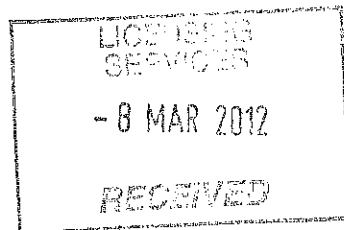


Application for a Review  
of the premises licence at;

**Fountain Court Hotel  
Hythe**

Under Section 51 of  
The Licensing Act 2003



Responsible Authorities

- Premises Licence Holder – Mr K Gujral & Mrs S Gujral
- Licensing Authority – New Forest District Council
- Hampshire Fire & Rescue Service
- Environment & Health Service
- Planning Service
- Trading Standards Service
- Hampshire County Council Children's Services

## **Contents**

1 – G90 – Application for the review of a premises licence

### **Appendix A**

Item 1 – Premises Licence

Item 2 – Letter 20/04/2011

Item 3 – Letter 25/07/2011

Item 4 – Statement PC Farley

Item 5 – Letter 09/11/2011

Item 6 – Statement PC Cross

Item 9 – Letter 05/01/2012

### **Appendix B**

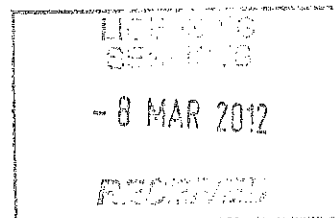
Item 7 – Test Purchase Operation 15/12/2011

Item 8 – Test Purchase Operation 15/12/2011

Item 10 – Statement Ms Purchase

### **Appendix C**

Item 11 – Copy of refusals incident book





Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I PC 24191 Bethan Wood, on behalf of the Chief Officer of Hampshire Constabulary, (Insert name of applicant)

- Apply for the review of a premises licence.
Apply for the review of a club premises certificate.
(Select as applicable)

Premises or Club Premises details

Table with 2 columns: Field (Postal address of premises, Postcode) and Value (Fountain Court Hotel, Frost Lane, Hythe, SO45 3NE)

Name of premises licence holder or club holding club premises certificate (if known) Mr K Gujral and Mrs S Gujral

Number of premises licence or club premises certificate (if known)

Details of responsible authority applicant

Form with fields for title (Mr, Mrs, Miss, Ms, Other), Surname (Wood), First Names (Bethan), Current postal address (Southampton Central Police Station), Postcode (SO15 1AN), Daytime telephone number (02380 674768), and E-mail address (bethan.wood@hampshire.pnn.police.uk)

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

This application to review relates to the following licensing objective(s)

Select one or more boxes

- 1) The prevention of crime and disorder [X]
2) Public safety [X]
3) The prevention of public nuisance [X]
4) The protection of children from harm [X]

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

On behalf of the Chief Officer of Police I am writing to request review of the above Premises Licence. The review is requested on the following grounds:

- 1) The prevention of crime & disorder
2) Public safety
3) The prevention of public nuisance
4) The protection of children from harm

The police make this request based on the premises continued lack of support for the licensing objectives as evidenced below. The police seek to remedy this by removing the current Designated Premises Supervisor to the licence, and adding the following conditions to the licence which, if complied with, will ensure that the licensing objectives are promoted fully.

CCTV

The premises shall have sufficient cameras located within the premises to cover all public areas where licensable activities take place, including outside of the premises covering the entrance and exit. The system should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all



**Application for the review of a  
Premises licence or Club Premises certificate  
under the Licensing Act 2003**

recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies on request of the Police or local authority. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Southampton Police Licensing Unit.

#### Incident book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

#### Refusals book

A refusals book will be kept and maintained at the premises and will be available for police inspection upon request. All refusals for the sale of alcohol and the reasons for refusal should be recorded. Any age challenge or identification seizures should also be recorded.



**Application for the review of a  
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under the Licensing Act 2003**

**Challenge 25**

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

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.

**Training**

All staff who sell alcohol will be trained to APLH (EDI Level 2 Award for Personal License Holders) level. All sales of alcohol must be directly supervised and authorised by a personal licence holder until such staff have achieved training to APLH level.

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and that records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

All training records will be made immediately available for inspection by Hampshire Constabulary and the licensing Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

The DPS should also complete a nationally recognised Level 2 DPS course.

The below outlines the reasons why these conditions are sought:

The current DPS, Mrs Seema Gurjal has been at the premises since April 2011 and the evidence cited within this review is for the period of April 2011 until present. A copy of the licence can be found as Item 1, Appendix A.



**Application for the review of a  
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under the Licensing Act 2003**

On being advised of the new DPS, police visited the premises for a pre-arranged meeting on 20th April 2011. During the meeting police were advised by the DPS that an over 21's policy was in place in the bar area of the hotel. The DPS advised that she intended to be an active member of pubwatch, and that she would support all bans wholeheartedly. She also stated that she was aware of how to deal with any issues about drugs, and that regular toilet checks were conducted. During the meeting recommendations were made that a written refusals log was kept, and that refusals of sale due to drunkenness were also recorded. Training was also discussed and recommendations made as to the content, frequency, and recording of this. These recommendations, detailed in the letter of PS Barry (Item 2, Appendix A), were made to assist the DPS.

Police re-visited the premises on 21st July 2011. (As can be seen in the letter by Licensing Officer George FICE Item 3, Appendix A). On this occasion the DPS was found to be in breach of S57 of the Licensing Act by not having a copy of the premises licence on display, and had also not made written authorisation for her staff to serve alcohol. None of the recommendations made by police in April had been implemented. There was no refusals log in place to demonstrate that challenges for ID were being made, and that refusals of sale were made to those who were drunk. There had also been no formal staff training conducted.

In the week following this visit, on the 29th July 2011 police were called to the premises to deal with a group of males who were being loud and aggressive towards the DPS and customers. Although the incident was resolved without any criminal offences being disclosed, as per the statement of PC Farley (Item 4, appendix A), the group are described as being 'drunken'. One member of the group advises PC Farley that he has been in the bar of the premises. Serving people who are drunk is an offence contrary to S141 Licensing Act 2003, and also demonstrates a lack of support for the licensing objectives of prevention of crime and disorder, prevention of public nuisance, and protection of children from harm.

The police licensing team revisited the premises on the 21st October and 3rd November 2011. Drugs swabs were taken, which indicated traces of cocaine in the mens toilets. The police endeavour to work closely with licensees in tackling problems such as this and it was therefore brought to the attention of the DPS as quickly as possible in order that she could act upon the information and demonstrate good, prompt support of the licensing objectives in dealing with the identified issues. Although in April of the same year the DPS had stated that regular toilet checks were conducted, this had not been recorded and was therefore again suggested by police. It was also suggested that staff were appropriately trained to deal with drugs issues. The letter outlining what was discussed at the meeting also details that the DPS stopped attending pub watch meetings for a period of time and had allowed another person who was banned under the scheme into the premises as they were part of a wedding group. This contradicts the assurances given to police during the initial visit in April 2011 and gives cause for concern as the DPS is showing little commitment to operating the premises responsibly and in support of the licensing objectives.



**Application for the review of a  
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At the visit in November it was discovered that no challenges for ID had been recorded in the incident book since 18th August. A copy of the refusals incident book can be seen under Item 11, Appendix C. This is less than a month after the last visit, when the importance of recording this information was expressed to the DPS. Police raised with the DPS recently received community information which suggested that 16 year olds were drinking at the premises. As a direct result of this information it was recommended that Challenge 25 be introduced. It was made clear to the DPS in the letter from PS BARRY (Item 5, Appendix A), that should there be any further incidents at the premises, and the issues not addressed, then in order to ensure the promotion of the licensing objectives, the premises licence could be reviewed.

Since that date there have been two failed test purchase operations at the premises.

On 15th December 2011 a test purchase operation was conducted at the premises (Items 7&8, Appendix B). A member of bar staff served the test purchaser a lager shandy, without asking for ID or challenging them regarding age at all, and was subsequently issued with a fixed penalty notice. This incident seriously undermines the licensing objective of protection of children from harm. Not only did the premises fail the test purchase operation but in the statement by PC CROSS (Item 6, Appendix B), concerns are expressed that there were other young persons in the bar area. The letter written by PS BARRY following the test purchase failure (Item 9, Appendix A) describes the training material used by the DPS as 'unstructured', consisting solely of information provided by the police. It was recommended that the DPS introduce formal BIIAB licensing training for all her staff, ensuring that a Challenge 25 policy was in place, that staff were trained in this, and that records were kept of all refusals made. It was also suggested that following a rise in anti-social behaviour incidents in the area the DPS should record all known incidents in an incident book and report them to the police.

On 16th February 2012 the premises failed another test purchase operation. On this occasion the two test purchasers were initially asked by a member of bar staff for ID. The member of bar staff referred the matter to her senior, the DPS. The DPS is heard by officers (Item 10, Appendix B) to say to one of the test purchasers "YOU LOOK 15" before serving them a smirnoff ice and a coca cola. For a personal licence holder and designated premises supervisor this is exceptionally worrying. It is clear that the DPS considers the persons to be under age, yet serves them an alcoholic drink regardless. This is the strongest example yet that the DPS does not support the licensing objectives, and is not a suitable designated premises supervisor.

The DPS has been given ample opportunity to rectify the working practises at the premises but has failed to do so to the extent that the licensing objectives are being upheld. Considering the evidence above Hampshire Constabulary request review of the premises licence with a view to adding the conditions as stated in order to assist the premises in supporting the licensing objectives. It is believed that the current DPS Seema Gujral is not





Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

suitable for the role and the application for review is therefore submitted with a view to removal of her as DPS, and to ensuring that any new DPS is amply qualified for the role.

Have you made an application for review relating to these premises before: [ ] Yes | [X] No

If yes please state the date of that application: / / Day Month Year

If you have made representations before relating to this premises please state what they were

Please tick

[ ] I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

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

Signature of Officer Completing

Name PC Bethan Wood Collar Number: 24191
Signature: Date: 06/03/2012

Signature of Authorising Officer (Inspector or above)

Name Inspector J McGonigle Collar Number: 1399
Signature: Date: 06/03/2012

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Mr K Gujral & Mrs S Gujral  
Fountain Court Hotel  
Frost Lane  
Hythe  
Southampton,  
SO45 3NE

Our Ref: PW/LICPR/05/00135  
Your Ref:

03 August 2011

Dear Mr Gujral & Mrs Gujral

**LICENSING ACT 2003 - Variation Premises Supervisor (S37)**  
**FOUNTAIN COURT HOTEL, FROST LANE, HYTHE, SOUTHAMPTON, SO45 3NE**  
**Licence No: 541/3**

I am pleased to enclose an amended Premises Licence in respect of the above premises. Please could you return all previous licences relating to this premises to avoid future confusion.

Please check the details on the licence carefully. The Licensing Authority is prepared to correct clerical errors for up to 28 days after the licence has been issued. Beyond that time, any change must be made on the appropriate application form. This does not affect your statutory rights of appeal.

It is a requirement of the Act that this licence, or a certified copy, is held securely at the premises and, at the request of an authorised person, to produce the licence (or a certified copy) for examination. Please ensure that you are able to comply.

Also enclosed is a Summary of the Premises Licence which must be displayed (or a certified copy) in a prominent position at the premises.

Failure to comply with either or both of these requirements is an offence which, on summary conviction, carries a penalty of a fine not exceeding level 2 on the standard scale.

Should you wish to make changes to the licence in the future this must be done by way of an appropriate application. The necessary forms are available on the Council website [www.newforest.gov.uk](http://www.newforest.gov.uk).

Yours sincerely,

*Paul Weston*

Licensing Officer  
Licensing Services

Tel: 023 8028 5505  
Fax: 023 8028 5544  
Email: [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk)

c.c Chief of Police

((t:6))

Licensing Act 2003

# Premises Licence

Issued under Section 24 of the above Act

<b>Premises Licence Number</b>	541/3
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## Part 1 - Premises Details

Postal address of premises, or if none, ordinance survey map reference or description	
Fountain Court Hotel Frost Lane Hythe Southampton Hampshire SO45 3NE	Map Ref (E): 442896.672289197 Map Ref (N): 106431.769392896 UPRN: 100062533696
Telephone Number: 02380 846310	

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

<b>Licensable activities authorised by the licence</b>
B) Films C) Indoor Sporting Events E) Performance of Live Music F) Recorded Music G) Performance of Dance H) Entertainment of a similar description to that falling within (e), (f) or (g) I) Provision Of Facilities For Making Music J) Provision Of Facilities For Dancing K) Provision Of Facilities for Entertainment of a similar description to that falling within (I) or (J) M) Supply of Alcohol

The times the licence authorises the carrying out of licensable activities				
B) Films		Exhibition of films may take place:	Indoors	Y
		Lounge/Bar combined	Outdoors	
			Both	
Day	Start	Finish	Further details:	
Mon	09:00	23:00		
Tue	09:00	23:00		
Wed	09:00	23:00		
Thur	09:00	23:00	Seasonal variations:	
Fri	09:00	23:00		
Sat	09:00	23:00	Non standard timings:	
Sun	12:00	23:00		

<b>C) Indoor Sporting Events</b>			Conference Room, Function Room, Dining Room/Restaurant, Lounge Bar
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>
Mon	10:30	01:00	
Tue	10:30	01:00	
Wed	10:30	01:00	
			<b>Seasonal variations:</b>
Thur	10:30	01:00	
Fri	10:30	01:00	
			<b>Non standard timings:</b>
Sat	10:30	01:00	
Sun			

<b>E) Live Music</b>			<b>Performance of live music may take place:</b>	Indoors	Y
			Conference Room, Function Room, Dining Room/Restaurant, Lounge Bar	Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>		
Mon	10:30	01:00			
Tue	10:30	01:00			
Wed	10:30	01:00			
			<b>Seasonal variations:</b>		
Thur	10:30	01:00			
Fri	10:30	01:00			
			<b>Non standard timings:</b>		
Sat	10:30	01:00			
Sun					

<b>F) Recorded Music</b>			<b>Playing of recorded music may take place:</b>	Indoors	Y
			Conference Room, Function Room, Dining Room/Restaurant, Lounge Bar	Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>		

Mon	10:30	01:00	
Tue	10:30	01:00	
Wed	10:30	01:00	
			<b>Seasonal variations:</b>
Thur	10:30	01:00	
Fri	10:30	01:00	
			<b>Non standard timings:</b>
Sat	10:30	01:00	
Sun			

<b>G) Performance of Dance</b>			<b>Performance of dance may take place:</b>	Indoors	Y
			Conference Room, Function Room, Dining	Outdoors	
			Room/Restaurant, Lounge Bar	Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>		
Mon	10:30	01:00			
Tue	10:30	01:00			
Wed	10:30	01:00			
			<b>Seasonal variations:</b>		
Thur	10:30	01:00			
Fri	10:30	01:00			
			<b>Non standard timings:</b>		
Sat	10:30	01:00			
Sun					

<b>H) Anything of a similar description to that falling within (e), (f) or (g)</b>			<b>Type of entertainment you will be providing:</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>This entertainment may take place:</b>	Indoors	Y
Mon	10:30	01:00	Conference Room, Function Room, Dining	Outdoors	
			Room/Restaurant, Lounge Bar	Both	
Tues	10:30	01:00	<b>Further details:</b>		
Wed	10:30	01:00			
Thurs	10:30	01:00	<b>Seasonal variations:</b>		
Fri	10:30	01:00			
Sat	10:30	01:00	<b>Non standard timings:</b>		
Sun					
<b>I) Facilities for making Music</b>			<b>Description of the facilities for making music you will be providing:</b>		
			<b>This entertainment will take place:</b>	Indoors	Y
			Conference Room, Function Room, Dining Room/	Outdoors	
			Restaurant, Lounge Bar	Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>		
Mon	10:30	01:00			

Tue	10:30	01:00	
Wed	10:30	01:00	<b>Seasonal variations:</b>
Thur	10:30	01:00	
Fri	10:30	01:00	<b>Non standard timings:</b>
Sat	10:30	01:00	
Sun			

<b>J) Facilities for Dancing</b>			<b>Performance of dance may take place :</b>	<b>Indoors</b>	<b>Y</b>
			Conference Room, Function Room, Dining	Outdoors	
			Room/Restaurant, Lounge Bar	Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>		
Mon	10:30	01:00			
Tue	10:30	01:00			
Wed	10:30	01:00	<b>Seasonal variations:</b>		
Thur	10:30	01:00			
Fri	10:30	01:00			
			<b>Non standard timings:</b>		
Sat	10:30	01:00			
Sun					

<b>K) Entertainment of a similar description to that falling within (i) or (j)</b>			<b>Description of the type of entertainment you will be providing:</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>This entertainment facility may take place:</b>	<b>Indoors</b>	<b>Y</b>
Mon	10:30	01:00	Conference Room, Function Room, Dining	Outdoors	
			Room/Restaurant, Lounge Bar	Both	
Tue	10:30	01:00	<b>Further details:</b>		
Wed	10:30	01:00			

Thu	10:30	01:00	<b>Seasonal variations:</b>
Fri	10:30	01:00	
Sat	10:30	01:00	<b>Non standard timings:</b>
Sun			

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

**The opening hours of the premises**

N/A

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

Alcohol is supplied for consumption both ON and OFF the premises

**Part 2**

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

Kalwinder Gujral  
 Fountain Court Hotel  
 Frost Lane  
 Hythe  
 Southampton  
 SO45 3NE

Telephone:

Email:

Seema Gujral



Fountain Court Hotel Frost Lane Hythe Southampton SO45 3NE	Telephone:  Email: --
--	-----------------------------

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

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

Seema Gujral Fountain Court Hotel Frost Lane Hythe Southampton SO45 3NE	Telephone:  Email:
--	--------------------------

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

LB Wands/02800 Wandsworth Council
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The licence is granted by New Forest District Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Date licence issued: 14/04/2011

Date licence commences: 14/04/2011

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



Head of Public Health & Community Safety  
(Authorised Officer)

**Annex 1 - Mandatory conditions**

**Where the licence authorises exhibition of films:**

- (1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where:
  - (a) the film classification body is not specified in the licence, or
  - (b) the relevant licensing authority has notified the holder of the licence that this admission of children must be restricted in accordance with any recommendation made
- (4) In this section:

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

**Where licence authorises supply of alcohol:**

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

**Where licence authorises door supervision:**

- (1) Each individual at the premises to carry out a security activity must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires this condition to be imposed:
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
  - (b) in respect of premises in relation to-
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section:
  - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
  - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

(Additional Conditions with effect from 6 April 2010)

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or

supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

(Additional Condition with effect from 1 October 2010)

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
5. The responsible person shall ensure that—  
  
(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—  
  
(i) beer or cider: ½ pint;  
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and  
(iii) still wine in a glass: 125 ml; and  
(b) customers are made aware of the availability of these measures.

#### **Annex 2 - Conditions consistent with the operating schedule**

**Conditions subject to which your previous licence(s)/certificate(s) has/have been granted:**

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

New Forest District Council standard conditions for the Public Entertainment Licence and Cinema Licence

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

##### **c) Public Safety**

The number of persons admitted at any entertainment shall not exceed:

Conference Room	-	180
Function Room	-	100
Dining Room/Restaurant	-	100
Lounge Bar	-	120

TOTAL 500

The maximum number of persons permitted for films within the Lounge/Bar areas combined is 120 persons and should not be exceeded.

The two fire exit doors from the dance hall should be kept closed during public entertainment performances.

**d) The prevention of public nuisance**

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

**CINEMATOGRAPH SAFETY REGULATIONS 1955**

The licensee shall comply with such provisions of the Cinematograph (Safety) Regulations 1955 as restrict the use of the premises.

**CONDITIONS TRANSFERRED FROM PREVIOUS LOCAL AUTHORITY ISSUED LICENCES**

The following standard conditions for Public Entertainment, Theatre, Cinema and/or Indoor Sports Licences are attached as detailed in (1) below:

- (1) Standard Terms Conditions and Restrictions upon which Public Entertainment/Sports Entertainment/Cinema and Theatre Licences are Granted, Renewed, Varied or Transferred (Regulation 9)

**S.12 CHILDREN AND YOUNG PERSONS ACT 1933**

Where the number of children attending the entertainment exceeds 100 the licensee shall ensure that the provisions of Section 12 of the Children and Young Persons Act 1933 are complied with.

**S.77 SPECIAL HOURS CERTIFICATE (Licensing Act 1964)**

A Section 77 certificate under the Licensing Act 1964 was previously in place for these premises and therefore alcohol shall not be sold or supplied except during the following permitted hours.

- a) The permitted hours shall commence:

On days, other than Sundays, Christmas Day and Good Friday at 10am.  
On Sundays, Christmas Day and Good Friday at noon.

(NB For New Year's Eve permitted hours commence at 10am unless New Year's Eve falls on a Sunday when they shall commence at noon.)

- b) Subject to the following paragraphs, the permitted hours on weekdays shall extend until 2am

the following morning *[or, if an earlier hour is specified in the special hours certificate, that hour]*, except that:

- i) The permitted hours shall end at midnight on any day on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after midnight; and
  - ii) On any day that music and dancing end (or in the case of casino premises, gaming ends) between midnight and 2am in the morning, the permitted hours shall
- c) In relation to the morning on which summer time begins, paragraph b) of this condition shall have effect with the substitution of references to 3am in the morning for references to 2am in the morning *[or one hour following the hour actually specified in the certificate where the certificate currently requires closure between 1am and 2am]*
- d) Except as provided in e) below the permitted hours on Sundays shall extend until thirty minutes past midnight in the following morning *[or if an earlier hour is specified in the certificate, that hour]* except that
- i) The permitted hours shall end at midnight on any Sunday on which music and dancing is not (or in the case of casino premises, gaming facilities are not) provided after midnight:
  - ii) Where music and dancing end (or in the case of casino premises, gaming ends) between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end, (or as the case may be, when the gaming ends).
- e) On Sundays immediately before Bank Holidays other than Easter Sunday, the permitted hours shall extend until 2am the following morning except that:
- i) The permitted hours shall end at midnight on Sunday on which the music or dancing is not (or in the case of casino premises, gaming facilities are not,) provided after midnight
  - ii) Where music and dancing end (or in the case of casino premises gaming ends,) between midnight on any Sunday and 2am, the permitted hours on that Sunday shall end when the music and dancing end (or, as the case may be, when the gaming ends).
- f) On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, to midnight on 31 December).

**For Casino Premises:**

- g) The sale of alcohol must be ancillary to the use of the premises for gaming facilities and substantial refreshment.

**For Other Premises**

- h) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

**Schedule of Conditions attached to a Part A Premises Licence  
Embedded Restrictions transferred from the Licensing Act 1964**

**ON LICENCE**

S.59, 60, 63, 67A, 68, 70, 74, 76 Licensing Act 1964

**The licensee may also provide and permit:**

- a) Entertainment by way of music and singing but only by the reproduction of recorded sound (this does not permit the use of Karaoke, Disc Jockeys, Comperes etc.)
- b) The consumption of late night refreshment for a period of 30 minutes after the permitted hours.

**Permitted Hours**

Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means those as shown in Part 1 of this Licence:

- a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10am to 11pm
- b) On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30pm
- c) On Good Friday, 12 noon to 10.30pm
- d) On Christmas Day, 12 noon to 3pm and 7pm to 10.30pm
- e) On New Year's Eve, except on a Sunday, 10am to 11pm
- f) On New Year's Eve on a Sunday, 12 noon to 10.30pm
- g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December).

**Restrictions**

The above restrictions do not prohibit:

- a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- f) The sale of alcohol to a trader or club for the purposes of the trade or club;
- g) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h) The taking of alcohol from the premises by a person residing there; or
- i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption

of alcohol by persons so supplied; or

- j) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

**Consumption - Off Sales  
S.164 Licensing Act 1964**

Alcohol shall not be sold in an open container or consumed in the licensed premises.

**Annex 3 - Conditions attached after a hearing by the licensing authority**

N/A

**Annex 4 - Plans**

This licence permits the licensable activities stated at the premises addressed above in accordance with the plan(s) attached.

Plan of Premises	
Plan/Drawing No:	1404
Date of Plan:	26/02/1992

((n))

((2))

Licensing Act 2003

# Premises Licence Summary

Issued under Section 24 of the above Act

<b>Premises Licence Number</b>	541/3
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**Part 1 - Premises Details**

<b>Postal address of premises, or if none, ordinance survey map reference or description</b>	
Fountain Court Hotel Frost Lane Hythe Southampton Hampshire SO45 3NE	Map Ref (E): 442896.672289197 Map Ref (N): 106431.769392896 UPRN: 100062533696
Telephone Number: 02380 846310	

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

<b>Licensable activities authorised by the licence</b>
B) Films C) Indoor Sporting Events E) Performance of Live Music F) Recorded Music G) Performance of Dance H) Entertainment of a similar description to that falling within (e), (f) or (g) I) Provision Of Facilities For Making Music J) Provision Of Facilities For Dancing K) Provision Of Facilities for Entertainment of a similar description to that falling within (I) or (J) M) Supply of Alcohol

<b>The times the licence authorises the carrying out of licensable activities</b>			
<b>B) Films</b>		<b>Exhibition of films may take place:</b>	Indoors <input type="checkbox"/> Y
		Lounge/Bar combined	Outdoors <input type="checkbox"/>
			Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>
Mon	09:00	23:00	
Tue	09:00	23:00	
Wed	09:00	23:00	
			<b>Seasonal variations:</b>
Thur	09:00	23:00	
Fri	09:00	23:00	
			<b>Non standard timings:</b>
Sat	09:00	23:00	
Sun	12:00	23:00	

<b>C) Indoor Sporting Events</b>	Conference Room, Function Room, Dining Room/Restaurant, Lounge Bar
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Day	Start	Finish	Further details:
Mon	10:30	01:00	
Tue	10:30	01:00	
Wed	10:30	01:00	
			<b>Seasonal variations:</b>
Thur	10:30	01:00	
Fri	10:30	01:00	
			<b>Non standard timings:</b>
Sat	10:30	01:00	
Sun			

E) Live Music			Performance of live music may take place:	Indoors	Y
			Conference Room, Function Room, Dining	Outdoors	
			Room/Restaurant, Lounge Bar	Both	
Day	Start	Finish	Further details:		
Mon	10:30	01:00			
Tue	10:30	01:00			
Wed	10:30	01:00			
			<b>Seasonal variations:</b>		
Thur	10:30	01:00			
Fri	10:30	01:00			
			<b>Non standard timings:</b>		
Sat	10:30	01:00			
Sun					

F) Recorded Music			Playing of recorded music may take place:	Indoors	Y
			Conference Room, Function Room, Dining	Outdoors	
			Room/Restaurant, Lounge Bar	Both	
Day	Start	Finish	Further details:		

Mon	10:30	01:00	
Tue	10:30	01:00	
Wed	10:30	01:00	
Thur	10:30	01:00	<b>Seasonal variations:</b>
Fri	10:30	01:00	
Sat	10:30	01:00	<b>Non standard timings:</b>
Sun			

<b>G) Performance of Dance</b>			<b>Performance of dance may take place:</b>	Indoors	Y
			Conference Room, Function Room, Dining Room/Restaurant, Lounge Bar	Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>		
Mon	10:30	01:00			
Tue	10:30	01:00			
Wed	10:30	01:00			
Thur	10:30	01:00	<b>Seasonal variations:</b>		
Fri	10:30	01:00			
Sat	10:30	01:00	<b>Non standard timings:</b>		
Sun					

<b>H) Anything of a similar description to that falling within (e), (f) or (g)</b>			<b>Type of entertainment you will be providing:</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>This entertainment may take place:</b>	Indoors	Y
Mon	10:30	01:00	Conference Room, Function Room, Dining Room/Restaurant, Lounge Bar	Outdoors	
Tues	10:30	01:00	<b>Further details:</b>		
Wed	10:30	01:00			
Thurs	10:30	01:00	<b>Seasonal variations:</b>		
Fri	10:30	01:00			
Sat	10:30	01:00	<b>Non standard timings:</b>		
Sun					

<b>I) Facilities for making Music</b>			<b>Description of the facilities for making music you will be providing:</b>		
			<b>This entertainment will take place:</b>	Indoors	Y
			Conference Room, Function Room, Dining Room/Restaurant, Lounge Bar	Outdoors	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Further details:</b>		
Mon	10:30	01:00			

Tue	10:30	01:00	
Wed	10:30	01:00	<b>Seasonal variations:</b>
Thur	10:30	01:00	
Fri	10:30	01:00	<b>Non standard timings:</b>
Sat	10:30	01:00	
Sun			

<b>J) Facilities for Dancing</b>			<b>Performance of dance may take place :</b>	Indoors	Y
			Conference Room, Function Room, Dining	Outdoors	
			Room/Restaurant, Lounge Bar	Both	
Day	Start	Finish	<b>Further details:</b>		
Mon	10:30	01:00			
Tue	10:30	01:00			
Wed	10:30	01:00	<b>Seasonal variations:</b>		
Thur	10:30	01:00			
Fri	10:30	01:00			
			<b>Non standard timings:</b>		
Sat	10:30	01:00			
Sun					

<b>K) Entertainment of a similar description to that falling within (i) or (j)</b>			<b>Description of the type of entertainment you will be providing:</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>This entertainment facility may take place:</b>	Indoors	Y
Mon	10:30	01:00	Conference Room, Function Room, Dining	Outdoors	
			Room/Restaurant, Lounge Bar	Both	
Tue	10:30	01:00	<b>Further details:</b>		
Wed	10:30	01:00			

Thu	10:30	01:00	<b>Seasonal variations:</b>
Fri	10:30	01:00	
Sat	10:30	01:00	<b>Non standard timings:</b>
Sun			

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

**The opening hours of the premises**

N/A

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

Alcohol is supplied for consumption both ON and OFF the premises

**Name, (registered) address of holder of premises licence**

Kalwinder Gujral  
Fountain Court Hotel  
Frost Lane  
Hythe  
Southampton  
SO45 3NE

Seema Gujral  
Fountain Court Hotel  
Frost Lane

Hythe  
Southampton  
SO45 3NE

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

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Seema Gujral

**State whether access to the premises by children is restricted or prohibited**

Not Restricted

**Duty to Keep & Produce Licence – Premises**  
**Licensing Act 2003**

**Section 57 – Duty to Keep and Produce Licence**

- (1) This section applies whenever premises in respect of which a Premises Licence has effect are being used for one or more licensable activities authorised by the licence.
- (2) The holder of the Premises licence must secure that the licence or a certified copy of it is kept at the premises in the custody or under the control of –
  - (a) the holder of the licence, or
  - (b) a person who works at the premises and whom the holder of the licence has nominated in writing for the purpose of this subsection.
- (3) The holder of the Premises licence must secure that –
  - (a) the summary of the licence or a certified copy of that summary, and
  - (b) a notice specifying the position held at the premises by any person nominated for the purposes of subsection (2),are prominently displayed at the premises.
- (4) The holder of a Premises Licence commits an offence if he fails, without reasonable excuse, to comply with subsection (2) or (3).
- (5) A constable or an authorised person may require the person who, by virtue of arrangements made for the purposes of subsection (2), is required to have the Premises Licence (or a certified copy of it) in his custody or under his control to produce the licence (or such a copy) for examination.
- (6) An authorised person exercising the power conferred by subsection (5) must, if so requested, produce evidence of his authority to exercise the power.
- (7) A person commits an offence if he fails, without reasonable excuse, to produce a Premises Licence or certified copy of a Premises licence in accordance with a requirement under subsection (5).
- (8) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (9) In subsection (3) the reference to the summary of the licence is a reference to the summary issued under Section 23 or, where one or more summaries have subsequently been issued under Section 56, the most recent summary to have been so issued.
- (10) Section 58 makes provision about certified copies of documents for the purposes of this section.

MARCH 2002((t))



## **PUBLIC ENTERTAINMENT CONDITIONS**

### **STANDARD TERMS CONDITIONS AND RESTRICTIONS UPON WHICH PUBLIC ENTERTAINMENT/SPORTS ENTERTAINMENT/CINEMA and THEATRE LICENCES ARE GRANTED, RENEWED, VARIED OR TRANSFERRED (REGULATION 9)**

#### **1. INSPECTION**

1.1 ALL PARTS OF THE LICENSED PREMISES must be open to inspection at all reasonable times by:

- (a) Duly authorised officers of the Licensing Authority (Council);
- (b) Police Officers; and
- (c) Fire Officers

#### **2. THE PLAN**

2.1 The premises must at all times conform to the plan deposited with the Council. The plan must be to a scale of 1:50 and include the following details:

- layout of the premises
- emergency exits and any external escape routes
- location and type of fire fighting equipment
- location of emergency lighting units (whether maintained or non-maintained)
- fire alarm call points
- public telephone
- sanitary accommodation including W.C's, urinals and wash hand basins
- potable drinking water points
- fixed and moveable seating and table plan
- any storage area for combustible materials or flammable liquids
- any areas set aside for disabled persons
- all fixed furniture e.g. bars, ticket booths, stages, DJ consoles, dance floor, pool tables etc.

2.2 Any changes to the details contained in the plan (see condition 2.1) must be approved in writing by the Council. A revised plan must be submitted to Council at least 28 days prior to the commencement of work.

#### **3. MANAGEMENT**

3.1 THE LICENSEE(S) must ensure that the permitted number of people in the licensed premises is not exceeded. The permitted number includes patrons, staff and performers.

3.2 The relevant licence(s) (or a clear copy) must be exhibited at all times, in or near the licensed area conspicuously, in such a position that it can be easily seen by people using the area, to the satisfaction of the Council. The licence must be adequately protected against theft, vandalism or defacement.

- 3.3 THE LICENSEE(S) must take all necessary precautions for the safety of the public, performers, competitors and employees. Any instructions regarding safety given by an officer listed in 1.1 above, must be put into effect immediately.
- 3.4 In the absence of the LICENSEE(S) a responsible person, at least eighteen years of age, must be in charge of, and present in, the premises whenever entertainment is provided. Details of any nomination must be entered in the log book (see 3.10) prior to the public entertainment taking place.
- 3.5 All parts of the licensed premises including fittings, seating, door fastenings, floor surfaces and coverings, notices, steps, staircases etc. and all electrical installations must be maintained in clean and good order.
- 3.6 Safe, suitable and sufficient means of heating and ventilation must be provided to the satisfaction of the Council.
- 3.7 No exhibition, demonstration or performance of hypnotism, mesmerism or any similar act may be given without the written consent of the Council.
- 3.8 An application to the Council for consent must be in writing and signed by the applicant or his agent and must be made not less than 28 days in advance of the performance concerned. This period may be reduced in some cases and in the case of a hypnotist who has performed at the same venue within the last three years without any problems occurring. The Council will normally respond within 7 - 14 days; less where the hypnotist has previously performed at the same venue.
- 3.9 No entertainment involving special effects (e.g. pyrotechnics, real flames, smoke machines, firearms, strobe lighting, foam parties, lasers etc.) or any sporting event involving SPECIAL RISKS OR DANGER may take place without the written consent of the Council. Applications must be made to the Council in writing, not less than 28 days before the event and additional conditions will apply.
- 3.10 A Log book and log file must be maintained together in the premises and kept available for inspection by any of the officers listed in condition 1.1. The log book and log file must contain the following information and documents:
- dates and times of visits of any officers, their names and observations made
  - copies of inspection reports e.g. electrical installation, gas installation, emergency lighting, fire fighting equipment, fire alarms, ceiling fixings, lifts, hoists etc.
  - details of routine testing of the emergency lighting and fire alarm systems in accordance with the current British Standards (including dates, times, people carrying out test, faults found and rectification dates)
  - list of registered door security persons on duty that day
  - details of events including fire drills, incidents involving fires, disorder, drugs, items seized by door / security staff with dates, times and any comments
  - the name and address of any person nominated to act in the absence of the licensee and the date when he or she is acting in that capacity

#### 4. DISTURBANCE AND PUBLIC ORDER

- 4.1 No entertainment may be held if it causes a disturbance to the occupiers of any other premises which the Council in its absolute discretion considers to be unreasonable.
- 4.2 THE LICENSEE(S) must at all times ensure, as far as is reasonably practicable,



that people on, or leaving the licensed premises conduct themselves in an orderly manner, and do not cause annoyance to the neighbourhood.

## 5. EMERGENCY TELEPHONES

- 5.1 If no telephone service is available in the premises a notice must be displayed in a conspicuous place, giving particulars of the nearest telephone together with details of how to summon the emergency services.

## 6. ELECTRICAL INSTALLATIONS

- 6.1 The power, lighting and emergency lighting systems must be maintained for the prevention of danger. The Council requires production of a certificate of examination and test of these systems from a competent electrical contractor being a member of the Electrical Contractors' Association (ECA) or the National Inspection Council for Electrical Installation Contractors (NICEIC). A copy of the current certificates must be submitted with any application for grant or renewal of a licence.
- 6.2 No alterations or additions to the electrical installation, either permanent or temporary, may be carried out without prior approval from the Council, (see condition 2.1). Alterations must be carried out by a qualified electrician in accordance with the current Institute of Electrical Engineers Regulations. An additional certificate of examination and test must be obtained and submitted to the Council within 14 days of the completion of the works.
- 6.3 The electrical supply to musical instruments, amplification equipment and any other portable equipment must be fitted with a residual current device (RCD) of 30 milliamp rating.
- 6.4 There must be sufficient, correctly installed and rated, electrical power sockets within the premises so that there is no use made of long trailing flexes to portable equipment and/or multi-socket adapters. Where equipment is suspended by ropes, cables or other combustible materials, safety chains or other non-combustible means of support must be provided.

## 7. GOOD ORDER

- 7.1 THE LICENSEE(S) must ensure that no person is admitted to or remains in the premises whilst in a state of intoxication. If any person acts in an offensive manner, or to the annoyance of other people, he must be removed immediately from the premises.
- 7.2 No profanity or impropriety of language, dress, dance, gesture, strip tease or other thing which is offensive to public feelings is permitted on the premises, unless a warning of these things is displayed on advertisements, posters and tickets. Nothing calculated to produce a disturbance or a breach of the peace is permitted on the premises.
- 7.3 No poster, advertisement, photograph, sketch, synopsis or programme or other thing which contains any offensive representation of a living person may be displayed, sold, or supplied on the premises, by or on behalf of THE LICENSEE, which is likely to be injurious to morality or encourage or incite crime, or lead to disorder, or be offensive to public feeling.
- 7.4 No part of the premises must be used by prostitutes for the purposes of soliciting or

conducting their business.

7.5 All members of staff must be instructed in the safety precautions to be observed and the action to be taken by them in the event of fire or emergency.

7.6 At entertainments attended by adults there must be one attendant provided for every 100 people, or part of 100. At entertainments attended by children under the age of sixteen at least two attendants must be provided for every 100 children or part of 100. In either case there must be at least one attendant per exit, whichever is the greater. All attendants must be over eighteen years of age, readily identifiable to members of the public at all times and must not consume alcohol whilst on duty.

7.7 The primary duties of attendants include:

- ensuring that no overcrowding occurs in any part of the premises
- keeping all gangways and exits clear at all times
- preventing standing on seats and furniture
- being aware of any special requirements needed to ensure safe evacuation in emergency
- Attendants do not include THE LICENSEE(S), responsible person acting for the licensee or bar staff.

7.8 Where people are employed or used in premises licensed to hold public entertainment in order to:

- vet, regulate or control people entering the premises or
- supervise patrons to ensure good order, public safety or internal security, the door security registration scheme will apply except in:
  - community centres
  - village halls
  - schools
  - church halls

when volunteers such as parents, school or committee members assist in controlling security. This exemption will not apply when these premises are used for functions organised by an outside body not connected to the Community Centre, Village Hall, School or Church Hall when other persons are employed for security purposes. This may be varied at the discretion of the Council, having regard to the venue and type of activity. Where the door security registration scheme applies conditions 7.6 and 7.7 are deleted and 7.8 and 7.9 substituted.

7.9 At nightclubs and venues where the council considers there is a potential for disorder and other problems the number of Registered Door / Security People required will be:

1 male and 1 female for the first 100 members of the public or part of 100;  
two additional door / security staff for the next 100 members of the public or part of 100 and 1 per 100 thereafter or part of 100.

All other premises:

1 per 100 members of the public or part of 100.

7.10 People awaiting admission to the premises must not be allowed to congregate

except in locations approved by the Council in writing. Where people wait in queues for admission, THE LICENCEE(S) must do what is reasonably necessary to prevent people from obstructing the exits, external courts, passageways, stairways and ramps leading to the outside of the premises.

## 8. SANITARY ACCOMMODATION

- 8.1 The sanitary accommodation must be clearly and legibly labelled to indicate for which sex it is intended.
- 8.2 All parts of the sanitary accommodation must be kept clean and properly maintained with provision for hand-washing including a constant supply of hot and cold water, soap and hand-drying facilities.

## 9. FIRE SAFETY

- 9.1 THE LICENSEE must ensure that the premises conform to the approved plan (see condition 2.1).
- 9.2 The emergency lighting system and fire alarm system must be tested at least once a month in accordance with the current British Standards, and a record kept of the tests in the log book (see condition 3.9).
- 9.3 All gangways, corridors, staircases, and external passageways intended for exit must be of sound non slip construction, properly maintained, and kept free from obstruction. The edges of the treads of steps and stairways must be made conspicuous.
- 9.4 THE LICENSEE(S) must maintain artificial lighting in the premises at a level whereby the people and activities may be monitored and supervised.
- 9.5 All exit doors and gates must be unlocked with all bolts drawn and be available for egress during the whole time the public are on the premises. Where collapsible gates or roll up shutters are used, they must be locked in the open position whilst the public are present.
- 9.6 Before the public is admitted to the premises, THE LICENSEE(S) must inspect all doors and exits to ensure that they comply with condition 9.5 and that all panic bolts are in proper working order.
- 9.7 Seating, tables, chairs and other furniture and fittings must be so arranged as to allow free and ready access to exits.
- 9.8 Accumulations of refuse must be kept in proper containers until removed from the premises.
- 9.9 Fire fighting equipment must be provided and located as approved by the Council, and be clearly marked to show their purpose. All extinguishing appliances must be inspected and maintained annually by a competent Fire Equipment Engineer. A certificate from the Fire Engineers must be obtained annually and kept available in the log file (see condition 3.9). A copy must be submitted to the Council with any application to renew the licence.
- 9.10 Combustible materials or flammable liquids must not be stored or allowed to

accumulate except in areas approved by the Council and shown on the plan (see condition 2.1).

- 9.11 An event involving a closely seated audience must not be held without the written consent of the Council. Applications must be made not less than 28 days before the event and additional conditions will apply.
- 9.12 All costumes, scenery, decorations, hangings, curtains, carpets and furnishings must be of non-combustible, inherently non-flammable or flame proofed materials.

## 10. GENERAL MATTERS

- 10.1 All heating appliances must be adequately guarded to prevent danger to any person. All such appliances must be situated a safe distance from combustible materials.
- 10.2 Liquefied Petroleum Gas heaters must not be installed or used in the premises without the written permission of the Council.
- 10.3 An adequate supply of potable cold drinking water and a hygienic means of drinking it must be provided without charge to patrons.
- 10.4 THE LICENSEE(S) must ensure that people entering and leaving the premises are counted using a method approved by the Council and that the net total of people recorded inside the premises must, at all times, be available for inspection by Officers.
- 10.5 Where there is more than one area licensed for public entertainment in the same building arrangements must be made, which may include the use of attendants with counting devices, to ensure that the total number of people in any one area does not exceed the number specified for that area.
- 10.6 THE LICENSEE (S) must have regard to the needs of disabled people and in particular:
- When disabled people are using the premises they must be accommodated in seating or reserved places in close proximity to exits capable of being used by them with or without assistance. Such exits must be clearly indicated by the display of a disabled symbol.
  - The arrangements and provisions made for disabled people must be effectively maintained at all times.
- 10.7 First Aid staff and facilities must be provided to the satisfaction of the Council.
- 10.8 THE LICENSEE (S) must ensure that no bottles or glasses are removed from the premises.
- 10.9 THE LICENSEE(S) must ensure that toughened glass is used in respect of pint and half pint glasses within the premises.
- 10.10 Customers must not be served drinks in bottles. In every case the drink will be poured into appropriate vessels by the bar staff.
- 10.11 All lighting and electrical apparatus likely to become heated must be provided with

suitable protection to prevent contact by scenery or any other combustible material.

- 10.12 Curtains over exit doors or across gangways must be made to part in the centre and hang in such a way that they may be easily drawn aside and not trail on the floor. Curtains must not conceal notices.
- 10.13 Where there is a closely seated audience, seating and gangways in the premises should be so arranged to allow free and ready access to exits. A maximum of 12 connected seats shall be provided in each row, provided there is a gangway at each end of the row not less than 1.05m wide. Other seating arrangements may be permitted by application to the Council not less than 28 days before the event.
- 10.14 Storage of materials under the stage is not permitted without the consent of the Council.
- 10.15 Smoking is forbidden within any stage area, dressing or changing room (except where it is necessary in connection with the performance) and notices must be prominently displayed to this effect.
- 10.16 A current certificate of examination is required for any suspended ceiling.

#### 11. DEREGULATION (SPECIAL HOURS CERTIFICATES) ORDER 1996

- 11.1 On the morning that British Summer Time begins, the permitted hours for the provision of music, singing and dancing at premises normally open between 0100 hours and 0200 hours will extend to one hour after the normally specified terminal hour.

#### 20. CINEMA AND THEATRE SPECIFIC CONDITIONS

- 20.1 Premises licensed as a Cinema must not be opened as a Cinema earlier than 0900 hours and must close no later than 2300 hours. On Sundays a Cinema must not be opened earlier than 1200 hours and must close no later than 2300 hours.
- 20.2 Premises licensed as a Theatre must not be opened as a Theatre earlier than 1200 hours and must close no later than 2300 hours on Monday to Saturday. **They must close on Christmas Day and Good Friday except where the permission of the Council has been granted.** On Sundays a Theatre must not be opened earlier than 1400 hours and must close no later than 2300 hours.
- 20.3 Extension of these hours for a Cinema and Theatre Licence may be given on application in writing the Council.
- 20.4 Only such parts of the premises as have been approved by the Council, in writing, may be used for storage of scenery, as workshops, dressing rooms, retiring rooms or cloakrooms and provisions for hanging hats or coats must not be made in corridors, passages, gangways or exitways used by the public.
- 20.5 Where the Council has given notice, in writing, to THE LICENSEE(S) prohibiting the exhibition of a moving picture on the ground that it contains matter which, if exhibited, would offend against good taste or decency or be likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling, that moving picture must not be exhibited in the premises except with the consent, in writing, of the Council.

20.6 If the Council do not agree with the category in which any moving picture passed by the British Board of Film Classification is placed, they are at liberty to alter such category, and, on notice of such alteration being given by the Council to THE LICENSEE(S), the moving picture thereafter must be treated as having been placed in the altered category and the conditions applicable to the exhibition of moving pictures in such altered category must be complied with.

20.7 If the Council request THE LICENSEE(S) to exhibit to them any moving picture he must do so at such reasonable time as the Council may, in writing, direct.

#### 20.8 **Moving picture classifications**

No moving picture may be exhibited unless:-

- It has received a "U", "PG", "12", "15", or "18" certificate of the British Board of Film Classification or
- It is a current news-reel which has not been submitted to the British Board of Film Classification.

No person under the age of eighteen years may be admitted to any exhibition at which there is to be shown any moving picture which has received an "18" certificate from the British Board of Film Classification.

No person under the age of fifteen years may be admitted to any exhibition at which there is to be shown any moving picture which has received a "15" certificate from the British Board of Film Classification.

No person under the age of twelve years may be admitted to any exhibition at which there is to be shown any moving picture which has received a "12" certificate from the British Board of Film Classification.

#### 20.9 **Film classification certificate to be shown**

A representation or written statement of the terms of any certificate given by the British Board of Film Classification must be shown on the screen immediately before the showing of any moving picture to which it relates and the representation or statement must be shown for long enough and in a form large enough for it to be read from any seat in the auditorium.

#### 20.10 **Notice of moving picture classifications and times of showing**

There must be prominently exhibited at each public entrance whenever the premises are open to the public a notice indicating in tabular form and in clear bold letters and figures:-

- The title of each moving picture to be shown on that day, other than trailers and moving pictures of less than five minutes duration;
- The approximate times of commencement of each such moving picture;
- Whether each such moving picture has received a "U", "PG", "12", "15", or "18" certificate from the British Board of Film Classification; and
- The effect of such "U", "PG", "12", "15", or "18" certificates in relation to the admission of people under the age of eighteen years.

#### 20.11 **Advertising**

The nature of any certificate received in respect of a moving picture from the British Board of Film Classification must be clearly indicated by the letter "U", "PG", "12", "15", or "18" in any advertisement of the moving picture displayed at the premises.

Advertisements for any film displayed at the cinema may only depict scenes or incidents which are included in the film as certified by the British Board of Film Classification or the Council.

- 20.12 There must be no standing in the Auditorium during a performance without prior written approval from the Council.
- 20.13 Where appropriate the opening to the stage must be guarded by such type of safety curtain as may be approved by the Council, and other necessary openings in the proscenium walls must have fire resisting and effectively self-closing doors, so that the auditorium may be completely separated from the stage. The safety curtain must be lowered or closed at least once during each performance.
- 20.14 All rope or similar barriers across gangways must be fitted with automatic catches or slip connections, and must be so fixed as not to trail on the floor when parted.

L:/Letters/PubEnt/Conditions/PEL conditions for LA 2003 licences

## Working Sheet

Hampshire Constabulary

Printed: 28/12/2011 13:25 by 24191

Occurrence: **44080494136 Z Prem Licence (Management Occurrence)**

Author: #405 BARRY, A.

Report time: 20/04/2011 17:47

Entered by: #405 BARRY, A.

Entered time: 20/04/2011 17:47

Remarks: DPS letter from PS Barry 20/4/11

Dear Mrs Gujral

Today I attended the Fountain Court Hotel to discuss with you your premises licence conditions and current practices. Thank you for hosting the meeting and taking the time to meet with me.

The mandatory age verification was discussed and you informed me that you operate an over 21's policy in the bar area (your establishment consists of a restaurant, function room and bar area). It is advised that you only accept passports or photo ID driving licence. The use of UV light can be used to detect the authenticity (these can also be used in detecting counterfeit currency). You do not keep a written refusals log. I recommended that you record ejection and refusals of customers who are drunk as well as age verification challenges and any other incidents to note. (An A4 bound diary is a popular method for documenting incidents/refusals)

I understand that including yourself that 3 members of staff hold personal licences. I advised you to record your written authority to supply alcohol to members of staff not holding a personal licence. We discussed staff training and I advised you that staff should be trained to challenge customers who look under the age of 21 and the basic laws of the Licensing Act 2003. Training should be recorded, dated and signed. I recommend that training is conducted at a minimum every three months.

Your drugs policy was discussed; you informed me that your staff are drug aware and toilet checks are conducted frequently during evenings. To date no controlled substances have been found on the premises, you informed me in the event of such detection that you would retain the substance in the safe and report the matter to the police. I gave you some cocaine wipes to assist you in detecting any drug misuse and I conducted iontrack swabs in the ladies and gents toilets of the bar area.

You are a member of Hythe Pubwatch and you reiterated that you support all bans

RESTRICTED



robustly; you are confident that staff are enforcing Pubwatch bans.

I gave you a Licensee's support pack and Talk2Frank drug literature. I make the following recommendations in order that you can fully illustrate your due diligence in upholding the licensing objectives.

**\*Premise refusals log to show age verification challenges and person refused due to drunkenness.**

**\*Report all incidents of crime and disorder at the premises to the police.**

**\*Record all staff training, which should be signed and reviewed every 3 months.**

The licensing Act 2003 places a legal duty upon you to take steps to promote the four Licensing Objectives; these recommendations should assist you in doing so.

Yours sincerely

PS Amanda Barry  
Safer Streets



**Hampshire Constabulary**  
Chief Constable Alex Marshall

Mrs S Gujral  
Fountain Court Hotel  
Frost Lane  
Hythe  
SO45 3NE

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Romsey Police Station  
111 The Hundred  
Romsey  
SO51 8BZ

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Deaf/speech impaired minicom: 01962 875000  
Email: western.licensing@hampshire.pnn.police.uk

25 July 2011

Dear Mrs Gujral

Thank you for taking the time to meet with PS Barry and I on Thursday 21 July 2011. The aim of the visit was to discuss an incident which occurred at the premises involving you being threatened by a customer and to follow up after the meeting held with yourself and PS Barry on 20 April 2011.

A copy of the current full premises licence was eventually located for inspection but unfortunately the premises licence summary was not displayed in full. Section 57 provides that a premises licence holder must ensure that the licence or a certified copy is held on the premises to which it relates either by the licence holder or by an individual nominated for these purposes by the licence holder. A summary of the licence must be displayed prominently on the premises. It is an offence to fail to comply with these requirements or to fail to produce the licence or a certified copy to a constable or an authorised person on request.

At the current time your premises licence states that you are only authorised to sell alcohol until 2300hrs, there is no provision on the licence to sell alcohol to residents and their bona fide guests after this time. I advise you to contact the Licensing Authority to discuss this further.

A follow up letter was sent to you by PS Barry after her previous visit with you on the 20 April, recommendations were put forward for you and your staff to adopt.

**- Premise refusals log to show age verification challenges and person refused due to drunkenness.**

When requesting to view your refusals log you informed us that this has not yet been implemented. Under the licensing act 2003 you have a duty to ensure that the 4 licensing objectives are being adhered to. At the current time you are unable to show us that you are challenging customers who look under the age of 21 trying to purchase alcohol and not



## Hampshire Constabulary

Chief Constable Alex Marshall

serving those who are drunk. I recommended when this is in place you use your log book to record minor incidents which do not require police attendance.

**- Record all staff training, which should be signed and reviewed every 3 months.**

You have still not carried out any staff training. To certify your due diligence I recommend that all staff training is carried out as soon as possible and that individual training records are kept, signed and dated. One of the mandatory conditions on your licence is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence. I suggest that this is recorded in writing and kept with your individual staff training records.

I have enclosed some useful information about challenging customers attempting to purchase alcohol, dealing with drunkenness and fake identification. This information should be cascaded to your staff and training records kept.

We will arrange a follow up visit in a few weeks, where we would like to see the recommendations made implemented. In the mean time if you require any further information or wish to discuss the content of this letter in more detail then please feel free to contact me on the above details.

Yours sincerely

Georgie Fice  
Licensing Unit

Enc.

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: Mark FARLEY URN
Age if under 18: 018 (if over 18 insert 'over 18') Occupation: PC 3607

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: (witness) Date: 5/3/12

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

On Friday 29th July 2011 at about 2330 hrs I was on duty and in uniform with PC 25169 PEVERILL, when I was sent to the Fountain Court Hotel, Frost Lane in Hythe to assist with the removal of persons from the premises at the request of the licensee.

On my arrival, there were a number of drunken people outside of the rear entrance one of whole I recognised as [redacted] and a number of others. The group had been asked to leave having smashed a glass within the bar area but were refusing to do so.

The licensee requested that they leave in our presence but they refused. She then asked us to assist with their removal from the grounds of the establishment. Most of the group left once force was used on a few, and [redacted] was trying to assist police to get the group to move on. [redacted] was drunk, he smelt of intoxicating liquor, and was unsteady on his feet and speech slurred. He had stated to me that he had been in the bar, but was 'trying to be a good boy'.

The group were moved on and gave the usual abuse to other officers that were present but on the whole no harm was done.

I am aware that [redacted] is on the local pub watch scheme, meaning that if he is banned from one licences premises, he is banned from them all, which was clearly not the case on this occasion.

Signature: [redacted] Signature witnessed by: .....

Not Disclosable

**Witness contact details**

Home Address: **C/O Hythe Police Station**

Home Telephone No:

Work Telephone No:

Mobile / Pager No:

Email address:

Preferred means of contact (specify details):

Best time of contact (specify details):

Gender: \_\_\_\_\_ Date and Place of Birth: \_\_\_\_\_

Former name: \_\_\_\_\_ Ethnicity Code: \_\_\_\_\_

Religion / Belief: \_\_\_\_\_

**DATES OF WITNESS NON-AVAILABILITY:**

**Witness Care**

- a) Is the witness willing and likely to attend court? Yes  No   
If 'No', include reason(s) on form MG6.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? If 'Yes' submit MG2 with file. Yes  No
- d) Does the witness have any particular needs? Yes  No   
If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

**Witness Consent (for witness completion)**

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet 'Giving a witness statement to the police - what happens next?' Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice): Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable e.g. child care proceedings, CICA: Yes  No  N/A

Signature of witness: \_\_\_\_\_

PRINT NAME

Signature of parent/guardian/  
appropriate adult: \_\_\_\_\_

PRINT NAME

Address and telephone  
number if different from above: \_\_\_\_\_

Statement taken by:

Self

Station:

Hythe

Time and place statement  
taken:

2100 hrs at Hythe P/S



**Hampshire Constabulary**  
**Chief Constable Alex Marshall**

Mrs Seema Gujral  
Fountain Court Hotel  
Frost Lane  
Hythe  
Southampton  
SO45 3NE

Lyndhurst Police Station  
Pikes Hill  
Lyndhurst  
Hampshire  
SO43 7NR

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**Your ref:**

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**Fax No:** 023 8067 4200

**Deaf/speech impaired minicom:** 01962 875000  
**Email:** western.licensing@hampshire.pnn.police.uk

November 09, 2011

Dear Mrs Gujral

Following my recent visits to your premises on 21/10/11 and 3/11/11 with Georgie FICE, I would like to confirm the items discussed and highlight some areas of concern.

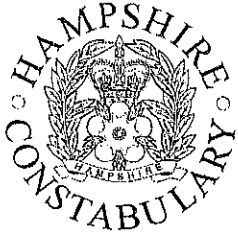
Community information suggests that there is drug use within your premises. During the visit I took lontrack swabs, which have been tested by the lontrack Itemiser machine which is capable of detecting a range of narcotics. The trigger point for an alarm reading on the machine is 1. The full results are shown below.

- ABJ/FC/01 - Ladies function room - No trace
- ABJ/FC/02 - Gents function room - No trace
- ABJ/FC/03 - Ladies main bar - No trace
- ABJ/FC/04 - Gents main bar - 1.17 cocaine

As you can see, there is evidence of cocaine use within the gents toilets. Drug usage contributes to a significant proportion of crime committed and disorder reported. I'm sure that you will appreciate the need to address the problem, to ensure compliance with the prevention of crime and disorder objective under the Licensing Act 2003.

I would suggest that regular toilet checks are carried out by you and your staff when the premises are open to the public. Staff should be aware of what to look for and what procedure they should carry out if they suspect drug activity. It is good practice to make written records each time the checks are done. Cocaine users generally require a smooth surface in order to take their drugs and we advise that where possible the opportunities for them to take drugs on your premises are reduced if fixtures such as toilet cisterns are built in. Where this is not possible please consider treating them with something such as baby oil.

If you witness anything suspicious then please do not hesitate to contact your local police to report this on either 101 or 999 in an emergency. If you locate any drugs then you should report this immediately, log it in your incident book, and store them securely until collection by the police is arranged.



We discussed your lapsed attendance at the Waterside Pubwatch and you displayed a commitment to return to the group. I was pleased to hear that you attended on 9/11/11 and had disclosed that you had permitted a banned person on your premises when he was a guest at a wedding.

You informed me that your main focus of your business is the hotel trade of which you state is thriving with refinery contractors, in addition to this you claim that your patrons are mainly elderly persons. Community information contradicts this and I shared with you information that a 16 year old male had been served alcohol and that local persons are regularly being supplied alcohol past your terminal hour. A member of the public rang the police control room at 0130 hours on Sunday 7/11/11 stating that drunk patrons had just left The Fountain Court Hotel and were being abusive to passers by in Frost Lane.

We discussed your age verification policy and I advise<sup>3</sup> that you to raise your challenge age to 25 in view of the recent lapses. Please advise your staff when checking ID; to use a UV light to check for the hologram, ask the persons date of birth and I suggest that you the ask them what their star sign is or their post code. False ID is a common problem and staff must be prepared to take measures to challenge ID tendered. It was noted that no challenges had been recorded in your refusals log since 18/8/11. We advised that you record all age verification challenges and persons refused due to drunkenness. I was pleased to see that you are now noting boundary checks during times of live performances, I advised you to utilize an A4 bound diary to record these checks as well as incidents and refusals.

I was pleased to see that you are now recording staff training and note that 3 members of staff hold personal licences. In order to further support you in performing your role of DPS please find the following attachment in relation to a DPS course.

We discussed your premises licence and conceded that you have inherited a premises licence that it complex in its formatting. Georgie FICE has consulted with NFDC licensing department and I can now confirm that you have a terminal hour of 0100 hours on a Friday and Saturday. However please be aware that your terminal hour for supply of alcohol on all other days is 2300 hours and 2230 hours on a Sunday.

As you are aware Hampshire Constabulary are committed to working with the licensees in promoting the four licensing objective i.e. –

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Should further incidents occur at your premises and the issues raised on the attached actions list not addressed, I would have little choice but to consider reviewing your licence to ensure the licensing objectives are promoted.

Yours sincerely

Sgt Amanda Barry  
New Forest Safer Streets

Enc.



## ACTIONS LIST THE FOUNTAIN COURT HOTEL, HYTHE – 3/11/11

### Drugs

**Police** – Police raised concerns of drug usage at the premises, Iontrack taken illustrating traces of cocaine use in gents toilets.

**Venue** - Ensure each member of staff understands and implements your drugs policy and you inform the police of any suspicions. If drugs are found it should be logged and placed in your safe until police are able to collect it.

### Refusal/Incident log

**Police** – Concerns were raised that there has been no entries in the refusals log since 18/8/11. This gives the impression that the premises is not illustrating their due diligence in recording their age verification policy. A 16 year old had been drinking alcohol at the premises.

**Venue** – Ensure that each member of staff understands and implements the age verification policy. Raise to Challenge 25, market this in the premises with posters provided. Maintain refusals/incidents and boundary checks in an A4 bound diary.

### Disorder

**Police** – Community intelligence of rowdy behaviour being linked to patrons leaving the premises several hours after the terminal hour for the supply of alcohol.

**Venue** – adhere fully to premise licence. Bona fide guests only to be supplied with alcohol outside of the permitted hours. Provide record of guests and their transactions if request by the police





# Hampshire Constabulary

Chief Constable Alex Marshall QPM

Lyndhurst Police  
Station  
Pikes Hill  
Lyndhurst  
Hampshire

SO43 7NR

Mrs Seema Gujral  
Fountain Court Hotel  
Frost Lane  
Hythe  
Southampton  
SO45 3NE

Telephone: 101  
Direct dial:  
Fax number: 023 8067 4200  
Minicom: 01962 875000  
Email:

Our ref:  
Your ref:

January 5<sup>th</sup> 2012

Dear Mrs Gujral

Following my visit on 20/12/11 and further to letters dated 9/11/11, 25/7/11 and 20/4/11. I would like to confirm the items discussed and highlight areas of concern.

On 15/12/11 Hampshire Police conducted a test purchase operation at your premise of which you failed. A [REDACTED] was the staff member who made the supply and he has subsequently been issued with a fixed penalty notice.

You stated that [REDACTED] had been working at the premises for 6/7 weeks. I note that [REDACTED] had signed a document on 31/10/11 stating "I confirm I have read and understood all the information and training given to me regarding age verification, serving alcohol to intoxicated customers, refusals, drug misuse and signs to look out for, availability of serving smaller measures if requested". I observed that the content of your training material was unstructured and consisted of the licensee support pack and talk2frank literature of which I had provided you with.

I asked you to provide me with a copy of your CCTV for the evening of 20/12/11. You were unable to and stated that your husband has could attend to this; your husband was away on business and not presently available.

We discussed the rise of anti social behaviour in the vicinity, particularly after 0200 hours of which community intelligence is linking to your premises.

As you are aware Hampshire Constabulary are committed to working with the licensees in promoting the four licensing objectives.

- \*The prevention of crime and disorder
- \*Public Safety
- \*The prevention of public nuisance
- \*The protection of children from harm



# Hampshire Constabulary

Chief Constable Alex Marshall QPM

Should further incidents occur at your premises and the issues raised on the attached actions list not be addressed. I would have little choice but to consider reviewing your licence to ensure the licensing objectives are promoted.

Yours sincerely

Sgt Amanda Barry  
New Forest Safer Streets

Enc.

## ACTIONS LIST FOUNTAIN COURT – 20/12/11

### Age Verification Policy

Police-Conducted test purchase operation of which your premises failed. No age verification challenges were made.

Venue- Introduce formal BIIAB licensing training for all staff. Ensure that all staff are re-trained in your age verification policy and that they adhere to it and make robust challenges to persons appearing under the age of 25 and when refusals made that they are recorded in detail.

### Disorder

Police – Community intelligence of anti social behaviour being linked to the vicinity and that patrons are being supplied with alcohol beyond the terminal hour.

Venue – Report any incidents of disorder in your incident/refusals log and report incidents to the police. Please make note of incidents in the vicinity that you are aware of in order to negate your premise. Adhere fully to premise licence. Bona fide guests only to be supplied with alcohol outside of the permitted hours. Provide record of guests and their transactions if requested by the police.

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6

### WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC Alison Cross 3891

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:..... (witness) Date: 24.2.12

I am the above named person and what I am about to say is in relation to a failed test purchase operation at the Fountain Court Hotel, Frost Lane, Hythe on Thursday 15<sup>th</sup> December 2011 at 21.15hrs.

The people present at the fountain Court hotel including myself , Vanessa Purchase who entered the premises as witnesses initially followed by SC Wisniewski who joined us for a short while in the bar area, along with a juvenile who purchased the alcohol.

I entered the premises with Vanessa Purchase walking via the side entrance from the car park. Upon entering the bar area there were a number of young lads playing in the pool table and young females who all appeared to be drinking alcoholic drinks, I would say some of those females looked under 18yrs but were wearing a lot of makeup.

We entered the karaoke area and purchased drinks at the bar and sat down close to the bar with full view. The juvenile entered the bar via the main entrance and walked into the bar. The Juvenile approached the bar and was served by a young male who was approx 5ft tall, slim build, with short black/brown hair, wearing smart trousers, shirt and a jumper. The Juvenile asked for a drink and purchased a Larger Shandy. The male asked no questions and with no hesitation poured the drink straight away and money was exchanged. The juvenile walked over and sat at our table with the larger Shandy. I can confirm I saw the larger Shandy. At that time the decision was made not to approach the DPS. We stayed at the premises for a short time and then left. We were in the premises for approximately for 15minutes. PC Wisniewski joined us for a short period and sat at our table. We all left the premises and returned to Hythe Police Station.

I had no further dealings with the fountain court

Signature..... Signature witnessed by: .....

PUB.  
PC CROSS 3891

19.12.17  
Re.

2230 PNB update - My - Police  
 Vehicle returned  
 At about 2.15 hrs  
 I entered the fountain  
 Court hotel with another  
 witness. Upon entering  
 the premises there  
 was a number of young  
 lads playing on the  
 pool / snooker table  
 After purchasing our drinks  
 We sat and noted  
 that a number of young  
 females some what  
 would say were under 18 yrs  
 old entered the

young looking and had 75  
a lot of make up on.

All appeared to be  
AC drinking alcohol. <sup>found the</sup> In

<sup>cash</sup> the main part of  
the bar, where the  
Karaoke guys set up  
the customers in the  
bar were a lot older.

The witness entered  
the bar via the  
main entrance of the  
hotel, she walked up  
to the bar, ~~she~~  
~~was~~ ~~at~~ ~~the~~ ~~bar~~. AC

A young male,  
white, approx 5ft  
tall, ~~with~~ slim build  
with short Black/Brown  
hair styled. He wore  
smart trousers, shirt  
and Jumper. ~~She~~ <sup>she</sup> AC

asked for a drink  
and he made no  
hesitation and  
poured her drink.  
I saw cash exchanged  
and she brought  
the drink straight over  
to us at the table.

The Witness confirmed  
she asked for half a  
larger shandy. I can  
confirm this was the drink  
purchased and it looked like

alcohol. We stayed there 76  
for a few minutes longer.  
as Pc Wisniewski  
joined us. We finished our  
drinks leaving the alcoholic  
drink purchased by the  
underage waitress.

No approach made to Seller  
or Dps at that time.

2300 - off duty 3391.

/// Friday 16th Dec 2011  
WF

/// Saturday 17th Dec to  
Sunday 18 Dec - PD

/// Monday 19th Dec 2011  
0800-1600.  
0800 - NY.



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**PROTECTIVE MARKING (when complete)**

**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: | | |

Statement of: Vanessa Purchase  
Age if under 18: over 18yrs (if over 18 insert 'over 18') Occupation: Administrative Support Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 5/1/12

v  
Vanessa Purchase

Tick if witness evidence is visually recorded  (supply witness details on rear)

My name is Vanessa Purchase and I work for New Forest District Council, on Thursday 15<sup>th</sup> December 2011, I was in company with PC Cross 3891 the anti social behaviour officer for the New Forest.

This statement includes information showing that a person underage of 18 was sold alcohol and what was witnessed that night.

The persons I will mention in the statement will be myself, a young male who sold the drink who I will refer to as B, PC Wisniewski and the underage person who I will refer to as A. I would describe B to be a white male, of slim build and approximately 5'8 tall with dark black short hair with a slim face. He was wearing dark trousers, with a short and a jumper.

vsp: Fountain Court, Frost Lane, Hythe

On Thursday 15<sup>th</sup> December 2011 at 19.15hrs I entered the pub with Pc Alison Cross via the double doors. We entered the pub and walked past the games table and walked in the main bar area where the Karaoke was set up. There were young lads and girls playing snooker and drinking, they all looked to be drinking alcoholic drinks. During the time we were sat in the bar, I did not see the bar staff challenge anyone about their age. Or ask anyone for identification however I did see challenge 21 signs up on the doors. A person under the age of 18yrs A approached the bar and walked towards the bar next to karaoke machine. There were a number of other persons over the age of 18 in the bar at the time. A asked B for half a larger Shandy, there was no hesitation, no ID was asked for. A paid for the drink and sat down with us at the table. A had asked for half a larger Shandy, and I saw B dispense the drink from the pump and handed the alcoholic drink back to B and money was exchanged. PC Wiseniewski then joined us then approximately 10minutes later we all left the Bar. I was present in the bar for approximately 25 minutes. I had no further dealings with this.

Signed :

Signature witnessed by :

Vanessa Purchase

57

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**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

Statement of: Amanda Barry URN  
Age if under 18: 018 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: \_\_\_\_\_ (witness) Date: 24/2/12

Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a Police Sergeant serving in the Hampshire Constabulary based within the New Forest Districts Safer Streets Team at Lyndhurst Police Station.

I hold a BIIAB level 2 National Certificate for Personal Licence Holders.

As a part of my role I coordinate Test Purchase Operations within the New Forest District in line with the national guidance and best practice including the LACORS "Practical guide to Test Purchasing".

On Thursday 15<sup>th</sup> December 2011 I coordinated a Test Purchase Operation in the Totton and Hythe sectors of the New Forest.

As a result of the operation a supply of alcohol was made at The Fountain Court, Frost Lane, Hythe of which a member of staff was dealt with my means of a Fixed Penalty Notice.

On Thursday 16<sup>th</sup> February 2012 I coordinated a Test Purchase Operation in the Totton and Hythe sectors of the New Forest.

Signature: ..... Signature witnessed by: .....

At 2115 hours I attended The Fountain Court Hotel, Frost Lane with PC Woodhead. I consulted with Lynn Levett and Vanessa Purchase in the bar and spoke with the person who they identified as having made the supply of alcohol to the juveniles. The person was known to me as the designated premises supervisor Seema GUJRAL. I informed GUJRAL that we were conducting a test purchase operation and that her premises had failed, I stated that she was the person who witnesses had described making the supply of alcohol.

I reported GUJRAL for the offence of Sale of Alcohol to a person under 18 followed by caution. GUJRAL replied to caution "I thought I'd asked for ID"

. made an appointment with GUJRAL to attend Hythe Police Station on 22/2/12 at 1400 hours. This arrangement was later changed and at 1415 hours on 22/2/12 I attended The Fountain Court Hotel, Frost Lane, Hythe and issued Seema GUJRAL with a fixed penalty notice for the Sale of Alcohol to a person under 18.

Signature: ..... Signature witnessed by: .....

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: Vanessa Purchase URN
Age if under 18: 018 (if over 18 insert 'over 18') Occupation: Admin Support Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [Handwritten Signature] (witness) Date: 24.2.12

Tick if witness evidence is visually recorded [ ] (supply witness details on rear)

My name is Vanessa Purchase and I work for New Forest District Council. Hampshire Police work in partnership with our department and I assist the New Forest Safer Streets Team by acting as a witness during test purchase operations on Licensed Premises.

On Thursday 16th February 2012 at 1630 hours I attended Totton Police Station for a briefing conducted by PS Barry; also present was PC Cross, police staff Lynn Levett, PC Woodhead and two juvenile test purchasers.

At 2055 hours I entered The Fountain Court Hotel, Frost Lane, Hythe with Lynn Levett. We purchased a drink and took a seat at a table in sight and hearing of the bar.

Shortly after this the two test purchasers entered the premises and approached the bar. They were initially served by a younger girl with long curly hair. The test purchasers asked for 2 Smirnoff Ices and the girl asked if they had ID. One of the test purchasers replied that they had left it at home. The girl serving asked if they would be happy with soft drinks of which the test purchasers replied "not really". The younger bar maid then referred this to an older barmaid who was shorter, wearing a bright blue low cut jumper. The older barmaid remarked to the test purchasers " Do you have ID?" referring to one of the juveniles "You look 15" The older barmaid then served the juveniles with a Smirnoff Ice and a coca cola. The juvenile who she had stated looked 15 then handed over the money for the drinks. At no point was any identification provided.

The juveniles brought their drinks to our table and then left the premises. Shortly afterwards PS Barry and PC Woodhead entered the premises and went into the lobby area of the hotel with the older barmaid which had supplied the alcohol to the juveniles. I then left the premises.

Signature: ..... Signature witnessed by: .....

**A  
P  
P  
E  
N  
D  
I  
X  
  
C**

Sat 6th August.

Approx 10pm.

3 Girls approached the bar + ID as they were requesting buy alcohol. All 3 of them were old enough the years were 90/91, 2 Girls 5'6 long hair one brown the other blonde. Blonde girl wearing a plain cream evening dress/gown. The brown haired female was wearing a plain white blouse + black trousers. 3rd Female 5'8 Short length brown hair wearing a t-shirt + jeans.

J. Munday

Fri 12th August 2011

Approx 8.30pm.



wearing a yellow t-shirt light blue jeans, white ~~trousers~~ <sup>trousers</sup> 5ft 2 Short blonde hair. Came into the bar and offended one of the regulars by using offensive language. The bar got heated and [unclear] left for the Smokers Shelter. [unclear] wife went Stea sticking up for [unclear] where they are brewing for a night.

it:

is correct then sign below:

a No.	Signature

self. Calm the situation, managed to get the customered telling my to calm use.

On Wed 16/08/2011 Mr [redacted] came in to see Kelvin & Seema regarding a complain about noise of drunken people on this road. (a female resident in the area made a complain but



Curran  
Enforcement Officer

1, Beaulieu Road, Lyndhurst, Hampshire SO43 7PA  
 Tel: (023) 8028 5505  
 Fax: (023) 8028 5506  
 Email: info@newforest.gov.uk  
 Minicom/Text: (023) 8028 5416

to be sure about details so I came in to check if we were the right thing and left not pleased knowing we were making notes etc on Refusal to about every little etc etc.

18/8/11

[redacted] entered the premises  
 Purchased a pint

Friday 21/10/11  
 Licensing visit PS. Barry Sater streets  
 405

3 NOV 2011

Seema Original - Told a girl in bath 8:25 in  
Miss Diamond [redacted] [redacted]  
was ok so allowed her to stay.

4th NOV 2011

[redacted] [redacted] was ok allowed  
to stay

5th Nov

[redacted] Told by Seema (53)  
fine [redacted]

[redacted] [redacted] was fine  
so stayed in

[redacted] [redacted] Seema

- [redacted] - no id's fine
- [redacted] - no id's done
- [redacted] - no id's required.

Wednesday 16th November 2011 approx 7:30  
was a incident involving 2 Brothers [redacted]  
[redacted] and [redacted] the police were  
called.

Witnesses: [redacted]

[redacted]



18<sup>th</sup> Nov

No i.d needed

)

19<sup>th</sup> Nov

~~scribbled out~~

20<sup>th</sup> Nov

)

21<sup>st</sup> Nov

22<sup>nd</sup> Nov

23<sup>rd</sup> Nov

24<sup>th</sup> Nov

~~scribbled out~~ (at ~~scribbled out~~) was i-ded was fine  
~~scribbled out~~ ( ~~scribbled out~~ ) was ider was fine

25<sup>th</sup> Nov

heated debate but calmed down

old + young TURNED UP GOOD NIGHT:

26<sup>th</sup> Nov

CALM GOOD NIGHT QUITE BUSY  
OVERALL GO SHIFT

)

27<sup>th</sup> November 2011

Quiz Night - Everyone was OK, no one looked under 25. [REDACTED]

28<sup>th</sup> November 2011

Music Quiz Night - Everyone was OK, No Under-age Reasonably Busy for a Mon Night, 7 Teams. Kirstie (BAR) ☺ RIGHT SIDE OF BAR SHELVES CLEANED.

29<sup>th</sup> Nov. 2011

Crib Night → few people no - under-age. All professional. Everyone was D.I.C. Close the bar early as they left.

30<sup>th</sup>. →

Hardly two people after 7.30. Bar was close early.

## DECEMBER

(Month of ~~pro~~ celebrations)

1 Dec →  
Thursday

Today is a Karaoke night. Not many people in. Just 3-4 residents &

3-4 other people singing. Having fun. Everything went fine.

← X →

2<sup>nd</sup> Dec. Friday.

( It was Friday night as we didn't have any band so it was comparatively very quiet. We had resident whom we served. Rest few were served till 1.30am sent off. Everything went smooth & nice.

← X →

3<sup>rd</sup> Dec. Saturday,

had a 'mans day' Party Group in quite loud but were overall calm left early. Not very busy night  
Steady flo. ~~to do~~ Kustie (bar)

No ID Needed.

~~to do~~

← X →

4<sup>th</sup> Dec. Sunday.

Was a charity organised Christmas dinner by a lovely family Linda's few people of them very nice & sober & we had Quiz night of four sweet people team. Everything calmly  
No ID needed.

← X →

Monday,

Quite busy at start. had the Darts team in. Quiz went well 5 teams in tonight. No ID Required. I came last !!

Dec. Tue. → Not busy. Close very early 10.45.

Everything calm. Thanks

Dec. Wed → was quiet

Dec. Thursday → was quiet in the bar  
Carl

Dec

Dec. Friday NETAS BDAY ☺  
Calm good had small party in  
BAND WAS GOOD ☺ No ID  
Required. Kirstie (BAR) (During my shift)

Dec

Dec. →

Band Night (plus one). - had nice  
time Few residents & their friends  
stay back.

Dec 2011

Part. In function room everyone was asked  
for I.D. AS most of them looked to be  
underage those who could not provide I.D.  
were refused. ~~XXXXXXXXXXXX~~

alarm was broken during 6.0am one of the residents

(68)

11<sup>th</sup> December Sunday - Quiz ))

calm quite busy night.  
No ID Required KIRSTIE (BAR)

12 December Monday - Music Quiz

Very quiet only 4 teams in  
No ID Required KIRSTIE (BAR)

13<sup>th</sup> Dec. Tuesday → ))

CRIB Night.  
few team calm & quite night.  
no id required. All respectable people  
were in.

1 id' every person there in the room I found  
2 empty vodka bottles I confiscated 3 cans of  
lager and I also found 2 bottles of wine.  
I went around collecting glasses and checked if  
all was ok. I found the empties after ))  
the party when I was clearing up.

ll

ll Karaoke was quiet Well some middle aged people  
who are friends and family of Chris the  
karaoke guy. Ray and Samira etc.  
rest few normal regulars to ))  
did not need i.d. (69) - 10 mins for the

16<sup>th</sup> Dec  
Band DRM played  
had a visit from a copper who <sup>did</sup> i-d's check  
it was fine. Sean

2 under 18 NO alcohol served to them.

ID REQUIRED - [REDACTED]

NOT SERVED - [REDACTED]

ID REQUIRED - [REDACTED]

ID " - [REDACTED]

ID " - [REDACTED]

ID " - [REDACTED]

ID " - [REDACTED]

BAND WAS GOOD VERY BUSY ID WAS REQUIRED  
AND ALL WAS WRITTEN IN THE BOOK THREE  
'UNDERAGED' DID NOT DRINK ALCHOL ALL NIGHT  
CLOSE EYE KEPT ON THEM. Kirstie (BAR).

Dec GOOD EVENING QUITE BUSY HAD A CHRISTMAS PARTY  
IN LEAF QUITE EARLY HAD A BUNCH OF  
PEOPLE COME FROM THE TRAVELERS REST. ABOUT  
HALF TEN SOMEONE WAS SICK BY THE RECEPTION.  
(5'11" BROWN HAIR) Kirstie (BAR)  
NO ID REQUIRED.

~~18~~ 18 Dec 2010 - QUIZ NIGHT. ))

SUGGESTION - IT MIGHT BE EASIER TO GET TO IF THE GUINNESS PUMPS ABOVE THE SINK, I RECKON IT WOULD BE MORE SPACE TO SERVE AND HAND OVER DRINKS.

I HAVE MOVED THE BIN TO UNDER THE TILL AND I THINK WE WILL BE ABLE TO PUT ONE SHELF BACK IN ABOVE THE BIN MAYBE. ))

THREE TEAMS IN REASONABLE QUIET  
NO ID REQUIRED

AT ABOUT HALF 10 A CHAIR BROKE AND IS WRITTEN IN THE ACCIDENT BOOK HE IS OK WITH NO PHYSICAL INJURYS.

KIRSTIE (BAR)

MUSIC QUIZ NIGHT. ))

VERY BUSH 6 TEAMS IN I LOSE AS USUAL  
EVERYTHING WAS OK WENT SMOOTHLY NO IDENTIFICATION REQUIRED

was not allowed in when in he came in during the afternoon with his friends.

**Public Health and Community Safety**  
Head of Service: Annie Righton

Mr & Mrs K Gujral  
Fountain Court Hotel  
Frost Lane  
Hythe  
Southampton  
SO45 3NE

Our Ref: PW/LICPR/05/00135/PW  
Your Ref:  
13 March 2012

Dear Mr & Mrs Gujral

**LICENSING ACT 2003 - (SECTION 51) REVIEW OF PREMISES LICENCE**  
FOUNTAIN COURT HOTEL, FROST LANE, HYTHE, SO45 3NE

I am writing to confirm that we have received an application for review of the above premises from the Police.

You should also be in receipt of a copy of the review application advising you on the grounds in which this request has been made.

The Licensing Authority has a duty under the above Act to display a notice regarding this review at, on or near the site of the premises and where it can be conveniently read by the public. This notice was put up outside your premises on Friday 9 March 2012 and it must remain on display for a period of 28 consecutive days.

The advertisement gives responsible authorities and interested parties the opportunity to make representations about the application.

If you wish to make contact with the Police to discuss the grounds of the review, please contact them direct on telephone number, 0845 045 45 45 and speak with Georgina Fice at Romsey Police Station. If after having a discussion it is felt that the review could be withdrawn, we will be notified accordingly of this by the Police and this will avoid the requirement of a hearing.

If in the meantime, you have any queries regarding this application, please do not hesitate to contact us.

Yours sincerely

*Paul Weston*

Licensing Officer  
Licensing Services

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

**newforest.gov.uk**

Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA



LICENSING ACT 2003

Application for REVIEW of a Premises Licence (s.51)

NOTICE is given that an application has been received for the review of a Premises Licence (541/3) at:

Fountain Court Hotel  
Frost Lane  
Hythe  
SO45 3NE

The grounds of the review are under the following licensing objectives:

The Prevention of Crime & Disorder  
Public Safety  
Prevention of Public Nuisance  
Protection of Children from Harm

Any person wishing to make representation in accordance with the licensing objectives should write to; New Forest District Council Licensing Services, Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA, within 28 days of this notice.

A record of the full application is available to view during office hours at the above offices.

Any person who knowingly makes a false statement in connection with an application is liable on summary conviction to a maximum fine of £5000.

DATED: 2012-03-08