



LICENSING SUB COMMITTEE - (TBA)

LICENSING ACT 2003 - SECTION 84

APPLICATION FOR A VARIATION TO A CLUB PREMISES CERTIFICATE

Name(s) and address(es) of applicants(s)

Lymington Royal British Legion

Name and address of premises to be licensed

Royal British Legion
Haigh House
22a High Street
Lymington
SO41 9AD

End of Statutory Objection Period: 01 September 2011

Objections received: Yes

Date of Hearing (if applicable) TBA

Date report completed: 2 September 2011

Date forwarded to Democratic Services: 2 September 2011

Resume of application	Location on report
<p>The premises currently possess a Club Premises Certificate permitting the following activities:</p> <p>Indoor Sporting Events, Live Music (indoors), Recorded Music (indoors), Entertainment Facilities for Dancing (indoors).</p> <p>Monday to Thursday - 11:00hrs - 23:00hrs Friday - 11:00hrs - 00:00hrs Saturday - 10:30hrs - 00:00hrs Sunday - 12:00hrs - 22:30hrs</p> <p>Christmas Eve - 10:00hrs - 01:00hrs Christmas Day - 10:00hrs - 01:00hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December) Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs - 01:00hrs</p> <p>Supply of alcohol for consumption on and off the premises:</p> <p>Monday to Saturday - 10:00hrs - 23:00hrs Sunday - 12:00hrs - 22:30hrs</p> <p>New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December).</p> <p>The premises have applied to vary the existing Club Premises Certificate to:</p> <p>Add plays, films, performances of dance, anything similar, making music, and similar.</p> <p>Vary the hours of licensable activities:</p> <p>Sunday to Thursday 10:00hrs - 23:00hrs Friday and Saturday 10:00hrs - 00:00hrs</p> <p>To further add:</p> <p>Christmas Eve 10:00hrs - 01:30hrs Christmas Day 10:00hrs - 01:30hrs</p> <p>New Years Eve from the end of permitted hours to the start of permitted hours on the following day.</p> <p>Bank holiday weekends (Friday, Saturday and Sunday) 10:00hrs - 01:00hrs the following morning.</p>	<p>Appendix 1</p>

Responsible Authority	Brief Details of Responsible Authority Representations	Location on report
Police	<p>Conditions have been agreed between the Hampshire Constabulary and the Club Premises as follows:</p> <ul style="list-style-type: none"> • A CCTV system will be installed or the existing system maintained, such system to be fit for the purpose. • The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium. • Any recordings will be retained and stored in a suitable and secure manner for a minimum of 30 days and shall be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request. • The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation with the Police from time to time. • The system will display on any recording the correct time and date of the recording. • The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. 	Appendix 2
Fire Service	No representations	
Trading Standards	No representations	
Social Services	No representations	
Pollution	<p>Objection received by Environmental Health Pollution based on the grounds of the Prevention of Public Nuisance, despite the current Club Premises Certificate stating the following conditions under Annex 2 of their licence. These conditions being:</p> <ul style="list-style-type: none"> • All windows and doors on the facade adjacent to the patio (the facade between the Committee Room and the corridor leading to the toilet area) shall remain closed (except the fire door when required for emergency access only), during periods of regulated entertainment containing live or recorded music and/or speech. • During periods of regulated entertainment containing live or recorded music or speech, access and egress to the beer garden and patio areas shall be via the side corridor only (This is the corridor that accesses the toilet area); and 	

	<ul style="list-style-type: none">No alcoholic drinks shall be taken into or consumed in the beer garden or patio areas after 23:00hrs.	
Health and Safety	No representations	
Planning	No representations	

Licensing Objective	Brief Details of Interested Parties Representations	Location on report
<p>Prevention of Crime and Disorder</p> <p>Public Nuisance</p> <p>Public Safety</p> <p>Protection Of Children</p>	<p>There are 6 letters making representations from residents who reside in the vicinity, mainly concerned with the prevention of public nuisance licensing objective, but also the Prevention of Crime and Disorder.</p> <p>Extending the hours for the premises could result in increased drunkenness and associated anti-social behaviour.</p> <p>Noise emanates from the premises and overflows into objectors garden at the moment. The objector is prepared to accept noise until 23:00hrs. However, they vigorously object to any extension of time or further later activities at the premises.</p> <p>The use of the rear garden for drinking and smoking is causing excessive disturbance to the residential properties within close proximity. The problem is further exacerbated when there is loud music as the doors and windows are left open to give access to the garden. The premises already remains open until 23:30hrs, which is felt to be late enough.</p> <p>Due to the inside smoking ban, the garden of the premises is understandably used by customers for smoking. This means people smoke, drink, talk (due to the effects of alcohol - loudly) and play loud music. This is acceptable to residents until 23:00hrs during the week and midnight on Friday and Saturdays. However, local residents should be entitled to sleep without further disturbance after these times.</p> <p>The premises are in close proximity to many residences and loud music and strident laughter associated with the existing licence, late at night are already excessive to the extent being a public nuisance.</p> <p>It is felt that the licence should stipulate no music and alcohol sales after 22:30hrs.</p> <p>The original letters with copies of the acknowledgment letter and mediation letters attached are located in Appendix 3</p>	<p>Appendix 3</p>

Additional Information	Location on report
<p>A letter covering outline details of the objections has been sent to the Mrs Dunford at Lymington Royal British Legion Club asking if it is intended to make any adjustment to their application in the light of the objections received during the consultation process.</p> <p>Further correspondence has been sent to the interested parties residing in the vicinity of the premises advising them of conditions that have been agreed and asking if they would now consider withdrawing their representations.</p> <p>At the time of completing this report, there has been no further notification from any parties wishing to withdraw their representation, hence the requirement for a hearing.</p>	<p>Appendix 4</p>

Conclusion

The Licensing Sub-Committee must, having regard to the representations, take such measures as it considers necessary to promote the licensing objectives. These being:

- The Prevention of Crime and Disorder;
- Public Safety;
- The Prevention of Public Nuisance;
- The Protection of Children from Harm

Recommendations

The licensing objectives are the only matters to be taken into account when determining applications.

The **options** available to the Licensing Sub-Committee are:

- Grant the licence – with the conditions consistent with the operating schedule and the mandatory conditions of the LA2003 Act;
- Grant the licence – but modify the conditions, restrict certain licensable activities or operating hours;
- Reject the whole or part of the application.

Further Information:

Paul Weston
Licensing Officer
Licensing Services
Tel: 023 8028 5505
Email: paul.weston@nfdc.gov.uk

Background papers:

Licensing Act 2003
Section 182 Guidance
NFDC Licensing Policy

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

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

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

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


Lymington Royal British Legion

(Insert name of club)

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

Club premises certificate number 307/2
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Part 1 – Club premises details

Name of club Lymington Royal British Legion Club			
Postal address of premises, if any, or if none ordnance survey map reference or description Haigh House 22a High Street			
		Map Ref (e) 432558.998572459	
		Map Ref(N) 95517.161365751 UPRN; 100060477496	
Post Town	Lymington	Postcode	SO41 9AD
Telephone number (if any)	01590 670047		
E-mail address (optional)	rblymington@tiscali.co.uk		

Name of person performing duties of a secretary to the club James George Brian Dunford			
Address of person performing duties of a secretary to the club 10 West Hayes			
Post Town	Lymington	Postcode	SO41 3RL
Daytime contact telephone number (if any)			
E-mail address (optional)			

Part 2 – Applicant details

Daytime contact telephone number (if any)		01590 670042	
E-mail address (optional)		rblymington@tiscali.co.uk	
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 when do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

To add the following licensable activities;

- a) plays
- b) films
- g) performances of dance
- h) anything similar description to that falling within (e), (f) or (g)
- i) making music
- k) entertainment of a similar description to that falling within (i) or (j)

To vary the hours of licensable activities to;

Sunday - Thursday 1000hrs - 2300hrs
 Friday & Saturday 1000hrs - 0000hrs

To add the following seasonal variation times to all licensable activities;

Christmas Eve 1000hrs - 0130hrs
 Christmas Day 1000hrs - 0130hrs
 New Years Eve from the end of permitted hours to the start of permitted hours on the following day
 Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning

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

Part 4 – Club Operating Schedule

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

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

Provision of regulated entertainment:

Please tick yes

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

Provision of entertainment facilities:

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

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

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

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

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" 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	1000	2300			
Tue	1000	2300	<u>State any seasonal variations for performing plays</u> (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christmas Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning		
Wed	1000	2300			
Thur	1000	2300	<u>Non standard timings. Where the club intends to use the premises for the performance of a play at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	1000	0000			
Sat	1000	0000			
Sun	1000	2300			

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 checked="" 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	1000	2300			
Tue	1000	2300			
Wed	1000	2300			
			<u>State any seasonal variations for the exhibition of film</u> (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christman Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning		
Thur	1000	2300			
Fri	1000	0000			
			<u>Non standard timings. Where the club intends to use the premises for the exhibition of film at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	1000	0000			
Sun	1000	2300			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details here</u> (please read guidance note 3)
Day	Start	Finish	
Mon	1000	2300	
Tue	1000	2300	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christmas Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning
Wed	1000	2300	
Thur	1000	2300	<u>Non-standard timings. Where the club intends to use the premises for indoor sporting events at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	1000	0000	
Sat	1000	0000	
Sun	1000	2300	

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 the club intends to use the premises for the boxing or wrestling entertainment at different times from those listed in the column on the left, please list</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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1000	2300	Please give further details here (please read guidance note 3)		
Tue	1000	2300			
Wed	1000	2300	State any seasonal variations for the performance of live music (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christmas Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning		
Thur	1000	2300			
Fri	1000	0000	Non-standard timings. Where the club intends to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	1000	0000			
Sun	1000	2300			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1000	2300			
Tue	1000	2300			
Wed	1000	2300	State any seasonal variations for the playing of recorded music (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christman Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning		
Thur	1000	2300			
Fri	1000	0000	Non-standard timings. Where the club intends to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 5)		
Sat	1000	0000			
Sun	1000	2300			

G

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 checked="" 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	1000	2300			
Tue	1000	2300			
Wed	1000	2300	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christmas Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning		
Thur	1000	2300			
Fri	1000	0000	<u>Non-standard timings. Where the club intends to use the premises for the performance of dance at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	1000	0000			
Sun	1000	2300			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment that the club will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	1000	2300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1000	2300	<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed	1000	2300			
Thur	1000	2300	<p><u>State any seasonal variations for this entertainment</u> (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christmas Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning</p>		
Fri	1000	0000			
Sat	1000	0000	<p><u>Non-standard timings. Where the club intends to use the premises for this entertainment at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun	1000	2300			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of facilities for making music that the club will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	1000	2300	<u>Please give further details here</u> (please read guidance note 3)	
Tue	1000	2300		
Wed	1000	2300	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christmas Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning	
Thur	1000	2300		
Fri	1000	0000	<u>Non-standard timings. Where the club intends to use the premises for the provision of facilities for making music at different times from those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat	1000	0000		
Sun	1000	2300		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of facilities for dancing that the club will be providing</u>		
Day	Start	Finish	<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	1000	2300	<u>Please give further details here</u> (please read guidance note 3)		
Tue	1000	2300			
Wed	1000	2300	<u>State any seasonal variations for the provision of dancing facilities</u> (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christman Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning		
Thur	1000	2300			
Fri	1000	0000	<u>Non-standard timings. Where the club intends to use the premises for the provision of dancing facilities at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	1000	0000			
Sun	1000	2300			

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility the club will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	1000	2300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1000	2300	<u>Please give further details here</u> (please read guidance note 3)		
Wed	1000	2300			
Thur	1000	2300	<u>State any seasonal variations for the provision of this entertainment facility</u> (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christmas Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning		
Fri	1000	0000			
Sat	1000	0000	<u>Non-standard timings. Where the club intends to use the premises for the provision of facilities for this entertainment at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	1000	2300			

L

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for <u>consumption (Please tick box)</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	1000	2300	State any seasonal variations (please read guidance note 4) Christmas Eve 1000hrs - 0100hrs Christmas Da 1000hrs - 0100hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0100hrs the following morning	Both	<input type="checkbox"/>
Tue	1000	2300			
Wed	1000	2300			
Thur	1000	2300	Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 5)		
Fri	1000	0000			
Sat	1000	0000			
Sun	1000	2300			

M

Hours club premises are open to the members and guests Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) Christmas Eve 1000hrs - 0130hrs Christmas Da 1000hrs - 0130hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day Bank Holiday weekends (Friday, Saturday and Sunday) 1000hrs - 0130hrs the following morning
Day	Start	Finish	
Mon	1000	2330	Non standard timings. Where you intend the premises to be open to the members and guests at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	1000	2330	
Wed	1000	2330	
Thur	1000	2330	
Fri	1000	0030	
Sat	1000	0030	
Sun	1000	2330	

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)

We have 2 gaming machines plus one lottery machine which have notices posted saying no one under eighteen may play them and they are in full sight of the bar to ensure compliance with this regulation.

O

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

Please tick yes

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

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

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

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

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

b) The prevention of crime and disorder

No licensable activities or consumption of alcohol will take place in external areas after 23:00hrs. CCTV has just been installed it has a 28 day recording facility. A camera covers the foyer as well as other parts of the Club. We have a zero tolerance policy on heavy drinking using foul language and behaviour.

c) Public safety

A committee member does a fire check every week without fail to check all fire alarm systems including the emergency lighting.

d) The prevention of public nuisance

All windows and doors on the facade adjacent to the patio (the facade between the Committee Room and the corridor leading to the toilet area) shall remain closed (except the fire door when required for emergency access only), during periods of regulated entertainment containing live or recorded music and/or speech.

During periods of regulated entertainment containing live or recorded music or speech, access and egress to the beer garden and patio areas shall be via the side corridor only (This is the corridor that accesses the toilet area); and

e) The protection of children from harm

We have 2 gaming machines. Notices are posted saying no one under 18 may play them but they are in full view of the bar to ensure compliance. Children under eighteen are only allowed in with their relatives, and they are made aware that the children should be in their view as much as possible, and kept under control.

Please tick yes

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

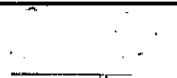
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

I James George Brian Dunford

(insert full name)

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

Signature	
Date	2-8-11
Capacity	President & Acting Secretary

Address for correspondence associated with this application (please read guidance note 11)

Lymington Royal British Legion Club
Haigh House
22a High Street

Post town	Lymington	Post code	SO41 9AD
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Telephone number (if any)	01590 670042
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If you would prefer us to correspond with you by e mail your e mail address (optional)

Licensing Act 2003

Club Premises Certificate

Issued under Section 78 of the above Act

Club Premises Certificate Number	307/2
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Part 1 - Club Details

Name of club in whose name this certificate is granted and relevant postal address of club							
Royal British Legion Haigh House 22a High Street Lymington Hampshire SO41 9AD	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Map Ref (E):</td> <td style="padding: 2px;">432558.998572459</td> </tr> <tr> <td style="padding: 2px;">Map Ref (N):</td> <td style="padding: 2px;">95517.161365751</td> </tr> <tr> <td style="padding: 2px;">UPRN:</td> <td style="padding: 2px;">100060477496</td> </tr> </table>	Map Ref (E):	432558.998572459	Map Ref (N):	95517.161365751	UPRN:	100060477496
Map Ref (E):	432558.998572459						
Map Ref (N):	95517.161365751						
UPRN:	100060477496						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Telephone Number: 01590 670047</td> </tr> </table>		Telephone Number: 01590 670047					
Telephone Number: 01590 670047							

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

Qualifying club activities authorised by the certificate
C) Indoor Sporting Events E) Performance of Live Music F) Playing of Recorded Music J) Entertainment Facilities for Dancing L) Supply of Alcohol

The times the certificate authorises the carrying out of qualifying club activities			
C - Indoor Sporting Events			
Day	Start	Finish	
Mon	11:00	23:00	Further details:
Tues	11:00	23:00	Seasonal variations:
Wed	11:00	23:00	Christmas Eve 10:00hrs to 01:00hrs
Thur	11:00	23:00	Christmas Day 10:00hrs to 01:00hrs
Fri	11:00	00:00	New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December).
Sat	10:30	00:00	Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs to 01:00hrs
Sun	12:00	22:30	Non standard timings:

RECEIVED 7 6 SEP 2009

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E - Performance of Live Music			Performance of live music may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details:		
Mon	11:00	23:00	Seasonal variations: Christmas Eve 10:00hrs to 01:00hrs Christmas Day 10:00hrs to 01:00hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December). Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs to 01:00hrs		
Tues	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	00:00			
Sat	10:30	00:00			
Sun	12:00	23:30			
			Non standard timings:		

F - Playing of Recorded Music			Playing of recorded music may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details:		
Mon	11:00	23:00	Seasonal variations: Christmas Eve 10:00hrs to 01:00hrs Christmas Day 10:00hrs to 01:00hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December). Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs to 01:00hrs		
Tues	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	00:00			
Sat	10:30	00:00			
Sun	12:00	22:30			
			Non standard timings:		

J - Entertainment Facilities for Dancing			Performance of dance may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Further details:		
Mon	11:00	23:00	Seasonal variations: Christmas Eve 10:00hrs to 01:00hrs Christmas Day 10:00hrs to 01:00hrs New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December). Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs to 01:00hrs		
Tues	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	00:00			
Sat	10:30	00:00			
Sun	12:00	22:30			
			Non standard timings:		

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

The opening hours of the club

N/A

Where the certificate authorises supplies of alcohol whether these are on and/or off supplies:

Alcohol is supplied for consumption both ON and OFF the premises

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

Date licence issued: 25/09/2009

Date licence commences: 23/09/2009

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

M Powell

CCTV & Licensing Manager
(Authorised Officer)

Annex 1 - Mandatory conditions

1. **Where the Club Premises Certificate Authorises the Supply of Alcohol for Consumption Off the Premises**
 - (a) A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.
 - (b) The supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
 - (c) Any alcohol supplied for consumption off the premises must be in a sealed container.
 - (d) Any supply of alcohol for consumption off the premises must be made to a member of the club in person.
2. **Where the Club Premises Certificate Authorises the Exhibition of Films**
 - (a) Where the film classification body is specified in the certificate, unless subsection (b)(ii) applies, admission of children must be restricted in accordance with any recommendation made by that body

* Agreed amendments between Police & applicants

Sa Wilson

From: 6 OCU Licensing Mailbox [western.licensing@hampshire.pnn.police.uk]
Sent: 25 August 2011 09:40
To: Licensing e-mail address
Cc: 'Cherry Dunford'
Subject: FW: FW: Lymington RBL Club Premises Certificate Variation

Hampshire Constabulary has no objection to the granting of a new premises licence at Lymington Royal British Legion, please include the below conditions which have been agreed with the applicant:

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 30 days and shall be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request.
4. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the Police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity

Georgie Fice

Western Licensing Team
Hampshire Constabulary
External: 023 8067 0904 Internal: 734 -174
Email: western.licensing@hampshire.pnn.police.uk
website: www.hampshire.police.uk

From: Cherry Dunford [mailto:]
Sent: 24 August 2011 17:23
To: 6 OCU Licensing Mailbox
Subject: Re: FW: Lymington RBL Club Premises Certificate Variation

Dear Ms Fice

I can confirm that the wording is ok and that you can inform the Licensing Authority.

Kid Regards

Mrs Cherry Dunford.

29

* Proposed Conditions Police

Sarah Wilson

From: 6 OCU Licensing Mailbox [western.licensing@hampshire.pnn.police.uk]
Sent: 24 August 2011 12:13
To: 'Cherry Dunford'; 'rblymington@tiscali.co.uk';
Cc: Licensing e-mail address
Subject: FW: Lymington RBL Club Premises Certificate Variation
Importance: High

Dear Sir/Ma'am

Please can you confirm you are happy with the below wording so I can inform the Licensing Authority.

Yours sincerely

Georgie Fice

Western Licensing Team
 Hampshire Constabulary
 External: 023 8067 0904 Internal: 734 -174
 Email: western.licensing@hampshire.pnn.police.uk
 website: www.hampshire.police.uk

From: 6 OCU Licensing Mailbox
Sent: 18 August 2011 09:00
To: 'Cherry Dunford'
Cc: 'licensing@nfdc.gov.uk'
Subject: RE: Lymington RBL Club Premises Certificate Variation

Morning Cherry

Thank you for the below email, I just need confirmation that you are happy for the CCTV condition to be added to the new Club Premises Certificate when issued.

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies of recordings on-site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 30 days and shall be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request.
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6. The CCTV system will be maintained and fully operational throughout the hours that

30

24/08/2011

the premises are open for any licensable activity.

Georgie Fice

Western Licensing Team
Hampshire Constabulary
External: 023 8067 0904 Internal: 734 -174
Email: western.licensing@hampshire.pnn.police.uk
website: www.hampshire.police.uk

From: Cherry Dunford
Sent: 17 August 2011 16:26
To: 6 OCU Licensing Mailbox
Subject: Lymington RBL Club Premises Certificate Variation

To Georgie Fice,

Hi Georgie, Thank you for your help in filling in the variation for our licence. I wanted to say that having read the email that came to my husband re the compliance of all items ref the CCTV, that we do have all the items that had to be covered, covered. I used the committee person who liaised with the CCTV firm to check and he said all is ok and as it should be. Notices etc are posted and the viewing screen is in a locked office.

Once again thank you for your help
Mrs Cherry Dunford
Acting Secretary for the RBL Club.

This electronic message contains information from Hampshire Constabulary which may be legally privileged and confidential. Any opinions expressed may be those of the individual and not necessarily the Hampshire Constabulary.

The information is intended to be for the use of the individual(s) or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this electronic message in error, please notify us by telephone +44 (0) 845 045 45 45 or email to postmaster@hampshire.pnn.police.uk immediately. Please then delete this email and destroy any copies of it.

All communications, including telephone calls and electronic messages to and from the Hampshire Constabulary may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient.

Awaiting confirmation of agreement

h Wilson

between Police / Applicant

From: 6 OCU Licensing Mailbox [western.licensing@hampshire.pnn.police.uk]
Sent: 18 August 2011 09:00
To: 'Cherry Dunford'
Cc: Licensing e-mail address
Subject: RE: Lymington RBL Club Premises Certificate Variation

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Georgie Fice

Western Licensing Team
Hampshire Constabulary
External: 023 8067 0904 Internal: 734 -174
Email: western.licensing@hampshire.pnn.police.uk
website: www.hampshire.police.uk

From: Cherry Dunford [mailto:
Sent: 17 August 2011 16:26
To: 6 OCU Licensing Mailbox
Subject: Lymington RBL Club Premises Certificate Variation

To Georgie Fice,

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 again thank you for your help
Mrs Cherry Dunford
Acting Secretary for the RBL Club.

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* Proposed Conditions
Police *

ah Wilson

From: 6 OCU Licensing Mailbox [western.licensing@hampshire.pnn.police.uk]
Sent: 11 August 2011 14:09
To:
Cc: 'rblymington@tiscali.co.uk'; Licensing e-mail address
Subject: Variation of CPC

Dear Mr Dunford

I have taken a look at the variation application for Lyminster Royal British Legion. I note that that under the prevention of crime and disorder objective in the operating schedule (section P) you have mentioned CCTV installed within the Club and Foyer. I would have to request that the following condition is added to the CPC when issued to clarify the standard the police expect with regards to CCTV;

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.
3. Any recording will be retained and stored in a suitable and secure manner for a minimum of 30 days and shall be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request.
4. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the Police from time to time.
5. The system will display, on any recording, the correct time and date of the recording.
6. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

Please respond via return email, alternatively, if you would like to discuss this further then please do not hesitate to call me.

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

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* E.H. Pollution * Objection

Sarah Wilson

From: Gary Worsley

Sent: 31 August 2011 17:26

To: Licensing e-mail address

Cc: Paul Weston

Subject: Licensing Application for Variation of Premises Licence 307/2 at Royal British Legion, Haigh House, 22a High Street, Lymington, SO41 9AD

Environmental Health (Pollution) Comments Relating to the Prevention of Public Nuisance

Thank you for consulting Environmental Protection.

A complaint about the Royal British Legion was received in 2009 due to doors being left open and live music being heard. This was dealt with in the licensing application for a minor variation to the premises where conditions were put on the premises licence to keep doors closed when regulated entertainment takes place.

Having spoken to the complainant from 2009 and more recently to one of those that have recently objected, it appears that the doors and windows are being left open during periods of regulated entertainment; however, this has not been substantiated by Environmental Protection.

Further comments were made concerning loud noise from patrons gathering in the patio area to the rear of the premises; however, again, this has not been substantiated by Environmental Protection.

If the increase in hours for the supply of alcohol were to be granted then this would appear to be contributing to a potential problem. The above comments need investigating and the granting of a further relaxation to this premises licence to increase the hours allowed for the supply of alcohol would appear to be unsatisfactory when there might be issue with the premises.

With regards to the above, I object to the increase in the hours to supply alcohol and the increase in regulated entertainment provision.

I also object to the increase in the provision of Regulated Entertainment when the above comments have not been fully investigated.

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

Regards

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

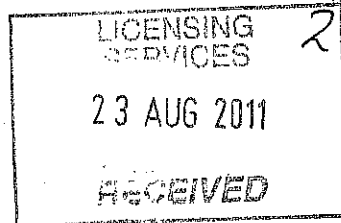
Tel: 023 8028 5588 | Internal Ext: 4444
Fax: 023 8028 5544 | HPSN: 8 777 5588
gary.worsley@nfdc.gov.uk | www.newforest.gov.uk

Think before you print!

* Objection

One Madeira Mews, High Street, Lymington, Hampshire, S041 9AD

Licensing Services
 Beauvieu Road
 Appletree Court,
 Lyndhurst
 S043 7PA



RECORDED DELIVERY

Dear Sirs,

Extended Licensing Hours Royal British Legion.
 307 DATED 3/8/2011
 22A HIGH STREET, LYMINGTON S041 9AD

Further to the application by the above to extend their licensing hours and additional live musical activities.

This overflows into the garden and causes a huge noise nuisance, at the moment they appear to stop at approximately 11p.m. I am prepared to accept that.

I vigorously object to any extension of time or further later activities at the British Legion.

I have had visitors staying at my house who have had to complain about the noise in the

fast. Since the complaint the situation
had improved. I would like it to remain
that way.

Yours sincerely

ANNETTE F. GREEN

Public Health and Community Safety

Head of Service: Annie Righton

Ms A F Green
One Madeira Mews
High Street
Lymington
Hampshire
SO41 9AD

Our Ref: PW/LICPR/05/00235/PW

Your Ref: 4

31 August 2011

Dear Ms Green

RE: Licensing Act 2003 – Section 84

Application for Variation of a Club Premises Certificate (CPC 307)

Lymington Royal British Legion Club, Haigh House, 22a High Street, Lymington

I write further to my recent correspondence and attach the conditions that will be agreed between the applicant with the Police and Environmental Protection department. There is no representation from any other Responsible Authority.

This is attached as **Appendix 1**

I also attach a schedule detailing the current licensable activities authorised by the existing Club Premises Certificate.

This is attached as **Appendix 2**

In view of this and the other information detailed below, I write to enquire whether you now wish to withdraw your objection. Where objections 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 you will need to produce evidence to support your representation and this matter including your comments and relevant details will become part of a public record.

Please note that as a safeguard to local residents the Licensing Act allows responsible authorities or interested parties to Review the Certificate should any future problems occur.

For clarification purposes a resume of the application detailing the only issues for discussion and consideration, is outlined below.

Variation to existing licence:

To add:

Plays, films, performances of dance, anything similar, making music, and similar.

Timings – to reflect the existing hours authorised for regulated entertainment bar an additional 30 minutes on Sundays.

To vary the hours for the supply of alcohol;

Friday and Saturday, 23:00hrs -00:00hrs and an additional 30 minutes on Sundays, thus reflecting current hours authorised for regulated entertainment.

newforest.gov.uk

Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA

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

Yours sincerely

Paul Weston

Licensing Officer
Licensing Services

Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk

RE: Licensing Act 2003 – Section 84

Application for Variation of a Club Premises Certificate (CPC 307)

Lymington Royal British Legion Club, Haigh House, 22a High Street, Lymington

Responses from Responsible Authorities

Conditions agreed between the Applicant and the Police:

A CCTV system will be installed or the existing system maintained such system to be fit for the purpose.

The CCTV system shall be capable of producing immediate copies of recordings on site. Copies of recordings will either be recorded on good quality video tape or digitally on to CD/DVD or other equivalent medium.

Any recordings will be retained and stored in a suitable and secure manner for a minimum of 30 days and shall be made available, subject to compliance with Data Protection legislation, to the Police for inspection on request.

The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation with the Police from time to time.

The system will display on any recording the correct time and date of the recording.

The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

Conditions to be agreed between the Applicant and Environmental Protection:

All windows and doors on the facade adjacent to the patio (the facade between the committee room and the corridor leading to the toilet area) shall remain closed (except the fire door when required for emergency access only), during periods of regulated entertainment containing live or recorded music and/or speech;

During periods of regulated entertainment containing live and recorded music or speech, access and egress to the beer garden and patio areas shall be via the side corridor only (this is the corridor that accesses the toilet area); and

No alcoholic drinks shall be taken into or consumed in the beer garden or patio areas after 23:00hrs.

No adverse comments or representations from:

NFDC Environmental Health Commercial;
NFDC Planning Control;
Hampshire Fire & Rescue Service;
Hampshire CC Social Services Department;
Hampshire CC Trading Standards Service.

RE: Licensing Act 2003 – Section 84

Application for Variation of a Club Premises Certificate (CPC 307)

Lymington Royal British Legion Club, Haigh House, 22a High Street, Lymington

The premises (Royal British Legion Lymington) currently benefits from the following existing activities:

c) Indoor Sporting Events

11:00hrs – 23:00hrs Monday to Thursday

11:00hrs – 00:00hrs Friday

10:30hrs – 00:00hrs Saturday

12:00hrs – 22:30hrs Sunday

Christmas Eve – 10:00hrs to 01:00hrs

Christmas Day – 10:00hrs to 01:00hrs

New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December) Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs to 01:00hrs

e) Performance of Live Music (Indoors),

11:00hrs – 23:00hrs Monday to Thursday

11:00hrs – 00:00hrs Friday

10:30hrs – 00:00hrs Saturday

12:00hrs to 23:30hrs Sunday

Christmas Eve – 10:00hrs to 01:00hrs

Christmas Day – 10:00hrs to 01:00hrs

New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December) Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs to 01:00hrs

f) Recorded Music (Indoors)

11:00hrs – 23:00hrs Monday to Thursday

11:00hrs – 00:00hrs Friday

10:30hrs – 00:00hrs Saturday

12:00hrs to 22:30hrs Sunday

Christmas Eve – 10:00hrs to 01:00hrs

Christmas Day – 10:00hrs to 01:00hrs

New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December) Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs to 01:00hrs

j) Entertainment Facilities for Dancing (Indoors)

11:00hrs – 23:00hrs Monday to Thursday

11:00hrs – 00:00hrs Friday

10:30hrs – 00:00hrs Saturday

12:00hrs – 22:30hrs Sunday

Christmas Eve – 10:00hrs to 01:00hrs

Christmas Day – 10:00hrs to 01:00hrs

New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December) Bank Holiday weekends (Saturday, Sunday and Monday) 10:00hrs to 01:00hrs

m) Supply of Alcohol (On and Off)

10:00hrs – 23:00hrs Monday to Saturday

12:00hrs – 22:30hrs Sunday

New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31 December)

* Objection *

Sarah Wilson

From: Paul Weston
Sent: 24 August 2011 13:47
To: Sarah Wilson
Subject: FW: Licensing Applic for Royal British Legion (Lym) Ltd

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

From: Derek Sheffer [mailto:derek@sheffer.com]
Sent: 24 August 2011 13:47
To: Paul Weston
Subject: Re: Licensing Applic for Royal British Legion (Lym) Ltd

Our address is : Lorne Cottage, 6 Navarino Court, Lymington, SO41 9AE

T

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

From: Paul Weston
To:
Sent: Wednesday, August 24, 2011 12:01 PM
Subject: RE: Licensing Applic for Royal British Legion (Lym) Ltd

Dear Mr & Mrs Sheffer

Please could you forward you address details to this office, as required by the legislation which governs these matters, in order to validate your representation!

Many thanks

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

From: Derek Sheffer [r
Sent: 24 August 2011 11:10
To: Licensing e-mail address
Subject: Licensing Applic for Royal British Legion (Lym) Ltd

Dear Sirs,

We wish to object to the proposed extension of licensing hours at the above premises.

The reason being that the members use the rear garden for drinking and smoking, causing excessive disturbance to the residential properties within close proximity. This problem is exacerbated when there is loud music, as the doors and windows are left open to give access to the garden.

The club stays open until 23.30 at the moment and we consider this to be late enough.

Yours faithfully,
Janet and Derek Sheffer

42

Pauline Stevens

* Objection *

FURNISS

From: David Furniss [dfurniss@...]
Sent: 9 August 2011 16:37
To: Licensing e-mail address
Subject: Royal British Legion - 22A High Street, Lymington.
Objection to extension of licensing hours:

Dear Sir or Madam,

My residential property is 2 Madeira Mews, 25 High Street, Lymington. *SO4 1 9AD*

I object on to the extension of licensing hours on the following grounds:

- The premises already has a license for 13 hours on weekdays/Sundays and 14 hours at weekends - extending hours could result in further drunkenness and associated anti-social behaviour;
- The current closing hours are at the maximum acceptable for a residential area - the Legion is surrounded by peoples homes;
- Due to the inside smoking ban the garden of the Legion is understandably used by customers for smoking. This means people smoke, drink, talk loudly (due to the effects of the alcohol) and play loud music (including discos with the doors open). This is just about acceptable until 11pm during the week and midnight on Friday and Saturday - however local residents should be allowed to sleep without further disturbance after these times;

Many thanks for considering my objections.

David Furniss

David Furniss
HIEF EXECUTIVE

Teachers Assurance
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From: Ray Shepherd [ray.s
Sent: August 2011 20:06
To: Licensing e-mail address
Subject: Pending License Application S84

Regarding License Application S84, I am addressing this to you, since I cannot find any other means of registering my input, as a neighbour:

My family and I wish to register strong objections to any proposal to extend the existing licensing arrangements for the Lymington Royal British Legion. The RBL is located in close proximity to many residences (including my own), and the loud music and strident laughter associated with the existing licence, late at night, are already excessive to the extent of being a public nuisance. It is not appreciated being kept awake till the early hours when one is due at work early on a Saturday morning.

Any changes to the existing licence should stipulate no music or alcohol sales after 22.30.

I trust that you will ensure that this happens.

Thank you

Ray Shepherd
14, West Hayes
Lymington

S041 3RL

* Objection *

Sarah Wilson

From: Helen Osmond [C]

Sent: 31 August 2011 22:26

To: Licensing e-mail address

Subject: Objection re. Pending Licensing Application for Royal British Legion (Lymington) Ltd

Dear Sirs,

I write to register our objection to the hours of opening and sale of alcohol being extended, as requested in the above Licensing Application.

Our property adjoins the rear boundary of the Royal British Legion Lymington ("The Legion"). The Legion has a right of way through our garden, I believe intended as an escape route for patrons in the event of fire, but which is also used on an occasional basis by members of the Legion.

We find that noise in the Legion's garden carries clearly into our property. The garden is regularly used by members, I presume for smoking, and by their families. This use seems to be nearly always accompanied by long periods of very loud laughter, not from the children, but the adults. This is worse during weekends, when more people use the garden, and for longer hours. When music is being played that is also clearly heard, as doors are left open.

We would object to hours of opening and sale of alcohol being extended, which would increase and prolong the noise nuisance we currently experience. It would be good if something could be done to reduce this rather than increase it.

One feels that there are more than enough opportunities in the community to buy and consume alcohol, and that the value of quietness in the town during hours of sleep should be respected.

We trust the Application to extend these hours will be rejected.

Yours sincerely,

Philp and Helen Osmond

Hayden
6 Haydens Court
LYMINGTON
SO41 9EN

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* Objection *

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 31 August 2011 14:13
To: Sarah Wilson
Subject: FW: licensing application royal british legion
 Lymington RBL = no.5

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

From: Lorna Mclean [r.....]
Sent: 31 August 2011 13:54
To: Licensing e-mail address
Subject: licensing application royal british legion

I am objecting to the Royal British Legion application for extended licencing hours at the Club for the following reasons:

- 1) Lymington does NOT need any more late night drinking venues, there is already much trouble in the town with people under the influence causing havoc and damage around the town after final closing time. Longs Wine Bar being a prime example as they have later closing than some other venues. When they are refused entry due to the state they are already in, they go on the rampage smashing car and shop windows and generally causing noise and mayhem.
- 2) People in the town do not want to be kept awake well into the early hours, plus with the very limited policing now there will be no stopping the trouble, and people living in the immediate vicinity will not have any peace of mind.
- 3) My property is directly in line with their outside drinking area – and I can tell you it is bad enough now later in the summer evenings. Local residents are forced indoors because of the noise and raucous shrieking of both adults and children until late into the evening. Doors and windows have to be kept closed even in the warmer weather which is not satisfactory. I appreciate that this is par for the course in any drinking establishment where smokers and children have to be out of doors, but any LATER closing would be a bridge too far.
- 4) If the application was to go through I would request that especially on activitiy nights this is kept indoors and with their windows CLOSED – PLEASE!

Lorna McLean
 4 Navarino Court
 Lymington

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Melanie Stephens

From: [REDACTED]
Sent: 10 September 2011 10:53
To: Melanie Stephens
Subject: Licensing application - RBL Lymington

Thank you for forwarding more details of this application, which were not previously accessible .

I have no problem with any extensions valid within the building,
The issue is environmental noise as a result of the use of the garden late at night, and also
(understandably) open windows during hot summer evenings.

The conditions "to be agreed between the Applicant and Environmental Protection" outlined on Page 40
of your dossier would appear to address the issue.
However, in view of the problems which the RBL management already encounter in enforcing the existing
licensing conditions, I agree with the Senior Environmental Health Officer that any relaxation of these
conditions is likely to be detrimental to the environment for the residential property surrounding the
Legion (particularly its garden).

I would stress that problems appear to be caused by some of the users of the RBL facilities, and are not
condoned by the RBL management. I strongly support the aims of the RBL, but not to the extent of
providing carte blanche for turning an existing nuisance into an aggravation.

In response to your specific questions:

1. I do not think a hearing is necessary, since the issue is very clear and simple.
2. I will not attend, and will not be represented at any hearing, for the same reason.
3. and 4. Not applicable.

Thank you very much.

Ray Shepherd

Melanie Stephens

From: Sarah Wilson
Sent: 15 September 2011 11:02
To: Melanie Stephens; Jane Bateman
Cc: Gary Worsley; Paul Weston
Subject: Premises Hearing Papers - RBL
Importance: High

Hi Mel

It has been brought to my attention that a mediation letter that went out to objectors concerning the above premises requires some clarity as it is causing some confusion. Please see page 40 – Notice of Hearing.

It states 'Conditions to be agreed between the 'Applicant and Environmental Protection', but in actual fact it should state 'Conditions currently on the Premises Licence previously agreed between the applicant and Environmental Protection', as obviously, there has been an objection lodged by Environmental Protection to this current application.

I hope this clarifies matters and avoids confusion.

Kind regards,

Sarah Wilson
Licensing Assistant
Licensing Services
Tel: 023 8028 5505 HPSN: 8777 5505
Fax: 023 8028 5544
Email: sarah.wilson@nfdc.gov.uk
www.newforest.gov.uk

Melanie Stephens

From: [REDACTED]
Sent: 15 September 2011 16:47
To: Melanie Stephens
Subject: Application, Royal British Legion, Lymington

Dear Ms Stephens,

Following my telephone conversation today with your colleague Jane Bateman, I am writing to comment on the above Application.

Unfortunately, we will be away on the day of the Hearing and therefore unable to attend.

At this moment, we do not intend to have anyone to represent us.

However, we wish to ensure at least, that the conditions stated in Appendix1. (page 40) of the Hearing Documents will be imposed and enforced.

I understand that these conditions were imposed when the most recent variation to the license was applied for.. Nevertheless it is quite clear that the outside patio and garden area are still used by patrons (predominantly smokers) until the premises close at 23.30 or later at Weekends and Bank Holidays. It would appear that these conditions are impossible to enforce unless alternative arrangements can be made for smokers.

When we had cause to complain about the excessive noise from the garden area in September 2009, we made the point that following the erection of outside porches for smokers in March 2009, the noise level from the rear of the premises had increased significantly, particularly when live or disco music was being played at weekends and Bank Holidays as patrons constantly move from inside to the patio area outside in order to smoke and the doors remain open.

As you can read from other complainants, the neighbouring residential properties (about 12) all suffer from the same disturbance.

If the conditions referred to in Appendix1 are to be imposed and enforced. and no alcoholic drinks are taken into or consumed in the beer garden or patio areas after 23.00 hrs this will not stop smokers using these areas with the consequent loud voices and laughter which are so disturbing after 23.00.

Any extension to licensing hours will undoubtedly exacerbate this problem, unless alternative arrangements can be made for smokers.

These are the reasons why we are against any extension to the existing licensing hours, which we feel are barely acceptable at present.

Yours sincerely
Derek Sheffer

Melanie Stephens

From: Sarah Wilson on behalf of Licensing e-mail address
Sent: 15 September 2011 16:45
To: Patrick Curran; Melanie Stephens; Paul Weston
Subject: FW: Lymington Royal British Legion
Importance: High

Mel,

Please see additional information for hearing file for RBL.

Sarah Wilson
 Licensing Assistant
 Licensing Services
 Tel: 023 8028 5505 HPSN: 8777 5505
 Fax: 023 8028 5544
 Email: sarah.wilson@nfdc.gov.uk
www.newforest.gov.uk

From: ...
Sent: 15 September 2011 16:01
To: Gary Worsley
Cc: Licensing e-mail address
Subject: Lymington Royal British Legion

Dear Mr Worsley,

Further to our telephone conversation today, I have the following comments.

Unfortunately we will not be able to attend the Hearing on 26th September but wish to clarify that the existing conditions as stated in Appendix 1. (page 40) of the documents will be applied and enforced. When we had cause to make a complaint in September 2009, following the erection of outside porches for smokers, we stated that the noise level from the rear of the premises had increased significantly, particularly when live or disco music was being played at weekends and Bank Holidays and frequently until midnight or later.

In addition, strings of coloured lights had been installed as well as flood lights which affect neighbouring properties.

I understand that when the most recent license variation was applied for, the conditions stated in the Appendix 1, (above) were imposed.

Although we are rarely disturbed on weekdays, most Friday and Saturday nights, the garden and patio area are used by a number of patrons until 23.30 or occasionally later.

Depending on whether there is a Social Function or not, the numbers are from about 6 to about 20..Needless to say by that time, after an evening of alcohol, the voices and laughter levels become quite unacceptable.

As you can read from other complainants, the neighbouring residential properties, (about 12) all suffer the same disturbances.

The most recent occasion we heard the hubbub from our bedroom, was last Friday, the 9th September. However, the outside area was closed shortly after 23.30.

Unless alternative arrangements can be made for smokers, I cannot see how this problem can be resolved unless the garden and patio area is closed at 23.00.

Even if smoking arrangements were made in the courtyard at the front of the premises, the flat above Tres Bon (occupied by one of their employees) would suffer, although this is the only residential property in that area, the adjacent building being Barclays Bank.

I hope these comments assist in your attempt to decline any further extension to licensing hours.

Yours sincerely
 Derek Sheffer

cc. Patrick Curran, Licensing

LYMINGTON ROYAL BRITISH LEGION CLUB Ltd

22a High Street, Lymington, Hants, SO41 9AD

Company Registration No 13483R

Registered in England.

Registered Office Address. 22a High Street, Lymington, Hants, SO41 9AD

Acting Chairman; Mr J. Dunford

Acting Secretary; Mrs C. Dunford

Licensing Services
New Forest District Council
Lyndhurst,
Hants.

For the Attention of Paul Weston & Melanie Stephens,

Dear Sir/Madam

Your Ref MS/DLM

The Royal British Legion Club wish to make this statement to you in regard to our Licensing Application.

First and foremost the RBL Club believe our application has been misunderstood.

We only require a relaxation on our current Licence on an occasional Saturday night by an extra half hour.

We will apply this relaxation on function nights only.
These run at approximately 8 to 10 yearly.

We are a recently formed Committee this year who believe that RBL standards had deteriorated during the past few years and are striving to address this.

We operate and function as one unit for the welfare and wellbeing of the RBL Club and its patrons.

We have recently appointed a new Club Steward who agrees totally with the Committee's thoughts.

We recognise the concerns of our neighbours, and the environmental officer, and would welcome them into our Club if they have constructive suggestions on how to improve noise reduction.

Obviously the noise problem has increased since the ban on internal smoking and our garden is our only alternative.

To help noise reduction.

1.) We will continue to make sure our fire exit door and the windows in the dance hall are kept closed, as well as erecting a no exit sign after 7.00p.m.

2.) We will make sure the garden is clear by 11 . 00p.m.

3.) Fencing is being erected in part of the garden after a concern raised by one of our neighbours. But this was on a privacy issue caused by the clearing of the adjacent site. We believe this shows our good intentions as we had no responsibility to do this.

4.) The fencing could be continued when finances allow as well as noise inhibitors being considered.

Apart from the fencing issue we can recall of no other complaints or concerns being raised during the summer months when our garden is at its highest use. Obviously with the onset of winter our garden use will be negligible.

If a complaint had been received we believe the current Committee would have ensured it was dealt with in the correct manner.

In answer to Sarah Wilson's email we would like to clarify some of the facts.

1.) We apologise for any disturbance between 11.00 and 11.30 on the ninth of September.

We have live music on Saturdays so obviously this was not the issue.

We usually cease the music played on Saturday at 11.20 at the latest, although our music Licence gives us until 12.00.

The string of coloured lights (this is the second one) have been in place for over 20 years, as they are under the existing canopy and at least ten feet from the outside edge of the newer canopy put up for the smokers in 2009 we find it hard to see how they interfere with the other properties.

There is one floodlight in place, this also for some twenty years.

All lighting is to ensure the safety of our customers and staff or is part of an alarm system regarding intruders. Our single flood light is tripped by a sensor which switches it on for three or four minutes and can be adjusted or redirected. The majority of households have exactly the same type of system installed.

We are staunch members of Pubwatch, and have CCTV cameras within the Club area. We will not have bad behaviour or excessive drinking either in the Club or out of it.

We do feel that there is some discrimination towards the RBL Club and that we are being penalised for our locality in which we have been situated since 1926.

All other licensed premises in the vicinity are all in a residential area just like us and have the opportunity to open until 1.00 or 2.00 am, and many play music until after 11.30p.m.

As mentioned the RBL Club has been located in the High street since 1926, and we have seen many houses erected around our perimeter during this time.

We feel that we contribute a great deal, not only to the armed forces and local charities, but to our local community as well where people can come to socialise and when needed our welfare unit can help them. (This happens regularly) It also a place where ex service factions can meet and catch up with each other. Our bar income helps to aid all of this.

Over the past few months we have been praised many times by our visitors over the friendly atmosphere that exists within the Club. This has happened because we have been working hard to make it happen.

We have read all of the adverse comments made about us and frankly are at loss to understand the depth of bad feeling against us. We are truly not half as bad as we have been painted. We wish everyone who had a problem would have approached us and said something we sincerely hope they will in the future.

Finally to recap we would welcome thoughts to improve our noise reduction, but stress once again that our extension needs only equate to an extra half hour monthly.

With regard to noise we are at this time looking into internal glazing in the dance hall.

Yours sincerely

Mrs C Dunford
Secretary.