

C'ff thuse  
Hotel  
Chq: 000718

[New Forest District Council]

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...Donald Darbishire.....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

1085

**Part 1 - Premises details**

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

THE CLIFF HOUSE HOTEL AND RESTAURANT MARINE DRIVE WEST BARTON ON SEA HAMPSHIRE	
Post town NEW MILTON	Post code BH25 7QL

Telephone number at premises (if any)

01425 619333

Non-domestic rateable value of premises

£11,908.00

**Part 2 - Applicant details**

Daytime contact telephone number

01425 619333

E-mail address (optional)

Current postal address if different from premises address

Post Town

Postcode

**Part 3 - Variation**

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

Please tick 'yes'

If not do you want the variation to take effect from

Day	Month	Year

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

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

HOTEL & RESTUARANT -

APPLICATION TO ALLOW LIVE MUSIC AND ENTERTAINMENT TO BE PERFORMED AND PLAYED IN THE PREMISES. FRONT OF HOUSE INTERIOR AREAS OF THE HOTEL INCLUDE :

- BAR
- SUNLOUNGE
- RESTAURANT

IN WHICH MUSIC WILL BE PLAYED/PERFORMED.

*Plus extension of the hours for the  
Sale of alcohol at junctional events.*

## Part 4 Operating Schedule

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

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

### Provision of entertainment facilities for:

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

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

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

cases complete boxes N, O and P

# A

<b>Plays</b> Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both - please tick [Y]</u> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both		
Tue						
Wed				<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur						
Fri				<b>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</b> (please read guidance note 5)		
Sat						
Sun						

# B

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

**C**

<b>Indoor sporting events</b> 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			

**D**

<b>Boxing or wrestling entertainments</b> 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 [Y]</u> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both		
Tue						
Wed				<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur						
Fri			<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)			
Sat						

Sun			
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E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	10.00	1.00	Please give further details here (please read guidance note 3)		
Tue	10.00	1.00			
Wed	10.00	1.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	10.00	1.00			
Fri	10.00	1.00	<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 (please read guidance note 5)</u> NEW YEARS EVE - 31 <sup>ST</sup> DECEMBER - 1 <sup>ST</sup> JANUARY - MUSIC WILL BE PLAYED UNTIL 2AM.		
Sat	10.00	1.00			
Sun	10.00	1.00			

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick [Y] (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	10.00	1.00	Please give further details here (please read guidance note 3)  MUSIC TO BE PLAYED BY A DJ OR VIA AN AMPLIFIER		
Tue	10.00	1.00			
Wed	10.00	1.00	State any seasonal variations for playing recorded music (please read guidance note 4)  NEW YEARS EVE 31 <sup>ST</sup> DECEMBER - 1 <sup>ST</sup> JANUARY UNTIL 2AM.		
Thur	10.00	1.00			

Fri	10.00	1.00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	10.00	1.00	
Sun	10.00	1.00	

### G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both - please tick [Y]</b> (please read guidance note 2)	Indoors	
				Outdoors	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	10.00	1.00			
Tue	10.00	1.00			
Wed	10.00	1.00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Thur	10.00	1.00			
Fri	10.00	1.00	<b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	10.00	1.00			
Sun	10.00	1.00			

### H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>  MAGICIANS, COMEDIANS, ENTERTAINMENT BY PERFORMANCE		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both - please tick [Y]</b> (please read guidance note 2)	Indoor	<input checked="" type="checkbox"/>
				Outdoor	
Mon	10.00	1.00		Both	

Tue	10.00	1.00	<u>Please give further details here</u> (please read guidance note 3)
Wed	10.00	1.00	
Thur	10.00	1.00	<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	10.00	1.00	
Sat	10.00	1.00	<u>the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left please list</u> (please read guidance note 5)
Sun	10.00	1.00	

<b>Provision of facilities for making music</b> 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 [X]</u> (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish	Both		
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for Provision of facilities for making music entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					



**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b>Will the facilities for dancing be indoors or outdoors or both - please tick [Y] (see guidance note 2)</b>		Indoors	
					Outdoors	
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give a description of the facilities for dancing you will be providing</b> DANCING WILL TAKE PLACE WHEN MUSIC IS PLAYED DURING SOME FUNCTIONS, I.E WEDDINGS AND PARTIES.			
Mon	10.00	1.00	<b>Please give further details here (please read guidance note 3)</b>			
Tue	10.00	1.00				
Wed	10.00	1.00	<b>State any seasonal variations for providing dancing facilities (please read guidance note 4)</b>			
Thur	10.00	1.00				
Fri	10.00	1.00	<b>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)</b>  NEW YEARS EVE (SEE BOX E) UNTIL 2AM ON 1 <sup>ST</sup> JANUARY			
Sat	10.00	1.00				
Sun	10.00	1.00				

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment facility you will be providing</b>			
Day	Start	Finish	<b>Will the entertainment facility be indoors or outdoors or both - please tick [Y] (please read guidance note 2)</b>		Indoor	
					Outdoor	
Mon					Both	

Tue			Please give further details here (please read guidance note 3)
Wed			
Thur			
Fr			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)
Sat			
Sun			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)

Late night refreshment			Will the provision of late night refreshment take place indoors or outdoors or both - please tick [Y] (please read guidance note 2)	Indoors	Outdoors
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	23.00	1.00	Please give further details here (please read guidance note 3)  EG. BUFFET AT A FUNCTION OR HOG ROAST.		
Tue	23.00	1.00			
Wed	23.00	1.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	1.00			
Fr	23.00	1.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)  RESIDENTS ARE ENTITLED TO 24HOUR SERVICE & REFRESHMENTS. ON NEWYEARS EVE BONA FIDE GUESTS ARE ALSO ENTITLED TO SUCH REFRESHMENTS.		
Sat	23.00	1.00			
Sun	23.00	1.00			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the sale of alcohol be for consumption (Please tick box Y)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol (please read guidance note 4)</b>		
Mon	23.00	1.00			
Tue	23.00	1.00			
Wed	23.00	1.00			
Thur	23.00	1.00			
Fri	23.00	1.00			
Sat	23.00	1.00			
Sun			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</b>  NON RESIDENTS MAY BE SERVED IN ADDITION TO USUAL LICENCING HOURS DURING FUNCTIONS. BONA FIDE GUESTS MAY ALSO BE SERVED UNTIL 2AM ON NEW YEARS EVE.		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					

**N**

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

**O**

<b>Hours premises are open to the public</b>			Standard days and timings (please read guidance note 6)		
Day	Start	Finish	<b>State any seasonal variations (please read guidance note 4)</b>		
Mon	00.00	24.00			
Tue	00.00	24.00			

Wed	00.00	24.00	<p><b>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)</p> <p>PREVIOUS ENTITLEMENT OF 24HOUR OPENING AS STATED BY LICENCE.</p>
Thur	00.00	24.00	
Fri	00.00	24.00	
Sat	00.00	24.00	
Sun	00.00	24.00	

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

REMOVE ALL EMBEDDED RESTRICTIONS :

BAR CURRENT:

- ❖ 24 HOUR RIGHT TO SELL ALCOHOL TO RESIDENTS AND BONA FIDE GUEST
- ❖ NEWYEARS EVE ENTITLEMENT

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)**

ADDITIONAL MEMBER OF FULL TIME STAFF TO ATTEND A PERSONAL LICENCING COURSE

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

INSTALATION OF CCTV IN PUBLIC AREAS. BAR AREA TO BE LOCKED WHEN UNSUPERVISED.

**c) Public safety**

TO ENSURE ALL EQUIPMENT USED BY 3<sup>RD</sup> PARTIES FOR ENTERTAINMENT PURPOSES IS INSURED AND SAFETY CHECKED.

**d) The prevention of public nuisance**

LATE NIGHT DEPARTURES TO BE ESCORTED OFF THE PREMISES BY THE DUTY MANAGER TO ENSURE THERE IS NO NOISE OR DISTURBANCE.

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

NO MINORS ARE PERMITTED IN THE BAR AREA AFTER 21.00 HOURS.

Please tick ✓ yes

- ③ I have made or enclosed payment of the fee
- ③ I have sent copies of this application and the plan to responsible authorities and others where applicable
- ③ I understand that I must now advertise my application
- ③ I have enclosed the premises licence or relevant part of it or explanation
- ③ 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..... 30 09 09 .....

Capacity

Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> 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)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) YES	

Licensing Act 2003

## Premises Licence

Issued under Section 125 of the above Act

<b>Premises Licence Number</b>	<b>1085</b>
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### Part 1 - Premises Details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Cliff House Hotel Marine Drive West Barton On Sea New Milton Hampshire BH25 7QL	<b>Map Ref (E):</b> <b>Map Ref (N):</b> <b>UPRN:</b>
<b>Telephone Number: 01425 619333</b>	

<b>Where the licence is time limited the dates</b>
This licence is <b>NOT</b> time limited

<b>Licensable activities authorised by the licence</b>
M) Supply of Alcohol

### The times the licence authorises the carrying out of licensable activities

M) Supply of Alcohol			
Day	Start	Finish	Further details:
Mon	10:00	23:00	The licensee may also provide and permit:
			a) Entertainment by way of music and singing but <b>ONLY</b> by the reproduction of recorded sound (THIS DOES NOT PERMIT the use of Karaoke, Disc Jockeys, Comperes etc)
Tue	10:00	23:00	
Wed	10:00	23:00	b) The consumption of late night refreshment for a period of 30 minutes after the permitted hours.
Thur	10:00	23:00	Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.
Fri	10:00	23:00	<b>Seasonal variations:</b> Good Friday, 12:00 - 22:30 hours
Sat	10:00	23:00	Christmas Day, 12:00 - 15:00 hours and 19:00 - 22:30 hours New Year's Eve, except on a Sunday, 10:00 - 23:00 hours
Sun	12:00	22:30	New Year's Eve on a Sunday, 12:00 - 22:30 hours On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

<b>The opening hours of the premises</b>
N/A

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



**Part 2**

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

Mr Donald Barclay Travers Darbshire &  
Ms Kerry Josephine Darbshire Telephone: 01425 612795  
Cliff House Hotel  
Marine Drive West  
Barton On Sea Email:  
New Milton  
Hampshire  
BH25 7QL

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

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

Donald Barclay Travers Darbshire  
Cliff House Hotel  
Marine Drive West Telephone: 01425 612795 or  
Barton On Sea 01425 619333  
New Milton  
Hampshire Email:  
BH25 7QL

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

**Personal licence number:** 1125  
**Issuing authority:** New Forest District Council

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

Date licence issued: 08/08/2007

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

*M Powell*

\_\_\_\_\_  
CCTV & Licensing Manager  
(Authorised Officer)

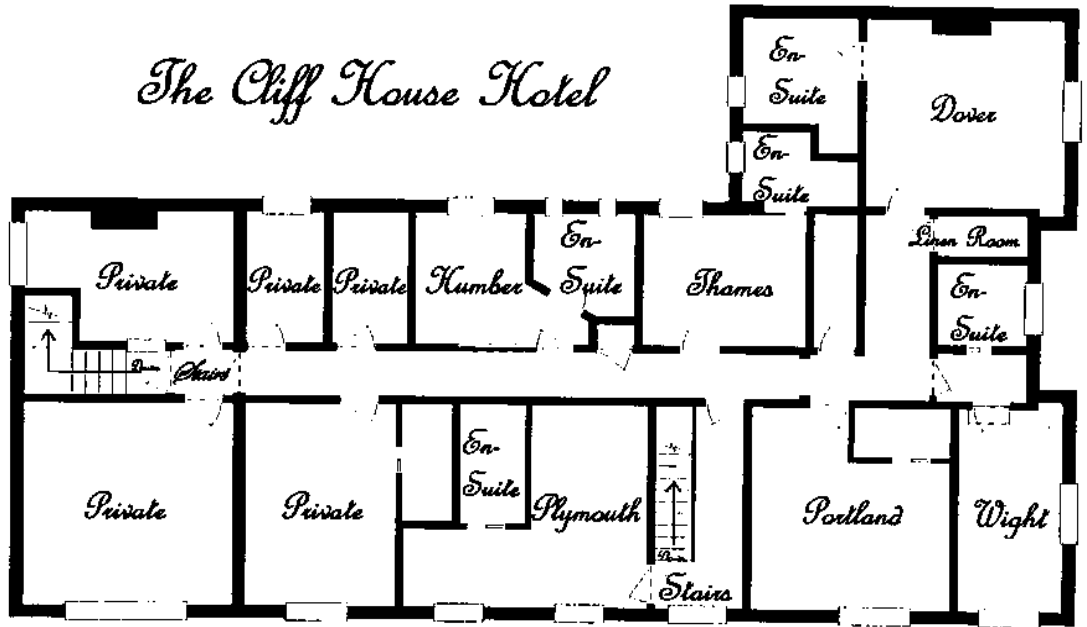
**Annex 1 - Mandatory Conditions**

**Where licence authorises supply of alcohol:**

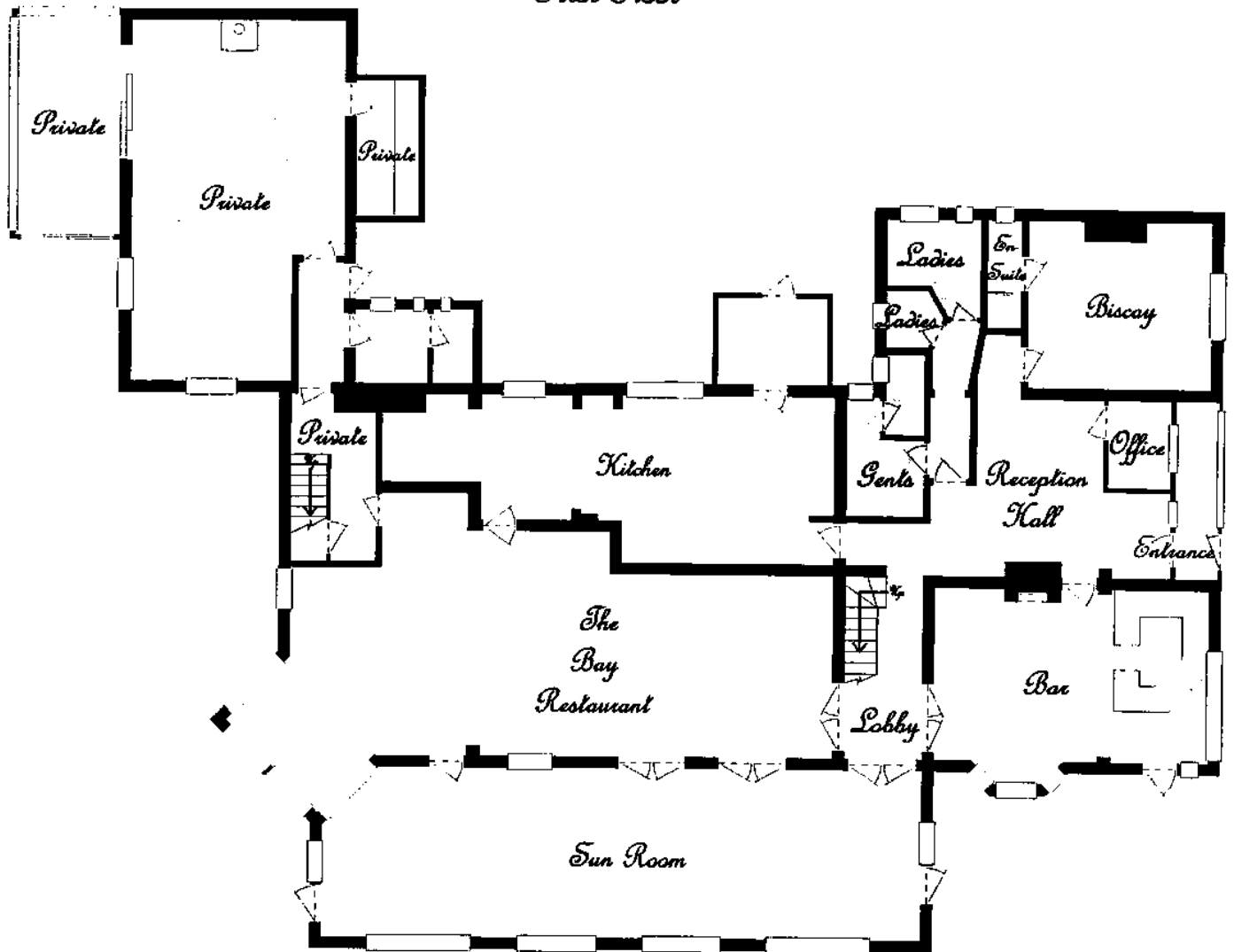
- (1) No supply of alcohol may be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.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



# The Cliff House Hotel



First Floor



Ground Floor

- EXITS
- STAIRS
- PUBLIC CONVENIENCES

17

FIRE SAFETY EQUIPMENT DOCUMENTED  
IN FIRE RISK ASSESSMENT.

~~\*~~ Agreed Conditions  
from E+I - Pollution

Sarah Wilson

**From:** mat.robinson@nfdc.gov.uk  
**Sent:** 28 October 2009 10:50  
**To:** Licensing e-mail address  
**Subject:** Acolaid Case EPCST/09/06242  
**Attachments:** Cliff House Hotel E-mail Correspondance.rtf

**From:** licensing@nfdc.gov.uk [mailto:licensing@nfdc.gov.uk]  
**Sent:** 07 October 2009 14:50  
**To:** Env Prot  
**Subject:** Application: Variation Premises Licence (S34) Ref: LICPR/05/00436 - CLIFF HOUSE HOTEL, MARINE DRIVE WEST, BARTON-ON-SEA, NEW MILTON, BH25 7QL

<b>To:</b>	The Responsible Authorities
<b>Our Ref:</b>	LICPR/05/00436 - SW
<b>Date:</b>	07 October 2009
<b>Application Type:</b>	Variation Premises Licence (S34)
<b>Premises Details:</b>	Cliff House Hotel Cliff House Hotel, Marine Drive West, Barton-On-Sea, New Milton, BH25 7QL
<b>Applicant Details:</b>	Donald Barclay Travers Darbshire Kerry Josephine Darbshire Cliff House Hotel Marine Drive West Barton on Sea New Milton BH25 7QL Cliff House Hotel Marine Drive West Barton On Sea New Milton BH25 7QL

### 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 **04 November 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:

18

28/10/2009

Further to the attached correspondence. The applicant has proposed further conditions that they would like attached to their licence to control noise. In light of this, I have no objection to this application.

Mat Robinson  
Environmental Health Officer  
Environmental Protection  
New Forest District Council

E-mail correspondence for the Cliff House Hotel.

Thankyou for your email , Please see the ammended note below . I trust this is in order.

Regards Donald Darbshire

----- Original Message -----

From: Mat Robinson

To: c

Sent: Tuesday, October 20, 2009 3:34 PM

Subject: Licence application.

Further to our meeting this morning. I hope that you found it productive.

I think that we agreed that you would only like to have four outdoor music events per year that would terminate at 2300. I would advise that you keep a record at the property of the number and nature of events that you have plus any complaints and remedial actions that you took to address the issues. With regards to noise level for the outdoor events, I would suggest that you undertake a sound check to ensure that the noise levels at the neighbouring properties is not excessive and that you maintain some control over the levels to ensure that they do not become excessive during the course of the event. **AGREED**

This is a list of the conditions that I suggested that you might like appended to your licence for indoor events (which we discussed this morning.)

- During any event involving live or amplified music (other than low level background music), all windows will be kept closed. External doors will also be kept closed, except where necessary for access and egress i.e. the doors will not be secured open and will be fitted with self closers if necessary. **AGREED**
- Speakers will not be positioned outside at any time. **AGREED**
- **(WE DO NOT HAVE AN AIR CONDITIONING SYSTEM) THE KITCHEN EXTRACT WILL BE TURNED OF BY 2200 AT THE LATEST**
- The disposal of empty bottles into out door storage receptacles will not take place between 1900 – 0700 **AGREED**
- Arrangements will be in place to ensure that deliveries of consumables will not take place between 1900 – 0700. **AGREED**
- Arrangements will be in place to ensure that waste collection contractors will not collect between 1900 – 0700. **AGREED**
- So as to minimise disturbance to local residents late at night, staff will be given appropriate instructions and training to encourage customers to leave the premises quietly and not loiter in the vicinity of the premises. **AGREED I BELIEVE THIS CONDITION WAS INCLUDED IN OUR APPLICATION**
- At each exit point a prominent and clear notice will be displayed to the effect that customers should be considerate to local residents by leaving the premises and the area quietly. **AGREED**
- Noise from amplified music and amplified voices emanating from the premises between 2300 and 0100 will be inaudible when measured at the boundary of all noise sensitive premises. **AGREED**
- Prior to 2300, music noise emanating from the premises whilst audible, is so low that distinct tunes, lyrics, musical instruments and any bass beat cannot be recognised at the boundary of all noise sensitive premises. **AGREED**

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

Please delete as applicable. If you could e-mail me back with what conditions you would like on your licence then I will consult with licensing. I have to have a response back to them by the **4<sup>th</sup> November**.

If you have any questions please do not hesitate to contact me.

Mat Robinson  
Environmental Health Officer  
Chartered Environmental Health Practitioner  
Environmental Protection | Public Health and Community Safety  
Tel: (023) 8028 5167 | HSPN 8 777 5167  
[mat.robinson@nfdc.gov.uk](mailto:mat.robinson@nfdc.gov.uk) | [www.newforest.gov.uk](http://www.newforest.gov.uk)

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No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 8.5.422 / Virus Database: 270.14.23/2447 - Release Date: 10/20/09 03:55:00

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

Additional member of full time staff to attend a Personal Licensing Course.

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

Installation of CCTV in public areas.

Bar area to be locked when unsupervised.

**c) Public safety**

To ensure all equipment used by 3rd parties for entertainment purposes is insured and safety checked.

**d) The prevention of public nuisance**

Late night departures to be escorted off the premises by the Duty Manager to ensure there is no noise or disturbance.

**For outdoor music events - the following applies:**

Any occasion involving regulated entertainment outdoors will be restricted to no more than four times a year and would terminate at 23:00hrs.

A record will be kept at the property of the number and nature of the events that are held, plus any complaints and remedial actions that were taken to address the issues.

A sound check will be undertaken to ensure that the noise levels at the neighbouring properties is not excessive and that some control is maintained over the levels to ensure that they do not become excessive during the course of the event.

**For indoor events - the following applies:**

During any event involving live or amplified music (other than low level background music), all windows will be kept closed. External doors will also be kept closed, except where necessary for access and egress i.e., the doors will not be secured open and will be fitted with self closers if necessary.

Speakers will not be positioned outside at any time.

The kitchen extract will be turned off by 22:00hrs at the latest.

The disposal of empty bottles into outdoor storage receptacles will not take place between 19:00hrs - 07:00hrs.

Arrangements will be in place to ensure that deliveries of consumables will not take place between 19:00hrs - 07:00hrs.

Arrangements will be in place to ensure that waste collection contractors will not collect between 19:00hrs - 07:00hrs.

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

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

Noise from amplified music and amplified voices emanating from the premises between 23:00hrs and 01:00hrs will be inaudible when measured at the boundary of all noise sensitive premises.

Prior to 23:00hrs, music noise emanating from the premises whilst audible, is so low that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises.

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

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

No minors are permitted in the bar area after 21:00hrs.

# \* Objection \*

3 Harbour Court  
Sea Road  
Barton on Sea  
Hampshire  
BH25 7NH

The CCTV and Licensing Manager  
Licensing Services  
New Forest District Council  
Apple Tree Court  
Hampshire  
SO43 7PA

20<sup>th</sup> October 2009

Dear Sir / Madam,

**RE: Licensing application at the Cliff House Hotel, Marine Drive West,  
Barton on Sea, BH25 7QL**

I have a number of concerns regarding the above application to extend licensing hours and provide regulated entertainment:

- Noise from people leaving the premises. Currently there is noticeable noise when people leave the premises; this comes from voices, car doors being shut, engines starting and running and the noise of the cars on the gravel. The license being applied for would not only ensure that this noise happened later in the night but it is also likely that it would be spread over a longer time as people leave at different points during the evening. Additionally there is likely to be more people attending the premises for late night events and so there would be an increase in the number of people and vehicles leaving.
- Noise from staff. Currently there is noise from staff when they are in the outside parts of the premises. This disturbance includes voices from conversations and from rubbish being emptied, in particular glass bottles. If the license application is granted then the disturbances will no doubt occur later in the night and possibly be more frequent if there are more people on the premises which need clearing up after.
- Noise from music, entertainment and functions. Clearly any entertainment will create additional noise. As has already been mentioned, noise from the Cliff House Hotel already causes a disturbance to local residents. Additional noise from music and increased people density at functions will result in greater noise disturbance which will go on later into the night.
- Smoke from barbecue. With the wind tending blow in off the sea smoke from the barbecue (or outdoor grill) as well as cigarette smoke blows directly towards local residential properties. The proposed license amendments would allow this to happen for longer.

The above points are issues that currently exist and create a public nuisance and as such create a concern under the point of Prevention of Public Nuisance. All of these issues would be exacerbated if the license application was granted for the reasons identified above. I am particularly concerned as we have a young baby who may be



disturbed more and also for my wife who is already on reduced sleep because of the baby being further disturbed by outside noise and events.

There will no doubt be further issues that would arise if the license application was granted and the points I have made should not be considered an exhaustive list. Attention must also be given to the future of the Cliff House and what would happen if the premises were taken over. The points I have raised above relate directly to the current experience of the Cliff House. It is entirely possible that the premises will be sold or taken over in the future and the provision of carte blanche on late night entertainment with no clauses protecting local residents is a significant concern. As such at the present point in time I have no option but to oppose the application to alter the license at the Cliff House Hotel.

I appreciate your attention in this matter.

Yours faithfully,

Phil Malcolm

# Unresolved Objection

Phil Wilson

---

**From:**  
**Sent:** 10 November 2009 10:44  
**To:** Licensing e-mail address  
**Subject:** Cliff House Hotel  
**Attachments:** Cliff House.doc

Paul,

I've attached a letter regarding the Cliff House application as agreed. I'll also add it as plain text below in case there is a problem with attachments. Feel free to contact me if you need anything further.

Thanks,

Phil.

3 Harbour Court  
Sea Road  
Barton on Sea  
Hampshire  
BH25 7NH

10<sup>th</sup> November 2009

Dear Mr Weston,

RE: LA2003 s34 application to vary a premises licence  
PL 1085 Cliff House Hotel, Barton on Sea, BH25 7QL

Thank you for your letter of the 30<sup>th</sup> October. As I mentioned on the telephone to you the conditions that have been put in place seem reasonably thorough and comprehensive. The only point that I would still be concerned about would be the potential disposal of empty bottles from 7am. If the conditions could be amended so that bottles could only be disposed of from 9am then alongside the conditions already in place I would have no problem with the application and be happy to withdraw my original representation.

Yours sincerely,

Phil Malcolm

Mr P Malcolm  
3 Harbour Court  
Sea Road  
Barton On Sea  
New Milton  
BH25 7NH

Our Ref: PW/LICPR/05/00436/PW  
Your Ref:

30 October 2009

Dear Mr Malcolm

**RE: LA2003 s34 application to vary a premises licence  
PL 1085 Cliff House Hotel, Barton on Sea, BH25 7QL**

I write further to my letter dated 2009-10-22 regarding your representation to the above application.

Please find enclosed a current set of conditions that have either been volunteered by the applicant or agreed with the Council's Environmental Protection department. These will form part of the operating schedule for said premises licence. I therefore ask whether the inclusion of all these conditions are sufficient for you to reconsider and formally withdraw your representation.

Alternately if you wish to maintain your objections to said application please could you indicate your views regarding mediation prior to this matter being determined by a licensing panel.

If I can be of any further assistance please contact this office.

Yours sincerely

*Paul Weston*

Licensing Officer  
Licensing Services

Tel: 023 8028 5505  
Fax: 023 8028 5596  
Email: [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk)

\* Objection

7, Marina Drive West

Boston . On . Sea

BH25 7PP

30/10/09.

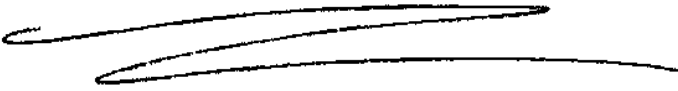
To Whom it may concern.

We write this letter today to strongly oppose the application for a one o'clock licence submitted by the Cliffe House Hotel which we read today in the New Milton Advertiser. As we live opposite almost to the Hotel and walk past every day to go to local shops we have never seen a notice displayed notifying the public of the intended late night licence. We are deeply shocked at this application a vast number of elderly residents live very close by and a late night and disco entertained licence would make it very noisy and disturbing with cars at such a late hour.

2

It would bring maybe people just looking for late alcohol it would disrupt Boston on Sea completely the issue of parking is totally inadequate even during the existing hours of the Hotel people have to park wherever they can because the car park only holds a small number of cars. We have lodged a complaint today regarding notices which have not been displayed publically to inform the public Mr Paul Western was the person whom spoke to us. We sincerely hope you take this objection very seriously and hope to hear from you in the very near future.

MR & MRS M MURPHY



5 Marine Drive West  
Barton on Sea  
New Milton  
Hampshire  
BH25 7QQ  
4<sup>th</sup> November 09

To Whom It May Concern:

I am writing to object to the application to extend the licensing time for The Cliff House , Marine Drive West, Barton On Sea, New Milton BH25 7QL to 1.00 am.

The Cliff House is situated in a quiet residential road, away from the town/shops and main roads. The Cliff House has a gravel car parking area adjacent to our house, and we often hear the hotel guest leaving and arriving as they drive on the gravel, shutting car doors and chatting as they say there goodbyes in this car parking area, which at the moment is not a problem as this ceases when the Cliff House closes. But if the licence was extended to 1.00am this would certainly be a disturbance to us and our three children who all sleep in the front bedrooms, our smallest child is 4yrs old and is easily disturbed and my older children are in the middle of GCSE's and A levels. It also concerns me that loud music would be played in the evenings, for weddings parties ect, we would certainly be within hearing distance if this, and this would be very disturbing to us. I would also like to add that at he moment the car park has sufficient parking spaces to accommodate its guests but this would be unlikely to be the case if a wedding/party was to be held there which means they would park outside my house, and returning to there cars in the early hours.

Yours faithfully,

Julie and Lee Salter

4 Marine Drive West  
Barton on Sea  
New Milton  
Hampshire  
BH25 7QQ  
4<sup>th</sup> November 09

To Whom It May Concern:

I am writing to object to the application to extend the licence for The Cliff House , Marine Drive West, Barton On Sea, New Milton BH25 7QL to 1.00 am.

I am an elderly lady living on my own, at number 4 Marine Drive West, and have lived here since 1982, I am directly opposite The Cliff House and there car parking area is directly outside my house, I already endure the noise from this area, when guests come and go, during the day and early evening but if the licence was extended to 1.00 a.m. I would find this very disturbing whilst I was trying to sleep and very unsettling to have lots of people outside my home at 1.00 a.m. in the morning, whilst they were leaving The Cliff House.

I do not think this quiet residential road is a suitable area to host events such as weddings and parties with loud music that finish at 1.00 a.m., Barton on sea is a very quiet area and as a result many people choose to come here to retire and to bring up there young families, and the added traffic in our road and the noise very late at night would be hard to live with.

Yours Faithfully

Mrs Eugenia Domican

**Sarah Wilson**

---

**From:** The Cliff House Hotel [cliffhousehotel@btconnect.com]  
**Sent:** 06 November 2009 17:37  
**To:** Licensing e-mail address  
**Subject:** Fw: The Cliff House

The Cliff House , Hotel, Bar and Restaurant  
Marine Drive West  
Barton on Sea  
Hampshire  
BH25 7QL  
01425 619333  
[www.thecliffhouse.co.uk](http://www.thecliffhouse.co.uk)

----- Original Message -----

**From:** [The Cliff House Hotel](mailto:licencing@nfdc.gov.uk)  
**To:** [licencing@nfdc.gov.uk](mailto:licencing@nfdc.gov.uk)  
**Sent:** Friday, November 06, 2009 5:34 PM  
**Subject:** The Cliff House

Dear Mr. Weston

Further to my conversation with Sarah this afternoon , who was most helpful, Please see my comments below.

If time allows I would be happy to host a mediation meeting with objectors however as we are away from the 9th of November returning on the 25th this may not be possible.

1) With the exception of one local resident, who asked if we could stop using the bottle banks early on Sunday morning which we have now done. We have not had any complaints of noise nuisance hence I can not comment on any historical issues . Following my meeting with Mat Robinson I believe we have put in place the necessary measures to avoid any noise nuisance during or following events.

2) Please see the following conditions as agreed with Mat Robinson

**I think that we agreed that you would only like to have four outdoor music events per year that would terminate at 2300. I would advise that you keep a record at the property of the number and nature of events that you have plus any complaints and remedial actions that you took to address the issues. With regards to noise level for the outdoor events, I would suggest that you undertake a sound check to ensure that the noise levels at the neighbouring properties is not excessive and that you maintain some control over the levels to ensure that they do not become excessive during the course of the event. AGREED**

**This is a list of the conditions that I suggested that you might like appended to your licence for indoor events which we discussed this morning.**

**During any event involving live or amplified music (other than low level background music), all windows will be kept closed. External doors will also be kept closed, except where necessary for access and egress i.e. the doors will not be secured open and will be fitted with self closers if necessary. AGREED**



- Speakers will not be positioned outside at any time. AGREED
  - WE DO NOT HAVE AN AIR CONDITIONING SYSTEM THE KITCHEN EXTRACT WILL BE TURNED OF BY 2200 AT THE LATEST
  
  - The disposal of empty bottles into out door storage receptacles will not take place between 1900 – 0700 AGREED
  - Arrangements will be in place to ensure that deliveries of consumables will not take place between 1900 – 0700. AGREED
  - Arrangements will be in place to ensure that waste collection contractors will not collect between 1900 – 0700. AGREED
  - So as to minimise disturbance to local residents late at night, staff will be given appropriate instructions and training to encourage customers to leave the premises quietly and not loiter in the vicinity of the premises. AGREED I BELIEVE THIS CONDITION WAS INCLUDED IN OUR APPLICATION
  - At each exit point a prominent and clear notice will be displayed to the effect that customers should be considerate to local residents by leaving the premises and the area quietly. AGREED
  - Noise from amplified music and amplified voices emanating from the premises between 2300 and 0100 will be inaudible when measured at the boundary of all noise sensitive premises. AGREED
  
  - Prior to 2300, music noise emanating from the premises whilst audible, is so low that distinct tunes, lyrics, musical instruments and any bass beat cannot be recognised at the boundary of all noise sensitive premises. AGREED
- 3) The nearest property is at least 40+ meters from the front of The Cliff House so the nuisance caused by smokers , who incidentally can smoke at any hour irrespective of licenced activities, can not be seriously considered as a genuine nuisance. The outdoor fire is not used for cooking just as a patio heater.
- 4) We have a very large car park and am not aware that even on very busy days that customers need to park off site.

As we live on the premises it is in our interests as much as any resident that noise is kept to a minimum and can assure any concerned that we will continue to run a respectable establishment and are sympathetic to residents concerns.

Regards Donald Darbshire

The Cliff House , Hotel, Bar and Restaurant  
Marine Drive West  
Barton on Sea  
Hampshire  
BH25 7QL  
01425 619333  
[www.thecliffhouse.co.uk](http://www.thecliffhouse.co.uk)

Mr & Mrs M Murphy  
7 Marine Drive West  
Barton On Sea  
New Milton  
Hampshire  
BH25 7QQ

Our Ref: PW/LICPR/05/00436/PW  
Your Ref:

13 November 2009

Dear Mr & Mrs Murphy

**RE: Application to vary licence (s34 LA2003) - Cliff House Hotel**

I write to provide an update regarding this matter and the process thereafter.

Where differences continue to exist, and are not subsequently withdrawn, the matter will have to be determined by a licensing panel at a formal committee meeting. This will be arranged through Democratic & Legal Services with the costs being the responsibility of the council tax payers in the New Forest administrative area.

In taking this option my understanding is that you may need to produce evidence to support your representation and this matter including your comments and relevant details will become part of a public record.

It may be of interest to note that any decision made is subject to appeal at the magistrate's court. Likewise any licence produced is subject to the review process.

If you would like to explore the options now available please contact this office as I am very willing to discuss this matter further.

I look forward to hearing from you soon.

Yours sincerely

*Paul Weston*

Licensing Officer  
Licensing Services

Tel: 023 8028 5505  
Fax: 023 8028 5596  
Email: [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk)