

## APPLICATION FOR REVIEW OF A PREMISES LICENCE - THE OLD FARM HOUSE, RINGWOOD ROAD, TOTTON

### 1. INTRODUCTION

- 1.1 The purpose of this report is to consider an application for the review of a premises licence under Section 51 of the Licensing Act 2003.

### 2. APPLICATION

- # 2.1 Hampshire Constabulary has made an application for the review of The Old Farm House, Ringwood Road, Totton SO40 8EA. The application is attached as **Appendix 1**.

### 3. REPRESENTATIONS

- # 3.1 An additional representation supporting the review application has been received from Environmental Health Pollution and is attached as **Appendix 2**.

### 4. REQUIREMENTS FOR A HEARING

- 4.1 The Licensing Authority must hold a hearing to consider the review application and the representation.
- # 4.2 The relevant paragraphs of the Home Office guidance issued under Section 182 of the Licensing Act 2003 are attached as **Appendix 3**.

### 5. CONCLUSION

- 5.1 The Licensing Sub-Committee must, having regard to the application, consider which of the following measures are appropriate for the promotion of the licensing objectives:
- 5.2
- To modify the conditions of the licence;
  - To exclude a licensable activity from the scope of the licence;
  - To remove the designated premises supervisor;
  - To suspend the licence for a period not exceeding three months;
  - To revoke the licence;
  - To take no further action in this matter.

### 6. RECOMMENDATION

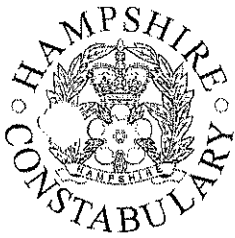
- 6.1 That the Licensing Sub-Committee determines the application.

#### Further Information:

Paul Weston  
Licensing Services  
Tel: 023 8028 5505  
Email: licensing@nfdc.gov.uk

#### Background papers:

Appendix 1(S51 Review Application)  
Appendix 2 (Additional Representations)  
Appendix 3 (Home Office Guidance)



**Hampshire Constabulary**  
Chief Constable Andy Marsh

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

Southampton Central Police Station  
Southern Road  
Southampton  
Hampshire  
SO15 1AN



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Your ref:

Telephone: 0845 045 45 45  
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Deaf/speech impaired minicom: 01962 875000  
Email: western.licensing@hampshire.pnn.police.uk

16<sup>th</sup> January 2014

Dear Sir,

On behalf of Hampshire Constabulary, I submit the following review application in relation to a premises licence for the Old Farm House, Ringwood Road, Totton.

As I am sure your aware your statement of licensing policy states that under the Licensing Act 2003, licensees have a duty to promote the four licensing objectives which are-

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

Further to this, Section 17 of the Crime and Disorder Act 1998 imposes an obligation on every police authority and local authority to do all that it can to reasonably prevent –

- crime and disorder in its area including anti-social and other behaviour adversely affecting the local environment; and
- the misuse of drugs, alcohol and other substances in its area.

The premises is currently failing in its duty to promote the licensing objectives as outlined in the review application, therefore I submit this application to review the premises licence.

Yours faithfully,

PC 24288 Harris  
Violent Crime & Licensing Department  
Southampton



Licensing Act 2003

## Premises Licence

Issued under Section 24 of the above Act

<b>Premises Licence Number</b>	1410/6
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### Part 1 - Premises Details

<b>Postal address of premises, or if none, ordinance survey map reference or description</b>	
The Old Farm House Public House Ringwood Road Totton Southampton Hampshire SO40 8EA	Map Ref (E): 435058.416807292 Map Ref (N): 113210.520745167 UPRN: 100062005489
Telephone Number: 02380 666168	

<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>
F) Playing of Recorded Music H) Anything of a similar description to that falling within (e), (f), (g) I) Provision of Late Night Refreshment J) Sale or Supply of Alcohol - On and Off the Premises

<b>The times the licence authorises the carrying out of licensable activities</b>			
<b>F - Playing of Recorded Music</b>	<b>Playing of recorded music may take place:</b>		Indoors <input checked="" type="checkbox"/> Y
			Outdoors <input type="checkbox"/>
			Both <input type="checkbox"/>
Day	Start	Finish	
Mon	18:00	23:00	<b>Further details:</b> Discos The number of events involving recorded music will be limited to 12 per calendar year and shall be subject to condition 6 in Annex 3  <b>Seasonal variations:</b>  <b>Non standard timings:</b> A further additional hour is permitted on Christmas Eve, Christmas Day, Good Friday, Easter Saturday, Easter Sunday, St Patricks Day and St Georges Day Furthermore, one extra hour shall be permitted on either Friday or Saturday evening until 01:00hrs on both August Bank Holiday weekend and Spring Bank Holiday weekend. For New Year's Eve permitted hours are from 11:00hrs New Year's Eve to the end of permitted hours on New Year's Day
Tues	18:00	23:00	
Wed	18:00	23:00	
Thur	18:00	23:00	
Fri	18:00	23:00	
Sat	18:00	23:00	
Sun	18:00	23:00	



Anything of a similar description to that falling within (e), (f), (g)			This entertainment may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish	Description of the type of entertainment being provided:		
Mon	18:00	23:00	Karaoke		
Tues	18:00	23:00	<p>The number of events involving recorded music will be limited to 13 per calendar year and shall be subject to condition 6 in Annex 3.</p> <p><b>Further details:</b></p> <p><b>Seasonal variations:</b></p> <p><b>Non standard timings:</b>  A further additional hour is permitted on Christmas Eve, Christmas Day, Good Friday, Easter Saturday, Easter Sunday, St Patricks Day and St Georges Day  Furthermore, one extra hour shall be permitted on either Friday or Saturday evening until 01:00hrs on both August Bank Holiday weekend and Spring Bank Holiday weekend.  For New Year's Eve permitted hours are from 11:00hrs New Year's Eve to the end of permitted hours on New Year's Day</p>		
Wed	18:00	23:00			
Thur	18:00	23:00			
Fri	18:00	23:00			
Sat	18:00	23:00			
Sun	18:00	23:00			

I - Provision of Late Night Refreshment			This entertainment will take place:	Indoors	
				Outdoors	
				Both	Y
Day	Start	Finish	Further details:		
Fri	23:00	24:00	<p><b>Seasonal variations:</b></p> <p><b>Non standard timings:</b>  A further additional hour is permitted on Christmas Eve, Christmas Day, Good Friday, Easter Saturday, Easter Sunday, St Patricks Day and St Georges Day  Furthermore, one extra hour shall be permitted on either Friday or Saturday evening until 01:00hrs on both August Bank Holiday weekend and Spring Bank Holiday weekend.  For New Year's Eve permitted hours are from 11:00hrs New Year's Eve to the end of permitted hours on New Year's Day</p>		
Sat	23:00	24:00			

J Sale or Supply of Alcohol - On and Off the Premises		
Day	Start	Finish
Mon	11:00	23:00
Tues	11:00	23:00
Wed	11:00	23:00
Thur	11:00	23:00
Fri	11:00	24:00
Sat	11:00	24:00
Sun	11:00	23:00

**Further details:**

**Seasonal variations:**

**Non standard timings:**  
A further additional hour is permitted on Christmas Eve, Christmas Day, Good Friday, Easter Saturday, Easter Sunday, St Patricks Day and St Georges Day  
Furthermore, one extra hour shall be permitted on either Friday or Saturday evening until 01:00hrs on both August Bank Holiday weekend and Spring Bank Holiday weekend.  
For New Year's Eve permitted hours are from 11:00hrs New Year's Eve to the end of permitted hours on New Year's Day

**The opening hours of the premises**

**L - Opening Hours**

Day	Start	Finish
Mon	09:00	23:30
Tues	09:00	23:30
Wed	09:00	23:30
Thur	09:00	23:30
Fri	09:00	00:30
Sat	09:00	00:30
Sun	09:00	23:30

**Seasonal variations:**

**Non standard timings:**  
The premises shall be permitted to open for a further one additional hour in line with the non standard hours permitted in Sections F, H, I and J above

**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**

Greene King Retailing Ltd  
Westgate Brewery  
Abbot House  
Bury St Edmunds  
Suffolk  
IP33 1QT

Telephone: 01284 763222

Email:

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

3298903

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

Diane Roughley The Old Farm House Public House Ringwood Road Totton Southampton SO40 8EA	Telephone:  Email:
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**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

2005/00224/06 EPEC  
Eastleigh Borough Council

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: 14/01/2014

Date licence commences: 14/01/2014

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



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Head of Public Health & Community Safety  
(Authorised Officer)

**Annex 1 - Mandatory conditions**

Where licence authorises door supervision:

- (1) Each individual at the premises to carry out a security activity must:
- Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001;
  - or
  - Be entitled to carry out that activity by virtue of section 4 of that Act.

Where licence authorises supply of alcohol:

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

(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**

**Q) Proposals by the applicant in order to promote the four licensing objectives:**

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

Additional training for all house managers on dealing with illegal activities and aggressive customers.

Sensible drinking policy and training in place - restrictions on discounting and promotions, sale to under 18 and drunks.

Additional training on communicating with customers when service is refused for no proof of ID.

Additional training on communicating with customers when service is refused for drunkenness.

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

External lighting of car parks and walkways.

Additional training for all house managers on dealing with illegal activities and aggressive customers.

Sensible drinking policy and training in place.

Additional training on communicating with customers when service is refused for drunkenness.

**External Areas**

No licensable activities or consumption of alcohol will take place externally after 23:00hrs.

**Children**

All persons aged under 18 years of age must be accompanied by a responsible adult at all times.

**Staff Training**

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.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol under the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

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.

Drugs awareness training to be given every six months and a refresher course to be given every additional six months. This training will include a 'zero' tolerance policy to drugs which will be adopted; any person(s) found using or in possession of suspected illegal drugs or substances must, as soon as reasonably practicable, be reported to the Police.



## 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.

## Pub Watch

To be an active member of Pub Watch (where one is in operation) and for the DPS or a responsible person who is a personal licence holder to attend meetings regularly. No individual(s) and/or groups listed/banned by the local Pub Watch Scheme from accessing licensed premises, shall be permitted on, or otherwise allowed to remain on the premises.

## Incident Book/Refusals Log

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 member 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 countersigned 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.

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is properly maintained and inspected, checked and signed weekly by the store manager/manageress.

The log must be made available to officer of the Police, Trading Standards and the Licensing Authority immediately upon request. The records of refusals will be retained for 24 months.

## CCTV

The premises shall have sufficient cameras located within the premises to cover all public areas 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 be 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 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 measure 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 immediately to police on request when investigating allegations of offences or criminal activity. 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 Hampshire Western Police Licensing Unit within 24 hours.

### **Risk Assessment**

A risk assessment will be carried out before all key events and if deemed necessary SIA door shall be used and wear high visibility jackets.

### **Dispersal Policy**

A dispersal procedure will be adopted during the last trading hour to ensure minimal disturbance to neighbours and to tackle the problem of anti-social behaviour and crime.

This will include;

Staff, including Door Supervisors, when employed, will remove all unsealed bottles and glasses from any customer who attempts to leave the venue carrying one.

All areas of the premises will be checked at the end of each evening to ensure all customers have left safely and a signed record of these checks to be kept on the premises at all times and to be made available to the Police upon request.

When employed Door Staff wearing high visibility fluorescent upper clothing will patrol the outside perimeter of the front of the premises at the end of each evening (for at least an additional 15 minutes or until persons are dispersed from the immediate area) to ensure the safe and quiet dispersal of customers. On occasions when Door Supervisors are not employed, this role will be fulfilled by a nominated member of staff.

Any customers congregating or loitering outside after leaving the premises will be asked to depart quickly and quietly.

Notices will be displayed in prominent positions at the exit of the premises requesting customers to leave quickly and quietly.

### **c) Public Safety**

External lighting of car parks and walkways.

Family orientated business, which is reflected in the customer base.

Increased supervision of trading area by management, staff and glass collectors etc.  
Sensible drinking policy and training in place.

**d) a prevention of public nuisance**

Deliver and collection times not to be changed.

Sensible drinking policy and training in place.

Additional training on communicating with customers when service is refused for drunkenness.  
No external regulated entertainment.

All windows and external doors to be kept shut during live performance, save for customer access and egress.

**Public Nuisance**

The licence holder or his/her nominated representative shall accept and respond to complaints throughout the duration of any regulated entertainment.

Prior to 23:00hrs, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises\*.

\*For the purposes of the above condition, noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purposes likely to be affected by the music noise.

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

Additional training on communicating with customers when service is refused for no proof of ID.

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

**General condition:**

1. The licence holder or his/her nominated representative shall accept and respond to complaints throughout the duration of any regulated entertainment.
2. Prior to 2300 hours, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any bass beat cannot be recognised at the boundary of all noise sensitive premises.\*

\* For the purpose of condition 3 above, noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purpose likely to be affected by the music noise.

3. During all events involving live music all windows and external doors shall be kept closed except for access and egress.
4. There shall be no events involving regulated entertainment held outdoors.
5. Notices shall be displayed on the premises in prominent positions both internally and externally requesting that patrons leave quietly and respect local residents.
6. The events detailed at Sections F and H above shall only be permitted provided that:
  - (a) the Police and Licensing Authority have been notified at least 7 days in advance of the event;
  - (b) the Police have not vetoed the event.

**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:	965.06.10 Revision A
Date of Plan:	02/01/2007



**Application for the review of / Representation in respect 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 24288 Harris, 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)
- Make a representation about a premises licence/club premises certificate



**Premises or Club Premises details**

Postal address of premises:	The Old Farm House Public House Ringwood Road Totton Southampton Hampshire
Postcode (if known):	SO40 8EA

Name of premises licence holder or club holding club premises certificate (if known)  
Greene King Retailing Ltd

Number of premises licence or club premises certificate (if known)  
3298903

**Details of responsible authority applicant**

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	PC
Surname: Harris	First Names: Jon
Current postal address :	Southampton Central Police Station Southern Road Southampton
Postcode:	SO15 1AN
Daytime telephone number:	02380 674768
E-mail address: (optional)	



RESTRICTED

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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

RESTRICTED

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**Application for the review of / Representation in respect 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
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

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

This review is brought by Hampshire Constabulary as a responsible authority under the Licensing Act 2003. Police records going back from 2010 show there have been regular complaints of noise nuisance and disorder linked to The Old Farmhouse. There were complaints of loud music after licensed hours back then and consistent complaints ever since of loud music (both live and recorded), fights in the car park, broken glass, customers shouting as they leave the premises and the emptying of bottle bins after 23:00 hours to list a few. As part of a graduated response, during a meeting with the designated premises supervisor (DPS) and area manager in October 2013, an agreement was made for further conditions to be added to the licence. It was hoped that the addition of these conditions would aid the premises in supporting the licensing objectives and prevent further complaints as a review of the premises licence had been considered. Despite police efforts to work with the management of the venue, a further noise complaint was made by a local resident at the end of November 2013, which was linked to a male ejected from the premises for causing damage. He was then racially abusive to a door supervisor before assaulting the DPS by punching him in the face. This all occurred in the car park situated at the front of the premises where it could be observed by residents.

Most recently on the 21st December 2013, PC 22237 Conway visited the premises and was witness to a number of breaches of both existing and recently added conditions. This is incredibly disappointing despite the meeting held with the area manager from Greene King and the DPS who was well informed of complaints from residents, the conditions of the licence and his responsibility to promote licensing objectives. This premises is situated within a residential area with homes located to the front, back and sides. Most residents living near to a public house expect a degree of noise, but it is the lateness and extremities of the disturbances coupled with the venues failure to comply with simple conditions that has now meant that police have little option but request a review of the premises licence.

The police have examined all of the evidence from its own records, residential complaints and environmental health and as a result request the Licensing Sub committee to consider suspending the premises licence for a period of two months with additional conditions to be added to the premises licence. A venue of its size, which attracts in excess of 200 customers, situated within this residential area is unsuitable. Even with a change in management, a reduction in hours and a reduction in entertainment, police have serious



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concerns with its clientele who have given little regard to the neighbouring residents with young families. The police hope that in closing the premises for two months, the premises licence holder will use the time to rebrand the premises and change its layout. A period of suspension would encourage its current clientele to fragment and move away. This will ease the pressure on the new management when it reopens.

The police also ask that the sub committee consider the following proposals regarding a change in operating hours and conditions to be added to the premises licence:

- 1) Reduce the opening hours the premises is open to 23:00 hrs daily.
- 2) Reduce the time that alcohol is permitted for sale to 22:30 hrs daily.
- 3) Reduce all entertainment of recorded music and anything of a similar description to 22:00 hrs.
- 4) Live music to be added to the premises licence with all live music to cease by 22:00 hours.
- 5) A minimum of 2 SIA door supervisors to be employed on Friday and Saturday nights from 19:00 hours until 30 minutes after closure. Door supervisors will wear high visibility jackets and will use clickers to monitor the number of customers on the premises. They will actively encourage customers to disperse from the area following closure.
- 6) No new entries permitted to the premises after 22:00 hours.
- 7) No alcohol to be consumed outside the premises from 22:00 hours with efforts to encourage people inside to commence from 21:30 hours.
- 8) Condition relating to all windows and external doors to be shut during live performance, save for customer access and egress to be changed to 'all external doors and windows shall be kept closed, other than for access and egress, when events involving live and/or amplified music (including amplified speech) are taking place'.
- 9) The disposal of glass bottles into outside waste or recycling storage receptacles will not take place between 21:00hrs and 07:00hrs.
- 10) In relation to off sales – no glassware or bottles will not be removed from the premises unless in a sealed container. SIA door supervisors will be responsible for monitoring this on Friday and Saturday nights. On all other occasions this will be the responsibility of the premises staff.

Evidence to support the review is as follows:

Annex A is a letter sent to the previous DPS after a visit was conducted to the premises from the police licensing department on 7th June 2010. Within the first paragraph of the letter it sets out the reason for the visit, which was to discuss the complaints police had received concerning music and noise emanating from the premises after licensed hours. The DPS was reminded of a number of conditions set out within the operating schedule which should assist in eliminating noise complaints. The premises have always had a condition on the licence for all windows to be closed when live music is taking place.

Annex B and C are the occurrences which prompted the visit as detailed above. The reports were made at 00:06 hours on Saturday 29 May 2010 and also 22:09 on Sunday 30th May 2010. The complainant advised on the 29th that the pub were playing extremely loud music causing a disturbance. Music should have ceased at the premises at 23:00 hours.





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On the 30th the same complainant advised that the pub was too loud again and claimed the pub was being operated like a nightclub.

Annex D is an occurrence dated Monday 26th June 2010 with the report made at 21:39. On this occasion the complainant reported the pub having either a live band or just loud music. The call taker stated that the music could be heard on the phone call.

Annex E is an occurrence reported on Thursday 23rd December 2010 at 22:04 hours. The informant reports "On going problems with excessive music noise". The complainant also believed that conditions of the premises licence were being breached. This would have been accurate, as within the operating schedule there is the following condition:

Prior to 23:00hrs, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises.

Annex F is a noise complaint from a resident made on Sunday 26th December 2010 at 22:00 hours in which he states that he has "constant noise issues with the premises and that he has been down there before asking the pub owner to turn the music down and he would like it reported as it has not yet been resolved".

Another noise complaint is made on Wednesday 20th April 2011 at 22:47, Annex G. The complainant reports a lot of noise coming from the pub and advises they are holding a pub quiz. He lives about 100 meters away and can hear all the questions being read.

Annex H is a complaint made on Saturday 2nd July 2011 at 21:58. The complainant again advises of excessive noise coming from the premises. There are also allegations made that conditions of the premises licence were being breached as windows were open and there were still children inside.

A complainant has written a letter, dated 23 December 2011, Annex J addressed to the premises, which clearly outlines the problems experienced. It is a balanced letter in which he advises that he is grateful that the music has been turned down on the occasions that he has spoken to the DPS, but this only has a partial effect, as within a couple of days the noise and issues return. The complainant who advises he has two young children states that most of the disturbances occur at the weekend and that the vocals from karaoke or tunes can be recognised even through double glazed windows. He also highlights a number of potential breaches of the premises licence which raise concerns about the premises intentions in promoting the licensing objectives namely, public nuisance with allegations that music is continuing after 23:00 hours and windows and door being left wide open.

From police records, there are no further complaints solely made of noise until 4th September 2012. This is not to say that people were not suffering from anti social behaviour linked to the premises and its clientele. Annex K provides a brief summary of the incidents that occurred at the premises or linked to it during 2012.



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Annex K.1. Friday 3rd February 2012, 18:45 – report of a male who is barred refusing to leave the premises.

April 2012 – Change in designated premises supervisor. This is the DPS that is currently in place.

K.2. Friday 18th May 2012, 23:53 – Fist fight occurring outside the pub where a male takes a glass from a table and smashes it into the victim's right cheek. This was a GBH injury and victim was left with a deep cut which left permanent scarring.

K.3. Friday 25th May 2012, 23:38 – Male refusing to leave the pub car park after having a drink thrown over him.

K.4. Saturday 16th June 2012, 00:23 – Report made of large group of males fighting in pub car park.

K.5 – Friday 17th August 2012, 23:39 - Door supervisor called police due to public order incident occurring inside the premises.

Annex L is a noise complaint made to New Forest District Council on 4th September 2012. The complainant mentions in the first paragraph that this is not the first time this year he had raised an issue relating to the Old Farmhouse where its patrons had left the premises and were unsociable. He describes drunken lads causing damage to his fencing and there was lots of shouting. More recently he states that the drunken shouting is becoming a regular weekend issue when revellers leave the pub on Friday and Saturday nights. If he logged a diary it would simply be the same repeated entry every weekend of loud shouting and drunken screaming from the pubs patrons, anytime up until 01:00 or 02:00 hours. This is clearly unacceptable in a residential area which is home to young families like this complainant. It is concerning that he mentions that he spoke with the manager about the problems who said they were in the process of seeing what they could do to try and control the issues. The existing DPS had been at this venue for 5 months by this time and clearly there had been no change.

On Sunday 28th October 2012 a report is made at 00:23, Annex M that a female had been assaulted by her boyfriend outside the farmhouse. Domestic do of course occur in pubs, but this is yet another incident that has occurred outside that would cause a disturbance to the venues neighbours and likely cause them alarm and distress.

Annex N details a noise complaint made on Friday 17th May 2013 of lots of noise coming from the premises as does Annex P received on Saturday 29th June 2013 at 23:23.

At 02:37 on Wednesday 7th August 2013, a complainant advises of a large bonfire in the garden of the pub with there being lots of shouting and swearing. This had allegedly been going on for the past two hours and the fire brigade had been to assess the fire. The report can be seen in Annex Q.



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PC 24191 Wood spoke with the DPS regarding recent noise complaints and followed this up with a letter dated the 8th August 2013. Annex R is a working sheet produced by PC Wood regarding the telephone conversation and R.1 is a copy of the letter sent to the DPS. She advised that a complaint was made on 27th July 2013 of excessive noise coming from the premises due to a live band performing. Police officers attended this report and observed that all the windows to the premises were open and that music could be heard outside the premises. The DPS advised that it was not a live band and in fact was a DJ. Regardless, of whether it was live music or not, in light of all the complaints that were regularly being made, you would have thought that the venues management would have tried its best to prevent a disturbance to its neighbours. Again, this is not only a possible breach of conditions, but the licensing objectives were not being promoted. In the working sheet Annex R, PC Wood advises that the DPS comments that the venue often has in excess of 200 people, as the restaurant held 100 and that he does not monitor capacity. This is a clearly a public safety risk and irresponsible.

Further in the letter PC 24191 Wood raises the bonfire incident reported at 02:37 on 7th August 2013. The DPS had advised that it was a planned bonfire, but someone lit it sooner than intended and before any residents could be advised or invited. If this was the case, it would have been better to put out the fire when they became aware and not continue with the gathering that proceeded. Due to the time the report was made, the premises were clearly closed so the noise could only have been made by its staff and or their friends. This highlights that the venue was undermining the licensing objectives, namely the prevention of public nuisance.

On Friday 16th August 2013, a New Forest officer contacted the police licensing department to inform he had received a complaint about noise from the premises (Annex S). PC 22237 Conway attended the premises and found a live band playing completely in breach of the premises licence. The premises are only able to have live music under the live music act 2012, which would have meant that the music should have ceased at 23:00 hours and had an audience of less than 200 people. The DPS has previously stated that he does not monitor capacities so would not know if he was complying with the Live Music Act that he was utilising. Annex S1 is a statement from PC Conway where she outlines her findings during the visit including breaches in the premises licence due to windows and door being open and the beat and rhythm being heard from the boundaries of premises opposite the pub. PC Conway spoke with a supervisor on duty who seemed surprised when he was asked to turn the music off instead of down. The DPS advised that he had been upstairs as he was ill and had told the supervisor that the music should cease at 23:00 hours and that the windows should be closed. He apologised but could not explain why the breaches had occurred. The DPS at the time was reported for the offence of unauthorised licensable activity with a view to be prosecuted. No further action was taken with regards to this as the DPS was not present at the time of the offence and had left his deputy in charge. Shortly after this incident, a meeting took place which led to further conditions being added to the premises licence as an alternative measure to review and or prosecution.

Annex S2 is a statement made by a resident in Ringwood Road who complained about the live music event on 16th August 2013. Of note, he says that he has lived at his address for the past 4 years, but that over the last 6 months, noise from the premises had increased. It



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was so bad on 16th August 2013 that he called the police. Even with his windows closed and the television on, he was unable to drown out the noise of the band. Lyrics could be heard and a person announcing the songs on a microphone. Interestingly, the complainant has said in his statement that there was a similar situation with a live band a week or two before this, but on that occasion he did not call the police. Police have all these records of noise nuisance and yet there would be more if residents had reported all of them. Further in the statement the complainant advises of general anti-social behaviour from the pubs patrons with them throwing glasses at walls in the street and urinating. He has a young family and states he is considering moving house as a result of the problems.

PC 21071 Norris provided a statement on 30th August 2013. She had attended the premises on 21st August to obtain CCTV relating to the live band playing after 23:00. The member of staff she spoke to was unable to download the footage despite the evidence being retained on the system. She telephoned the premises twice before she was informed on the 30th August that the footage was no longer on the system. She was told the manager was on holiday and if he had not downloaded the footage before he went, then the venue would not be able to provide CCTV. There was no CCTV condition on the premises at this time, however; it highlighted a need for conditions to be imposed on the premises licence to ensure the licensing objectives were promoted.

On 1st October 2013, New Forest District Council Environmental Health Department received a petition (Annex T), which was signed by residents of 22 premises, the majority located in a road situated behind the rear garden of the pub. It was addressed to the manager of the Farmhouse and the Police. There were 5 separate complaints which included the emptying of bottles into bottle banks after 23:00 hours. Shouting from the pubs customers after closing time, broken glass, inconsiderate parking of vehicles and music being played so loud that residents living nearest could not even hear their own television.

Following the petition, PC Conway, Environmental health and the area manager for Greene King met on 2nd October 2013 to discuss recent issues. As a result of that meeting a number of conditions were proposed and have since been added to the premises licence. This did show that the premises licence holder wished to address the problems and work with the police, but already further incidents have occurred of serious concern and another complaint has been made to environmental health.

Annex U1, U2 and U3 all relate to the same offender and the incidents are linked. This occurred on Saturday 30th November from 22:27. A male enters the premises who was already drunk from drinking elsewhere during the day and proceeds to the gents toilets. A member of door staff was on duty so if this male was drunk; a clear question arises about how he was able to gain entry in the first place. Nevertheless, whilst inside, he is alleged to have caused damage by kicking a wet floor sign and toilet roll holders. The DPS heard the disturbance and requested the male to leave the premises. The sole member of door staff ushered the male outside, but then he wished to go back in to speak with his father who was at the bar. The door supervisor allowed this, but then the male refused to leave. He was removed from the premises into the car park where he started to shout foul, racial and abusive language at the door supervisor. The DPS tried to intervene and was punched in the face by the male as a result. This was in full hearing and sight of residents that reside in



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Ringwood Road and prompted a further complaint to Environmental Health. Annex V is a letter dated 3rd December 2013, which was sent to the DPS from the Environmental Health Officer confirming a complaint had been received.

Annex W relates to an assault report received on 5th December 2013. A member of bar staff advised that he had refused service to a customer who then threw a glass at the barman's head. It smashed and caused an injury. It must be noted that the complaint was not received until 5 days after the incident when it had occurred at 23:15 on Saturday 30th November. It is not clear why this was not reported at the time. This clearly is not supporting the licensing objectives, namely the prevention of crime and disorder.

On the 19th December 2013, PC 21521 Smith attended an address in Ringwood Road to obtain a statement from a local resident. As he left the address at 20:10 hours, he noticed a male walking in front of him who was carrying a half full pint glass. The male informed the officer that he had come from the Old Farmhouse and that he was a regular. The male returned the glass to the pub at the officer's request whilst the officer discussed the problem with the DPS. Having raised the issue, the DPS was alleged to have been more concerned at the potential loss of the glass (stating it cost £1.50) than the obvious issue of a customer managing to walk off mid drink on the way home. This is one of the concerns raised by the resident that had just provided a statement. Details of this can be found in annex X.

Annex X.1 and Y are both statements produced by residents who have described in detail the ongoing noise problems associated with this premises. It is very evident from the statements that matters have got worse over the years and are particularly bad at weekends. The police have provided a graduated response and despite efforts, witnessed the same breach in licence conditions on 21st December 2013, as had been occurring in previous months. Furthermore, the breach in relation to windows being left open during a live performance along with around 30 people still on the outside veranda making lots of noise past 23:00 hours, was witnessed by an Environmental Health officer (EHO). This condition was only added to the licence in October 2013 to help the venue from causing a noise nuisance. At 23:08 hours, the EHO made a telephone call to PC Conway to advise that a fracas had broken out on the veranda which prompted a visit from 4 police vehicles as well as PC Conway. At 23:51, the EHO had further reason to contact PC Conway, to report a male that appeared to be urinating on a parked van which was positioned right in front of residential properties on Ringwood Road. EHO and PC Conway also noted that the door supervisor on duty was not wearing fluorescent clothing as required by a condition on the licence.

On 23rd December 2013, PS Plascott and PC Smith visited the venue to discuss the recent failings. It was reiterated that despite considerable help and advice from police, the situation was not improving and as a result, a review of the premises licence would be applied for. Recommendations were put to the DPS to help ensure that Christmas and New Year would run as smoothly as possible, although we understand that shortly after this meeting, a decision was made by the premises licence holder to suspend the DPS.



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Further action needs to be taken to stop the on going disturbance and disorder linked to this premises in this residential area. The police have considered that in light of all the complaints received a revocation could be sought, which would be the easiest option, but in being proportionate in our aim of ensuring the licensing objectives are promoted, we believe that a suspension of the premises licence would be most successful. This would mean that the clientele, which we accept is a big cause of the problems, are likely to go elsewhere, which would ease the pressure on the new management when it reopens. Along with a reduction in hours and introduction of other suggested conditions, we believe would bring about a necessary change.

In evidencing our suggestion to reduce hours, Annex Z shows the times incidents have been reported to police since May 2010. In a 5 hour period from 18:00 up to 22:59 hours, 24 incidents were reported. There is then a clear spike in incidents from 23:00 to 01:00 hours where 23 have occurred in just a 2 hour period. Predominantly, most incidents have occurred at the weekend on a Friday and Saturday night, although there are a few that have occurred during the week. Effectively, if the premises were closed at 23:00 hours, these incidents would not have happened. The time the venue trades to is clearly far too late for this residential area with its customers being able to drink to excess.

Have you made an application for review relating to these premises before:  Yes |  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
 I have sent a copy of this representation to the principal licensing officer of New Forest District Council

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 Harris Collar Number: 24288
Signature: Date: 08/01/2014



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Signature of Authorising Officer (Inspector or above)

Name INSPECTOR  
Justin ROBERTS  
Signature: \_\_\_\_\_

Collar Number: 2841  
Date: 17/01/14



ANNEX A

**Hampshire Constabulary**  
Chief Constable Alex Marshall

Mr McCann  
Old Farmhouse  
Ringwood Road  
Totton  
Hampshire  
SO40 8EA

6 OCU Licensing Unit  
Romsey Police Station  
111 The Hundred  
Romsey  
SO51 8BZ

Our ref: 44080407236

Telephone: 0845 045 45 45

Direct dial: 023 8067 0902

Fax No: 023 8067 0923

Deaf/speech impaired minicom: 01962 875000

Email: [western.licensing@hampshire.pnn.police.uk](mailto:western.licensing@hampshire.pnn.police.uk)

June 14<sup>th</sup>, 2010

Dear Mr McCann,

I would like to thank you for taking the time to meet with Georgie Fice and myself on Monday 7<sup>th</sup> June 2010. As discussed, the main aim of the visit was to discuss the complaints which the Police have received concerning music and noise emanating from the premise after licensed hours.

We have discussed the various conditions of the Operating Schedule that might assist with tackling these noise complaints. The first is that 'All windows and external doors to be kept shut during live performance, save for customer access and egress'. In addition to this, the following conditions have also been agreed previously and are still in place:

1. *No outside drinking to be permitted on Fridays and Saturdays after 00:00am, on all other days no outside drinking to be permitted after 23:00 hours.*
2. *Prior to 2300 hours, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises. (noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purpose likely to be affected by the music noise.*
3. *Notices shall be displayed on the premises in prominent positions both internally and externally requesting that patrons leave quietly and respect local residents.*

You informed us that you have approximately one weekend of live music every month and that you are particularly busy on these weekends. However, your licence does not





**Hampshire Constabulary**  
Chief Constable Alex Marshall

currently cover you for live music and this would need to be addressed in the form of an application by yourself to vary the licence. May we also take this opportunity to remind you how important it is that you read and understand your licence fully to avoid any breaches.

Further, the premise licence details that recorded music may take place up until 2300hrs at the latest. It also details that the number of events involving recorded music will be limited to 12 per calendar year and shall be subject to condition 7 in Annex 3. As discussed, if you are having entertainment approximately one weekend a month, and over the bank holidays additionally, you should notify the Police and Licensing Authority at least 7 days in advance of the event (as per condition 7). Georgie has agreed that this can be done via email to the Licensing Team at [western.licensing@hampshire.pnn.police.uk](mailto:western.licensing@hampshire.pnn.police.uk). The conditions for karaoke, which is the only listed 'entertainment' on the premise licence, are identical but limited to 13 events per calendar year. We have impressed the necessity to comply with this condition from this point onwards, and that failure to do so would be in breach of the premise licence.

You were able to show us the training system that you implement for your staff through Greene King. This covers the basics. However, on our next visit we would like to see evidence that staff have been trained to deal with drunkenness and under age drinkers. The monthly staff training that you have said takes place during staff meetings should be recorded, signed, and dated.

You demonstrated the automated system that is installed on the tills, making the recording of refusals easier, although we would suggest that in order to keep your records easily accessible, you print off a copy of the refusals from your database on a weekly basis and sign them off by hand. I'm sure you will appreciate that being able to produce the hard copies for inspection demonstrates full compliance and due diligence.

Finally, we recommended the use of ultra violet lights to check identification, and also to help prevent fraudulent bank notes being used. This again assists your staff in making correct decisions on who to serve alcohol to, and assists the Police in the prevention and detection of crime.

As we discussed, any changes that you wish to make to your licence should be done by means of an application to vary the licence through the New Forest District Council.

If we can be of any further assistance please do not hesitate to contact us.

Yours Sincerely,

Bethan Wood  
PC 24191  
6 OCU Licensing Team

## Occurrence details

Hampshire Constabulary

Printed: 12/12/2013 11:52 by 24288

Occurrence: **44100219182**

### Occurrence details:

Report no.: 44100219182

Occurrence Type: Noise - Pubs and clubs

Occurrence time: - 29/05/2010 00:06

Reported time: 29/05/2010 00:06

Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

Clearance status: Filed

Concluded: Yes

Concluded date: 29/05/2010

Summary: OFF DUTY OFFICER REPORTING THAT ABOVE PUB ARE PLAYING  
EXTREMELY LOUD MUSIC CAUSING DISTURBANCE TO C1 AS LICENSED  
PRFMISES NT93 -

Remarks:

### Associated occurrences:

### Involved addresses:

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

### Involved vehicles:

### Involved officers:

- Officer in case

### Involved property:

### Modus operandi:

### Reports:

RESTRICTED

## Occurrence details

Hampshire Constabulary

Printed: 12/12/2013 11:53 by 24288

Occurrence: **44100221583**

### Occurrence details:

Report no.: 44100221583  
 Occurrence Type: Noise - Pubs and clubs  
 Occurrence time: 30/05/2010 22:09 -  
 Reported time: 30/05/2010 22:09  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 31/05/2010  
 Summary: THE MUSIC FROM THE PUB IS TOO LOUD AGAIN - IT IS TOO LOUD AND  
 HAPPENS ALL THE TIME ITS EVERY NIGHT AND INFT STATES TRUNNING  
 IT LIKE A CLUB CUSTOMERS OUTSIDE AND MAKING FAR TOO MUCH  
 NOISE - PUB IN A RESIDENTIAL AREA AND TOO LOUD. REGRADED NOISE  
 COMPLAINT TO BE SENT TO LICENSING SGT NO EHO ON SUNDAY NIGHT  
 FROM PC 24091....ALL SEEMED QUIET WHEN ON WAY IN AND NOT MANY  
 PEOPLE THERE \*\*\* RESULT \*\*\* RESULT AS TEXT CLOSED TO IMU..COPY  
 TO NT FOR LICENSING SGT

Remarks:

### Associated occurrences:

### Involved addresses:

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

### Involved vehicles:

### Involved officers:

- Officer in case

### Involved property:

### Modus operandi:

### Reports:

RESTRICTED

## Occurrence details

Hampshire Constabulary

Printed: 12/12/2013 11:54 by 24288

Occurrence: 44100265018

**Occurrence details:**

Report no.: 44100265018  
 Occurrence Type: Rowdy and inconsiderate  
 Occurrence time: - 26/06/2010 21:39  
 Reported time: 26/06/2010 21:39  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 27/06/2010  
 Summary: THE PUB HAS EITHER A LIVE BAND OR JUST LOUD MUSIC ON TONIGHT  
 THE MUSIC HAS BEEN GOING ON FOR THE LAST 90 MINUTES SO FAR  
 TONIGHT THE PEOPLE OUTSIDE ARE BEING VERY LOUD ALSO IT CAN BE  
 HEARD ON THE PHONE LAST NIGHT THERE WAS RACIST CHANTING  
 AGAINST THE GERMANS OUTSIDE THE PUB - INFT DID CALL BUT DUE TO  
 BEING IN A QUEUE FOR OVER 3-5 MINUTES HE TERMINATED IT. INFTS  
 PARTNER IS HALF GERMAN AND DID NOT LIKE IT. THIS IS AN ONGOING  
 PROBLEM \*\*ETA ADVISED 1HR\*\* SRS 10062600094 REFERS ND05D - 5646  
 ADVISED. WILL MONITOR WHEN OUT AND ABOUT. ND55 APPEARS AIO  
 CURRENTLY SINGING " ITS RAINING MEN " BUT NOTHING RACIST. WILL  
 MONITOR. / \*\*\* RESULT \*\*\* ALL IN ORDER AT THE LOCATION NOTHING  
 RACIST GOING ON

Remarks:

**Associated occurrences:****Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)
- Person address / SOUTHAMPTON, United Kingdom WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Officer in case

**Involved property:****Modus operandi:****Reports:**

RESTRICTED

## Occurrence details

Hampshire Constabulary

Printed: 12/12/2013 11:55 by 24288

Occurrence: **44100536583**

### Occurrence details:

Report no.: 44100536583  
 Occurrence Type: Noise - Pubs and clubs  
 Occurrence time: - 23/12/2010 22:04  
 Reported time: 23/12/2010 22:04  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 24/12/2010  
 Summary: INFT STATES THAT ON GOING PROBLEMS WITH EXCESSIVE MUSIC NOISE  
 FROM PUBLIC HOUSE. THE INFT BELEIVES THEY ARE BREACHING THIER  
 LICENCE NO EHO ON DUTY. ND05D - NOTED - NOTHING WE CAN DO RE  
 THIS AT THIS TIME \*\*\* RESULT \*\*\* DESK NOTED - SGT MADE AWARE  
 NOTHING CAN BE DONE AT THIS TIME BEARING IN MIND

Remarks:

### Associated occurrences:

### Involved addresses:

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)
- WESTERN, DISTRICT: N NEW FOREST, SECTOR: NH NEW FOREST EAST, BEAT: 1NH07 TESTWOOD,

### Involved vehicles:

### Involved officers:

- Officer in case

### Involved property:

### Modus operandi:

### Reports:

RESTRICTED

## Occurrence details

Hampshire Constabulary

Printed: 12/12/2013 11:55 by 24288

Occurrence: 44100538786

**Occurrence details:**

Report no.: 44100538786  
 Occurrence Type: Noise - Pubs and clubs  
 Occurrence time: 26/12/2010 22:00 -  
 Reported time: 26/12/2010 22:00  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 27/12/2010  
 Summary: INFT IS A PC FROM HAMPSHIRE AND IS HAVING CONSTANT NOSIE ISSUES  
 WITH THE PUB OPPOSITE HIM CALLED THE OLD FARMHOUSE PUB-- INFT  
 HAS BEEN DOWN THERE BEFORE ASKING THE PUB OWNER TO TURN THE  
 MUSIC DOWN INFT WOULD LIKE THIS REPORTED AS IT HAS NO YET BEEN  
 RESOLVED AND IS LOGGING ALL THE CALLS HE MAKES TO E/H TO CWUN  
 FOR NOTING C1 NOTED \*\*\* RESULT \*\*\* CLOSED FOR INTEL INFT WANTED  
 A REF NUMBER FOR HIS RECORDS AND WILL BE PHONING IN ASKING  
 FOR DEPLOYMENT IF THE NOISE CONTINUES THROUGHOUT THE NIGHT  
 FEC ADVISED WE ARE BUSY WITH HIGH PRIORITY CALLS TONIGHT AND  
 WILL NOT BE ABLE TO ASSIST AT THIS TIME AS STILL EARLY FOR PUB  
 TIMES

Remarks:

**Associated occurrences:****Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)
- Person address / SOUTHAMPTON, United Kingdom OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Officer in case

**Involved property:****Modus operandi:****Reports:**

ANNEX C.

## Occurrence details

Hampshire Constabulary

Printed: 12/12/2013 11:56 by 24288

Occurrence: 44110165286

**Occurrence details:**

Report no.: 44110165286

Occurrence Type: ASB - Nuisance

Occurrence time: 20/04/2011 22:47 - 20/04/2011 22:47

Reported time: 20/04/2011 22:47

Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

Clearance status: Filed

Concluded: Yes

Concluded date: 21/04/2011

Summary: INFT IS OFF DUTY OFFICER - 24328 INFT REPORTING A LOT OF NOISE  
COMING FROM THE PUB. THEY ARE HOLDING A PUB QUIZ THIS EVENING  
AND HE LIVES ABOUT 100 METRES AWAY AND CAN HEAR ALL THE  
QUESTIONS INFT STATES THAT THERE ARE REGULARLY PROBLEMS  
WITH NOISE FROM THE PUB SRS 11042000078 REFERS \*\*\* RESULT \*\*\* ALL  
QUIET ON ARRIVAL. NO NOISE AT ALL FROM THE PUB. NFPA REQ'D

Remarks:

**Associated occurrences:****Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)
- N: 3 person address / SOUTHAMPTON, United Kingdom (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Officer in case / IMU / Hamp / Assignable

**Involved property:****Modus operandi:****Reports:**

## Occurrence details

ANNEX H.

Hampshire Constabulary

Printed: 12/12/2013 11:57 by 24288

Occurrence: 44110276328

**Occurrence details:**

Report no.: 44110276328  
 Occurrence Type: ASB Env - Noise  
 Occurrence time: 02/07/2011 21:58 - 02/07/2011 21:58  
 Reported time: 02/07/2011 21:58  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 05/08/2011  
 Summary: INFT COMPLAINING ABOUT NOISE NUISANCE FROM THE OLD FARM  
 HOUSE PUB HAS SEEN THEIR EVENTS LICENCE AND CAN HOLD MUSIC  
 EVENTS 5 TIMES PER YEAR HAS PREV COMPLAINED TO ENV HEALTH THE  
 WINDOWS ARE OPEN IN THE PUB AND THERE ARE KIDS STILL IN THERE  
 WHICH IS BREACH OF THE LICENCE CONDITIONS HAVE EXPLAINED THAT  
 AN OFFICER WILL NOT ATTEND HIS PROPERTY TO SAY YES THIS IS  
 ACCEPTABLE LEVEL OF NOISE OR OTHERWISE AND THIS IS THE JOB OF  
 ENV HEALTH AND NEEDS TO CONTINUE TO SPEAK WITH THEM RE  
 ONGOING ISSUES ALSO EXPLAINED THAT WILL NOT BE GRADED HIGHER  
 THAN A GRADE 3 JUST BECAUSE OF ONGOING ISSUE INFT IS OFF DUTY  
 OFFICER AND SAYS USED TO BE DEPLOYED TO NOISE NUISANCE WITH  
 ENV HEALTH EXP DO WORK WITH ENV HEALTH TEAM BUT THERE IS NO  
 OOH SERVICE FOR NFDC SRS 11070200102 REFERS NOT SNT PRIORITY  
 ND53 - THE COMPLAINANT DOES THIS EVERY WEEKEND HAS BEEN  
 BARRED. MUSIC ON FOR A FURTHER 5 MINS \*\*\* RESULT \*\*\* ND53 -  
 RESULT AS PER LOG. CLOSED TO IMU FOR ATTENTION OF SNT AS  
 ONGOING ISSUE AND REGULAR COMPLAINANT.

Remarks:

**Associated occurrences:****Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)
- Reporting person address / SOUTHAMPTON, United Kingdom OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Assisting officer; Attending officer / WALKER, S. / #13464 / Hamp / Police staff / TOTTON SNT
- Officer in case

**Involved property:****Modus operandi:****Reports:**

RESTRICTED



The Old Farmhouse Pub  
Ringwood Road  
Totton

23/12/2011

**REF: NOISE/ANTI-SOCIAL BEHAVIOUR COMPLAINT**

Dear Sir/Madam,

It is unfortunate that I feel it necessary to write this letter, regarding noise and nuisance from your public house - however I feel I am now starting to run out of options. On the prior occasions that I have spoken to yourself as landlord, on either Friday or Saturday nights, I was really grateful for the fact that you seemed to take instant action and turn the music down to a reasonable level. I am hoping that this letter may have the same effect.

The writing of this letter to yourself is, I feel, one of my last resorts, before I consider further options should the matter not improve.

I have on two or three occasions over the past few months, requested of yourselves to keep music noise and anti-social behaviour down to a minimum, especially over the weekend period. This seems to have a partial effect, and only seems to keep music noise down on a temporary basis, before it slowly increases again within a few days. It seems to have no effect on your patrons, however.

I live in close proximity to your establishment, with my wife and two very young children. You may appreciate that sleep is not only necessary but really precious to us. It is rare however, that on a Friday or Saturday night, we are able to go to bed with relative peace and quiet. Most Friday and Saturday nights, there is loud and clearly audible music until 2300, sometimes later. However there is always an unacceptable level of noise and shouting and screaming from your patrons until the early hours, sometimes as late as 01:30.

I appreciate the fact that I live across the road from a public house, and am willing to make concessions on that basis, however, a pub that is entirely surrounded by residential premises, and arguably operates more like a club, I feel is a step too far.

Similarly, I also realise that this is your livelihood - and more patrons, means a better existence for yourself. However, where this starts impacting on myself, my family and my privacy on a regular basis, leaves me with little option but to approach yourself.

In addition to the above, I will also say that I have recently noticed fragrant flouting of licensing conditions by yourselves, which I have witnessed and recorded. In particular I make reference to the following conditions which are in your premises licence, no 1410.

- 1) Other than recognised public holidays, playing of recorded music is to cease at 2300 hours. (I know, and have evidenced - music going on past this hour on normal weekends i.e. Not bank holidays, Spring Bank Holiday etc.)
- 2) All windows and external doors to be kept shut during live performance, save for customer access and egress. (Once again, especially through the summer months, windows are left wide open, leading to increased disturbance from your patrons and bands/DJ's/karaoke.)

3) I would like to draw particular attention to Annex 3 of your licence which goes on to state

**+The licence holder or his/her nominated representative shall accept and respond to complaints throughout the duration of any regulated entertainment. (I have acknowledged that you do comply with this condition very well).**

It then goes on to say,

**+ Prior to 2300 hours, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises.\***

**\* For the purpose of condition 2 above, noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purpose likely to be affected by the music noise.**

This would mean that at the **outside** boundary of my premises, I should not to be able to hear music from your premises. It is absolutely infuriating then, that I can hear this from within my house which has double glazed windows! I hear base beats, I am able to recognise songs, and when doing Karaoke, can even CLEARLY hear the lyrics that people are singing. I stress this is from within my own house, with closed windows! I cannot stress to you how annoying and infuriating this is, and feel that this is totally unacceptable.

Further to this, I understand that you have been requested to provide notice to customers, by displaying in a prominent position both internally and externally, that patrons leave quietly and respect local residents. It has been a while since I have frequented your establishment (unfortunately), however I do not recall having seen such signs up - and if they are, they are certainly not being adhered to.

I have thought long and hard prior to sending this letter for a number of reasons. I would have preferred not to send it, as I would like to live in an area which has a pub as a selling point, not as a distraction. I would like to be able to frequent the pub, not avoid it, and would like to know it is there and can be made use of by my many friends and family that frequently come to visit us.

Unfortunately, I can only say that I have over the past two years built up a resentment to your establishment, purely because of the way I feel it invades my privacy. I have picked up glass bottles, pint glasses, sign boards and other items which have clearly been distributed by drunk patrons leaving your establishment. I have seen them urinate on my front drive, and go back into your pub, or use it as a convenient stop before making their way home, all the while cussing and swearing as seems normal for that time of night, after so much to drink.

I hope you can appreciate my frustration and motivation in writing this letter to you.

I look forward to - and would welcome the opportunity to discuss this further if you feel. Otherwise, look forward to an improvement of the described situation.

Yours sincerely,

## Occurrence details

Hampshire Constabulary

Printed: 20/12/2013 09:23 by 24288

Occurrence: 44120048217

**Occurrence details:**

Report no.: 44120048217  
 Occurrence Type: ASB Nui - Rowdy and Inconsiderate Behaviour  
 Occurrence time: 03/02/2012 18:45 - 03/02/2012 18:45  
 Reported time: 03/02/2012 18:45  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 04/02/2012  
 Summary: MALE WHO IS BARRED REFUSING TO LEAVE AND THREATENING STAFF.  
 MALE CALLED RMS - - W/M FOR  
 BREACHING BAIL - 03/02/12 18:59 44LIHA49  
 NE61/0003 JP400M02 4410892 3 POSSIBLES SKCH  
 AS:24 DNA:1 DH:19 AL:3 RECORD 1  
 SOUTHAMPTON CRO 158173/000 MALE WHITE NORTHEURO  
 FILENAME:  
 CONFIRMED \*BREACHES BAIL CONDITIONS LAST KNOWN ADDRESS AS AT  
 01/01/11 (HOME)  
 HAMPSHIRE RECORD LAST UPDATED 25/01/11 13:50 PAGE AS...  
 HELP ... ABANDON TRANSACTION? N.. 1 MALE TAKEN HOME TO SLEEP IT  
 OFF \*\*\* RESULT \*\*\* MALE TAKEN HOME

Remarks:

**Associated occurrences:****Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address; Reporting person address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)
- Reporting person address

**Involved vehicles:****Involved officers:**

- Officer in case / IMU / Hamp / Assignable

**Involved property:****Modus operandi:****Reports:**

## Occurrence details

Hampshire Constabulary

Printed: 20/12/2013 09:24 by 24288

Occurrence: 44120191403

**Occurrence details:**

Report no.: 44120191403

Occurrence Type: Assault

Occurrence time: 18/05/2012 23:30 - 18/05/2012 23:53

Reported time: 18/05/2012 23:53

Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

Clearance status: Filed

Concluded: Yes

Concluded date: 08/11/2012

Summary: Victim involved in fist fight with unknown male outside public house. Another  
unknown male approached, taking a beer glass off a table and smashing into the  
right cheek of victim. Offender then left. Victim sustained deep cuts to face  
requiring several stitches.

Remarks:

**Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)
- Same event / 44120197448 Intelligence / Intelligence Violent crime; Other / 23/05/2012 14:20 / 20120523  
14:20:56:420

**Involved addresses:**

- RINGWOOD ROAD [R:A3] / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40  
8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST  
EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Supervising officer / TAYLOR, M. / #3212 / Hamp / Police officer / OPERATION FORTRESS
- Crime scene investigator / HARRIS, Z. / #12706 / Hamp / Police staff / SCENES OF CRIME SOUTHAMPTON  
(HAMPSHIRE AND ISLE OF WIGHT CONSTABULARY, 12-18, POLICE HQ HAMPSHIRE United Kingdom  
(POLICE) (OCU: 3 NORTHERN, District: O WINCHESTER & EAST HANTS, Sector: OB WINCHESTER  
RURAL SOUTH, Beat: 30B00 WINCHESTER RURAL SOUTH)
- Crime scene investigator / OAKES, N. / #11602 / Hamp / Police staff / SCENES OF CRIME COSHAM
- Supervising officer / JONES, P. / #2561 / Hamp / Police officer / EASTLEIGH-ROMSEY DCID D
- Officer in case / BOYD, J. / #3064 / Hamp / Police officer / NEW FOREST DCID A
- Dog handler / MIELL, H. / #2315 / Hamp / Police officer / DSU WESTERN
- Assisting officer / CHARNLEY, A. / #9398 / Hamp / Police officer / EASTLEIGH TPT E
- Attending officer / QUIGLEY, D. / #3302 / Hamp / Police officer / NEW FOREST EAST-TPT C
- Attending officer / ROBERTS, M. / #24091 / Hamp / Police officer / NEW FOREST EAST TPT C

**Involved property:****Modus operandi:**

RESTRICTED

## Occurrence details

Hampshire Constabulary

Printed: 20/12/2013 09:27 by 24288

Occurrence: 44120201642

**Occurrence details:**

Report no.: 44120201642  
 Occurrence Type: Assault  
 Occurrence time: 25/05/2012 23:38 - 26/05/2012 00:23  
 Reported time: 25/05/2012 23:38  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 28/05/2012  
 Summary: Male refusing to leave pub car park after having drink thrown over him by an ex  
 girlfriend

Remarks:

**Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)
- Same event / 44120202514 / Assault / 26/05/2012 14:02 / 20120526 14:02:55:000

**Involved addresses:**

- RINGWOOD ROAD [R:A3] / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)
- RINGWOOD RD THE OLD FARM HOUSE / Reporting person address / TOTTON

**Involved vehicles:****Involved officers:**

- Officer in case / IMU / Hamp / Assignable

**Involved property:****Modus operandi:****Reports:**

## Occurrence details

Hampshire Constabulary

Printed: 20/12/2013 09:27 by 24288

Occurrence: 44120230302

**Occurrence details:**

Report no.: 44120230302

Occurrence Type: ASB Nui - Rowdy and Inconsiderate Behaviour

Occurrence time: 16/06/2012 00:23 - 16/06/2012 00:23

Reported time: 16/06/2012 00:23

Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

Clearance status: Filed

Concluded: Yes

Concluded date: 16/06/2012

Summary:

INFT STATES THAT THERE IS A LARGE GROUP OF MALES FIGHTING IN  
THE CAR PARK NO WEAPONS SEEN INFT STATES THAT THEY MAY HAVE  
BOTTLES FOR SUPV - MONITORING. LOCAL TO DEAL BT - WE WILL BACK  
ON THIS VN - NO CAMERA'S ND53 - NO PERSONS FIGHTING, UNITS  
TOWARD AT NORMAL SPEED. ND53 - STAND OTHER UNITS DOWN, NO  
OFFENCES, MALE WAS JUST CAUSING TENSION. HAS BEEN PUT IN TAXI  
AND BAR IS NOW CLOSING. ND53 - PUB CLOSED AIO NFPA \*\*\* RESULT \*\*\*  
NO PERSONS FIGHTING -- PUB NOW CLOSED

Remarks:

**Associated occurrences:****Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address; Reporting person address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Officer in case / IMU / Hamp / Assignable

**Involved property:****Modus operandi:****Reports:**

RESTRICTED

ANNEX K.5

**Occurrence details**

Hampshire Constabulary

Printed: 20/12/2013 09:28 by 24288

Occurrence: 44120322574

**Occurrence details:**

Report no.: 44120322574

Occurrence Type: Public order

Occurrence time: 17/08/2012 23:39 - 18/08/2012 23:55

Reported time: 17/08/2012 23:39

Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW  
FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

Clearance status: Filed

Concluded: Yes

Concluded date: 23/08/2012

Summary: Call from Farmhouse P/H security because of a disturbance inside the pub. On arrival the persons involved had left. Two persons ID and spoken with in relation to the incident. No complaints from them, negative PNB entries obtained. Initially closed as an assault, however attending units cannot provide supporting evidence so re classified as a public order incident.

Remarks:

**Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)

**Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address; Reporting person address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Assisting officer; Attending officer / TACK, A. / #2780 / Hamp / Police officer / RPU SOUTH WEST TOTTON TEAM B (TOTTON POLICE STATION, TESTWOOD LANE, TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom SO40 3ZE (POLICE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH06 TOTTON TOWN CENTRE) )
- Officer in case / ROBERTS, M. / #24091 / Hamp / Police officer / NEW FOREST EAST TPT C

**Involved property:****Modus operandi:****Reports:**

RESTRICTED

# Customer Services Enquiry CS1115802

## Enquiry – Request

New Forest District Council  
Apple Tree Court, Beaulieu Road, Lyndhurst, Hampshire, SO43 7PA  
**Telephone:** 02380 285000  
customer.services@nfdc.gov.uk

A. DETAILS OF REPORT	
<u>Contact Details</u>	<u>Enquiry Address</u>
<b>Name:</b>	RINGWOOD ROAD
<b>Address:</b>	TOTTEN
<b>Post Code:</b>	
<b>Home Tel:</b>	<b>FAX:</b>
<b>Work Tel:</b>	<b>E-Mail:</b>



<p><b>Contact Type</b> Community Safety Officer (general )</p> <p><b>Entered by:</b> RICHARD  <b>Entered Date:</b> 04/09/2012 12:20:52  <b>Call Taken by:</b> RICHARD  <b>Taken Date:</b> 01/01/1900 00:00:00</p> <p><b>Passed To:</b></p> <p><b>Visit Required by Above:</b> No</p>	<p><b>Comments</b> Email received, can you send a response to Mr _____ please.</p> <p>Hi</p> <p>Anti social behaviour.</p> <p>I raised an issue with NFDC earlier in the year with regards to the Old Farmhouse, Ringwood Rd, Totton. One of your male members of staff visited the establishment that very day to explain to the manager that there had been a problem with their patrons being unsociable when they leave. I had suffered damage to my fencing following some horseplay from some drunk lads, plus there was lots of shouting etc..</p> <p>This drunken shouting is now becoming a regular weekend issue when revellers leave the pub on a friday and saturday evening. It has a late licence and this means people are drinking longer, and clearly to excess. Girls having slanging matches on the pavement, guys shouting out to eachother. I have a toddler and a baby - not happy! If only I could find the guilty people and knock on their door the next morning to interrupt their hangovers and give them my baby so they can see how it feels to be tired with a screaming tired baby and grouchy toddler.</p> <p>I spoke to a manager at the pub this sunday who said they were in the process of seeing what they could do to try and control the issues - but whether that means anything drastic remains to be seen. We live near a pub, granted, but this is still a residential area and locals should not have to stand for this.</p> <p>If I logged a diary it would simply be the same repeated entry every weekend; loud shouting and drunken screaming/hollering, from patrons at the farhouse pub anytime up until 1/2am.</p> <p>What can be done? Ultimately this nuisance pub needs to lose its late licence - its not like it a privately owned pub struggling to make money, its a successful chain company so they can take the loss in business!!</p> <p>Please advise what I need to do</p> <p>Many thanks</p>
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<b>B. DETAILS OF ACTION TAKEN</b>	
1. Summary of Investigation	
2. Action Taken to Remedy Report	

## Occurrence details

Hampshire Constabulary

Printed: 20/12/2013 10:42 by 24288

Occurrence: 44120420901

**Occurrence details:**

Report no.: 44120420901  
 Occurrence Type: Assault  
 Occurrence time: 27/10/2012 23:30 - 28/10/2012 00:20  
 Reported time: 28/10/2012 00:23  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 28/11/2012  
 Summary: FEMALE ASSAULTED BY HER BOYFRIEND OUTSIDE THE FARMHOUSE  
 PUB, TOTTON AND ON RETURNING HOME FOUND HER VEHICLE  
 WINDSCREEN HAD BEEN DAMAGED.

**Remarks:****Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)
- Same person / 44120433125 / Z MARAC (Management Occurrence) / 06/11/2012 12:24 / 20121106 12:24:52:643
- Same event / 44120420962 / Criminal damage / 28/10/2012 02:26 / 20121028 02:26:22:000

**Involved addresses:**

- RINGWOOD ROAD [R:A3] / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)
- Reporting person address / SOUTHAMPTON, United Kingdom OCU: 1 WESTERN, DISTRICT IN NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH10 WEST TOTTON)

**Involved vehicles:**

- VAUXHALL ASTRA / Damaged / [Car] Lic #HV05KYE Orig colors: Silv., alum., st. steel

**Involved officers:**

- Assisting officer / WEBB, L. / #25480 / Hamp / Police officer / SOUTHAMPTON WEST TPT B
- Reviewing officer / ANGEAR, I. / #10543 / Hamp / Police staff / CENTRAL REFERRAL UNIT
- Assisting officer / ANDREWS, J. / #1660 / Hamp / Police officer / NEW FOREST EAST TPT B
- Arresting officer; Officer in case; Witness / BALFOUR, G. / #24366 / Hamp / Police officer / NEW FOREST EAST TPT D

**Involved property:****Modus operandi:**

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ANNEX N.

## Occurrence details

Hampshire Constabulary

Printed: 12/12/2013 11:58 by 24288

Occurrence: 44130178880

**Occurrence details:**

Report no.: 44130178880  
 Occurrence Type: ASB Nui - Noise  
 Occurrence time: 17/05/2013 22:31 - 17/05/2013 22:31  
 Reported time: 17/05/2013 22:31  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (XXTHE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 18/05/2013  
 Summary: CALL FROM DC EVANS - HE HAS HAD A CALL FOMR OFF DUTY PC THAT  
 THERE IS LOTS OF NIOSE COMING FROM THE ABOVE LOCATION CAN A  
 UNIT ATTEND AND ASSESS APPARENTLY ONGOING SITUATION SRS  
 13051700118 \*\*\*CFT RESEARCH\*\*\* RMS - 3 X DRUG INTEL, 2 OTHER INTEL  
 AND 1 X ASB RELATED REPORTS LISTED TO LOCATION ADDRESS IN LAST  
 3 MONTHS AND MULTIPLE OLDER DRUG INTEL AND ASB REPORTS. NO  
 RELEVANT W/M'S. LOCATION HISTORY - NOTHING ELSE RELEVANT  
 COMMAND CENTRAL - MULTIPLE ASB RELATED REPORTS IN IMMEDIATE  
 AREA IN LAST 3 MONTHS SAFETYNET - NMS - NOTHING RELEVANT CFT  
 ASB MATRIX - STANDARD RESPONSE NH7A - NOTED I WILL KEEP AN EYE  
 ON THIS PREMISES - BUT IS PRIOR TO 2300 ATT WILL ONLY DO  
 SOMETHING AFTER 2300 NT93 / NH7A & NH7AP RESUMED. THE NOISE IS  
 QUITE NORMAL \*\*\* RESULT \*\*\* \*\* LOGGED AND CLOSED FOR INFO  
 PENDING FURTHER CALLS\*\*\*\*

**Remarks:****Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)

**Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Officer in case / IMU / Hamp / Assignable

**Involved property:****Modus operandi:****Reports:**

RESTRICTED

## Occurrence details

Hampshire Constabulary	
Printed:	12/12/2013 11:58 by 24288
Occurrence:	44130238480

**Occurrence details:**

Report no.: 44130238480  
 Occurrence Type: ASB Nui - Noise  
 Occurrence time: 29/06/2013 23:23 - 29/06/2013 23:23  
 Reported time: 29/06/2013 23:23  
 Occurrence address: RINGWOOD ROAD TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (XXTHE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 11/07/2013  
 Summary: 24191 - OFF DUTY OFFICER CALLED ME AND STATED THAT THERE IS  
 LOTS OF MUSIC AND PEOPLE NOISE AT THE LOCATION. IF WE HAVE  
 SOMEONE TO GO PLEASE UPDATE 24191 WITH THE RESULT. CFT\*\*\*\*  
 CFTT\*\*\* THE LOCATION HAS BEEN SUBJECT OF NOISE COMPLAINT TWICE  
 IN THE LAST 3MONTHS 4ROWDY, 2DAM, 1NOISE, REPORTED FOR THE  
 AREA OF THE LCOATION IN THE LAST 3MONTHS NOTHING RELEVANT  
 FROM COMM PRIORITY CFT RAM STANDARD RESPONSE\*\*\*\*\* \*\* RESULT  
 \*\*\* TO SECTOR BOX FOR SNT ADVISEMENT REF LICENCING ISSUE

**Remarks:****Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)

**Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Officer in case / TOTTON SNT / Hamp / Assignable

**Involved property:****Modus operandi:****Reports:**

Annex Q

## Occurrence details

Hampshire Constabulary

Printed: 12/12/2013 11:59 by 24288

Occurrence: 44130294298

**Occurrence details:**

Report no.: 44130294298  
 Occurrence Type: ASB Nui - Noise  
 Occurrence time: 07/08/2013 02:37 - 07/08/2013 02:37  
 Reported time: 07/08/2013 02:37  
 Occurrence address: RINGWOOD ROAD, TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Filed  
 Concluded: Yes  
 Concluded date: 07/08/2013  
 Summary: INFT REPORTING THERE IS ALOAD OF RACKET COMING FROM THE  
 GARDENS OF THE OLD FARM HOUSE PH THERE IS LOT OF SHOUTING  
 AND SWEARING - JUST BEING VERY LOUD HAS BEEN GOING ON FOR A  
 COUPLE OF HOURS THERE WAS A MASSIVE FIRE IN THE BACK GARDEN  
 AND THE FIREBRIGADE TURNED UP INFT IS SUPRISED NO ONE HAS  
 CALLED AS THEREIS A LOAD OF YOUNG FAMILY NEARBY NORMALLY ITS  
 NOISY ON WEEKEND TO 01.00 WHICH IS THEIR LICENCE TO CWUN AS  
 LICENCE PREMISES SRS 13080700008 TO CFT FOR CLOSURE - NO  
 FURTHER CALLS - NO CALL BACK TO INFT DUE TO TIME OF MORNING  
 COMMUNITY FOCUS TEAM CHECKS... NO RMS ON INFT RMS SHOWS  
 ELAINE BURTON - NO WARNINGS & NOT REPEAT CALLER SAFETYNET -  
 NOT LOCAL PRIORITY CFT MAPPING - NOT CURRENTLY IN USE ALTARIS \*  
 REPEAT LOCATION \* ASB MATRIX \* MED RESPONSE REQUIRED \* \*\*\*  
 RESULT \*\*\* FAO LICENCING. CFT RESULTED INFT VIA VOICEMAIL.

Remarks:

**Associated occurrences:**

- Same person / 44130298376 Stop check / Stop check / 09/08/2013 16:40 / 20130809 16:40:44:117 / STOP CHECKED DUE TO REVENT NEARBY BURGLARIES. CANNABIS SMELT, SMALL BAG OF CANNABIS RECOVERED.
- Same address / 44080407236 / Z Prem Licence (Management Occurrence)

**Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARMHOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

Reporting person address / SOUTHAMPTON, United Kingdom  
 (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Officer in case / IMU / Hamp / Assignable

**Involved property:****Modus operandi:**

RESTRICTED

ANNEX R.

## Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/12/2013 16:41 by 24288

Occurrence: 44080407236 Z Prem Licence (Management Occurrence)

Author: #24191 WOOD, B.

Report time: 08/08/2013 10:53

Entered by: #24191 WOOD, B.

Entered time: 08/08/2013 10:53

**Remarks:**

Update from Ryan Hamilton

**Report:**

Spoke with [redacted] this morning on the phone regarding recent noise complaints and the observations of PC Conway and PS Wood on 27th July.

Ref Fire - They had a pile of rubbish in the rear private area and were planning to have a bonfire and invite neighbours etc. Before they could plan this the pile was set alight (believed to have been youths). HFRS were contacted and confirmed that it was safe to let it burn. [redacted] and staff then 'sat back and enjoyed' the fire. Advised that to receive a call complaining of noise at 0237hrs is unacceptable and deemed to undermine the licensing objective of prevention of public nuisance. Also that police should have been contacted to be made aware. [redacted] apologised.

Ref 27/07 - [redacted] stated that there was no live band, it was a DJ. He was aware that there had been a complaint as the complainant had visited him, very irate and made representations regarding the noise. [redacted] advises that he had apologised to the complainant and had immediately required the DJ to turn the music down, which he did. [redacted] passed blame to the DJ, saying that he should never have let the music get so loud. [redacted] was challenged by myself regarding the breach of his licence regarding doors and windows needing to be closed. [redacted] himself states that there is often in excess of 200 people in the premises as the restaurant alone holds 100 and that he does not monitor capacity. Whilst he stated that he was unaware that a DJ constituted live music, he concedes that the windows were open, that it is a breach of his licence, and will ensure that this does not happen again.

[redacted] has been advised that there have been several noise complaints recently and that should there be further evidence of his being in breach of his premises licence then we would have little option but to request review of the premises licence and/or prosecution. He has also been advised to keep in contact with police and advise of any events (he is having live music every weekend throughout the summer and over Xmas) and complaints received. He should record the complaints thoroughly himself, together with details of the action taken, and ensure that his staff are also fully aware of the licence conditions.

Letter sent to premises to confirm this.

24191



ANNEX R.1

**Hampshire Constabulary**  
Chief Constable Andy Marsh

Ryan Hamilton  
Old Farmhouse  
Ringwood Road  
Totton  
Southampton  
SO40 8EA

Police Licensing Unit  
Southampton Central Police Station  
Southern Road  
Southampton  
Hampshire  
SO15 1AN

**Our ref:** 44080407236

**Your ref:**

**Telephone:** 0845 045 45 45

**Direct dial:** 023 8067 4768

**Fax No:** 0845660037

**Deaf/speech impaired minicom:** 01962 875000

**Email:** [southampton.licensing@hampshire.pnn.police.uk](mailto:southampton.licensing@hampshire.pnn.police.uk)

8<sup>th</sup> August 2013

Dear Mr Hamilton,

I write to you regarding several noise complaints that have recently been received by Hampshire Constabulary.

As you are aware, the Licensing Team are committed to working with the licensees in supporting the four licensing objectives i.e. --

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

These noise complaints indicate that public nuisance is being created and that this licensing objective is therefore being undermined. Of particular note are the following incidents:

27<sup>th</sup> July 2013 – Complaint from a member of public that there is excessive noise coming from the premises because of a live band. Police officers attended and observed that the windows to the premises were all open and that music could be heard outside the premises. Having spoken to you regarding this incident, you advise that there was no live band but that there was a DJ. You were unaware that a DJ might be classed as Live Music, which it is, providing the DJ 'mixes' tracks. This was a breach of your premises licence and caused public nuisance. Should a similar incident occur in the future Hampshire Constabulary would look to take enforcement action.

6<sup>th</sup> – 7<sup>th</sup> August 2013 – Complaints from members of the public regarding a fire at the rear of the property and resulting noise. One complaint was made at 0237hrs when the noise was ongoing. You have explained that this was a planned bonfire, however someone lit the bonfire sooner than had been planned, before any residents had been advised or invited to attend. You contacted Hampshire Fire & Rescue who advised that the fire was safe and to allow it to burn. No phone call was received by Hampshire Constabulary by yourself or any other member of staff at the premises to advise of this



**Hampshire Constabulary**  
Chief Constable Andy Marsh

matter, and as you now know, several residents were concerned by the matter. Whilst not directly linked to licensable activities, the noise created by your staff or persons watching the bonfire from your premises in the early hours of the morning was causing a public nuisance.

We have discussed the above matters fully. I have requested that you keep a full written log of any complaints that you receive, including action taken to mitigate this. It is imperative that you continue to remember the necessity to support the licensing objectives in all your operating practises.

If you have any queries or require assistance with any licensing matters please do not hesitate to contact a member of the Licensing Team.

Yours Sincerely,

PC 24191 WOOD  
Violent Crime Reduction & Licensing Team  
Southampton Central Police Station



## Supplementary Occurrence Report

Hampshire Constabulary

Printed: 11/12/2013 16:41 by 24288

Occurrence: 44080407236 Z Prem Licence (Management Occurrence)

Author: #22237 CONWAY, S.

Report time: 17/08/2013 21:23

Entered by: #22237 CONWAY, S.

Entered time: 17/08/2013 21:23

**Remarks:**

attendance 16/08/13

**Report:**

**Old Farmhouse, Totton** – call from New Forest officer advising that a call had been received about a noise complaint. CWUN also received a call from another resident. Attended at 2330hrs - live band playing completely in breach of the licence and any of the conditions attached for regulated entertainment. Supervisor on duty was a surprised when I asked him to stop the music rather than turn the volume down. DPS reported for summons.

RESTRICTED

### WITNESS STATEMENT

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

Statement of: Sharon Conway URN  
Age if under 18: Over 18 (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: 25/9/13

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

I am PC 22237 Sharon Conway of Hampshire Constabulary currently stationed at Southampton Central Police Station.

I am a Licensing Officer and have a responsibility within my policing area to ensure that the Licensed Premises are promoting and upholding the four licensing objectives.

These are as follows:

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

This statement is in relation to The Old Farmhouse, Ringwood Road, Totton. The premises has a premises licence issued by New Forest District Council 24<sup>th</sup> May 2013. The premises licence authorises the playing of recorded music indoors and anything similar to that from 1800 to 2300hrs on all days, the sale of alcohol to the public on Fridays and Saturdays from 11:00hrs until 2400hours (midnight), and late night refreshment. There are allowances made for bank holiday weekends. There are a number of conditions attached to the premises licence, namely:

- Prior to 2300 hours, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the

Signatur

Signature witnessed by: .....

boundary of all noise sensitive premises. For the purpose of condition 3 above, noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purpose likely to be affected by the music noise.

- During all events involving live music all windows and doors shall be kept closed except for access and egress.

These conditions are found in Annex 3 of the operating schedule – ‘Conditions attached after a hearing by the licensing authority.

With the introduction of The Live Music Act 2012, live music has been de-regulated under certain conditions. A premises which holds a premises licence authorising the sale of alcohol, can perform live music if:

- the audience is less than 200 people
- The live music is played between the hours of 0700 and 2300hrs.

Conditions that had previously been put in place on a premises licence no longer apply for live music, but still remain in place for other forms of regulated entertainment.

The named premises licence holder is Greene King, with the specified designated premises supervisor (DPS) being Steven Ryan HAMILTON

On Saturday 27<sup>th</sup> July 2013, I was on duty in full uniform. I was with PS 2117 Wood. We were in an unmarked police vehicle. At about 22:15 hours, we attended The Old Farmhouse, Ringwood Road, Totton. As I drove through the car park, I saw that there were a lot of people using the smoking and seating area to the front of the building. Windows to the front of the property facing Ringwood Road were clearly open. Whilst in the car park area, with the car windows opened, music was playing from inside which was loud enough that the music could clearly be heard outside the pub. Towards the middle of the building, the music was louder, dissipating slightly as I drove towards the right hand side of the building. Customers were talking and laughing loudly, particularly the groups which were congregating at the front of the building.

Signature

Signature witnessed by: .....

I said to ENOS 'THE MUSIC IS TOO LOUD AND NOT COMPLYING WITH THE CONDITIONS OF THE LICENCE, SO NEEDS TO STOP.'

ENOS seemed taken aback at my request, and unaware of any potential issues. ENOS asked 'THEY HAVE ONLY A COUPLE MORE SONGS TO PLAY, CAN I JUST TURN THE VOLUME DOWN.'

I again pointed out 'THE PREMISES LICENCE DOES NOT ALLOW FOR LIVE MUSIC TO BE PLAYED AFTER 11 O'CLOCK, AND THE MUSIC IS TOO LOUD. THE MUSIC NEEDS TO STOP.'

I asked again if the DPS was available. I was informed that the DPS was on the premises, upstairs, but was not working that evening.

ENOS went to find the DPS, Ryan HAMILTON, and then went to advise the band to stop playing. At 23:40 hours, the band stopped playing.

HAMILTON then came to the office area from the upstairs area. I pointed out 'THE BAND ARE STILL PLAYING, ALTHOUGH IT IS WELL PAST 11 O'CLOCK. THE VOLUME IS SO LOUD THAT THE MUSIC CAN CLEARLY BE HEARD ACROSS THE ROAD AT THE FRONT OF THE HOUSES, AND ALL THE WINDOWS ARE OPENING.'

HAMILTON apologised, saying 'I HAVE BEEN ILL THIS EVENING. I WAS ASLEEP. I TOLD THE SUPERVISOR THAT THE WINDOWS SHOULD BE CLOSED, BUT IT HAS BEEN WARM. HE KNOWS THAT THE BAND SHOULD STOP AT ELEVEN. I HADN'T HEARD THAT THE BAND WERE STILL PLAYING. I KNOW AS THE DPS THAT I AM RESPONSIBLE FOR THE CONDITONS ON THE LICENCE.'

As I was aware that the premises does not have authorisation for regulated entertainment or live music past 2300hrs, I said to HAMILTON 'I AM REPORTING YOU FOR UNAUTHORISED LICENSABLE ACTIVITY.'

I then cautioned HAMILTON, to which he replied 'WHAT HAPPENS NEXT?'

I advised him of both the prosecution and review process under the LICENSING ACT 2003.

I then left the premises..

Signature: .....

Signature witnessed by: .....

I drove out of the car park and parked near to the residential houses opposite the pub. With both windows open in the car, I and PS Wood listened to the noise and music coming from The Old Farmhouse. From this position, I could clearly hear the music and lyrics. PS Wood and I could have a conversation without having to raise our voices. We listened for 3 songs, approximately 5 minutes. There was a clear increase in the noise levels at points, suggesting that the doors had been opened for people entering and leaving.

I did not have access to the premises licence at this time; therefore the decision was made to return to the premises after 2300hrs in order to reassess the level of the noise and music, if possible.

On Friday 16<sup>th</sup> August 2013, I was on duty in full uniform. At about 23:25 hours, I attended Old Farmhouse, Ringwood Road, Totton. I was in an unmarked police car. As I arrived at the premises, I drove through the car park area to the front of the building. I saw that the door to the left hand side of the building, possibly the fire exit door, was opening with a group of about 4 to 6 males stood at the doorway. The area to the front of the building, the smoking and seating area, was being used, with large groups of people sitting, talking, smoking and drinking. The windows along the front of the building were clearly open, and the front door was open. Live music could be heard from inside the premises. I parked the car about 50 metres from the front entrance and listened for a few minutes. I could clearly hear the song being played at the time, recognising the lyrics to be the Kings of Leon track 'Sex on Fire'.

I then walked across the road to the boundary of the residential houses opposite, number 230 and 232 Ringwood Road. The boundary to these properties is about 30 to 35 metres from the front entrance to The Old Farmhouse. Although the track now being played had no lyrics, the tune, including the beat and rhythm could be heard from the position I was stood.

I then walked back to the premises, walking past the front of the building. The band was playing towards the left hand side of the building. All the windows and doors in this area were open. Although there were staff in the area collecting glasses, I did not see any attempts made by staff to close the windows or doors.

I went inside the premises. The music was so loud that it was extremely difficult to hold a conversation or speak with the staff. I asked to speak to the DPS, and was directed to the duty supervisor. As I was not able to hold a conversation, [redacted] showed me to the office area.

Signature:

Signature witnessed by: .....

Not Disclosable

**Witness contact details**

Home Address:

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?  
If 'No', include reason(s) on form MG6. Yes  No

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:

Station:

Time and place statement  
taken:

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



**RESTRICTED (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 : 

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Statement of: M

Age if under 18: 018 (if over 18 insert 'over 18')      Occupational

This statement (consisting of 4 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: 30/08/13

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

I am the above named person currently living in Ringwood Road, about 150 yards from the Mentmore pub. I have lived here for about 4 years. When we moved here we knew that the pub had been here for years and were willing to accept a certain amount of noise, especially at key times of the year such as Christmas and New Year Eve. However over the last 6 months the noise had got much much worse. In particular on Friday 16th August we were so concerned by the noise that we called the police. My wife and I were awakened at about 2:00am when we first heard a loud bang of the pub. It was a really hot day and it was so warm that it was uncomfortable to be inside without the windows open.

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

56

PTO





**RESTRICTED (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 :

Continuation of Statement of: IM

We went upstairs to bed at about 2200hrs. We tried to have the windows open but very quickly realised that the noise from the band at the pub was so loud that we would never be able to sleep. We closed the windows and put the television on to try and block out the noise. However, on this occasion we were completely unable to drown out the noise. We could clearly hear the lyrics to the songs and a man on the microphone singing songs and breaks etc. I got increasingly frustrated. I listened as to whether to call police or not as I like to fight but I didn't want to appear difficult. But the noise had just got worse and worse and it had to stop, so I called the police at about 2300hrs and reported it.

The noise continued in exactly the same way until about midnight, when it stopped.

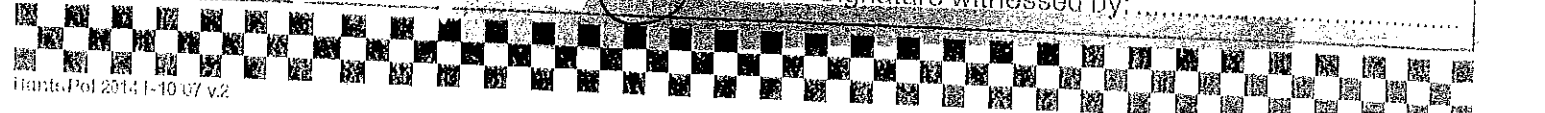
Normally a very small disturbance, with a live band occurred either a week or two prior to this, but on that occasion we didn't call the police.

The nuisance caused by the pub is not just

Signature

(57)

Signature witnessed by:





RESTRICTED (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: [ ] [ ] [ ] [ ]

Continuation of Statement of: M.....

from the music but also the noise immediately after they close on numerous occasions I've been woken up between 230ams and 010ams by people leaning the pub, arguing, shouting and causing a risk to themselves by drinking in the road. I have never seen any staff from the pub encourage people to leave quickly or quietly. I've frequently seen people leaning the pub with bottles and glasses on one occasion not long ago there were two groups of loads in the road outside our house, all had glasses in their hands. They started throwing glasses across the road, one hit the wall outside our house and shattered, glass all over our cars. We had to go on the next day and did it all up to avoid anyone being injured by it. We regularly find bottles and glasses on the road of our car or on the ground outside. I would consider myself to be a very reasonable person, we drink and a bit of noise but just recently it has been ridiculous. It's affecting my quality of life and that of my family.

Signature: .....

58

Signature witnessed by: .....

**RESTRICTED (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: 

--	--	--	--

Continuation of Statement of: *N.*

and I am now considering moving as a result. My wife and I both like the pub and have drunk there on many occasions, the executive noise and the people gathering at the front of the pub and in the road has just got too much and I feel that something should be done to stop it.

Signature: ...

59

Signature witnessed by: .....

Annex S.3



RESTRICTED (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: Sarah NORRIS

Age if under 18: 0118 (if over 18 insert over 18) Occupation: Police

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: PC21071 Date: 30/8/13

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

I am PC 21071 NORRIS of Hampshire Constabulary currently based at Southampton Central police station. I was requested to attend the Old Farmhouse Public House, Ringwood Rd, Totton, Southampton SO4080EA to obtain some CCTV footage. This was in relation to an incident that had taken place on 16th August 2013 when the premises had a live band playing after 23.00hrs. This is an offence of unauthorised licensable activity. I attended the venue on Wednesday 21st August at 23:14 - 45hrs and spoke to the assistant manager. Mr. [ ] was able to play back the footage for me and I saw a live band playing and they were seen to stop playing and start packing away the instruments at 23.40hrs. Mr. [ ]

Signature: PC21071 Signature witnessed by: [ ]

60

PTO





**RESTRICTED (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 :

Continuation of Statement of: Sarah NORRIS PC21071

was unable to download the footage and I left my contact details with him to be informed when the CCTV was ready for collection. I have called the venue twice since and was told today Friday 30th August 2013 that the footage is no longer on the system. The manager is on holiday and if he did not download it before he went then the venue will not be able to provide the footage.

PC21071

Signature: .....

(61) PC21071

Signature witnessed by: .....

ANNEX T

TO: 11.9.2013



The Manager, Farmhouse Public House  
Totton Police  
New Forest Public Health & Community Safety Dept

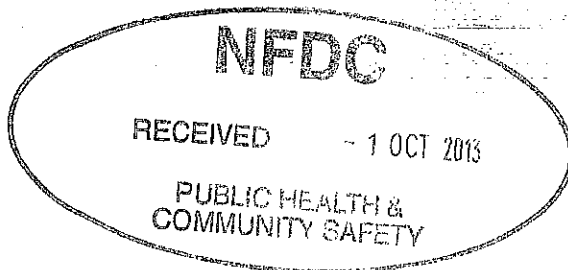
RE- THE FARMHOUSE PUBLIC HOUSE - RINGWOOD ROAD  
TOTTON SOUTHAMPTON

We wish to lodge several complaints against the above Public House namely:

1. The emptying of bottles into the bottle bank after 11.00 p.m. The noise is very loud and wakes up the residents of Longstock Court, and The Crescent.
2. The shouting by its customers at closing time when leaving the building which is mainly at weekends from 11.30 p.m. onwards. This again wakes up all the residents.
3. We have found on many occasion broken glass from glasses (which can only have been from the above premises) on the pavement outside McColls Shop (mainly at weekends)
4. The parking of cars in the late evening, especially at weekends outside the property of the residents of Longstock Crescent . The customers obviously do this for a specific reason if they have been drinking.
5. Also music being played so loud (when they have parties) that the residents living nearest to the Public House cannot even hear their own Television.

Signed

Address



# Supplementary Occurrence Report

Annex T-1

Hampshire Constabulary

Printed: 11/12/2013 16:39 by 24288

Occurrence: 44080407236 Z Prem Licence (Management Occurrence)

Author: #22237 CONWAY, S.

Report time: 02/10/2013 13:26

Entered by: #22237 CONWAY, S.

Entered time: 02/10/2013 13:26

**Remarks:**

Meeting with area manager and EHO

**Report:**

Meeting has been held with area manager Stuart Perry and EHO Gary Worsley at SC on 02/10 at 1100.

The current issues with the premises were discussed. PERRY had not been made aware that DPS Ryan HAMILTON that there is a potential impending prosecution. Therefore, PERRY thought the meeting was to address the issues that had been raised, rather than presenting a prosecution /review situation.

A summary of events leading up to the attendance on 16/08 was provided. The summary also includes recent issues with obtaining CCTV.

PERRY stated that the venue has cut down on regulated entertainment events to one event per month. It was reiterated that the premises is only licensed for recorded music until 2300 apart from bank holiday weekends, and that the premises is not licenced for live music, so is utilising the Live Music Act 2012 to hold these events.

EHO received a letter signed by a number of Longstock Crescent residents on 02/10, which complains of other issues:

- 1 emptying of bottle bins after 2300
- 2 shouting of customers on leaving
- 3 broken glass at nearby McColls shop
- 4 parking of cars in Longstock Crescent
- 5 music being played so loud residents cannot hear their own television.

With respect to noise of customers leaving and glassware being allowed outside, PERRY stated that he would speak to his doorteam providers.

I advised him of observations I had made on my visits - on 16/08, the doorstaff (one person) was not aware of the requirements for windows to be kept closed, so did not assist in maintaining this; a mixture of glassware and polycarb was being allowed outside - some customers had their drinks transferred to polycarb while others didn't; on my last visit (07/09) the duty manager had banned someone from the premises while the DPS was on leave, but this person had been allowed entry into the premises, meaning that the DPS had to refuse the male at the bar. EHO made the point that doorstaff / management are not dispersing customers effectively, due to the nature of complaints from residents.

PERRY advised that he would address this with the team, as there were areas where the security do not seem to be supporting the venue fully and effectively.

With regards to conditions, it was advised that these would need to be looked at for preventing similar noise issues and breaches into the future.

In particular, suggestions were made for

RESTRICTED

1. Conditions relating to regulated entertainment / live music to be reworded so they are inclusive and applicable / enforceable to live music events
2. Making sure that a member of staff walks around the boundaries given so noise levels can be monitored. These checks should be recorded. Again, condition to be reworded so as to include live music events
3. Conditions for windows and doors to be kept closed to be amended so applies to all regulated entertainment.
4. Venue to look into air conditioning if this is the reason behind current situation
5. Amendment of condition for no drinking outside to be reduced from 0000 to 2300hrs
6. CCTV conditions- issues with obtaining CCTV of late
7. Incident book conditions - PERRY stated that there was a recording system in relation to incidents, licensing visits would have separate entries in a separate log. I pointed out that these systems may not be fully utilised - doorstaff did not prevent banned male from entering / DPS has not passed on full information regarding breaches/ complaints to Greene King

5 condition wordings (CCTV, training, incident book, refusals book, challenge 25) provided for consideration to be included on licence. PERRY was positive about these wordings, as other Hungry Horse premises have these conditions.

Alternatives were discussed for the smoking area. PERRY advised that the rear garden immediately backs onto some of the complainants boundaries, so moving customers to the rear would not resolve complaints.

PERRY suggested that TENS be submitted for any events other than their one per month. It was agreed that this need not happen, but for EHO / police to be made aware of dates of proposed events.

Proposed actions from PERRY

- Regulated entertainment reduced to once a month
- Doorstaff to be reviewed re their input in preventing issues
- Hannah Loynds (licensing manager) to be spoken to with a view to updating / rewording conditions on operating schedule. Variation to be proposed.
- PERRY to attend premises unannounced to assess situation
- DPS to be spoken to re issues

PERRY has been advised that prosecution / review / noise abatement notices still real options for resolving the issues.



## Occurrence details

Annex U.1

Hampshire Constabulary

Printed: 20/12/2013 14:48 by 24288

Occurrence: **44130452342****Occurrence details:**

Report no.: 44130452342  
 Occurrence Type: Criminal damage  
 Occurrence time: 30/11/2013 22:20 - 30/11/2013 22:25  
 Reported time: 01/12/2013 12:20  
 Occurrence address: RINGWOOD ROAD, TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Under investigation  
 Concluded: No  
 Concluded date:  
 Summary: Heavily intoxicated male has damaged items inside the men's toilets at a public  
 house. These items were a toilet roll holder and wet floor sign.

Remarks:

**Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)
- Same person / 44130451806 / Public order / 30/11/2013 22:27 / 20131130 22:27:09:000
- Same person / 44130452340 / Assault / 01/12/2013 12:19 / 20131201 12:19:04:580

**Involved addresses:**

- RINGWOOD ROAD / Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Assisting officer / CONNERS, J. / #141 / Hamp / Police officer / NEW FOREST EAST TPT C
- Arresting officer / AKEHURST, R. / #25036 / Hamp / Police officer / NEW FOREST EAST TPT C
- Call taker / MACDONALD, A. / #11646 / Hamp / Police staff / CRB OFFICERS WINCHESTER
- Officer in case / BARNES, D. / #22492 / Hamp / Police officer / NEW FOREST EAST TPT E

**Involved property:****Modus operandi:****Reports:**

RESTRICTED

**Occurrence details**

Hampshire Constabulary

Printed: 20/12/2013 14:49 by 24288

Occurrence: 44130451806

**Occurrence details:**

Report no.: 44130451806  
 Occurrence Type: Public order  
 Occurrence time: 30/11/2013 22:00 - 30/11/2013 22:27  
 Reported time: 30/11/2013 22:27  
 Occurrence address: RINGWOOD ROAD, TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Under investigation  
 Concluded: No  
 Concluded date:  
 Summary: Drunk male at pub damages items in male toilets. Is escorted off site and then  
 becomes aggressive towards staff member calling him 'FUCKING BLACK CUNT'  
 and 'FUCKING BLACK DIRTY NIGGER'. Male then assaults landlord by punching  
 him in the face

Remarks:

**Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)
- Same person / 44130452342 / Criminal damage / 01/12/2013 12:20 / 20131201 12:20:25:547
- Same person / 44130452340 / Assault / 01/12/2013 12:19 / 20131201 12:19:04:580

**Involved addresses:**

- RINGWOOD ROAD / Dispatch address; Occurrence address; Reporting person address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Arresting officer; Officer in case / BARNES, D. / #22492 / Hamp / Police officer / NEW FOREST EAST TPT E
- Assisting officer / CONNERS, J. / #141 / Hamp / Police officer / NEW FOREST EAST TPT C
- Arresting officer; Assisting officer / AKEHURST, R. / #25036 / Hamp / Police officer / NEW FOREST EAST TPT C

**Involved property:****Modus operandi:****Reports:**

**Occurrence details**

Hampshire Constabulary

Printed: 20/12/2013 14:48 by 24288

Occurrence: **44130452340****Occurrence details:**

Report no.: 44130452340

Occurrence Type: Assault

Occurrence time: 30/11/2013 22:20 - 30/11/2013 22:25

Reported time: 01/12/2013 12:19

Occurrence address: RINGWOOD ROAD, TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

Clearance status: Under investigation

Concluded: No

Concluded date:

Summary: Heavily intoxicated male has punched the pub's landlord on the side of the head  
after being ejected by doorstaff.

Remarks:

**Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)
- Same person / 44130451806 / Public order / 30/11/2013 22:27 / 20131130 22:27:09:000
- Same person / 44130452342 / Criminal damage / 01/12/2013 12:20 / 20131201 12:20:25:547

**Involved addresses:**

- RINGWOOD ROAD / Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Call taker / MACDONALD, A. / #11646 / Hamp / Police staff / CRB OFFICERS WINCHESTER
- Arresting officer; Assisting officer; Officer in case / BARNES, D. / #22492 / Hamp / Police officer / NEW FOREST EAST TPT E

**Involved property:****Modus operandi:****Reports:**

**Public Health and Community Safety**

Head of Service: Annie Righton

Mr S Hamilton  
The Old Farm House  
Ringwood Road  
Totton  
Southampton  
SO40 8EA

Our Ref: EPNSE/13/05461

Your Ref:

03 December 2013

Dear Mr Hamilton

**ENVIRONMENTAL PROTECTION ACT 1990**

**LICENSING ACT 2003**

**Alleged Noise Nuisance from Loud Music and Patrons at The Old Farm House,  
Ringwood Road, Totton, Southampton, SO40 8EA**

We have received a complaint concerning alleged noise nuisance from the above premises for which I believe you are the Designated Premises Supervisor.

The noise complained of includes both loud amplified music emanating from within the premises and from patrons gathering at the front of the premises.

The above Act requires the Local Authority to investigate complaints of this nature. I should stress at this stage that I am acting on details supplied by the complainant. If you have been incorrectly identified as the person responsible, then please accept my apologies and kindly let me know.

However, if you feel there may be some justification in the complaint, then I should be grateful if you would consider the matter and ways in which the situation may be improved.

Please note, that under the Environmental Protection Act 1990, where nuisance exists or is likely to occur or recur, a Local Authority must serve an Abatement Notice. Contravention of such a Notice could then result in prosecution in the Magistrates Court and/or confiscation of your noise making equipment.

Under the Licensing Act 2003, if the Prevention of Public Nuisance licensing objective is undermined then as a Responsible Authority, the Environmental Health Officer may call your premises licence in for Review by the Licensing Committee.

As part of its investigation, the Local Authority may require the complainant(s) to complete diary sheets. If appropriate, Council Officers may also undertake monitoring of your premises to substantiate the complaint.

(Continued overleaf....)

**newforest.gov.uk**

Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA

Your co-operation would be much appreciated and should you require any further information, please do not hesitate to contact me.

Yours sincerely

Gary Worsley  
Senior Environmental Health Officer  
Environmental Protection

Tel: 023 8028 5588  
Email: [gary.worsley@nfdc.gov.uk](mailto:gary.worsley@nfdc.gov.uk)

CC: PC 22237 S Conway, Police Western Licensing Team, Southampton Central Police Station, Southampton

Mr P Weston, NFDC Licensing Officer, Appletree Court, Beaulieu Road, Lyndhurst, Hampshire, SO43 7PA

ANNEX W.

**Occurrence details**

Hampshire Constabulary

Printed: 20/12/2013 14:47 by 24288

Occurrence: **44130457614****Occurrence details:**

Report no.: 44130457614  
 Occurrence Type: Assault  
 Occurrence time: 30/11/2013 23:15 - 30/11/2013 23:30  
 Reported time: 05/12/2013 15:28  
 Occurrence address: RINGWOOD ROAD, TOTTON, SOUTHAMPTON, HAMPSHIRE United Kingdom  
 SO40 8EA (THE OLD FARM HOUSE) (OCU: 1 WESTERN, District: N NEW  
 FOREST, Sector: NH NEW FOREST EAST, Beat: 1NH07 TESTWOOD)  
 Clearance status: Under investigation  
 Concluded: No  
 Concluded date:  
 Summary: Between stated times infit advises that a unknown male has thrown a glass at infits  
 head after infit refused service and this has resulted in injury to infit

**Remarks:****Associated occurrences:**

- Same address / 44080407236 / Z Prem Licence (Management Occurrence)

**Involved addresses:**

- / Aggrieved person address; Dispatch address / SOUTHAMPTON, United  
 Kingdo, (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat:  
 1NH07 TESTWOOD)
- RINGWOOD ROAD [R:A2] / Occurrence address / SOUTHAMPTON, United Kingdom SO40 8EA (THE OLD  
 FARM HOUSE) (OCU: 1 WESTERN, District: N NEW FOREST, Sector: NH NEW FOREST EAST, Beat:  
 1NH07 TESTWOOD)

**Involved vehicles:****Involved officers:**

- Officer in case / BLAKE, J. / #46 / Hamp / Police officer / NEW FOREST EAST TPT B
- Attending officer / WITNEY, A. / #1041 / Hamp / Police officer / TOTTON SNT
- Officer in case / NEW FOREST DISTRICT SCHEDULING / Hamp / Assignable
- Call taker / FEC STAFF / Hamp / Assignable
- Call taker / ROSS, L. / #13412 / Hamp / Police staff / FORCE ENQUIRY CENTRE

**Involved property:****Modus operandi:****Reports:**

ANNEX X

**Supplementary Occurrence Report**

Hampshire Constabulary

Printed: 02/01/2014 09:48 by 24288

Occurrence: **44080407236 Z Prem Licence (Management Occurrence)**

Author: #21521 SMITH, G.

Report time: 19/12/2013 22:32

Entered by: #21521 SMITH, G.

Entered time: 19/12/2013 22:32

**Remarks:**

Licensing visit, concerns over male walking along Ringwood Road with a glass in his hand

**Report:**

19/12/13 - I went to a local residents address in order to obtain a statement detailing nuisance from the premises.

I left the address on Ringwood Road at 20.10hrs and walking along in front of me was a male carrying a half full pint glass !!.

I asked where he had come from and he stated that he had been at the Old Farmhouse and that he was a regular. He didn't seem to think there was anything wrong with taking a glass away from the pub or drinking as he walked along a residential street. At my request he returned the glass to the pub.

I went to the pub and spoke with the DPS Ryan Hamilton. When I explained that I had found the male wandering along with a pint glass he seemed more concerned at the potential loss of the glass (stating that it cost £1.50), than the obvious issue that a customer had managed to walk off mid drink and continue drinking on the way home. Just the sort of thing that upsets the witness I had just left.

21521

My name is \_\_\_\_\_ I am providing this statement in relation to the constant noise and nuisance that is being generated by the OLD FARMHOUSE public house on Ringwood Road in Totton and its patrons. I have reached a point where I feel that the noise coming from the pub cannot continue unabated. I live within earshot of the public house. I have lived there for approximately 5 years. When we moved in to our current residence, the OLD FARMHOUSE pub was a pub that never caused us any concern. It was a relatively quiet pub, and was never any cause for concern or nuisance for us at the time. The public house changed management – I think around early 2010, and at this time became part of the National pub franchise chain “Hungry Horse”. Since this time, it has seen a massive increase in business, and has consequently started operating like a club rather than a residential pub.

Since this change happened, weekend nights have become rather difficult. This has now extended to incorporate, Sunday nights when it would sound as if there is a weekly pub quiz running.

The pub is surrounded entirely by residential premises, to the back front and sides. The front of the pub has a large deck/smoking area, together with a patio area, and is further fronted by a large car park. On busy nights (most weekends), the car park serves as an extension of the pub premises with people drinking, shouting, jeering and chanting until sometimes as late as 01:00 – many of them still with drinks in their hands until around midnight.

On numerous occasions, I have contacted the police on Friday and Saturday nights asking for attendance from 23:30 up until 01:30 due to rowdy and inconsiderate behaviour and loud music emanating from within the pub, audible from within my house with closed windows.

I would like to expand on the following problems I have experienced as a resident in the immediate vicinity of the pub;

#### Glasses/Litter

There is a continual problem with glasses and bottles being left out on the verge after a Friday/Saturday night. On weekend mornings, it is not uncommon to find a few half empty pint glasses, and empty beer bottles strewn across the verge and sometimes on my driveway. Added to this are the numerous cigarette packets and other litter that is so prevalent in that part of Ringwood Road, concentrated around the pub area quite likely as a result of the large amount of people that are in and around the pub on weekend nights.

#### Using the car park as an extension to the pub

On weekend nights, the car park that fronts the pub is used as an extension of the patio/decking area. This seems to spread the unruly, inconsiderate, loud and often aggressive patrons over a much wider area. A short observation of this will only serve to confirm that most of the patrons using the car park have drinks in their hands in the car park. I have witnessed on many occasions,



patrons walking away from the premises with drinks in their hands, and walking towards the pub with drinks in their hands – only to toss the bottle away at the entrances of the last few premises bordering the pub, or in the old waterway running alongside the houses on Ringwood Road.

#### Serving drinks until after hours

I have seen patrons with drinks in their hands, either loitering, or leaving the pub sometimes until 00:30 and on occasions even later.

#### Loud Music coming from within – catering for smokers outside

Music of sorts (live/otherwise) seems to be a weekend feature of the Farmhouse Pub. This seems to start at around 21:00 and stop at around midnight. The music is either live band, karaoke or DJ. Either way, the music is loud, audible from within my house, (lyrics and heavy baseline) and disruptive. It prevents me from being able to get to sleep, and coupled with the loud shouting and screaming of the patrons becomes unbearable and the biggest source of my frustration with this public house.

#### Loud Chanting and singing

An issue that has me seething weekend after weekend, is the loud chanting and singing that comes from the pub, especially from the smokers' area and car-park outside. It would seem that it is impossible for patrons to have a drink or two without breaking into some sort of chanting and singing – a favourite being the football song of whatever club supporter seems to be there on the night. This then often degenerates into general loud and often offensive chanting – with equal amounts of vulgar and coarse profanities being bandied about as loud as is really possible. Night after night, especially weekends when drinking tends to be at its worst, I have had to now use ear plugs to try and fall asleep. A visit to the premises on most Friday or Saturday nights from 10pm onwards will testify to this. The singing, chanting, swearing and music is a complete and unacceptable intrusion into my life, as I have to take preventative action to stop hearing this in order that I can get some rest.

#### Bungee Jump

In the summer months, normally June or July, the pub seems to have started an annual bungee jump event. This entails a company bringing a huge truck with a modified crane into the parking lot – thereby blocking off all parking spaces in the pub. All patrons on that day have to therefore park elsewhere – bringing the surrounding houses and verges into play as convenient parking areas. This exacerbates the problem of car parking which is already a weekend issue, and I have had to on more than a few occasions find parking elsewhere due to the access to my drive being restricted. The bungee jump event is then witnessed by all patrons and passers by, many of whom are freely drinking and walking around the surrounding area with drinks in their hands supplied by the pub. In my view, another completely unacceptable activity considering the pub's location.

#### Violence

There are often cases of violence outside the pub; fights, domestics and general abuse between patrons when leaving the pub anytime from 2300 until

01:30 is an all too common occurrence. Police have visited the pub in response to these situations on many occasions, but equally, many of them dissipate or move elsewhere. Again, this is difficult to ignore when you hear sudden shouting and screaming above all the noise, followed by police responding on sirens and further screaming outside of the premises.

The closure of surrounding pubs has seemingly increased trade at the Old Farmhouse. However this increasing trade has also seen an increase in traffic, and a rather unwelcome feature seems to be the increase in "boy racers". On any given night of the week, especially weekends, you are disturbed within your own house by people racing away from the pub with wheels spinning, and loud exhausts screaming away down the road as they take off.

Lastly, the feature that is possibly the most disgusting feature of the patrons attending this pub is the urinating that goes on by some patrons as they leave. The entrance to my drive unfortunately provides fantastic cover for males wishing to relieve themselves after their nights' revelry. Unfortunately this behaviour does not make the pub a very endearing asset to have in a residential area.

The problem is further aggravated by the fact that I work on a shift pattern, which is quite often unpredictable. After a 15 or 16 hour shift, coming home on a Friday night at 2100 or 2200 after an early start, I find myself incensed when I have to put up with banging music, shouting, swearing, screaming, chanting and urinating patrons who have not an ounce of consideration as to their location. I feel it is imperative that the pub take responsibility for the behaviour of their patrons and for its role within the community. There is no denying the fact that the pub finds itself in the middle of a residential area. It is completely surrounded by residential premises, yet the pub operates in a manner more akin to a city centre night club.

It is completely unacceptable that a pub should be allowed to operate in such a manner – and I cannot see how any of the above is commensurate with any of their licensing conditions. Furthermore, I would suggest that due to the pub's location, it is crucial that the pub exercises a degree of social responsibility, something that it has completely disregarded in its day-to-day activities. The closure of the surrounding pubs will only serve to boost their trade, and worsen the situation.

I have on several previous occasions, (a conservative guess of approximately 10 occasions) gone across to the pub on my own, at times during which the music is playing, and the following day to speak to the license holder Ryan Hamilton. I have asked him to turn the music down, and to tell him that it has become a concern and that I am unhappy about it. Ryan seems to give the required lip-service to the complaint, but seems to have no long lasting effect.

As a resident of the area, this is unacceptable and will not be tolerated. It is in this light that I bring this issue to the attention of the local council, Environmental health and Licensing.

I have attached an appendix consisting of 2 additional documents. One is the diary I have maintained over a two-week period beginning the 30/11/13. It consists of 3 diary sheets.

The second, is a letter that I personally took to licence holder Ryan HAMILTON on the 23/11/2012. This letter will show that already then, I had experienced the anti-social nature of this pub for a number of months. On the occasion I hand delivered this letter to him, again I had an extended conversation with him about it – invited a reply, but received no contact from him at all. Instead, the pub continued in the way it had, with no improvement.

In anticipation,

Ringwood Road  
Totton

Annex Y

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

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

URN [ ] [ ] [ ] [ ]

Statement of

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

Occupation: Financial Advisor

This statement (consisting of 2 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: 19/12/2013

I am the above named person. This statement relates to nuisance that my family and I are being subjected to from customers going to and leaving a nearby public house, the Old Farmhouse in Totton.

I live on Ringwood Road within 150 yards of the pub, to the rear of my property is a public footpath that is used by pedestrians going to and from the pub. I moved to my address in 2007. From the outset I have been subjected to noise and nuisance from the pub. The incidents have become more noticeable in the last two years the drunken shouting is now becoming a regular weekend issue when revellers leave the pub on a Friday and Saturday evening when the pub opens later, people are drinking for longer and as they do the nuisance increases. The loud shouting and drunken hollering sometimes goes on until two in the morning.

The Incidents include;

Noise coming from cars stopping in the late up to midnight in some cases. The doors slam, the occupants and those leaving the vehicles often shout at each other and the car drivers have been known to rev their engines and drive off at speed.

The constant muffled noise coming from crowds gathered outside the pub drinking and talking loudly, this goes on until late at night especially in the summer.

Wine bottles discarded outside the front of the property, this is quite common, I have also found pint glasses thrown into my back garden. My young children play in the rear garden and I worry that they will be injured on broken glass.

Damage that I found had been caused to my rear fence following an incident where I could hear drunks using the rear pathway. I have also suffered similar damage to my front fence at night on another occasion.

Signed : \_\_\_\_\_ Signature witnessed by : \_\_\_\_\_

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2013/09

RESTRICTED (when complete)

44120352153/1795812

Groups walking home late from the pub, females having slanging matches males play fighting in the street.

I remember recently hearing the sound of male voices in the rear pathway, the males were loud and I thought I could hear the sound of them snorting something. I went outside anticipating them emerging from the cut way to the side of my house. The group, all males appeared and then proceeded to go to the pub. I am of the firm opinion that they may have been using drugs.

My family and I are disturbed by noise from customers leaving the pub on a weekly basis, the summer is the worst. I have a young family; my children are one and three years old. We should not have to be disturbed by noise from a pub situated in a residential area on such a regular basis.

Signed :

77

Signature witnessed by :

2013/09



**Sarah Wilson**

---

**From:** Paul Weston on behalf of Licensing e-mail address  
**Sent:** 17 February 2014 14:57  
**To:** Sarah Wilson  
**Subject:** FW: Representation in respect of a Premises Licence under the Licensing Act 2013.docx  
**Attachments:** Representation in respect of a Premises Licence under the Licensing Act 2013.docx

Paul Weston  
Licensing Services  
New Forest District Council  
Tel: 023 8028 5505

---

**From:** Gary Worsley  
**Sent:** 17 February 2014 14:42  
**To:** Licensing e-mail address; Paul Weston; Gary Worsley  
**Cc:** 'jonathon.harris@hampshire.pnn.police.uk'  
**Subject:** Representation in respect of a Premises Licence under the Licensing Act 2013.docx

Dear Licensing

Please find my supporting information in relation to the Police review of the premises licence for the Old Farm House, Ringwood Road, Totton.

Regards

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

Tel: 023 8028 5588 | Internal Ext: 284444  
[gary.worsley@nfdc.gov.uk](mailto:gary.worsley@nfdc.gov.uk) | [www.newforest.gov.uk](http://www.newforest.gov.uk)

 Please consider the environment before printing this email

Representation in respect of a Premises Licence under the Licensing Act 2013 –  
Police Review

Environmental Health Comments in Respect of the Prevention of Public Nuisance

The comments below are in support of the Review of the Premises Licence brought by Hampshire Constabulary.

I am Gary Worsley, Senior Environmental Health Officer in the Environmental Protection team within Environmental Health at New Forest District Council. For licensing purposes, the department is known as Environmental Health (Pollution).

My duties, amongst others, include commenting on licensing applications, dealing with noise and other nuisance complaints from licensed premises and undertaking visits during both normal working hours and 'out of hours' to investigate and substantiate complaints from licensed premises in relation to the licensing objective – Prevention of Public Nuisance.

I have been employed by New Forest District Council as a Senior Environmental Health Officer since 2009; as an Environmental Health Officer since 2006 and as an Environmental Health Technician since 1998. I have a BSc(hons) degree in Environmental Health and a Diploma from the Institute of Acoustics in Noise and Vibration.

I am acting on behalf of Mrs Carole Gallagher, Environmental Health Manager.

The supporting information is as follows:

The Environmental Health (Pollution) team were first notified of a noise complaint about the Old Farm House from PC 24191 Bethan Wood, Hampshire Constabulary Violent Crime and Licensing team, Southampton Central Police Station on 28 June 2013; however, the police licensing team had dealt with those complaints.

**01 October 2013** A petition was received into Environmental Health detailing the noise disturbances from the pub. Petition was signed by 22 persons in Longstock Crescent, Totton. The petition is shown at Appendix 1.

**02 October 2013** A meeting between PC Sharon Conway and Stuart Perry, Area Manager for Green King Hungry Horse public house chain and me was held at Southampton Central Police Station with a number of items discussed: i) Bottle bank not to be used after 20:00 hours and not before 08:00 hours; ii) Music stop at 23:00 hours; iii) Reasonable level from music noise up to 23:00 hours; iv) Polycarbonate glasses outside; v) No drinks outside after 22:00 hours; vi) more effective door staff; vii) Satisfactory CCTV and viii) provision of incident book.

**05 November 2013** As a result of the meeting with the Area Manager on 02 October 2013 a Minor Variation was received by Environmental Health (Pollution) for consultation and comment. The Licensing consultation is shown at Appendix 2. The Environmental Health (Pollution) comments are shown at Appendix 3. Conditions were subsequently added to the Premises Licence on, I believe, 19 November 2013.

**26 November 2013** Letters and diary sheets were sent out to residents on the petition received on 01 October 2013. An example copy of a letter is shown at Appendix 4.

**02 December 2013** A letter was sent to ' ' of Ringwood Road, Totton together with a diary sheet. A copy of the letter is shown at Appendix 5.



**1 December 2013** A letter was sent to Mr S Hamilton, the Designated Premises Supervisor at the Old Farm House. The letter advises Mr Hamilton that further action would be taken under the Environmental Protection Act 1990 and/or under the Licensing Act 2013 with a review of the premises licence. The letter is shown at Appendix 6.

**11 December 2013** Email received with diary sheet from ... which shows recent disturbances. The email states the following: *'On the 06/12/13 (Friday) beginning at around 21:00 until 00:00, Karaoke/live music with music audible within my house. I returned from work (late shift) at around 22:30, to hear screaming, shouting and music on until midnight. (Incidentally, my wife is currently studying post-grad) and on Friday night at 21:30 sent me a text saying "pub noisy tonight :-(" I got home around 22:30 and she was not wrong! The noise finally stopped at midnight. Saturday night was quiet - but this was expected, as I said in my communication to you, every weekend sees one night being bad - the other is normally quiet.'*

The email is shown at Appendix 7.

**11 December 2013** Email from Mr ... with diary sheets attached. Diary sheets are shown at Appendix 7A.

**13 December 2013** Letter received from ... of Longstock Crescent, Totton informing that the noise has improved. The diary sheet is shown at Appendix 8.

**14 December 2013** Out of House noise monitoring had been arranged for Saturday 14 December 2013; however, I contacted the complainant (... in Ringwood Road at 20:30 hours on Saturday 14 December 2013 and ... informed me that if it is loud on the Friday, then it will be quiet on the Saturday, plus if the weather is rather inclement then it is normally subdued. Based on this information the out of hours monitoring for later in the evening was cancelled.

**16 December 2013** A diary was received from ... of Longstock Crescent, Totton. The diary sheet informs of drunken revellers after leaving the pub, raucous singing, arguments, midnight football, fighting and abandoned glasses. The diary sheet is shown at Appendix 9.

**16 December 2013** A diary sheet was received from ... of Longstock Crescent, Totton who details on their diary sheet that the noise is bad at weekends. The diary sheet is shown at Appendix 10.

**17/18 December 2013** I received emails from ... of Ringwood Road, Totton with a statement relating to noise disturbance. This statement is shown as Appendix 11.

**18 December 2013** Email received from PC Jonathon Harris to advise that on Saturday 21 December 2013 the Old Farm House will have a Michael Jackson tribute night. The last time was rather popular and that the DPS will have 2 door staff on duty.

**21 December 2013** During the evening/night I made an out of hours visit to a property in Ringwood Road, opposite The Old Farm House, together with Mrs Carole Gallagher, Environmental Health (Pollution) Manager. Mrs Gallagher and I arrived at 22:45 hours and I set up a sound level meter in the first floor bedroom of the residential property. The Sound Level Meter (SLM), a Bruel and Kjaer 2250 (Serial no. 2600522) was calibrated at 2255 hours using a Bruel and Kjaer Calibrator (Serial no. 2162514). The SLM was set to record 1 second logging and audio.

The first floor bedroom window facing The Old Farm House was open approximately 4 inches for ventilation purposes. I could hear in the bedroom 'Don't blame it on the sunshine' quite clearly.

22:59 hours songs were clearly audible in the bedroom.

23:05 hours songs still clearly audible in the bedroom.

23:06 hours the bass drum was clearly audible. Over twenty persons were outside the front of the pub under a canopy and milling about in front of the area under the pub sign to the front of the premises. Conversation clearly audible. A scuffle started outside the pub under the canopy which is located to the left hand side of the door when viewed from across Ringwood Road.

At 23:08 hours, I contacted PC Sharon Conway, Police Licensing Team by mobile phone as I was led to believe she was on duty that evening. I informed her of the scuffle. The general noise level was excessive for the time of night.

23:10 hours backup Police cars arrived on site. Approximately 30 persons were outside the main entrance and under the canopy to the left side of the pub when viewed from Ringwood Road. The police officers cleared the front of the pub effectively; however, the noise was still loud chatting and shouting.

23:14 hours loud cheering was clearly audible in the bedroom.

At 23:18 hours the bass best now audible in the bedroom.

At 23:22 hours a female left the pub shouting 'Fuck Off' which was clearly audible in the bedroom. Another female shouted 'wait, I'm your fucking friend, I'm your friend, wait, I can't chase after you my feet hurt.....'

At 23:25 hours I walked over to the pub and made myself known to PC Sharon Conway. There were several windows open at the pub which was allowing the noise to emanate. i) vertical window open to the right of the pub's main entrance; ii) the window on the extreme right of the pub was open; iii) top opener open under the 'U' in the pub sign 'Old Farm House'; iv) the vertical window was open under the 'A' in the 'Old Farm House' sign; and the extreme left window was open.

At 23:40 hours I had returned to the property and was back in the first floor bedroom opposite the pub on Ringwood Road. There were approximately thirty persons now outside the pub.

At 23:49 hours loud cheering and females laughing loud which was audible in the bedroom.

At 23:50 hours 5 Police cars were on the scene. Approximately 20 persons were now outside the pub.

At 23:51 hours I noticed a male who appeared to be urinating against the side of a white van parked outside the front of the pub on Ringwood Road. PC Conway and another police officer were positioned not far away on the opposite side of the car closer to the pub premises. I contacted PC Conway on her mobile phone and directed her towards where the male had urinated and described the male to her.

At 23:55 hours Cheering from the pub was audible in the bedroom.

At 23:55 hours I stopped the SLM and calibrated it with the calibrator mentioned earlier. There was a drift of 0.03dB which is acceptable.

I asked [redacted] whose property we were located in and he informed me that the disturbance we had heard that night was about 6 out of 10 for the night, with 10 out of 10 being the loudest he has heard previously from the premises.

At 00:20 hours I left the site with Mrs Gallagher and drove down Ringwood Road and round the back of the pub into Longstock Crescent and continued into Longstock Court. I looked over a fence as I could hear several loud voices and would likely to be disturbing to residential properties in the vicinity. Several persons were in the side of the premises. General music noise level was over the level I would expect for the time of night/morning.

At 00:40 hours Mrs Gallagher drove me back around the front of the pub premises and down Ringwood Road and parked back outside the pub. There were approximately 30-40 persons still outside the pub and it was noisy for the time of night/morning. Mrs Gallagher and I left after approximately one minute.

The noise I heard on that night in my opinion was intrusive into the home and bedroom of a residential property and I would have had problems sleeping if it had been my home. The noise would be of similar character in neighbouring premises with windows open for ventilation purposes. I was of the opinion that a nuisance was being caused and that the noise I heard was undermining the licensing objective – Prevention of Public Nuisance.

With a window open for ventilation purposes, the Maximum Noise Level (LAFmax) during the above visit exceeded 45dB LAFMax on several occasions against the recommendations of the World Health Organisation - Guidelines for Community Noise – 1999, for sleep disturbance.

The noise data profile for the measurement taken on 21 December 2013 is shown at Appendix 12.

The audio recordings are shown at Appendix 13 on Compact Disc (CD)

TO: 11.9.2013

The Manager, Farmhouse Public House  
Totton Police  
New Forest Public Health & Community Safety Dept



RE- THE FARMHOUSE PUBLIC HOUSE – RINGWOOD ROAD  
TOTTON SOUTHAMPTON

We wish to lodge several complaints against the above Public House namely:

1. The emptying of bottles into the bottle bank after 11.00 p.m. The noise is very loud and wakes up the residents of Longstock Court, and The Crescent.
2. The shouting by its customers at closing time when leaving the building which is mainly at weekends from 11.30 p.m. onwards. This again wakes up all the residents.
3. We have found on many occasion broken glass from glasses (which can only have been from the above premises) on the pavement outside McColls Shop (mainly at weekends)
4. The parking of cars in the late evening, especially at weekends outside the property of the residents of Longstock Crescent . The customers obviously do this for a specific reason if they have been drinking.
5. Also music being played so loud (when they have parties) that the residents living nearest to the Public House cannot even hear their own Television.

Signed

Address

Address

LONGSTOCK CRES

TOTTON

LONGSTOCK CRES; TOTTON,

Longstock cres Totton.

LONGSTOCK CRES TOTTON

LONGSTOCK CRES

LONGSTOCK CRES. TOTTON.

LONGSTOCK CRES TOTTON

LONGSTOCK COURT, LONGSTOCK CRESCENT,  
TOTTON.

LONGSTOCK CRESCENT. TOTTON

LONGSTOCK CRESCENT TOTTON.

LONGSTOCK CRESCENT. TOTTON.

~~TOTTON~~ CRE.

eyewortle walk. (medals)

Longstock Cres

LONGSTOCK CRESCENT TOTTON

LONGSTOCK CRESCENT TOTTON.

LONGSTOCK CRESCENT, TOTTON

LONGSTOCK CRESCENT, TOTTON

LONGSTOCK CRESC. TOTTON

Signed

Address

.. LONGSTOCK CRES TOTTON SO40 8EQ  
LONGSTOCK CRES, TOTTON SO40 8EQ

## Licensing Act 2003

### Application for a minor variation to a premises or club licence

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the Guidance Notes at the end of the form, especially Note 1.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and in black ink. Use additional sheets if necessary. Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

We Greene King Retailing Ltd

being the premises licence holder(s) / club holding a club premises certificate, apply to vary a premises licence under Section 41A / club premises certificate under Section 86A of the Licensing Act 2003 for the premises described in Part 1 below.

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

Old Farm House  
Ringwood Road  
Totton  
Southampton  
Hampshire

**Post Code**

SO40 8EA

**Part 1 – Premises details**

**Telephone number at premises (if any)**

02380 862399

**Premises licence number/club premises certificate number**

1410/4

**Brief description of premises** (Please see Guidance Note 2)

Public House

**Part 2 – Applicant Details**

*Please tick if yes*

I am / we are the premises licence holder/club premises certificate holder



**Applicant Postal address** (If different from the premises address)

Prior to 2300 hours, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises\*.

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

### **External areas**

No licensable activities or consumption of alcohol will take place externally after 23:00hrs.

### **Children**

All persons aged under 18 years of age must be accompanied by a responsible adult at all times.

### **Staff Training**

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.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

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.

Drugs awareness training to be given every six months and a refresher course to be given every additional six months. This training will include a 'zero' tolerance policy to drugs which will be adopted; any person(s) found using or in possession of suspected illegal drugs or substances must, as soon as reasonably practicable, be reported to the police.

### **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



allegations of offences or criminal activity. 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 Hampshire Western Police Licensing Unit within 24 hours.

**Risk assessment**

A risk assessment will be carried out before all key events and if deemed necessary SIA door shall be used and wear high visibility jackets.

**Part 4 – Operating Schedule**

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

**Provision of regulated entertainment**

*Please tick ✓ yes*

- a. plays
- b. films
- c. indoor sporting events
- d. boxing or wrestling entertainment
- e. live music
- f. recorded music
- g. performances of dance
- h. anything of a similar description to that falling within (e), (f) or (g)

**Provision of entertainment facilities for**

*Please tick ✓ yes*

- i. making music
- j. dancing
- k. entertainment of a similar description to that falling within (i) or (j)

**Provision of late night refreshment**

- I understand that I am required to advertise my application by posting a white notice at or on the premises for ten consecutive working days commencing on the day after the day when my application is given to the licensing authority.

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

**Part 5 – Signatures and Contact Details** (See Guidance Note 5)

**Premises Licence:** (See Guidance Note 6)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:

**Signature:** \_\_\_\_\_ **Print name:** Hannah Loynds

**Date:** 2<sup>nd</sup> October 2013

**Capacity:** I Hannah Loynds – Licensing Manager for Greene King sign on behalf of and have authority to bind the applicant.

**Signature:** \_\_\_\_\_ **Print name:** \_\_\_\_\_

**Where the premises licence is jointly held:** (See Guidance Note 7)

signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> applicant's solicitor or other authorised agent. If signing on behalf of the applicant please state in what capacity.

**Signature:** \_\_\_\_\_ **Print name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Capacity:** I / We (insert full name and capacity) sign on behalf of and have authority to bind the applicant.

**Signature:** \_\_\_\_\_ **Print name:** \_\_\_\_\_

Where the premises is a club

I (insert full name) \_\_\_\_\_ make this application on behalf of the club and have authority to bind the club

**Signature:** \_\_\_\_\_ **Print name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines, etc.

### 3. Give full details of all the proposed variation(s).

Please include the days and times that you want your minor variation to have effect and whether these will be indoors or outdoors.

Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. **(However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation).** Relevant information includes:

**a) Variations to licensable activities/licensing hours** (all timings should be given in 24 hour clock (e.g. 16.00). Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors. Indoors may include a tent;
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer;
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

**b) Variations to premises/club layout:** If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or
- impede the effective operation of a noise reduction measure.

**c) Revisions, removals and additions of conditions:** The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

**d) Variations to opening hours:** Details of any changes to hours when the premises or club is open to the public.

### 4. Further information:

You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

### 5. Signatures:

The application form must be signed.

### 6. Authorised agent:

An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

### 7. 2<sup>nd</sup> Applicant:

**Gary Worsley**

---

**From:** Gary Worsley  
**Sent:** 15 November 2013 15:46  
**To:** Licensing e-mail address  
**Cc:** 'Conway, Sharon'; 'Police licensing'  
**Subject:** Minor Variation - The old Farm House, Ringwood Road, Totton, SO40 8EA

Dear Licensing

**Environmental Health (Pollution) Comments in Relation to the Prevention of Public Nuisance Licensing Objective**

Thank you for consulting Environmental Health (Pollution).

I have considered the application and the only comment to make is the following:


The condition: 'Prior to 23:00 hours, music and noise emanating from the premises if audible, shall be at such a level that distinct tunes, lyrics, musical instruments and any base beat cannot be recognised at the boundary of all noise sensitive premises.' should be changed to correct the spelling of 'base' to 'bass'.

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

Regards

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

Tel: 023 8028 5588 | Internal Ext: 284444 | Fax: 023 8028 5544  
[gary.worsley@nfdc.gov.uk](mailto:gary.worsley@nfdc.gov.uk) | [www.newforest.gov.uk](http://www.newforest.gov.uk)

 Please consider the environment before printing this email



**Public Health and Community Safety**

Head of Service: Annie Righton

Our Ref: EPNSE/13/05461

Your Ref:

26 November 2013

Longstock Crescent  
Totton  
Southampton  
SO40 8ED

Dear

**ENVIRONMENTAL PROTECTION ACT 1990**

**Alleged Noise Nuisance from Loud Music at the Old Farm House, Ringwood Road, Totton, Southampton, SO40 8EA**

I refer to your recent complaint contained within a petition concerning the above matter and I must apologise for the delay in contacting you.

A meeting was held recently with the Area Manager for Greene King, the Police Licensing Officer and I, to discuss the complaint and how to mitigate the noise.

This is often sufficient to prevent further problems. However, if this is not the case, I would be grateful if you could complete the enclosed diary sheet over the next 14 days, which will help the investigating officer to assess the magnitude of the complaint.

Would you please forward the diary sheets to this Department so they can be assessed and the appropriate course of action taken.

Please be advised that the complaint will be closed if the diary sheets are not returned within 4 weeks from the above date.

I have also enclosed a leaflet explaining the legal aspects of noise control. May I advise you that it does not affect your statutory rights to make a complaint to the Magistrates Court if aggrieved by a noise nuisance. More details on this procedure can be found on page 14/15 of the enclosed booklet.

If you require further information or advice on this procedure, please do not hesitate to contact me..

Yours sincerely

Gary Worsley  
Senior Environmental Health Officer  
Environmental Protection

Tel: 023 8028 5588

Email: gary.worsley@nfdc.gov.uk



Disability Helpline  
023 8028 5000

[newforest.gov.uk](http://newforest.gov.uk)

Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA



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

Ringwood Road  
Totton  
Southampton  
SO40 8EB

Our Ref: EPNSE/13/05461  
Your Ref:

02 December 2013

Dear [redacted]

**ENVIRONMENTAL PROTECTION ACT 1990**  
**Alleged Noise Nuisance from Loud Music at The Old Farm House, Ringwood Road, Totton, Southampton, SO40 8EA**

I refer to your recent complaint concerning the above matter.

A letter has been sent to the Designated Premises Supervisor at the premises, advising them of the complaint and often this is sufficient to prevent further problems. However, if this is not the case, I would be grateful if you could complete the enclosed diary sheet over the next 14 days, which will help the investigating officer to assess the magnitude of the complaint.

Would you please forward the diary sheets to this Department so they can be assessed and the appropriate course of action taken.

Please be advised that the complaint will be closed if the diary sheets are not returned within 4 weeks from the above date.

I have also enclosed a leaflet explaining the legal aspects of noise control. May I advise you that it does not affect your statutory rights to make a complaint to the Magistrates Court if aggrieved by a noise nuisance. More details on this procedure can be found on page 14/15 of the enclosed booklet.

If you require further information or advice on this procedure, please do not hesitate to contact me.

Yours sincerely

Gary Worsley  
Senior Environmental Health Officer  
Environmental Protection

Tel: 023 8028 5588  
Email: gary.worsley@nfdc.gov.uk





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

Mr S Hamilton  
The Old Farm House  
Ringwood Road  
Totton  
Southampton  
SO40 8EA

Our Ref: EPNSE/13/05461  
Your Ref:  
04 December 2013

Dear Mr Hamilton

**ENVIRONMENTAL PROTECTION ACT 1990  
LICENSING ACT 2003**

**Alleged Noise Nuisance from Loud Music and Patrons at The Old Farm House,  
Ringwood Road, Totton, Southampton, SO40 8EA**

We have received a complaint concerning alleged noise nuisance from the above premises for which I believe you are the Designated Premises Supervisor.

The noise complained of includes both loud amplified music emanating from within the premises and from patrons gathering at the front of the premises.

The above Act requires the Local Authority to investigate complaints of this nature. I should stress at this stage that I am acting on details supplied by the complainant. If you have been incorrectly identified as the person responsible, then please accept my apologies and kindly let me know.

However, if you feel there may be some justification in the complaint, then I should be grateful if you would consider the matter and ways in which the situation may be improved.

Please note, that under the Environmental Protection Act 1990, where nuisance exists or is likely to occur or recur, a Local Authority must serve an Abatement Notice. Contravention of such a Notice could then result in prosecution in the Magistrates Court and/or confiscation of your noise making equipment.

Under the Licensing Act 2003, if the Prevention of Public Nuisance licensing objective is undermined then as a Responsible Authority, the Environmental Health Officer may call your premises licence in for Review by the Licensing Committee.

As part of its investigation, the Local Authority may require the complainant(s) to complete diary sheets. If appropriate, Council Officers may also undertake monitoring of your premises to substantiate the complaint.

(Continued overleaf....)



Your co-operation would be much appreciated and should you require any further information, please do not hesitate to contact me.

Yours sincerely

Gary Worsley  
Senior Environmental Health Officer  
Environmental Protection

Tel: 023 8028 5588  
Email: [gary.worsley@nfdc.gov.uk](mailto:gary.worsley@nfdc.gov.uk)

CC: PC 22237 S Conway, Police Western Licensing Team, Southampton Central Police Station, Southampton

Mr P Weston, NFDC Licensing Officer, Appletree Court, Beaulieu Road, Lyndhurst, Hampshire, SO43 7PA



**From:** C  
**Sent:** 11 December 2013 11:11  
**To:** Gary Worsley  
**Subject:** Re: The Old Farmhouse Noise Complaint

Hi Gary,

Thanks for your email. I have filled out the diary sheets, certainly for the weekend beginning 30/11/2013, when at around 22:30 I called police to a fight in the car park.

On the 06/12/13 (Friday) beginning at around 21:00 until 00:00, Karaoke/live music with music audible within my house. I returned from work (late shift) at around 22:30, to hear screaming, shouting and music on until midnight. (Incidentally, my wife is currently studying post-grad) and on Friday night at 21:30 sent me a text saying "pub noisy tonight :-(".

I got home around 22:30 and she was not wrong! The noise finally stopped at midnight.

Saturday night was quiet - but this was expected, as I said in my communication to you, every weekend sees one night being bad - the other is normally quiet.

An additional note, on Saturday during the day from around 09:00 to 16:00, the carpark of the pub was being used as a place to sell christmas trees. Van pulled up at about 09:00, put some boards on the verge on my side, and began trading. Unsure of whether this was legal or whether there was permission granted for this. Advertising boards have been left in place!

Really sorry to sound whingey - I can't believe I've become one of the moaners.

In this lead up to Christmas, the pub gets worse - as happens every year. It would be a massive relief if this year, something could be done to quell this usual festive onslaught the pub brings to the neighbourhood.

Thanks for following up Gary, it is hugely appreciated and a massive relief to know that somebody is finally listening.

With thanks and appreciation,

**Gary Worsley**

---

**From:** [REDACTED]  
**Sent:** 11 December 2013 14:03  
**To:** Gary Worsley  
**Subject:** Diary Sheet 1&2  
**Attachments:** Diary sheet1.jpeg; Diary sheet2.jpeg

As promised. Both diary sheets.

With thanks,

In order to assist Officers of this Department in investigating your complaint you are asked to keep a record of the noise problem that is troubling you. Please keep a note below and on a separate sheet if necessary, of the dates when the noise occurs and the time it starts and finishes. Please enter times in 24-hour clock. I.e. 23:30. Please also ensure you sign the form on the reverse side along with any neighbours or other witnesses.

**Your Details**

Name: [REDACTED]  
 Address: Ringwood Road, Totton, Southampton, SO40 8EB  
 Home Tel: [REDACTED]  
 Work Tel: [REDACTED]  
 Mobile Tel: [REDACTED]  
 Email: [REDACTED]

**Source of Noise Details**

Name:  
 Address: The Old Farm House, Ringwood Road, Totton, Southampton, SO40 8EA

Complaint Ref No: EPNSE1305461

Case Officer: Gary Worsley

Date	Time Started	Time Ceased	Nature of Noise	Describe How and Where You Were Disturbed
20/1/13	22:20	22:35	FIGHT OUTSIDE ON PARKING LOT @ PUB - POLICE CALLED	SHOUTING, SWEARING SCREAMING BY VARIOUS PERSONS. ONCE. (GOLF AREA)
06/12/13	21:00	00:00	VARIOUS / LOUVE MUSIC	LOUVE MUSIC, AUDIBLE (KIDS WIFE UNABLE TO CONCENTRATE) NEAR STUDIES - (BATHED NEAR LAMPED) HOURS @ 23:15 PUB - STILL NOISEY AUDIBLE (KIDS OPEN DOORS UNABLE TO GET TO SLEEP) UNTIL

Please continue on the reverse side.

CSW

Date	Time Started	Time Ceased	Nature of Noise	Describe How and Where You Were Disturbed
				<p>① AROUND 21:30  RECEIVED TEXT FROM  JO (UNITE) SAYING  "FOR NEARBY TOWNSHIPS"  RUB CAR PULL (WAS)  BY W/ K PERSON TO  SEAL AROUND TREES  (COMMUNITY JUSTICE)  (COURTESY)</p>
07/12/18	0700	1600		

Person Keeping Diary Name: 	OPTIONAL Neighbours/Witnesses Verifying Disturbances Name: 	Address: 
Signature: 	Signature: 	Postcode: 

I certify that the above record is a true statement of the noise complained of.

REF. EPNSE/13/05461

HONEYSTOCK CRESCENT

13/12/13.

TOTTENHAM - HAMPSHIRE

3040 8 ED.

DEAR SIR, MR CHIEF WORKSHEP REGARDING

YOUR LETTER DATED 21/11/13. - SO FAR SINCE YOUR MEETING  
WITH ELEAN KING & POLICE HIGHWAY OFFICER (I DON'T KNOW  
WHAT WAS SAID) BUT US IN HONEYSTOCK CRESCENT - HONEYSTOCK COURT  
FEEL YOU HAVE DONE WONDERS, THINGS HAVE BEEN GOOD.

SO GOOD I HAVE MET THE NEW MANAGER WHICH I THINK HAS HELP  
BUT WE DO FEEL THIS MAY CHANGE OUR XMAS & NEW YEAR WHICH  
WILL BE TO LATE TO MARK UP YOUR RECORD FORTH. SO WE FEEL  
I SHALL MEET MY FORTH AND SAID IT IN SAN JOHNS IF THE  
NOISE GETS BAD. (IF NECESSARY)

I MUST SAY A BIG THANK <sup>YOU</sup> TO YOU & YOUR STAFF FOR SORTING  
OUT THIS PROBLEM / WISHING YOU ALL A HAPPY XMAS & NEW

Yours



Date	Time Started	Time Ceased	Nature of Noise	Describe How and Where You Were Disturbed
			<p>The pub started fighting on the shop forecourt requiring the assistance of the police to break it up. We often find glasses which have been emptied and abandoned. More seriously when walking the dog early in the morning we have come across broken glasses strewn across the carpark road, pavement to Longsight Groant. We have taken it upon ourselves to sweep this up and remove it as it is extremely hazardous to drivers entering the carpark and children on their way to school. These occurrences are definitely worse at the weekend.</p>	

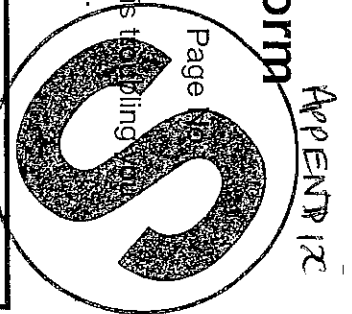
Person Keeping Diary Name: _____ Signature: _____	OPTIONAL Neighbours/Witnesses Verifying Disturbances Name: _____ Signature: _____	Address: Longsight Groant Totton Warris Postcode: SO90 8EP
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I certify that the above record is a true statement of the noise complained of.

RECEIVED  
★ 16 DEC 2013 ★  
POST ROOM  
ATC

**Noise Complaint Record Form**

Date Sent: 26 November 2013

APPENDIX 10  
Page 10 of 10  


In order to assist Officers of this Department in investigating your complaint you are asked to keep a record of the noise problem that is troubling you. Please keep a note below and on a separate sheet if necessary, of the dates when the noise occurs and the time it starts and finishes. Please enter times in 24-hour clock, i.e. 23:30. Please also ensure you sign the form on the reverse side along with any neighbours or other witnesses.

**Your Details**

Name: \_\_\_\_\_  
Address: Longstock Crescent, Totton,  
Southampton, SO40 8ED  
Home Tel: \_\_\_\_\_  
Work Tel: \_\_\_\_\_  
Mobile Tel: \_\_\_\_\_  
Email: \_\_\_\_\_

Complaint Ref No: EPNSE/13/05461

**NFDC**  
RECEIVED 16 DEC 2013  
PUBLIC HEALTH &  
COMMUNITY SAFETY

**Source of Noise Details**

Name: \_\_\_\_\_  
Address: The Old Farm House, Ringwood  
Road, Totton, Southampton, SO40 8EA

Case Officer: Gary Worsley

Date	Time Started	Time Ceased	Nature of Noise	Describe How and Where You Were Disturbed
			It is an overcast - like like noise is bad -	
			My husband and I would hear it!	
			It have not recorded as requested	
			but the noise is still continuing	

Please continue on the reverse side.





Gary Worsley

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From: [REDACTED]  
Sent: 18 December 2013 19:44  
To: Gary Worsley  
Cc: jonathan.harris [REDACTED]  
Subject: Fwd: Farmhouse pub  
Attachments: Attachment 2 Letter to landlord.pages; ATT4206901.htm; STATEMENT - FARMHOUSE PUB.docx; ATT4206902.htm

Mr Worsley, PC HARRIS,

I sent this yesterday morning to include the diary sheets, however it returned from the server this evening saying "undeliverable".

I'll send the diary sheets separately as I think this is what was causing the issues due to file size.  
Regards,

Begin forwarded message:

**From:** G. [REDACTED]  
**Date:** 17 December 2013 09:29:25 GMT  
**To:** Gary Worsley <Gary.Worsley@NFDC.gov.uk>, jonathan.harris [REDACTED]  
**Subject:** Farmhouse pub

Mr Worsley, PC Harris,

thank you for your assistance with the Farmhouse Pub. I have attached a statement, letter I delivered to the landlord in november of 2012, and the completed diary sheets including this last weekend.

Trust this to be in order.

With thanks,  
[REDACTED]

My name is ... I am providing this statement in relation to the constant noise and nuisance that is being generated by the OLD FARMHOUSE public house on Ringwood Road in Totton and its patrons. I have reached a point where I feel that the noise coming from the pub cannot continue unabated. I live within earshot of the public house. I have lived there for approximately 5 years. When we moved in to our current residence, the OLD FARMHOUSE pub was a pub that never caused us any concern. It was a relatively quiet pub, and was never any cause for concern or nuisance for us at the time. The public house changed management – I think around early 2010, and at this time became part of the National pub franchise chain "Hungry Horse". Since this time, it has seen a massive increase in business, and has consequently started operating like a club rather than a residential pub.

Since this change happened, weekend nights have become rather difficult. This has now extended to incorporate, Sunday nights when it would sound as if there is a weekly pub quiz running.

The pub is surrounded entirely by residential premises, to the back front and sides. The front of the pub has a large deck/smoking area, together with a patio area, and is further fronted by a large car park. On busy nights (most weekends), the car park serves as an extension of the pub premises with people drinking, shouting, jeering and chanting until sometimes as late as 01:00 – many of them still with drinks in their hands until around midnight.

On numerous occasions, I have contacted the police on Friday and Saturday nights asking for attendance from 23:30 up until 01:30 due to rowdy and inconsiderate behaviour and loud music emanating from within the pub, audible from within my house with closed windows.

I would like to expand on the following problems I have experienced as a resident in the immediate vicinity of the pub;

#### Glasses/Litter

There is a continual problem with glasses and bottles being left out on the verge after a Friday/Saturday night. On weekend mornings, it is not uncommon to find a few half empty pint glasses, and empty beer bottles strewn across the verge and sometimes on my driveway. Added to this are the numerous cigarette packets and other litter that is so prevalent in that part of Ringwood Road, concentrated around the pub area quite likely as a result of the large amount of people that are in and around the pub on weekend nights.

#### Using the car park as an extension to the pub

On weekend nights, the car park that fronts the pub is used as an extension of the patio/decking area. This seems to spread the unruly, inconsiderate, loud and often aggressive patrons over a much wider area. A short observation of this will only serve to confirm that most of the patrons using the car park have drinks in their hands in the car park. I have witnessed on many occasions,

patrons walking away from the premises with drinks in their hands, and walking towards the pub with drinks in their hands – only to toss the bottle away at the entrances of the last few premises bordering the pub, or in the old waterway running alongside the houses on Ringwood Road.

#### Serving drinks until after hours

I have seen patrons with drinks in their hands, either loitering, or leaving the pub sometimes until 00:30 and on occasions even later.

#### Loud Music coming from within – catering for smokers outside

Music of sorts (live/otherwise) seems to be a weekend feature of the Farmhouse Pub. This seems to start at around 21:00 and stop at around midnight. The music is either live band, karaoke or DJ. Either way, the music is loud, audible from within my house, (lyrics and heavy baseline) and disruptive. It prevents me from being able to get to sleep, and coupled with the loud shouting and screaming of the patrons becomes unbearable and the biggest source of my frustration with this public house.

#### Loud Chanting and singing

An issue that has me seething weekend after weekend, is the loud chanting and singing that comes from the pub, especially from the smokers' area and car-park outside. It would seem that it is impossible for patrons to have a drink or two without breaking into some sort of chanting and singing – a favourite being the football song of whatever club supporter seems to be there on the night. This then often degenerates into general loud and often offensive chanting – with equal amounts of vulgar and coarse profanities being bandied about as loud as is really possible. Night after night, especially weekends when drinking tends to be at its worst, I have had to now use ear plugs to try and fall asleep. A visit to the premises on most Friday or Saturday nights from 10pm onwards will testify to this. The singing, chanting, swearing and music is a complete and unacceptable intrusion into my life, as I have to take preventative action to stop hearing this in order that I can get some rest.

#### Bungee Jump

In the summer months, normally June or July, the pub seems to have started an annual bungee jump event. This entails a company bringing a huge truck with a modified crane into the parking lot – thereby blocking off all parking spaces in the pub. All patrons on that day have to therefore park elsewhere – bringing the surrounding houses and verges into play as convenient parking areas. This exacerbates the problem of car parking which is already a weekend issue, and I have had to on more than a few occasions find parking elsewhere due to the access to my drive being restricted. The bungee jump event is then witnessed by all patrons and passers by, many of whom are freely drinking and walking around the surrounding area with drinks in their hands supplied by the pub. In my view, another completely unacceptable activity considering the pub's location.

#### Violence

There are often cases of violence outside the pub; fights, domestics and general abuse between patrons when leaving the pub anytime from 2300 until

01:30 is an all too common occurrence. Police have visited the pub in response to these situations on many occasions, but equally, many of them dissipate or move elsewhere. Again, this is difficult to ignore when you hear sudden shouting and screaming above all the noise, followed by police responding on sirens and further screaming outside of the premises.

The closure of surrounding pubs has seemingly increased trade at the Old Farmhouse. However this increasing trade has also seen an increase in traffic, and a rather unwelcome feature seems to be the increase in "boy racers". On any given night of the week, especially weekends, you are disturbed within your own house by people racing away from the pub with wheels spinning, and loud exhausts screaming away down the road as they take off.

Lastly, the feature that is possibly the most disgusting feature of the patrons attending this pub is the urinating that goes on by some patrons as they leave. The entrance to my drive unfortunately provides fantastic cover for males wishing to relieve themselves after their nights' revelry. Unfortunately this behaviour does not make the pub a very endearing asset to have in a residential area.

The problem is further aggravated by the fact that I work on a shift pattern, which is quite often unpredictable. After a 15 or 16 hour shift, coming home on a Friday night at 2100 or 2200 after an early start, I find myself incensed when I have to put up with banging music, shouting, swearing, screaming, chanting and urinating patrons who have not an ounce of consideration as to their location. I feel it is imperative that the pub take responsibility for the behaviour of their patrons and for its role within the community. There is no denying the fact that the pub finds itself in the middle of a residential area. It is completely surrounded by residential premises, yet the pub operates in a manner more akin to a city centre night club.

It is completely unacceptable that a pub should be allowed to operate in such a manner – and I cannot see how any of the above is commensurate with any of their licensing conditions. Furthermore, I would suggest that due to the pub's location, it is crucial that the pub exercises a degree of social responsibility, something that it has completely disregarded in its day-to-day activities. The closure of the surrounding pubs will only serve to boost their trade, and worsen the situation.

I have on several previous occasions, (a conservative guess of approximately 10 occasions) gone across to the pub on my own, at times during which the music is playing, and the following day to speak to the license holder Ryan Hamilton. I have asked him to turn the music down, and to tell him that it has become a concern and that I am unhappy about it. Ryan seems to give the required lip-service to the complaint, but seems to have no long lasting effect.

As a resident of the area, this is unacceptable and will not be tolerated. It is in this light that I bring this issue to the attention of the local council, Environmental health and Licensing.

I have attached an appendix consisting of 2 additional documents. One is the diary I have maintained over a two-week period beginning the 30/11/13. It consists of 3 diary sheets.

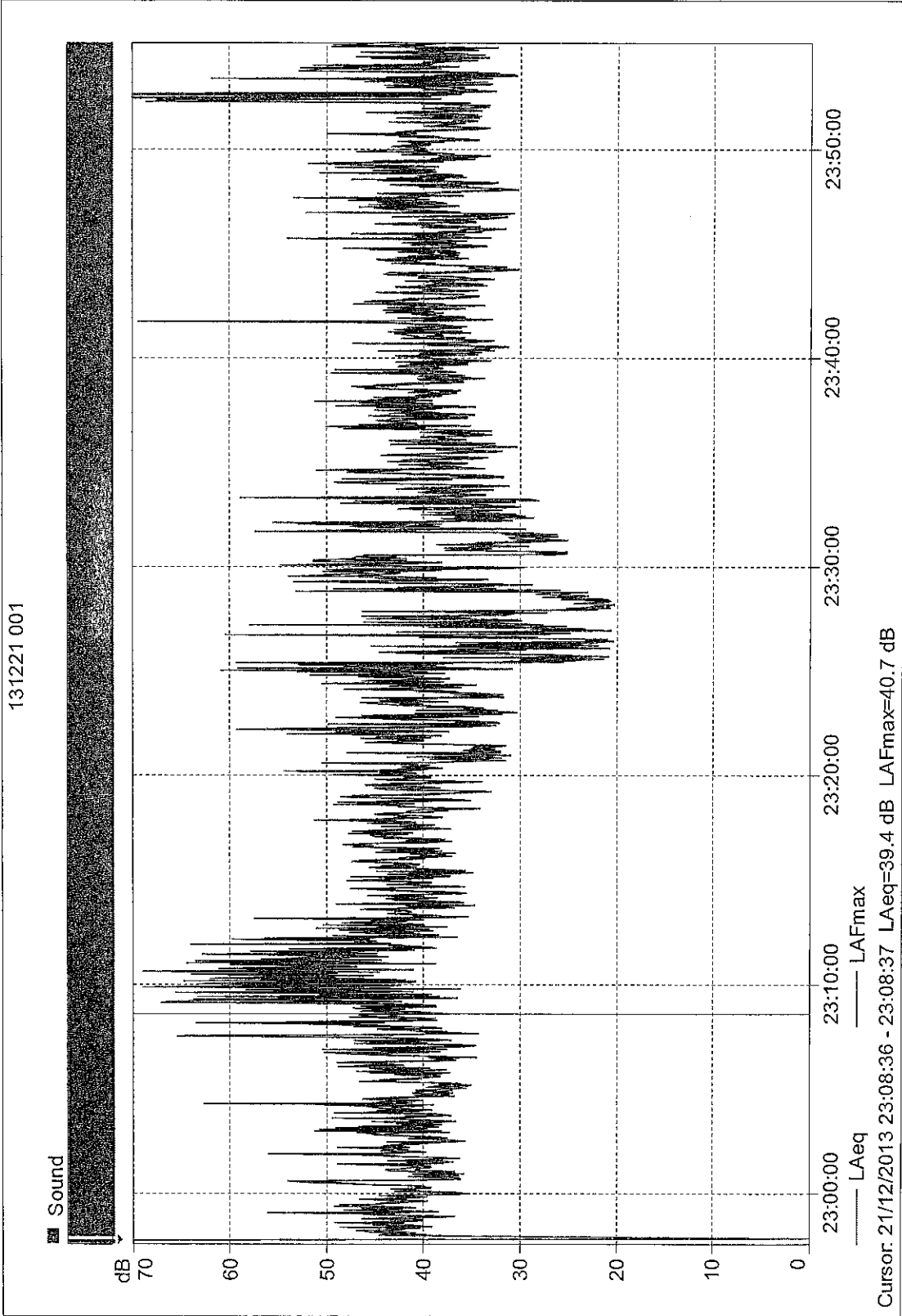
The second, is a letter that I personally took to licence holder Ryan HAMILTON on the 23/11/2012. This letter will show that already then, I had experienced the anti-social nature of this pub for a number of months. On the occasion I hand delivered this letter to him, again I had an extended conversation with him about it – invited a reply, but received no contact from him at all. Instead, the pub continued in the way it had, with no improvement.

In anticipation,

Ringwood Road  
Totton



21 December 2013 Noise Data Profile



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HOME OFFICE

AMENDED GUIDANCE ISSUED UNDER SECTION 182 OF THE LICENSING ACT 2003

JUNE 2013

**REVIEWS**

**Powers of a licensing authority on the determination of a review**

11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- Exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
- Remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- Suspend the licence for a period not exceeding three months;
- Revoke the licence.

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.

11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.



11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.

11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

### **Reviews arising in connection with crime**

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;

- For the sale and distribution of illegal firearms;
- For the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- For the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- For prostitution or the sale of unlawful pornography;
- By organised groups of paedophiles to groom children;
- As the base for the organisation of criminal activity, particularly by gangs;
- For the organisation of racist activity or the promotion of racist attacks;
- For knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
- For unlawful gambling; and
- For the sale of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.