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**LICENSING SUB COMMITTEE - 19 MARCH 2012**

**LICENSING ACT 2003 - (Section 17)  
APPLICATION FOR GRANT OF A PREMISES LICENCE**

<b>Name(s) and address(es) of applicants(s)</b>
JD Wetherspoon plc Wetherspoon House Central Park Reeds Crescent Watford Hertfordshire WD24 4QL

<b>Name and address of premises to be licensed</b>
The Six Bells, 47-48 St Thomas Street, Lymington, SO41 9ND

**End of Statutory Objection Period: 22 February 2012**

**Objections received: Yes**

**Date of Hearing (if applicable) 19 March 2012**

**Date report completed: 28 February 2012**

**Date forwarded to Democratic Services: 28 February 2012**

Resume of application	Location on report
<p><b>Application for Grant of a premises licence for the following licensable activities:</b></p> <p>To provide the sale and supply of alcohol on and off the premises from 09:00hrs to 23:00hrs Monday to Thursday and Sunday, 09:00hrs to 00:00hrs Friday and Saturday, New Year's Eve 09:00hrs to 01:00hrs.</p> <p>To also provide late night refreshment 23:00hrs to 00:00hrs Friday and Saturday, New Year's Eve 23:00hrs to 01:00hrs.</p> <p>Hours the premises are to be open to the public, Monday to Thursday and Sunday, 07:00hrs to 23:30hrs and 07:00hrs to 00:30hrs, Friday and Saturday, New Year's Eve 07:00hrs to 01:30hrs.</p>	<p><b>Appendix 1</b></p>

Responsible Authority	Brief Details of Responsible Authority Representations	Location on report
<p><b>Police</b></p>	<p>No representations</p>	<p><b>Appendix 2</b></p>
<p><b>Fire Service</b></p>	<p>No representations</p>	
<p><b>Trading Standards</b></p>	<p>Trading Standards have requested amendments to the operating schedule:</p> <p>Confirmation received from Mr Nigel Connor - JD Wetherspoons to Steve Lawford, Trading Standards accepting the following wording to be amended on the operating schedule:</p> <p>'Challenge 21' signage shall be displayed in prominent positions at the premises.</p>	
<p><b>Social Services</b></p>	<p>No representations</p>	
<p><b>Pollution</b></p>	<p>No representations</p>	
<p><b>Health and Safety</b></p>	<p>No representations</p>	
<p><b>Planning</b></p>	<p>No representations</p>	

Licensing Objective	Brief Details of Interested Parties Representations	Location on report
<p><b>Prevention of Crime and Disorder</b></p> <p><b>Public Nuisance</b></p>	<p>There are 18 letters making representations, many of which cover several areas of the Licensing Objectives.</p> <p>Objection on grounds of crime and disorder, public safety and prevention of public nuisance.</p> <p>It is suggested that smoking and drinking on the High Street in front of the proposed premises should not be permitted for fear that this will manifest itself and cause crime and disorder. This also gives concern as the pavement outside the premises is very near a busy junction. Many people attending St Thomas Church are elderly and will find that people outside the premises will cause a public nuisance.</p> <p>Concerns for public nuisance given the impact of the proposed licensed premises in an area immediate to an active Parish Church which provides a full range of services throughout the week, including weddings, funders and also for an old people's home, let alone the residents nearby.</p> <p>Extending the sale and availability of alcohol beyond the hours made available to other licensed premises within the area can lead to crime and disorder.</p> <p>On grounds of public safety, the plan provided does not show an evacuation route from the garden, can it be assumed that the rear garden is intended as the fire muster point. There are no measures in place to prevent persons climbing onto the flat roof.</p> <p>There are further concerns on grounds of public nuisance about litter and broken glass spreading out from the premises.</p>	<p>Appendix 3</p>

The restriction prohibiting consumption outside the front entrance, which would allow open drinks to be taken next door into the churchyard, or across the road, for consumption there. Secondly, the restriction does not cover empty glasses or bottles. It is thought that the enforcement of these restrictions will need more than signage adjacent to the front exits. Also the staff could also enforce the request to leave the premises and the immediate vicinity quietly and not cause a public nuisance.

Colten Care Ltd objects on behalf of the residents of Monmouth House, situated opposite the proposed site. It is felt that the premises licence would impact on the quality of life of residents in the care home. It is felt that there is a great potential for noise and disturbance. There is particular concern with the late night opening of the premises proposed on Friday and Saturdays which could have a serious detrimental impact upon the quiet character of the area. The potential noise created by customers leaving the premises up to 00:30hrs would have a serious and detrimental impact upon the living conditions of the care home, particularly for those residents with bedrooms facing the road.

It is suggested that should the licence be granted, it is felt necessary that a restriction is put in place relating to use of the building itself and to the rear garden only to avoid use of the front forecourt which would further exacerbate the impact of the proposals upon residents.

The wall on the recreation ground side of The Tins, reflects sound back onto these houses and noise pedestrian traffic late at night can cause major disturbance of these residents, many of whom are elderly.

It is felt that stronger preventative measures need to be put in place to prevent people from using the front of the premises.

The proposed licence holders state that there will be no music at the site and that the consumption of food and drink will cease in the area of the rear terrace by 22:00hrs. It is felt that it should be confirmed on the licence by way of conditions.

The wall on the recreation ground side of The Tins, reflects sound back onto these houses and noise pedestrian traffic late at night can cause major disturbance of these residents, many of whom are elderly.

It is felt that stronger preventative measures need to be put in place to prevent people from using the front of the premises.

The nearby business premises are concerned that the late hours on Fridays and Saturdays could leave to noise and possible public disturbance which will be detrimental to those who live in the area of the property.

There is extra concern that alcohol will be served on the pavement at the front of the building which could lead to noise and possible public disturbance.

Very concerned that the proposed long opening hours for the sale and supply of alcohol would cause noise and disturbance late at night and early in the morning.

The designated smoking area at the back of the premises shares a boundary with the objectors communal ground and could be used up to 01:00hrs on some days. The footpath known at The Tins runs to the north of several of the gardens of our individually owned properties. This gives access to parking at the top of the town. Noise in both these areas would cause serious noise nuisance late at night and early in the morning.

Objection to alcohol being sold at the premises after 21:00hrs on any evening in the week. The request is on the grounds of the prevention of public nuisance.

The Bridge Club already suffers from unruly and drunken behaviour from some members of the public in the late evening. In the last three years they have suffered two broken windows, clear up human excrement from our car park and have had to remove needles and drug equipment from the car park. There are concerns that the increase in consumption of alcohol in the vicinity will lead to an increase in disorderly and unpleasant conduct.

Unlike many towns, St Thomas Street in particular, is also a residential area with upwards of some 75 people living within sixty yards or so of the site, including a residential home for the elderly as well as a Parish Church. This gives concerns for public nuisance to residents within the close proximity of the premises and also increases in unsociable behaviour leading to increased crime and disorder. A situation clearly indicated by the recent closure of Longs in the High Street.

It is felt that a condition for the sale of alcohol between 09:00hrs and 11:00hrs should be that it is only permitted if it is accompanied by the purchase of food.

The premises will have many customers and if they are granted a licence, it should stipulate that all the windows and doors are to be kept closed on the St Thomas Street and Churchyard sides and install air conditioning to prevent noise breakout. Consideration also needs to be given to the noise of air compressors, fridges and beer coolers, air conditioning units, heating and other support facilities.

Noise will also be made from the delivery of beer and other commodities and the removal of bins, bottles and rubbish and should not be permitted before 08:00hrs.

Concerns of dog ends being scattered everywhere both on the street and in the churchyard which will need clearing up at regular intervals but the spread of customers outside the public house, already drink taken, will inevitably lead to the potential of unruly behaviour, excessive commotion and the likelihood of increased levels of violence and crime, as with previous cases outside The Thomas Tripp have clearly demonstrated.

A condition should also be put on the licence that door staff should not permit any customer to leave the premises with bottles, cans, glasses and sundry food containers. Also, any licence granted should ask for reassurance from Wetherspoons that coaches depositing people at the public house should only allow passengers on and off the vehicles at certain designated areas.

The impact from the premises being next to a church and sharing a long boundary with the graveyard, opposite an older peoples home, being at a crossroads with no legal place for any vehicle (other than disabled) to stop outside, no rear access for deliveries or rubbish collection and the undoubted impact of the potential for noise for up to twenty four hours a day from air conditions and kitchen extraction compressors means that unregulated will be wholly unacceptable. Noise from patrons drinking and smoking outside will also cause disturbance to local residents.

It is felt that doormen/door women should be required to supervise the safe arrival and leaving of guests, manage the issues of smoking on the street and the need to limit noise and use of the graveyard at all times. Therefore, specifically with holding permission for any tables to be sited in front of the premises in the small triangular area would help to lessen the impact on local residents. Similarly, not licensing this area for drinking would help prevent visitors spilling out over the graveyard and smoking there which is especially likely in the summer months and would be wholly unacceptable.

Assurances that the noise from extractor and air conditioning compressors should be sorted and monitored.

The deliveries of food and drink and the collection of recycled and general waste must not be allowed to impact on local residents and cause additional nuisance.

It is felt that later drinking hours would require a heavier police presence as recently experienced at another establishment with later drinking hours in the town. It is felt that smokers and heavy drinkers will be excluded from the premises which may result in them congregating on the pavement outside and/or in the church yard causing distress of local residents.

Increase in noise and disturbance and lack of police availability to deal with matters relating to crime and disorder.

Concerns with noise from the beer garden, especially the proposed smoking area. Noise from deliveries, waste disposal or other activities taking place in the outside storage area to the rear before 08:00hrs or after 20:00hrs. Noise from banging doors from staff manoeuvring bicycles through to the outside rear storage area early in the morning and again late at night where the bike racks are to be positioned, clearing smoking area and re-arranging barriers and other outside furniture, break out noise from kitchens and service areas.

The Tins would be increased in use for patrons arriving and leaving the premises and with high walls on both sides, loud noise would be funnelled into the bedrooms of properties nearby. In the past, residents have been woken by rubbish being thrown at their windows, fights and general disturbances in the early hours.

**Public Safety**

**Protection Of  
Children**

**The original letters with copies of the acknowledgment letters attached are located in Appendix 3**



Additional Information	Location on report
A letter covering outline details of the objections has been sent to the applicant asking if they intend to make any adjustment to their application in the light of the objections received during the consultation process.	Appendix 4

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

#### Background Papers:

Licensing Act 2003  
Section 182 Guidance

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

I/We JD Wetherspoon plc  
(Insert name(s) of applicant)

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

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
The Six Bells 47-48 St Thomas Street			
<b>Post town</b>	Lymington	<b>Post code</b>	SO41 9ND

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£36750

**Part 2 - Applicant Details**

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)





- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		

I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

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

Name JD Wetherspoon plc
Address Wetherspoon House Central Park Reeds Crescent Watford Hertfordshire WD24 4QL
Registered number (where applicable) 01709784
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

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

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

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

Please give a general description of the premises (please read guidance note 1)

A proposed new two storey public house and restaurant will occupy the site of the former C Ford & Co retail unit. The customer area for licensable activities and kitchen is to be located on the ground floor together with customer toilet facilities and staff room on the first floor.

There will be an external terrace to the rear of the premises for consumption of food and drink.

The premises will operate as a traditional JD Wetherspoon with no regulated entertainment.

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

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

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

**Provision of regulated entertainment**

Please tick yes

- a) plays (if ticking yes, fill in box A)
- 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:**

- 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)

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



**A**

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



**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					



C

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



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					



**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					



**F**

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

G

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

H

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



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

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</b> (see guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>	
			<b>Please give a description of the facilities for dancing you will be providing</b>			
			<b>Please give further details here</b> (please read guidance note 3)			
Day	Start	Finish	<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)			
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			<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</b> (please read guidance note 5)			



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)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tue				Please give further details here (please read guidance note 3)	
Wed			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)		
Thur					
Fri			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)		
Sat					
Sun					



Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)  Hot food together with hot drinks including tea and coffee	Both	<input checked="" type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri	2300	0000	<u>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</u> (please read guidance note 5)  New Year's Eve: 2300 to 0100		
Sat	2300	0000			
Sun					

M

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	0900	2300			
Tue	0900	2300			
Wed	0900	2300			
Thur	0900	2300			
Fri	0900	0000			
Sat	0900	0000			
Sun	0900	2300			
			<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</b> (please read guidance note 5)		
			New Year's Eve: 0900 to 0100		

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

<b>Name</b> Deborah McCallum	
<b>Address</b> [REDACTED] [REDACTED] [REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal Licence number (if known)</b> 30659	
<b>Issuing licensing authority (if known)</b> London Borough of Richmond upon Thames	

N

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

None

O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0700	2330	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)  New Year's Eve: 0700 to 0130
Tue	0700	2330	
Wed	0700	2330	
Thur	0700	2330	
Fri	0700	0030	
Sat	0700	0030	
Sun	0700	2330	

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)

1. The premises licence holder will ensure that all staff at the premises have been trained in accordance with established JD Wetherspoon plc trading procedures. Specifically the premises licence holder will ensure that all employees are trained in their responsibilities to prevent alcohol being served to anybody who is under the legal age limit or to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf.

b) The prevention of crime and disorder

1. The premises licence holder will ensure that there are sufficient staffing levels including managers to encourage responsible behaviour on the premises at all times and in particular when the premises close to ensure the orderly dispersal of customers.

2. A CCTV system will be installed, and thereafter maintained, to the satisfaction of the Police. The system will be capable of recording and storing images of evidential quality. As a minimum it will enable surveillance of both internal and external areas of the premises including all entrances and exits.

The CCTV system shall have the capability of allowing immediate viewing of recordings on site and recordings shall be retained securely for a minimum of 30 days and as soon as is reasonably practicable, by way of CD/DVD or other equivalent media.

Copies of recordings shall be provided to the police and any other responsible authority, subject to compliance with Data Protection Legislation. The precise positions of the cameras will be agreed with the police.

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.

3. Non-alcoholic beverages including soft drinks, water, coffee and tea shall be available at all times, sale by retail of alcohol carried out at the premises.

4. The premises licence holder shall ensure that a policy is in place at the premises which requires every individual who appears to be under 21 years of age seeking to purchase or be supplied with alcohol at or from the premises to produce means of identification acceptable to the police proving that individual to be 18 years of age or older (current passport, photo driving licence or PASS accredited photo ID only). If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

All front of house staff shall be trained in the above proof of age policy. Such training shall be provided not less than every 6 months and written records shall be kept of all training and refresher training.

A record shall be kept of all refusals to serve alcohol.

Amended page 7

**c) Public safety**

See conditions 1 to 4 Box B above.

**d) The prevention of public nuisance**

See conditions 1 to 4 Box B above.

1. Customers shall not be permitted to take open drinks or food purchased at the premises for consumption outside the front entrance of the premises leading to St Thomas Street. Signage advising customers of this restriction shall be placed adjacent to the front exits of the premises.
2. Signage shall be placed in the rear external terraced area and by all exits to the premises to remind customers of the need to respect the needs of local residents and to leave the premises and their immediate vicinity quietly.
3. There shall be no large screen televised sport at the premises.
4. A telephone number will be available to local residents, businesses and St Thomas Church so that any issues arising from the operation of the premises can be brought to the attention of management.
5. Signage requesting customers who wish to smoke to do so in the rear external terrace area shall be placed adjacent to the front exits of the premises.
6. Customers shall not be permitted to take open drinks or food into the rear external terrace area of the premises after 2100.
7. No deliveries or waste collections shall take place outside the hours of 0700 and 1800 Monday to Saturday and at no time on Sundays or Public Holidays. The external disposal of bottles, barrels and crates shall not take place other than between the hours of 0800 and 2000.
8. Customers shall not be allowed access to the rear outside terrace area after 2100 except for the area hatched green on the plan attached to annex 4 of the premises licence.

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

1. Suitable food and non-alcoholic beverages shall be available at all times children are allowed on the premises.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	26.1.12
Capacity	APPLICANT

**For joint applications signature of 2<sup>nd</sup> applicant 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 postal address for correspondence associated with this application** (please read guidance note 13)

Barbara Morrice  
c/o Legal Department  
Wethespoon House  
Central Park  
Reeds Crescent

**Post town** | Watford | **Post code** | WD24 4QL

**Telephone number (if any)** | 01923 477 804

**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**  
bmorrice@jdwethespoon.co.uk



J D Wetherspoon's  
Code of Conduct for Responsible Retailing

Updated January 2009

## Contents

	<b>Page</b>
<b>Overview</b>	<b>3</b>
<b>1 Prevention of Crime and Disorder</b>	<b>4</b>
1.1 Food	4
1.2 Responsible Drinks Retailing	5
1.3 Price Structure	6
1.4 Highly Trained Staff	7
1.5 Management Structure	7
1.6 Preventing Drunkenness and Disorderly Behaviour	8
1.7 Zero Tolerance to Drugs Use	8
1.8 CCTV	9
1.9 Door Staff	10
1.10 Toughened Glassware & Polycarbonates	10
1.11 PubWatch and Best Bar None	11
1.12 Drinkaware	12
<b>2 Maintaining Public Safety</b>	<b>13</b>
2.1 High Quality Design	13
2.2 Disabled Facilities	13
2.3 Electrical and Gas Safety	13
2.4 Health and Safety	14
2.5 Fire Safety	14
<b>3 Prevention of Public Nuisance</b>	<b>15</b>
3.1 Dispersal Policy	15
3.2 Regular Meetings with Local Residents	16
3.3 Music and Dancing	16
3.4 Standards Monitoring Visits (CQSMA)	17
3.5 Pavement Cafés and Outside Areas	17
3.6 Preventing Odour Escapes	18
<b>4 Protection of Children from Harm</b>	<b>19</b>
4.1 Family-Friendly Environment	19
4.2 Challenge 21	19
4.3 Gambling	20



## Overview

J D Wetherspoon began trading in 1979. Over time we have developed a sophisticated range of practices and procedures aimed at providing a safe and convivial environment in which the public may enjoy the wide range of facilities which we offer. The procedures that we have put in place are subject to constant review and improvement and are the result of careful consideration by our experienced team of directors, managers and professional advisors.

Overall, our aim is to provide a distinctive kind of pub which attracts a broad range of customers. We aim to create the congenial atmosphere of the traditional pub combined with features found in modern cafés, restaurants and bars. We successfully achieve this through a combination of high-quality design, good management and the provision of an all-day menu and a range of quality products.

J D Wetherspoon was the first company to develop a Code of Conduct for Responsible Retailing. This Code sets out the operational procedures that we as a company have put in place to ensure we are actively promoting the four licensing objectives; Prevention of Crime and Disorder, Preservation of Public Safety, Prevention of Public Nuisance and Protection of Children from Harm. At all times we operate to ensure that our commercial imperatives do not override the core values set out in the Code. The first edition of the Code was developed in April 2004 as a result of our experience in dealing with different local authorities, police forces and various other statutory bodies at the time of licensing reform. The Code formed an integral part of all applications that we submitted to convert and vary licenses prior to the introduction of the new licensing regime. Today we continue to offer a commitment to the principles set out in the Code with each and every application for a new premises licence.

The Code is divided into four sections, one for each of the four licensing objectives, with specific practices and procedures identified under the relevant objective. There is, however, considerable overlap between our practices and the objectives so that some of our procedures simultaneously address more than one of the objectives. For example, our staff training procedures address all four objectives and our CCTV policy meets both the crime prevention and the prevention of public nuisance objectives.

Our approach has always been to work closely with the statutory authorities and with local residents to ensure that the licensing objectives are being actively promoted. We appreciate that the success of the licensing regime depends on the continuation of strong partnerships between the licensed trade, responsible authorities and interested parties. We are always sensitive to concerns raised by interested parties or responsible authorities in response to our applications for new licences. We are always willing to modify our applications to address those concerns when that is deemed necessary.

# 1 Prevention of Crime and Disorder

## 1.1 Food

- 1.1.1 At J D Wetherspoon the provision of good quality food at reasonable prices is at the core of our business. A full menu is available in our premises from opening until 10pm, 7 days of the week.
- 1.1.2 Food has become an increasingly important element of our operation in recent years and in particular since the introduction of the smoking ban in England and Wales in 2007. Our experience is that a smoke-free pub provides a much more conducive atmosphere in which to eat, especially for families with children. As a consequence, in the past few years we have seen our food sales increase significantly. Food currently amounts to 29% of the total sales across the estate. In a number of our pubs a figure of 50% and higher is achieved. Including bar purchases made in association with table meals, diners now account for approximately two-thirds of sales.
- 1.1.3 The majority of our pubs open from 8:00am or 9:00am to cater for customers who want to join us for breakfast. We pioneered the availability of breakfasts across all our pubs. We now sell approximately 250,000 breakfasts per week. In a similar vein, we now sell over 400,000 cups of Lavazza coffee every week. Our coffee sales now approximately match those of Caffé Nero in volume and are about a quarter of Starbucks. We believe that we now have approximately 6 per cent of the United Kingdom 'chain' coffee market.
- 1.1.4 Our Curry Club, Grill Night and Sunday Club are a key offer available in all of our pubs. These promotions are typical of our approach to responsible drinks retailing where we link drinks promotions with the sale of affordable food. For example, during Curry Club customers are offered a drink inclusive with their meal and can choose from a pint of lager, bitter, Guinness or cider, a bottled lager, a glass of wine, a single gin or vodka and tonic, or they can choose a coffee or tea, a bottle of water or a non alcoholic soft drink such as Pepsi or J2O.
- 1.1.5 We always use high quality ingredients and increasingly offer regional dishes and locally sourced products. We also take great care to ensure that artificial ingredients are avoided wherever possible. For example we use free range eggs, cod from sustainable stocks, the beef in our burgers is 100% British and cooking oils without trans-fats.
- 1.1.6 Our award winning children's menu is available throughout our trading hours. A number of our children's meals use only organic ingredients. We have no preservatives or sugar or artificial colours or flavours in any of the meals in the children's menu. All of our children's meals come with a bag of fresh fruit as well as milk, orange juice or water as the drink options. We provide nutritional information about the meals offered on the children's menu to help parents make informed decisions about what their children are eating.

## 1.2 Responsible Drinks Retailing

- 1.2.1 J D Wetherspoon takes the issue of responsible drinks retailing extremely seriously. We understand that we are in the business of selling alcohol and we cannot therefore take the moral high ground, but we strive to operate our pubs in such a way that we create a safe and convivial atmosphere which encourages people to behave well. We closely work with the statutory authorities to ensure that any initiatives designed to achieve these goals are fully supported by our local operators. We are continually looking for new ways to ensure that the facilities and promotions offered in our pubs do not encourage the excessive consumption of alcohol and unruly behaviour that often goes with it.
- 1.2.2 The provision of food throughout our trading hours is a vital component of our approach to responsible drinks retailing. The consumption of food both before and during the consumption of alcohol is widely recognised to slow down its absorption into the blood stream. We encourage adults to drink in moderation and to enjoy alcoholic beverages in a sensible manner, preferably around mealtimes.
- 1.2.3 We do not engage in irresponsible drinks promotions. We do not offer 'all inclusive' promotions where our customers can drink unlimited amounts for a set fee. Neither do we offer promotions that entice customers with free alcoholic drinks such as buy-one-get-one-free promotions. The majority of our drinks promotions form part of our food promotions. Our practices and procedures are frequently held-up by the police and local authorities as 'best practice' for others to follow.
- 1.2.4 We sell a wide range of soft drinks, fruit juices and coffee. We ensure that low-alcohol and non-alcoholic beverages are prominently advertised in our 'table talker' menus. Where drinks are promoted we always offer a range of drinks including ones of different alcoholic strengths, soft drinks and coffee.
- 1.2.5 We concentrate on the provision of cask conditioned beers - selling more than any other pub company. Throughout the year we run regional festivals showcasing the very best ales from local microbrewers as well as larger provincial brewers. The vast majority of our premises are accredited by Cask Marque for the quality of their ales. Real ale typically attracts a broader, often older, cross-section of customers. This broad customer base creates an atmosphere within our pubs that we believe leads to better behaved customers.
- 1.2.6 We are the only pub company in the United Kingdom to produce a comprehensive, bi-monthly customer magazine – Wetherspoon News. The print run per issue is 250,000 however there is an estimated readership of 1,000,000 (4 readers per copy). Wetherspoon News is distributed nationally throughout all Wetherspoon pubs, Lloyds No1 bars, Wetherspoon Lodges and the company's head office. It is provided free-of-charge to customers. Wetherspoon News is an invaluable method of communicating responsible retailing messages to our customers. We also devote a large proportion of this publication to recognise and highlight our staff who have worked hard to promote responsible retailing and sensible drinking messages in their pubs.

- 1.2.7 We recognise the importance of informing customers about the alcoholic strength of products and unit measurements. We always try to source alcoholic products (wine, RTDs, bottled lagers and beers) that prominently advertise both the alcohol-by-volume ('ABV') content and units as a part of their packaging. All of our table talker/drinks lists record the ABV content for draught ales, lagers, spirits & bottled beers & ciders. Unit measurements for all alcoholic products are available through our website.
- 1.2.8 We adopt a socially responsible approach to marketing. We place our responsible retailing messages in prominent positions in public areas to ensure that our customers are kept well-informed about our commitment to these practices. The majority of our drinks promotions form part of food promotions such as our Curry Club or Grill Night where customers are offered a drink inclusive with the meal offer. We ensure that low-alcohol and non-alcoholic beverages are prominently advertised in our table talker/drinks lists. Where drinks are promoted we always offer a range of drinks including ones of different alcoholic strengths, soft drinks and coffee.

### **1.3 Price Structure**

- 1.3.1 J D Wetherspoon offers reasonable prices across the full range of products on offer to our customers and not just on alcoholic drinks. This approach has been always been an attractive part of our offer from the customer point of view. In our view customer behaviour is primarily influenced by strong management, highly trained staff, and a robust approach to responsible drinks retailing rather than the pricing of alcoholic products.
- 1.3.2 The Office of Fair Trading has consistently stated that price fixing or minimum pricing is prohibited under United Kingdom and European Competition Law. Accordingly, we do not adopt a minimum pricing policy in our pubs. We continually review the pricing structure of our alcoholic and non-alcoholic products to ensure that we are encouraging sensible drinking at all times.
- 1.3.3 Our approach to the sale of alcohol is to concentrate on the range and quality of the products on offer rather than to use price as an incentive. Our approach has been both welcomed and supported by the police and other statutory authorities around the United Kingdom. In 2005 we won the national 'Responsible Drinks Retailer - Pub Chain Company' award organised by the Morning Advertiser and supported by the Home Office and were short listed for the same award in 2006.

#### **1.4 Highly Trained Staff**

1.4.1 At J D Wetherspoon there is a very strong culture of thorough induction training and on-going refresher training. Training is provided for all employees regardless of their role, their age or their hours of work. It is widely recognised that the level and quality of staff training is a significant factor in controlling the behaviour of customers on licensed premises. Our employees are extensively trained on their obligations under licensing law.

1.4.2 Our training systems have been consistently praised by employees and by the industry. We have won many awards including the Supreme Training Award from the British Institute of Innkeeping ('BIi') for two consecutive years. We have also won the National Innkeeping Training awards for Best Catering Training, Best Training in Managed Estates and in 2007 the Best Training Scheme by Institutions of Further and Higher Education in Partnership within the Licensed Retail Industry.

1.4.3 Training of our management personnel is conducted on a modular basis with continuing assessment throughout their employment period. Bar staff training is primarily carried out on site by management personnel.

1.4.4 An essential element in having a well trained staff is our ability to retain our employees. Turnover of Pub Managers is around 12% which is less than half the industry average. Moreover, 75% of all management employees began with J D Wetherspoon as hourly paid employees and, typically, anyone appointed to run one of our pubs for the first time is likely to have been employed by the Company for at least 5 years.

1.4.5 The quality of our training, recruitment and employment practices have been recognised by J D Wetherspoon being included in "Britain's Top Employers" for 5 consecutive years.

#### **1.5 Management Structure**

1.5.1 Our management structure is designed to ensure that we encourage responsible behaviour on our premises. Our pubs each have an average of five managers and the majority of these hold personal licence qualifications or are working towards them. There is always at least one manager (often more) on duty in every pub throughout trading hours and at peak times there will be a designated manager supervising the bar and 'walking the floor'.

1.5.2 Pub Managers have the support of their Area Manager who in turn reports to a General Manager. The Operations Director maintains regular contact with management at all levels. This management structure ensures that if any employee has any question or requires further support they can immediately ask for assistance from their management team. Area Managers look after an average of only 12 pubs each which is a low number of pubs in comparison to regional managers in competitor pub companies.

## 1.6 Preventing Drunkenness and Disorderly Behaviour

- 1.6.1 In recent years we have taken numerous positive steps to ensure that the facilities and promotions offered in our pubs do not encourage the excessive consumption of alcohol. All of our employees are provided with intensive induction and refresher training on our Don't Do Drunk policy. This policy is designed to ensure that alcohol is not served to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf. Our employees are trained to continually assess the state of sobriety of any customer purchasing alcoholic drinks or consuming alcohol within the premises. As part of this training we reassure our employees that if they ever feel uncomfortable dealing with a situation then they must notify the Pub Manager and ask for their assistance. Our management teams are asked to support the decision of any employee not to serve a customer who appears to be drunk or disorderly.
- 1.6.2 We monitor the effectiveness of this training by reviewing the use of the 'Refusal' button on the EPOS till system (pressed whenever a customer is refused alcohol) and from feedback given by enforcement authorities, customers and Company representatives. Adherence to our Don't Do Drunk policy is closely monitored through regular inspections of all pubs at any time during trading hours. These visits are completed by senior J D Wetherspoon managers and also by a body of independent professional advisers. There are specific questions on the visit report form regarding the perceived presence of drunk and disorderly customers on the premises and all employees participate in a monthly bonus scheme which is directly linked to the results of these visits.
- 1.6.3 All employees are trained to immediately notify the Pub Manager if any customer becomes insulting, threatening or aggressive. The Pub Manager is then able to act to prevent this behaviour escalating into violence. If such disorderly behaviour does occur on our premises the pub management team will take immediate action to diffuse the situation. If the disorderly individual refuses to leave the premises then, if necessary, the police will be called to assist in the ejection.
- 1.6.4 Details of disorderly customers are circulated to other licensed venues via the PubWatch or similar local intelligence systems. We will always support 'Banned from One - Banned from All' initiatives which ensure that a consistent approach is taken by licensed premises to refuse entry to anyone who has been included on the PubWatch 'banned list'.

## 1.7 Zero Tolerance to Drug Use

- 1.7.1 J D Wetherspoon operates a zero tolerance policy towards drug use and we will take whatever measures are necessary to ensure this policy is being actively promoted. In particular, we co-operate with the police to ensure that wherever a risk has been identified customers are searched upon entry and where illegal substances are found, they are confiscated and given to the police at the earliest opportunity.

## Section 1 - Prevention of Crime and Disorder

- 1.7.2 Where a search policy is in place we make every effort to ensure that customers are aware that this is a voluntary procedure and that they have the right to decline this 'condition of entry'. If a customer does decline and our door staff or employees remain concerned that the person is in possession of illegal substances they will make every effort to notify the police of these concerns so that a police search can be considered.
- 1.7.3 Employees are expected to be extra vigilant to prevent drug use occurring and all receive specific training on how to deal with such issues should they arise. Our Pub Managers will always welcome any additional site specific training that local police wish to offer that may be particularly relevant to their locality.
- 1.7.4 Toilet checks are carried out by employees at frequent intervals during peak trading times and they are carried out at least once every hour during all other trading hours. These checks help ensure that no illegal activities take place in these areas.
- 1.8 CCTV**
- 1.8.1 CCTV is provided throughout our premises. It has proved to be an active deterrent for anti-social behaviour and we are committed to continuing its provision. All new premises are fitted with digital equipment and the camera locations are selected in conjunction with the local police Crime Prevention Officer whenever possible.
- 1.8.2 We are committed to training adequate numbers of employees in each pub in the use of the CCTV system so that immediately following an incident a trained member of staff is always available to replay footage, download material or provide a VHS tape where the CCTV is recorded on an analogue system. This material will always be made available to the statutory authorities without delay.
- 1.8.3 All CCTV footage will be retained for a period of at least 30 days.

### **1.9 Door Staff**

- 1.9.1 The vast majority of our premises operate successfully without the need for door supervisors. We continually 'risk assess' the need to provide door supervision and are willing to follow any reasonable recommendations of the police to engage door supervisors where that is deemed necessary.
- 1.9.2 Where door staff are engaged they work in accordance with our policies and procedures under the control of a Head Door Supervisor. Their primary function is to ensure that the points of exit and entry and outside areas remain under supervision while also monitoring the interior of the premises to maintain a safe and relaxing environment for customers and employees alike. We would always expect door staff to meet the high standards of service and behaviour that we would expect from our own staff. We expect them to give customers confidence in their ability (and our ability) to create a safer environment. We expect that they can control and handle themselves in an appropriate manner in any situation where customers are rude, aggressive, violent and know how, when deemed necessary, to use proportionate force in controlling a situation. We ensure that all door supervisors are registered and in possession of an SIA badge and refuse to allow any unbadged door supervisor to work on our premises.

### **1.10 Toughened Glassware & Polycarbonates**

- 1.10.1 J D Wetherspoon is 100% committed to working with the police to improve industry standards for customer safety in licensed premises and in particular reduce the risk of 'glassing' incidents.
- 1.10.2 We strive to eradicate glass-related incidents in our pubs through strong front-of-house management, staff training, effective door and customer management policies, regular glass collection, well-maintained premises and the use of toughened glass. Wherever possible the glassware used in our pubs is toughened glass. Due to the methods employed in the manufacture of toughened glass the glass, if broken, tends to break into very small pieces thereby reducing the possibility of it being used as a weapon. Our employees are trained to ensure that when customers leave our premises they do not leave taking glassware or bottles with them. Our employees are also tasked to ensure empty drinking vessels are cleared away in a timely fashion so as to reduce the risk of breakages and their use as weapons. Most importantly, however, J D Wetherspoon, unlike the vast majority of pub companies, has an extensive food offer which is available to customers throughout trading hours from 0900 hours to 2200 hours, 7 days a week. The result of this is that our pubs attract a much broader range of age groups and types of clientele than many of our competitors. We consider that this is a significant factor in reducing the potential for poor behaviour and glass-related violence.



1.10.3 We will always consider whether polycarbonates should be introduced on a premises-by-premises basis. When problems have been identified with a particular pub or a Town Centre then we accept that this approach may assist to address the problems at specific licensed premises. Similarly, there may be specific occasions when a temporary use of polycarbonates is appropriate, for example, on match days in premises that are situated close to major football grounds. The issue of whether we are willing to adopt polycarbonates involves a very delicate balancing exercise between our desire to work with the police to eradicate glass-related violence, the need to promote customer and staff safety whilst at the same time accommodating and respecting the expectations of our customers.

#### **1.11 PubWatch and Best Bar None**

1.11.1 J D Wetherspoon is a member of the National PubWatch organisation and a senior representative of J D Wetherspoon sits on the National PubWatch committee. We are one of the few pub companies that are involved in this organisation at a national level. National PubWatch is an entirely voluntary organisation that is set up to support local PubWatch schemes and encourages the creation of new schemes. The National PubWatch organisation has the key aims of achieving a safe, secure and responsible social drinking environment in all licensed premises throughout the United Kingdom and helping to reduce alcohol-related crime.

1.11.2 Our Pub Managers are expected to take an active role in their local PubWatch scheme. We will support the establishment of a local PubWatch where one is not already in existence. The type of support we can provide includes providing expertise on how to set up a local PubWatch scheme and/or PubWatch online, offering our premises as venues in which PubWatch meetings can be held and chairing those meetings.

1.11.3 We always support initiatives introduced by local PubWatch schemes to reduce crime and disorder in town centres. For example, many of our premises operate the 'Banned from One - Banned from All' initiative and subscribe to the Radio-Link scheme which provides radio contact with other licensed operators and with the town centre CCTV operators.

1.11.4 We provide national support for the Best Bar None Award scheme. The UK-wide scheme, which is backed by the Home Office, was piloted in Manchester in 2003 and has since been adopted by over thirty other towns and cities with great success. Best Bar None aims to promote the responsible management and operation of alcohol-licensed premises with the ultimate intention of offering and maintaining a safer, more welcoming, attractive and lively drinking experience. The scheme encourages local operators to act responsibly and take pride in their premises and surroundings and, in so doing, put something back into the town and their local community. Wetherspoon pubs have won numerous awards throughout the UK in the Best Bar None Awards scheme.

**1.12 Drinkaware**

- 1.12.1 J D Wetherspoon is one of only four pub companies in the UK who was a founding supporter of the Drinkaware Trust ('the Trust'). We fully support their strategic aims and hope to raise their profile and highlight their valuable work by communicating their sensible drinking messages within our pubs.
- 1.12.2 We actively promote the Trust by including a reference to their website [www.drinkaware.co.uk](http://www.drinkaware.co.uk) on most of our 'alcohol-related' point-of-sale and marketing materials. Their website is recognised as the leading public source of information on sensible drinking behaviour. A link to their website is provided on our own company website. The website is also advertised on our table-talker/drinks list, our front-of-house posters and all single-issue flyers/mail-drops/vouchers. The website is advertised on any promotional materials for our bi-annual beer and wine festivals. The link features routinely in the header of the 'responsible drinking' section of Wetherspoon News. We offer the Trust a free page to communicate sensible drinking messages in every edition of Wetherspoon News.
- 1.12.3 We are continually working with the Trust to update our own sensible drinking messages and develop marketing material which can be used in our pubs to reinforce this message. We are pleased to be actively supporting the Trust to achieve their key objective, namely, change the United Kingdom's drinking culture in order to help reduce alcohol misuse and alcohol-related harms.

## **2 Maintaining Public Safety**

### **2.1 High Quality Design**

- 2.1.1 J D Wetherspoon works closely with Planning Officers, Listed Building Specialists and where appropriate, English Heritage to ensure that each new pub is designed and built to the highest specification. We aim to provide comfortable, efficient and ergonomic dining facilities and accessible customer areas suitable for all types of customer.
- 2.1.2 Customer areas are designed aesthetically and surfaces are carefully chosen to ensure safety. The majority of our premises are large in size and this allows us to provide ample seating space which in turn prevents overcrowding and creates a safer and more welcoming atmosphere. All floor coverings are assessed for suitability and are slip resistant so as to minimise slips and trips. The sanitary accommodation consists of ceramic tiles and either quarry tile flooring or non-slip flooring similar to the kitchen and behind the bar. Again, consideration is given to maximising slip resistance when choosing flooring.

### **2.2 Disabled Facilities**

- 2.2.1 We are fully aware of our obligations in respect of accessibility for disabled persons and we aim to make all new developments as accessible to everyone as is possible within the constraints of the building.
- 2.2.2 J D Wetherspoon is highly respected by consumer and enforcement bodies interested in the provision of services and facilities for those with disabilities. Significant emphasis is placed on designing premises which will provide easy access to toilet facilities and also lifts for customers with disabilities where they are required.
- 2.2.3 All new buildings will meet the requirements of Part M of the Building Regulations 2002.

### **2.3 Electrical and Gas Safety**

- 2.3.1 All electrical systems are installed in accordance with Part P Building Regulations and are under the supervision of the Electrical Services Consultant. The Company follows good electrical practice guidance and ensures that all equipment is maintained in a safe condition in accordance with the Electricity at Work Regulations 1989.
- 2.3.2 All gas appliances are installed by CORGI registered engineers and thereafter maintained within the planned maintenance scheme.
- 2.3.3 Electrical safety procedures form part of the overall health and safety management system.

**2.4 Health and Safety**

- 2.4.1 All management staff and Associates are trained in basic health and safety to a level commensurate with their job responsibilities.
- 2.4.2 A Safety Policy Statement is displayed on the staff notice board or in the staff room of every pub and detailed procedures in respect of safe working practices etc are contained in the written Safety Policy Manual.
- 2.4.3 Regular audits of all our pubs are carried out by senior managers and by independent consultants. These audits are often unannounced and are made throughout the entire estate.
- 2.4.4 An extensive accident and incident reporting and monitoring system is in place, with all accidents / incidents being reported to our independent health and safety consultants. Monthly records of types of accidents are collated using computer software. Accidents are investigated where necessary and RIDDOR reporting is undertaken.

**2.5 Fire Safety**

- 2.5.1 All Wetherspoon premises comply with the terms of the Regulatory Reform (Fire Safety) Order. We engage independent consultants to conduct regular fire risk assessments focusing on the safety of all relevant persons in situations of fire. We identify and define the nature and extent of both the fire precautions that must be put in place to protect against fire and the inherent risks that remain, and take steps to remove or reduce those risks where appropriate.
- 2.5.2 All employees are trained in basic fire safety and regular refresher training is undertaken. Daily, weekly and monthly logs of fire safety checks are kept and all fire protection / precaution systems are regularly maintained.

## 3 Prevention of Public Nuisance

### 3.1 Dispersal Policy

3.1.1 J D Wetherspoon operates a dispersal policy designed to minimise the negative impact of our premises on their locality. A key element of encouraging customers who are leaving our pubs to behave in a responsible fashion is ensuring that they are well-managed whilst on the premises. We set out previously the measures that we adopt to ensure customers are well managed on our premises.

3.1.2 We accept that our responsibilities cannot simply end at our front door and that, by contributing to a better managed pubs at the end of the night, we can help deliver a safer town centre. We acknowledge that by the very nature of our operation we can be potential sources of nuisance, anti-social behaviour and crime which may create concern for the immediate neighbourhood, its residents and the authorities. We therefore implement a dispersal policy in our pubs which will seek to reduce the pressure on the police at the end of trading, ease customers' passage home and minimise the likelihood of local residents being disturbed. The key factors of that policy are:

- Where music is provided in our pubs, music levels will be reduced towards the end of the evening to assist in the quiet and orderly dispersal of customers. Our experience is that because customers have not been using raised voices against the background of loud music immediately prior to leaving the premises they tend to leave more quietly.
- Wherever possible, lighting levels are manipulated to become 'brighter' at the end of trading hours to encourage the gradual dispersal of patrons during the last part of trading and the drinking up period.
- On dispersal our staff actively encourage customers not to congregate outside the venue, direct customers to the nearest taxi ranks or other transportation away from the area; and ensure the removal of all bottles and glasses from departing customers.
- Our managers will not hesitate to speak to any groups that congregate in the vicinity of the premises after closing time and ask them to move on.
- We generally request that a minimum of 30 minutes drinking-up time is incorporated in the premises licence as an aid to the gradual dispersal of all customers in the premises at the end of the evening.
- We ensure that there is strong management and staff presence in the customer area and at all exit points during the dispersal period.
- We routinely place signage at exit doors asking customers to respect the rights of our neighbours to the quiet enjoyment of their homes.
- Where it is deemed appropriate we can provide customers with site-specific information on how they can get home safely. Where customers require individual assistance in obtaining safe transport from our premises we do whatever is reasonably possible to help, for example by providing details of bus routes or contacting taxi and private hire operators on their behalf.



### **3.2 Regular Meetings with Local Residents**

- 3.2.1 We attach the utmost importance to the careful investigation and prompt resolution of any complaint made in relation to the day-to-day running of any of our pubs. This includes the effect any pub may have on its surrounding area. Over a third of our premises have residents living above or adjacent to them with no history of complaint. We have always emphasised the importance of building close relationships with local residents. Our Pub Managers are expected to resolve any complaints from local residents quickly and effectively. If they cannot be resolved on a premises level they are referred to an Area or General Manager for resolution.
- 3.2.2 Pub Managers, Area Managers and General Managers are always willing to convene regular meetings with residents whenever such meetings are sought by our neighbours. These meetings provide a useful forum for residents to raise any concerns that they may have regarding our operation and provide our local management teams with an opportunity to become a better neighbour.

### **3.3 Music and Dancing**

- 3.3.1 A large number of our premises do not have permission to provide regulated entertainment. However, where music is provided in Lloyds No.1 branded pubs it is provided by means of high quality sound systems controlled by central computers so that we maintain control over the style of music played. Where it is deemed necessary sound limiters will be installed. The sound systems allow for music to be zoned within the premises. This means that the level of music can be varied in accordance with the use of each area and ensures that particularly sensitive parts of the premises can be kept quieter. Music levels are reduced towards the end of the evening to assist in the quiet and orderly dispersal of customers.
- 3.3.2 Designated dance floors are generally provided where customer dancing is allowed and, to ensure the safety of customers, it is company policy that drinks are not permitted in these areas.
- 3.3.3 To ensure that neighbouring premises are not adversely affected by escaping noise a site specific noise survey is undertaken by an independent specialist and their recommendations incorporated into the scheme. Their recommendations are based on either general guidelines or on local authority policy with respect to monitored existing noise levels.
- 3.3.4 Before the development of any site that may be considered noise sensitive we commission an environmental survey to establish background noise levels. Design specifications are then set to ensure that equipment does not breach agreed levels.
- 3.3.5 All premises are developed to a high standard to ensure good sound attenuation.

### **3.4 Standards Monitoring Visits (CQSMA)**

- 3.4.1 J D Wetherspoon sets very high standards when it opens a new pub and these standards are maintained through constant supervision and monitoring using a system of mystery visits to the premises to assess 'Cleanliness, Quality, Service, Maintenance and Atmosphere' (CQSMA).
- 3.4.2 All operational head office employees and all senior head office employees including Directors are required to undertake between 15 and 60 'mystery visits' to Wetherspoon pubs every month. They are required to assess the premises in a number of areas varying from the cleanliness of the toilets to the friendliness of the staff. In addition, every single premises is visited and assessed by an independent third-party company on at least two occasions every month.
- 3.4.3 Every pub must receive at least five CQSMA visits each month but most will receive as many as 8-10 visits and every pub receives a minimum of 60 CQSMA visits per annum to assess quality and standards. Any pub which is assessed as being below standard in any way is highlighted and revisited the following week. Monthly bonuses based on the CQMSA results are paid to all employees in the pubs, including bar staff.
- 3.4.4 The CQSMA results assist in maintaining high standards but also allow pubs experiencing difficulties to be identified so that improvements can be made.
- 3.4.5 The CQMSA scheme is the cornerstone of our business and employees at all levels are trained and incentivised to deliver the highest standards. Management staff earn around 40% of their total bonus through CQSMA and bar staff around two thirds. As far as we are aware, no other company places so much emphasis (or awards such a high percentage of bonus) on this non-financial aspect of running a pub.

### **3.5 Pavement Cafés and Outside Areas**

- 3.5.1 Since the introduction of the smoking ban pavement cafes and outside areas have become an increasingly important part of our premises. Whatever the scope, size or location of these areas we ensure that we always deliver carefully managed areas that are both sympathetic to the premises and the surrounding environment and, more importantly, are designed to ensure that minimal impact is caused to the public who are going about their business using the public highway.
- 3.5.2 While each area is developed specifically for the environment it occupies we operate all outdoor dining areas in accordance with the following principles; provision of sufficient furniture to discourage vertical drinking, allocation of staff to ensure the areas are kept clean and empty glassware and bottles are regularly removed, and in the case of pavement cafes a clear pedestrian route is always maintained for those walking past the premises.

- 3.5.3 All outside areas that are specifically used by smokers are closely managed to prevent any noise or litter nuisance occurring. All areas are equipped with adequate cigarette disposal bins and employees ensure that these bins are regularly checked and that any smoking materials discarded on the ground are removed. Outside areas are managed at all times to ensure that customer behaviour outside the premises does not adversely affect our neighbours or the general public.
- 3.5.4 All our pavement cafés and outside areas are covered by CCTV.

### **3.6 Preventing Odour Escapes**

- 3.6.1 All our premises have independently connected mechanical ventilation systems incorporating fans and ducting which terminate above the level of the eaves where applicable.
- 3.6.2 All kitchen extract ventilation passes through grease eliminating baffles at a rate that reduces the risk of odour-nuisance occurring. Kitchen extracts are usually located away from neighbouring properties. Where it is deemed necessary and subject to site survey, odour control equipment is installed.
- 3.6.3 Provision for refuse is made according to the limitations of the premises - for example, sometimes external storage facilities are not available and so an internal store is created. Refuse collection is conducted at frequent intervals either via the local authority contract services or through the use of a private refuse collection company.



## 4 Protection of Children from Harm

### 4.1 Family-Friendly Environment

4.1.1 The limited amount of entertainment provided in most of our pubs together with the range of products mentioned previously and an emphasis on drinks such as traditional ales means that a broad range of age-groups are attracted to our pubs. We encourage families to dine with us in most of our pubs which, together with our award-winning children's menu, further increases the age and range of our customers. In a large number of our premises we set aside an area that is suitable for family dining and erect signage to define the family dining area.

4.1.2 Legally, unaccompanied children aged between 16 and 18 are permitted to enter a pub provided that they do not consume alcohol. However, children in this age bracket are only permitted in our pubs provided they are accompanied by an adult and are there to dine. If adults are visiting the pub with children and young people and purchasing alcoholic drinks then we operate a 'house rule' which requires them to purchase meals for each member of the group. Once the meals have been finished and the tables cleared we recommend that only one additional alcoholic drink be purchased per adult. This approach is designed prevent children and young people being neglected by their responsible adult whilst in our pubs.

### 4.2 Challenge 21

4.2.1 We abide by a Challenge 21 policy in all of our premises. Under this policy, all of our employees are trained to ask any customer who appears to be under the age of 21 years to provide valid proof of age. We apply this policy not just to the sale of alcohol, but also to the use of AWP (amusement with prize) machines and the sale of tobacco products. Employees are also trained to be vigilant to ensure that customers buying drinks at the bar are not buying them for underage individuals.

4.2.2 All employees receive induction training on our Challenge 21 policy when they commence employment with J D Wetherspoon and then receive regular refresher training. All employees complete video training, quizzes and sign a letter to confirm that they have had this training and understand their responsibilities. All training records are retained on personnel files and these files are regularly reviewed by the pub management team and members of our Retail Audit department to ensure that the training system is being satisfactorily completed.

4.2.3 If any shortcomings are identified the individual employee is required to undergo further training until the policy is satisfactorily understood by them and applied.

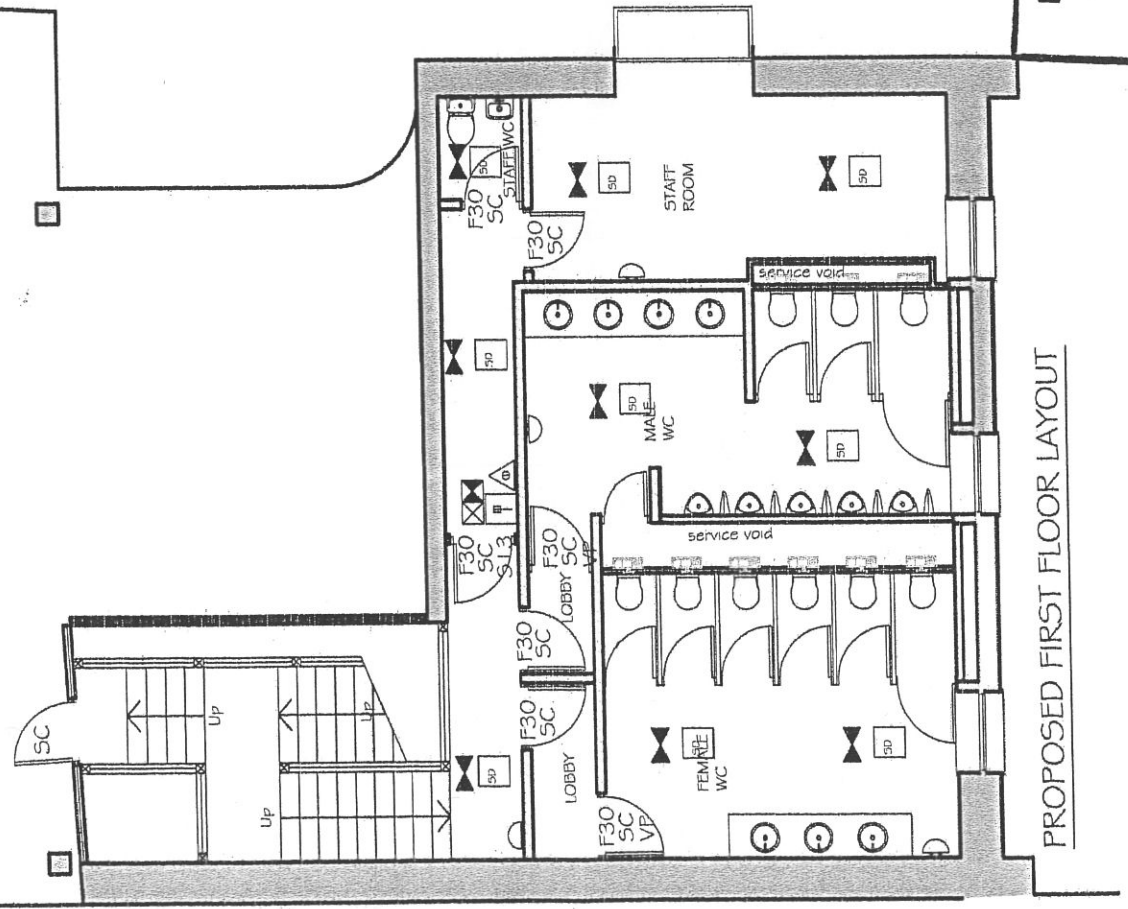
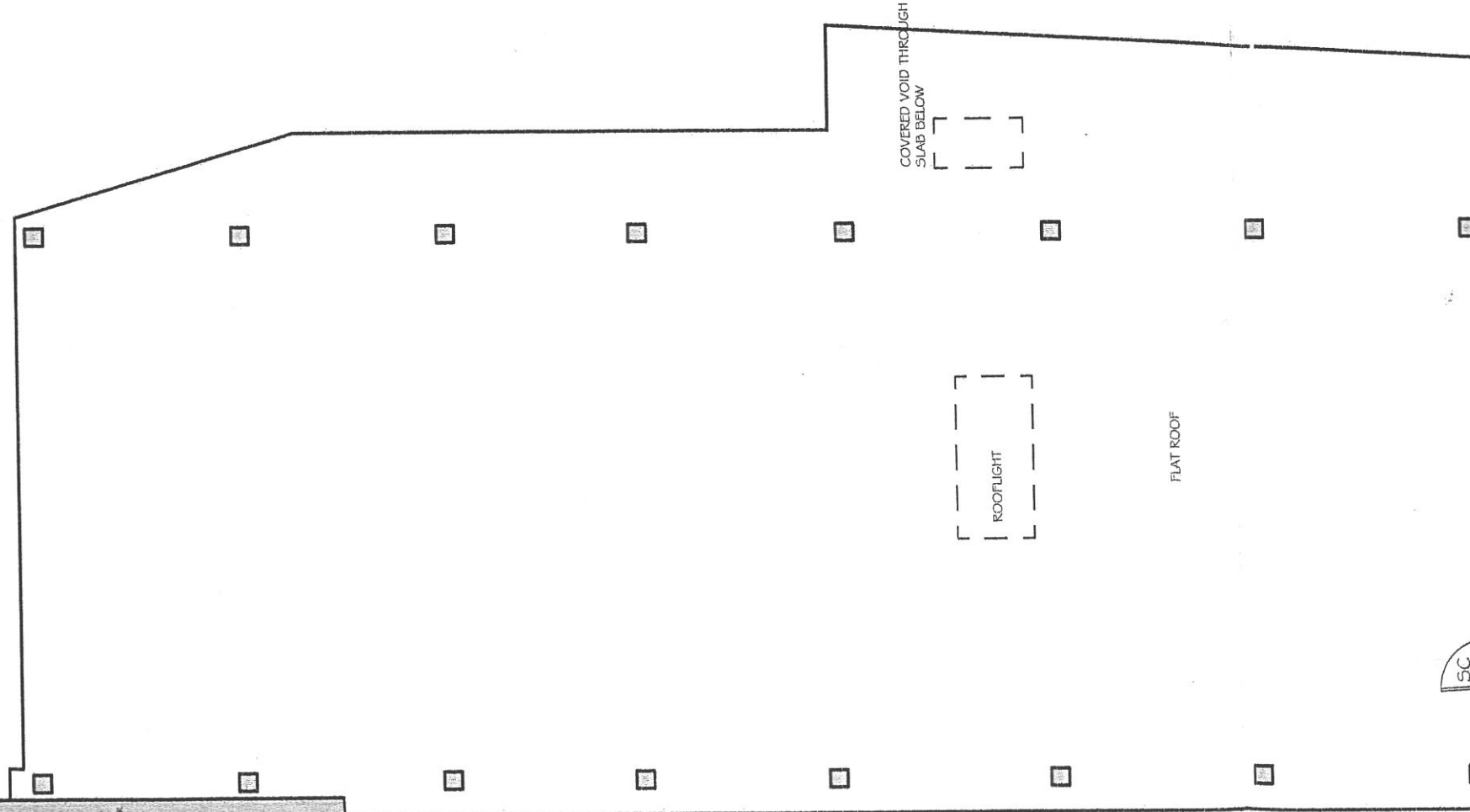
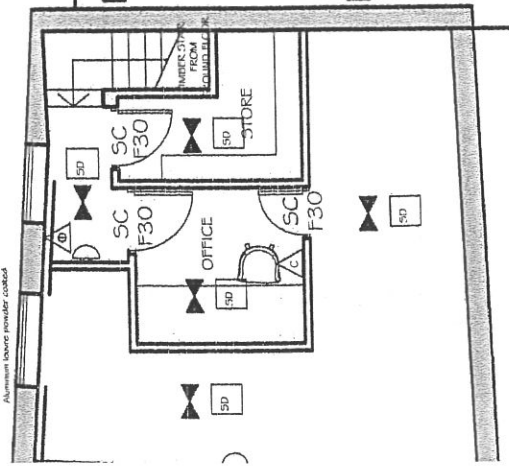


#### Section 4 - Protection of Children from Harm

- 4.2.4 Our Challenge 21 policy is actively promoted within the premises using self-adhesive signs at every entrance, staff badges and back-of-house posters throughout the premises. Every customer that is refused entry to the premises or is asked to leave the premises is logged via the 'Refusal' or 'Refused Service' button on the EPOS till system.
- 4.2.5 J D Wetherspoon has adopted the industry standards and recognises only the following forms of identification as valid forms of proof of age:
- National passport
  - Photographic Drivers' Licence
  - United Kingdom 'PASS' accredited age identification card with photograph.
- 4.2.6 If a young person tries to use ID which is fake or has been altered in any way, the ID is retained by the pub management team and given to the police at the first reasonable opportunity.
- 4.2.7 We were the first pub company to enter into an exclusive arrangement with CitizenCard, the United Kingdom's leading proof of age and ID card. Under this arrangement, any customer who does not possess any form of proof-of-age has the opportunity to purchase a CitizenCard at half the normal retail price.

#### 4.3 Gambling

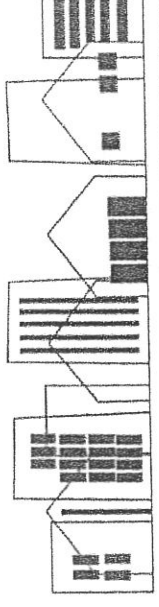
- 4.3.1 J D Wetherspoon upholds the principles of the Gambling Act 2005. Our employees are trained to adopt a Challenge 21 policy towards the use of AWP (amusement with prize) machines and take proactive measures throughout trading hours to prevent children and young people from accessing these machines.



PROPOSED FIRST FLOOR LAYOUT

PLAN APPROVED  
 25 JAN 2012  
 NFDC  
 LICENSING SERVICES

A SMOKER'S ENCLOSURE ADDED TO GARDEN AREA  
 06/01/2012



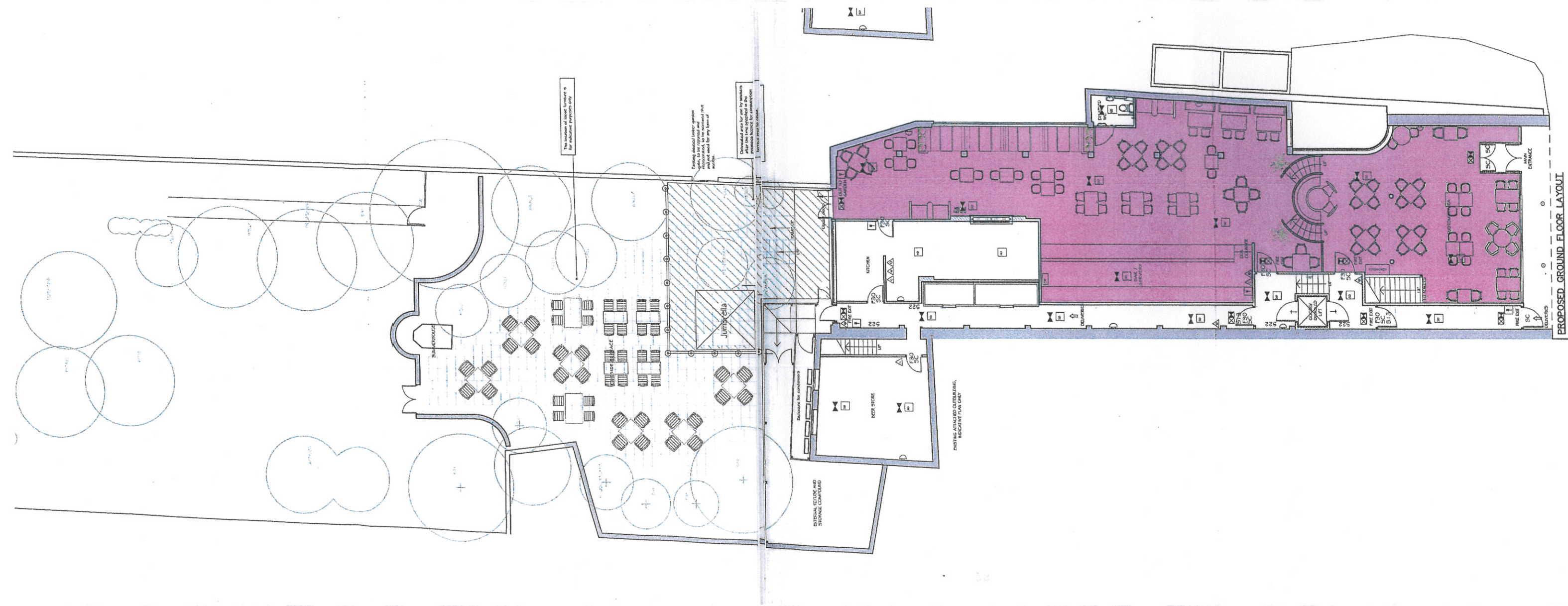
**K d paine & associates ltd**

architectural & construction consultants  
 project managers interior designers

Adur Business Centre Little High Street,  
 Shoreham by Sea, West Sussex, BN43 5EG.  
 t: +44 (0)1273 467518 f: +44 (0)1273 467520  
 e-mail: info@kdpaine.co.uk

CLIENT	JD WETHERSPOON PLC
PROJECT	PUB NO: G301 FORMER C FORD & CO LYMINGTON
DRAWING	PROPOSED GROUND & FIRST FLOOR LICENSING LAYOUTS

SCALE	A1/1:100	DATE	OCT 2011	DRAWN	AKS
PROJECT No	6534	DRAWING No	L-01	REVISION	A



PROPOSED GROUND FLOOR LAYOUT

\* Agreed amendments between Wetherspoons  
Trading Standards

Sarah Wilson

**From:** Lawford, Stephen [stephen.lawford@hants.gov.uk]  
**Sent:** 21 February 2012 11:35  
**To:** Licensing e-mail address  
**Cc:** Paul Weston  
**Subject:** RE: Six Bells Lymington

Hi Sarah

Yes, please accept these emails as agreed conditions between the Applicant and Trading Standards (TS).  
TS will not be making a representation.  
Is this likely to go to a hearing because of reps from interested parties ?  
If so, could you let me know when the hearing is.

Kind regards  
Steve

---

**From:** Sarah Wilson [<mailto:Sarah.Wilson@NFDC.gov.uk>] **On Behalf Of** Licensing e-mail address  
**Sent:** 21 February 2012 11:28  
**To:** Lawford, Stephen  
**Cc:** Paul Weston  
**Subject:** FW: Six Bells Lymington

Hi Steve,

Based on the below are you now happy to confirm that Trading Standards will not be lodging an objection to this application?

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](mailto:sarah.wilson@nfdc.gov.uk)  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

---

**From:** Nigel Connor [<mailto:NConnor@jdwetherspoon.co.uk>]  
**Sent:** 21 February 2012 11:09  
**To:** Lawford, Stephen  
**Cc:** Licensing e-mail address; 6 OCU Licensing Mailbox  
**Subject:** RE: Six Bells Lymington

Steve

I confirm the company's agreement to the additional wording and authorise the licensing authority by copy of this e-mail to amend the operating schedule of the application accordingly.

Regards



Nigel Connor  
Solicitor  
Head of Legal

Phone: 01923 477892  
Mobile: 07818 232529  
Email: [nconnor@jdwetherspoon.co.uk](mailto:nconnor@jdwetherspoon.co.uk)

JD Wetherspoon PLC | Wetherspoon House | PO BOX 616 | Watford | Hertfordshire | WD24 4QL

*Please consider the environment before printing this email.*

---

**From:** Lawford, Stephen [<mailto:stephen.lawford@hants.gov.uk>]  
**Sent:** 21 February 2012 10:48  
**To:** Nigel Connor  
**Cc:** Licensing e-mail address; 6 OCU Licensing Mailbox  
**Subject:** Six Bells Lymington

Hi Nigel

If you agree to this extra condition, could you reply to all please.

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

Kind regards  
Steve

Steve Lawford | MLoL ABII ATSI | Trading Standards Officer | Hampshire County Council | Culture  
Communities and Business Services | Trading Standards Service | Montgomery House | Monarch Way  
Winchester | Hants | SO22 5PW | Tel : 01962 833658 | Mob : 07738 312872 | Fax : 01962 833699 | Mail  
to : [steve.lawford@hants.gov.uk](mailto:steve.lawford@hants.gov.uk) | Web : <http://www.hants.gov.uk/tradingstandards>

\*\*\*\*\*  
JD Wetherspoon plc,

Company registered in England number: 1709784

Registered Office:

Wetherspoon House, Reeds Crescent, Watford, Herts, WD24 4QL

Please note that we do not have visitor parking available and you may need to allow some extra time to walk to our offices. For further assistance please refer to the contact us section of our web site at <http://www.jdwetherspoon.co.uk/>

The information contained in this document is strictly private and confidential and may also be privileged. If you are NOT the person to whom this e-mail is addressed, please notify the sender immediately by reply. You should not copy the document or any of the attachments which may be contained herein or use it for any purpose or disclose its contents to any third parties.

Employees of J D Wetherspoon plc are expressly required not to make any defamatory statements or infringe, or authorise any infringements of, copyright or any other legal right by e-mail communications. Any such communication is contrary to company policy and outside the scope of the

**From:** Gary Worsley  
**Sent:** 16 February 2012 10:07  
**To:** Licensing e-mail address  
**Cc:** Paul Weston; Patrick Curran; Carole Gallagher; Annie Righton  
**Subject:** Premises Licence Application - The Six Bells, 47-48 St Thomas sTreet, Lymington, SO41 9ND

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

Thank you for consulting Environmental Protection with the above new premises licence application.

The Environmental Health Officer's comments are based on the original premises licence application and the amendment from the applicant dated 26 January 2012, advising of the discrepancy with condition d) 8 at page 21 relating to the green hatched area.

The conditions that have been submitted in relation to the prevent of public nuisance licensing objective are satisfactory and therefore I have no objection to the application.

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](mailto:gary.worsley@nfdc.gov.uk) | [www.newforest.gov.uk](http://www.newforest.gov.uk)

Think before you print!

Licensing



**PLANNING & TRANSPORTATION**

Head of Service: Chris Elliott

Ms B Morrice  
J D Wetherspoon plc  
Po Box 616  
Watford  
Hertfordshire  
WD24 4QU

Our Ref: ENQ/12/21076  
Your Ref:

06 February 2012

Dear Ms Morrice

**47-48, St Thomas' Street, Lymington**

I refer to your letter of January 24th with regard to the licensing application at the above address and I would comment as follows.

The 'late night refreshment' section suggests that you want to provide hot food and drinks between 11pm and midnight on Fridays and Saturdays (and until 1am on NYE) both in and out of the premises. Elsewhere on the form it is stated that the use of the terrace will not be possible after 9pm and open drinks and food will not be permitted to the front. There seems to be a conflict here.

With regard to the aspects of the application which are also governed by planning conditions, I note that part 7 of the prevention of public nuisance section is also condition 14 of the planning approval. A further aspect relates to the area proposed for smoking after 9pm which will need to be addressed through the submission of the landscaping details under condition 3(d) of the planning approval. The submitted plan also appears to show the smoking terrace area hatched green rather than the red you state.

It is also noted that the disabled access is now shared with the drey access rather than within the pub itself; consideration should be given to the potential vulnerability of users of this facility through the provision of CCTV cameras. This authority is still awaiting details of the location and type of CCTV cameras required under condition 11 of the planning approval.

Yours sincerely

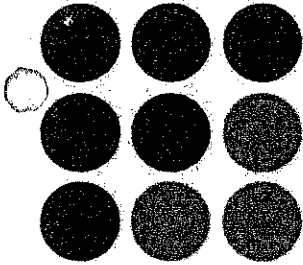
Mrs V Baxter  
Senior Planning Officer

Tel: 023 8028 5345  
Email: dev.control@nfdc.gov.uk





\* *Objection*



Tanner & Tilley

Town Planning Consultants  
4 Beresford Road  
Southbourne  
Bournemouth  
Dorset  
BH6 5AA

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

My Ref.3966/0212



21<sup>st</sup> February 2012

Dear Sir/Madam

**RE: APPLICATION FOR A PREMISES LICENCE IN RESPECT OF 47-48 ST THOMAS STREET, LYMINGTON, SO41 9ND**

I write on behalf of Colten Care Ltd, the owners of Monmouth House, a residential care home located near to the above site, to object to the application for a premises licence. My clients are concerned that the premises licence applied for would impact upon the quality of life of residents of the Care Home.

Monmouth House is located in St Thomas Street immediately opposite the application premises. In being located so close to the application premises there is potential for the care home to be adversely affected by noise and disturbance created by the operation of the public house.

This part of St Thomas Street is not within the primary shopping core within the defined town centre but is in a secondary shopping location. It is considered that in this part of the town centre where there are a number of residential properties including Monmouth House Care Home, the hours of operation of the public house should be carefully controlled so as to not detract from the pleasant environment that is currently enjoyed and which forms part of the special character of this part of the town.

In particular, my clients are concerned with the late night opening of the premises proposed for Friday and Saturday Nights (and New Years Eve) would have a serious and detrimental impact upon the quiet character of the area. The potential noise created by customers leaving the premises up to 00.30 would have a serious and detrimental impact upon the living conditions of the care home, particularly for those residents with bedrooms facing the road.

The noise and disturbance that could be created by customers entering and leaving the premises during night time hours could be exacerbated by noise breakout from the building itself, particularly when the front doors are open, even momentarily. It is noted that the premises licence does not provide timings for the playing of live or recorded music, and my clients request that clarification on that is sought by the Council prior to determining the application to get a clear understanding of the potential for noise to be created by the use.

Directors: Peter Tanner BA DipTP MRTPI, John Montgomery FRICS MRTPI, Roger Tilley MRTPI (RTD)

Tanner & Tilley Planning Limited. Registered Office 4 Cedar Park, Cobham Road, Wimborne, Dorset BH21 7SF  
Registered in England number 4039190

57



Finally, my clients would request that in the event that a premises licence be granted for the public house a condition be imposed restricting the use to within the building itself and to the rear garden only, to avoid use of the front forecourt which would further exacerbate the impact of the proposals upon residents.

Yours sincerely

Matthew Holmes BA (Hons) MA MRTPI

On behalf of Colten Care Ltd

**The Lymington Club,**  
4 Quadrille Court, St Thomas Street,  
Lymington, SO41 9NA

\* *Objection*

To whom it may concern

**Licensing application for The Six Bells, 37-38 St Thomas Street, Lymington SO41 9NQ** (517)

I am writing on behalf of The Lymington Club as regards the above licence application.

We are concerned that the late hours applied for, particularly on Fridays Saturdays, could lead to noise and possible public disturbance which will be detrimental to those who live in the area of the property.

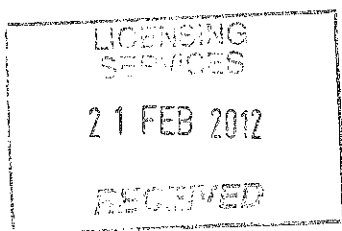
We also notice that the company has applied for the 'sale and supply of alcohol on and off the premises'. There is therefore an extra concern that alcohol will be served on the pavement at the front of the building, again which could lead to noise and possible public disturbance,

We ask the licensing authority to turn down the application for late night refreshments on Fridays and Saturdays and to ensure that alcohol is not served on the front pavement.

Yours sincerely

Jennifer Stott

Hon Secretary



# \* Objection

From Mr R L Richardson  
11 Courtenay Place  
LYMINGTON  
Hants  
SO41 3NQ

The Licensing Authority  
New Forest District Council  
Appletree Court  
LYNDHURST  
Hants  
SO43 7PA

17 February 2012

Dear Sir

**LICENSING APPLICATION - THE SIX BELLS 47-48 HIGH STREET LYMINGTON SO41 9ND**

As a member and current Chairman of The Lymington Bridge Club, St Thomas' Street, Lymington, I wish to lodge an objection to the granting of a licence for the consumption of alcohol on the premises of 47-48 High Street Lymington after 9pm on any evening of the week.

My request is on the grounds of **Prevention of Public Nuisance**

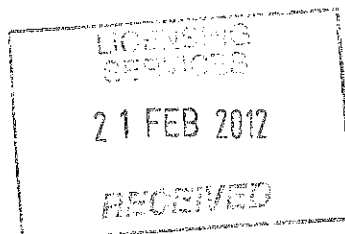
The Bridge Club premises in St Thomas' Street already suffer from unruly and drunken behaviour from some members of the public in late evening as at night. In the last 3 years we have suffered two broken windows, have had to clear up human excrement from our car park, and have had to remove needles and drug equipment from the car park. I am very concerned that any increase in the consumption of Alcohol in the vicinity will lead to an increase in this disorderly and unpleasant conduct.

The Bridge Club also suffers from illegal parking on our private property. I fear that any increase in the number of casual visitors to the Weatherspoons property by car will appreciably increase the risk of such infringement our liberties.

I ask please for a definite written assurance that any grant of licence will take full and proper account of the concerns of local people and will be conditional upon the inclusion of measures to prevent any escalation of public disorder on the Bridge Club premises.

Yours faithfully

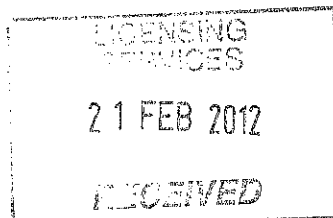
R L RICHARDSON



\* **Objection**

9, St. Thomas Park  
Lymington SO41 9NF

The Licensing Authority  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire SO43 7AP



20<sup>th</sup> February 2012

The Six Bells, Lymington

*Licensing Application*

Dear Sirs

I am the owner of a house in the 1966 development of Nos. 1 – 13 St. Thomas Park, Lymington, which is separated from the proposed beer garden of the Six Bells by a brick wall only.

I have the following objections to the Licensing Application made for the Six Bells by Wetherspoons:

Opening hours (food and non-alcoholic drinks)

7 am every morning year-round is too early to open. 8 am should be more than adequate. Even the Post Office does not open till 8.30 am and most shops do not open until 9 am.

Opening hours (sale and service of alcohol)

Alcohol should not be sold or served before 10 am. Drinking before this time needs to be discouraged for reasons of health and public order.

The sale and service of alcohol should stop at 11 pm every night including Fridays and Saturdays and only be extended to 1 am on 1st January (New Year's Day). Some customers, on leaving the pub late at night, will use "The Tins" passageway from the churchyard which runs between the Recreation Ground and the houses on the north side of St. Thomas Park Street; the wall on the recreation ground side of The Tins reflects sound back onto these houses and noisy pedestrian traffic late at night can cause major disturbance of these residents, many of whom are elderly.

### Use of outside area

*Wetherspoons have proposed that customers should not be permitted to take drinks outside the front door of the pub at any time, or outside the back door to the terrace/garden after 2200. This should be made a condition of the licence. There must be a man on the front door of the pub ensuring that the part of the pavement belonging to the pub is not used as a venue for the gathering of any of its customers, not furnished in any way, nor used for any display of advertising material.*

*Wetherspoons state "It is proposed that the consumption of food and drink will cease in the area of the rear terrace after 2200". This should also be made a condition of the licence.*

*There must be no parking of bicycles on the pavement in front of the pub; this would be unacceptable in this Conservation Area of the town and is not practised anywhere in St. Thomas Street or the High Street.*

### No music

*Although Wetherspoons state that there will be no music of any kind either in the pub or in its garden. This should be confirmed as a condition of the licence and include singing by customers in the garden, as the proposed terrace is a mere 25 metres from No.1 St. Thomas Park with Nos. 2 and 3 in the same terrace of three houses.*

### Expansion of the garden terrace

*The site plan submitted by Wetherspoons shows at the back of the pub access onto an area of terrace and beyond that a "nature garden", the two areas to be separated by a wall with a gate in it. As the proposed terrace is so close to Nos. 1, 2 and 3 St. Thomas Park and separated from the presently peaceful communal garden of those houses by a brick wall only, it should be made a condition of the licence that the area of the terrace must conform to that shown on the site plan and not be extended any nearer to these houses; drinking in the garden area to be limited to the area of the terrace.*

*Careful consideration by the Licensing Authority of the above objections and suggested limitations to the operation of the Six Bells is requested and will be much appreciated by me and by all my neighbours in 1-13 St. Thomas Park.*

*Yours faithfully*

*\* Objection*

13 St. Thomas Park  
Lymington S041 9NF

20<sup>th</sup> February 2012

The Licensing Authority  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire SO43 7AP

The Six Bells, Lymington

Licensing Application

Dear Sirs

I am the resident owner of a house in the 1966 development of Nos. 1 – 13 St. Thomas Park, Lymington, which is separated from the proposed beer garden of the Six Bells by a brick wall only.

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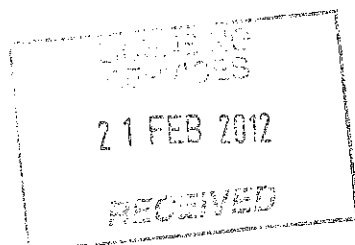
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7 am every morning year-round is too early to open. 8 am should be more than adequate. Even the Post Office does not open till 8.30 am and most shops do not open until 9 am.

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Alcohol should not be sold or served before 10 am. Drinking before this time needs to be discouraged for reasons of health and public order.

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*Careful consideration by the Licensing Authority of the above objections and suggested limitations to the operation of the Six Bells is requested and will be much appreciated by me and my wife and by all my neighbours in 1-13 St. Thomas Park.*

*Yours faithfully*

*Patrick D. Wales-Smith*



# \* Objection

3 St. Thomas Park

Lymington S041 9NF

20<sup>th</sup> February 2012

The Licensing Authority  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire SO43 7AP

The Six Bells, Lymington

Licensing Application

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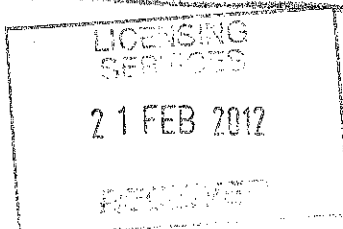
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*Careful consideration by the Licensing Authority of the above objections and suggested limitations to the operation of the Six Bells is requested and will be much appreciated by me and by all my neighbours in 1-13 St. Thomas Park.*

*Yours faithfully*

*David Thornicroft*

# \* Objection

Pam Sparrow  
8 St Thomas Park  
Lymington  
Hants. SO41 9NF

19th February 2012

The Licensing Officer  
Licensing Services  
Appletree Court  
Lyndhurst SO43 7PA

Dear Sir

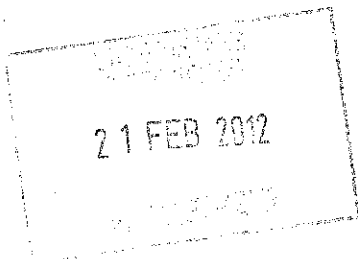
I live in a house which is one of the only residential group close to the proposed new Witherspoons Public House. I am very concerned that the proposed long opening hours for the sale and supply of alcohol would cause noise and disturbance late at night and early in the morning.

The designated smoking area at the back of the Pub shares a boundary with our communal ground and could be used up to 01.00 hours on some days. The footpath (known as The Tins) runs to the north of several of the gardens of our individually owned properties. This gives access to parking at the top of the town. Noise in both these areas would cause serious nuisance late at night and early in the morning..

A huge effort is being made on a national scale to encourage the responsible drinking of alcohol. Every effort should be made to curtail these proposed licensing hours in the pleasant town of Lymington.

Yours faithfully

Dr PM Sparrow



# \* Objection

## St. Thomas the Apostle with All Saints, Lymington

Vicar: Revd Peter Salisburv

The Vicarage, Grove Road, Lymington SO41 3RF

Licensing Manager,  
Licensing Services,  
New Forest District Council,  
Appletree Court,  
Lyndhurst,  
Hampshire SO43 7PA

21<sup>st</sup> February 2012



Dear Sir

**Ref: application for a premises licence at 47-48 St Thomas Street, Lymington, by J.D.Wetherspoon plc.**

While delighted with the restrictions voluntarily undertaken by JDW in their application, I do still have some remaining concerns which could be addressed easily enough with some suitable further clarifications and conditions on the granting of the licence.

### **Licensing objective b – the prevention of crime and disorder**

I am concerned that the opening hours proposed do not match those of other pubs in the area. We have seen in the past how such a disparity can focus drinkers on premises with longer hours, leading to crime and disorder. I therefore request that the hours of availability of alcohol be the same as for other pubs in the area.

### **Licensing objective c – public safety**

I assume that the fire muster point is in the rear garden. What would be the evacuation route from the garden as none is shown on the plan?

Since the kitchen is at the rear of the premises it is quite likely that a fire would block the rear doors. In that eventuality where would the muster point be?

What steps will be taken to prevent the public climbing onto the flat roof?

### **Licensing objective d – the prevention of public nuisance**

I am concerned about litter and broken glass spreading out from the premises. I am pleased to see (P,d,1) the restriction on taking open drinks or food but I think this needs to be strengthened considerably. First of all the restriction prohibits 'consumption outside the front entrance' which would allow open drinks to be taken next door into the churchyard, or across the road, for consumption there. Secondly the restriction does not cover empty glasses or bottles. I suspect that JDW intended the restrictions to apply to both of these issues but the wording does not in fact cover them. Furthermore I think that the enforcement of these restrictions will need more than "Signage .. adjacent to the front exits" and I suggest that one or more members of staff be posted by the front entrance to ensure compliance, as at the JDW pub, "Dolphin & Anchor" in Chichester.

The same staff could also enforce the request to "leave the premises and their immediate vicinity quietly" (P,d,2).

The parish office, St. Thomas Church, St. Thomas Street, Lymington SO41 9ND  
↓ (Monday to Friday, 9.30-11.30 am)

# \* *Objection*

1 St. Thomas Park  
Lymington SO41 9NF

20<sup>th</sup> February 2012

The Licensing Authority  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire SO43 7AP

The Six Bells, Lymington

Licensing Application

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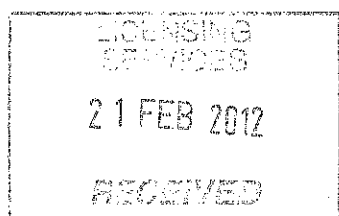
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*Yours faithfully*

*(Mrs.) Mary Malcom*

\* **Objection**

58 High Street.  
Lymington  
SO41 9AH.  
21/2/12



Dear Sir

**Pending Licensing Application for The Six Bells**

Address: THE SIX BELLS, 47-48 ST THOMAS STREET, LYMINGTON, SO41 9ND

The application for a drinking licence for the above brings up issues of extreme concern to the local residents as well as to the wider Lymington Community. The position of The Six Bells, next to a church and sharing a long boundary with the graveyard, opposite an old people's home, being at a cross-roads with no legal place for any vehicle (other than one with a disabled permit) to stop outside, no rear access for deliveries or rubbish collection and the undoubted impact of the potential for noise for up to 24 hours a day from air conditioning and kitchen extraction compressors means that unregulated the impact of the above is likely to be wholly unacceptable.

For the Six Bells to be a viable business they will naturally wish to become a venue for birthday parties, stag and hen parties, wedding receptions. With no collection or drop off point near the building there will be greatly added pressure on the Car Park behind M&S. The issue of smoking and drinking in the street outside the Six Bells and this not being allowed to spill over into the graveyard with the likely effect of the noise needs regulation.

Therefore I propose that if a licence is granted it is done so with enforceable restrictions that reflect the controversial siting of what would be the largest Public House facility in Lymington.

Hours of business:

These should be in line with other public houses in Lymington so that an unfair advantage is not afforded Wetherspoons and should further reflect the position of the public house and be restricted to acknowledge the impact on the local residents and the church.

Nightly opening hours should be until 11pm during the week and 11.30 on Friday and Saturday nights.

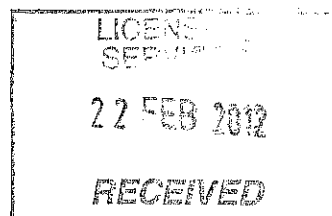
Sunday morning opening should be from 9 am.

Doormen and women should be required to supervise the safe arrival and leaving of guests, manage the issues of smoking on the street and the need to limit noise and use of the graveyard at all times. Therefore specifically withholding permission for any tables to be sited in front of the Six Bells in the small triangular area would help to lessen the impact on local residents. Similarly not licensing this area for drinking would help prevent visitors spilling over into the graveyard and smoking there which is especially likely in the summer months and would be wholly unacceptable.

Assurances that the siting and noise from extractor and air conditioning compressors should be sort and monitored.

A written guarantee that deliveries of food and drink and the collection of recycled and general waste will be at times that don't further impact on the local residents - so during opening hours and not during the early hours of the morning thus causing additional nuisance.

Miranda McWhirter



# \* Objection

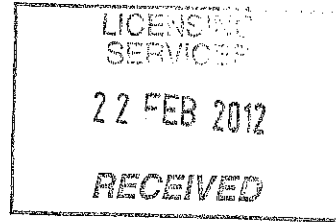


Western Rd

Lymington

Hants

20.02.2012



The Licensing Authority

Appletree Ct.

Lyndhurst.

Hants.

Dear Sir,

Re Wetherspoons Public House

Lymington

Following the application of Wetherspoons for a licence to purvey Alcohol to the public I wish to raise certain concerns.

I am anxious that the hours that Wetherspoons supply alcohol should not be different from those allowed by other Public Houses so that a concentration of heavy drinkers may not occur in their premises with all the resultant alcohol-related problems. This would necessitate a heavy police presence as occurred recently at another establishment with late drinking hours in the town.

Another cause for concern is that smokers and heavy drinkers will be excluded from Wetherspoons premises and this may result in congregating on the pavement outside and/or in the churchyard which will cause distress to local residents in the area.

As you know, this is a particularly sensitive issue as Wetherspoons is in immediate proximity to residential housing, a residential home for the elderly and St. Thomas Church which may well be simultaneously involved with services such as weddings and funerals.

I hope that you will take this into your consideration.

Yours Sincerely

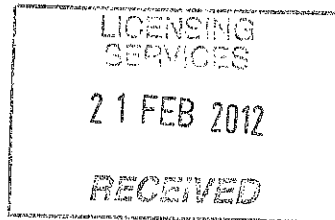
(ANTHEA MACALISTER)



*\* Objection*

7 St. Thomas Park  
Lymington SO41 9NF

The Licensing Authority  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire SO43 7AP



20<sup>th</sup> February 2012

The Six Bells, Lymington

*Licensing Application*

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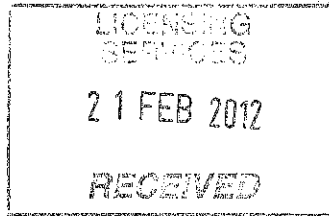
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*Yours faithfully*

*(DOR. L.P. WITCHELD)*

\* objection

2, St. Thomas Park  
Lymington SO41 9NF



20<sup>th</sup> February 2012

The Licensing Authority  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire SO43 7AP

The Six Bells, Lymington

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*Yours faithfully*

(Mrs.) Caroline Fidmont

# \* objection

Sarah Wilson

---

**From:** Sebastian Chamberlain  
**Sent:** 22 February 2012 11:55  
**To:** Licensing e-mail address  
**Subject:** Wetherspoons-Lymington

Dear Sir,

Please forgive an email rather than a letter but I have been abroad and only now learnt that any comments on the Wetherspoons application for premises, next door to our church, have to be in by today.

I would ask you please, to make it a condition of Wetherspoons' licence that there should be no drinking or smoking allowed on the pavement outside the premises.

I believe that such a condition would help prevent all the crime and disorder that has been only too manifest in the High Street at the now defunct Longs Wine Lodge.

Such a condition must surely also be a most important factor as far as public safety is concerned in the light of the pavement being at a very busy junction.

Such a condition must be imperative for the prevention of public nuisance.

I believe that such a condition is obligatory. I worship at St. Thomas' church. I have two very dear friends, both in their nineties, who reside in Monmouth House. I have friends who live in Quadrille Court. We all need protection from public nuisance.

The imposition of a ban on drinking and smoking outside the entrance of the premises will in a small way mitigate against the coming disruption to the lives of all three communities as well as others living nearby, that the granting of permission for change of use has imposed upon them.

I am, Sir,

Sebastian Chamberlain

of  
Avoca Cottage,  
17 North Street  
Pennington,  
Lymington  
SO41 8FY

# \* Objection

Sarah Wilson

From:  
Sent:  
To:  
Subject:

Richard Woods on behalf of Customer Services  
22 February 2012 09:22  
Development Control (Dev Control); Licensing e-mail address  
FW: Wetherspoons: SIX BELLS, Lymington. License application

Customer Services  
New Forest District Council  
023 8028 5000  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

---

**From:** frank callaghan [mailto:frank.callaghan@newforest.gov.uk]  
**Sent:** 21 February 2012 20:59  
**To:** Customer Services  
**Subject:** Wetherspoons: SIX BELLS, Lymington. License application

Given the time scale I am unable to write a formal letter before this application is considered. I am therefore sending this e-mail in the urgent hope that it will qualify as a legitimate input to the consideration of this application, and that it will be forwarded to the appropriate department for their consideration.

In the context of this planning application, which I believe was a serious error of judgement regarding location and impact on the local environment, it is now absolutely essential that the conditions of license do not adversely affect the residents in the area where this facility is being located.

It is essential to consider the impact of licensed premises in an area immediate to an active Parish Church with a full range of services throughout the week, including weddings and funerals, and also of an old people's home, as well as the residents of nearby streets.

Given those very important considerations, along with the crucial point made by the local police when this application was being considered, namely that they themselves face considerable cuts to their service, and as a result their ability to police a potentially difficult facility is seriously compromised.

Bearing these aspects in mind, I would ask that the following **objections** are noted, and the following restrictions are imposed on the license under consideration:

- Regular opening time to commence at 0800 rather than 0700 hours. This is quite early enough to cater for breakfast trade and still earlier than other town facilities
- No drinking or food consumption on the street area to the front of the premises, and nor should this be marked as a smoking area. There is sufficient space in the rear garden to facilitate these activities, where they will be out of public view. An outside smoking/eating/drinking area on a pavement adjacent to a church, particularly in the light of such events as funeral services, is both unnecessary and unreasonable. This permission should be specifically withheld
- Door staff should be employed at all times to ensure quiet and dignified exit from the premises, day and night
- No alcohol should be sold before 0900hrs. It is quite unnecessary to sell alcohol before this time and to do so would only encourage irresponsible drinking, particularly by the vulnerable.
- Closing time should be restricted to 2300hrs each day, irrespective of weekends or Bank Holidays etc. With the immediate location of an old people's home, potentially noisy egress from the premises

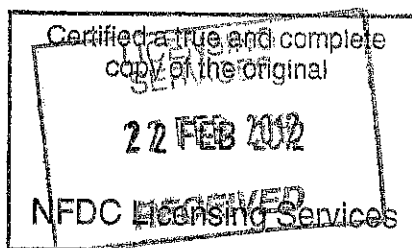
at a time later than this is to be avoided. This is a problem only recently resolved at another premises in the town, so expectation that this would occur again is not in any way, unreasonable.

I hope this mail will be forwarded to the appropriate officer and considered when the application is discussed. If possible it would be appreciated if I could receive an acknowledgement of this mail stating whether or not it has been able to be forwarded for consideration.

Francis Charles Callaghan  
10 St Thomas Park  
Lymington  
Hants  
SO41 9NF

*\* Objection*  
**Quadrille Court  
St Thomas' Street  
Lymington  
Hampshire SO41 9NA**

The Licensing Officer  
Licensing Services  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire SO43 7PA



21 February 2012

Dear Sir,

I refer to the application by J D Wetherspoon plc (JDW), dated 24 January 2012, for a licence to sell alcohol at 47-48 St Thomas Street, Lymington.

We live almost opposite, about 20 metres away from the front door, and therefore have a few areas of concern:

**1. Prevention of crime and disorder**

- The police have already warned the Lymington Town Council (see the Minutes of the Town Council meeting of 1<sup>st</sup> June 2011) about the almost inevitable rise in crime if JDW open here, at a time when the police are cutting their strength by 20 percent. The noise and disturbance attendant upon people exiting the pub in the evenings and late at night, together with the likelihood of cigarette butts, beer bottles &c being dropped on the pavements and roadway, may be considerable.
  - How will Wetherspoon assist in controlling this activity?
  - What assurances can we have that the Hampshire Police are ready and willing to cope with the increased level of activity and calls for assistance?
- It would make sense if JDW's licensing hours were the same as the other pubs in Lymington – ie, not starting to sell liquor before 11am. To start 2 hours earlier, as they have requested, will only attract heavy drinkers and vulnerable young people to come to the centre of Lymington and start drinking unnecessarily early in the day, with all the health and social drawbacks this will incur.
- 7am is an extremely early hour to open for business, especially in a town like Lymington. It would make better sense to delay opening for breakfast until 8am.



## 2. Prevention of public nuisance

- JDW encourage large private parties – stag nights, hen parties, wedding receptions, &c – which may often involve bussing in large numbers of customers.
  - Where do JDW propose their customers will de-bus? and re-embuss?
  - If this were outside the pub itself, the noise and disruption would be vast.
  - If this were in a public car park – eg, the public car park behind Marks & Spencer – how will JDW cope with getting large numbers of pedestrian customers up from the car park to the pub, and back again afterwards, when they will probably be a lot ‘merrier’?
  - How will JDW control the noise and nuisance as their customers make their way to and from the bus? – particularly the late-night journey back to the bus?
- JDW have said they will not permit smoking and drinking outside the front, on St Thomas Street. This is great, but how will they prevent determined customers doing this? Signs inside the door are unlikely to have much effect.
  - Could they please employ doormen to ensure that this is done effectively (as has been arranged in other branches, eg the Dolphin & Anchor in West Street, Chichester)?
  - Could these same doormen also ensure that customer are quiet and orderly when they leave the premises?
- There is a small private park behind our house, shared by us and the Lymington Bridge Club, which in the past has attracted occasional late-night urinators, defaecators, vomiters, and even love-makers! This has obvious health and safety implications. Again, can we be assured that JDW will do their utmost to help by restraint of over-drinking, and not allowing unruly customers onto the street.
- And may we also be assured that the same restraints will apply to protect the churchyard, where there are also graves and public footways. There is much concern about this, and we would like JDW’s robust assurances of containment.
- There will be a great increase in the amount of litter on the street and in the churchyard – cigarette stubs, bottles (broken and unbroken) and much more. Can JDW provide staff to clean up their immediate environment?
- And is the Lymington Town Council ready and willing to provide an increased level of street cleaning in the whole immediate area, as it will become very necessary.

I would like to submit all the above concerns and objections when your Licensing Office is making its deliberations and arriving at its decisions on this Wetherspoon Licence Application.

Yours faithfully,

Ruth P Arnold (Mrs)

# \* Objection

From: Colonel R.M. Arnold

**1 Quadrille Court  
St Thomas Street  
Lymington  
Hampshire SO41 9NA**

The Licensing Officer  
Licensing Authority  
New Forest District Council  
Appletree Court  
Beaulieu Road  
Lyndhurst  
Hampshire  
SO43 7PA

18<sup>th</sup> February 2012

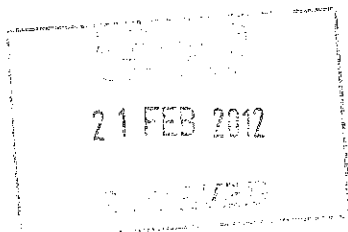
Dear Sir or Madam

## **JD Wetherspoon – Application for the Grant of a Premises License**

Having accepted the fact that Lymington is to have a Wetherspoon's public house, we, along with many others, remain concerned about the influence it is likely to have on our day-to-day lives and well-being. It is the largest retail site in Lymington and, in line with Wetherspoon's marketing philosophy, they will need to encourage the maximum number of customers as possible in order to maintain their profit targets. This number of customers, besides the potential for encouraging a 'binge-drinking' culture, has significant safety implications and before any license is granted, clear guidance and direction should be given by the Fire Officer, and others, on such matters as the requirements for emergency lighting, evacuation and the location of external muster-points.

We live opposite the proposed site, less than 20 yards away, with our house being the closest private residence to the public house, and thus we are directly affected with so many aspects of its presence and trading culture. Unlike many other towns where JD Wetherspoon operates, St Thomas Street, in particular, is also a residential area with upwards of some 75 people living within sixty yards or so of the site, including a Residential Home for the elderly, as well as the Parish Church. We have three main concerns:

- Potential public nuisance;
- Potential increase in crime and disorder; and
- Potential for hazarding public safety.



JD Wetherspoon wishes to gain a license to sell alcohol, both on and off the premises, from 9 am to 11.30 pm daily, with the closing time on Fridays and Saturdays being extended to half-past midnight. It is understood that the other local public houses in Lymington are licensed from 11 am to 11 to 11.30 pm, with slightly later hours on Fridays and Saturdays. My first representation is why should Wetherspoon's be granted a license that permits the sale of alcohol in excess of the licenses given to the other public houses? This then begs the question as to who on earth needs to start drinking alcohol at 9 am anyway? Besides those addicted to alcohol, the only others likely to have the time to drink at that hour are Old Age Pensioners, who really cannot afford to, and the unemployed whose benefit is not designed for such expenditure; in granting an early-opening license, the licensing authority is clearly encouraging those who already have a tendency to overindulge. Only last September, the BBC Radio programme *More or Less*, made it quite clear that where the young are given access to very cheap drink, through those types of public houses and off-licences that specialise in such marketing, the incidence of alcohol-related illness and injuries amongst teenagers has increased alarmingly. On the Radio 4 *News at One* on Wednesday 15<sup>th</sup> February 2012, in discussing the Prime Minister's initiative to reduce the dependence on alcohol, a health spokesman also made it quite clear that that high density and low price drinking establishments have created and are maintaining the 'binge' drinking culture that is now so prevalent throughout the country, and is effecting the health and safety of the public. This situation is adversely affecting the ability of the National Health Service to cope with such demands, and a visit to Southampton A&E on a Friday or Saturday night clearly demonstrates that the majority of those requiring treatment are there primarily because of alcohol-related injuries; are the consequences of extended opening hours merely going to be passed on to the Lymington and Southampton Hospitals? The previous Government introduced all-day drinking, which is now considered to have not only increased unsociable behaviour but also led to increases in crime and disorder. A situation clearly indicated by the recent closure of *Longs* in the High Street.

The longer hours of opening requested by Wetherspoon will also have a detrimental effect on the other public houses in Lymington and Pennington, and, therefore, any license granted to Wetherspoon should be in line with those licenses granted to the other local public houses. We would object to the granting of a license that permits alcohol to be sold from 9 am, but if the licensing authority were still to do so, it is proposed that a condition for the sale of alcohol between 9 am and 11 am should be that it is only permitted if it is accompanied by the purchase of food.

My second representation is what is actually meant by the sale of alcohol 'off the premises'? Does this mean drinking outside the premises, drinking in the site's proposed garden overlooking the churchyard, or does it refer to an off-license facility where alcohol may be purchased for consumption elsewhere? JD Wetherspoon's application states that there will be no outside drinking on St Thomas Street, which is reassuring, although recognition needs to be considered to the implications associated with 'off-licence' purchases. Nevertheless, living so close to the site, we are likely to see a considerable increase in noise and other commotions; when there was a public house opposite, on the site of the present Chawton House Surgery, we had to keep all our windows closed, even in the heat of summer, as the noise, both human and electronic, was so loud that our daughter, then an infant, was continually kept awake by the commotion, although in those days, it finished by 11 pm. The new site will have many more customers and if they are granted a license, it should stipulate that all the windows and doors are to be kept closed on the St Thomas Street and Churchyard

sides. In applying this, the license should also require that air conditioning is installed and running effectively thus allowing the doors and windows to be kept closed. After all, the premises they are taking over is so large, that they should not need to have to move outside anyway.

Besides the noise factor from the customers, my third representation is the noise that will be generated from the air compressors for fridges and beer coolers, air conditioning, heating and other support facilities, which presumably will have to be located on the flat roof to the rear of the site, overlooking the churchyard. One must question how this noise is to be mitigated and how the grossness of the equipment is to be masked from the church and its entrance. The other major noise factor, which will directly affect us, is the delivery of beer and other commodities and the removal of bins, bottles and other rubbish. If Wetherspoon intends to open for business at 7 am, as proposed, all this clearance will have to be done before opening time, which will cause considerable disturbance in the very early hours of the morning. This will not only affect us but all the other residents in the immediate vicinity, including the more elderly residents in Monmouth House. One of the conditions of the license should be a written guarantee that the removal of bins, bottles and rubbish is not to be permitted before 8 am.

My fourth representation is how Wetherspoon is going to control its customers outside of the premises. I know that Wetherspoon have a good reputation for the conduct of their customers within the public house, but my concern, and one that directly affects us, is what happens when they are outside. For example, where are all the smokers going to smoke? Although they will not be permitted to take drinks out onto St Thomas Street, there is nothing to stop them coming out for a cigarette; the smoking area in the garden will have to close at 9 pm, in accordance with the details in the license application, and thus there will be nowhere else for them to go. Not only will this cause environmental problems with dog-ends scattered everywhere, both on the street and in the churchyard, and which will need cleaning up at regular intervals, but the spread of those customers outside the public house, already drink-taken, will inevitably lead to the potential for unruly behaviour, excessive commotion and the likelihood of increasing levels of violence and crime, often spilling out onto the road and interfering with traffic, as previous cases outside *The Thomas Tripp* have clearly demonstrated. This type of behaviour will not only effect passers-by, often with children or infirm adults, but is likely to become more intimidating when the police are called to deal with the situation. Furthermore, when Wetherspoon's planning application was turned down by Lymington Town Council for the second time last year, Councillor Jean Vernon-Jackson stated she had received a letter from the Police advising that if Wetherspoon opened in Lymington there would be an evitable rise in crime, at a time when the Hampshire Police are reducing their strength or presence by 20 percent. This behaviour will also directly affect my family and will have an adverse effect on weddings, funerals, concerts *etc* at St Thomas' Church, which no doubt, will put people off wanting to hold such services and activities at that venue. For these reasons, the license should require JD Wetherspoon to have suitable staff stationed on the doors to not only prevent customers taking drinks outside, but also to ensure that customers are quiet and reasonably well behaved while outside, and when they finally leaving the premises. They should also provide staff to clear up the smokers' detritus at regular intervals during the day, evening and night. I understand that similar conditions were placed on JD Wetherspoon when they applied for a license in Chichester.

To make their stated profit levels, Wetherspoon's will need to have a major throughput of customers and thus will have to both rely and encourage drinkers coming from beyond the local Lymington and Pennington area. Many of these will probably be bussed in – and the fracas that will surround the debussing and later embussing of many; many that will inevitably be more than worse-the-wear for drink, will exacerbate the levels of unruly behaviour. The advent of additional coaches and cars, and the extra brewery delivery drays, in a restricted parking area, will also have a detrimental effect on the traffic flow in St Thomas Street, which at that point is extremely narrow and opposite a 'T' junction, with a consequent effect on the flow along the High Street, thus demanding greater police supervision; a Police Force, which is due to be reduced in size. We already suffer from the unruly behaviour of drunken youths, of both sexes, who use our garden and the area behind the house adjacent to the Lymington Bridge Club, as both a public urinal and vomit area, and as a depository for bottles, beer-cans and glasses. My fifth representation is that it should be a condition of the license that the Wetherspoon door-staff should not permit any customer to leave the premises with bottles, cans, glasses and sundry food containers. In addition, and at the very least, any license granted should ask for reassurance from Wetherspoon that coaches depositing people at the public house should only allow passengers on and off the vehicles at certain designated areas.

My sixth and final representation is that as there are a significant number of objections to JD Wetherspoon's Application for a Grant of a Premises License, a public hearing should be held to allow those objecting to the application to make their representations.

Yours faithfully

# \* Objection

**Sarah Wilson**

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**From:** Lisa Clark  
**Sent:** 22 February 2012 17:08  
**To:** Licensing e-mail address  
**Cc:** Paul Weston  
**Subject:** FW: Licencing Objection – Six Bells, 47-48 St Thomas Street, Lymington, SO41 9ND  
**Importance:** High

Paul

This objection to a premises licence was emailed to me, for some reason.

Lisa

Lisa Clark  
Solicitor  
Legal & Democratic Services  
Tel: 023 8028 5373 | HPSN: 8 777 5373  
[lisa.clark@nfdc.gov.uk](mailto:lisa.clark@nfdc.gov.uk) | [www.newforest.gov.uk](http://www.newforest.gov.uk)

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**From:** Ioline Stanley [m]  
**Sent:** 22 February 2012 17:06  
**To:** Lisa Clark  
**Subject:** Licencing Objection – Six Bells, 47-48 St Thomas Street, Lymington, SO41 9ND

**Subject: Licencing Objection – Six Bells, 47-48 St Thomas Street, Lymington, SO41 9ND**

From: Ms I Stanley representing Mrs P Stanley  
4 St Thomas Park  
Lymington, SO41 9NF  
Dear Sirs

We believe that the above licensing application as it is presented, is contrary to the promotion of the four licensing objectives, namely

- prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

We would like to draw your attention to the following issues, all of which are relevant with respect to these licensing objectives. We have summarized our issues in this e-mail and provide further detailed argument in the attached documents and references.

### **Noise from the Rear of the Premises**

We are particularly concerned that noise from the beer garden, especially the proposed smoking area, will be at an unacceptable level for those residents in the immediate vicinity – namely numbers 1 to 7 St Thomas Park. It is clear from data in the acoustic report provided by the applicant (May 2012) and the subsequent EHO report comments on this document, that customer noise from the rear beer garden and from the smoking area will be excessive and well in excess of existing noise levels throughout the day, especially during holiday periods and market days. Information provided by EHO, observations from similar premises and other outside dining and smoking areas, as well as corrected calculations from data provided in the acoustic report all show that the predicted noise from the premises smoking area in the late evening, especially after 2300hrs, will disturb sleep and mean that nearby residents will often be unable to have their windows open. Additionally, any noise in the affected area will seem augmented given the extremely low level of background noise and reflection due to the enclosed nature of the area. Customer noise will be unreasonable and, if the application as it stands is allowed, will result in numerous complaints.

As well as customer noise, we are also concerned about before and after-hours noise from staff members. This includes

- use of the garden area for staff – including smoking, making mobile phone calls, conversations etc.
- deliveries, waste disposal or other activities (not specifically specified in planning conditions) taking place in the outside storage area to the rear before 8am or after 8pm
- noise and banging doors from staff manoeuvring bicycles through to the outside rear storage area early in the morning and again late at night where the bike racks are positioned (NB. documents provided previously by the applicant state that staff shifts will start at 5am)
- clearing smoking area and re-arranging barriers and other outside furniture
- breakout noise from kitchens and service areas (e.g. loud music playing) especially very early in the morning (we have learnt this was a problem at another of the applicant's premises)

Not wanting to sound petty, but it is relevant to note that the proposed use of the rest of the garden for community groups, such as groups of school children during the day, does mean that there will be significant levels of noise impacting residents during the times that would normally be 'down-time' in terms of customer noise.

Based on the current application and previously available information from the applicant, there will be continuous noise nuisance significantly impacting the lives of residents to the rear throughout the day – starting very early in the morning through to the early hours of the next morning.

Much has been made in past documents from the applicant that residents living in the centre of a town should have to tolerate a certain amount of noise. It may also be noted that residents living near a public house should expect noise. However, this should not be relevant in this case, especially as this is a new licence application rather than an amendment for an existing or well established public house.

The properties most affected to the rear are in a very secluded position at the end of a residential cul-de-sac. They are set well away from the main thoroughfare (High Street / St Thomas Street) with a line of other buildings and gardens protecting them from the noise. As you are aware, the premises at 47-48 spreads much further back from the main street than any other of the properties along St Thomas Street and, since the houses in St Thomas Park were built in the 1960's, the adjacent private garden has not been in commercial use – nor would anyone have predicted that this would be allowed given the sensitive location of this site.

We ask that the committee take into account the well documented increase in noise complaints across the country since the smoking ban, caused by noise from outside smoking areas sited near residential premises in similar situations to ours. Whilst we recognize and welcome the applicant's plans to put in place curtesy notices and CCTV monitoring, this will be but a minor dent in preventing noise nuisance – primarily 'after the event' once the damage is done. For example, at the recent British Legion licensing hearing in Lymington, residents had had an issue with noise created by one particular member who had a very loud laugh (this was before 11pm). In that case, the organisation was able to have a word with that particular member. Unfortunately, a non-member organization is not in a position to do that, given a high throughput of non-regular individuals. Again, meetings with residents, hot-lines for complaints etc. are all well and good – but this initially puts enormous pressure and stress on residents, many of whom would be disabled / elderly (yes, we admit we do feel vulnerable and it will cause us stress and anxiety!) which could have been prevented by disallowing/limiting use of the rear garden for these purposes. After all, this is not an existing business yet so precedence has not been set.

### **Early Morning Opening**

We consider the planned opening time of 7am to customers is far too early, causing noise nuisance for those residents at the rear. We are sure you have also had objections from residents living to the front of the premises, who would also be impacted by such an early opening time – especially with staff arriving for 5am shifts. This means that customers wanting to smoke will need to either stand outside at the front or go out into the rear garden area. It is not clear from the application whether customers will be able to take out drinks etc. outside at this time into the garden. In any case, there is a high potential for noise nuisance impacting residents to the rear. The background noise levels at this time of day are exceptionally low in the affected area augmenting any noise of animated conversation or making mobile phone calls, for example.

Note that not all JD Wetherspoon pubs open as early as 7am and in the interests of public nuisance, should the application be allowed, we ask that a condition be placed to prevent the premises opening so early. We consider 8.30am a more reasonable opening time – bringing it in line with the opening time of other similar premises such as the Angel further down the High Street.

### **Serving Alcohol from 9am**

We vehemently object to the planned start time for serving alcohol. The applicant has consistently insisted they are a family orientated organization promoting sensible drinking etc. etc. etc. Allowing alcohol to be served so early in the morning goes against this ethos. As they have predicted the morning breakfast/coffee time-period to be one of their busy times, one can expect at weekends and during holiday periods there will be young and older children on the premises. At other times young mothers with pre-school children, possibly meeting after dropping off their older children. Customers drinking alcohol this early in the morning is not an example that they should be seeing!

As well as the obvious alcohol related health issues, politics (recent government proclamations re: alcoholism etc.) this must surely contravene all of the four licensing objectives, especially 'public safety' and 'protection of children from harm'. Obviously, with the potential for prolonged drinking, there also has to be concern over 'crime and disorder', especially from customers leaving during normal daytime hours if refused further alcohol – also public nuisance, including noise. Whatever the company policies and however good the staff are, allowing alcohol to be served from this early in the morning is asking for trouble!

If the application is successful, we ask that a more socially accepted start time for serving alcohol be set – for example, 11am Monday – Saturday, possibly midday on Sundays, in recognition of their position in relation to the parish church.

### **Provision of Late Night Refreshments – Outdoors**

The application has requested they be allowed to serve refreshment including food and drinks BOTH inside and OUTSIDE after 23.00 on Fridays and Saturdays. This goes against everything that they had indicated to date – i.e. that they will not allow ANY refreshments outside to the rear after 21.00. We also believe that this also contravenes planning conditions and must not be allowed.

### **Provision of Late Night Refreshments – Indoors / Closing Times**

During the planning application process, the applicant continually focused on the proposed licensed premises would be family orientated. At the open day they held we were told that they expected the majority of custom to be for their meals, primarily breakfasts and lunches rather than late night drinking. We are told that this will not be an 'entertainment' based establishment which is borne out by the application.

A major issue and concern to local residents, including ourselves, is the disturbance that will be caused at closing times. The location is very sensitive, surrounded as it is by many residential properties including the nursing home directly opposite. Not only is there concern about the noise at the front of the building but also the knock on effect as such a large number of customers disburse to their cars, to taxi ranks and walking home. Those of us to the north of St Thomas Park back onto the Tins which would be the footpath used by customers returning to one of the nearby car parks and also those walking back towards Pennington. This would also be the route for customers moving between The Thomas Trip, Fusion Inn and this new Wetherspoons pub. Again, high walls on both sides help to funnel any loud noise into the bedrooms of our properties – in the past we have also been woken by rubbish thrown at our windows. Fights and general disturbances in the early hours after Friday and Saturday night drinking are no-longer unusual in Lymington.

We ask, in the interest of public nuisance, public safety and prevention of crime and disorder, that late-night refreshments (i.e. after 23.00) are not allowed at any time at this proposed venue. For example, there is a big difference in terms of tolerance of noise nuisance of a disbursement of customers at 11.00/11.30pm as against 1am. It would also prevent customer movement to and from the well established entertainment orientated pubs at the top of the town to this new pub (selling cheaper alcohol) between 11.00 and 1am, again helping to prevent noise and other public nuisance, public safety and preventing crime and disorder in this predominantly residential area of the town.

Given the 'family' rather than 'entertainment' orientation of the proposed new premises, we do not see that this would be a significant commercial disadvantage, as similar establishments, such as the Angel in the High Street close at 11pm. There are also many other Wetherspoon pubs in other towns that close at 11pm throughout the week, including Fridays and Saturdays.



**Sarah Wilson**

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**From:** Lisa Clark  
**Sent:** 23 February 2012 09:20  
**To:** Licensing e-mail address  
**Subject:** FW: Licencing Objection – Six Bells - missing attachment / corrections  
**Attachments:** Wetherspoons Licencing Obj - Refs.doc

Lisa Clark  
Solicitor  
Legal & Democratic Services  
Tel: 023 8028 5373 | HPSN: 8 777 5373  
[lisa.clark@nfdc.gov.uk](mailto:lisa.clark@nfdc.gov.uk) | [www.newforest.gov.uk](http://www.newforest.gov.uk)

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**From:** Ioline Stanley [mailto:.....]  
**Sent:** 23 February 2012 09:15  
**To:** Lisa Clark  
**Subject:** Licencing Objection – Six Bells - missing attachment / corrections

Ms Clark

Appologies, but I didn't include the attachement with references etc. when I sent in our objection yesterday.

I should also qualify my comment re contravening planning conditions under '**Provision of Late Night Refreshments – Outdoors**' as there is not a specific planning condition in the decision document on this although it was understood to be part of the application - not sure if this means it is or is not, therefore, a condition of planning? The only applicable noise related condition in the decision notice document relates to plant, which I've already included in the attachment.

I also made a couple of spelling mistakes, one of which reads rather amusingly thanks to spellcheck! In the last paragraph on 'Noise from the Rear Garden' the phrase 'curtsey notices' should read 'courtesy notices'. In the second paragraph in the section on Serving Alcohol, there is an 'americanism' - 'prolongated' should read 'prolonged'. Do you want me to re-send with these corrections or is it OK as is?

Please find attached the word document containing references and other material as described in our objection.

As discussed with a member of your staff, I will be attending the hearing on this - I understand the provisional date is 19th March, 10am at Lyndhurst - please confirm once the date and time is confirmed as I have to arrange carers etc. for my mother.

Thanks,  
Ioline Stanley

**Subject: Licencing Objection – Six Bells, 47-48 St Thomas Street, Lymington, SO41 9ND**

From: Ms I Stanley representing Mrs P Stanley  
1 St Thomas Park  
Lymington, SO41 9NF

References:

1. Noise Report – provided by JD Wetherspoon  
[http://web3.newforest.gov.uk/images/planningimages/172382\\_4.pdf](http://web3.newforest.gov.uk/images/planningimages/172382_4.pdf)
2. Email from Gary Worsley (EHO) dated 27 June 2011 – Comments re Noise Report. Please note comments in section on Noise from Beer Garden [http://web3.newforest.gov.uk/images/planningimages/180448\\_1.pdf](http://web3.newforest.gov.uk/images/planningimages/180448_1.pdf)
3. Email from Gary Worsley (EHO) dated 31 Aug 2011 – Additional comments re Noise Report and Noise Management Plan. This gives the clear message that impact of customer noise from rear beer garden and planned smoking area on neighbouring residents had not been properly assessed. **NB: This document was not available to the Public until 7 days AFTER planning committee meeting**  
[http://web3.newforest.gov.uk/images/planningimages/188144\\_1.pdf](http://web3.newforest.gov.uk/images/planningimages/188144_1.pdf)

Other Relevant Information:

**Noise measurements taken in Lymington**

In early August 2011, I took some 'informal' sound level readings around the area to compare to our garden in St Thomas Park which adjoins the proposed beer garden. I did this to understand better the translation of technical measures vs real-life sounds!

Settings: measuring dB(A) - Fast - Lo; Model: Hand-held precision Gold D05CC

I measured the garden at various times of the day and evening on a number of days (approx 5 mins each time) Main impact on noise was the weather (wind) with leaves rustling from the very tall Plain Tree and Mature Walnut tree. Measurements were pretty consistent - from 9.00am, 11am, 2pm 6pm and 8.30pm. range was around 36 to 38 with peaks at 40 to 43 (based on wind, birdsong and squirrels which were nearer 50). Obviously, noise levels will reduce significantly during winter and spring when there aren't leaves on the Plain tree.

I also sat and measured the sitting area at the back of the Angel on Saturday morning around 10.45am. There were around 20 or so people mainly in groups of 2 talking normally - the sound level was between 64 and 68 with odd peaks over 70.

Also checked the attenuation sound through our partially open window a number of times - the difference based on a specific sound from around 20m away was 5 - 8 dB(A), which would suggest the lower end of the 'official' scale (i.e. 10 dB(A)) is the appropriate one to use in any noise impact calculations.

I confirmed that there is a direct line of sight and therefore no obstructions or barriers (to dampen sound) between the proposed smoking area / site of the 'jumbrella' and the first floor bedroom windows of nearby residential property. The same is true with respect to the proposed customer terraced area.

**Planning Condition – Noise from Plant** (gives an indication of what is considered acceptable)

'The rating level of noise emitted from the plant and equipment shall not exceed 34dB LAeq 1 hour between the hours of 0700 and 2300 and shall not exceed 27dB LAeq 5 minutes between the hours of 2300 and 0700 as measured or calculated at 3.5m from the facade of the nearest noise sensitive premises'

**Extract from my planning objection – relating to my research into noise nuisance – 13 September 2011**

.... I have been reviewing the noise implications of the proposed development on behalf on my mother and other affected residents in St Thomas Park. Having now read your Officers Report, I wholeheartedly agree with your conclusions and recommendations.

However, I would have expected loss of amenity to residential premises adjacent to the proposed beer garden / smoking area due to noise included in reasons for refusal, given your comments in section 12.7.

This enclosed area is very quiet and secluded, well away from any traffic or pedestrian footfall. The predominant noise is rustling leaves from the specimen plain tree, intermittent birdsong and animal movement (squirrels). As noted in EHO comments (27Jun11) no background noise for this area was measured when the acoustic report was produced but, based on unofficial ad-hoc readings, I would expect daytime levels when the trees are in leaf to be around 35-38dB(A) with night-time levels similar to those recorded for the high street. In winter and spring when there are no leaves, daytime levels will be even lower. I also took some readings in the memorial garden next to the proposed beer garden with similar results.

A revised noise assessment has not been provided following alterations to plant and equipment, so it is not certain whether there is a loss of amenity or not. It is not clear what noise protection the 'screening' provides for the coolers nor the effect of repositioning the ventilation fans etc. However, the outlet for equipment is now closer to noise sensitive premises to the rear, appearing to be within 10 metres of the boundary with residential gardens. Based on the information provided it is unlikely that the NFDC requirements of -10 dB(A) against background will be met and 'background creep' seems inevitable, which is undesirable. It is also unclear exactly when the various pieces of equipment will be operational and in what manner. Shifts are documented as starting 5am and customer breakfasts served from 7am. Often the most intrusive sounds are when equipment starts up or shuts down or when, for example, cooler fans cut in and out at random day or night.

The latest revision of the plan includes a more detailed layout for outside storage close to the property boundary. However, there is no information provided on proposed mitigation re: noise impact from this area – for example, using matting when handling beer kegs, bottles etc., restrictions on use, bottle banks, preventing banging from doors opening and closing. There are two sets of doors with a tight 90 degree turn to negotiate when making deliveries and collections (louvred door from service area and double doors to storage area) and bicycle parking for staff in the same area.

Of more serious concern is the adverse impact from customer (and staff) noise from the beer garden and rear smoking area. Even prior to the applicant moving the smoking area from the front to the rear of the property, Verity Potter EHO commenting on the 2010 application stated "it is highly unlikely that any mitigation will be able to deal with the general hubbub created by the normal use of the proposed beer garden to prevent loss of amenity to nearby residential properties and disturbance to the church premises". There are numerous council guideline documents recommending that beer gardens should not be created next to residential properties, including Bristol (cited by DEFRA as best practice). For existing pub gardens, DEFRA and the British Beer and Pub Association recommend use should cease at dusk or at 21.00 hours, whichever is the earlier. This is because 'noise from outside areas, usually shouting or loud voices, is likely to be especially noticeable at night, when noise levels outside are relatively low'. This statement is borne out by the experience described by EHO in the Officers report (section 12.7.5). The noise management plan provided by the applicant also accepts that levels of noise will be produced which will be unacceptable. Given the anticipated low background noise levels adjacent to the proposed beer garden during the day, evening and at night, there will be disturbance for nearby residents throughout the time the pub is in operation. It is also probable there will be earlier and later disturbance from staff talking and smoking before and after opening (first shift documented as starting 5am but not clear when last shift finishes)

There was a significant increase in noise complaints from residents living near pub smoking areas following changed legislation (1 July 2007) which is well documented. Issues include loud, animated, 'alcohol fuelled' conversation, swearing, shouting and mobile calls. EHO comments (27Jun11) indicate the expected noise levels from the beer garden have been significantly underestimated in the acoustic report provided. I also suggest the deduction of 5 dB(A) for a barrier between the noise source and bedroom window of the nearest house is incorrect since there is a line of sight between the two. Based on the provided information, there could be anywhere between a 15 dB(A) and 49 dB(A) increase compared to daytime background noise levels at this position. For comparison, I did an ad-hoc check of the seating area at the Angel mid-morning on a Saturday, where 15-20 seated customers generated around 65-68 dB(A) – which validates the lower end of the range.

'A qualitative noise change may be described in various ways. Typically, a useful qualitative guide when assessing noise impacts is whether or not there are likely to be changes in behaviour as a consequence of the noise generated by, associated with, or potentially impacting upon the proposed development, for example, will changes in the noise climate be such that it causes people to change their behaviour by closing windows, raising their voice or not using their gardens as before.' It is clear that the noise level changes this development will impose on nearby residents in St Thomas Park will, indeed, cause significant changes in their behaviour.

Alternatively, trying to determine an acceptable upper noise limit for an open area such as these gardens is not straightforward. 'For an area recognised for its tranquillity, even a small increase is an impact which should be considered as a potentially significant because the specific amenity value of the location will be eroded.' WHO guidelines on Community noise (section 4.3.1) 1999 proposes the following:

'To protect the majority of people from being seriously annoyed during the daytime, the sound pressure level on balconies, terraces and outdoor living areas should not exceed 55 dB LAeq for a steady, continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor sound pressure level should not exceed 50 dB LAeq. These values are based on annoyance studies, but most countries in Europe have adopted 40 dB LAeq as the maximum allowable level for new developments (Gottlob 1995). Indeed, the lower value should be considered the maximum allowable sound pressure level for all new developments whenever feasible.'

Legislation is designed to protect the average person with average sensitivity to noise. However, the WHO guidelines identifies vulnerable groups who are more sensitive to interference with speech perception

Most sensitive are the elderly and persons with impaired hearing. Even slight hearing impairments in the high-frequency range may cause problems with speech perception in a noisy environment. From about 40 years of age, people demonstrate impaired ability to interpret difficult, spoken messages with low linguistic redundancy, when compared to people aged 20–30 years.'

Individuals suffering sight loss are also seriously affected by background noise as they are unable to use lip-reading and/or visual prompts to fill in the gaps. Obviously, residents in the care-home and those living in St Thomas Park fall into this 'most sensitive' category.

With respect to open spaces, action plans are being drawn up to manage noise issues (including reduction where necessary), with the aim to protect quiet areas, in line with European directives. Whilst these are focused on urban centres such as Bournemouth and Southampton, it seems incredulous not to protect important open spaces in rural areas and smaller towns such as our churchyard in Lymington. Section 4.1.15 of the Lymington Local Distinctiveness Supplementary Planning Document states:

'The churchyard at St Thomas is a very important open space in the town centre. Between High Street, the 'Tins', the Town Hall and Avenue Road, it provides both green amenity and various important links that allow visitors to enter the town centre on foot. Any development that threatens the sense of tranquillity or the character of this spiritual amenity should be avoided.'

Finally, it is important to understand the impact, in terms of nuisance, the quality rather than the quantity of sound can make. In 2010 Islington' Noise Team carried out a survey of people's attitudes towards noise levels. People talking and shouting came high on the noises disliked while out and about, after road traffic and sirens and way more than loud music or barking dogs. Birdsong was the run-away winner on for noises liked. Another example would be to imagine if you were an elderly lady, living on your own and possibly partially sighted. Imagine your reaction to the following noises, especially in the evening or after dark:

35db = wind through the trees / gently rustling leaves

30db = whispering

I would suggest the first can be quite soothing, the latter potentially frightening as can be mistaken into thinking there are other people in the house.

In conclusion, PPG24 advises:

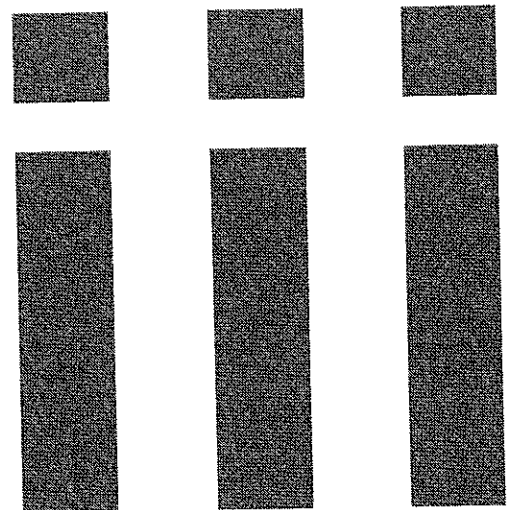
'The planning system has the task of guiding development to the most appropriate locations. It will be hard to reconcile some land uses, such as housing, hospitals or schools, with other activities which generate high levels of noise, but the planning system should ensure that, wherever practicable, noise-sensitive developments are separated from major sources of noise (such as road, rail and air transport and certain types of industrial development). it is equally important that new development involving noisy activities should, if possible, be sited away from noise sensitive land uses.

Based on the evidence provided, this proposed development involves noisy activities which would cause an unacceptable loss of residential and community amenity for the surrounding noise sensitive premises and open spaces (residential, care-home, place of worship and churchyard).

# NOISE REPORT

PROPOSED PUBLIC  
HOUSE, 47-48 ST  
THOMAS STREET,  
LYMINGTON

# APPENDIX



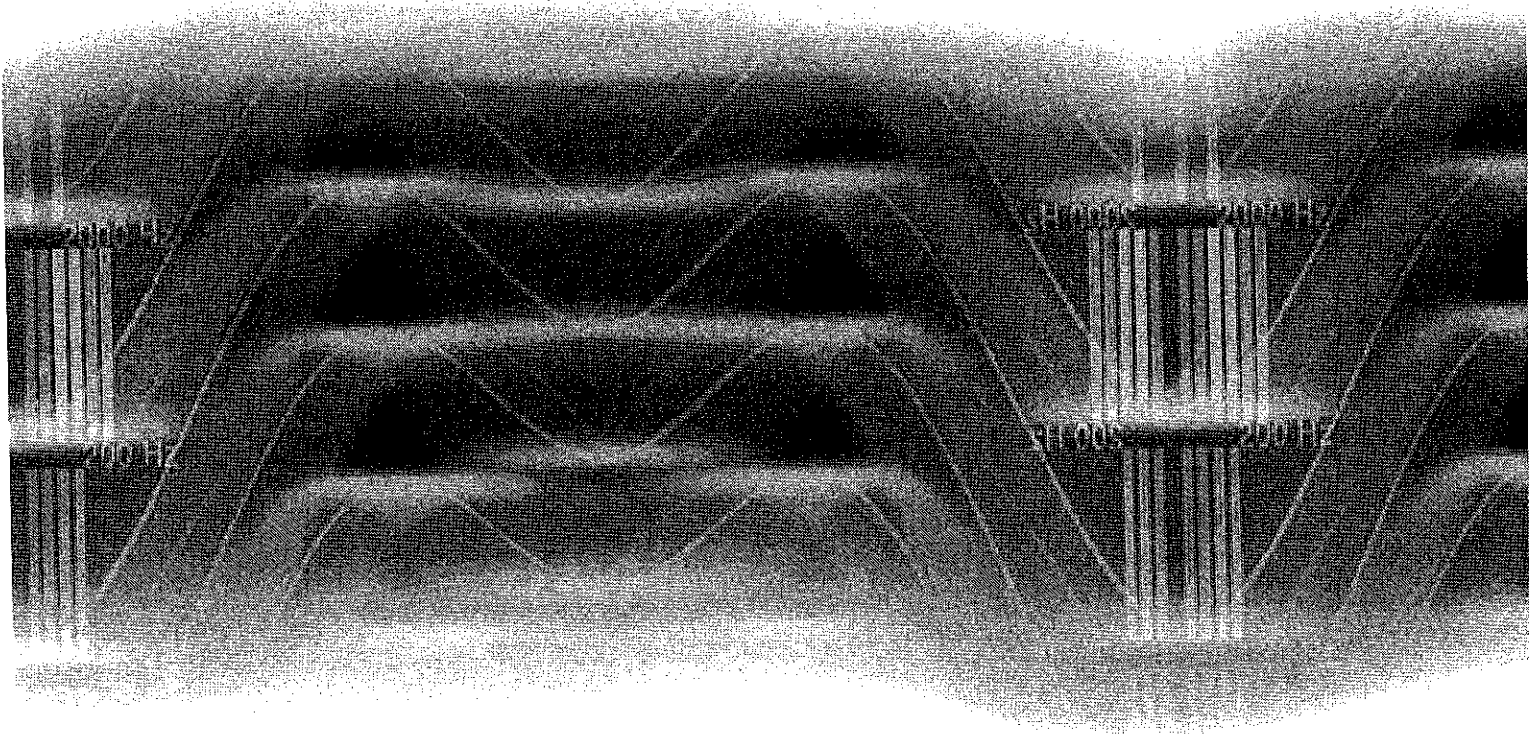


**Planning Noise Report for a  
Proposed A4 drinking establishment  
at 47-48 Saint Thomas Street, Lymington**

**Report ref.**  
RK497/10153

**Date**  
November 2010

**Issued to**  
JD Wetherspoon



**Issued by**  
Rob Kirkaldy BSc (Hons) AMIOA  
Consultant

**Spectrum**  
ACOUSTIC CONSULTANTS



SECTION	TITLE	PAGE
1.	SUMMARY .....	1
2.	INTRODUCTION.....	2
3.	SITE DESCRIPTION AND PROPOSALS.....	2
4.	NEW FOREST DISTRICT COUNCIL'S INDICATED NOISE GUIDELINES .....	3
5.	BACKGROUND NOISE SURVEY .....	3
6.	EVALUATION AND ANALYSIS .....	4
6.1	PLANT NOISE .....	4
6.2	BEER GARDEN NOISE .....	7
6.3	AIRBORNE SOUND TRANSMISSION .....	8
6.4	NOISE BREAKOUT FROM CUSTOMER AREA .....	8
7.	CONCLUSION .....	9

Appendix A: Site plan showing noise monitoring location

Appendix B: Proposed scheme layout plan

Appendix C: Chart showing background noise monitoring results

Appendix D: Plant Noise Prediction Model

Appendix E: Beer Garden Noise Prediction Model

Appendix F: Customer Area Noise Breakout Model



## 1. SUMMARY

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- A planning permission application is being resubmitted to redevelop 47-48 Saint Thomas Street, Lymington from an existing retail unit into a JD Wetherspoon A4 drinking establishment. It is proposed that the premises will operate from 0700 to 0030 Sunday to Thursday, and 0700 to 0100 Friday and Saturday. The premises will not have amplified music.
- As part of the application, New Forest District Council require a noise impact assessment to be prepared in accordance with their guidelines, to protect the nearest residences from disturbance. The nearest noise sensitive residential location to the front of the property is an apartment next door situated 7m away at first floor level. The nearest residential property to the rear of the premise is approximately 37m away.
- A site survey has been carried out to establish existing noise sources, the distance and screening between the proposed plant location and nearby residences as well as other parameters which have a bearing on the noise emitted from the premise. A long-term ambient noise survey was carried out by Spectrum at a position representative of the nearest noise sensitive location.
- Using the indicative plant layout, calculations have been carried out to determine plant noise levels at the nearest noise sensitive residential property. The calculations show that plant noise levels are low in absolute terms and are considered acceptable.
- Noise levels generated in the proposed beer garden to the rear of the property will be very low during normal trading periods which occur for the great majority of the time and acceptable for less frequent peak periods of trading at the nearest noise sensitive residential property.
- Airborne sound transmission through the separating wall to the adjacent first floor property will be very low and will result in clearly acceptable noise levels inside the adjoining first floor residential property.
- Noise breakout from the customer area to the nearest noise sensitive residential property will be acceptable.
- Providing the proposed development is operated as described within this report, noise from the proposed JD Wetherspoon premises will comply with New Forest District Council's requirements and will not give rise to unacceptable levels of noise for nearby residents.





## 2. INTRODUCTION

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JD Wetherspoon is proposing to redevelop 47-48 Saint Thomas Street, Lymington from a retail unit into an A4 drinking establishment. It is a requirement of the Local Planning Authority (New Forest District Council) that a noise report be submitted as part of the application for change of use.

Planning permission was previously sought for this site, however, a noise assessment was not submitted at that time. Accordingly, Spectrum Acoustic Consultants have been instructed by K D Paine & Associates Ltd on behalf of JD Wetherspoon to carry out the noise assessment and propose mitigation measures. This report details the results of the noise assessment that has been conducted to form part of the re-submission.

Spectrum is a member company of the Association of Noise Consultants.

## 3. SITE DESCRIPTION AND PROPOSALS

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47-48 Saint Thomas Street is currently occupied by a retail unit specialising in home furnishings. The building is 2 storeys high. An existing site location plan is shown in Appendix A.

The proposed JDW building has an adjoining property to the west which has a retail unit at ground level and a residential apartment above at first floor level (Receptor A). These two buildings have separate external walls which abut one another. 11m to the east of the property is St Thomas Church. 37m to the north are residential properties situated on St Thomas Park (Receptor B). 20m directly to the south, opposite St Thomas Street is a care home for the elderly (Receptor C). The general area has a mixture of commercial and residential properties.

The proposal involves turning the ground floor of the building into a large customer area, with a bar midway along the west wall. The existing shop front of the building will be retained. A kitchen is to be located at ground floor level in the north west corner of the building. The toilets and staff office will be located at first floor level. The plant room is to be located to the rear of the property, in a dedicated brick built room containing the kitchen extract fan and a number of condensers. Ventilation fans will also be situated in the roof. The proposed scheme layout plans are included in Appendix B.

Ambient noise levels in the area are dominated by road traffic movements from Saint Thomas Street and surrounding roads. During the night time, noise levels drop markedly due to little road traffic movements, as would be expected for this area.

The proposed mechanical plant associated with the kitchen will operate only between 0700 and 2300, corresponding to hours the premises is to serve hot food. The premises will be open from 0700 to 0030 Sunday to Thursday, and 0700 to 0100 Friday and Saturday. It is expected that the plant associated with the customer area will only run during opening hours. All other plant items will run 24 hours per day.

There will be no amplified music at the premises.



#### 4. NEW FOREST DISTRICT COUNCIL'S INDICATED NOISE GUIDELINES

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New Forest District Council require a pre-application acoustic report to demonstrate that the proposed mechanical plant will not exceed the background noise level at the nearest noise sensitive property. As part of the report, the Council require a noise survey over a continuous 24-hour period on a weekday to establish noise levels.

Verity Potter, Environmental Health Officer for New Forest District Council, commented on the proposed change of use stating the noise assessment should include the following:

- Direct and structure borne noise emanating from the proposed use of the building to include the impact on the structurally attached shop and residential dwelling.
- Impact on nearby dwellings as a result of the use of the area to the rear as a beer garden.
- Impact on nearby dwellings as a result of any mechanical equipment to include ventilation systems, condensers and air conditioning systems.
- Impact on nearby dwellings as a result of the open front to include the sliding doors.
- Impact as a result of any musical entertainment to be provided as part of the change of use. A planning condition may possibly be included that precludes any musical entertainment at the proposed development.

Verity also stated *"The criterion to aim for with regards to external noise is a Rating Level of at least 10 dB below the Background Level (LA90) at the boundary of the nearest noise sensitive premises in accordance with BS4142:1997"*.

*"The criterion to aim for with regards to internally generated noise is to ensure that the proposed development is acoustically insulated to ensure that the noise, as measured, within the adjoining residential property would not exceed NR25 (1sec); however this level is subject to change to ensure inaudibility"*.

#### 5. BACKGROUND NOISE SURVEY

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Ambient noise measurements were carried out during a site survey between 22 and 24 June 2010, consisting of automatic unattended noise measurements. The measurement location was at 1<sup>st</sup> floor level at the front of the property, facing Saint Thomas Street. It was not possible to locate the microphone at the nearest residence, however, the measurement location was only 5m away from Receptor A. The noise measurement results recorded at the microphone position are subject to the same noise environmental experienced at Receptor A. The noise measurement results are therefore representative of noise levels at Receptor A. The microphone location used during the survey is shown in Appendix A.

The following equipment was used during the survey:

- Bruel & Kjaer Type 2260 Sound Level Meter s/n 2120238
- Bruel & Kjaer type 4189 Microphone s/n 2385826
- Bruel & Kjaer Type 4231 Acoustic Calibrator s/n 2115516



The sound level meter was field checked before and after the measurements. Drift was less than 0.3 dB and therefore acceptable. The instrumentation is calibrated annually using equipment referenced to the British Calibration Service, and the National Physical Laboratory.

Measurements were summarised into contiguous 5 minute periods to present the noise profile throughout the monitoring period. Noise metrics consisted of equivalent continuous (LAeq) noise levels and maximum (LAm<sub>ax</sub>) noise levels as well as statistical noise levels (termed L<sub>n</sub>, where n is the percentage of time the level is exceeded during the measurement period) including LA90 levels (the noise level exceeded for 90% of the individual measurement period) which is taken to be the background noise level. Measurements were stored for later analysis.

The results of the measurements are shown graphically in Appendix C. Table 1 shows the lowest measured background noise levels for the daytime and night time periods.

Period	Date/Time	L90 dB(A)
Daytime	22/06/2010 2200-2300	34
Night time	23/06/2010 0256-0301	25
Daytime	23/06/2010 2200-2300	34
Night time	24/06/2010 0256-0301	24
Daytime	24/06/2010 0700-0800	44

**Table 1:** Lowest measured background noise levels for the daytime and night time periods.

## 6. EVALUATION AND ANALYSIS

### 6.1 PLANT NOISE

The steps carried out in the analysis of plant noise include:

- Identification of the location of the nearest residential window that may be affected by noise from the proposed plant or activity. Determination of the distance to this window from the source in metres.
- Establishing the proposed operational hours of the plant/activity, plant type, number and their locations.
- Establishing the representative lowest background noise level assessment (LA90) over the proposed hours of operation including the time, date and weather conditions and noise sampling locations
- Obtaining the manufacturer's specifications for plant noise and descriptions of external activity.
- Carrying out calculations of the predicted noise level 1 metre from the window of the nearest residential property.
- Including any proposed attenuation measures and their effect on the predicted noise levels.

As stated in Section 4, the New Forest District Council's indicated noise guidelines are for a combined plant noise level that does not exceed 10 dB below the lowest background noise level for the relevant period. These levels are shown in Table 2.



Period	Noise Level dB(A)
Daytime maximum allowable Leq	24
Night time maximum allowable Leq	14

**Table 2:** New Forest District Council's indicated maximum allowable plant noise levels at the nearest residential property

Calculations of noise from the proposed plant were undertaken on the following basis:

- All of the equipment is assumed to operate at rated duty.
- The sound power level of each item was then calculated using the noise data advised by the mechanical consultant. These are shown in Table 3 below.
- The sound power levels of the external plant items were combined.
- The sound pressure level of all operating plant was then determined at the nearest residential receptor (Receptor B) 37m away using standard noise propagation algorithms.

For reference, the calculated plant noise levels are compared with the measured background noise level for the relevant period. However, the guidelines for acceptability of plant noise levels at this site are discussed below.

Plant Item	Sound Power Level dB(A)
AC1 Condenser	59
AC2 Condenser	59
AC3 Condenser	59
AC4 Condenser	59
AC5 Condenser (cellar)	74
Kitchen Supply (includes silencer & enclosure)	53
Kitchen Extract (includes silencer & enclosure)	73
Roof Supply Fan	63
Roof Extract Fan	63

**Table 3:** Calculated plant item sound power levels based on manufacturer's sound pressure level data.

The condensers are to be housed inside a dedicated brick built plant room. Accordingly, any component of condenser noise breakout from the plant room would be insignificant at the nearest affected residence. Therefore all noise from the condensers housed inside the plant room has been neglected in the analysis.

The calculations of plant noise levels at the nearest residence are included in Appendix D.

Spectrum have had gained extensive experience measuring the proposed plant items at a number of JDW sites across the UK. Our experience shows that these plant items do not emit any distinct impulses or tones. Therefore, a feature correction, as defined in Section 8.2 of BS4142, has not been applied when determining the noise rating level.



The calculations listed in Appendix D show that the proposed plant will have a rating level of 34 dB(A) during the daytime, and 27 dB(A) during the night time at the nearest noise sensitive residential receptor (Receptor B), when all the items operate simultaneously.

#### 6.1.1 Plant noise levels acceptability

The lowest measured background noise level during the night time period is below 30 dB at the site. Section 1 of BS4142 defines this as being very low. Section 1 of BS4142 also states that rating levels below about 35 dB are considered to be very low. The calculated plant rating level during the daytime and night time at the nearest residential receptor are both below 35 dB. Therefore the method for assessing plant noise set out in BS4142 is not suitable. In view of this, other guidelines for plant noise acceptability should be considered.

The Preface to the Guidelines for Community Noise - World Health Organization, 1999 (WHO) indicates that community noise encompasses ventilation plant and noise from the catering trade. Therefore, WHO guidelines can be used as a legitimate alternative to BS4142 at this site in order to assess the acceptability of calculated plant noise levels.

Table 4.1 of WHO states guideline values for community noise levels for outside bedrooms of LAeq, 8 hour 45 dB. Table 4.1 also states a guideline value for noise inside bedrooms of LAeq, 8 hour 30 dB. This suggests external noise levels are attenuated by 15 dB through an open window.

Table 4.1 of WHO does not state a guideline value for community noise outside of living rooms during the daytime. However, Table 4.1 does suggest a guideline value for community noise in dwellings of LAeq, 16 hour 35 dB. On the basis that external noise levels are attenuated by 15 dB, noise levels outside dwellings (living rooms) should not exceed LAeq, 16 hour 50 dB.

For the relevant daytime and night-time periods analysed in the previous section, plant noise levels at the nearest noise sensitive receptor (Receptor B) will be comfortably below the WHO guidelines for community noise.

In addition, plant noise levels inside habitable rooms for the relevant periods at Receptor B will be comfortably below the 'Good' standard for both living rooms and bedrooms as recommended by BS 8233:1999 Sound insulation and noise reduction for buildings. Code of practice.

It should also be noted that this is a town centre area where commercial properties are often in close proximity to residential properties. It is a natural consequence that plant noise may have some impact on nearby residential properties in these types of area. In any event, predicted plant noise levels at this site are low in absolute terms and the likelihood of disturbance from this equipment is low.

In view of the above analysis, plant noise levels at the nearest noise sensitive residential property are considered acceptable.



## 6.2 BEER GARDEN NOISE

There are currently no specific proposals for the beer garden to the rear of the premises. Therefore, in the analysis carried out here, it is assumed that the garden does not extend beyond 12m of the rear of the premises.

Calculations of noise levels in the proposed beer garden have been undertaken, and are shown in Appendix E. The calculation method listed in Appendix E has been used for a number of JD Wetherspoon sites throughout the UK and is regarded as a robust and accurate method for calculating beer garden generated noise.

The calculations are based on two scenarios, normal trading and peak trading. Normal trading is typical of periods when the beer garden has some occupancy. Generally this is when small groups of people may be using the garden as a smoking area and are conversing in a relaxed manner.

Peak trading relates to the period when the beer garden is at capacity. This generally occurs for only a limited number of evenings during the summer period, and typically lasts for no more than a maximum of a couple of hours on a Friday and Saturday evening.

Calculation of beer garden generated noise levels were undertaken on the following basis:

- Estimation of beer garden capacity and occupation rate.
- Establishing the distance to nearest noise sensitive receptor (Receptor B) and any factors which affect propagation such as building reflections and screening.
- Calculation of noise levels at nearest noise sensitive receptor for each scenario applying corrections for simultaneous speaking, distance and barrier attenuation.

The calculations in Appendix E show the predicted beer garden noise to be 34 dB during normal trading at Receptor B. This is very low in absolute terms.

For busy (peak) trading, the calculations indicate that beer garden noise will be 47 dB at Receptor B.

There is no widely accepted standard or guideline for assessing the impact of beer garden noise on residences. However, noise from premises is defined as neighbourhood noise in the preface to the WHO guidelines. The preface to the WHO guidelines also states that neighbourhood noise falls under community noise. Therefore comparing the calculated beer garden noise levels at Receptor B with the guideline values for community noise listed in table 4.1 of the WHO guidelines is one method to establish acceptability for this type of noise.

During both normal and peak trading periods, predicted beer garden noise levels are considered to be low in absolute terms. The predicted noise levels for both peak and normal trading periods are also below the guideline WHO values for community noise at the nearest noise sensitive receptor (Receptor B). In view of this, beer garden noise levels are acceptable.

### 6.3 AIRBORNE SOUND TRANSMISSION

Noise can potentially propagate through to the adjoining property via the separating wall between the premises. No survey of the sound insulation between the proposed JD Wetherspoon premises and the adjoining building has been undertaken. However, the following broad analysis indicates that disturbance from this noise propagation mechanism is unlikely.

Much of the noise generated within the JDW premises will occur in the ground floor customer area and will be broadband in nature. Spectrum have measured customer area noise levels at a large number of JDW sites. Historic data shows that customer area noise levels are unlikely to exceed 80 dB during peak trading periods.

Although the external walls of both properties touch, they both have separate external walls. Given that each external wall is likely to attenuate customer noise by at least 50 dB, it is not unreasonable to estimate that both walls together will attenuate customer noise by 60 dB. The adjacent residential property is also located at first floor level. This will further attenuate customer noise levels by 10 dB, given the more tortuous sound transmission path due to the stagger between the two properties.

Therefore customer noise levels are likely to be attenuated by 70 dB, which corresponds to a very low absolute level of 10 dB inside the adjacent first floor residential property during peak trading periods. This is a high level of sound insulation.

New Forest District Council require noise levels to not exceed NR 25 inside the adjoining residential property. This corresponds to an absolute noise level of about 30 dB(A). Therefore, the predicted customer noise level of 10 dB inside the adjoining property is comfortably below the NR 25 criterion.

### 6.4 NOISE BREAKOUT FROM CUSTOMER AREA

K D Paine & Associates have advised the existing fixed glazing will remain at ground floor level at the front of the property.

Calculations of customer area generated noise breakout have been undertaken, and are shown in Appendix F. These calculations were undertaken on the following basis:

- Estimation of typical customer area reverberant sound pressure level based on peak trading periods.
- Calculation of noise breakout based from façade elements.
- Establishing the distance to nearest noise sensitive receptor (Receptor A) and any factors which affect propagation such as screening.
- Calculation of noise levels at nearest noise sensitive receptor during peak trading hours.
- Comparison of the calculated noise level with typical ambient noise levels for peak trading periods.

The calculations in Appendix F show that customer area generated noise will be 32 dB at Receptor A. This corresponds to 27 dB below the lowest measured ambient LAeq, 5 min noise level during peak trading periods at Receptor A.

In view of the above, the predicted customer area noise breakout levels at Receptor A are acceptable.



## 7. CONCLUSION

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New Forest District Council have indicated the potential mechanisms of noise disturbance that they wish to be analysed and controlled for this proposed JD Wetherspoon development. Analysis of the noise impact on surrounding residences from this proposed public house has been undertaken. Providing that the development is serviced and operated as described within this report, noise from the premises will not give rise to unacceptable levels of noise for nearby residents.

Report Code: E/B/EH

RK497/10153

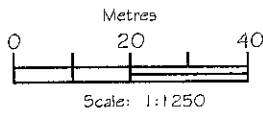
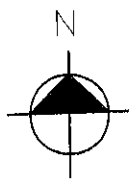
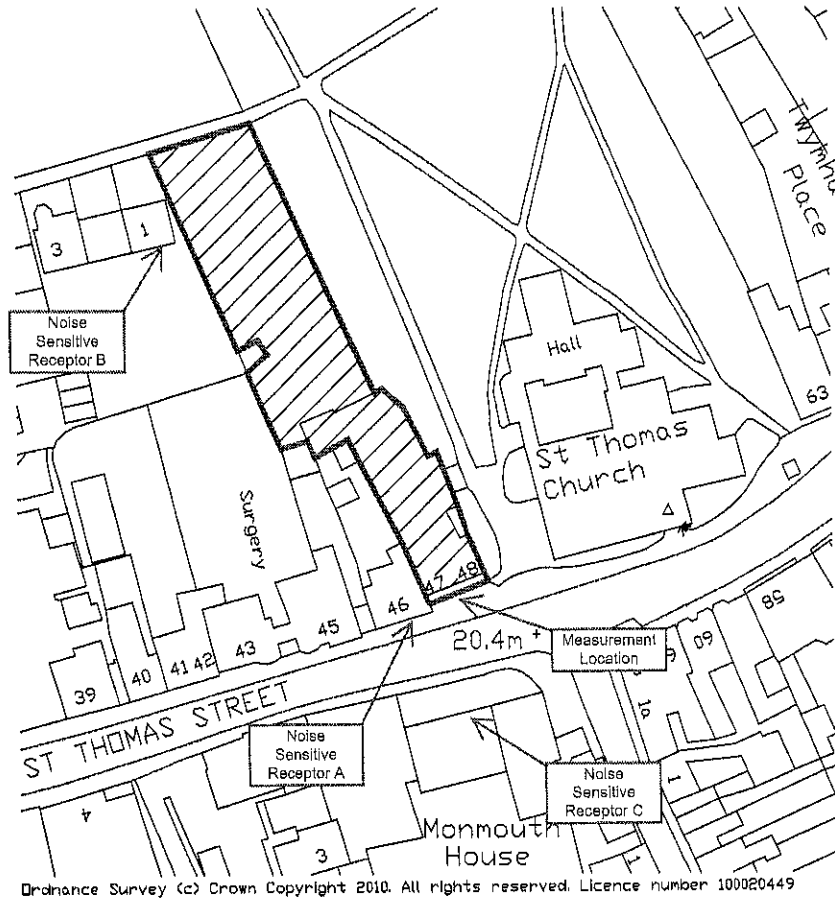
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## APPENDIX A

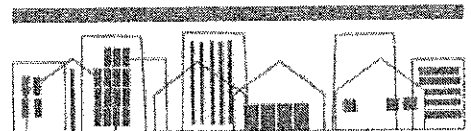
Site plan showing noise monitoring location



INDICATES SITE AREA

NOTES

Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only



**K. d. paine & associates ltd**

architectural & construction consultants  
project managers interior designers

Adur Business Centre Little High Street,  
Shoreham by Sea, West Sussex. BN43 5EG.  
T: +44 (0)1273 467518 F: +44 (0)1273 467520  
e-mail: info@kdpaine.co.uk

CLIENT J D WETHERSPOON PLC

PROJECT PUB No. 6301  
47-48 ST THOMAS ST  
LYMINGTON SO41 9ND

DRAWING SITE LOCATION PLAN

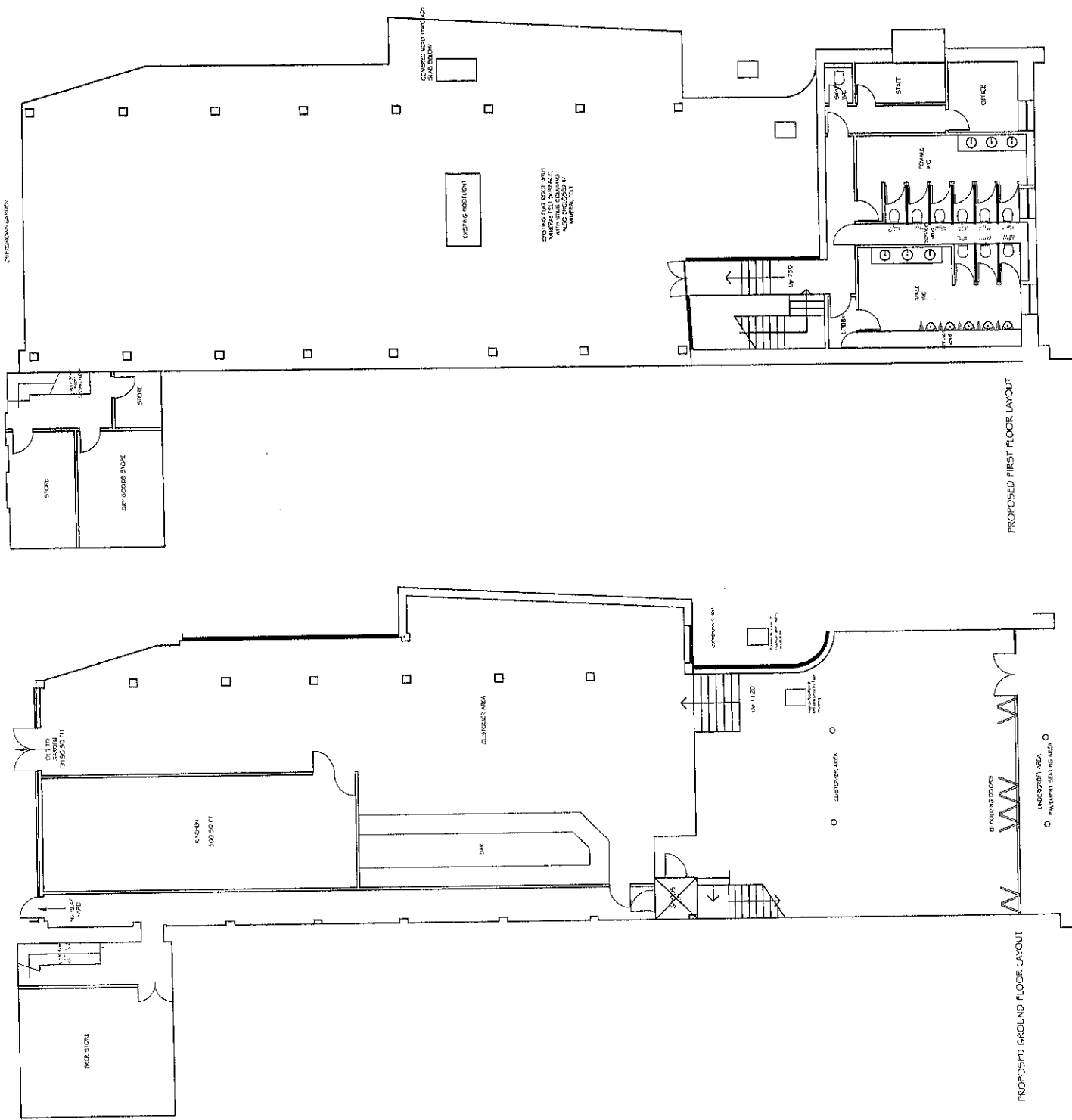
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## APPENDIX B

Proposed scheme layout plan

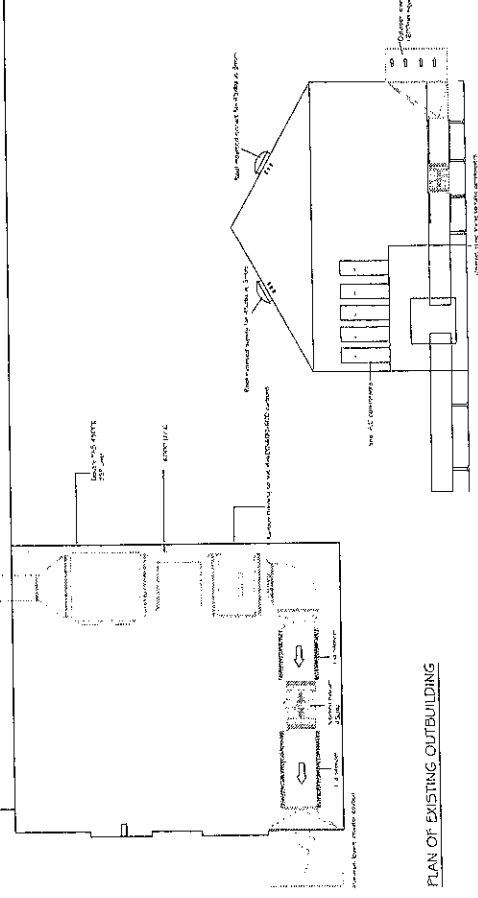
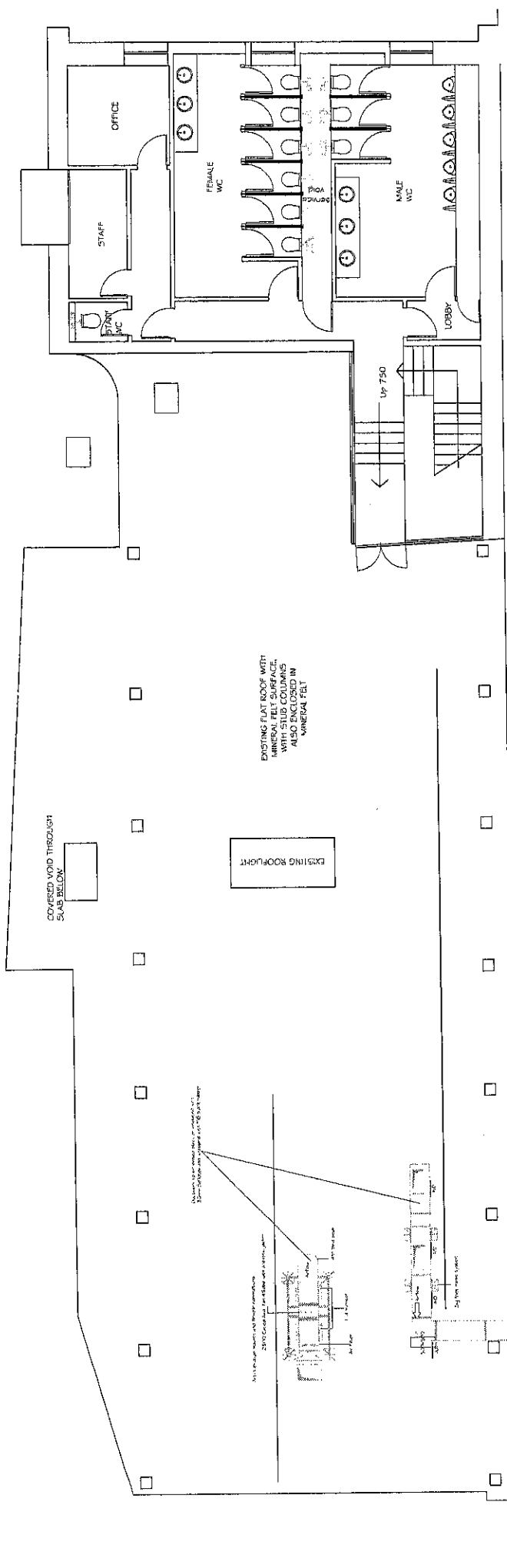
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ARCHITECTURAL & CONSTRUCTION CONSULTANTS  
 PROJECT MANAGERS INTERIOR DESIGNERS  
 5th Floor Business Centre 188a High Street  
 Southampton SO9 4AA, United Kingdom, Tel: 01703 551111  
 Fax: 01703 551112 Email: info@interiorinteriors.co.uk

DATE	02
PROJECT	10 WETHERSPOON FUL
CLIENT	C FORD & CO
ADDRESS	47-49 St. THOMAS STREET LYMINGTON, HAMPSHIRE
PROJECT	PROPOSED GROUND AND FIRST FLOOR PLAN
SCALE	A3/1:100
DATE	SEPT 2008
PROJECT NO.	6534
REVISED BY	REVISED BY
PROJECT NO.	02

NOTE: Responsibility is not accepted for accuracy of information shown. All construction information should be taken from figured dimensions only.



PLAN OF EXISTING OUTBUILDING

DIAGRAMATIC SIDE ELEVATION / SECTION

ISOMETRIC SKETCH TO ILLUSTRATE EXTRACT LOUVRE

PROJECT NO. 016  
 DATE: 10/10/05  
 PROJECT: PROPOSED FIRST FLOOR RENOVATIONS  
 LOCATION: 100, MARKET STREET, LONDON, E1 6AN

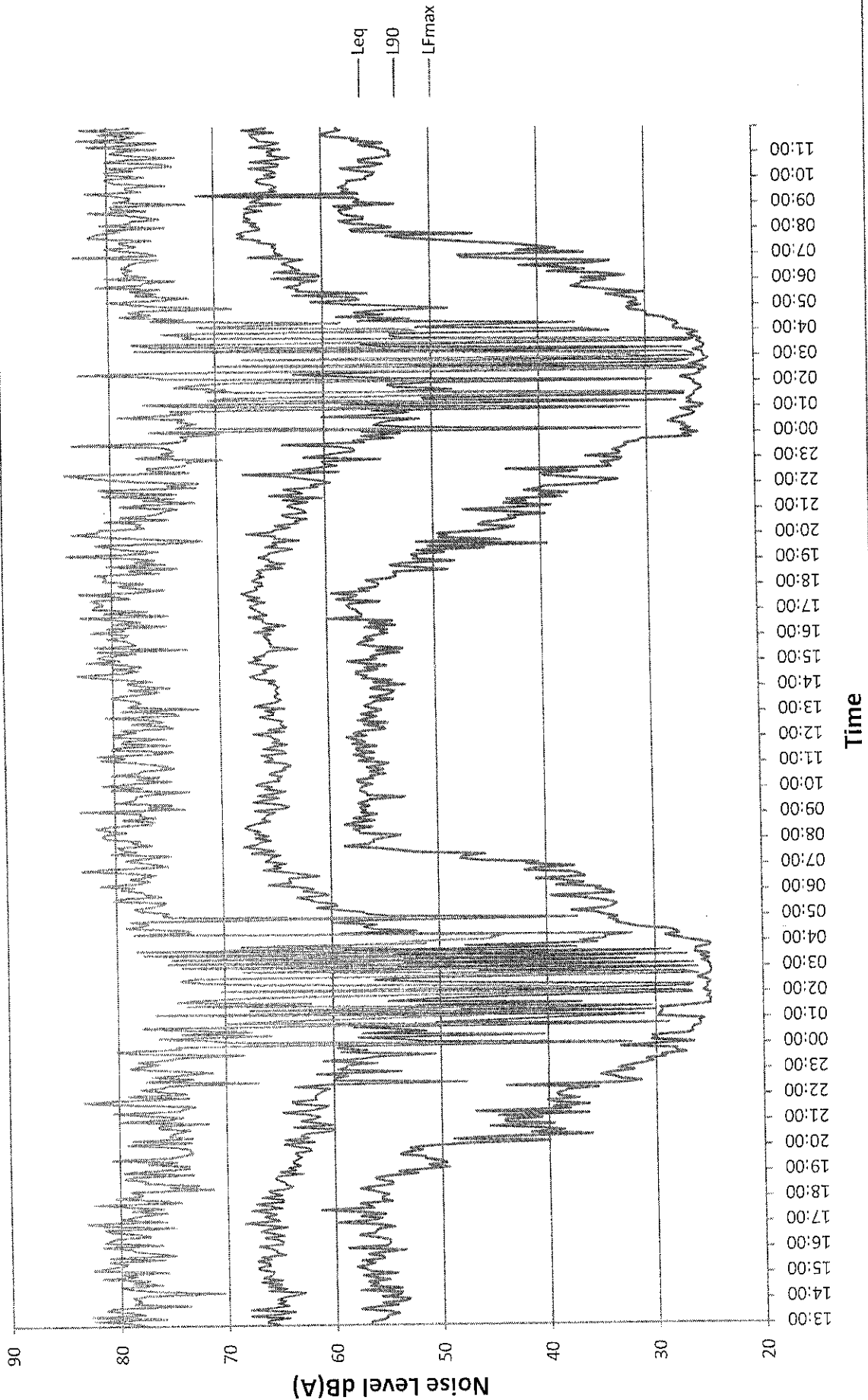
DATE	DESCRIPTION
10/10/05	REVISED FOR CONTRACT
10/11/05	REVISED FOR CONTRACT
10/12/05	REVISED FOR CONTRACT



## APPENDIX C

Chart showing background noise monitoring results

47-48 Saint Thomas Street, Lymington: 22-24 June 2010 Noise Levels





## APPENDIX D

Plant Noise Prediction Model



**Environmental Noise Propagation Model**  
**Total Daytime plant noise level outside residence**

**Model Description :** Saint Thomas Street - Daytime plant items

**Receptor Location :** Receptor B

External Plant Items	dB(A)
Kitchen Supply (with enclosure+silencer)	54
Kitchen Extract (with enclosure+silencer)	73
Roof Supply Fan	63
Roof Extract Fan	63
Total Lw	73
distance attenuation (37m)                      calc = 20 Log * (distance)	31
Sound Power to Sound Pressure Conversion	8
<b>B. Total external plant Lp at Residence</b>	<b>34</b>
<b>Lowest 1hr Background Noise Level (2200-2300)</b>	<b>34</b>
<b>Excess over background</b>	<b>0</b>

# Environmental Noise Propagation Model

## Total Night-time plant noise level outside residence

**Model Description :** Saint Thomas Street - Night time plant items

**Receptor Location :** Receptor B

External Plant Items	dB(A)
Roof Supply Fan	63
Roof Extract Fan	63
Total Lw	66
distance attenuation (37m)      calc = 20 Log * (distance)	31
Sound Power to Sound Pressure Conversion	8
<b>B. Total external plant Lp at Residence</b>	<b>27</b>
<b>Background Noise Level (0256-0301)</b>	<b>25</b>
<b>Excess over background</b>	<b>2</b>



## APPENDIX E

Beer Garden Noise Prediction Model

<b>CLIENT</b>	J D Wetherspoon
<b>PROJECT</b>	47-48 Saint Thomas Street, Lymington

**SOURCE LOCATION**  
**RECEIVER LOCATION**

Pub garden acoustic centre  
Properties to rear of premise

**GARDEN DETAILS**

Pub garden capacity 

75
----

 patrons  
Distance from source to receiver 

28
----

 metres

**BARRIER DETAILS**

source height (m) 

1.2
-----

 metres  
receiver height (m) 

4
---

 metres  
barrier height (m) 

1.5
-----

 metres  
distance from source to barrier (m) 

7.5
-----

 metres  
distance from barrier to receiver (m) 

20
----

 metres

**SCENARIO 1 - normal trading**

% Occupancy of garden 

50%
-----

  
% of patrons assumed to talk simultaneously 

50%
-----

Frequency (Hz)	dBA	63	125	250	500	1000	2000	4000	8000
Relaxed Conversation SPL @ 1m	56.0	14	27	38	51	52	49	41	29
Correction for simultaneous speakers		13	13	13	13	13	13	13	13
Correction for distance		-29	-29	-29	-29	-29	-29	-29	-29
Barrier Attenuation		-5	-5	-5	-5	-6	-7	-10	-13
Reduction to barrier IL due to reflections									
<b>Resultant SPL</b>	<b>34.0</b>	<b>-7</b>	<b>6</b>	<b>17</b>	<b>30</b>	<b>30</b>	<b>26</b>	<b>15</b>	<b>0</b>

**SCENARIO 2 - peak trading**

% Occupancy of garden 

100%
------

  
% of patrons assumed to talk simultaneously 

50%
-----

Frequency (Hz)	dBA	63	125	250	500	1000	2000	4000	8000
Raised Voices SPL @ 1m	66.0	24	37	48	61	62	59	51	39
Correction for simultaneous speakers		16	16	16	16	16	16	16	16
Correction for distance		-29	-29	-29	-29	-29	-29	-29	-29
Barrier Attenuation		-5	-5	-5	-5	-6	-7	-10	-13
Reduction to barrier IL due to reflections									
<b>Resultant SPL</b>	<b>47.0</b>	<b>6</b>	<b>19</b>	<b>30</b>	<b>43</b>	<b>43</b>	<b>39</b>	<b>28</b>	<b>13</b>



## APPENDIX F

Customer Area Noise Breakout Model

**Environmental Noise Propagation Model**

**Total Night-time plant noise level outside residence**

**Model Description :** Saint Thomas Street - Customer Area Breakout

**Receptor Location :** Receptor A

<b>Customer Area Breakout (front facade)</b>	<b>dB(A)</b>
Calculated Reverberant Sound Pressure Level (as per equation, 3.16 SRL Noise Control in Building Services)	80
RW 28: 6mm glass in sealed frame sound reduction index (BB93 Data) Glazing area - 21m <sup>2</sup>	28
Sound power level outside facade ( $L_{preverb-R-6+10*LOG(A)}$ )	59
Distance attenuation (5m)	14
Sound Power to Sound Pressure Conversion	8
Screening correction	5
<b>Total Customer Lp at residence</b>	<b>32</b>
<b>Lowest 5 min Ambient Noise Level for peak trading period (2100-2300)</b>	<b>59</b>
<b>Excess over Ambient</b>	<b>-27</b>