fully complement the National Park status of the New Forest.

Premium prices can be charged for such accommodation, which remains rare in the area, and the comfort of the residential guests will take top priority. This will result in great care being taken to ensure that there is neither nuisance nor annoyance from any of the other facilities offered at the premises. This will, in turn, assist greatly in the furtherance of the licensing objectives and protection of the three neighbouring premises.

An impressive new entrance to the bar is being constructed, with the two being joined together for the first time. The extensive works are costing around £1.5m, and will bring this hotel and environs up to the highest standard and a genuine jewel in the Park's crown.

Functions

This lovely setting will be available for those wishing to hold their wedding reception or similar celebration, as well as events such as exclusive smaller Classic Concerts in the Park, or Jazz ensembles for the connoisseur.

An application will be made for a Wedding Licence for the folly chapel.

A site for marquees for such events has been chosen, with easy access to the parking area and main hotel. The barn food servery will also be available for those using the grounds, with any bar facilities being secured or removed when not in use. When either marquee/s or barn is used, they will be properly staffed and supervised.

The applications

A new licence application is being made for the hotel, and a separate one for the bar, to ensure that licensing is fully up to date, and customers properly catered for. The existing licence, which covers both hotel and bar etc, is still very much as it was under the Licensing Act 1964, with some otiose and unnecessary conditions carried forward on transition (primarily under the old PEL regime).

The new applications take into account modern licensing requirements, and the applicant willingly offers conditions at the outset to ensure controls are fully in place to maintain the licensing objectives, even if this Company should cease to be involved with it. Although with this major investment, there are no plans for that. The applicant appreciates, however, that licensing and responsible authorities will wish to have that assurance.

Staffing

The new teams at the premises will work independently, but with the advantage of being able to offer back up and support to each other. There will be a strong staff to customer ratio, with considerable emphasis being placed on excellent service.

There will be a pyramid structure with the Operations Manager (answerable directly to the Board) at the top, the two managers and their teams under

that, and a full support staff, including the usual catering, waiting and hotel staff, to ensure good service.

The splitting of the licence will mean a separate DPS for both hotel and bar, which will give added control and supervision, as well as accountability.

Members of staff who will be involved in the sale of alcohol will be trained to ensure that they are familiar with the legal requirements and Company policies, which will include, for example, Challenge 21.

The Conqueror

The Conqueror is to be gastro-pub, with a top quality chef and an experienced DPS to run the show. With many years of success in this particular field behind the Company, it promises to be an appropriate, popular and fitting use for the old Stable bar. As with the group's other venues, the Conqueror wishes to have the ability to offer regulated entertainment to compliment the food offer.

The bar itself will have lounge style seating and capability nearer to the entrance, with dining areas laid out towards the rear and in the old bar area. Customers will, however, be able to eat where they choose, including in the outside garden area at the back of the bar. It is anticipated that hotel guests will wish to take advantage of the gastro-pub dining, particularly at lunchtimes and in the evening.

Surrender of the existing licence

If the new licences are granted to the satisfaction of the applicant, the existing licence will be surrendered on the new licences being taken up. Until that time, and until the appropriate Responsible Authorities have approved the works, the new licence will remain in abeyance.

6.3.09

* Amendment *

Sarah Wilson

From: 6 OCU Licensing Mailbox [western.licensing@hampshire.pnn.police.uk]
Sent: 28 May 2009 15:16
To: Licensing e-mail address
Subject: RE: East Close Hotel

Hampshire Constabulary have no objections the granting of a premises licence at East Close Hotel & The Conqueror, please see the agree proposals below for both of the new premises as agreed with the applicant.

Yours sincerely

Georgie Fice
6 OCU Licensing Team
Hampshire Police
☎ 08450 454545 ext. 734 -174
☎ 023 8067 0904 (DDI)
✉ western.licensing@hampshire.pnn.police.uk

From: Julia Palmer [mailto:Julia.Palmer@hampshire.pnn.police.uk]
Sent: 27 May 2009 16:51
To: 6 OCU Licensing Mailbox
Subject: East Close Hotel
Importance: High

Apologies again : Clause 2 should read variations (as in italics) to tie in with Clause 1.
Julia

Without prejudice save as to costs.

Good afternoon. My apologies for the delay in coming back to you. I have now spoken with my client, and on the basis that the same will avoid the Police lodging any formal representation to any of the applications, they thank you for your consideration and will offer the following conditions to be added to the East Close Hotel and Conqueror new premises licence conditions :

1. The supply of intoxicating liquor will be limited for non-residents (excludes genuine guests of residents) to 01:00 except
 - a) an extra hour will be allowed on the seasonal variations as defined below
 - b) until the extended time permitted on the non-standard timings as defined below and
 - c) from the cessation of the terminal hour on New Year's Eve to the start of permitted hours on New Year's Day.
2. *Seasonal variations* will be during the month of December, on Bank/public holiday weekends (Friday to Monday inclusive); on St Valentines, St George's, St Andrew's, St Patrick's, and St David's Days and on change from GMT to BST.
3. Non-standard timings will be on a maximum of 20 occasions each calendar year on 10 working days' notice (or such shorter period as may be allowed) given to the Police and the Licensing Authority of a special occasion or an event until 03:00 or

such longer time as the Police may permit.

I am hopeful that this will meet with your approval. If you are able to kindly agree that, I shall confirm to the Licensing Officer that the applications are amended to the above effect.

Kind regards

Julia Palmer

JCP Law
Potterne Farm Cottage
Potterne Way
Wimborne
BH21 6RS

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The Conqueror, Lyndhurst Road, Hinton St Michael

PROPOSED CONDITIONS

Prevention of Crime and Disorder

1. The Licensee shall install and maintain a CCTV system to the reasonable standard which has been agreed with the Hampshire Constabulary Crime Prevention Officer
2. CCTV recordings shall be retained for a calendar month and these will be made available to the Police on request (subject to the Data Protection Act 1998).
3. Front of house staff will be trained to meet the requirements of the Licensing Act 2003.
4. Front of house staff will be advised that they must request identification from any persons who look under 21 years before they are sold alcohol.
5. Challenge 21 posters shall be displayed in prominent positions in the premises.
6. The only identification that will be acceptable as proof of age will be that approved by PASS, photo driving licence or passport.
7. A written log shall be kept of all refusals to serve alcohol, refusals of entry to the premises and ejections from the premises. The holder of the premises licence shall ensure that the refusals log is properly maintained and this shall include, but is not limited to, nominating in writing a responsible person to check and sign it on a weekly basis.
8. Substantial food will be available and advertised whenever alcohol is offered for sale and at least 75 covers will be available for diners during this time.

Public Safety

9. The premises will not be used under this Licence until the appropriate Responsible Authorities have indicated their satisfaction of the works.

Prevention of Nuisance

10. No deliveries at the premises will be arranged between 2200 hours and 0630 hours the following day.
11. There will be no removal of barrels or crates into outside areas between 2400 hours and 0630 hours the following day.
12. Customers leaving the premises at night will be reminded to do so quickly and quietly to prevent disturbance to residents in the vicinity.

Protection of Children from Harm

13. Supervision by a responsible adult of any children in bar areas will be encouraged.

6.5.09

Amendments in green : Trading Standards

T.S. Appeal Conditions for The Conqueror

Paul Weston

From: Julia Palmer [Julia.Palmer]
Sent: 07 May 2009 17:26
To: Paul Weston
Subject: RE: East Close Country Hotel & The Conqueror Bar

Good afternoon. I confirm that the amended proposed conditions substitutes for that originally filed for The Conqueror.

Regards

Julia

From: Paul Weston [mailto:Paul.Weston@NFDC.gov.uk]
Sent: 07 May 2009 16:33
To: Julia.Palmer
Subject: FW: East Close Country Hotel & The Conqueror Bar

From: Paul Weston
Sent: 07 May 2009 16:31
To: 'Julie.Palmer'
Cc: 'Lawford, Stephen'
Subject: RE: East Close Country Hotel & The Conqueror Bar

Dear Julie

For clarity, please can you confirm that the amended conditions as agreed with Trading Standards can now form part of the operating schedule of said licence?

These being in addition to the other 'Proposed Conditions' for The Conqueror as stated in document 6 (dated 2009-03-06) reference licence application cover letter dated 2009-04-29.

Paul Weston
Licensing Officer
Licensing Services
Tel: 023 8028 5505 / HSPN: 8 777 5449
paul.weston@nfdc.gov.uk / www.newforest.gov.uk

From: Sarah Wilson On Behalf Of Licensing e-mail address
Sent: 07 May 2009 15:38
To: Paul Weston
Subject: FW: East Close Country Hotel & The Conqueror Bar

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

From: Julia Palmer [mailto:Julia.Palmer]
Sent: 07 May 2009 14:40

To: Lawford, Stephen; Licensing e-mail address
Subject: RE: East Close Country Hotel & The Conqueror Bar

Appreciated, thanks.

I am, by copy of this email, forwarding the amended conditions to Licensing (your ref PW/LICPR/09/02521/SW).

Regards
Julia

From: Lawford, Stephen [mailto:stephen.lawford@hants.gov.uk]
Sent: 07 May 2009 14:17
To: Julia Palmer
Subject: RE: East Close Country Hotel & The Conqueror Bar

Dear Sirs

Yes, Trading Standards accept the conditions will apply to the Conqueror only.

Thank you for your agreement.

Yours sincerely

Steve Lawford

From: Julia Palmer [mailto:Julia.Palmer@hants.gov.uk]
Sent: 07 May 2009 11:54
To: Lawford, Stephen
Subject: RE: East Close Country Hotel & The Conqueror Bar

Good morning. I have now taken instructions, and fully considered your request.

I know that you are aware that conditions should only be attached to a licence if they are necessary and proportionate. You will be aware of the proposed operations of the two units from the information statement accompanying the applications.

My client is always keen and willing to work with Responsible Authorities and although it is difficult to see that the maintenance of the log falls within the necessary and proportionate definition, is willing to accept your request in the terms stated in respect of The Conqueror.

May I respectfully assume that you will not wish to pursue that request in respect of the East Close Country Hotel, which is to operate as a boutique hotel, having regard to the "necessary and proportionate" requirements?

I am attaching a copy of the amended conditions for the Conqueror, which I shall forward to Licensing on receipt of your kind confirmation that this will suffice.

Regards

Julia

Julia Palmer
JCP Law
Potterne Farm Cottage

Poole Way
Wimborne
BH21 6RS

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From: Lawford, Stephen [mailto:stephen.lawford@hants.gov.uk]
Sent: 01 May 2009 13:33
To: julia.palmer@
Subject: East Close Country Hotel & The Conqueror Bar

Dear Sirs

Thank you for your application.

Trading Standards would like the following conditions to be applied, thereby avoiding a representation being made. Therefore, please can you agree to the following :-

I hereby agree to amend my operating schedule as follows:-

A written log shall be kept of all refusals including refusals to serve alcohol, refusals of entry to the premises and ejections from the premises. The holder of the premises licence shall ensure that the refusals log is properly maintained and this shall involve, but is not limited to, nominating in writing a responsible person to check and sign it on a weekly basis.

'Challenge 21' posters shall be displayed in prominent positions at the premises.

Kind regards
Steve Lawford
Trading Standards Officer

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www.newforest.gov.uk/temail/disclaimer

Paul Wilson

From: Gary Worsley
Sent: 28 May 2009 15:38
To: Licensing e-mail address
Cc: julia.palmer
Subject: 02485 - The Conqueror for East Close.doc

Dear Licensing

Please find my comments regarding the above premises licence 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

023 8028 5274

| | |
|-----------------------------|--|
| To: | The Responsible Authorities |
| Our Ref: | LICPR/09/02521 - SW |
| Date: | 05 May 2009 |
| Application Type: | Grant of Premises Licence (S17) |
| Premises Details: | The Conqueror, Lyndhurst Road, Hinton, Christchurch, BH23 7EF |
| Proposed Applicant Details: | East Close Limited R/O Lyndhurst Road Hinton Christchurch Dorset BH23 7EF |

**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 28 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:

The Conqueror is located adjacent to the A35 Christchurch to Lyndhurst road which although is busy with traffic during the day and evening periods creating a higher background noise level, the traffic tails off during the night and early morning periods such that the road becomes very light in traffic and due to its rural location the background noise level during these periods is very low.

The premise has applied for a 'carte blanche' regulated entertainment 24 hours per day and 7 days a week for both internal and external events.

I have been advised by the DPS and the Events Manager that external events will take place in a marquee within the semi circular walled area to the North of the Conqueror and possibly in the patio area directly outside the Conqueror. It was also mentioned that party in the park type events might also be held once the business has become established.

Although the premises are located in a rural location there are several noise sensitive premises in the vicinity – 3 x Diary Cottages, East Close Farm at 200-300m, The Dell House, Beckley Road at 450m The Cottage, South Drive at 480m, Woodland Cottage, South Drive at 530m, Woodsmoke, South Drive at 550m and Ames Cottage, Beckley Road at 609m distance from the Conqueror and the external marquee area.

It is very likely that external events taking place in the walled area will cause a disturbance to the above residents. The walled area is also of semi circular and is situated so that any noise made in the marquee will reflect off the wall towards the properties to the South, South East and East. Marquees also offer little or no noise attenuation but there will be some distance attenuation to properties in the vicinity and some attenuation due to the 200m belt of trees when they are in full leaf. However, information received, suggests that external events held under the previous ownership were very audible at properties to the East, until 24:00 hours when the events ceased.

The applicant has provided information to control noise from deliveries, barrel movements and patrons leaving during the quiet hours, but has failed to provide any information on how event noise will be controlled to comply with one of the four licensing objectives – The Prevention of Public Nuisance.

Should the Licensing Committee be minded to grant approval for the premises licence, to prevent public nuisance from occurring they should be mindful of the following:-

1. Any music and noise emanating from the premise shall either cease at 23:00 hours or between the hours of 23:00 and 00:00 be inaudible at the boundary of all noise sensitive premises;
2. No external regulated entertainment shall take place after 00:00 hours
3. Any music and noise emanating from the premises prior to 23:00 hours shall be so low that distinct tunes, lyrics, musical instruments, and any bass beat cannot be recognised at the boundary of all noise sensitive premises;
4. A noise management plan shall be provided to ensure that noise emanating from the premises does not cause a public nuisance.
5. Large external functions such as 'Party in the Park' type events are only allowed following further consultation from the Responsible Authorities to prevent Public Nuisance.

In light of the above comments I object to the grant of this premises licence application.

Gary Worsley

* Objection

Woodland Cottage,
Ossemsley,
Christchurch
BH23 7EE
26-5-09.

Dear Sir,
We wish to lodge our objection
to the application by East Chase Hotel and the
Congregar bar to alter the conditions of their licence

This immediate area is RURAL RESIDENTIAL.
Normally this would preclude the creation
of conditions which could facilitate a
PUBLIC NUISANCE over the term for how period
of such a licence.

The proposed changes would include
internal and EXTERNAL to the hotel and appear
to include;

1. Live entertainment and practicing of music
2. Sports events
3. Film
4. Light shows & music
5. Provision of food and drink for residents
and their guests again over 24 hour period.

This is the New Forest National Park NOT
Las Vegas. Where else in the UK would this
violation be allowed?

Should this application for total flexibility of licensing regulations then residents of the area could or would be subjected to music live or piped into the hotel/Bar and into the grounds at any time day or night. There appears to be an application to serve food internally or externally, between 11.30 ^{am} and 5.30 ^{pm}. The same application for sporting competitions again external or internal to buildings. The list for change goes on and on, not always for the better.

We hope the Committee will appreciate that there can be no justification in changing this rural residential area. Other hotels i.e. Chester Glen, The Rhodes, Captains Club, Terra Nova all provide public services but with no disruption to the immediate environment.

Change may be necessary BUT it must also be "for the good".
Yours sincerely

The Licensing Committee
Hampshire County Council

R. E. Frank
The Cottage
Ossemsley
Christchurch
Dorset
BH23 7EE

Dear Sirs

27/5/09

Re: - East Close Hotel 24-hour application
for lighting and music outdoors

Having had past experience of
music, noise, shouting and disturbance
from the East Close Hotel late at
night and during the day both
my wife and I strongly object
to the granting of this licence.

Yours faithfully

* Objection

R. Z. Frank
The Cottage
Osprey
Church
Dorset BH23 7EE

Licensing Service
New Forest District Council
Fax 02380 285596

28th May 09

Dear Sirs,

Re: East Close Hotel and Conqueror outdoor application for late (24 hour) music and function licence.

Both my wife and I have suffered in the past from extended hours music and function/party noise from the East Close Hotel, especially with our windows open in the Wain months. We have complained in the past to both management and council and strongly object to the granting of this new licence being granted to the new owner which will create late night outdoor noise and disturbance under the provisions of Public Nuisance Act.

Yours faithfully

* Agreed & proposed
Conditions (amended)

Sarah Wilson

From: Paul Weston
Sent: 01 June 2009 11:00
To: Sarah Wilson
Subject: FW: The East Close Hotel and the Conqueror
Attachments: PROPOSED CONDITIONS 27.5.09.doc; PROPOSED CONDITIONS 27.5.09.doc

Paul Weston
Licensing Officer
Licensing Services
Tel: 023 8028 5505 / HSPN: 8 777 5449
paul.weston@nfdc.gov.uk / www.newforest.gov.uk

From: Julia Palmer [mailto:Julia.Palmer]
Sent: 29 May 2009 10:06
To: Paul Weston
Cc: western.licensing@hampshire.pnn.police.uk
Subject: The East Close Hotel and the Conqueror

Good afternoon. We have been in consultation with the Police, and have agreed additional conditions to address their concerns in respect of the crime and disorder objective.

I am attaching the new sets of conditions for both new licence applications, which please substitute for earlier versions. The colouring on the document is for ease of reference only, and can obviously be removed (so that all are in the same black type) if these conditions are ultimately accepted for new grants.

I have now received the representation lodged by the EHO. I understand that this will trigger a hearing, and should be grateful if 23rd June could possibly be avoided. I know that you will kindly forward the usual hearing notice in due course, and would also be grateful to receive details of any other representations that may have been lodged at the earliest opportunity. If I hear nothing further from you in this respect today, I shall assume that the only representation is that lodged by Gary Worsley.

With kind regards

Julia Palmer
JCP Law
Potterne Farm Cottage
Potterne Way
Wimborne
BH21 6RS

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The Conqueror, Lyndhurst Road, Hinton St Michael

PROPOSED CONDITIONS

Prevention of Crime and Disorder

1. The Licensee shall install and maintain a CCTV system to the reasonable standard which has been agreed with the Hampshire Constabulary Crime Prevention Officer
2. CCTV recordings shall be retained for a calendar month and these will be made available to the Police on request (subject to the Data Protection Act 1998).
3. The supply of intoxicating liquor will be limited for non-residents (excludes genuine guests of residents) to 01:00 except
 - a) an extra hour will be allowed on the seasonal variations as defined below
 - b) until the extended time permitted on the non-standard timings as defined below and
 - c) from the cessation of the terminal hour on New Year's Eve to the start of permitted hours on New Year's Day.
4. Seasonal variations will be during the month of December, on Bank/public holiday weekends (Friday to Monday inclusive); on St Valentines, St George's, St Andrew's, St Patrick's, and St David's Days and on change from GMT to BST.
5. Non-standard timings will be on a maximum of 20 occasions each calendar year on 10 working days' notice (or such shorter period as may be allowed) given to the Police and the Licensing Authority of a special occasion or an event until 03:00 or such longer time as the Police may permit.
6. Front of house staff will be trained to meet the requirements of the Licensing Act 2003.
7. Front of house staff will be advised that they must request identification from any persons who look under 21 years before they are sold alcohol.
8. Challenge 21 posters shall be displayed in prominent positions in the premises.
9. The only identification that will be acceptable as proof of age will be that approved by PASS, photo driving licence or passport.

10. A refuse log shall be kept of all refuse to be collected which reflects an entry to the premises and ejection from the premises. The holder of the premises licence shall ensure that the refuse log is properly maintained and this shall include, but is not limited to, nominating in writing a responsible person to check and sign it on a weekly basis.

11. Substantial food will be available and advertised whenever alcohol is offered for sale and at least 75 covers will be available for diners during this time.

Public Safety

12. The premises will not be used under this Licence until the appropriate Responsible Authorities have indicated their satisfaction of the works.

Prevention of Nuisance

13. No deliveries at the premises will be arranged between 2200 hours and 0630 hours the following day.

14. There will be no removal of barrels or crates into outside areas between 2400 hours and 0630 hours the following day.

15. Customers leaving the premises at night will be reminded to do so quickly and quietly to prevent disturbance to residents in the vicinity.

Protection of Children from Harm

16. Supervision by a responsible adult of any children in bar areas will be encouraged.

Amendments in green : Trading Standards

Amendments in red : Police

27.5.09

Woodland Cottage
Ossemsley
Christchurch
Dorset
BH23 7EE
10th June 2009

Dear Sir / Madam,

1. Introduction

1.1 This submission is drafted for the attention of the licensing sub-committee sitting on Monday 22nd June 2009 at 11.30 am. It is prepared on behalf of Mr. and Mrs. Carr of Woodland Cottage, Ossemsley, Christchurch, Dorset, BH23 7EE. Woodland Cottage is in a quiet rural residential area. It is about 1/3 of a mile from the Hotel. The objections made by Mr. and Mrs. Carr are concerned with public nuisance, namely noise pollution. Noise pollution has previously been heard from the Hotel when it was under previous ownership. Other houses in this area have sent in objections. The Environmental Protection Officer has also objected on similar grounds.

1.2 The relevant applications relate to the East Close Country Hotel ("the Hotel") and the Conqueror Bar ("the Conqueror"). The East Close Country Hotel is described in the application as a boutique hotel. The Conqueror Bar is described as a "Gastro bar" and as a "Gastro pub", with regulated music complimenting the food. The two applications relate to a single building which houses both the Hotel and the Conqueror. The application in relation to the Conqueror is for a **new** licence. The application in relation to the Hotel is for a **variation and a new** licence.

2. Previous license

2.1 Previously, it appears from the Hotel application that the permitted hours for **regulated entertainment** were 14:00 to 24:00, Monday to Saturday and 19:00 to 22:00 on a Sunday. The permitted hours for the sale of alcohol were 10:00 to 23:00, Monday to Saturday and 12:00 to 22:30 on Sundays. There are two points to note.

2.2 Firstly, reference is made in the application to **current restrictions in relation to outdoor activities**. It appears that these prevent outdoor activities in June, July and August. It does not appear that the applicant proposes to continue with these current restrictions.

2.3 Secondly, the previous restrictions applied not only to the evening but also the early morning.

3. The present applications

3.1 Both the Hotel and Conqueror applications ask for **unlimited hours on regulated entertainment, both indoors and outdoors**. In response to representations from the Police, the sale of intoxicating liquor to **non-guests** is to be limited. No limitations on regulated entertainment have been proposed despite objections by the Environmental Protection Officer. In section P of the applications, it is said that "having regard to the measures already offered/imposed, no further steps are considered necessary" to prevent public nuisance; **no measures have been offered or imposed in relation to regulated entertainment**. This application is correctly described by the EPO as a request for *carte blanche*. It represents a request for a dramatic increase in the hours, frequency and type of licensed activity.

4. Relevant excerpts on the law and guidance

4.1 The following is taken from the Guidance issued under 182 of the Licensing Act 2003 ("the Act"), produced by the Department for Culture, Media and Sport ("the SoS Guidance"):

2.32 The 2003 Act requires licensing authorities (following receipt of relevant representations) and responsible authorities, through representations, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable.

2.33 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. **It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.**

2.34 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. This might be **achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time in the evening** to more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.35 As with all conditions, it will be clear that conditions relating to noise nuisance may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the vicinity of the premises. But as stated earlier in this Guidance, **the approach of licensing authorities and responsible authorities should be one of prevention** and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.

2.36 Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise in the immediate vicinity of the premises

may also prove necessary to address any disturbance anticipated as customers enter and leave.

2.38 In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives.

4.2 The following is taken from the New Forest District Council Statement of Licensing Policy, effective 7 January 2008 – 6th January 2011:

6.1 *Stricter conditions with regard to noise control will be expected in areas of the District, which have denser residential accommodation or low levels of background noise but this will not limit opening hours without regard to the individual merits of any application.*

6.2 *Restrictions could be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue.*

6.3 *Restrictions might be necessary on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises is open to the public or members and their guests, regulated entertainment might not be permitted in a garden area of the premises after a certain time.*

6.4 *In certain premises where legislation does not provide adequately for the prevention of public nuisance, consideration might be given to conditions that ensure that:*

- *Noise or vibration does not emanate from the premises so as to cause a nuisance to the occupants of nearby properties. This might be achieved by a simple requirement to keep doors and windows at the premises closed, to use noise limiters on amplification equipment used at the premises and/or to undertake works of sound insulation,*

- *Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.*
- *Prohibit certain rooms from being used for purposes that create noise.*
- *The use of explosives, pyrotechnics and fireworks of a similar nature, which could cause disturbance in surrounding area are restricted.*

8.1 This policy recognises that as part of implementing local authority cultural strategies, proper account should be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of communities generally.

8.2 Only conditions strictly necessary for the promotion of the licensing objectives should be attached to licences for activities of this nature, and the authority is aware of the need to avoid measures which deter live music, dancing and theatre by imposing indirect costs of a substantial nature.

8.28 In preparing an operating schedule, the Secretary of State expects applicants to have had regard to the statement of licensing policy for their area. They should also be aware of the expectations of the licensing authority and the responsible authorities about the steps that are necessary for the promotion of the licensing objectives

14. Conditions

See paragraph 13.20 and chapter 10 of the SoS Guidance for further details.

14.1 Conditions may only be attached to a licence or club premises certificate if relevant representations are received (except for conditions drawn from the applicant's operating schedule since these are voluntary propositions). Any such conditions will be tailored to the individual style and characteristics of the premises and events concerned.

14.2 A pool of model conditions is contained in Annex D of the SoS Guidance. It must be stressed that the authority will use the pool to select appropriate conditions to suit the specific needs of an individual operation. Any conditions not listed in the pool may be specifically worded by the licensing authority and attached to licences as appropriate.

4.3 Excerpts from the pool of model conditions from Annex D of the “SOS Guidance” are set out below:

Restrictions on drinking areas

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from the bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing during particular sports events. Conditions should not only specify these areas, but indicate the circumstances in which the ban would apply and times at which it should be enforced.

Hours

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or a club premises certificate for the prevention of public nuisance. But this must be balanced by the potential impact on disorder which may result from arbitrarily fixed closing times. However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times.

Restrictions could be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue. Or the playing of recorded music might only be permitted after a certain time where conditions have been attached to the licence or certificate to ensure that any potential nuisance is satisfactorily prevented.

Restrictions might also be necessary on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises is open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time.

In premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to the following conditions.

Noise and vibration

In determining which conditions are necessary and appropriate, licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter the holding of events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. The following conditions may be considered:

- *Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties.*
- *a simple requirement to keep doors and windows at the premises closed;*
- *limiting live music to a particular area of the building;*
- *moving the location and direction of speakers away from external walls or walls that abut private premises;*
- *installation of acoustic curtains;*
- *fitting of rubber seals to doorways;*
- *installation of rubber speaker mounts;*
- *requiring the licensee to take measure to ensure that music will not be audible above background level at the nearest noise sensitive location;*
- *require licensee to undertake routine monitoring to ensure external levels of music are not excessive and take appropriate action where necessary;*
- *noise limiters on amplification equipment used at the premises (if other measures have been unsuccessful).*
- *Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.*
- *The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted.*
- *The placing of refuse – such as bottles – into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.*

5. Submissions

5.1 Mr. and Mrs. Carr are interested parties who live in the vicinity of the premises. Woodland Cottage is only 1/3 of a mile away and noise from the Hotel has previously been heard in the past.

5.2 Woodland Cottage is in a quiet rural residential area. Further, it is on the edge of a national park. There is at most very low background noise; there is no noise at night. (See para. 6.1 of the NFDC guidance.) It was only on relatively rare occasions that the previous owners of the Hotel held events that created noise pollution.

5.3 The extent of the application would see a dramatic increase in the extent, frequency and duration of the noise pollution that might be created. This is obvious by comparing the existing license with the present applications. Secondly, the EPO has been told that the applicants will hold outdoor, live music events and wedding entertainment. This would include "Party in the Park"-type events. This represents a different nature of noise pollution.

5.4 The concerns set out by the EPO are well founded.

5.5 However, it is submitted that the following conditions are more appropriate:

- (a) At all times, any music and noise emanating from the premises shall be inaudible at the boundary of all noise sensitive premises.
- (b) Any music and noise emanating from the premises shall cease between 14:00 to 23:00, Monday to Saturday and 19:00 to 23:00 on a Sunday. [This is consistent with the previous agreement but with an extension in relation to the Summer months]
- (c) All regulated entertainment outside of the hours of 14:00 to 23:00, Monday to Saturday and 19:00 to 23:00 on a Sunday shall take place in the buildings (other than the barn). At these times, the windows and doors of any such building shall be kept shut. [This represents an extension of the existing licence]

(d) A noise management plan shall be provided to ensure that noise emanating from the premises does not cause a public nuisance.

(e) Large external functions such as “Party in the Park” type events, or events to which tickets are sold, are only allowed following further consultation from the Responsible Authorities to prevent Public Nuisance and notice being given to residents who live within ½ mile of the premises.

5.6 It is important to note that this document is drafted without sight of the plans. The Committee are asked to consider the applications so as to see whether alterations to layout of any activity could serve to reduce noise pollution.

5.7 It is submitted that these proposed conditions represent a fair and proportional balance between the cultural benefits of any events held and the enjoyment of the applicants’ customers against the prevention of noise pollution in an otherwise quiet, rural residential area. They are entirely consistent with the Guidance set out above and the Act generally.

(a) The conditions require no expenditure on the part of the applicants.

(b) The proposed condition would still allow regulated entertainment to take place at any time of the applicants’ choosing, by having the entertainment inside (presumably the buildings have air conditioning); the opening hours of the Hotel and Conqueror are in no way limited.

(c) In the event that regulated entertainment was to take place outside, all that is required is that it cannot be heard 1/3 of a mile away. Live music or entertainment is not prevented, only sensibly controlled.

(d) Any guest of the applicant would be free to enjoy the grounds of the premises (whether to have a drink or to eat) at any time, day or night.

(e) It is noted that the applicants in any event expect that most events will finish by midnight. These condition affect only a minority of the events being anticipated.

(f) “Special events” can still take place with appropriate consultation.

(g) When read alongside the range of conditions that might be imposed, it is submitted that this is a reasonable approach. It may be that this is a “storm in a

teacup”, as it is to be expected that the applicants will protect the interests of their residential guests by not disturbing them with any entertainments.

5.8 The existing restrictions on both the hours and occasion of outdoor activities in June, July and August indicate that the licensing authorities have previously felt outdoor activities do require restriction. This need for sensible restriction continues to exist.

5.9 In conclusion, the only concern raised is with managing the noise created by the Hotel and Bar. It is genuinely hoped that the proposed conditions do not interfere disproportionately with what sounds like a fantastic development. It must be clear to the applicants that their lack of any proposals to control noise from regulated entertainment would meet reasonable objections from residents. We have enjoyed the peace and quiet in the area for well over twenty years and are looking forward to doing so in the future. At the same time, we are also looking forward to the opening of the Hotel and Bar.

Yours faithfully,

John and Linda Carr



Potters Farm Cottage
Potters Way
Three Legged Cross
Wimbome BH21 6RS

Phone:

Mobile:

Fax:

E-mail:

Mr E Edwards/Ms M Stephens
Democratic Services
New Forest District Council
Appletree Court
Lyndhurst
Hants
SO43 7PA

Yr ref: MS/JB

19 June 2009

BY FAX ONLY

Dear Mr Edwards/Ms Stephens

**Applications for Variation and New Licence East Close Country Hotel,
Application for New Licences for The Conqueror Bar, Hinton St Michael
Hearings 22 June 2009**

I refer to my earlier email, and regret that I am continuing to have difficulties with my emails : I anticipate it is my ISP.

I am therefore enclosing :

1. a copy of the email I first tried to sent at 9.55am today; and
2. copies of the letters referred to.

My receipt shows that the email with the Acoustic report was successfully sent : if you have not received that, however, please let me know and I shall also fax that, although it is a long document.

Kind regards

Yours sincerely

JULIA PALMER

Julia C Palmer

Solicitor and Sole Practitioner Regulated by the Solicitors Regulation Authority
www.JCPLaw.co.uk

Good morning. I am attaching the balance of the documents upon which I shall be relying in support of the applications, and being :

1. Copies of the letters sent to the interested parties
2. The Acoustic Assessment incorporating the noise management plan (sent now with earlier email)

Kindly arrange for these documents to be placed before the committee for the hearing. I am sending a copy of the Acoustic Assessment direct to Edward Vandyck.

If you wish me to bring additional copies with me for officers or interested parties, do please let me know.

Regards

Julia Palmer
JCP Low
Potterne Farm Cottage
Potterne Way
Wimborne
BH21 6RS

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Potterne Farm Cottage
Potterne Way
Three Legged Cross
Wimborne BH21 6RS

Mr J Carr
Woodland Cottage
Ossemsley
Christchurch
BH23 7EE

Phone:

Mobile
Fax
E-mail

16 June 2009

Dear Mr Carr

**Applications relating to the East Close Country Hotel and Conqueror Bar,
Hinton St Michael Hearings 22 June 2009**

Good morning. May I introduce myself ; I am the solicitor representing East Close Ltd, which company has made these applications. Your letter of 26 May, objecting to the applications by the Hotel and Bar to alter the conditions of the licence, has been forwarded to me. I note that your concerns relate primarily to the external provision of licensable activities for the original 24 hour period sought for flexibility.

You will, by now, have received the papers for the hearing, and, if you have not already done so, may I invite you to kindly read the part headed "additional information", which will give you a synopsis of my client and its proposals to revive the hotel. My client is a responsible operator, and you will note that it had already considered controls to avoid causing nuisance to its neighbours. The company, and its management team, are keen to work with both the Responsible Authorities and their neighbours to ensure that amenities are preserved, and hopefully good relations fostered. It certainly has the same interests as you in preserving the rural nature of the lovely area, especially for its Hotel guests.

The concerns and suggestions that have been expressed following the making of the applications have been taken on board by the applicant, and you will see, from the hearing papers, that additional conditions have already been offered to satisfy the Trading Standards department and the Police. More recently, the concerns about noise nuisance have been received from you and your neighbour, and the Environmental Health Officer.

My client has employed the services of a qualified acoustic consultant to advise and assist, as it is anxious not to cause its neighbours problems. I am enclosing a copy of the additional conditions that have today been sent to the Council to deal with the concerns raised about the potential for nuisance, and would draw your attention specifically to those in blue. The Noise Management Plan referred to, which is being drafted by the Acoustic consultant at this time, will deal with practical issues such as the use of noise limiters, and the staff controls that will be put in place. On behalf of my client, I very much hope that these conditions offered at this stage, and to be imposed in any event if the licence is granted, will put your mind at rest. Should you wish to discuss any aspect with me, please do not hesitate to contact me.

Yours sincerely

JULIA PALMER

Julia C Palmer

Solicitor and Sole Practitioner Regulated by the Solicitors Regulation Authority
www.JCPLaw.co.uk



Potterne Farm Cottage
Potterne Way
Three Legged Cross
Wimborne BH21 6RS

Mr R E Frank
The Cottage
Ossemsley
Christchurch
BH23 7EE

Phone:

Mobile:
Fax:
E-mail:

16 June 2009

Dear Mr Frank,

**Applications relating to the East Close Country Hotel and Conqueror Bar,
Hinton St Michael Hearings 22 June 2009**

Good morning. May I introduce myself : I am the solicitor representing East Close Ltd, which company has made these applications.

Your letter of 28 May, objecting to the outdoor application for late (24 hour) music and function licence in respect of the above, has been forwarded to me.

You will, by now, have received the papers for the hearing, and, if you have not already done so, may I invite you to kindly read the part headed "additional information", which will give you a synopsis of my client and its proposals to revive the hotel. My client is a responsible operator, and you will note that it had already considered controls to avoid causing nuisance to its neighbours. The company, and its management team, are keen to work with both the Responsible Authorities and their neighbours to ensure that amenities are preserved, and hopefully good relations fostered.

The concerns and suggestions that have been expressed following the making of the applications have been taken on board by the applicant, and you will see, from the hearing papers, that additional conditions have already been offered to satisfy the Trading Standards department and the Police. More recently, the concerns about noise nuisance have been received from you and your neighbour, and the Environmental Health Officer.

My client has employed the services of a qualified acoustic consultant to advise and assist, as it is anxious not to cause its neighbours problems. I am enclosing a copy of the additional conditions that have today been sent to the Council to deal with the concerns raised about the potential for nuisance, and would draw your attention specifically to those in blue. The Noise Management Plan referred to, which is being drafted by the Acoustic consultant at this time, will deal with practical issues such as the use of noise limiters, and the staff controls that will be put in place.

On behalf of my client, I very much hope that these conditions offered at this stage, and to be imposed in any event if the licence is granted, will put your mind at rest. Should you wish to discuss any aspect with me, please do not hesitate to contact me.

Yours sincerely

JULIA PALMER

Julia C Palmer

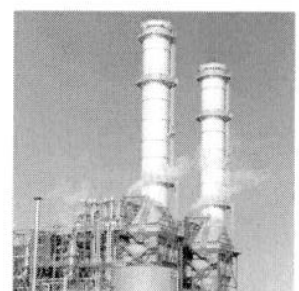
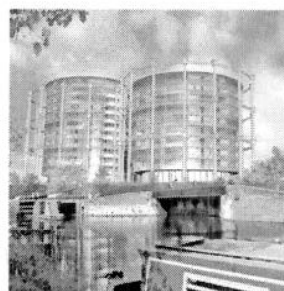
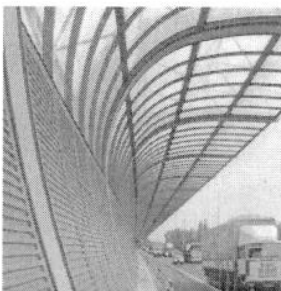
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EAST CLOSE LIMITED

East Close Country Hotel

**Acoustic Assessment of
Application for Premises
Licence**

Report No. 01285\R01



EAST CLOSE LIMITED

East Close Country Hotel

Acoustic Assessment of Application for Premises Licence

Report No. 01285\R01

15 June 2009

Dr N D Cogger BSc CEng FIOA

**The English Cogger LLP
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FIGURES

1 INTRODUCTION

East Close Limited is applying for premises licences at the newly refurbished East Close Country Hotel and the associated Conqueror Bar, situated at Lyndhurst Road, Hinton St Michael, Christchurch, Hampshire. The licence is to include the provision of regulated entertainment, including showing of films, live and recorded music, dancing and similar entertainment such as functions, quizzes and karaoke. It is intended that these activities may occur indoors and outdoors and the application is for regulated entertainment throughout the 24-hour day. This report reviews the acoustic implications of the proposals and provides information on the policies to comply with the relevant objectives of the Licensing Act 2003 and in particular that relating to the prevention of public nuisance.

2 SITE CONTEXT

The East Close Country Hotel is situated on the A35 road between Lyndhurst and Christchurch, in the New Forest. There has been an hotel on the site for many years, but the building has recently been the subject of considerable refurbishment and upgrading of the facilities. The hotel complex includes bar, restaurant and function facilities in addition to upgraded residential guest accommodation. The Conqueror Bar is intended to provide a "gastro-pub" environment, with licensing for regulated entertainment. As well as regulated entertainment taking place within the hotel and bar function rooms it is proposed to hold outdoor functions on the external patio area to the east of the bar and in a marquee located approximately 50 m north east of the main building in a walled garden area.

The surrounding area is rural, with East Close Farm approximately 200 m to the south and the associated Dairy Cottages situated beyond the farm buildings, 230 m from the hotel and 310 m from the marquee location. Other residential properties, including The Dell House, Beckley Road, and The Cottage, Woodland Cottage and Woodsmoke, on South Drive, are located approximately 470-510 m to the east. A context plan and the ground floor layout of the hotel and bar are shown at Figures 1 and 2, respectively.

3 GUIDANCE ON NOISE FROM ENTERTAINMENT VENUES

3.1 The Licensing Act 2003

The Licensing Act 2003 provides for a unified system of regulation of the sale and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment. In the Act, these activities are referred to collectively as "the licensable activities". The purpose of the system of licensing for licensable activities is to promote four fundamental objectives ("the licensing objectives"). Those objectives are:

- a) the prevention of crime and disorder;
- b) public safety;
- c) the prevention of public nuisance; and
- d) the protection of children from harm.

Of these, the prevention of public nuisance includes noise, and implementation of the Licensing Act would seek to prevent circumstances arising that would result in the licensable activities giving rise to a public nuisance resulting from noise.

A public nuisance occurs when someone performs an act without lawful authority, or omits to discharge a duty imposed by law, with the effect of endangering the life or health of members of the public generally, or preventing people enjoying rights generally available to the public. Whilst a private individual can take action in the tort of public nuisance this would only be appropriate if he has suffered loss, damage, or inconvenience above and beyond that of the public at large. In the case of a public nuisance, the claimant is not required to have an interest in the land affected by the nuisance.

3.1.1 DCMS guidance on the Licensing Act

Guidance issued under section 182 of the Licensing Act¹ provides further advice on public nuisance at paragraphs 2.32-2.40. In particular, it is stated at paragraph 2.33 that the term “public nuisance” in the context of the Act retains its broad common law meaning and could, therefore, include “low level” nuisance affecting a few people living locally, as well as major disturbance affecting the whole community.

This interpretation could, however, be inconsistent with historical interpretations of public nuisance, which is generally held to be one that is widespread and which “materially affects the reasonable comfort and enjoyment of a class of Her Majesty’s subjects”. Indeed this has been confirmed by the findings of the District Judge in *Crosby Homes (Special Projects) Limited v Birmingham City Council and Nightingale Club*, 2008 who described the DCMS guidance as a “fudge” and decided that he had to rely on established common law precedent.

The guidance refers at paragraph 2.34 to steps that may be taken to control levels of noise from licensed premises, including the use of conditions, and also states that:

Licensing Authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter events that are valuable to the community, such as live music.

3.1.2 LACORS guidance relating to licensing

The Local Authorities Coordinators of Regulatory Services (LACORS) and the Chartered Institute of Environmental Health (CIEH) have jointly published guidance on Tackling Noise², which relates to the both the Licensing Act and the 2007 legislation controlling smoking.

¹ Department for Culture Media and Sport, *Guidance issued under section 182 of the Licensing Act 2003*, London, DCMS, 28 June 2007

² Local Authorities Coordinators of Regulatory Services, *Tackling Noise – Guidance relating to licensing and smokefree issues (Revised)*, London, LACORS, 5 June 2008

The LACORS guidance provides additional advice on public nuisance, including quoting the comments of Denning LJ in the case of the Attorney General v PY Quarries Ltd [1957] 2 QB 169 that:

"... a public nuisance is a nuisance which is so widespread in its range or so indiscriminate in its effect that it would not be reasonable to expect one person to take proceedings on his own responsibility to put a stop to it, but that it should be taken on the responsibility of the community at large".

The LACORS document also refers to the DCMS guidance on "low level nuisance" and whether this may conflict with the usual common law position, which is that nuisance must be "a real interference with the comfort and convenience of living according to the standards of the average man, rather than someone of particular sensitivity" (Knight Bruce VC in *Walter v Selfe*, 1851) and "the discomfort should be substantial not merely with reference to the plaintiff, but substantial to any person occupying the plaintiff's premises, irrespective of his position in life, age or state of health"³. LACORS and the CIEH believe that an appropriate interpretation is that the nuisance need not affect large numbers of people, "provided it has the potential to do so" and encourage local authorities to adopt a "pragmatic approach" in this regard. The interpretation of the term "low level nuisance" appears from this to be related more to the number of people affected than the degree of interference ("real" or "substantial") to those people.

3.2 The Environmental Protection Act 1990

The legislation that governs statutory nuisance is the Environmental Protection Act, 1990 (EPA), which enables a Noise Abatement Notice to be issued if it is considered that a "nuisance" is being caused. The EPA does not, however, provide an objective basis on which to judge whether a particular noise is a nuisance, because of the subjective nature of the human response to noise, although it is generally recognised that a balance must be found between the possibly conflicting rights of the occupier to do as he wishes on his land and the right of a neighbour not to suffer interference. In reaching that balance, account needs to be taken of such aspects as undue sensitivity to noise, the degree of interference and the character of the locality.

A Noise Abatement Notice served under the EPA would, if upheld, override any conditional planning consent or conditions imposed through the Licensing Act and any breach of an Abatement Notice would be a criminal offence, liable to a fine of up to £20 000 for each breach.

³ The Common Law Library, Number 3, *Clerk & Lindsell on Torts*, London, Sweet & Maxwell

3.3 Other Guidance

3.3.1 Chartered Institute of Environmental Health

The Chartered Institute of Environmental Health published a Noise Management Guide in 1997⁴, directed at local authority Environmental Health departments, which has a particular emphasis on developing an effective response to domestic noise complaints. The concept of nuisance is discussed at Chapter 4, section 4.3, and guidance is provided to assist in determining whether a particular source of noise would be judged to be a statutory nuisance, rather than simply an annoyance. The following statements are of particular relevance:

For any noise to constitute a statutory nuisance, it must either be likely to cause injury to health or amount to a nuisance at common law where

“... likely to cause ...” means probably likely, not just possibly likely.

The interference complained of must be unreasonable and substantial; the law implies a degree of “give and take” between neighbours - between the right of one occupier to use his land as he likes and the right of his neighbour to live in peace, nor is it concerned in any event with trifles - the “de minimis” rule. Mere annoyance is probably not enough nor do questions of individual taste come into it.

What is unreasonable will be a matter of fact, depending on the circumstances. A particular noise at midday may be reasonable yet if repeated at midnight, not be. Some things are inherently noisy but still must be done; where in such circumstances noise is inevitable, it will not be unreasonable.

The consent of a person affected is not to be implied by his “coming to the nuisance” but in the case of an “amenity” nuisance such as noise, the character of the neighbourhood will be relevant to what is reasonable; “what would be a nuisance in Berkeley Square would not necessarily be so in Bermondsey”.

3.3.2 Code of Practice on Environmental Noise Control at Concerts

The Noise Council⁵ published guidance on noise control at music events, primarily aimed at large events held in sports stadia, arenas, open air sites and within “lightweight buildings”. The purpose of the code was to give guidance on how disturbance and annoyance from such events could be minimised and to assist those planning and licensing events and those responsible for enforcing the nuisance provisions of the Environmental Protection Act (see above). It is noted that compliance with the Code of Practice does not, of itself, confer immunity from legal obligations. Although The Noise Council is no longer extant, the Code of Practice has not been superseded by other guidance.

⁴ Chartered Institute of Environmental Health, *Noise Management Guide - Guidance on the Creation and Maintenance of Effective Noise Management Policies and Practice for Local Authorities and their Officers*, London, Chadwick House Group, 1997

⁵ The Noise Council, *Code of Practice on Environmental Noise Control at Concerts*, London, The Noise Council, 1995

The Code recommends criteria limiting the Music Noise Level (MNL, defined as the L_{Aeq} of the music noise at a location) at 1 m from the façade of noise sensitive premises. The MNL limits recommended in the guidance are a function of the number of events held in a year, the type and location of the venue and the time of day and those relating to “rural venues” are shown in the table below.

In this table, the background noise level is defined as the arithmetic average of the hourly L_{A90} measured over the last four hours of the proposed music event, or over the entire music event if scheduled to last for less than four hours.

| Concert days per calendar year | Time during which event is held | Guideline limit |
|--------------------------------|---------------------------------|--|
| 1 - 3 | 09:00 – 23:00 | The MNL should not exceed 65 dB(A) over a 15 minute period |
| 4 - 12 | 09:00 – 23:00 | The MNL should not exceed the background noise level by more than 15 dB(A) over a 15 minute period |
| Up to 30 (for indoor venues) | 09:00 – 23:00 | The MNL should not exceed the background noise level by more than 5 dB(A) over a 15 minute period |
| Any number of events | 23:00 – 09:00 | Music should not be audible within noise sensitive premises with windows opened for ventilation |

3.3.3 IOA Good Practice Guide on the Control of Noise from Pubs and Clubs

The Institute of Acoustics has published guidelines on the control of noise from public houses, clubs, hotels, discotheques, restaurants, community halls and similar premises⁶. In addition to venues that are permanent structures, the guidance also refers to use of gardens and similar outdoor spaces (paragraph 3.6). This guidance was, however, published prior to both the Licensing Act 2003 and the Smokefree (Premises and Enforcement) Regulations 2006. At paragraph 2.4 of the Guide it is stated that:

Music, singing and speech, both amplified and non-amplified, are common sources of noise disturbance ... and that

- *for premises where entertainment takes place on a regular basis, music and associated sources should not be audible inside noise-sensitive property at any time ...*
- *for premises where entertainment takes place less frequently, music and associated sources should not be audible inside noise-sensitive property between 23:00 and 07:00 hours. For other times, appropriate criteria need to be developed which balance the rights of those seeking and providing entertainment, with those who may be disturbed by the noise.*

⁶ Institute of Acoustics, *Good Practice Guide on the Control of Noise from Pubs and Clubs*, St Albans, IOA, 2003

It is recommended that the definition of “regular” (and hence, by implication “less frequently” should be *determined on a local basis to reflect local expectations*.

It is also stated in the guide that the determination of nuisance is not within its scope and it could be concluded that the recommendations given at paragraph 2.4 and quoted above may not be compatible with the guidance on public nuisance discussed in the preceding sections of this report.

3.3.4 Summary of guidance

The guidance on both public and statutory nuisance does not provide quantitative criteria to determine whether noise may be a nuisance and, whilst the Noise Council and the IOA guidelines exclude nuisance from the scope of application, the overall principles and criteria are often adopted to inform assessments of potential or alleged noise nuisance.

The IOA guidance is relatively stringent for events taking place on a regular basis during the normal daytime period (07:00-23:00), when compared with the advice on nuisance and for outdoor concerts, but the advice that noise should be inaudible within premises after 23:00 hours is consistent with that given in the Noise Council guidelines.

The character of the neighbourhood is an important aspect and recent judgements, such as *St Albans District Council v Patel, 2008 (re the Mokoko Bar)* and *Crosby Homes (Special Projects) Limited v Birmingham City Council and Nightingale Club, 2008* have tended to reinforce the view that the mere audibility of entertainment noise does not constitute a nuisance. Both of these cases relate to entertainment noise in urban areas. In a predominantly rural area, such as the New Forest, it is likely that entertainment noise would be considered incompatible with the expected sense of tranquillity (freedom from man-made noise) and thus more intrusive than in a busy urban centre (as expressed in the principle that “*what would be a nuisance in Berkeley Square would not necessarily be so in Bermondsey*”).

4 AMBIENT NOISE ASSESSMENT

An ambient noise assessment has been undertaken at nearby residential properties to determine the existing noise environment in the area and inform the noise management strategy for the hotel and bar.

4.1 Measurement Methodology

Noise levels were measured on Sunday-Monday 14-15 June 2009 between approximately midnight and 01:00 hours, considered to be representative of the most sensitive time period (evening and the early night-time) when events could occur at the hotel and Conqueror bar. At the time of the survey, weather conditions were dry, with 100% cloud cover and calm or very light, variable winds.

Sample ambient noise levels were recorded at three locations, representative of the nearest residential properties:

- (1) Beckley Road, opposite The Dell House, approximately 470 m to the south east;
- (2) South Drive, entrance to Woodsmoke, approximately 530 m to the east;
- (3) Beckley Road, entrance to Dairy Cottages, approximately 300 m to the south.

The property and measurement locations are shown at Figure 1.

At each location, the ambient noise level was recorded for a 15 minute period to determine the average noise level (the L_{Acq}) and background noise level (the L_{A90} , or the noise level exceeded for 90% of the measurement period). Short term (1 second L_{Aeq}) values were also recorded to show the short term fluctuations of the ambient noise during the period. In addition, the frequency spectrum of the ambient noise level was recorded as the L_{Acq} over a 5-minute period.

4.2 Instrumentation

Statistical noise levels were measured using a Larson Davis type 824 Precision Sound Level Meter and Real Time Analyser (serial number 824A 1344), fitted with a Larson Davis type 2541 ½-inch free field microphone (serial number 4418) and Larson Davis type PRM 902 preamplifier (serial number 3544). The microphone was fitted with a windshield during the measurements. The sound level meter, microphone and preamplifier were last calibrated in a calibration laboratory on 7-9 June 2008. Calibration and conformance certificates are available. Calibration and conformance certificates are available.

Frequency spectra were recorded using a Rion sound level meter, type NL-32 (serial number 002406670), fitted with a Rion type NX-22RT 1/1-1/3 Octave RTA Card (serial number 00830372, version 2.1), a Rion type UC-53A ½-inch free field microphone (serial number 305924) and a Rion type NH-21 pre-amplifier (serial number 10711). The microphone was fitted with a windshield during the measurements. The sound level meter, microphone and preamplifier were last calibrated in a calibration laboratory on 12-13 November 2008 and calibration and conformance certificates are available.

Prior to and on completion of the survey, the sound level meter and microphone calibration was checked using a Larson Davis type CAL 200 Sound Level Meter Calibrator (serial number 2206). The Calibrator was last calibrated on 21 November 2007, in accordance with the requirements of ISO 10012 and a calibration and conformance certificate is available. There was no change in the calibration during the survey.

4.3 Survey Results

Noise levels at all properties were controlled by distant traffic noise and rustling of foliage. The time history tended to fluctuate with the light, but variable, wind conditions, and other natural sources. Individual vehicle pass-bys on the A35, Lyndhurst Road could be identified and road traffic noise was particularly dominant at East Close Farm, approximately 75 m from the A35. The time histories measured at each location, with the 15-minute L_{Acq} and L_{A90} levels, are shown at Figures 3-5 and the frequency spectra at Figure 6, for reference.

As would be expected for a rural area, noise levels were found to be low, with background levels of 22-25 dB $L_{A90, 15 \text{ min}}$. The L_{Aeq} values varied more, with 27 dB $L_{Aeq, 15 \text{ min}}$ at The Dell House, 29 dB $L_{Aeq, 15 \text{ min}}$ at Woodsmoke and 38 dB $L_{Aeq, 15 \text{ min}}$ at Dairy Cottages; the latter being higher due to the close proximity of the road and consequently higher levels due to vehicle pass-bys.

5 NOISE MANAGEMENT STRATEGY

Background noise levels at the nearest residential properties have been shown to be low and a noise management strategy is to be adopted to ensure that the objective of the Licensing Act 2003 relating to the prevention of public nuisance can be met. It is also recognised that The Environmental Protection Act 1990 will also be applicable and the strategy will recognise that the requirements for the prevention of statutory nuisance may be more stringent than those for public nuisance.

The proposed management strategy is intended to control noise from external and internal events and noise from ancillary activities associated with the hotel and bar. In practice, the noise strategy developed for external music and similar events will be appropriate for the control of internal functions. The proposed strategy is outlined in the following sections and is based on the adoption of conditions to the premises licence.

5.1 Proposed Conditions

5.1.1 Ancillary activities

Conditions are proposed to limit disturbance from deliveries and the disposal of bottles and waste, as below:

- No deliveries at the premises will be arranged between 2200 hours and 0630 hours the following day; and
- There will be no removal of barrels or crates into outside areas between 2400 hours and 0630 hours the following day.

It is recognised that guests leaving late at night can cause disturbance, although this will be primarily controlled by the distance from the nearest noise sensitive premises other than the hotel (over 300 m). It will be in the interest of the hotel to control noise from departing guests to ensure that residential guests are not disturbed and the following condition is, therefore, proposed:

- Customers leaving the premises at night will be reminded to do so quickly and quietly to prevent disturbance to residents in the vicinity.

5.1.2 Regulated entertainment

The following conditions are proposed to ensure that any regulated entertainment permitted by the licence does not cause a public nuisance:

- A noise management plan shall be provided to ensure that noise emanating from the premises does not cause a public nuisance;
- There shall be no external regulated entertainment after 00:00 hours, unless permitted following consultation with the New Forest District Council Environmental Health team;
- Large external functions such as Party in the Park type events are to be permitted only following further consultation with the Responsible Authorities, to prevent public nuisance.

5.2 Noise Management Plan

The following strategy will be used to ensure that regulated entertainment does not cause a public nuisance and would also be unlikely to result in any intrusive noise that could be deemed a statutory nuisance.

Noise levels resulting from regulated entertainment within the hotel and in the proposed marquee will be monitored and controlled using proprietary noise limiters installed in the rooms and the marquee where regulated entertainment is to take place and/or by the use of a sound level meter at monitoring stations located within the curtilage of the hotel and agreed with the local Environmental Health Department. Reference levels for each noise limiter and/or at each monitoring location will be agreed with the local Environmental Health Department prior to any regulated entertainment taking place at the hotel.

5.2.1 Determination of reference levels

Reference levels for the noise monitoring equipment will be established and agreed by an independent acoustic consultant acting as the representative for East Close Limited and an Environmental Health Officer from the New Forest District Council. The acoustic consultant shall be a corporate member of the Institute of Acoustics. The acoustic consultant shall provide a suitable noise source and shall undertake measurements using a Type 1 integrating sound level meter capable of measuring the overall A- and C-weighted sound pressure level using the L_{Aeq} metric, and the sound pressure level in the $\frac{1}{3}$ -octave bands within a frequency range of not less than 50 Hz and 8 kHz.

The procedure for determining the reference levels will be by the use of a representative music source to simulate regulated entertainment. The sound pressure level of the source will be adjusted to an upper limit agreed by the local Environmental Health Department, when monitored at publicly accessible locations at the boundaries of the nearest noise sensitive residential properties. The residential monitoring locations shall include:

- Dairy Cottages, East Close Farm, Hinton, BH23 7EF;
- The Dell House, Beckley Road, Beckley, BH23 7EB;
- The Cottage/Woodland Cottage or Woodsmoke, South Drive, Ossemsley, BH23 7EE.

Monitoring shall take place in dry weather conditions with wind speeds not exceeding 5 m/s and from a direction that provides a downwind or neutral component at the residential property, relative to the East Close Hotel. If necessary, to achieve appropriate wind conditions, an alternative representative location may be agreed between the East Close Hotel or their representative and the local Environmental Health Department, in addition to the locations above. The wind speed and direction shall be determined in an area of open ground between the East Close Hotel and the residential monitoring location. Once the source level has been agreed as meeting the objective of the Licensing Act 2003 and being unlikely to give rise to a statutory nuisance, the reference levels for a noise limiter and/or at the agreed reference locations within the curtilage of the East Coast Hotel shall be measured and agreed. The reference location shall be selected to ensure that the measured music level exceeds the $L_{Aeq, 5 \text{ min}}$ determined immediately prior to or following the measurement of the music level by not less than 6 dB in each $\frac{1}{3}$ -octave band within the frequency range from 100 Hz – 5 kHz.

The agreed reference level for each venue at the hotel shall be set on the noise limiters, where appropriate, and a report shall be prepared by the acoustic consultant for submission to East Close Limited and the New Forest District Council. The report shall specify the reference limits and any external noise monitoring locations.

5.2.2 Monitoring

The provider of the regulated entertainment shall be informed of the noise management plan in advance and shall be responsible for ensuring that noise limits are not exceeded.

Noise levels from regulated entertainment shall be checked for each function and shall be monitored during the function to ensure that the reference levels are not exceeded. When external PA equipment is being used, a sound check should be undertaken to ensure that noise levels are within limits prior to the start of the function.

Monitoring shall be undertaken by a designated member of staff who shall be trained in the procedures necessary to monitor using a noise limiter and/or portable sound level meter. Any portable sound level meter shall be capable of measuring the overall A- and C-weighted sound pressure level, using the slow meter response setting. Measurements at external reference locations shall be measured for a period of not less than one minute, during which time the meter reading on the slow setting shall at no time exceed the reference level.

If the noise limit at any monitoring location is exceeded, the provider of the regulated entertainment shall be informed and levels reduced accordingly.

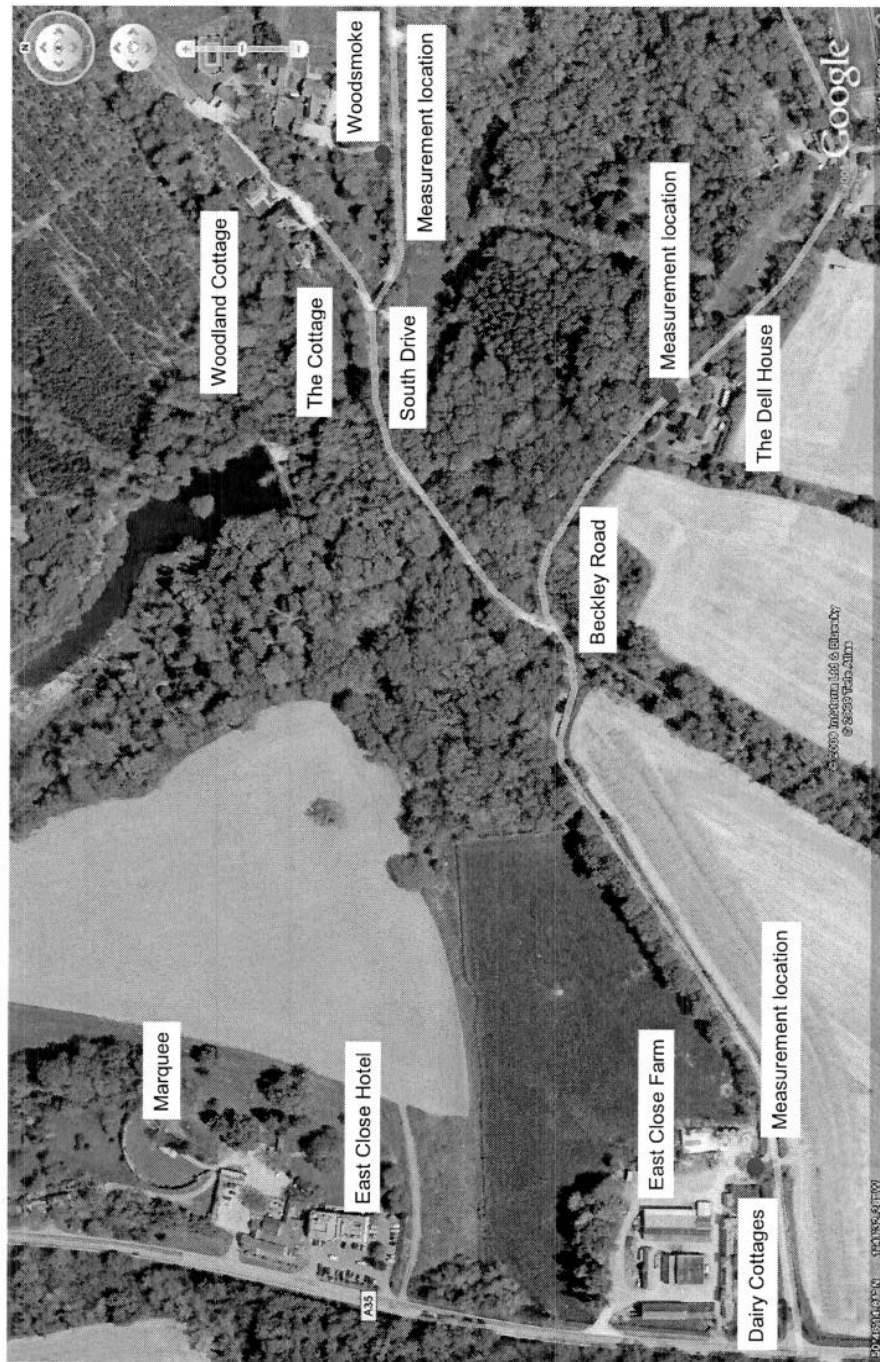


FIGURE 1: Aerial view of site showing residential property and ambient noise measurement locations

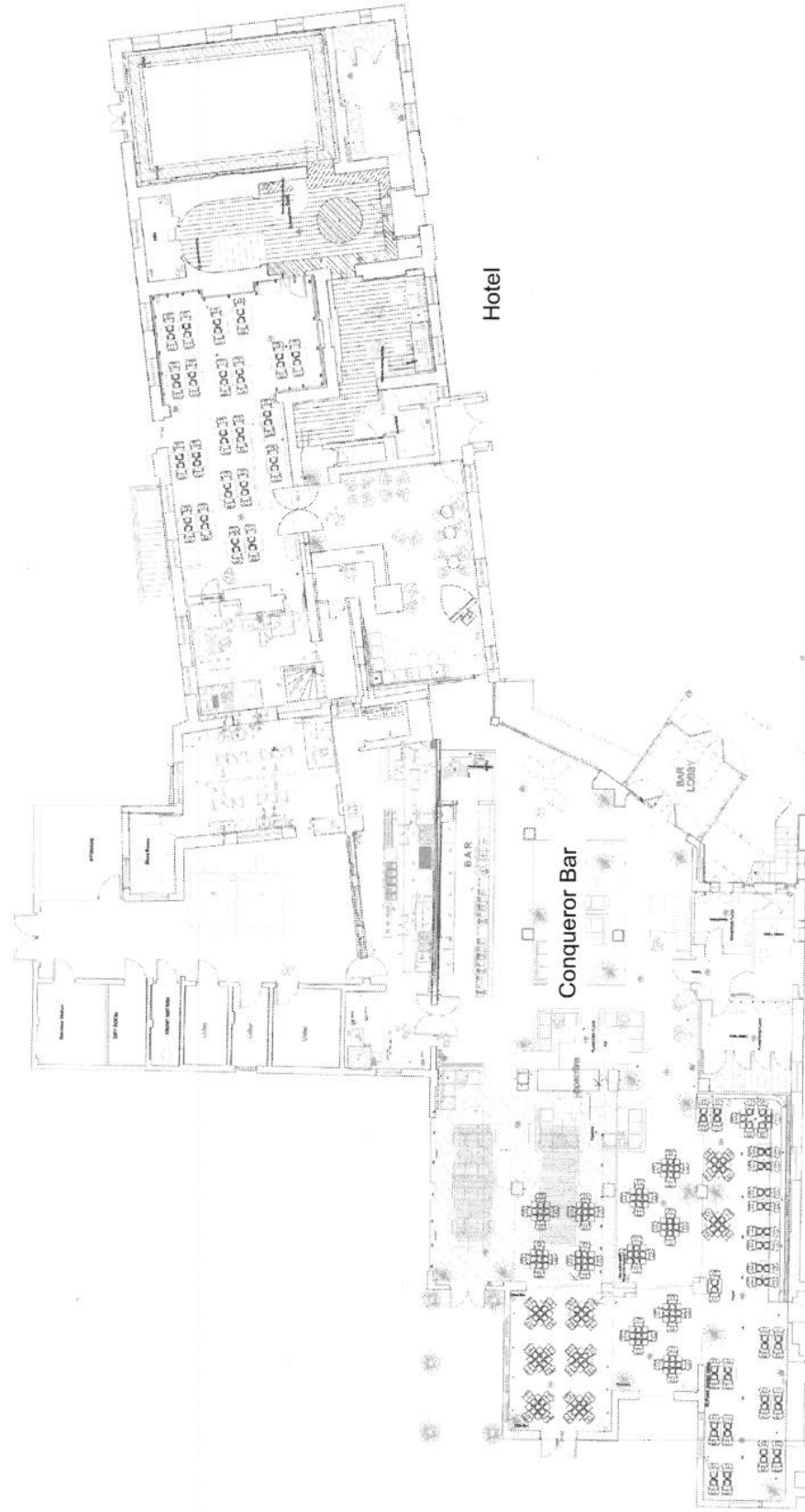


FIGURE 2: Ground floor layout of East Close Hotel and Conqueror Bar (taken from Wicked Design Solution drawing ECCH/065/07/006)

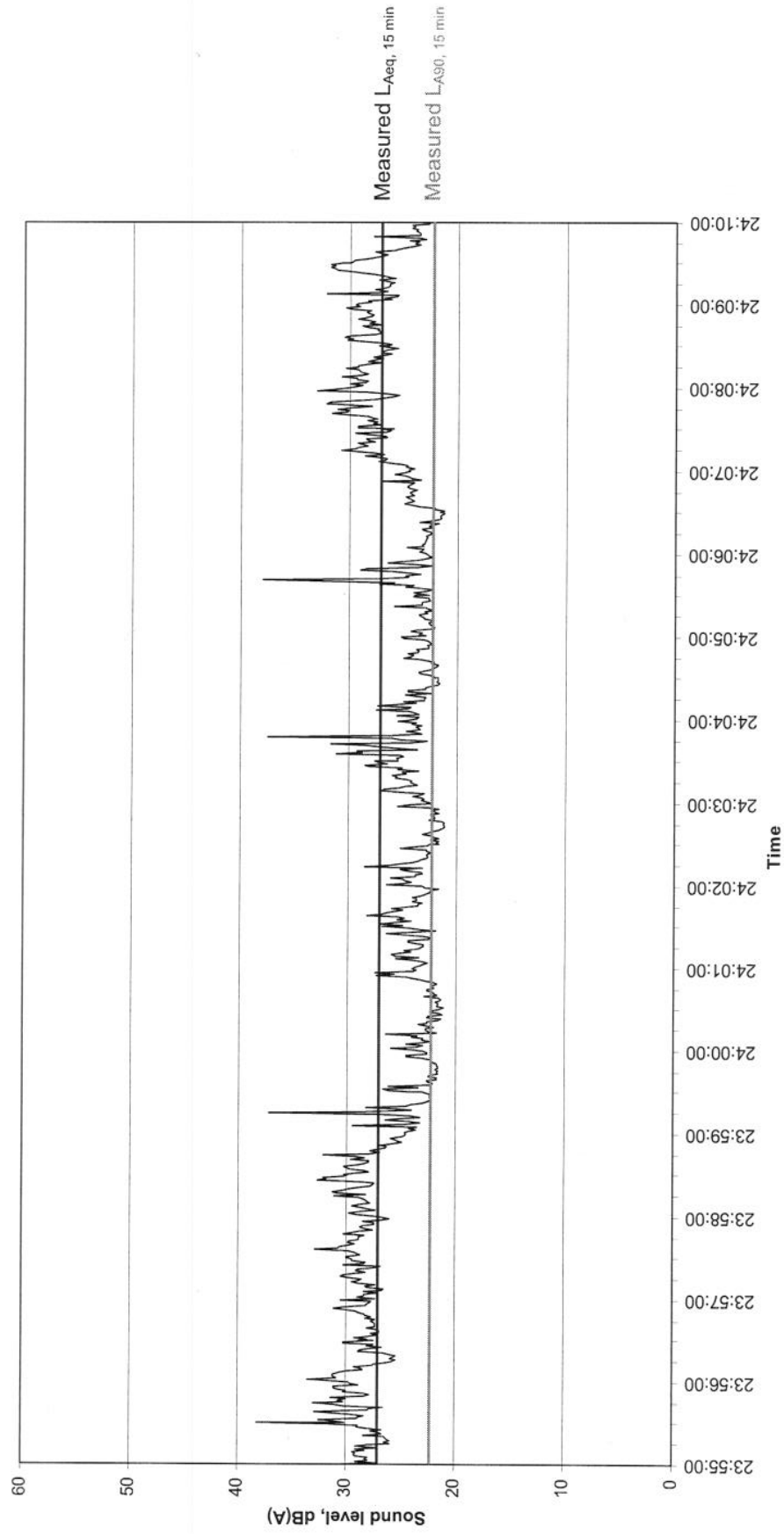


FIGURE 3: Ambient noise levels at The Dell House

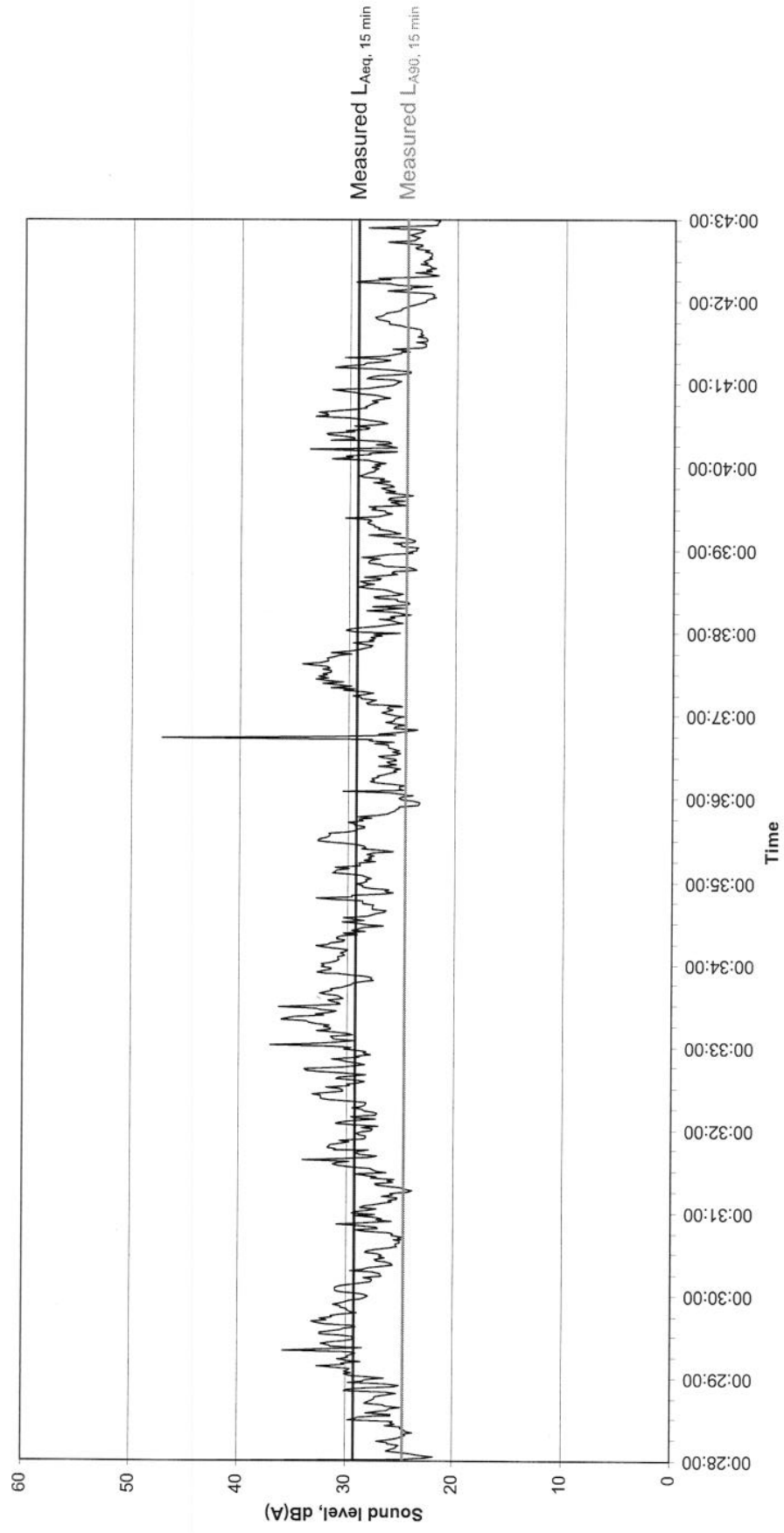


FIGURE 4: Ambient noise levels at Woodsmoke

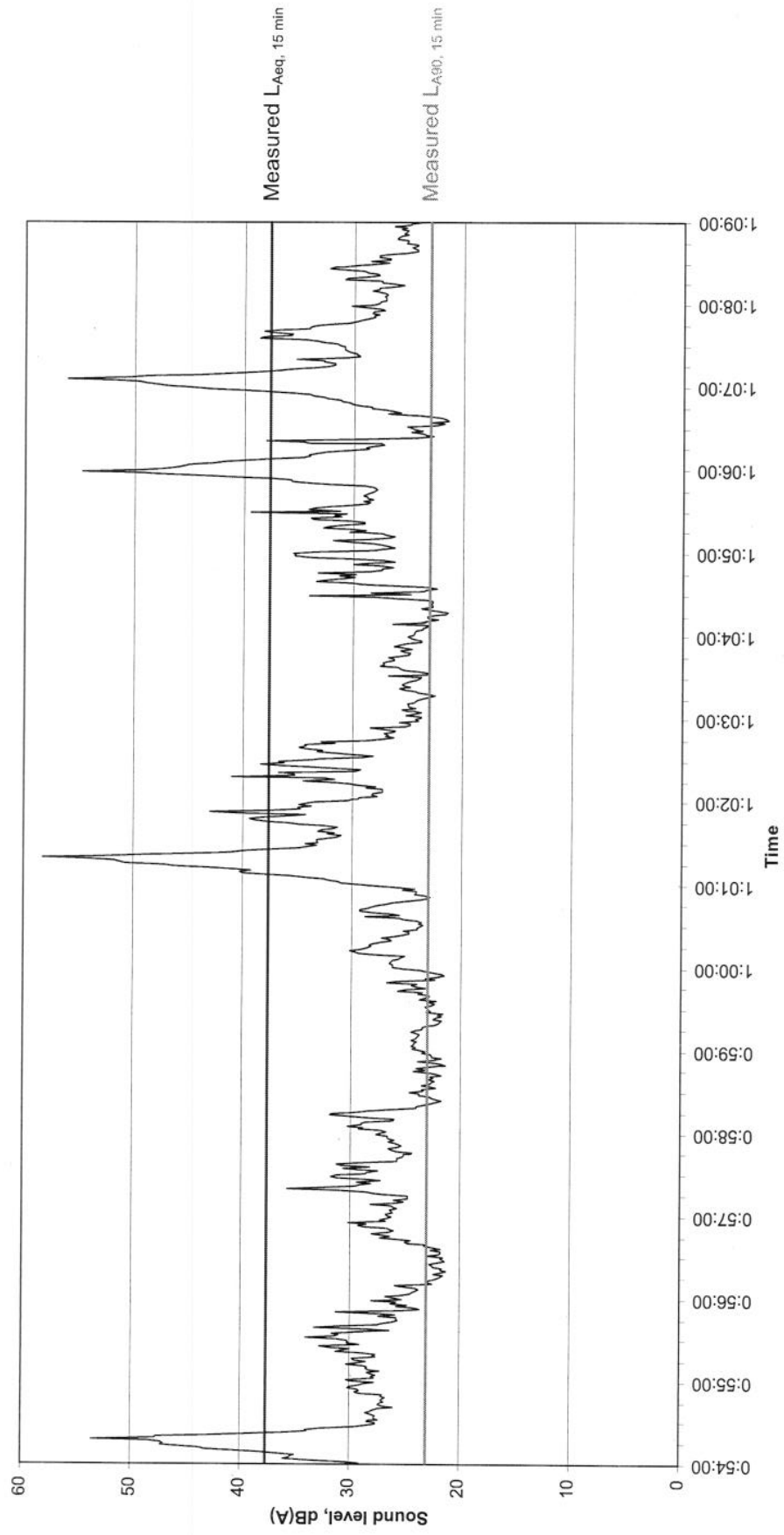


FIGURE 5: Ambient noise levels at Dairy Cottages

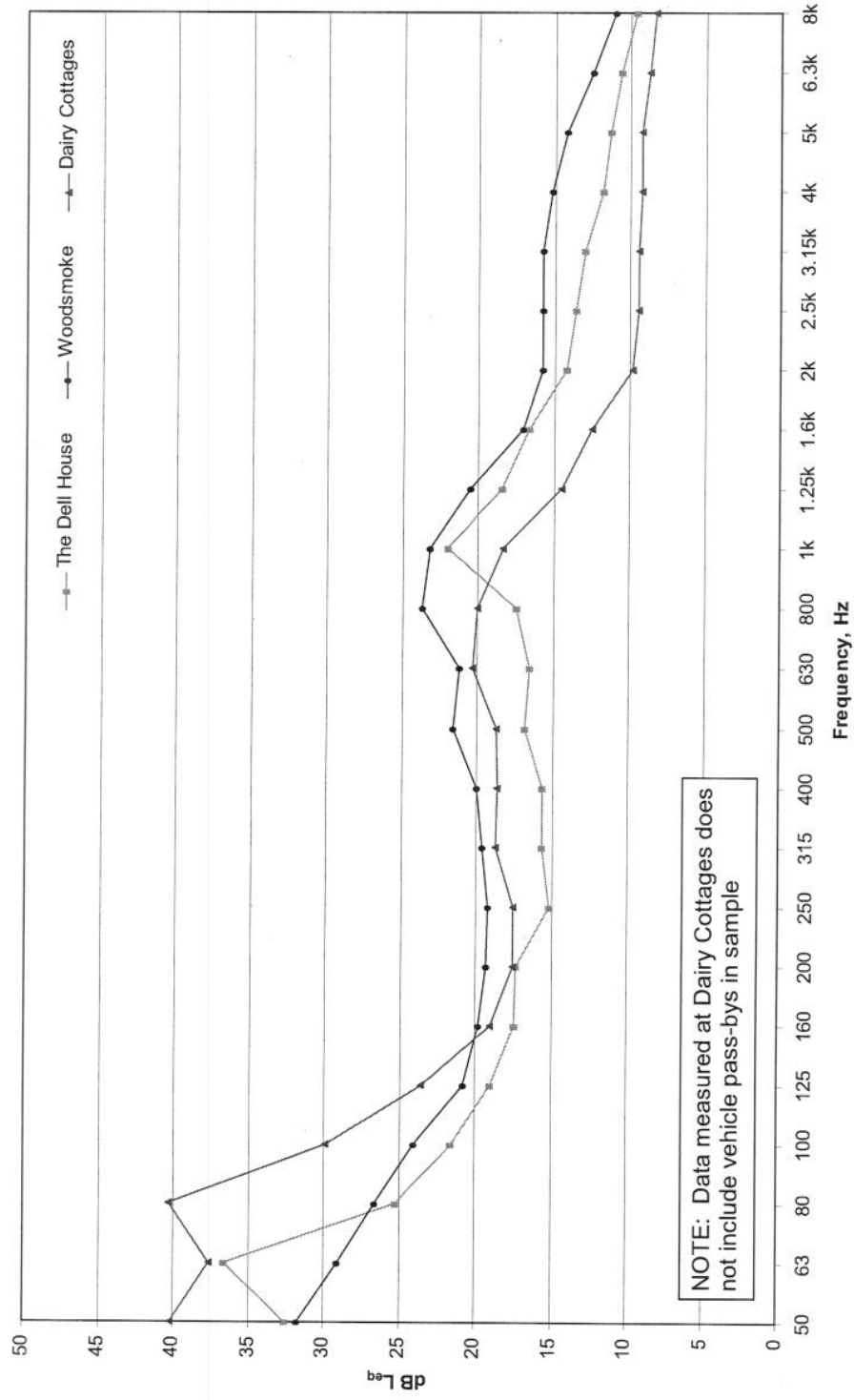
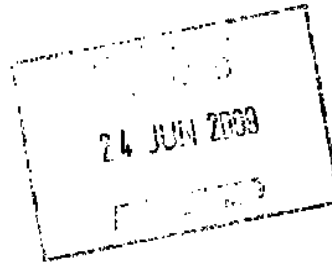


FIGURE 6: Frequency spectra of ambient noise

MS M Stephens
Licensing Services
New Forest District Council
Appletree Court
Lyndhurst
Hants
SO43 7PA



Phone:
Mobile:
Fax:
E-mail:

Your ref: PWL/LICPR/C09/02521/5/SW

22 June 2009

Dear Ms Stephens

**Applications for New Premises Licences/alternative variation
For East Close Country Hotel and the Conqueror Bar, Hinton St Michael
Licence No 1295 : deferred hearings 1 July 2009**

Thank you for your courtesy and assistance at today's hearings.

As promised, I am attaching a copy of the amended conditions which the applicant is prepared to offer on the two new licences. Please substitute these for all earlier versions. Your records will show that I originally referred to the marquee specifically having a terminal hour of midnight. That has been omitted from the version now with you, as I see it is an unnecessary duplication of condition 18 which follows.

My client is prepared to maintain this order, even despite the fact that the external area covered under the licence is, in fact, likely to have been the whole area currently shown on the location plan edged red. Please see the copy email to Mr Williams in this respect.

Both for your information and your file, I am enclosing copies of the letters today sent to Mr and Mrs Carr, and Mr Frank, with the amended conditions, and bringing their attention to some of the terms of the existing licence, and of my believe concerning the external area covered under the existing licence.

An amended draft Noise Management Plan is being sent to Mr Vandyck today, and if his approval to that is received, I shall, of course advise you and Mr Williams (as, no doubt, he also will).

Yours sincerely

JULIA PALMER

Julia C Palmer

Solicitor and Sole Practitioner Regulated by the Solicitors Regulation Authority
www.JCPLaw.co.uk

Mr and Mrs J Carr
Woodland Cottage
Ossemsley
Christchurch
BH23 7FF

Phone:

Mobile

Fax

E-mail

22 June 2009

Dear Mr and Mrs Carr

**Applications relating to the East Close Country Hotel and Conqueror Bar,
Hinton St Michael Hearings 1 July 2009**

I refer to this morning's meeting, and, as promised, enclose a copy of the amended conditions including that offered this morning to curtail the external areas for regulated entertainment to the lawn, patio behind the Conqueror and marquee.

Please take this letter, together with these amended conditions and the plan you now have of the area in which those parts lie, to your solicitor, when you are obtaining the advice for which the applications have been deferred, so that he or she may properly advise.

You will be aware that the current licence already permits regulated entertainment outdoors until midnight (10pm Sundays) during the summer, and the extent of the actual area covered is continuing to be investigated but could be the whole area edged red on the plan now with you. This point will hopefully be clarified, following discussions with the legal team at the Council, at the next hearing. If that is the case, the condition offered today is a considerable concession on the part of the applicant.

You will also be aware that the applicant is in ongoing discussions with the Environmental Health Officer, regarding further controls being included in the Noise Management Plan required by the Team to ensure that neighbours are not troubled by a public noise nuisance. We are hopeful that the steps now offered will meet his very exacting standards in this respect.

I am sending a copy of this letter to the Licensing Team, for their information and records.

As before, please do not hesitate to contact me should you wish to discuss any issues prior to the next hearing.

Yours, sincerely

JULIA PALMER

Julia C Palmer

Solicitor and Sole Practitioner Regulated by the Solicitors Regulation Authority
www.JCPLaw.co.uk

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East Close Country Hotel, Lyndhurst Road, Hinton St Michael

PROPOSED CONDITIONS

Prevention of Crime and Disorder

1. The Licensee shall install and maintain a CCTV system to the reasonable standard which has been agreed with the Hampshire Constabulary Crime Prevention Officer
2. CCTV recordings shall be retained for a calendar month and these will be made available to the Police on request (subject to the Data Protection Act 1998).
3. Front of house staff will be trained to meet the requirements of the Licensing Act 2003.
4. Front of house staff will be advised that they must request identification from any persons who look under 21 years before they are sold alcohol.
5. The only identification that will be acceptable as proof of age will be that approved by PASS, photo driving licence or passport.
6. The supply of intoxicating liquor will be limited for non-residents (excludes genuine guests of residents) to 01:00 except
 - a) an extra hour will be allowed on the seasonal variations as defined below
 - b) until the extended time permitted on the non-standard timings as defined below and
 - c) from the cessation of the terminal hour on New Year's Eve to the start of permitted hours on New Year's Day.
7. Seasonal variations will be during the month of December, on Bank/public holiday weekends (Friday to Monday inclusive); on St Valentines, St George's, St Andrew's, St Patrick's, and St David's Days and on change from GMT to BST.
8. Non-standard timings will be on a maximum of 20 occasions each calendar year on 10 working days' notice (or such shorter period as may be allowed) given to the Police and the Licensing Authority of a special occasion or an event until 03:00 or such longer time as the Police may permit.

Public Safety

9. An adequate amount of seating will be provided in the areas where licensable activities take place.
10. The premises will not be used under this Licence until the appropriate Responsible Authorities have indicated their satisfaction of the works.

Prevention of Nuisance

11. No deliveries at the premises will be arranged between 2200 hours and 0630 hours the following day.
12. There will be no removal of barrels or crates into outside areas between 2400 hours and 0630 hours the following day.
13. Night time staff will be reminded to leave the premises quietly.
14. Customers leaving the premises at night will be reminded to do so quickly and quietly to prevent disturbance to residents in the vicinity.
15. Noise from regulated entertainment or persons attending such entertainments shall be inaudible within all noise sensitive premises with windows open in a typical manner for ventilation from 00:00 hours.
16. No outdoor regulated entertainment shall take place save on the lawn behind the Hotel on the patio or in the marquee such entertainment to end at 23:00 hours except when in the marquee.
17. There shall be no outdoor regulated entertainment after 00:00 hours, unless permitted following consultation with the Environmental Health team.
18. Large external functions such as Party in the Park type events are only allowed following further consultation with the Responsible Authorities to prevent public nuisance.
19. A noise management plan shall be provided to ensure that noise emanating from the premises does not cause a public nuisance.

Protection of Children from Harm

20. Supervision by a responsible adult of any children in bar areas will be encouraged.

22.6.09

Conditions in red requested by the Police

Conditions in blue offered re EHO and Interested Party representations

The Conqueror, Lyndhurst Road, Hinton St Michael

PROPOSED CONDITIONS

Prevention of Crime and Disorder

1. The Licensee shall install and maintain a CCTV system to the reasonable standard which has been agreed with the Hampshire Constabulary Crime Prevention Officer
2. CCTV recordings shall be retained for a calendar month and these will be made available to the Police on request (subject to the Data Protection Act 1998).
3. The supply of intoxicating liquor will be limited for non-residents (excludes genuine guests of residents) to 01:00 except
 - a) an extra hour will be allowed on the seasonal variations as defined below
 - b) until the extended time permitted on the non-standard timings as defined below and
 - c) from the cessation of the terminal hour on New Year's Eve to the start of permitted hours on New Year's Day.
4. Seasonal variations will be during the month of December, on Bank/public holiday weekends (Friday to Monday inclusive); on St Valentines, St George's, St Andrew's, St Patrick's, and St David's Days and on change from GMT to BST.
5. Non-standard timings will be on a maximum of 20 occasions each calendar year on 10 working days' notice (or such shorter period as may be allowed) given to the Police and the Licensing Authority of a special occasion or an event until 03:00 or such longer time as the Police may permit.
6. Front of house staff will be trained to meet the requirements of the Licensing Act 2003.
7. Front of house staff will be advised that they must request identification from any persons who look under 21 years before they are sold alcohol.
8. Challenge 21 posters shall be displayed in prominent positions in the premises.
9. The only identification that will be acceptable as proof of age will be that approved by PASS, photo driving licence or passport.

10. A written log shall be kept of all refusals to serve alcohol, refusals of entry to the premises and ejections from the premises. The holder of the premises licence shall ensure that the refusals log is properly maintained and this shall include, but is not limited to, nominating in writing a responsible person to check and sign it on a weekly basis.
11. Substantial food will be available and advertised whenever alcohol is offered for sale and at least 75 covers will be available for diners during this time.

Public Safety

12. The premises will not be used under this Licence until the appropriate Responsible Authorities have indicated their satisfaction of the works.

Prevention of Nuisance

13. No deliveries at the premises will be arranged between 2200 hours and 0630 hours the following day.
14. There will be no removal of barrels or crates into outside areas between 2400 hours and 0630 hours the following day.
15. Customers leaving the premises at night will be reminded to do so quickly and quietly to prevent disturbance to residents in the vicinity.
16. Noise from regulated entertainment or persons attending such entertainments shall be inaudible within all noise sensitive premises with windows open in a typical manner for ventilation from 00:00 hours.
17. No outdoor regulated entertainment shall take place save on the lawn behind the Hotel on the patio or in the marquee such entertainment to end at 23:00 hours except when in the marquee.
18. There shall be no outdoor regulated entertainment after 00:00 hours, unless permitted following consultation with the Environmental Health team.
19. Large external functions such as Party in the Park type events are only allowed following further consultation with the Responsible Authorities to prevent public nuisance.
20. A noise management plan shall be provided to ensure that noise emanating from the premises does not cause a public nuisance.

Protection of Children from Harm

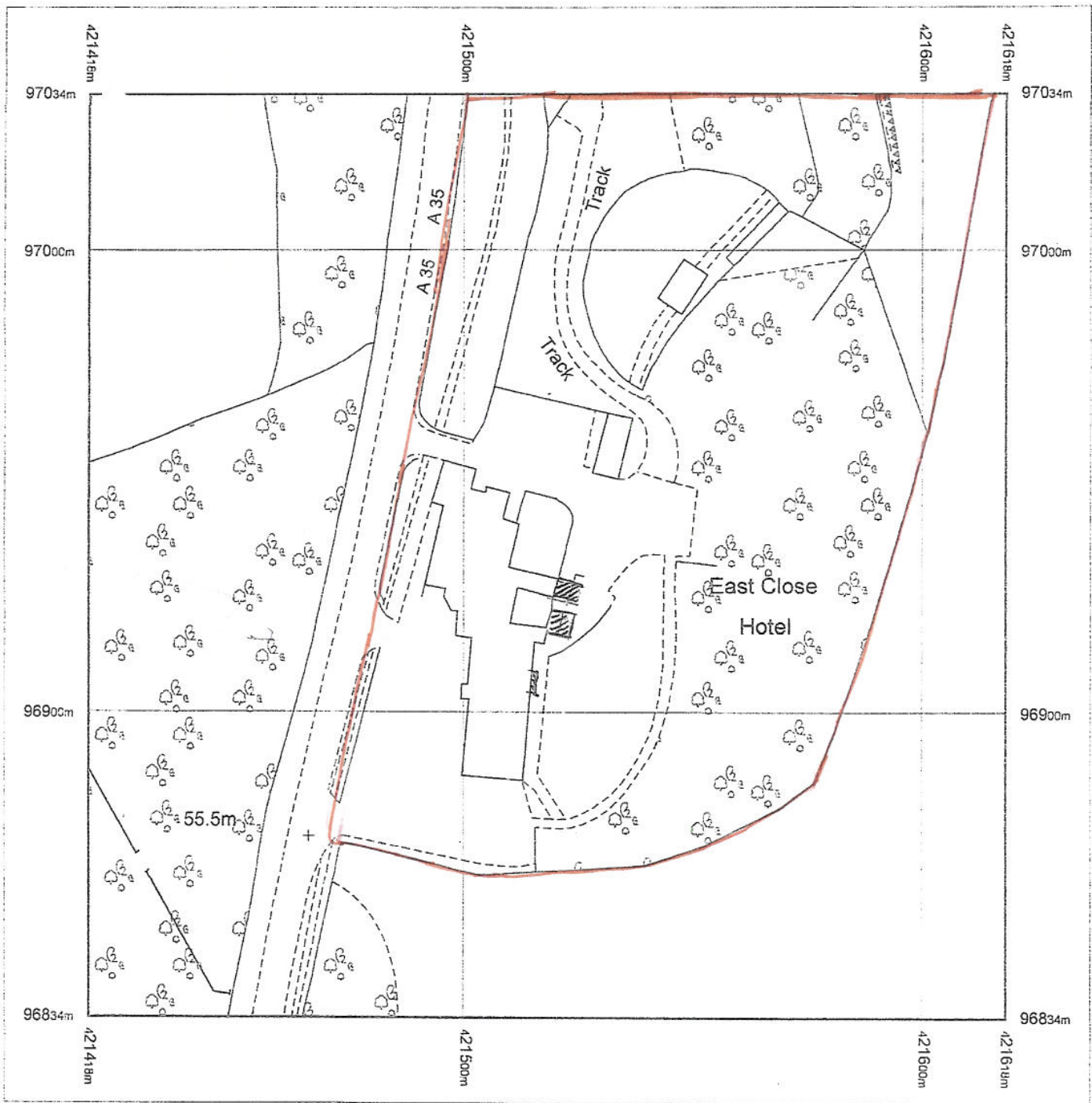
21. Supervision by a responsible adult of any children in bar areas will be encouraged.

Amendments in green : Trading Standards

Amendments in red : Police

Amendments in blue offered re: EHO and interested party representations

22.6.09



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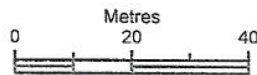
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The representation of features as lines is no evidence of a property boundary.

Part or all of this OS Sitemap is enlarged from mapping produced at one or more of the following scales: 1:1250, 1:2500, 1:10000.



Scale 1:1250

Supplied by: **Xerocad**
 Serial number: 00046400
 Centre coordinates: 421518.25 96933.5

Further information can be found on the OS Sitemap Information leaflet or the Ordnance Survey web site:
www.ordnancesurvey.co.uk

**PLEASE CONTACT MELANIE STEPHENS
(TEL: 023 8028 5379) IF YOU WISH TO VIEW THE LARGE
SCALE INTERNAL LAYOUT PLANS FOR THE EAST CLOSE
COUNTRY HOTEL AND THE CONQUEROR BAR, HINTON**