

NEW FOREST DISTRICT COUNCIL

LICENSING ACT 2003

APPLICATION: VARIATION OF PREMISES LICENCE : THE WHITE HORSE, MAIN ROAD, MARCHWOOD

Decision of the Licensing Sub-Committee hearing held at Appletree Court, Lyndhurst on Friday, 29 October 2010 at 10.00 a.m.

1. Members of the Licensing Sub-Committee

Councillor G C Beck - Chairman
Councillor J A G Hutchins
Councillor P R Woods

2. Parties and their Representatives attending the Hearing

Ms J Palmer, Solicitor for the Applicant
Ms A Horne, Business Relationship Manager, Punch Taverns
Mrs R O'Hara – Applicant, and Mr O' Hara.

Objectors:
Mr P R T Green

3. Other Persons attending the Hearing

Mr P Weston – Licensing Officer

4. Parties not attending the Hearing

Objectors:

Miss R L Bonnett
Mrs A M Smith

5. Officers attending to assist the Sub-Committee

Tory Putnam – Legal Advisor
Andrew Rogers - Clerk

6. Decision of the Sub-Committee

The application to remove the conditions “There shall be no external seating provided at the premises at any time”, and “All existing external seating shall be removed from the premises”, is granted, and the following conditions added to the licence:-

Conditions:

- No licensable activities or consumption of alcohol will take place after 23:00 hours externally.
- A 6ft, close boarded fence shall be installed to create a garden area separate from the car parking area, the door or gate of which shall only be able to be opened from the outside by the Licensee or premises employees, but shall have facility for opening from the inside in an emergency, and shall be fixed with an alarm to prevent unauthorised access and use.
- The public may only access the outside garden area through the internal area of the public house.
- A second 6ft, close boarded fence is to be erected to the rear of the garden area to provide a buffer zone to minimise any noise.
- Litter bins shall be installed in the garden area.
- The cellar is to be kept secure at all times to prevent public access.

Licensable activities and times permitted:

All other existing operating times and licensable activities authorised by the premises licence remain unaltered.

Mandatory conditions:

As provided in the Licensing Act 2003

7. Reasons for the Decision

The Sub-Committee carefully considered the application along with the evidence, both written and oral, supplied by the applicant and objectors.

The Sub-Committee noted the absence of any objections from the responsible authorities but took into account the written and verbal representations of the objectors.

The Sub-Committee was of the view it had not been demonstrated that the provision of external seating would increase the level of public nuisance, or adversely affect any of the other licensing objectives, within the vicinity of the licensed premises.

Accordingly, the Sub-Committee was prepared to grant a variation to the premises licence in the terms set out at section 6 above.

Date: 29 October 2010

Licensing Sub-Committee Chairman: Cllr G C Beck

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Decision notified to interested parties on 1 November 2010