

**NOTICE OF HEARING
BY THE LICENSING SUB-COMMITTEE
under the
LICENSING ACT 2003**

**APPLICATION FOR A VARIATION OF PREMISES LICENCE
THE SAIL INN, QUEEN STREET, LYMINGTON
(FORMERLY KNOWN AS THE FUSION INN)**

Date and Time: MONDAY, 17 JUNE 2019, AT 10.00 AM

Place: COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

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1. **APPLICATION FOR A VARIATION OF PREMISES LICENCE - THE SAIL INN,
QUEEN STREET, LYMINGTON (FORMERLY KNOWN AS THE FUSION INN)**
(Pages 1 - 148)

THE RELEVANT PAPERS ARE ATTACHED

To: Members of the Sub-Committee:
Cllr Rebecca Clark
Cllr Steve Clarke
Cllr Steve Davies
Cllr Keith Craze(substitute)

Parties to the Hearing:
Applicant - Star Pubs & Bars Limited
Applicant's Representative – G Domleo, Flint Bishop Solicitors

Objectors: Mrs D Harvey
J Burrows
P and J Nott
M Fenner
A Lawley
F Callaghan
J A Ashley
J Armstrong

G and J Carter
R and P Lee
E.G. Dunford Limited
G Axten
M Freeman
G Broomfield
M McStay
J and K Hanna
Mrs J Waterhouse
S Seymour
J Faulkner
Rt Hon Desmond Swayne
A Herd
A Thomson
T Foulkes-Jones and A Poole
J Charlton
Mr and Mrs Chaperlin
R Coetzee
L and S Bennett
R Middle
A Pickance
P and H smith
D and C Lawrence
L Williamson
Mrs M Warne
Miss J Thomson
P and G Rogers
M Dunn
P Ratcliffe
Mr B G Baker
J Corbett
R Gray
N Watson
L Butler
M Orton
E Todd
P and A Cox

Responsible Authority Representatives:

Hampshire Constabulary – PC Sharon Conway
Environmental Health – Arran Harmer

Copies for Information:

Cllrs Barry Dunning & Jacqui England – Local Members
Lymington Town Council
Licensing – C Ferguson
Legal Services - Miss G O'Rourke/M Wisdom/P Mwedzi

LICENSING SUB COMMITTEE – 17 JUNE 2019

APPLICATION TO VARY A PREMISES LICENCE – THE SAIL INN, QUEEN STREET, LYMINGTON.

1. INTRODUCTION

- 1.1 The purpose of this report is to provide members with information at the hearing to determine an application to vary a premises licence under section 34 of the Licensing Act 2003. The premises is The Sail Inn, Queen Street Lymington, SO41 9NG.

2. BACKGROUND INFORMATION

- 2.1 The Sail Inn is situated at a busy junction to the eastern end of Lymington, near to the Waitrose store and opposite the Thomas Tripp Public House. A location plan of the premises is provided at **Appendix 1**. The premises are positioned on a busy main road, however, to the rear of the premises are a large number of residential houses and apartments situated in a quiet residential area.
- 2.2 The premises have held alcohol and entertainment licences for a number of years under the Licensing Act 2003 although more recently, it has been previously known both as The Fusion Inn and The Black Cat.
- 2.3 In summary, the current premises licence permits the following:-
Sale of alcohol- from 10:00hrs to midnight Sunday to Thursday and 10:00hrs to 02:00hrs on Friday and Saturday.
Recorded music- from 20:00hrs to 00:45hrs on Saturday.
Live Music-Monday to Sunday 20:00hrs to 23:00hrs.
Late Night Refreshment- until 01:30hrs Friday and Saturday.
Opening hours of premises-08:00hrs to 00:30hrs Sunday to Thursday, 08:00hrs to 02:30hrs Friday and Saturday.

The licence also contains some restrictions, seasonal variations and non standard timings, the full details of which can be seen in the current premises licence (with conditions) as provided as **Appendix 2**.

- 2.4 As members can see from the current licence, a large number of conditions were placed on the licence following a hearing on 10 August 2015. The hearing took place to determine a variation application to extend the hours for the sale of alcohol on Fridays and Saturdays from 01:00hrs to 02:00hrs with the closure hours extending from 01:30hrs to 02:30hrs and the introduction of late night refreshment on Fridays and Saturdays until 01:30hrs. As representations were received from members of the public to this proposal, a Licensing Sub-Committee determined the application. The decision of the Licensing Sub-Committee can be viewed here: <http://modern:9070/mgAi.aspx?ID=1126> .
- 2.5 Photographs of the property, front and rear, are provided for members as **Appendix 3**. These photographs also reference the properties next to and above the premises.

The photographs are described as follows-

- Photo 1- Front of premises, including private side access path designated for smoking
- Photo 2- Front of premises and Thomas Tripp pub opposite
- Photo 3- Small area to the front right of the premises
- Photo 4- View up Queen Street including Kebab shop
- Photo 5- Back of the premises, access road to the right, next to bakery
- Photo 6- Back of premises and residence to the left
- Photo 7- Back garden area and residence at Roundhouse Mews

Photo 8- Rear garden area

Photo 9- Grassed area to the rear of the premises on St Thomas Park

Photo 10- St Thomas Park, view toward car park

3. THE APPLICATION

- 3.1 On 9 April 2019 New Forest District Council received a variation application from Flint Bishop Solicitors on behalf of the Premises Licence Holder – Star Pubs and Bars Limited. The application is attached as **Appendix 4** (blank pages removed).
- 3.2 The variation application seeks the **following**:-
- **Plans**-Amend the licensing plan in accordance with drawing number 7482-08 revision B dated 31 May 2017 which accompanies the application.
 - **Live Music**-Extend the daily start time to 10:00hrs, remove the twice weekly restriction and extend the terminal hour to midnight on Friday and Saturday.
 - **Recorded music**-extend to allow an earlier start time of 10:00hrs on Saturdays, remove the current restriction of every other Saturday and add recorded music from 10:00hrs to 23:00hrs Sunday to Thursday and from 10:00hrs to midnight on Friday.
 - **Late Night Refreshment**-Extend the hours to 02:30hrs on Friday and Saturday and until 00.30hrs Sunday to Thursday.
 - **Films**-Add this provision to the premises licence 08.00hrs to 00:30hrs Sunday to Thursday and 08:00hrs to 02:30hrs on Friday and Saturday.
 - **Non-standard timings**-Remove all existing non-standard timings and add new timings.
 - **Non mandatory Conditions**-Remove all current licence conditions in Annex 3 and replace with updated conditions attached in the variation application.
- 3.3 However, the application does not seek to increase the hours permitted for the sale of alcohol or the opening/closing times of the premises. It is intended that these would remain as set out at Paragraph 2.3 of this report apart from the change to non-standard timings.
- 3.4 Further information about the variation application and the plans for the venue has been provided in section M (a) of the application form. As members can see proposals include refurbishments (internal and external), new Designated Premises Supervisor (DPS) and a “strong focus on the local community with it being family friendly and providing home cooked food”..
- 3.5 Public consultation as required by the Licensing Act 2003 has been correctly carried out and the application has been advertised both on the premises and in the local newspaper.

4. REQUIREMENTS FOR A HEARING

- 4.1 The Licensing Authority must hold a hearing to determine the application where relevant representations are made regarding the likely effect of the grant of the application to vary the licence on the promotion of the licensing objectives. These being:
- 1) The prevention of Crime and Disorder;
 - 2) Public safety;
 - 3) The prevention of public nuisance;
 - 4) The protection of children from harm.

- 4.2 Members are referred to the statutory guidance issued by the Home Office under section 182 of the Licensing Act 2003 dated April 2018, in particular the sections on the licensing objectives and variations.

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

- 4.3 In determining the application the Licensing Sub-Committee must give appropriate weight to:

- 1) The steps that are appropriate to promote the licensing objectives;
- 2) The relevant representations presented by all the parties;
- 3) The Home Office guidance;
- 4) The Council's own Statement of Licensing Policy.

5. REPRESENTATIONS RECEIVED

- 5.1 Following receipt of the application a meeting was arranged on-site by Mr Arran Harmer, the Council's Environmental Health Officer. The meeting had been arranged to address concerns with the application and the proposed removal of the current conditions, many of which were placed on the licence to address complaints about noise from the premises. The meeting took place at the premises on 15 April 2019. The Council's Licensing Manager, Licensing Compliance Officer and Mr Harmer were all present. Mr Taylor from Star Pubs and Bars also attended the meeting but unfortunately the proposed Designated Premises Supervisor, responsible for the management of the new venture, was unable to attend.
- 5.2 At this meeting, concerns with regard to the application and the proposal to remove key conditions together with the extension of some licensable activities were raised by Council Officers. Following the meeting, a response from the Premises Licence Holder had been expected, however, this was not received by the end of the representation period. The Environmental Health Officer submitted a formal response and representation which is presented as **Appendix 5**. This representation documentation also proposes further conditions in addition to the later conditions the applicant's solicitor has proposed in the email dated 13 May.
- 5.3 Concerns have been raised with regard to the proposal to remove conditions on a premises licence that permit the late terminal hour and the impact on the crime and disorder licensing objective. These have resulted in a representation also being received from the Police Licensing Officer. This is provided in **Appendix 5**. The representation outlines the history of police involvement at the premises, concerns with previous turnover and management and the impact of being the latest venue in the town together with the removal of key conditions proposed in the variation application. The Police Licensing Officer has also suggested which conditions would be appropriate to keep on the licence in order to promote the licensing objectives.
- 5.4 In addition, during the 28 day representation period, the Licensing Authority received 46 representations from other persons, in the main, these being residents of neighbouring properties and those living in the area close to the premises. Representations were also received from a landlord of multiple properties in the area, the proprietor of a guest house near the premises and the owner of a Pilates studio. These are attached as **Appendix 6**.
- 5.5 The representations highlight concerns that the variation of the premises licence and removal/amendment to the licence conditions will undermine the licensing objectives. A summary of issues that have been raised in the representations are:-

- Increase in Anti-social behaviour (ASB) caused by alcohol,
- Noise issues and disturbance to neighbours in a residential area,
- Noise/ASB in the rear garden of the premises by those drinking and/or smoking,
- Increase in music related disturbance,
- Fears that the venue will become more popular and therefore increase the risk of further disturbances and incidents for nearby residents,
- The addition of live music until the early hours will appeal to a younger clientele, leading to increases in problems,
- Additional crime and disorder for a reduced Police presence to deal with,
- Increased numbers attending the premises, queuing up at the entrance to the premises and also numbers of patrons “loitering” at the end of the night waiting for transport home.

5.6 There is no Cumulative Impact Policy for the town and the consideration of “need” for additional or varied licensed premises cannot be taken into account. However, as mentioned in some representations there are a number of licensed premises in the area. For members information **Appendix 7** provides the location of similar licensed premises in the area together with the hours provided by their licences.

Further Information from the Applicant

5.7 The applicant has provided additional information about the site, the refurbishment and the development of the business at the premises and this is provided at **Appendix 8**. The additional information also includes some email exchanges between a local resident and the Applicant’s solicitors regarding the premises when they were unoccupied and plans to lease the premises to the Applicant. The applicant has also provided additional conditions, further to those proposed in the application. The additional conditions are included in **Appendix 8**.

6. LEGAL IMPLICATIONS

- 6.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations 2005. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.
- 6.2 The Applicant and those parties making representations have been invited to this hearing and have been provided with this report and the procedure to be followed at the hearing.
- 6.3 The Applicant and those who have made relevant representations are entitled to address the Sub Committee and to ask questions of the other party as set out in the procedure.

7. RIGHT OF APPEAL

- 7.1 It should be noted that the Applicant and those who have made relevant representations may appeal the decision made by the Licensing Sub Committee to the Magistrates’ Court. The appeal must be lodged with the Magistrates’ Court within 21 days of the notification of the decision.
- 7.2 In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision made by the Magistrates’ Court.

7.3 A Responsible Authority or any person may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by a person other than a Responsible Authority will not normally be granted within the first 12 months except for the most compelling circumstances.

8. CONCLUSION

8.1 The Licensing Sub-Committee must, having regard to the application and any relevant representations take such steps as it considers appropriate for the promotion of the licensing objectives. Members may:

- 1) Modify the conditions of the licence or
- 2) Reject the whole or part of the application.

(and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added).

9. RECOMMENDATION

9.1 That the Licensing Sub-Committee determines the application to vary the premises licence.

10. APPENDICES

Appendix 1 Location plan
Appendix 2 Current premises licence
Appendix 3 Photographs of the building
Appendix 4 Application form and plan
Appendix 5 Representations from Police 5A and Environmental Protection 5B
Appendix 6 Representations from other persons
Appendix 7 Location of other premises in area and opening times
Appendix 8 Information received from the Premises Licence Holder to illustrate the vision and proposals for the premises, email exchange with local resident and proposed additional conditions.

Further information:

Christa Ferguson
Licensing Manager
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk

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Licensing Act 2003

Premises Licence Summary

Issued under Section 24 of the above Act

Premises Licence Number	1330/15
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Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
The Fusion Inn Queen Street Lymington SO41 9NG	Map Ref (E): 431927.382773864 Map Ref (N): 95433.5985426285 UPRN: 100062001408
Telephone Number: 01590 672139	

Where the licence is time limited the dates
This licence is NOT time limited

Licensable activities authorised by the licence
E) Performance of Live Music F) Playing of Recorded Music I) Provision of Late Night Refreshment J) Sale or Supply of Alcohol - On and Off the Premises

The times the licence authorises the carrying out of licensable activities			
E - Performance of Live Music	Performance of live music may take place:		
	Indoors		Y
	Outdoors		
	Both		
Day	Start	Finish	
Mon	20:00	23:00	Further details: The number of events permitted involving live music is restricted to two per week Seasonal variations: Non standard timings:
Tues	20:00	23:00	
Wed	20:00	23:00	
Thur	20:00	23:00	
Fri	20:00	23:00	
Sat	20:00	23:00	
Sun	20:00	23:00	

F - Playing of Recorded Music			Playing of recorded music may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish			
Sat	20:00	00:45	Further details: Recorded music is permitted every other Saturday evening Seasonal variations: Non standard timings:		

I - Provision of Late Night Refreshment			This activity will take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish			
Fri	23:00	01:30	Further details: Seasonal variations: Non standard timings:		
Sat	23:00	01:30			

J - Sale or Supply of Alcohol - On and Off the Premises					
Day	Start	Finish			
Mon	10:00	24:00	Further details: Seasonal variations: Christmas Eve 10:00hrs to 02:00hrs New Year's Eve 10:00hrs to 02:00hrs Non standard timings: The licensable activity detailed at Section - Supply of Alcohol and premises opening will be permitted between 24:00hrs (01:00hrs) and 10:00hrs (24 hours opening) on a maximum of 10 occasions per calendar year, provided that such events: 1) Are notified to the Police and Licensing Authority at least 7 days in advance of the date of each event and; 2) Are not vetoed by the Police		
Tues	10:00	24:00			
Wed	10:00	24:00			
Thur	10:00	24:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	24:00			

The opening hours of the premises			
L - Opening Hours			
Day	Start	Finish	
Mon	08:00	00:30	Seasonal variations: Christmas Eve 10:00hrs to 02:30hrs New Year's Eve 10:00hrs to 02:30hrs
Tues	08:00	00:30	
Wed	08:00	00:30	Non standard timings: The licensable activity detailed at Section - Supply of Alcohol and premises opening will be permitted between 24:00hrs (01:00hrs) and 10:00hrs (24 hours opening) on a maximum of 10 occasions per calendar year, provided that such events: 1) Are notified to the Police and Licensing Authority at least 7 days in advance of the date of each event and; 2) Are not vetoed by the Police
Thur	08:00	00:30	
Fri	08:00	02:30	
Sat	08:00	02:30	
Sun	08:00	00:30	

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:
Alcohol is supplied for consumption both ON and OFF the premises

Name, (registered) address of holder of premises licence
Star Pub & Bar Limited
3-4 Broadway Park
Edinburgh
EH12 9LZ

Registered number of holder, for example company number, charity number (where applicable)
SC250925

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol
Paul Raymond James Smith

State whether access to the premises by children is restricted or prohibited
Not Restricted



Licensing Act 2003

Premises Licence

Issued under Section 24 of the above Act

Premises Licence Number	1330/15
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Part 1 - Premises Details

Postal address of premises, or if none, ordinance survey map reference or description	
The Fusion Inn Queen Street Lymington SO41 9NG	Map Ref (E): 431927.382773864 Map Ref (N): 95433.5985426285 UPRN: 100062001408
Telephone Number: 01590 672139	

Where the licence is time limited the dates
This licence is NOT time limited

Licensable activities authorised by the licence
E) Performance of Live Music F) Playing of Recorded Music I) Provision of Late Night Refreshment J) Sale or Supply of Alcohol - On and Off the Premises

The times the licence authorises the carrying out of licensable activities				
E - Performance of Live Music	Performance of live music may take place:		Indoors	Y
			Outdoors	
			Both	
Day	Start	Finish	Further details:	
Mon	20:00	23:00	The number of events permitted involving live music is restricted to two per week Seasonal variations: Non standard timings:	
Tues	20:00	23:00		
Wed	20:00	23:00		
Thur	20:00	23:00		
Fri	20:00	23:00		
Sat	20:00	23:00		
Sun	20:00	23:00		

F - Playing of Recorded Music			Playing of recorded music may take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish			
Sat	20:00	00:45	Further details: Recorded music is permitted every other Saturday evening Seasonal variations: Non standard timings:		

I - Provision of Late Night Refreshment			This activity will take place:	Indoors	Y
				Outdoors	
				Both	
Day	Start	Finish			
Fri	23:00	01:30	Further details: Seasonal variations: Non standard timings:		
Sat	23:00	01:30			

J - Sale or Supply of Alcohol - On and Off the Premises					
Day	Start	Finish			
Mon	10:00	24:00	Further details: Seasonal variations: Christmas Eve 10:00hrs to 02:00hrs New Year's Eve 10:00hrs to 02:00hrs Non standard timings: The licensable activity detailed at Section - Supply of Alcohol and premises opening will be permitted between 24:00hrs (01:00hrs) and 10:00hrs (24 hours opening) on a maximum of 10 occasions per calendar year, provided that such events: 1) Are notified to the Police and Licensing Authority at least 7 days in advance of the date of each event and; 2) Are not vetoed by the Police		
Tues	10:00	24:00			
Wed	10:00	24:00			
Thur	10:00	24:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	24:00			

The opening hours of the premises**L - Opening Hours**

Day	Start	Finish	
Mon	08:00	00:30	Seasonal variations: Christmas Eve 10:00hrs to 02:30hrs New Year's Eve 10:00hrs to 02:30hrs
Tues	08:00	00:30	
Wed	08:00	00:30	Non standard timings: The licensable activity detailed at Section - Supply of Alcohol and premises opening will be permitted between 24:00hrs (01:00hrs) and 10:00hrs (24 hours opening) on a maximum of 10 occasions per calendar year, provided that such events: 1) Are notified to the Police and Licensing Authority at least 7 days in advance of the date of each event and; 2) Are not vetoed by the Police
Thur	08:00	00:30	
Fri	08:00	02:30	
Sat	08:00	02:30	
Sun	08:00	00:30	

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**

Star Pub & Bar Limited
3-4 Broadway Park
Edinburgh
EH12 9LZ

Telephone:

Email:

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

SC250925

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

Paul Raymond James Smith
The Fusion Inn
Queen Street
Lymington
SO41 9NG

Telephone:

Email:

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

0011983
Stratford upon Avon

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: 26/03/2019

Date licence commences: 19/03/2019

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

Colin Read

Executive Head of Environment & Regulation
(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 Condition with effect from 28 May 2014)

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

(Additional Conditions with effect from 1 October 2014)

1. (1) The responsible person must 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-
- (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 in a manner which carries a significant risk of undermining a licensing objective;
- (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 in a manner which carries a significant risk of undermining a licensing objective;
- (d) 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.
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) 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 either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

4. The responsible person must 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: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml;
 - (b) these measure are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 - Conditions consistent with the operating schedule

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

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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

General condition:

Conditions agreed at hearing on the 10th August 2015

General

1. No patrons carrying bottles, either sealed or open, will be permitted to enter the premises at any time that the premises are open.
2. The Designated Premises Supervisor or their nominated representative will be available to receive and respond to complaints at all times that the premises are open to the public.

Prevention of Crime and Disorder

3. Door staff will patrol both inside and outside of the premises checking for suspicious behaviour and will be in touch with the other bars in Lymington Town, via walkie talkies. The premises will have in place Night Watch radio which will enable instant communication with Lyndhurst CCTV operatives. The Designated Premises Supervisor will regularly attend both Lymington and New Milton Pubwatch.

CCTV

4. 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 will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.
5. CCTV warning signs must be fitted in public places.
6. The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.
7. 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.
8. Records must be made on a weekly basis confirming that the system has been checked to ensure that it is functioning correctly and that recorded data is being securely retained. Records of these inspections must be kept for at least 6 months and made available to the Police on request.
9. The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recording being tampered with, e.g., password protected.
10. 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.
11. 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.

Incident Book

12. 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.
13. 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 now known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.
14. If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.
15. At the close of business on each day the incident book will be checked by the manager on duty and any entries shall be reviewed and signed. If incidents have occurred the duty manager will debrief staff (including, where applicable, door staff) at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

Refusals Book

16. 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 checked, signed and dated on a weekly basis by the DPS or manager.
17. The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.
18. The record of refusals will be retained for 12 months.

Challenge 25

19. 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 if age or older.

20. Acceptable means of 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.
21. 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.
22. Challenge 25 posters shall be displayed in a prominent positions at the premises.

Training

23. 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.
24. All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.
25. 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 the sale of 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 retested. 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 question to be used in the training which will be rotated upon each subsequent six month training session.
26. All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible 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.

Public Safety

27. Staff will be trained in evacuation procedures.
28. Pathways around the premises will be checked for broken glass.

Prevention of Public Nuisance

29. Live music is permitted on no more than two occasions per week.
30. No regulated entertainment, including but not limited to live music shall be permitted to take place in the garden or any other external area of the premises.
31. No patrons will be permitted to enter or remain in the garden or any other external area of the premises between 23:00hrs and 09:00hrs.
32. Bottles, waste and other refuse shall not be placed or disposed of into external storage receptacles between 22:00hrs and 07:00hrs.
33. No waste collection contractors will be permitted to collect waste from the premises between 19:00hrs and 07:00hrs.
34. No deliveries of consumables to the premises shall take place between 19:00hrs and 07:00hrs.
35. All windows and doors will be kept closed between 23:00hrs and 08:00hrs each day, except to allow access and egress.
36. All music noise emanating from the premises, whilst it may be audible shall be so low that distinct tunes, lyrics, musical instruments and any bass beat cannot be recognised at the boundary of all noise sensitive premises. For these purposes, 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 music noise.
37. No licensable activities or consumption of alcohol will take place outside after 23:00hrs.
38. Last entry to the premises by the public will be at 24:00hrs.
39. The noise limiting device installed shall be retained and maintained in good working order and all amplified regulated entertainment shall be channelled through the device and shall not exceed a noise level determined by Environmental Health Officers from New Forest District Council. The maximum noise level set by Environmental Health Officers from New Forest District Council shall be reviewed as required by Environmental Health Officers from New Forest District Council.
40. The noise limiting device shall be sealed to avoid tampering.

41. Customers shall not be permitted to take open drinks or food purchased at the premises for consumption outside the front entrance of the premises leading onto Queen Street, Lymington. Signage advising customers of this restriction shall be placed adjacent to the front entrance of the premises.
42. An area designated for smoking at the front of the premises shall be submitted to New Forest District Council's Environmental Health Officer for approval within one month of the issue date of the amended premises licence. The approved designated area shall be managed by staff from the Fusion Inn to ensure that customers do not cause a public nuisance.
43. After 23:00hrs customers from the Fusion Inn shall only be permitted to smoke in the approved designated smoking area.
44. Customers leaving the premises to smoke or take fresh air in the designated smoking area after 01:15hrs shall not be permitted to re-enter the premises.
45. After 01:00hrs customers shall not be permitted to re-enter the premises once they have exited the premises (save for those using the designated smoking area, in which case condition 44 above shall apply).
46. Signage shall be displayed in prominent positions both within and outside the premises to remind customers of the need to respect local residents and to keep quiet whilst smoking outside the premises, and when leaving the premises and in the immediate vicinity.
47. A minimum of two SIA trained door staff will be employed at the premises on Friday and Saturday nights from 22:00hrs until patrons have dispersed from the vicinity of the premises. Once the premises have closed, at least two door staff shall remain outside the premises until patrons have dispersed.
48. After 22:00hrs staff shall encourage customers to leave the premises quietly and to disperse from the vicinity of the premises quickly and quietly.
49. After 22:00hrs staff shall prevent customers from congregating outside the premises and shall manage customers queuing to enter the premises, or smoking in the designated smoking area, to ensure that they do not cause a public nuisance.

Protection of Children from Harm

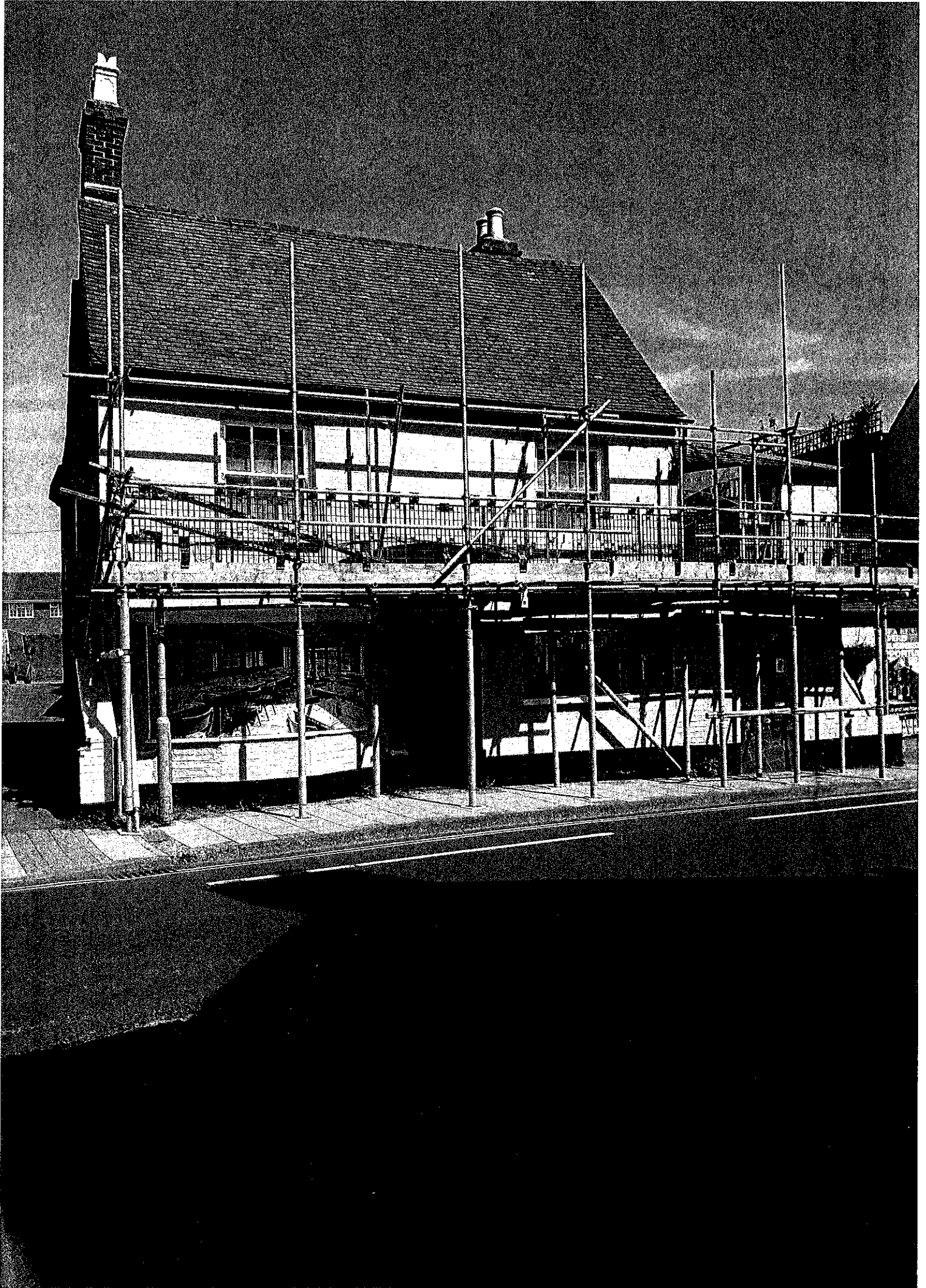
50. Children (persons under the age of 18) will not be permitted to enter or remain in the premises after 21:00hrs.

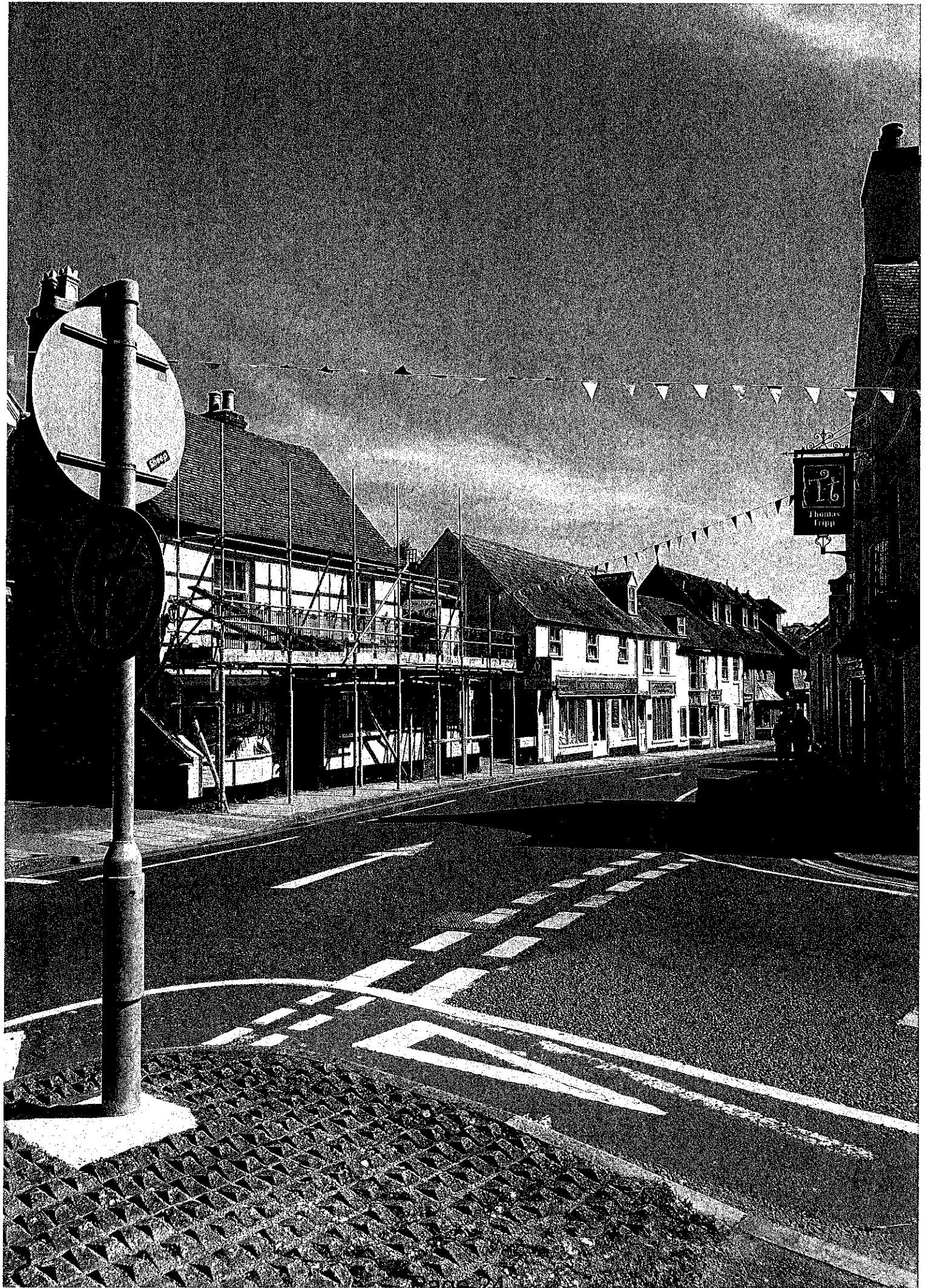
Annex 4 - Plans

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

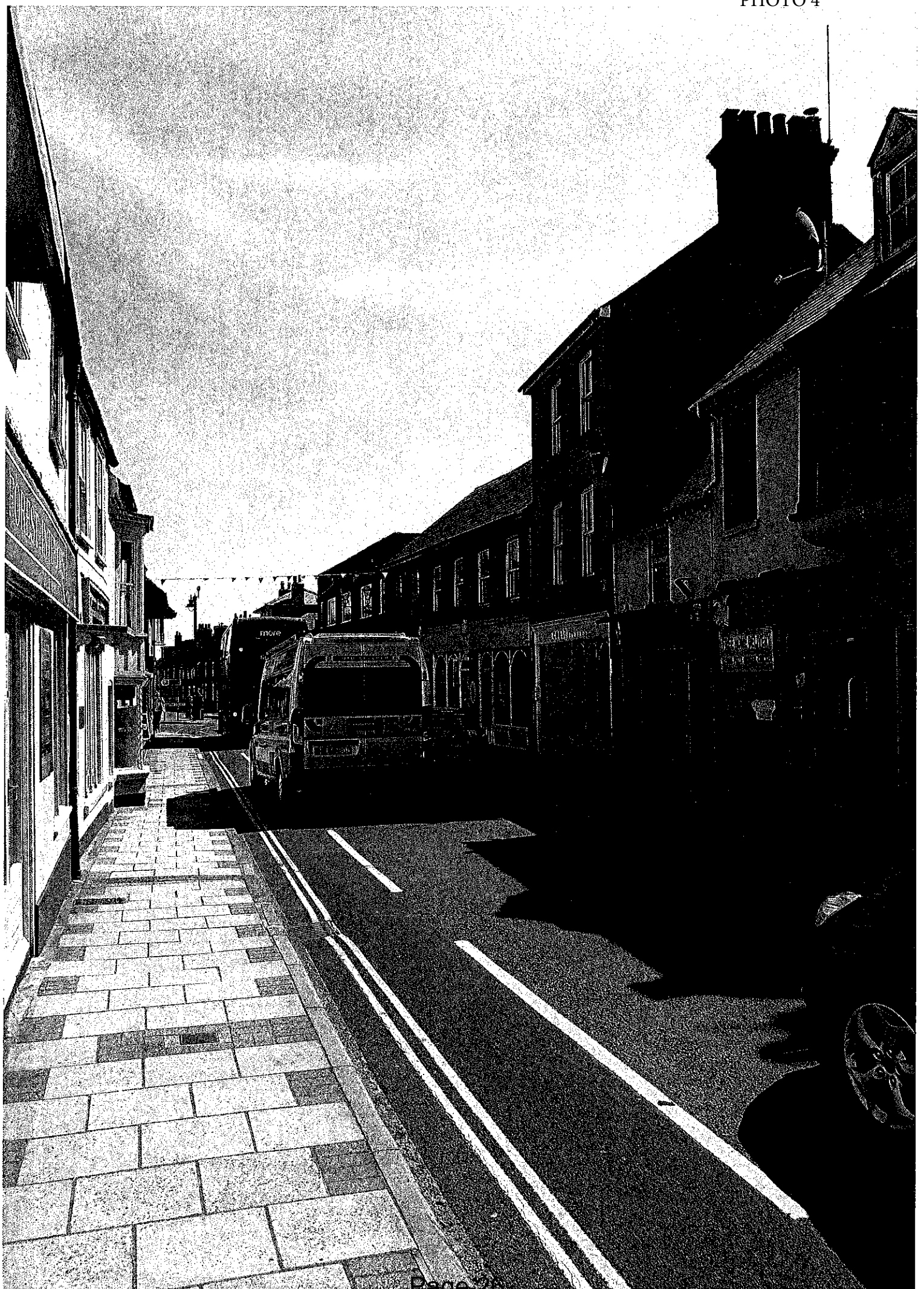
Plan of Premises	
Plan/Drawing No:	7482-08
Date of Plan:	31/05/2017 - Plan approved 20/07/2017

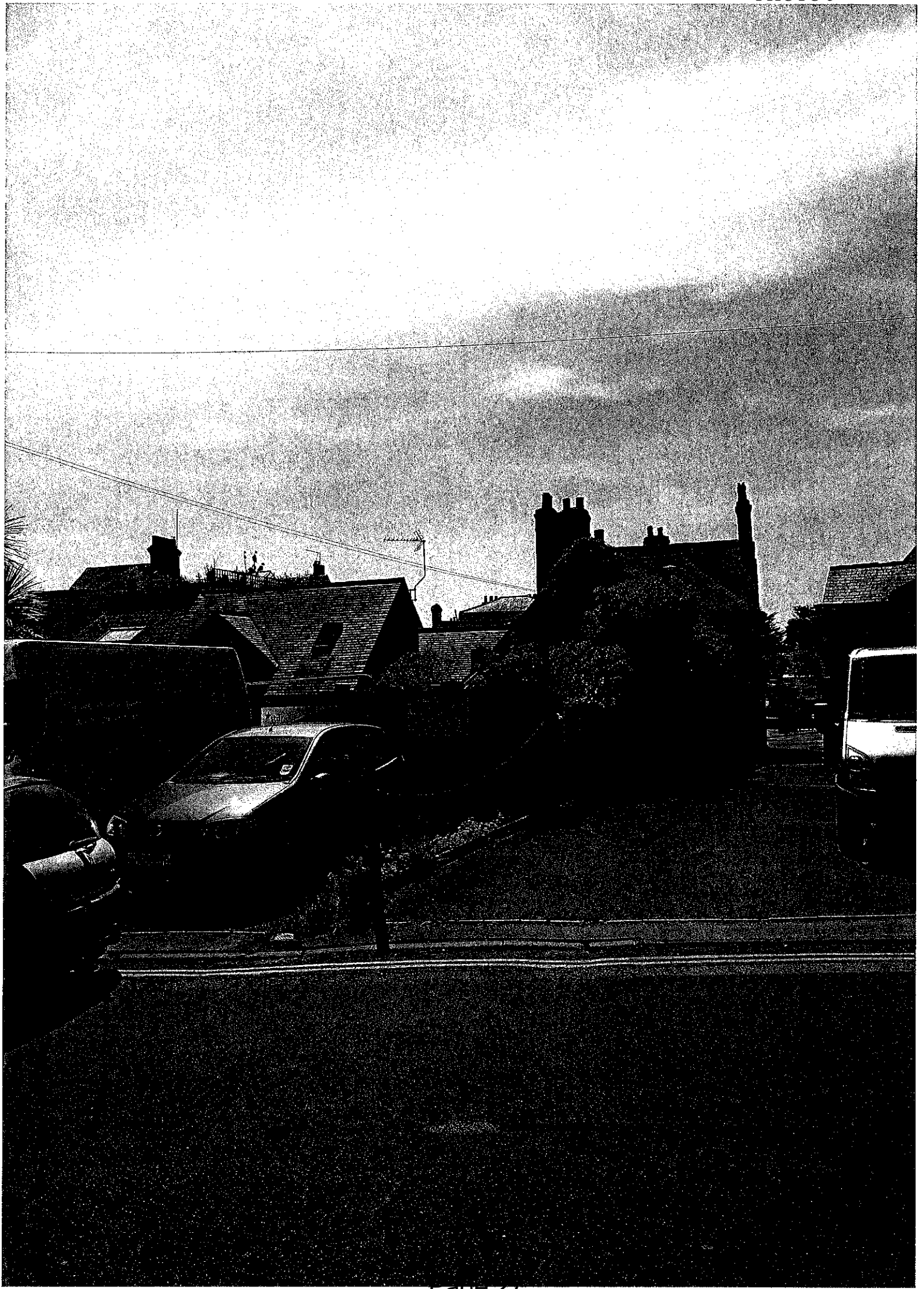
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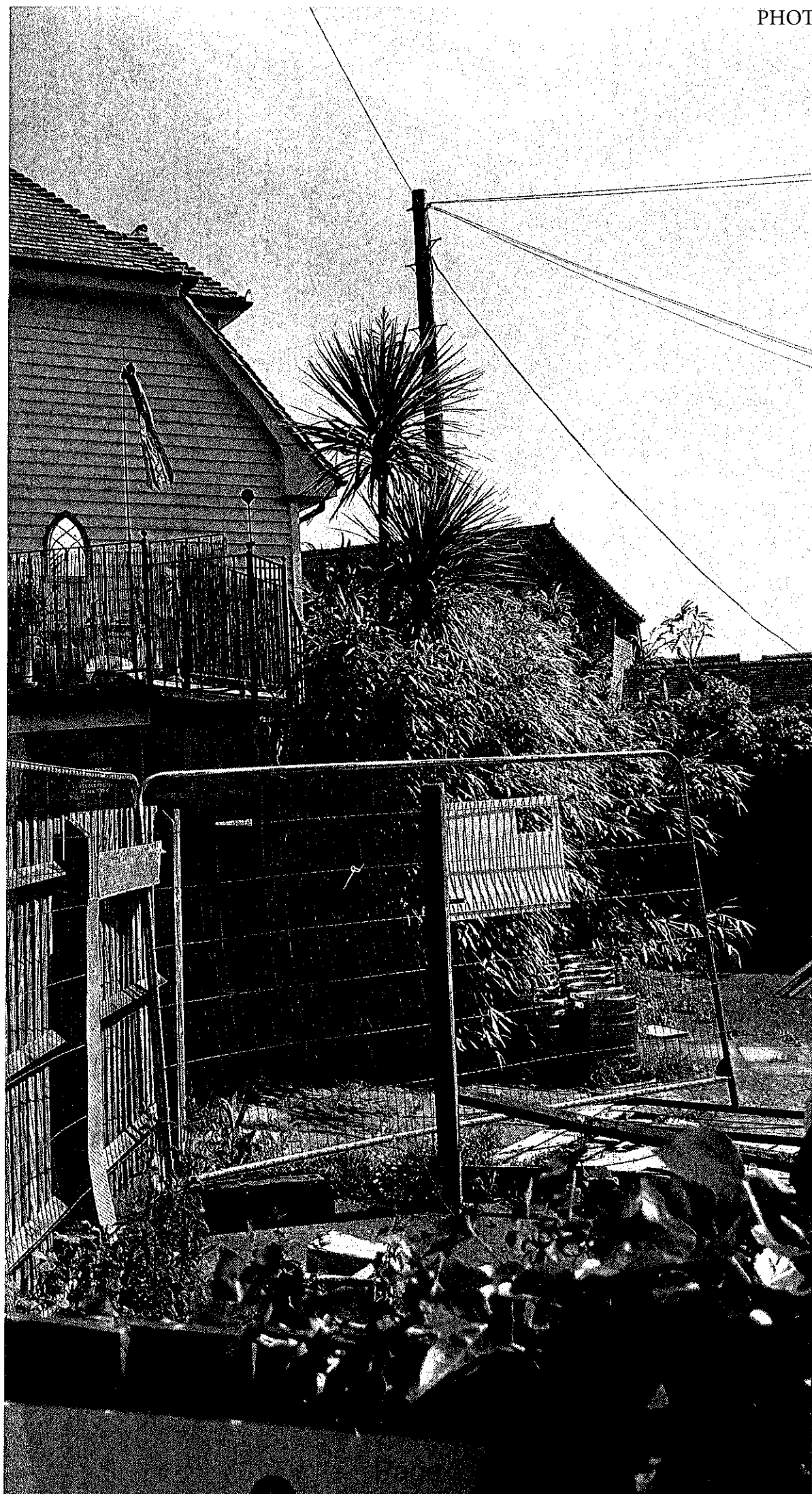


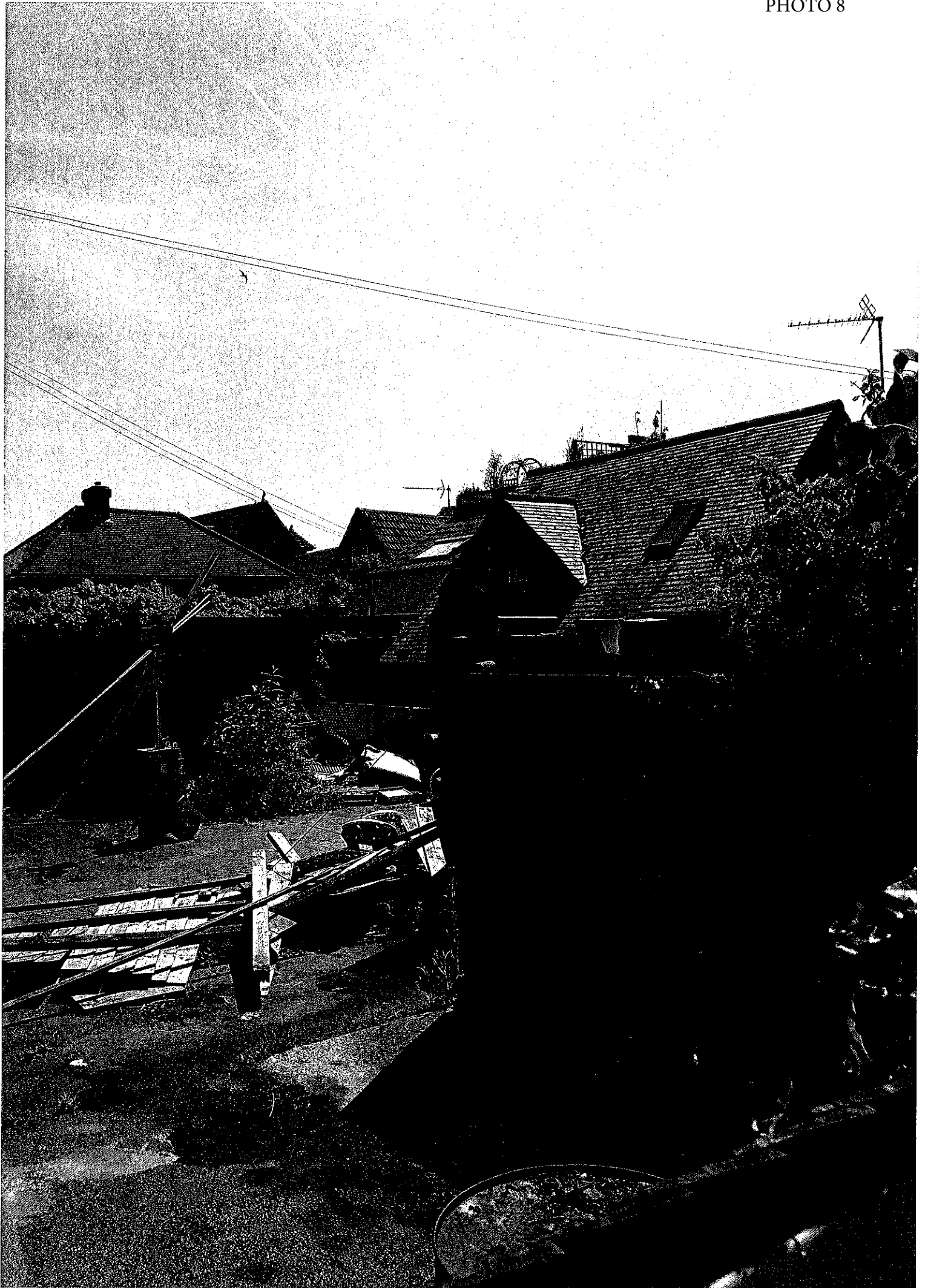


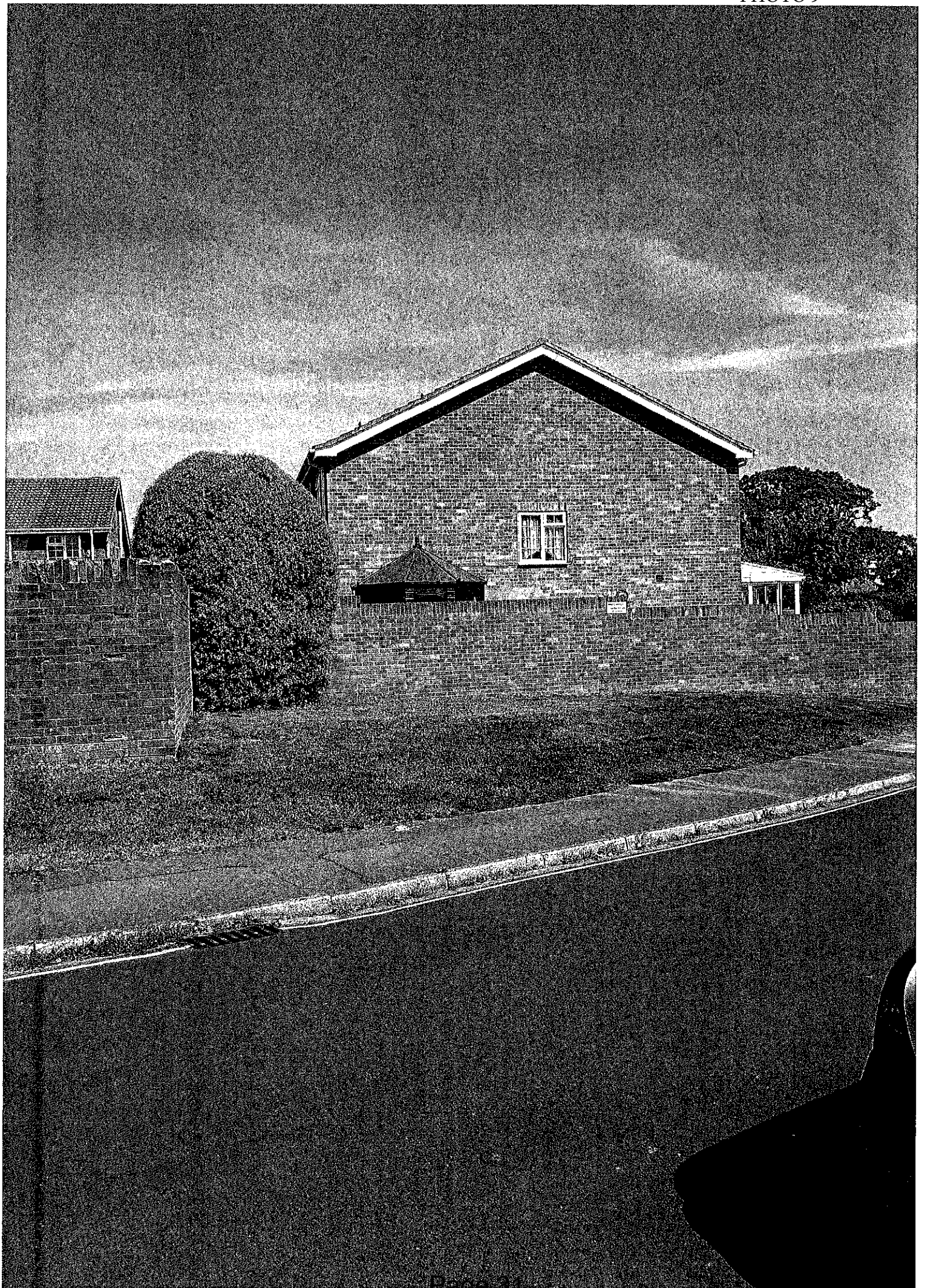














Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

WE Star Pubs & Bars Limited

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number 1330/13

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Fusion Inn (TBK The Sail Inn) Queen Street			
Post Town	Lymington	Postcode	SO41 9NG
Telephone number at premises		01590 672139	
Non-domestic rateable value of premises		£29,500	

Part 2 - Applicant Details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	3-4 Broadway Park Edinburgh
Post Town	Edinburgh
Postcode	EH12 9JZ

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Yes No

If not do you want the variation to take effect from

Day	Month	Year

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

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

The application proposes to:-

1. Amend the licensing plan in accordance with drawing number 7482-08 revision B dated 31st May 2017 which accompanies this application. Please note that the proposed changes to the layout are not to take effect until such times as the works are complete and the Licensing Authority are notified.
2. Extend the start time for live music to 10:00 daily, to remove the restriction of live music to two times per week, and to extend the terminal hour for live music on Friday and Saturday to midnight
3. Extend the start time for recorded music to 10:00 on Saturday
4. Remove the restriction of recorded music only being permitted every other Saturday evening
5. Add in recorded music on Sunday to Thursday from 10:00 to 23:00 and on Friday from 10:00 to midnight
6. Extend the terminal hour for late night refreshment on Friday and Saturday to 02:30 the following day and add in late night refreshment on Sunday to Thursday from 23:00 to 00:30 the following day
7. Add in the provision of films on Sunday to Thursday from 08:00 to 00:30 the following day and on Friday and Saturday from 08:00 to 02:30 the following day
8. Remove all existing non-standard timings and add new non-standard timings
9. Remove all existing Annex 2 conditions and replace with updated conditions

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

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

B

Films			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	08:00	00:30	<u>Please give further details here</u> (please read guidance note 5) Films including but not limited to amplified music videos, sports and TV programs		
Tue	08:00	00:30			
Wed	08:00	00:30	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur	08:00	00:30			
Fri	08:00	02:30	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day, unless this falls on a Friday and Saturday when the standard permitted timings shall apply		
Sat	08:00	02:30			
Sun	08:00	00:30			

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) As existing		
Mon	10:00	23:00			
Tue	10:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed	10:00	23:00			
Thur	10:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	10:00	00:00			
Sat	10:00	00:00	New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day		
Sun	10:00	23:00			

F

Recorded music			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10:00	23:00	<u>Please give further details here</u> (please read guidance note 5) As existing		
Tue	10:00	23:00			
Wed	10:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	10:00	23:00			
Fri	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day		
Sat	10:00	00:45			
Sun	10:00	00:00			

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) As existing		
Mon	23:00	00:30			
Tue	23:00	00:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Wed	23:00	00:30			
Thur	23:00	00:30	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	23:00	02:30			
Sat	23:00	02:30	New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Sun	23:00	00:30			
			Christmas Eve – Until 02:00 the following day, unless this falls on a Friday and Saturday when the standard permitted timings shall apply		

J

Supply of alcohol Standard days and timings (please read guidance note 8)			<u>Will the supply of alcohol be for consumption (Please tick box)</u> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	00:00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:00 the following day		

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)</p> <p>NONE</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08:00	00:30	
Tue	08:00	00:30	
Wed	08:00	00:30	
Thur	08:00	00:30	
Fri	08:00	02:30	
Sat	08:00	02:30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Christmas Eve – Until 02:30 the following day
Sun	08:00	00:30	

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

We seek to remove all existing conditions under Annex 2 of the Premises Licence and replace with updated and proportionate conditions.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

N/A

M- Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

[The information provided in this box is solely for information only and not intended to be converted into conditions on the Premises Licence]

The Premises Licence Holder, Star Pubs & Bars Limited, are a subsidiary of Heineken (UK) who now have approximately 3000 sites in their estate. Given the changes proposed, we have carefully considered the application, the effect on the licensing objectives and the Council's Licensing Policy. These premises have been previously closed for three years and our client has now found an experienced operator to trade the premises with the requested hours and conditions proposed in the operating schedule.

Our client is planning a substantial investment of over £250,000 for these premises to undergo an extensive refurbishment to create a premium venue concept offering a great quality selection of food and drink for both the local community and seasonal tourists. The kitchen area is to be extended to meet the demands of the developed food offer while enhancing the pub's ability to cater for larger groups. The dining area will be refurbished and redecorated, creating an attractive environment for customers to enjoy the great new food offer. Overall the premises will benefit from a complete external refresh with a new signage and lighting scheme, creating a welcoming entrance appealing to passers-by. Please note that the proposed changes to the layout are not to take effect until such times as the works are complete and the Licensing Authority are notified.

The new tenant and Designated Premises Supervisor (DPS), Mr Paul Smith, has 30 years experience in the licensed trade and takes his responsibilities under the Licensing Act 2003 very seriously. The premises will have a strong focus on the local community with it being family friendly and providing home cooked food. The Premises Licence Holder have a tenancy agreement in place with the DPS who they will work closely together with in partnership to make the premises successful and an asset to the local community.

The proposed extension of hours for both live and recorded music, along with removing the existing restrictions, would allow the premises the flexibility around trading. In any event no

Premises Licence is required for live and recorded music from 08:00 to 23:00 daily due to the deregulation of the Live Music Act 2012.

Amending the existing permitted timings for late night refreshment and also adding this for the rest of the week from 23:00 until the permitted closing time would allow the premises to sell hot drinks to their customers during these times. We are seeking to add the provision of films to allow the premises on occasions to show pre-recorded films to customers.

The variation application has also been submitted to update the Premises Licence conditions to ensure that they are suitable for the style of operation at the premises moving forward and to uphold the licensing objectives.

Considering the above, we believe that the variation would not have an adverse impact on the licensing objectives and we believe that the measures proposed will ensure the premises continue to promote the licensing objectives, and that these measures are adequate and further conditions are not required.

b) The prevention of crime and disorder

1. No customers carrying bottles, either sealed or open, shall be permitted to enter the premises at any time that the premises are open.
2. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered enabling frontal identification of every person entering the premises. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 28 days with date and time stamping. Viewing of recordings shall be made available upon the request of Police or authorised officer throughout the entire 28 day period.
3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
4. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available for inspection at the premises by the Police and other officers of Responsible Authorities at all times whilst the premises are open.
5. An incident log shall be maintained at the premises and details of all known incidents recorded within the log. The log shall be kept on the premises and be produced to an authorised officer on reasonable request.
6. Full training shall be provided to all staff involved in the sale of alcohol on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals – at least every 121 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities.

c) Public safety

Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.

d) The prevention of public nuisance

7. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in external storage receptacles between 23.00 hours and 07:00 hours the following day
8. No customers shall be allowed to use any external area of the premises after 23.00 hours, except for customers permitted to temporarily leave the premises to smoke
9. Staff shall monitor customers in the external area of the premises on a regular basis and ensure customers do not cause a public nuisance
10. When regulated entertainment, including live and recorded music, is taking place, regular boundary noise checks shall be conducted, and any required action shall be taken. Records detailing the sound checks and any required action shall be recorded.
11. All external windows and doors shall be kept closed after 23:00 hours, except in the event of an emergency and to permit access and egress
12. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers unless to an external drinking area set aside for consumption
13. Notices shall be prominently displayed at all exits and in the external area requesting customers to respect the needs of local residents and leave the premises and area quietly.

e) The protection of children from harm

14. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
15. Notices informing customers of the proof of age scheme in operation shall be prominently displayed at the premises
16. Children under the age of 18 must be accompanied by an adult over the age of 18 at all times whilst on the premises and must be off the premises by 22.00 hours, unless attending a private function or on New Year's Eve or Christmas Eve

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (See guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	09/04/2019
Capacity	Flint Bishop LLP – Solicitors for and on behalf of applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

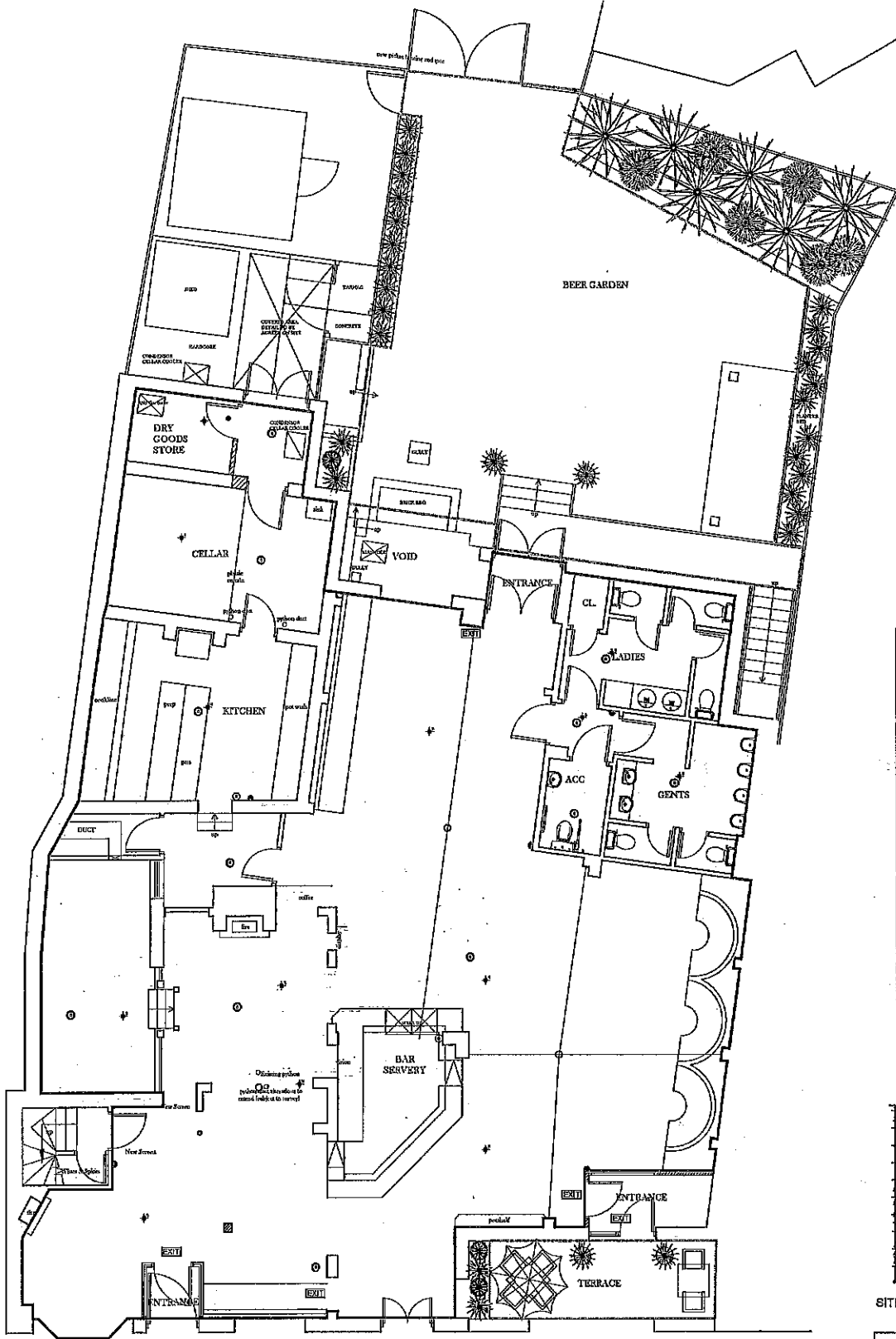
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

George Domleo Flint Bishop LLP St. Michael's Court St. Michael's Lane Derby DE1 3HQ	
Telephone number (if any)	01332 340 211



do not scale dimensions from this drawing. the floor slab is to be laid out in accordance with the floor slab drawings above and details specified are to be in accordance with the manufacturer's recommendations and at intervals across chords or spacings.

rev date ref
 A 13.03.15 Bar counter set back. Bar and plate added and floor will be laid being omitted.
 B 22.01.15 floor to base and down stairs omitted, additional floor slabs proposed to include an internal area.



FIRE LEGEND

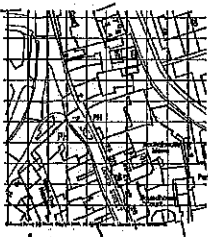
[Symbol]	FIRE ALARM SOUNDER
[Symbol]	SURVEILLANCE CAMERA (area to be covered by)
[Symbol]	HEAT BEING FOLK (area to be covered by)
[Symbol]	FOLKS WITH SELF CLOSING DEVICE
[Symbol]	EXIT
[Symbol]	FIRE RESISTING GLAZING
[Symbol]	FLOOR FITTED WITH YELLOW PANEL
[Symbol]	FOLKS FIRE DOOR KEEP LOCKED SHUT SIGN
[Symbol]	FOLKS FIRE DOOR RELEASE (push sign)
[Symbol]	REMARKED BOY STORAGE
[Symbol]	EXTERNAL EMERGENCY LIGHT FITTING
[Symbol]	WATER EXTINGUISHER
[Symbol]	CO2 EXTINGUISHER
[Symbol]	FIRE BLANKET
[Symbol]	OUTRIGGER ALARM INDICATOR TO OUTRIGGER
[Symbol]	EMERGENCY LIGHT FITTING
[Symbol]	COMBINED EMERGENCY FITTING
[Symbol]	FIRE ALARM BREAK GLASS POINT

INTERNAL AREA TO BE USED FOR THE SALE & CONSUMPTION OF ALCOHOL & ANY OTHER RELATED ENTERTAINMENT - EDGE IN RED

EXTERNAL AREA TO BE USED FOR THE CONSUMPTION OF ALCOHOL & ANY OTHER RELATED ENTERTAINMENT - EDGE IN BLUE

THE LOCATION AND TYPE OF ANY FIRE SAFETY EQUIPMENT IS TO BE AS SHOWN. THIS MAY BE REVISED WITH THE AGREEMENT OF THE FIRE SAFETY OFFICER OR AFTER FIRE RISK ASSESSMENT

ESTIMATED DRINKING AREAS
 BAR/FOUR FLOOR: 22.6m²
 1323.5 sq ft
 EXTERNAL GROUND FLOOR: 100 m²
 1075 sq ft



SITE PLAN @A1 1:1250

CDM 2015:
 Under the CDM regulations there are no significant design risks.

the jsdesign partnership
 architects and interior designers
 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

Star Pubs & Bars Ltd
 Fusion
 Queen Street
 LYINGTON
 SO41 9NG
 LICENSING PLAN

date	rev	des	check	scale
7482-08	B	31.05.17	LB	AB



RESTRICTED

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Page 1 of 4

Bell

Form for representations/objections from Hampshire Constabulary

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

Hampshire Constabulary is a responsible authority and wish to make a ~~representation~~ under the Licensing Act 2003, regarding the:

<input type="checkbox"/>	1: New Premises licence/club prem certificate	Representation within 28 days
<input checked="" type="checkbox"/>	2: Variation of premises licence/club prem certificate	Representation within 28 days
<input type="checkbox"/>	3: Minor variation of premises licence/club prem certificate	Representation within 10 days
<input type="checkbox"/>	4: Variation of DPS	Object within 14 days
<input type="checkbox"/>	5: Transfer of premises licence	Object within 14 days
<input type="checkbox"/>	6: Standard temporary event notice	Object within 3 working days
<input type="checkbox"/>	7: Late temporary event notice	Object with 3 working days
<input type="checkbox"/>	8: Application for a personal licence	Object within 14 days
<input type="checkbox"/>	9: Provisional statement	Representation within 28 days
<input type="checkbox"/>	10: Ancillary sales notice	Object within 3 working days
<input type="checkbox"/>	11: Interim authority notice	Object within 2 working days

Name of Applicant:	Star Pubs and Bars Ltd
Name of Proposed DPS:	

Details of relevant conviction (Personal Licence Applications ONLY)

Postal address of premises:	The Fusion Inn (TBK The Sail Inn Queen Street Lymington
Postcode:	SO41 9NG

Details of responsible authority applicant

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other title / Rank:	Constable
Surname:	CONWAY		First Names:	SHARON	
Current postal address	POLICE LICENSING, CIVIC CENTRE, SOUTHAMPTON, HAMPSHIRE, UK, SO14 7LY				
Postcode:	SO14 7LY				
Daytime telephone number:	02380478373				
E-mail address: (optional)	licensing@hampshire.pnn.police.uk				

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

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**Form for representations/objections
from Hampshire Constabulary**

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

- | | | |
|---|-------------------------------------|--|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> | <i>Please select
one or more
boxes</i> |
| 2) Public safety | <input type="checkbox"/> | |
| 3) The prevention of public nuisance | <input checked="" type="checkbox"/> | |
| 4) The protection of children from harm | <input type="checkbox"/> | |

Please state the ground(s) for -representation-:

On behalf of the Chief Officer of Police for Hampshire Constabulary, I am making representations to the application to vary conditions for the premises licence at:
The Fusion In (aka Sail Inn)
Queen Street
Lymington
SO41 9NG

Hampshire Constabulary are not opposed to the change in the licensing plan submitted with the application, or point 8 - the removal of existing non-standard timings.

Hampshire Constabulary are opposed to the amendments to regulated entertainment that fall outside of the Live Music Act 2012 and Deregulation Act 2015, and the changes requested to the current conditions (point 9).

The Fusion Inn currently benefits from a premises licence authorising the sale of alcohol until 0200 on a Friday and Saturday. The current conditions were agreed with the applicant at the time of that variation to support the licensing objectives.

The Fusion Inn is presently the latest opening premises in Lymington, and as such requires conditions and an appropriate operating schedule which reflect the client base and authorised hours.

The nature of the town is such that customers for The Fusion Inn have used other local licensed premises for the early part of their evening. Due to the authorised hours, The Fusion Inn has defaulted to being the 'end-destination' venue. This has brought problems with noise, both from regulated entertainment and the general noise of customer outside the venue.

The customer noise is made up of a number of factors, including:

- noise of customers attending the premises, being attracted by the late hours
- noise of customers being refused entry due to intoxication
- noise of those customers who have been asked to leave / ejected and refuse to do so
- noise on dispersal at the end of the night
- noise from the smoking area.

This noise is exacerbated by the close proximity of residential premises, and the narrowness of the road.

It is appreciated that the Licensing Act 2003 is not a mechanism for the general control of anti-social behaviour by individuals once they are away from that premises. However, the public nuisance noted is predominantly directly outside and within the control of the venue.

During the last year of trading, 2016, The Fusion had a number of changes in management. This led

**Form for representations/objections
from Hampshire Constabulary**

to a considerable drop in standards, increasing crime, disorder and public nuisance. Over the course of the year, the various DPS's were spoken to at length about compliance with the conditions, the impact the business was having on local residents, and improvements that could be made.

Throughout November 2016, efforts were being made to address the continuing issues. This included work to reduce the last entry time from midnight to 2300hrs. At the time of closing, the last entry time was 23:30, the DPS reporting that this step was assisting in reducing issues after midnight.

Other steps, including the use of Body Worn Video recording (BWV) by staff, particularly security staff, restricting the numbers of customers outside, increasing due diligence training as examples, were being discussed.

Before any formal enforcement action took place, the premises closed, and has been closed since.

Of note, immediately following the closure of The Fusion Inn, the customer base moved to a nearby premises which, at the time, had a late premises licence with no conditions. The problems seen at The Fusion migrated to that premises, the eventual decision by that premises licence holder was to reduce the terminal hour for the sale of alcohol to midnight.

A late-trading premises licence in Lymington must have strong conditions in place, and a robust management to enforce those conditions in order to promote the licensing objectives.

Whilst the application has outlined a concept of increasing the food offering, and the current DPS has some 30 years experience, to remove the current conditions whilst retaining the authorised licensable hours will undermine the licensing objectives detrimentally.

Reducing the other due diligence aspects, such as the age verification policy and training, will also have a negative impact on the licensing objectives.

Annex A provides information on some of the police licensing attendance to The Fusion Inn during 2016.

It is an offence, under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this representation

Police recommendations (including any conditions)

The variation is not granted as requested.

Conditions relating to the following should remain in place as a minimum:

- conditions relating to SIA staffing provisions
- last entry and re-entry times
- control over consumption of alcohol outside after 2300hrs
- Challenge 25 age verification policy
- due diligence training to remain at 6 months
- obligations and direction for staff to be active in dispersal and noise nuisance prevention (points 48 & 49)
- conditions relating to regulated entertainment to remain as recommended by Environmental Health.



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Page 4 of 4

**Form for representations/objections
from Hampshire Constabulary**

Signature of Officer Completing

Name	<u>SHARON CONWAY</u>	Collar Number:	<u>22237</u>
Signature:	<u>S Conway</u>	Date:	<u>30/04/2019</u>

Signature of Authorising Officer

Name	<u>Sgt Julian Ainsworth</u>	Collar Number:	<u>1878</u>
Signature:	<u>J Ainsworth</u>	Date:	<u>01/05/19</u>

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Occurrence enquiry log entry report

Version ba1ee10546b59b12842f37c6d2ea07fb7f24d34b (2018/06/16)

Hampshire Constabulary

Occurrence: 44080333114 Z Prem Licence (Management Occurrence) ***MASTER LICENSING RECORD for Fusion Inn (Sail Inn) , Lymington*** Please record all visits on reports tab. All incidents related to the premises should be raised as a occurrences then linked to this master record

Task status: All

Log type: All

Valid as of 30/04/2019 10:00:31
Printed by #22237 CONWAY, S.

Occurrence	Ref #	Type	Entry time	Event time	Author	Link	Task
44080333114	1	Enquiry log	31/03/2016 11:32		#22237 CONWAY, S.	No	

Attendance to Fusion Inn 0205hrs BST 27/03/16 (0105hrs GMT). Email sent to Env Health and NPT.

Dispersal was witnessed, as the DPS had erred on the side of caution and closed as he could not see the BST condition on his premises licence allowing for the extra hour. The DPS reported that Saturday night was busier than anticipated, and this had contributed to the noise, as there was a mixture of people leaving and smoking. The no reentry time had been moved to 0045hrs to try and aid dispersal.

Once dispersal had finished, I was invited into the premises. Once staff had finished clearing, they were allowed to have alcohol from the pub. The DPS confirmed that he was paying for the drinks as a staff benefit. Advice was provided that this constitutes a sale, therefore alcohol for staff needs to be set aside (appropriated) within the licensable hours.

Env Health have updated that they have spoken with the DPS, and provided advice at this time. They will continue to monitor

All

I popped down to Lymington early Sunday morning just after 0100am 27/03, just to see how things are.

Log entry:

Unfortunately there may be some complaints of noise from the neighbours of the Fusion, and from what I witnessed, tonight at least the complaints will be totally justified.

The DPS was spoken to and told that he needs to get the smoking area to the front under control (this has spread and seems to take up the majority of the front of the building), as well as the dispersal of customers.

The DPS had erred on the side of caution due to the clocks going forward and shut at 0100GMT / 0200 BST, which was fine. Unfortunately the bar was really busy with young adults who were intent on singing, shouting and chanting on leaving, and standing right outside the pub (and the neighbours' windows) to do this. The other issue was that there was only 3 SIA staff on duty (2 plus 1 from The Kings Arms from 0100). Two were inside clearing people out, leaving only one to try and disperse, which to begin with was very ineffective and ended with him just stood in the doorway.

To be fair, once all three staff were available to disperse, there was movement and a bit of shouting from customers not wanting to move. SIA did move down the road and monitor the whole section while people were waiting for taxis, and I did see a couple of interventions as well. Everyone was gone by 0145hrs.

In all, not good. The DPS was adamant that tonight's dispersal was unusually loud, as he was unexpectedly busy.

Occurrence enquiry log entry report

Version ba1ee10546b59b12842f37c6d2ea07fb7f24d34b (2018/06/16)

Hampshire Constabulary

Occurrence: 44080333114 Z Prem Licence (Management Occurrence) ***MASTER LICENSING RECORD for Fusion Inn (Sail Inn) , Lymington*** Please record all visits on reports tab. All incidents related to the premises should be raised as a occurrences then linked to this master record

Task status: All

Log type: All

Valid as of 30/04/2019 10:01:24
Printed by #22237 CONWAY, S.

Occurrence	Ref #	Type	Entry time	Event time	Author	Link	Task
44080333114	2	Enquiry log	17/04/2016 04:04		#22237 CONWAY, S.	No	
		<p>Area attended to monitor due to noise complaints from a neighbour. Premises monitored from close to the complainants address.</p> <p>15/04/16 - 16/04 - monitored from 0005-0045 - general hubbub of conversation from people in the smoking area to the front. Not much pedestrian traffic away from other premises or to the takeaway noted</p> <p>16/04/16-17/04/16 - monitored from 0030-0140. Again it was general hubbub and conversation noise from the smoking area. Some people were louder when leaving the premises, more noticeable once they reached St Thomas' street (closer to the complainant). Some noise was created by people who did not seem to, or cannot confirm to be customers from Fusion. Occasional conversation noise could be heard from different directions, but the majority of the conversational noise came from the direction of The Fusion.</p> <p>A couple of groups were of particular attention -</p> <p>0030 - group came from Thomas Street to the takeaway, causing another group to chant</p> <p>0035 - group came from takeaway side of street, crossing back over, singing loudly</p> <p>0130 - group leaving the Fusion were talking / singing loudly as they walked away from premises.</p> <p>Also of note, the closure of the smoking area at 0115hrs noticeably reduced the amount of conversation noise that could be heard in the area.</p>					

Log entry:

Occurrence enquiry log entry report

Version ba1ee10546b59b12842f37c6d2ea07fb7f24d34b (2018/06/16)

Hampshire Constabulary

Occurrence: 44080333114 Z Prem Licence (Management Occurrence) ***MASTER LICENSING RECORD for Fusion Inn (Sail Inn) , Lymington*** Please record all visits on reports tab. All incidents related to the premises should be raised as a occurrences then linked to this master record

Task status: All

Log type: All

Valid as of 30/04/2019 10:03:55
 Printed by #22237 CONWAY, S.

Occurrence	Ref #	Type	Entry time	Event time	Author	Link	Task
44080333114	20	Enquiry log	17/11/2016 07:46		#22237 CONWAY, S.	No	T1601426600 Follow up Closed

Premises was attended 12/11/16. 2245hrs

DPS was present and spoken to re assault 08/11/16 - DPS advised that the offender was a regular, but had not been served prior to the assault, On being served, the male became aggressive, so the male was refused and ejection made. During this, the male headbutted the DPS. DPS has provided a statement and CCTV, and is supporting the investigation.

Incident book seen - this is being completed on a daily basis. The above incident is recorded. Refusals log in use

2 SIA present at time of attendance, approx 20 customers. BWV is not worn
 3 members of staff seen, plus the DPS.

Log entry: DPS has reduced the last entry time to 2330hrs for the last two weekends. he has reported that this change has seen reduced issues after midnight, and is a step which will be maintained.

No alcohol promotions. The premises is still wet led, but they will be providing food imminently, awaiting a new gas meter.

NPT are aware of premises.

DPS is intending to remain at the premises for the near future. He also reported that he has maintained contact with local neighbours.

NFDC have also reported that complaints re ASB and noise have reduced of late.

Christa Ferguson

From: Conway, Sharon <sharon.conway@hampshire.pnn.police.uk>
Sent: 13 May 2019 16:13
To: 'George Domleo'
Cc: Arran Harmer; Christa Ferguson
Subject: RE: Variation application The Sail Inn

Hello George

Thank you for the update.

The position from Hampshire Constabulary remains the same as my representation, particularly if the authorised hours are to remain the same.

At this stage, I believe the conditions should remain as per the current premises licence, so I will not be withdrawing the representation.

Kind regards
Sharon

PC 22237 Sharon Conway
Licensing & Alcohol Harm Reduction Team
Southampton Central Neighbourhood Police Office
Southampton City Council
Civic Centre
Southampton
SO14 7LY

☎ 101 ext 4724005 ☎ 023 80478373 ☎ 07917077576

✉ force.licensing@hampshire.pnn.police.uk ✉ sharon.conway@hampshire.pnn.police.uk

www.hampshire.police.uk

From: George Domleo [mailto:George.Domleo@flintbishop.co.uk]
Sent: 13 May 2019 14:12
To: Christa Ferguson <Christa.Ferguson@NFDC.GOV.UK>
Cc: Karen Wardle <Karen.Wardle@NFDC.GOV.UK>; Amanda Wilson <Amanda.Wilson@NFDC.gov.uk>; Arran.Harmer@NFDC.gov.uk; Conway, Sharon <sharon.conway@hampshire.pnn.police.uk>
Subject: RE: Variation application The Sail Inn

Hello Christa

Following on from the emails on this matter and whilst I wait for our client to respond to me regarding postponing the hearing date, please find below a list of conditions which we wish to propose and add to our application:-

1. Door staff shall be employed at the premises on Friday and Saturday whenever the premises trade after 01.00. Door staff shall commence no later than 23.00 and will remain on duty until 30 minutes after the premises are closed to the public to aid with the dispersal of customers
2. No new customers shall be permitted entry to the premises after midnight. Re-admission to existing customers to retrieve personal belongings and those who have gone outside to smoke is permitted

3. No customers shall be allowed to use any external area of the premises after 23.00 hours, except for customers permitted to temporarily leave the premises to smoke in the external area to the front of the premises. No drinks shall be permitted to be taken into the external area after this time
4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
5. Full training shall be provided to all staff involved in the sale of alcohol on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals – at least every 6 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities

These conditions have been offered in response to the points raised by the Police and Environmental Health in their representations and hopefully address their initial concerns.

Sharon & Arran – FYI and are you both now happy to withdraw your representations?

Any queries please do give me a call.

Kind regards

George

George Domleo
Solicitor
Licensing

DD 01332 226192 ext: 258
F 01332 207 601
DX 729320 DERBY 24

Flint Bishop LLP St. Michael's Court, St. Michael's Lane, Derby, DE1 3HQ



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Christa Ferguson

From: Arran Harmer
Sent: 07 May 2019 14:12
To: Licensing e-mail address
Cc: 'George Domleo'
Subject: FW: Variation to Premises Licence- The Fusion Inn (Sail Inn)


Dear Licensing

Further to my email (below), I have not heard anything further from the applicant to address my concerns; therefore, I wish to formally object to this application on the basis that it will undermine the Prevention of Public Nuisance licensing objective.

I will update you if/when I hear back from the applicant and if any agreement can be reached.

Regards

Arran Harmer
 Environmental Health Officer
 Environmental Protection | Environmental & Regulation
 New Forest District Council
 Tel: 023 8028 5588 | Admin: 023 8028 5411 (option 2)
arran.harmer@nfdc.gov.uk
newforest.gov.uk

 Download our app
New Forest In Touch

From: Arran Harmer
Sent: 15 April 2019 16:01
To: 'aubrey.taylor@starpubs.co.uk'
Cc: 'George Domleo'; Christa Ferguson; Peter Donelan; 'Conway, Sharon'; 'force.licensing@hampshire.pnn.police.uk'; Rachel Higgins
Subject: Variation to Premises Licence- The Fusion Inn (Sail Inn)

Dear Mr Taylor

Thank you for your time earlier today to discuss the variation to the premises licence with myself, Christa Ferguson (Licensing Manager) and Peter Donelan (Licensing Enforcement Officer). I have provided a summary of the key points we discussed below.

As you are aware, this department has significant concerns over the removal of key conditions from the licence (relating to the Prevention of Public Nuisance) and the extension of some licensable activities (mostly in relation to live and recorded music).

There is a considerable history of issues associated with the premises arising from music and people noise causing a nuisance to the surrounding area, which has culminated in several abatement notices (in respect of statutory nuisance) being served on previously licensee's.

I would stress that the majority of the current conditions and timings on the premises license have come about as a result of issues identified and significant consultation between all parties to mitigate any impact.

In terms of music noise, it has been highlighted on a number of occasions that the premises is not suitable for regular late night live and/or recorded music as it is structurally attached to a neighbouring property.

Historically, a noise limiter has been employed to control noise being transmitted through the structure of the building as this cannot be effectively monitored by staff; however, even with the use of a noise limiter certain elements of live music (bass frequencies: drums, bass guitar etc.) have proven to be very difficult to control given the nature of the premises- hence the restrictions on the terminal hour and frequency of such activities. Regulated entertainment on a very limited basis (i.e. live music ceasing at 23:00hrs and recorded music every other Saturday) has been acceptable in the past; however, increasing the timings and frequency of such music, especially without the aid of a noise limiter will undoubtedly cause nuisance.

Similarly, due to the very close proximity of the rear garden to a number of residential properties (several metres), the use of the area beyond 23:00hrs (even if just for smoking) is likely to cause problems. Smokers are currently directed to the front of the premises after 23:00hrs to minimise nuisance.

In terms of people noise, again, there is a history of issues associated with people out the front of the premises and large numbers of people congregating on the street/ in the road, especially after other pubs in the vicinity have emptied out. I believe I'm correct in saying that the Fusion Inn currently has the latest licence in Lymington and is therefore naturally attractive to receiving an influx of customers late at night, which has historically been very difficult to manage and has brought about extensive issues- hence the conditions relating to door staff and last entry. Since the closure of the Fusion Inn, this very issue was recently observed at The Borough Arms in Lymington which at the time had the latest licence. The removal of the conditions relating to door staff, re-entry of patrons late at night and restrictions on those using the front of the premises to smoke etc. will undoubtedly result in issues associated with crime & disorder/ public nuisance by virtue of the opening hours and location.

In light of the above, the application in its current format is likely to undermine the licensing objectives and is therefore not acceptable to Environmental Health.

There is scope to vary the licence, however, suitable controls in relation to the key points outlined above must form part of any granted licence.

Following our meeting, you advised that you may wish to reconsider the opening hours (a midnight closing time was mooted) as this may help address several of the above issues.

Once you have a clearer idea of the changes you wish to make in light of the concerns raised, please advise our licensing team accordingly so we may assess the application further.

I have copied the Police into this email in case they wish to add anything at this stage.

In the meantime, I am happy to discuss the situation further should you need.

Yours sincerely

Arran Harmer
Environmental Health Officer
Environmental Protection | Environmental & Regulation
New Forest District Council
Tel: 023 8028 5588 | Admin: 023 8028 5411 (option 2)
arran.harmer@nfdc.gov.uk
newforest.gov.uk

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Christa Ferguson

From: Arran Harmer
Sent: 13 May 2019 15:37
To: 'George Domleo'
Cc: sharon.conway@hampshire.pnn.police.uk; Christa Ferguson
Subject: RE: Variation application The Sail Inn

Dear George

Thank you for your email.

Could you confirm whether the suggested conditions are intended to supplement or replace those accompanying the initial application listed in box D under the heading Prevention of Public Nuisance (numbered 7-13)?

Assuming that these conditions are intended to supplement the conditions initially suggested, they go a little way towards allaying my concerns; however, they do not adequately address the issue of music noise emanating from the premises. As such, I would like to see the following conditions retained from the existing premises licensing:

36. All music noise emanating from the premises, whilst it may be audible shall be so low that distinct tunes, lyrics, musical instruments and any bass beat cannot be recognised at the boundary of all noise sensitive premises.

For these purposes, 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 music noise .

39. The noise limiting device installed shall be retained and maintained in good working order and all amplified regulated entertainment shall be channelled through the device and shall not exceed a noise level determined by Environmental Health Officers from New Forest District Council . The maximum noise level set by Environmental Health Officers from New Forest District Council shall be reviewed as required by Environmental Health Officers from New Forest District Council.

40. The noise limiting device shall be sealed to avoid tampering

In addition to the above, I have concerns relating to the provision of live music until midnight on Friday and Saturday nights. Previous experience from has shown that it is very difficult to control live music from this premises (especially that which is amplified or contains drums or bass) given the proximity to nearby properties. Therefore, it would be sensible to retain controls relating to the restriction of live music; namely:

- Live music shall only take place indoors (condition 30); and
- Live music shall only take place on two occasions per week (Box E); and
- cease at 23:00hrs Monday to Sunday

I would be grateful if you would confirm that you are agreeable to retaining the above conditions and restrictions, so that I may withdraw my representation.

Yours sincerely

Arran Harmer

Environmental Health Officer
Environmental Protection | Environmental & Regulation
New Forest District Council
Tel: **023 8028 5588** | Admin: **023 8028 5411**
arran.harmer@nfdc.gov.uk
newforest.gov.uk



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New Forest In Touch

From: George Domleo [mailto:George.Domleo@flintbishop.co.uk]
Sent: 13 May 2019 14:12
To: Christa Ferguson
Cc: Karen Wardle; Amanda Wilson; Arran Harmer; sharon.conway@hampshire.pnn.police.uk
Subject: RE: Variation application The Sail Inn

Hello Christa

Following on from the emails on this matter and whilst I wait for our client to respond to me regarding postponing the hearing date, please find below a list of conditions which we wish to propose and add to our application:-

1. Door staff shall be employed at the premises on Friday and Saturday whenever the premises trade after 01.00. Door staff shall commence no later than 23.00 and will remain on duty until 30 minutes after the premises are closed to the public to aid with the dispersal of customers
2. No new customers shall be permitted entry to the premises after midnight. Re-admission to existing customers to retrieve personal belongings and those who have gone outside to smoke is permitted
3. No customers shall be allowed to use any external area of the premises after 23.00 hours, except for customers permitted to temporarily leave the premises to smoke in the external area to the front of the premises. No drinks shall be permitted to be taken into the external area after this time
4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
5. Full training shall be provided to all staff involved in the sale of alcohol on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals – at least every 6 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities

These conditions have been offered in response to the points raised by the Police and Environmental Health in their representations and hopefully address their initial concerns.

Sharon & Arran – FYI and are you both now happy to withdraw your representations?

Any queries please do give me a call.

Kind regards

George

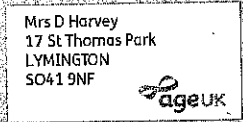
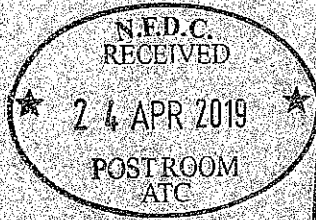
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51

*Objection

APPENDIX 6

See



20th April 2019

New Forest District Council
Licensing Section
Appletree Court
Beauchen Road
Lymington SO43 7PA

Dear Madam

Re: Licensing Application for The Soul/Fusion Inn
Queens Street, Lymington

I write regarding the above application to vary the terms of the licence. Whilst this Public House fronts on to a commercial street, the rear is immediately opposite & adjacent to a fully residential area, largely occupied by elderly people. The relaxation of the restrictions referred to would have a serious impact on the lives of these residents.

Noise late at night, being the most obvious.

In addition there is risk of damage by vandalism and a possibility of physical harm to vulnerable people.

An earlier landlord closed the rear exit to the building at the garden at 11 pm which to a great extent overcame the problem which had arisen. Later a new Landlord was late in enforcing this and there were several nasty incidences.

I with other residents in St. Thomas Park object most strongly to the proposed variations to the lease.

Yours faithfully



Mrs DIANA S. HARVEY
(Aged 82 - original resident)

52

Christa Ferguson

From: John Burrows [REDACTED]
Sent: 16 April 2019 14:11
To: Licensing e-mail address
Subject: Star Pubs and Inns APPLICATION for Fusion Inn, Queens Street, Lymington.

Dear Sir/Madam.

I was alerted yesterday to the new application, suddenly sprung upon us, by Star Pubs and Inns for the Fusion Inn, Queen Street, Lymington.

I have now read the details of this application cable tied to the rear temporary security fence on the garden exit of the Fusion Inn. In principle, I would welcome a new owner or tenant at the Fusion as it is now, as a property, an utter disgrace to our beautiful town - it currently looks like a derelict blot on the landscape and an embarrassment to the locals and passers by. BUT - this new application is ludicrous and totally unacceptable to me and I am sure my neighbours.

I am sure you will hear more from then individually and collectively.

This part of elegant Lymington is a compact residential area. The new application is for variation of the current license to extend starting times and late night music until way after midnight with opening hours up to 2.30am at weekends. It indicates that the Fusion will be licensed as a disco and late night pop concerts. This is totally ludicrous, in my view. It would :-

a. Cause public nuisance. b. Encourage crime and public disorder. c. Put public safety at risk. d. Cause damage to locals mental and physical well being.

My own home is adjacent to the garden area of the Fusion Inn. My roof terrace is less than a meter from their garden perimeter fence. My property overlooks, at very close quarters, the Fusion rear entrance and garden. In the past when this pub was active there were strict restrictions on closure of the rear door and garden gate at 10.30pm. This new application seems to ignore the sensitivities of the residential homes here - the profile of the people who live here and acceptable aesthetics.

I am retired now and touching 80 years of age but like to have an open mind about our youth and fast changing society. For all most 40 years I was a professional concert promoter. I promoted over 2,000 concerts world-wide with some of our greatest pop, rock, jazz, classical and reggae artists. With monotonous regularity, I sat through licensing meetings - a vital and serious aspect of our livelihood. But, to me, this application from Star Pubs and Inns is for the wrong place and is badly considered.

I object very strongly to this application.

Yours truly,

JOHN

John Burrows OBE HonRCM

1 Roundhouse Mews St Thomas Park.

Lymington SO41 9NL.

[REDACTED]

53

10047



Mr Peter Nott and Mrs Juliet Nott
1 Southampton Road
Lymington
SO41 9GH



New Forest District Council
Licensing Section
Appletree Court
Beaulieu Road
SO43 7PA

April 17th 2019

Dear Sirs

Ref: Application for variation of a premises licence at The Fusion Inn, Lymington, Hampshire

We would like to make a strong statement in opposition to these proposed amendments to the Premises Licence at The Fusion Inn, Lymington. For ease of reading, I will do it in bullet points.

- ❖ There will be inevitable disturbances including noise, drunken behaviour,
- ❖ Increase in already present drug problems
- ❖ Fighting in the early morning which has been successfully limited by authorities recently, we used suffer many of these and vomiting on the pavements around the area
- ❖ No parking
- ❖ Busy road with danger of people fighting getting run over. (We have witnessed this before)
- ❖ A real noise problem in a largely residential area.

There is already plenty of music and entertainment at the very well run Thomas Trip opposite and also music at The Kings Arms nearby.

We strongly believe that these proposed alterations would be very detrimental to our area. We have a lot of problems already with the football pitch opposite where drugs are taken and bottles smashed on the pitch and down the local lanes. We really do not need any more worries especially with the lack of a Police presence.

I would be grateful for your attention to this as it is very important to us and many others in the area.

Thank you, yours faithfully

Peter and Juliet N



54

Allen



Park House
St Thomas Park
Lymington
Hants



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

Pending Licensing Application for The Sail Inn
Queen Street , Lymington , SO41 9NG.
Variation Premises Licence (S34)

Ref the above Licensing Application :-

As a close neighbour of The Sail Inn I am very worried that the creation of a nightclub/live music venue in a residential street will make residents lives a misery.

The rear doors of the premises allow unregulated high volume levels of music to impact directly on residences in Roundhouse Court , Roundhouse Mews and St Thomas Park.

When the property was last used as venue of this type , called The Black Cat , it was a focus for every manner of anti social behaviour , often occasioning the closure of Queen Street by the police.

I cannot overemphasise the strength of feeling that this application has created among local residents , and trust that these new variations will be refused.

Yours Faithfully

Michael Fenner

Sarah Herringshaw

From: Annabel Lawley [REDACTED]
Sent: 23 April 2019 11:42
To: Licensing e-mail address
Subject: Pending Licensing Application for The Sail Inn, Lymington

Subject: Pending Licensing Application for The Sail Inn, Lymington

Dear Sir/Madam

As a resident of Roundhouse Court, (for over 12 years) which is adjacent to the above premises, I wish to register my strong objection to the licence variations requested by Star Pub & Bar Ltd.

The area surrounding the side and rear of the premises is a compact residential area that will be negatively impacted by the variations to the licence applied for.

Prevention of public nuisance - The extended opening hours to 00.30 on weekdays will mean noise up to about 01.30 and live music every week day from 1000 and until late (time unclear) will be intrusive during the day and especially for those residents who are working and need to sleep. Extending the opening hours to 02.30 on Friday and Saturday will mean noise until at least 03.00 as the pub clears.

The music may be indoors, but the garden will be used by smokers, for example, and the doors to the garden will be opened constantly.

If these variations to the existing license are granted, the noise pollution will negatively affect property prices in the area around the pub.

Prevention of crime and disorder - the average resident of Lymington is in the older age range. A noisy pub playing music all day and into the early hours at weekends will attract young people from outside the area and also those who have been drinking and wish to continue after other premises have closed. This will inevitably lead to rowdy and anti-

social behaviour. This will also attract drug related activity spreading from city centres.

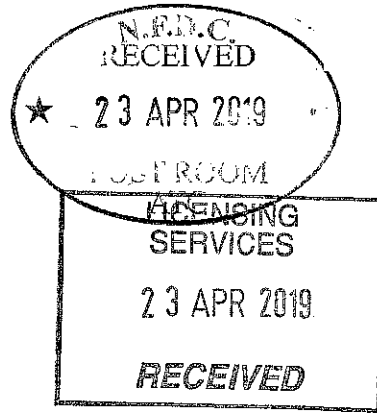
When the premises was The Fusion Inn, the manager was sensitive to the comfort of the surrounding residents. There was the occasional unacceptable noise level, especially in the summer, but it was always dealt with swiftly. It is clear that Star Pub & Bar Ltd have shown no sensitivity in their application to the location of their new acquisition or the consideration for the residents of the area.

I hope my objections will be taken into consideration before granting these variations to the existing licence.

Annabel Lawley

56

Bel



10 St Thomas Park
Lymington
Hants
SO41 9NF

New Forest District Council
Licensing Department
Appletree Court
Beaulieu Road
Lyndhurst
Hants
SO43 7PA

18 April 2019

Dear Sir/Madam,

I am writing in connection to the variance of licence for The Fusion Inn, (to be named The Ship Inn), on Queen Street, Lymington, as described in The Lymington Times on Friday 12 April.

I wish to make objection to this application. First might I point out that the insertion in The Lymington Times was printed with such small print, it was almost impossible to read. My sight is not unduly poor, but I had great difficulty in being able to see what had been written. One might suspect this was intentional!

I wish to object to this extension and alteration of licence on the grounds that it is unnecessary, and that it is not appropriate to the ambience of the area.

This is largely a quiet residential area, with a considerable number of elderly residents. The noise and potential nuisance from live music, recorded music and film, until 02:30 in the morning is considerable, and certainly not conducive to the make up of the surrounding streets.

Since the arrival of Wetherspoons (The 6 Bells), the increase in noise and broken glass has been considerable. Residents often have to clear away broken bottles and glasses from the small road that joins St. Thomas Park to St. Thomas Street, as well as needing to remove bottles and glasses pushed into fences and hedgerows. Wetherspoons show absolutely no interest in curtailing the mess they cause.

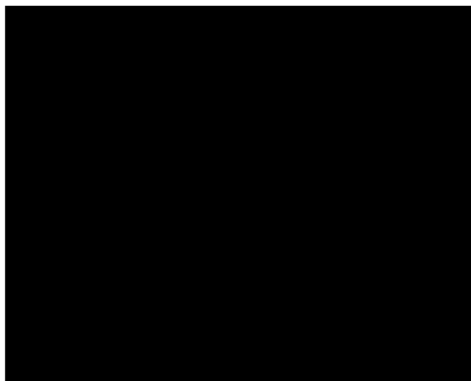
Similarly, we are already subject to live music from The King's Arms on St Thomas Street, although in fairness they do not extend their playing hours beyond 11:00pm, and it seems restricted to weekends.

I can see no reason why, if The Ship Inn (Fusion Inn) really needs to play music, live or recorded, or to show film, that they shouldn't be restricted to closing this down at 11:00pm

I urge you to show consideration to the many residents of the St Thomas area, who would have to live with this noise and inconvenience, and so restrict the hours that it might apply.

I do not wish to prevent music being played, but can see no good reason for it to go beyond 11pm

Yours faithfully



Francis C Callaghan

4 Roundhouse Mews
Lymington,
Hampshire SO41 9WL

Ref: The Sail Inn

April 16th 2019

Dear Licensing Services

I wish to object strongly to the pending licensing application for The Sail Inn.

As a resident of Roundhouse Mews I am appalled at the plan put forward. If history of the premises is anything to go by, it will bring noise and drunkenness to a very built up area where the residents are very close to the premises.

In the past, we have had drunks relieving themselves across from the pub and on one occasion, not to put too a fine point on it, I disturbed a couple having sex on the grass after leaving the pub! The music has been deafening and altogether, this type of pub is totally out of character in this area. I hope the NFDC refuses this application.

Yours Sincerely



J A ASHLEY



From: Julie Armstrong [REDACTED]
Sent: 18 April 2019 18:17
To: Licensing e-mail address
Subject: Pending Licensing Application for The Sail Inn, Lymington

Dear Sir/Madam

As a resident of Roundhouse Court, which is adjacent to the above premises, I wish to register my strong objection to the licence variations requested by Star Pub & Bar Ltd.

The area surrounding the side and rear of the premises is a compact residential area that will be negatively impacted by the variations to the licence applied for.

Prevention of public nuisance - The extended opening hours to 00.30 on weekdays will mean noise up to about 01.30 and live music every week day from 1000 and until late (time unclear) will be intrusive during the day and especially for those residents who are working and need to sleep.

Extending the opening hours to 02.30 on Friday and Saturday will mean noise until at least 03.00 as the pub clears.

The music may be indoors, but the garden will be used by smokers, for example, and the doors to the garden will be opened constantly.

If these variations to the existing license are granted, the noise pollution will negatively affect property prices in the area around the pub.

Prevention of crime and disorder - the average resident of Lymington is in the older age range. A noisy pub playing music all day and into the early hours at weekends will attract young people from outside the area and also those who have been drinking and wish to continue after other premises have closed. This will inevitably lead to rowdy and anti-social behaviour. This will also attract drug related activity spreading from city centres.

When the premises was The Fusion Inn, the manager was sensitive to the comfort of the surrounding residents. There was the occasional unacceptable noise level, especially in the summer, but it was always dealt with swiftly. It is clear that Star Pub & Bar Ltd have shown no sensitivity in their application to the location of their new acquisition or the consideration for the residents of the area.

I hope my objections will be taken into consideration before granting these variations to the existing licence.

Julie Armstrong

59

Bee

18 St Thomas Park
Lymington
SO41 9NF

20th May 2019

New Forest District Council
Licensing Section
Appletree Court
Beaulieu Road
SO43 7PA

Dear/Madam

Ref: Licencing Application for The Sail/Fusion Inn, Queen Street, Lymington

We write regarding the above application to vary the terms of the licence. Whilst this Public House fronts on to a commercial street, the rear is immediately adjacent to a fully residential area, largely occupied by elderly people. The relaxation of the restrictions referred to, would have a serious impact on the lives of those residents.

Noise late at night, being the most obvious. In addition there is risk of damage by vandalism and a possibly even physical harm to vulnerable people.

An earlier landlord closed the rear exit to the building and the gardens at 11.00pm which to a great extent, overcame these problems. Latterly, a new landlord was lax in enforcing this and there were several nasty incidences.

We object in the most strongest possible terms to the proposed variations to the licence.

Yours faithfully

Gordon and Joanne Carter

Sarah Herringshaw

From: gordon carter [REDACTED]
Sent: 22 April 2019 11:50
To: Licensing e-mail address
Subject: Fwd: Licence variation, The Fusion/The Sail Inn, Queen Street, Lymington
Attachments: NFDC.odt

Dear Sir /Madam

Please note the attached email is dated 20th May it should of course be the 20th April. The same applies to the letter of objection you will have received in the mail.

Many thanks

Gordon and Joanne Carter

----- Forwarded message -----

From: gordon carter [REDACTED]
Date: Sat, 20 Apr 2019 11:17
Subject: Licence variation, The Fusion/The Sail Inn, Queen Street, Lymington
To: <licensing@nfdc.gov.uk>

Dear Sir/Madam

Attached is a copy of the letter sent to you today objection to the above application.

Regards Gordon and Joanne Carter

510

Lee

Sarah Herringshaw

From: Roger & Pat Lee [REDACTED]
Sent: 21 April 2019 11:25
To: Licensing e-mail address
Subject: The Fusion Inn soon to be renamed The Sail Inn, Queen Street, Lymington, Hants..

Dear Sir/Madam,

We strongly object to the application for the variation as lodged with N.F.D.C. on the 09/04/19.

Our reasons are as follows:

1. Many years ago when the public house was called The Olde English Gentleman it was approximately six metres away from our home. It was then extended many years ago and to our astonishment no noise installation was installed. Our external wall was used as the internal wall in what was renamed The Black Cat. The girder beams were left resting on our bedroom wall and as I was in the building industry I was aware this contravened building regulations as no dividing wall was built. We complained to N.F.D.C., the planners did not intervene and after much discussion told us the plans had been mislaid and were no longer available.

This is still the current position and has been proved on two separate occasions, once when The Black Cat contravened its licensing conditions and again when New Forest Environmental Health was involved because of the volume of noise emulating from the then called Fusion Inn in 2015. On both occasions at N.F.D.C. our objections were upheld and noise limiters were installed in The Fusion with monitors in our home.

The application as in item 6 and 7 ask for the removal of these conditions alongside the removal of all Annexe 2 conditions. These were put in place by the Licensing Committee so that we could have 'our human rights.'

2. My wife has recently been diagnosed with a terminal illness. If the license is granted as per the application, the customers will leave The Sail Inn at approximately 1.00am Sunday to Thursday and approximately 3.00 am on Saturday and Sunday mornings. Added into this equation, unrestricted music noise will be from 10.00am until 11.00 pm all week and an unlimited volume from live bands on Friday and Saturday nights until midnight. I will, under no circumstances whatsoever, tolerate this intrusion into our private lives again. During one hearing re. the noise, the barrister representing the public house came into 24a Queen Street, our home and agreed that noise levels were intolerable. Needless to say we won and were fully backed by N.F.D.C. Licensing Dept..

3. I am not completely sure but understand that this will be the only 2.30 am closing venue in Lymington or the surrounding area. This will attract all late night drinkers from many miles around and this venue is in the middle of a residential area. The Sports Ground of Lymington is approximately 100 metres from the Fusion Inn and has recently been the subject on many occasions of adverse late night behaviour with police involvement. The two venues together will create even more public disorder.

I therefore request that the terms and conditions for The Sail Inn be denied.

Yours faithfully

Roger Lee.

Sent from my iPad

511

Sarah Herringshaw

From: Tracy Glasbey [REDACTED]
Sent: 24 April 2019 08:28
To: Licensing e-mail address
Subject: The Fusion Inn
Attachments: Licensing Application_001.pdf

Importance: High

Dear Sarah

Further to Mr Dunford's letter and your subsequent telephone call to the office last week, please accept our apologies for the confusion, the letter should have referred to the Licensing Application and I herewith attach a copy of the amended letter for your records.

I trust that the attached is sufficient for your requirements, however, if you require a hard copy of the letter I can put it in the post for you today.

I look forward to hearing from you.

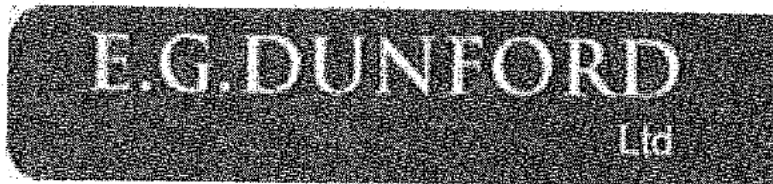
Regards.

Tracy

Tracy Glasbey
E G Dunford Ltd
745 Ampress Lane
Lymington
Hampshire
SO41 8LW



www.dunfordconstruction.co.uk



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Adele

745 Ampress Lane
Lymington Hants SO41 8LW
Tel: (01590) 676710 Fax: (01590) 677201
www.dunfordconstruction.co.uk

15th April 2019

PJD/tg/RHC

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

Dear Sirs

re: Licensing Application Submission – The Fusion Inn, Queen Street, Lymington

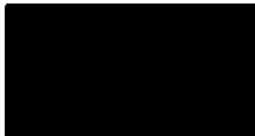
We understand from a recent notice that a Licensing Application has been lodged by the owners, Star Pubs and Bars Ltd, of The Fusion Inn, Queen Street, Lymington.

We gather they wish to operate as nightclub with opening hours until 2.30am to include live music, no restrictions on opening times, nor limits on the level of noise from music which is very concerning especially considering the confined residential area in which The Fusion Inn is located. Additionally, there is a concern on prevention of crime and disorder, public nuisance issues and public safety.

We own 33 properties, mainly residential in the next-door areas comprising of Queen Street and St Thomas Street/Park and we wish to object in the most strongest of terms to this application as we believe it would cause considerable suffering to the Lessees of those properties.

We have seen many issues and disturbances whilst the property was in the ownership of the previous management which caused huge problems to our residents and we implore you to refuse this application outright.

Yours faithfully
E G DUNFORD LIMITED



P J Dunford
Chairman



512



15th St Thomas Park,
Lymington
SO41 9NF

23rd April 2019

Dear Sirs

I moved into my home in December 2017.
having spent two years searching for my perfect
property - very quietly situated in a very grassy
square. a very gentle home!

I am devastated to hear that plans
are being put forward for the "Fusion Inn" to
be given a licence allowing them to remain open
offering not just music but food - allowing two exits
to be used - one through to St Thomas Park!!

As a single woman the thought of
drunken belligerents having access to our homes
appals me. I object to this in the strongest terms!

Yours faithfully



513

Acc



20, St. Thomas Park
Lymington
SO41 9NF

23rd May 2019

New Forest District Council
Licensing Section
Appietree Court
Beaulieu Road
SO43 7PA

Dear Sir/Madam,

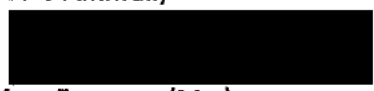
Ref: Licensing Application for Fusion Inn, Queen Street, Lymington.

I write regarding the application to vary the terms of licensing at the Fusion Inn and most strongly oppose them.

The proposed new terms would put the Fusion Inn on a nightclub footing, as in the days of the Black Cat, and you know what havoc that caused.

The surrounding area is fully residential with mainly retired folk so late night/early morning noise and movement would be quite detrimental to them. The existing licence was accepted by most, and just about worked, so why change it?

Yours Faithfully



Mary Freeman (Mrs)



514

see

Sarah Herringshaw

From: Auplands Bed and Breakfast [REDACTED]
Sent: 25 April 2019 09:57
To: Licensing e-mail address
Subject: Ref Sail Inn Queen Street Lymington.

Dear Sir / Madam

I am writing in respect of the request for an extended licence for the Sail Inn formerly the Fusion Inn, Lymington.

We own and operate a guest house around 200 yards from the premises in question. Back in the days when the pub was operational and called the Fusion an extended hours licence was granted to them I believe on the basis that it was assumed that people would leave at different times from the pub rather than everybody leaving at the normal licencing hour of 11pm and thus reduce trouble and noise. I can assure you that this idea is nonsense. Agreed people did leave at different times but made the same amount of noise when they were leaving and caused the same amount of trouble, so nothing was achieved by this as to the benefit of anyone but the licensee and clientele. People screaming and shouting and swearing at each other in the street in the middle of the night actually caused a lot of distress and loss of sleep to us, mostly all nearby residents and our guests who rent rooms both at the front of our property which is on the Southampton Road and at the rear which is close to the sports field car park and rear entrance to the pub.

Some people might say you chose to live where you do knowing that a pubs were in the vicinity and yes we did but that was when we had normal licencing hours the noise was generally over by 11.30. Some people might say we should install double glazing, well we have, but double glazing isn't very effective when you sleep in the summer months with your window open and everyone should have the right to do that without pub goers waking them several times a night from the time they retire up until 4 am in the morning with their inconsiderate behaviour.

I am totally opposed to any extended hours licences being issued to any pub that is in close proximity to residential properties as should the appropriate authorities be and I hope the people with the power to issue these licences now understand why.

Can I ask you please to confirm receipt of this email

Thank you

Yours Sincerely
Graham Broomfield
Auplands guest house
22 Southampton Road
Lymington
SO419GG



Virus-free. www.avast.com

515

25, St Thomas Park,
Lymington,
Hants. SO41 9NF.

23rd April 2019

The New Forest District Council,
Licensing Section,
Appletree Court,
Beaulieu Road,
Hants. S)43 7PA



Dear Sirs,

I am writing to you regarding the application for a variation of a Premises Licence in respect of The Fusion Inn (TBK The Sail Inn), Lymington, SO41 9NG.

It is difficult to know quite where to begin my objection to the sweeping changes asked by the applicant to the existing licence. The most startling one is the request for a daily start time of 10.00 am for live music to be played and to extend that time to midnight on Friday and Saturday.

I must oppose the proposed serving of refreshment until 12.30 am and until 2.30 am on Friday and Saturday.

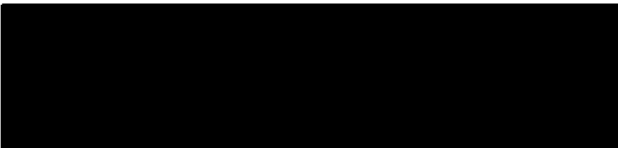
These two proposals alone would change the status of the Public House to that of a night club. I am sure you will remember the state of affairs that existed when the Pub was known as The Black Cat, and the problems caused by late night drinking and drug users. I am sure the local police will remember the extra policing and the running battles which sometimes ensued as a result. With no place other than parks and the streets for these people to gather, a new venue established in Lymington such as the one proposed will be an irresistible magnet for them.

Since that time two new landlords (and a third, briefly) have run a well-managed establishment, ensuring that the garden entrance to the Pub is closed for access to the residential area at the rear, and providing security to ensure that it remains closed.

And this last problem is perhaps the most important of my objections. The Pub is situated in the middle of a residential area where the majority of people are retired. The proposed applications for changes to the Pub, if allowed, would destroy the entire area.

I trust you will consider the ramifications for all concerned when looking at the application.

Yours faithfully,


Michael McStay

Bel

S16

Sarah Herringshaw

From: John [REDACTED]
Sent: 30 April 2019 15:00
To: Licensing e-mail address
Subject: Sail inn Lymington application to extend hours and live music

Hi, we live at 11 Southampton Road SO419GH

We understand you have received an application to extend Public House opening hours for the Sail Inn

This is a small town, not a city and while we respect an individuals right to earn a living these premises are poorly located by proximity to many local residents property and to allow opening hours as suggested with accompanying music would create late night/ early morning distress to the majority with consequential noise and potential rowdiness outside the landlords control.

As a former landlord I'm acutely aware of the impact that alcohol when consumed all night and early in to the morning has.

This application cannot possibly benefit the community and apart from lack of parking would affect ALL that reside within 400 mtrs of the venue and possibly beyond ..

Please allow them to trade but on the same terms as similar establishments within this quiet community..

Kindest,

John & Kim Hanna

Sent from my iPad

517

Sarah Herringshaw

From: [REDACTED]
Sent: 30 April 2019 12:41
To: Licensing e-mail address
Subject: Objection to the Sail Inn.

[REDACTED]
Sir or Madam,

I have a leaflet here to register my objection for the above premises to be open until 2.30 am.

I live in the one-way system opposite Waitrose Supermarket

At #10 Stanford Rd, SO41 9GF.

In the past I have had breakages to my front door and the glass above it. Having lived at this address for nearly 50 years I feel I have got off quite lightly in the past. I am a widow of 14 years.

I have had no problems from the Thomas Tripp, although I do get woken up with drunken revellers on their way home. To have another premises so nearby, surely Lymington has enough hostelryes as it is.

I think this is the only time I have made an objection, to the hours the public house will be open.

So please do take my complaint very seriously.

With regards,

Mrs Jonquil Waterhouse.



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S18

Bele

11 St. Thomas Park
Lymington
SO41 9NF

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



25th April 2019

THE SAIL INN, QUEEN STREET, LYMINGTON, SO41 9NG	
Type of application	Variation Premises Licence (S34)

I wish to make an objection to this application on the grounds of public safety.

I note from the application that the new management of these premises wish to extend the hours of the establishment to 00.30 on Sunday to Thursday and 02.30 on Fridays and Saturdays. I am concerned that customers of the premises, probably mainly young people who may have consumed a quantity of alcohol will be leaving the Sail Inn in the early hours with no obvious means of getting home. Unlike Southampton, Reading or other big towns and cities there are no all night buses, no trains after 22.36 and precious few taxis. I also understand that the street lights are dimmed between 1 and 4am. Having raised two children myself in the area I have spent many a night worrying how they were going to get home and although they always did it was sometimes not without incident.

I am also concerned that staff at the Sail Inn who work these long hours may not get the statutory 11 hours break between shifts if the premises are open again the next day. This is a regulation that I know again from experience is frequently ignored by employers especially in the hospitality industry. Who will be checking that someone who is still clearing up at 3am on Sunday morning is not 'persuaded' to come back in to open up again for lunchtime the same day?

Please note that although I live fairly close the the Sail Inn I am not objecting on the grounds of noise. I am not one of those people choose to live in the centre of a town and then expect it to fall silent at 7pm.

Please take these matters in to account when considering this application.

Yours faithfully,

Susan Seymour

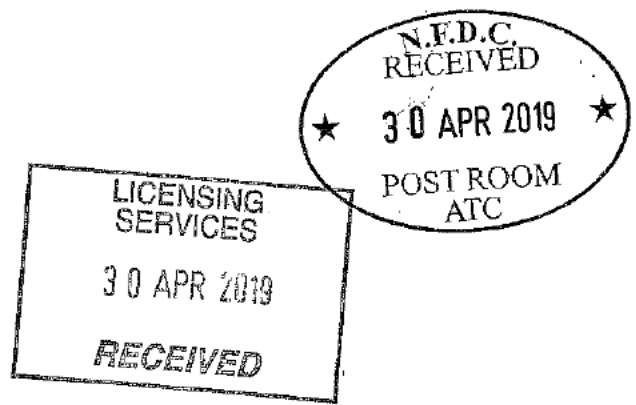
519

Acc

10 Belmore Lane
Lymington SO41 3NJ

30 April 2019

New Forest District Council
Licensing Division
Appletree Court
Beaulieu Road
SO43 7PA



Dear Sirs

Regarding the Notice of an Application for Variation of a Premises Licence submitted by Star Pubs and Bars Ltd in respect of premises known as The Fusion Inn, Queen Street, Lymington.

If this Application is successful then the surrounding residential neighbourhood will be subjected to the return of anti-social behaviour and at anti-social hours. Before the premises closed down some months ago local residents were subjected to late night/early morning shouting and screaming as patrons exited the premises. On a number of occasions we had to dial 999 to dispel groups congregating noisily on adjacent street corners and on one occasion had to report one of our windows being smashed in the small hours.

We believe that the Application should be resisted on the above mentioned grounds, also the lack of parking provision within the premises and the stress on parking within the general area.

Yours faithfully



Jane Faulkner.

520

Bel

Sarah Herringshaw

From: SWAYNE, Moira [REDACTED]
Sent: 29 April 2019 14:22
To: Licensing e-mail address
Subject: The Sail Inn, Lymington
Attachments: 20190429-084642-MCS.pdf

Dear Ms Ferguson

For the Attention of Christa Ferguson

Please find an email enclosed below and a letter attached containing representations on behalf of more than 30 residents regarding their concerns about the application by the Sail Inn, Queen Street, Lymington, to lift licensing restrictions previously placed on its predecessor at that address, The Fusion Inn.

Can they be reassured that the objections will fully taken into account before the application is determined?

Yours sincerely
Desmond Swayne
The Rt Hon Sir Desmond Swayne TD MP
New Forest West

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

From: Roger & Pat Lee [REDACTED]
Sent: 27 April 2019 09:38
To: SWAYNE, Desmond [REDACTED]
Subject: The Fusion Inn now to be called The Sail Inn, Queen Street, Lymington, Hants..

Dear Sir

The Fusion Inn, now to be renamed The Sail Inn is about to be open in May according to their website.

They have a licensing application asking for music and refreshment until 0030 hours all week with the customers leaving at 001am. On Fridays and Saturdays nights they have applied for live music and the Inn to close at 0230am with customers leaving at 003am.

They have also requested that all of the previous restrictions on The Fusion Inn to be lifted. This will mean that any customers can access the premises at any time. They want the noise restriction to be lifted, no security guards on the doors, the garden and rear access is to be accessible at all times and the windows that had to be closed to be open.

In the opinion of the majority in the vicinity of The Inn, if this is granted it will create a late nightclub effect attracting many undesirable people, especially after other public houses shut earlier.

Previously, when this public house was called The Black Cat and then renamed The Fusion and was the late night venue for drinking, the Police and Environmental Health had to intervene on numerous occasions. The area of disturbance was considerable.

The public house is almost adjacent to the Sports Ground which attracts the undesirable element at night and has recently been the venue for much Police attention.

We would be very grateful for your considered support.

Yours faithfully

Roger and Pat Lee and also on behalf of currently over 30 residents.

Rt Hon Sir Desmond Swayne TD MP
House of Commons
London SW1A 0AA

[REDACTED]

[REDACTED]

UK Parliament Disclaimer: this e-mail is confidential to the intended recipient. If you have received it in error, please notify the sender and delete it from your system. Any unauthorised use, disclosure, or copying is not permitted. This e-mail has been checked for viruses, but no liability is accepted for any damage caused by any virus transmitted by this e-mail. This e-mail address is not secure, is not encrypted and should not be used for sensitive data.

[REDACTED]

25, St Thomas Park,
Lymington,
Hants. SO41 9NF.

24th April 2019

Rt. Honourable Desmond Swayne MP,
The House of Commons,
London. SW1A 0AA

Dear Sir Desmond,

I am writing to you regarding the application for a variation of a Premises Licence in respect of the Fusion Inn (TBK The Sail Inn), Lymington, SO41 9NG.

I am sure you are aware of them, and the changes requested are so sweeping that it is difficult to know where to begin to object to them. I will attempt to summarize them and say that the applicants are hoping to introduce live music daily from 10.00 am to midnight on Friday and Saturday. They also wish to serve refreshment until 12.30 am on Friday and Saturday until 2.30am. If they succeed this would virtually have the effect of turning the Pub into a night club.

I am certain you remember the state of affairs that existed when the Pub was known as The Black Cat, and the problems caused by late night drinkers and drug users. I am sure the local police will remember the extra policing and the running battles which sometimes ensued as a result. With no place other than parks and the streets for these people to gather, a new venue in Lymington such as the one proposed would be a natural magnet for them.

Since that time two new landlords (and a third, briefly) have run a well-managed establishment, ensuring that the garden entrance to the Pub was closed for access to the residential area at the rear, and provided security to ensure that it remained closed.

And this last question is the most important of my objections. The Pub is situated in the middle of a residential area where the majority of people are retired. The proposed changes to the Pub, if allowed, would destroy the character of the whole area.

I am asking if you could exert your influence to ensure that these new proposals not be allowed to take effect.

Yours faithfully,

[REDACTED]

Michael McStay

521

Rece

Sarah Herringshaw

From: Ann Herd [REDACTED]
Sent: 30 April 2019 19:49
To: Licensing e-mail address
Subject: Licensing application The Sail Inn Queen Street Iymington

Dear Sirs

I have read the pending application above, and wish to register my objection to the extended licensing hours and playing of live and recorded music late in the night.

I live at 31 Southampton Road and will be directly affected if permission is granted, not only by the music but late revellers noisily making their way home (which they do at present from the Thomas Tripp but at least generally not after midnight)

504 964

Thank you.

yours faithfully

Ann Herd.

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

Alan Thomson
35 Southampton Road
Lymington
SO41 9GH
April 30, 2019

Dear Sir/Madam,

I wish to object in the strongest possible terms to the pending application to vary the premises licence (S34) in respect of The Sail Inn, Queen Street, Lymington SO41 9NG as submitted 09/04/2019 by Star Pub & Bar Limited.

Chief among my concerns is the application to extend the licence to 02.30am on Fridays and Saturdays and to 00.30am on every other day of the week.

I have numbered the paragraphs of this rather lengthy objection for your convenience. In each I try to make a different point.

1. The premises to which this application relates sit in a largely residential area of Lymington. Extending the licensing hours until 02.30am on Fridays and Saturdays – a full 2 hours and 30 minutes later on a Friday and Saturday than most pubs in town – is likely to seriously affect nearby residents' quality of life at weekends, increase the level of public nuisance experienced by residents in surrounding streets and lead to an increase in late night/early morning crime and disorder offences in the area.
2. The application to extend opening hours to 00.30am on every other day of the week – a full 1 hour 30 minutes later than almost every other licenced premises in Lymington opens during the week and later than many of them open at the weekend – is also unacceptable. Residents in neighbouring streets, myself included, have families of school age and work in the mornings. The prospect of being woken up in the small hours during the week by people making their way back from The Sail Inn at half-past-midnight and, no doubt, much later as patrons loiter in the streets, fills me with dread and will no doubt have a material impact on my family's quality of sleep during the week in addition to the prospect of sleepless weekends.
3. There is already a degree of late night noise, mainly at weekends, experienced by local residents in the streets near Queen Street, including Southampton Road, due to people leaving Lymington's many licensed premises. Loud conversations and shouting often wake residents, litter from fast food premises is dropped, and there are occasionally street fights and minor acts of drink-induced vandalism and theft, such as stealing the lids from rubbish bins.
4. However, thanks to the sensible licensing hours enforced in the town this period of noise, and occasionally anti-social and criminal behaviour, tends to be over not long after midnight at the weekends, and much earlier during the week when there is very little disruption.
5. It is beyond question that allowing The Sail Inn to open until 02.30am on Fridays and Saturdays (and to serve alcohol until 02.00 am) will lead to a rise in drink-related noise, anti-social behaviour, violence and vandalism by some of the patrons leaving the premises in question. There can be no doubt that many of the people leaving The

Sail Inn after 02.30am will have consumed much more alcohol than those who left the town's other pubs much earlier and went home. This will mean that some people leaving The Sail Inn will be drunk or very drunk with all the potential problems this creates in terms of loud, drunken street conversations, shouting, arguing, litter, public urination, violence and other illegal acts.

6. No amount of conditions attached to the licence, for instance making the licensee responsible for putting up notices urging patrons leaving the premises to be respectful of local residents, will make a difference to the behaviour of a large number of drunk, noisy and potentially violent people once they are away from the venue and on the neighbouring residential streets in the small hours of the morning during the week and, especially, the weekend.
7. It goes without saying that many patrons leaving these premises will not disperse quietly and quickly, but will hang around the area, perhaps getting something to eat from any fast food outlets that seek to capitalise on any successful licensing extension by extending their own opening hours, or waiting for a taxi. This will strongly increase the likelihood of noise, anti-social behaviour and violence well beyond the actual closing time of The Sail Inn itself, meaning local residents will be woken up and kept awake until 03.00am, 03.30am or later.
8. The reopening of these licensed premises will, even without the granting of a late licence, also increase the number of late night/early morning traffic movements in the area, and the associated noise from car and taxi engines, doors closing and car stereos. Currently, thanks to sensible licensing restrictions, the streets around Queen Street see little in the way of traffic beyond midnight at the weekends. Granting The Sail Inn a licence until 02.30am on Fridays and Saturdays, and until 00.30am every other day of the week, will change that situation dramatically, and additional traffic will compound the levels of noise created by people in the street in the small hours of the morning.
9. It is highly likely that, given its pursuit of late licence and market positioning as a music-based venue, The Sail Inn will attract a relatively young clientele. The Sail Inn is unlikely to hold much appeal for older customers out to enjoy a few quiet drinks and then home to bed. The relative youth of the likely clientele and their natural exuberance combined with alcohol gives me additional concerns about the risk of rowdiness and public nuisance from patrons leaving the premises in the early hours. Put it this way, if it was a traditional folk club seeking a late license I would be less concerned about some of the potential disruption, although by no means unconcerned by the lateness of the proposed closing times. But it is not going to be a traditional folk club. More like a night club.
10. Overall, the racing certainty is that the granting of a 02.30am licence to these premises will lead to more calls to the police from local residents reporting noise, arguments, fights and vandalism. All of which will increase the workload for our already stretched police service, not to mention paramedic and ambulance services called to deal with drink-related injuries.
11. I am all for more live music but that should not be an excuse to extend licensing hours to 02.30am for premises in residential areas. Indeed the licensing variation application for The Sail Inn states that live music will be allowed no later than

midnight at the weekends – two-and-a-half hours before the proposed closing time and that recorded music will be allowed until 00.45am on Saturdays still an hour-and-45-minutes before closing time. The Thomas Tripp pub, opposite the proposed Sail Inn to which this licence extension application relates, is known for its live music. The TT, as it's known, manages to be a popular music venue which closes at 11pm during the week and midnight on Fridays and Saturdays. It is therefore hard not to conclude that this application to vary the licence for The Sail Inn has more to do with facilitating drinking into the small hours of the morning than with any desire to provide live music fans with another venue.

12. Another very important factor to consider is that the granting of such a late weekday and weekend licence to The Sail Inn would set a precedent, making it harder for the council licensing authority to refuse future applications for late licences from other licensed premises in Lymington. Granting this variation in licence would invite a domino effect that could significantly change the nature of Lymington for the worse, causing misery for the many people who live in and near the town centre.
13. Lymington attracts many residents who are retired as well as those with families who appreciate the town's charms, its community, access to the sea and the forest and, of course, the relative peace, tranquillity and quality of life that living in a smallish town like Lymington affords. A pub licensed until 02.30am is detrimental not only to the quality of the lives of the residents living near the premises – not to mention potentially negatively affecting property values since it goes without saying that the close proximity of a late night pub tends not to appear on estate agent's lists of selling points – but also to the character and appeal of Lymington as a place to live.
14. One of the beauties and attractions of Lymington is that people still live in, and very close to, the town centre. For very many people the High Street is only a short walk. Lymington's town centre is, thankfully, not some hollowed-out commercial and entertainment zone which at night, and especially at the weekends, turns into the sort of town centre blighted by binge drinking and all of its associated problems. This late licence application is wholly at odds with the essential nature of Lymington and the quality of life enjoyed by its residents. The last thing Lymington needs is to gain a reputation, deserved or undeserved, as a magnet for binge-drinkers who trash the town every Friday and Saturday. Such reputations have led to families and the middle classes fleeing many an English town for better places to live. If this late licence is approved I fear that will be the first of many late night licences to follow in Lymington.
15. By all means allow The Sail Inn to provide live and recorded music, but do so within licensing hours that reflect its location in a residential area. Or, if someone wants to open a late licence venue, then let them do so in premises well away from a residential area of Lymington. As someone who runs his own business, I appreciate the need to allow businesses to meet perceived market demand and also the benefits of creating employment. No-one wants to see any business premises lying unoccupied. But there is a reason why, for example, planning authorities don't allow cement works to set up shop in the middle of charming market towns. It wouldn't be in keeping and would be better sited elsewhere. The same goes for pubs/clubs seeking to open until 02.30am in residential areas.

16. Licensing a venue like the proposed The Sail Inn in a residential area of Lymington until 02.30am on Fridays and Saturdays and until 00.30am on every other day of the week would ride roughshod over the right of local residents to enjoy their lives free from public nuisance and disturbance, and it would potentially set Lymington on a slippery slope to widespread late night, town centre drunkenness with all problems that creates.

I respectfully urge the licensing committee to reject this Variation Premises Licence (S34) application submitted by Star Pub & Bar Limited in respect of The Sail Inn, Queen Street, Lymington SO41 9NG.

Yours faithfully



Alan Thomson

523

File

Sarah Herringshaw

From: Tana Poole [REDACTED]
Sent: 30 April 2019 18:18
To: Licensing e-mail address
Subject: Objection to The Sail Inn

New Forest District Council, Licensing Department,

**Variation of a Premises Licence in respect of premises known as The Fusion Inn (TBK The Sail Inn),
Queen Street, Lymington, SO41 9NG.**

I am writing to object to the above planned variations to the current Premises Licence.

By Allowing Star Pubs & Bars Limited to extend the terminal hour for late night refreshment on Friday and Saturday to 02.30 the following day and add in the late-night refreshment on Sunday and Thursday from 23.00 to 00.30 the following day, the amount of noise that will be generated will be unbearable for area residents. Gathering crowds of intoxicated individuals will be encouraged to congregate producing intimidating situations for local families. The surrounding streets will be littered with cans, bottles and drug paraphernalia. All the above mentioned antisocial behaviour has been experienced first hand by my family when the Fusion pub was last in operation. By granting changes to the current License you will be adding greater risks of these situations happening on a more regular basis. There will be a dramatic increase in vandalism to both vehicles and properties, violence and drug dealing in the surrounding streets. It is unacceptable to expect local residents to tolerate loud aggressive people outside their homes until 03.00 on a weekly basis.

With the removal of the existing conditions of Annex 2 I fear for the safety of the greater community as it is essential to have;

- Door Staff
- No rear garden access
- Limitations on evening garden activity
- Reduced music levels
- No access to the premises after 00.00

These are all paramount for the well being and sanity of local residents.

Yours sincerely

Tana Foulkes-Jones and Arlo Poole of 2 The Old Maltings, Eastern Road, Lymington SO41 9TN

524

Bele

Sarah Herringshaw

From: jillian charlton [REDACTED]
Sent: 01 May 2019 12:19
To: Licensing e-mail address
Subject: Pending Licensing Application for the Sail Inn

Dear Sir/Madam,

Pending Licensing Application for the Sail Inn

I am writing to you to express my strong objections and concerns relating to the above application which was tied to a temporary security fence of the Fusion Inn.

My home is located in Roundhouse Court which is within a highly populated residential area of flats and houses including:

Roundhouse Court
Roundhouse Mews
Athelstan Court
Queen Street
The Old Maltings
Southampton Road

The application should it be passed would have an extremely detriment impact on individuals and the area in terms of noise levels well into the night, drunk and disorderly behaviour resulting in an increase of calls to the police as well as adversely affecting the wellbeing of the local community (sleep deprivation, stress and depression).

Yours faithfully,

Jill Charlton
2 Roundhouse Court
Lymington
SO413QT

525

Bel

Sarah Herringshaw

From: Christa Ferguson
Sent: 03 May 2019 10:04
To: Sarah Herringshaw
Subject: FW: Re application for variation of premises licence

Hi Sarah
Could you please treat this as formal objection and log accordingly
Regards
Christa

Christa Ferguson
Licensing Manager
New Forest District Council
Tel: 023 8028 5588

Christa.Ferguson@nfdc.gov.uk
newforest.gov.uk



[New Forest InTouch app](#)



From: Christa Ferguson
Sent: 03 May 2019 10:03
To: 'Barbara Chaperlin'
Subject: RE: Re application for variation of premises licence

Good morning Mrs Chaperlin
Thank you for your email. We shall now treat your email as a formal objection.

I have included the paragraph below taken from the Statutory guidance which may assist with regard to the "need" for licence premises.

The need for licensed premises

14.19 There can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

Regards
Christa

Christa Ferguson
Licensing Manager
New Forest District Council
Tel: 023 8028 5588

Christa.Ferguson@nfdc.gov.uk
newforest.gov.uk



New Forest InTouch app



From: Barbara Chaperlin [REDACTED]
Sent: 02 May 2019 22:19
To: Christa Ferguson
Subject: Re: Re application for variation of premises licence
Importance: High

Dear Christa Ferguson

Thank you for a very prompt reply.

What does the paragraph "However, the "need" for licenced premises.....mean?

I have been discussing this with my daughter and she said, if the music in the morning was just light music for people to have whilst eating their breakfast, that should not be a problem because many places play background music.

I suppose you could consider my email a formal objection but as you say, only with my email removed not otherwise. Obviously, the more people you have a better case to be made. I would not be attending a hearing as I am in my 80's and would find that a problem.

Yours sincerely

B. Chaperlin

On 2 May 2019, at 17:34, Christa Ferguson <Christa.Ferguson@NFDC.GOV.UK> wrote:

Good afternoon

Thank you for your email regarding the application to vary the licence at the Sail Inn (formerly Fusion).

Could you confirm that you wish your email to be considered as a formal objection? If so, this will be forwarded to the applicant and also included in the committee report, which is a public document.(email addresses removed).

It should be noted that should you not wish for us to consider this as a formal objection, we have already received a number of objections which refer to the same issues you have raised, so these would be covered by other letters/emails.

In addition the positioning of any windows that are not already in use would be a matter for a planning application and does not form part of this licence variation application. The premises already has a licence and this application seeks to remove conditions and add some licensable activities, However the "need" for licensed premises cannot be considered under the Licensing Act 2003.

If you could please confirm if you wish this to be considered as a representation, so it can be included in the report and you can be invited to the hearing.

Christa Ferguson
Licensing Manager
New Forest District Council
Tel: 023 8028 5588

Christa.Ferguson@nfdc.gov.uk
newforest.gov.uk

<image001.jpg><image002.jpg><image005.jpg>
[New Forest InTouch app](#)
<image004.jpg>

From: Peter Chaperlin [REDACTED]
Sent: 02 May 2019 16:35
To: Licensing e-mail address
Subject: Re application for variation of premises licence

Dear Sir/Madam

Re: Star Pubs and Bars Ltd application for Fusion Inn (TBK The Sail Inn), Queen Street,
Lymington SO41 9NG

2. Extend Start time for live music to 10.00 daily and to extend to midnight on Friday and Saturday.

Please remember around the Fusion Inn are residential properties and mostly the elderly live in them. Car Parking is very restricted. I think you should put on restrictions as you did with Wetherspoons.

3. ditto for this as well.

4. Don't object to late night eating as this should not encroach on the neighbourhood, providing they leave quietly.

5. Starting at 8am is another difficulty for people living around, and especially not until 2.30 - no peace for anybody. Definitely a no no I should think.

6. Definitely should not be allowed.

7. ditto. Not sure what Annex 2 is.

I did hear a rumour but have not been able to get to Appletree Court to view plans, that they were going to put opening windows along the pavement. This is an extremely busy road all day, can you imagine the difficulty for pedestrians walking along an already narrow pavement and then trying to get past people standing on the pavement drinking - chaos will ensue. Buses, lorries and coaches come past the Fusion Inn and the pavement is dangerous on a normal day.

I think that they should have the same restrictions imposed on them that Wetherspoons have, so far nothing untoward has happened and everybody enjoys it, and it seems to be well run.

There is another thought that you will then have 4 pubs in a very small area, The Thomas Tripp, Wetherspoons. Kings Arms, and now Fusion Inn opening again - I would have thought that three was quite adequate.

Nobody likes to stop people enjoying themselves but these opening times and the noise is just too much.

People like to come here on holiday because it is a peaceful place and you can usually walk about without worrying too much. at night time.

Yours sincerely

B. Chaperlin

There is no need to answer this email, sufficient to just take my comments on board and think about it very carefully.

The information in this electronic mail (email) and any appendices to it is the property of New Forest District Council.

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Please examine the full terms of this disclaimer by clicking on the following hyper

link: www.newforest.gov.uk/emailemaildisclaimer

Our privacy notice can be read here: <http://www.newforest.gov.uk/article/4549/Privacy-Notice>

Becky

526

COAST PILATES



New Forest District Council
Licensing Section
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

30 April 2019

To whom it may concern

Premise Licence application- Sail Inn, Queen Street, Lymington

As an established business owner with premises in both Roundhouse Court and in Queen Street, I am against the proposed licensing hours of the Sail Inn.

I run a well-attended Pilates Studio, teaching classes and private clients in both aforementioned studios. Pilates is a quite business and clients need peaceful surroundings to concentrate on their exercises and follow instructions.

Noisy bands and late night drinking will potentially affect my business as clients will not want to attend with noisy bars nearby.

I believe the live music daily will have a detrimental effect on both businesses and residents in the surrounding area.

Yours sincerely,



Rebecca Coetzee
Founder Coast Pilates Ltd



Coast Pilates . No 8 Roundhouse Court, Lymington SO41 9LY

Contact: Rebecca Coetzee



527

Rec



12 Belmore Lane
 Lymington
 Hants SO41 3NJ



New Forest District Council
 Licensing Division
 Appletree Court
 Beaulieu Road
 SO43 7PA

Re: Notice of an Application for Variation of a Premises Licence submitted by Star Pubs and Bars Ltd in respect of premises known as The Fusion Inn, Queen Street, Lymington

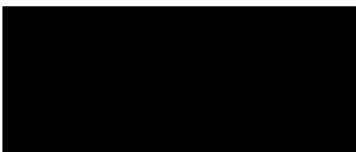
Dear Sirs

We write to object to the Application for Variation as we have the following concerns:

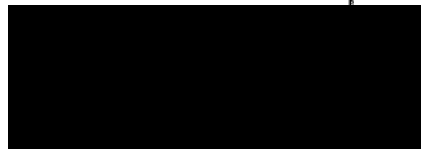
- We live within 100 metres of these premises and will be subjected to the noise and disturbance from patrons leaving the pub at unsociable hours – especially at the weekends up to 02.30
- We are alarmed that we could be subjected to live music throughout the weekend from 10.00am until midnight
- There are occasions when we are disturbed by noise at the weekends when the Lobster Bar has live music. The music is loud and in warm weather patrons spill out onto the street drinking and talking loudly. Two such premises on the same street and within 40 metres of each other is undesirable
- Having such extended weekend hours will inevitably make The Fusion Inn a magnet for late-drinking customers when other pubs in the town are closed. There have previously been instances of anti-social behaviour from patrons which necessitated police attendance. The proposed variation will undoubtedly increase the probability of such events recurring.
- There are a large number of homes within 150 meters of the premises – many of which are for visitors to Lymington. Is this the impression of our town that we want them to have? Neither residents nor visitors will be served by this extension to hours and the consequent disturbance that could occur on any day of the week. And would you, personally, wish to have this happening adjacent to where you live?

Please do not allow this application to proceed.

Yours faithfully



Lynne Bennett



Simon Bennett



528

Beely

Sarah Herringshaw

From: [REDACTED]
Sent: 03 May 2019 14:25
To: Licensing e-mail address
Subject: Sail Inn licensing application - objection.

Sir/Madam,

The new licensing application from the Sail Inn (previously Black Cat & Fusion Inn) has been brought to my attention. As a resident of the immediate area I am encouraged by the fact this property, that has been empty for some three years or so, has finally been recognised as a worthwhile business opportunity. However, I am perturbed by the fact the new owner has deemed it appropriate to, amongst other things, apply to trade until 2:30am on Friday's and Saturday's plus half past midnight on every other day of the week. This may be just a general application with little thought, or a concerted effort to be allowed to trade (alcohol with all its well-documented social problems) into the early hours. As a local resident and one who will no doubt witness the fallout of late night drinking, I must offer my objections to this particular aspect of the licence application.

The new owners have clearly set out a business plan to sell alcohol and to maximise the time they can sell this. Despite being a community facility and located within the community's residential area they are presenting limited respect to this community and putting their pursuit of alcohol sales far above their desire to fit into the community and establish themselves as a long term community asset.

Furthermore, we are regularly told how, due to government cut backs, policing in Hampshire has been stretched to the limit and probably concentrated in our county cities. I do not have the confidence in the police that they have the resources to manage the likely fall-out from a late night establishment such as this.

Kind regards

Roger Middle

Sent from my iPhone



5 Hamilton Place
Anchorage Way
Lymington
SO41 8JR

May 2, 2019

New Forest District Council, SO43 7PA



Dear Sir/Madam,

Re Variation of Premises Licence The Fusion Inn, Queen Street


Lymington is a sleepy, quiet coastal town attractive to a large retired population and young families, both resident and tourists. The requested variation flies in the face of everything that this town values and stands for. It may also serve as the cuckoo in the nest to further undesirable applications. In the strongest possible terms I urge you to refuse this application and any clever variation they may subsequently concoct.

I also draw your attention to a few additional points.

1. The late night drinking and music offered by the King's Head and Wetherspoons on the High Street already make more than sufficient noise and disturbance and more than amply supplies the needs of the few local residents who have need of such services. There is absolutely no need to add to the existing supply. It is time to draw the line.
2. The only likely clientele of Fusion will be outsiders from surrounding areas, so we should anticipate no benefit to the local community ... only pain.
3. The services and timing being proposed by Fusion will cause drunkenness, noise, criminality, illegal parking, dangerous driving/death and our police, at local resident expense, will have to pick up the tab. This is grossly unfair and just plain stupid.
4. The only beneficiary of this application will be Star Pubs and Bars (based where I wonder ... almost certainly not local) who selfishly think only of cash (probably not taxed) in their own pocket and are never required to pick up the tab of the consequential costs in the community. This is so typical of our failing economic system.
5. As intimated above, this is a no-win either to the residents or the local council and its budget. Approval of this application will smack of the same bureaucratic/insider qui bono as our government's treasonous EU withdrawal agreement. The time when political power elites can abrogate any leadership role and simply bow to the lobby, whilst ignoring their electorate, is over.

In short, there is nothing here of benefit to Lymington residents/your electorate/the hands that feed you. I strongly urge you to deny this application and any of its concocted follow-on alternatives (they have shown their hand and are not to be trusted). In the event that you go ahead with approval please be kind enough to let me know the names of the individuals and their titles who approved the decision, which I assume should be available either under the freedom of information act or simply out of an honourable commitment to integrity and accountability.

Sincerely,



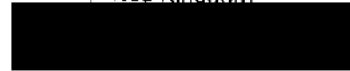
Anthony Pickance

Licensing Dept.
NFDC
Lyndhurst
SO43 7PA

530



Peter W & Helen Smith
The Attic, 11 Roundhouse Mews
Lyminster, Hampshire, SO41 9NL;
United Kingdom



Dear Sir/Madam

Re: StarPubs - application to change terms of licence for the premises on Queen Street Lyminster

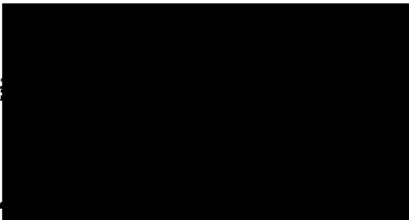
We write to register our strenuous objection to any change of terms of licence for this soon to open again pub. In particular, late night opening and use of the garden after a reasonable time of night.

We reside 3 doors away and already suffer from excessive noise from the Kebab house on Queen as well as some noise from the Thomas Trip (though this is reasonable).

I add that I suffer from advanced Cancer and it is important that I get a good nights sleep.

With thanks,

Yours s



Peter and Helen Smith

531

23 St. Thomas Park
Lymington,
Hants. SO41 9NF



1st May 2019

Dear Sir/Madam,

Reference to: Licensing application for The Sail/Fusion Inn
Queen Street, Lymington



The above application to vary the opening hours/days resonates poorly with us as this is predominately a residential area and to extend already generously relaxed opening hours further, seems utter madness in an area such as this, and it is to be hoped that the music referred to is kept at such a level as to be tolerable late into the early hours. Our objections also extend to the extra noise that all will experience at even later hours at the premises final closing time as rowdy drinkers make their way home.

We therefore would like to express our strongest disapproval and object to these extended hours and variation of this license.

Yours faithfully,



David and Cheryl Lawrence

532

26 BELMORE LANE
LYMINGTON
HAMPSHIRE SO41 3NJ



2 May 2019

New Forest District Council
Licensing Section
Appletree Court
Beaulieu Road
SO43 7PA



Dear Sirs

Variation of Premises Licence – Fusion Inn (TBK as The Sail Inn) – Queen Street

I have recently read that there is a new venture due to open in Queen Street on the site of the old Fusion Inn. Also I read that there is an ongoing application for variation of a premises licence. I feel very unhappy at the prospect of closing times becoming half midnight Sunday to Thursday and 2.30am the following mornings for Friday and Saturday nights.

I live in Belmore Lane opposite Queen Street – metres from this venue - and it has been a really peaceful place since The Fusion Inn closed down. No more fights outside the pub with police, ambulances, bouncers etc, no crying and vomiting kids slumped outside my bedroom window in the early hours, no running fights and shouting down our road, no more broken wing mirrors and dented car bonnets from folk leaving the pub a bit worse for wear and messing about. My car has suffered from both these things in the past – bonnet still dented. The houses on Belmore Lane do not have front gardens so all this activity takes place right next to our homes and right outside our windows. On more than one occasion I have offered to telephone for help when young folk have been lying down being ill between the cars or on the pavement.

I do think that Lymington needs a good live music venue but I also think that 11.30 is late enough on any day. Essentially, without using the word, what is being requested is a licence for a nightclub on our doorstep. I do not think that this is fair to the local residential community who pay a premium to live in a charming and peaceful Georgian town. We will obviously get the fights, the noise and all the 'end of the evening' behaviour again but I would entreat you not to allow this to happen to us at 2.30am every single weekend. This means that the departing noise etc would go on until at least 3am. It really doesn't bear thinking about.

I hope that an agreement can be reached that will suit everyone and I look forward to hearing what gets decided.

Yours faithfully


Lucy Williamson



533

MRS. M. WARNE
28. Belmore Lane
Lymington
SO41 3WJ

3rd May 2019.



Dear Sir/Madam,

re Variation of a Premises Licence
- Premises TBK The Sail Inn, Queen St
Lymington SO41 9NG

I strongly object to the above licence being granted. Normal public hours should be sufficient.

The amount of problems caused by the fusion on late nights was awful. We pay a lot to live in Lymington & have had to suffer a great deal of noise & damage to our vehicles etc through late night revellers.

Please have some consideration for the residents in this area.

Many thanks

Yours faithfully



534



3 Hamilton Place, Anchorage way, Lymington SO41 8JR

New Forest District Council
Licensing Section
Appletree Court
Beaulieu Road
SO43 7PA



3rd May 2019

Dear Sirs

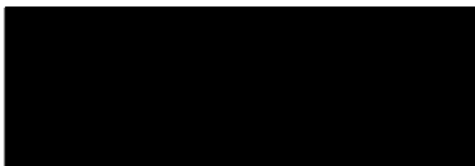
Re: Notice of application for variation of a premises licence – Star Pubs & Bars Ltd., The Fusion Inn, (TBK The Sail Inn) Queen Street, Lymington SO41 9NG.

I register my objection to the application.

This establishment is in a residential area and was closed down previously. Local residents were subjected to screaming, shouting, fighting and other antisocial behaviour when patrons exited at unsociable hours and the police were called on many occasions. The proposed closing times of .30 hours and 2.30am are totally unacceptable and will result in the return of this antisocial behaviour and disturbance. There is already another public house in the same street and the limited parking nearby is already strained. Even if the establishment has sound proofing, doubtless in the summer the doors will be open and when local residents will wish to have their bedroom windows open, they will be subjected to loud music and disturbance when patrons are leaving.

Please consider this application very carefully. Lymington is a delightful town and we wish it to remain that way.

Yours faithfully



Jean M. Thomson (Miss)

P.S.

The many residents of flats and townhouses in the Anchorage Way retirement community and surrounding streets have not received formal notification about these plans, and applications. Objections will follow I believe.

535

30 Middle Road,
Lymington,
Hants.
6 May 19

Dear Sir or Madam,

I wish to register my objection to the proposed granting of a licence to sell alcohol, & the very late closing times of "The Sail" Inn Lymington.

This public house has a history of causing misery, disturbance & anxiety to the nearby residents in what is a high density housing area.

I cannot imagine that "The Sail" would be any less of a nuisance. The nearby Weather-spoons was also supposed to be a family pub & yet has bouncers outside as groups of young people gather outside smoking & being very noisy.

The Kings Arms, which is just around the corner, is somewhere where one feels uncomfortable walking past in the evening.

I believe it would be very unfair to grant this proposal.

Yours faithfully,



Mrs P Rogers
Mr G Rogers



536

New Forest District Council, SO43 7PA

Dear Sir/Madam,

Re Variation of Premises Licence The Fusion Inn, Queen Street

Lymington is a sleepy, quiet coastal town attractive to a large retired population and young families, both resident and tourists. The requested variation flies in the face of everything that this town values and stands for. It may also serve as the cuckoo in the nest to further undesirable applications. In the strongest possible terms I urge you to refuse this application and any clever variation they may subsequently concoct.

I also draw your attention to a few additional points.

The late night drinking and music offered by the King's Head and Wetherspoons on the High Street already make more than sufficient noise and disturbance and more than amply supplies the needs of the few local residents who have need of such services. There is absolutely no need to add to the existing supply. It is time to draw the line.

The only likely clientele of Fusion will be outsiders from surrounding areas, so we should anticipate no benefit to the local community ... only pain.

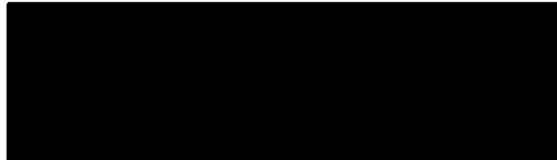
The services and timing being proposed by Fusion will cause drunkenness, noise, criminality, illegal parking, dangerous driving/death and our police, at local resident expense, will have to pick up the tab. This is grossly unfair and just plain stupid.

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In short, there is nothing here of benefit to Lymington residents/your electorate/the hands that feed you. I strongly urge you to deny this application and any of its concocted follow-on alternatives (they have shown their hand and are not to be trusted). In the event that you go ahead with approval please be kind enough to let me know the names of the individuals and their titles who approved the decision, which I assume should be available either under the freedom of information act or simply out of an honourable commitment to integrity and accountability.

Sent from my iPhone



1, Hamilton Place
Lymington
SO41 8JR



537

It is recommended that representations are made on the following form.

Representation form for other persons

Full name

Peter D Ratcliffe

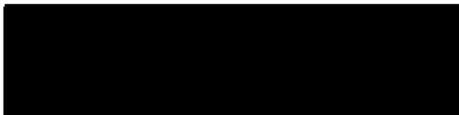
Title

Mr

Home address

3 Westgate, St Thomas Park, SO41 9NJ

Email address



Phone number



Name of premises you wish to make a representation about

The Sail Inn

Address of premises you wish to make a representation about

Queen Street, Lyminster, SO41 9NG

Which of the four licensing objectives does your representation relate to?

()

Tick

Please add full details of your concerns regarding the application and include any evidence to support your representation.

Please use separate sheets if necessary

Prevention of crime and disorder

Tick

After the consumption of alcohol there is always potential of crime eg drink drive, and driving without due care. The public car parking is in St Thomas Park.

Again, after consumption of alcohol, there is the potential for disorder, this has been a concern in the area, and the response from a 999 call is often hours.

Public safety

Tick

Careless/Drunk driving from a public car park is a Public Safety issue to pedestrians and residents alike

Prevention of public nuisance

Tick

The movement of vehicles and groups of public exiting the area after all day and late night consumption of alcohol causes a Public Nuisance to residents in the area . A large number of residents owning properties are retired and would not benefit from the application.

Protection of children from harm

Tick

How would “ Children” be protected from harm in an establishment that serves alcohol and music ,Live or broadcast.

Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?

If yes – please give details below

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

Will you be prepared to attending a hearing?

Yes

Please circle

I acknowledge that my representation will form part of a public document at a hearing,

(personal telephone numbers, email addresses and signatures will be redacted)

Please initial

Signature

date

Peter D Ratcliffe

6th May 2019

Licensing Services privacy notice can be viewed on the Council's website at

<http://www.newforest.gov.uk/article/18315/Licensing-Services-Privacy-Notice>

Please return this form along with any additional sheets / supporting information to : licensing@nfdc.gov.uk or post to

Licensing Manager

Licensing Services

Appletree Court

Beaulieu Road

Lyndhurst

SO43 7PA

Phone: 

538

Mr BG BAKER
12 Roundhouse Mews
LYMINGTON
Hampshire
SO41 9NL

4 May 2019

NFDC Licensing Committee

Representation: Fusion Inn - Variation of Premises Licencing Application 09/04/19

1. **Representation.** As an interested party, residing in a property adjacent to the Premises, I wish to register my objection to the application for a variation in premises licence by Star Pubs & Bars Limited for The Fusion Inn, Queen Street, Lymington, SO41 9NG dated 09/04/19. The proposed variation will result in overall harm to the public good (evidenced by my experience of the results of the terms of the existing license) by effecting the promotion of the following licensing objectives:

- a. The prevention of crime, disorder and anti-social behaviour,
- b. The prevention of public nuisance,

within a mixed business and residential area which is already populated with a licensed premises offering extended opening hours and live music¹.

2. **Crime, disorder and antisocial behaviour.** As a result of the operation of the premises under the current license the following anti-social behaviour² is witnessed routinely in Queens Street at all hours: nuisance, rowdy or inconsiderate behaviour, vandalism and graffiti, street drinking and littering. Crime and disorder (abusive and violent behaviour) was witnessed periodically particularly leading up to and post closing time³. The proposed extension of hours is likely to increase these occurrences in both volume and potentially severity.

3. **Public Nuisance.** As a result of the operation of the premises under the current license excessive noise is routinely experienced from the following:

- a. the premises itself (customers and music).
- b. customers queuing for, entering or leaving the premises, and loitering in Queens Street, often up to 1 hour after closing time.
- c. customers entering or leaving via St Thomas Park.

The noise nuisance has most impact late-evening or early morning when attempting to sleep or sleeping. The proposed extension of hours is likely to increase the period of disturbance to residents potentially up until 01.30 Weekdays and 03.30 on Saturday and Sunday mornings.

¹ The Thomas Tripp Public House is located directly opposite The Fusion Inn.

² As defined at www.Police.uk.

³ It is noted the Hampshire Constabulary currently recognise an area adjacent to the Fusion Inn as a current policing priority. www.Police.uk.

4. **Responsible Licensee.** It is highlighted to the Committee that The Fusion Inn is not currently being operated and as such the application for extended hours is in the context of no existing proof of the responsible supervision by the licensee of the sale and supply of alcohol, further risking the promotion of the following licensing objectives.

5. **Appropriate License Controls.** Given the above concerns / observations the following license controls would be seen as appropriate:

a. Refreshments, Music and Films no later than 22.00 Sunday, 23.00 Monday – Thursday, 23.59 Friday and Saturday.

6. I am prepared to attend any hearings if available and I acknowledge that my representation will form part of a public document at a hearing,

Yours Faithfully

(Original Signed)

BG BAKER

539

Christa Ferguson

From: [REDACTED]
Sent: 07 May 2019 09:54
To: Licensing e-mail address
Subject: application to extend licensing hours, The Sail Inn, formerly the Fusion Inn, Lymington.

Dear Sirs

I have received a notice through my letter box concerning the above. The purpose of this e-mail is to object in the strongest possible terms to this application. For some 34 years I have been the owner/occupier of 29 Southampton Road, Lymington and I have long experience of what happens after the said venue reaches closing time. In recent years when it was the Fusion Inn things were not so bad because the venue closed reasonably early and it was in the main a restaurant. However the same was not the case when it was known as the Black Cat. At closing time which was long after 23.00 large numbers of drunken young people would trapse in gaggles up Southampton Road, sometimes rowing and fighting, screaming young girls, totally disrupting the sleep of the residents and making them fear for their safety. Regularly rubbish such as packaging for take away meals, condoms and bottles were tipped everywhere including into the front gardens of the homes along Southampton Road. On one occasion I even found a hypodermic needle. The Black Cat itself was a semi night club and it seems as if this is what is proposed here. The longer the drinking hours permitted the more drunk people will get and the worse will be the problem. Many of the discarded bottles ended up broken risking punctures to the tyres of cars and personal injury. Compared to the days of the Black Cat we simply do not have the police presence that we used to have.

If this application is granted it will provide a a nightmare to those who live close by and have to endure the nuisance. Southampton Road is totally residential and not typical of a town centre.

Best regards

Jean Corbett

S40

Christa Ferguson

From: [REDACTED]
Sent: 07 May 2019 10:04
To: Licensing e-mail address
Subject: application to extend licensing hours of the Sail Inn, formerly the Fusion Inn, Lymington

Dear Sirs,

I have just seen the e-mail setting out objections to the above sent to you by Mrs. Jean Corbett of 29 Southampton Lymington, sent from my e-mail address. The purpose of this e-mail is to add my support for what she has said in its entirety. Although I live at Shepherds Cottage, Breamore, Fordingbridge, Hampshire, Mrs Corbett has been a friend of mine since 1989 and I have visited her regularly and stayed over night and therefore have myself first hand experience of what she has said. In the days of the Black Cat things were a nightmare. It was impossible to sleep until the raucous behaviour had died down which if this application were to be granted would probably not be until around 04.00 am.

As an NFDC resident and council tax payer please add my strongest objections to this application.

Best regards

Richard Gray

541

Christa Ferguson

From: nicola watson [REDACTED]
Sent: 07 May 2019 08:11
To: Licensing e-mail address
Subject: Objection to public license bid, Sail Inn SO41 9NG

I am writing to object to the licensing application made for the former Fusion Inn, Queen St, Lymington.

This is a primarily residential neighborhood and therefore to extend the existing licensing hours is unacceptable bearing in mind the noise pollution, rubbish pollution, vandalism and general disruption this will inevitably incur.

Therefore I object to the Sail Inn being allowed to open to 2.30am and 00.30am on weekdays. I object to it being allowed to play music until 00.45am and 11pm during the week for the above reasons.

Yours sincerely

Nicola Watson
2 Eastern Road
Lymington
SO41 9HG

542

Sarah Herringshaw

From: Lee Butler <[REDACTED]>
Sent: 05 May 2019 17:01
To: Licensing e-mail address
Subject: Pub licence bid. Former Fusion Inn, Queen Street, Lymington.

Good afternoon

I would like to object strongly to this pub licensing application. As a resident in Southampton Road I know it would add to the disturbances already experienced. A venue with extended hours could only exacerbate the noise and nuisance of people coming out of the pub into the street right outside my house, now usually around 11pm to midnight, which if this licence was allowed would basically be until 3am or beyond. This is totally unacceptable!

Regards

Lee Butler

Sent from my iPhone

543

Sarah Herringshaw

From: ORTON, Mark (NEW FOREST MEDICAL GROUP) [REDACTED]
Sent: 05 May 2019 13:33
To: Licensing e-mail address
Subject: Objection to extended licensing Sail Inn, Queen Street

Dear Sir

I wish to object to the application to extend the existing Licensing hours.
This is a residential area. The existing licensing hours create disturbance at closing hours both in terms of noise and there have been instances of vandalism to cars parked in Southampton road.
Extension of the hours will cause an extension of this disturbance for local residents.
I live in Southampton road.

Thanks

Mark Orton
General Practitioner
New Forest Central Medical Group
Surgeries at Sway & Brockenhurst
[REDACTED]

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For more information and to find out how you can switch,
<https://portal.nhs.net/help/joiningnhsmail>

544

Sarah Herringshaw

From: EDWARD TODD [REDACTED]
Sent: 03 May 2019 15:49
To: Licensing e-mail address
Subject: The Sail Inn, Queen Street, Lymington SO41 9NG

Dear Sir/Madam,

I am writing to express my objection to the 'Variation Premises Licensing' application for the Sail Inn, Queen Street, Lymington.

I believe the existing live and recorded music and alcohol serving days/hours are already unusually long and inappropriate for this part of Lymington which is mainly residential.

I am particularly concerned about the removal/alteration of existing Annex 2 conditions as these include noise level monitoring devices and, at least some, measures to discourage excessive drinking.

I am a resident of nearby Wykeham Place and I believe any relaxation of existing restrictions will cause disturbance, increase crime and drunk and disorderly behaviour at this quiet end of town.

Yours faithfully,

Edward Todd (10 Wykeham Place)

645

Sarah Herringshaw

From: Paul Cox [REDACTED]
Sent: 04 May 2019 07:32
To: Licensing e-mail address
Subject: License application Fusion Inn - objection to 2.30am closing

Hi

We'd like to object to the application for a license running to 2.30am on the weekends for the pub known as The Fusion Inn on Queen Street Lymington. We have seen conflicting stories with the applicant stating in the local press that it was to be a family focused pub and won't be opening later than 12 midnight yet we have been informed of an application for a 2.30am license.

We want to object as we do not believe this late opening is warranted due to the possibility of people leaving the premises in the early morning potentially causing a disturbance, making noise for the local residents and the potential for trouble given the extended time for drinking.

Whilst we don't live on Southampton Road but next to on Eastern Road, we can still hear people coming back from town late at night which can impact our sleep and are therefore concerned about this application to increase hours at this location.

Regards

Paul and Antonia Cox
46 Eastern Road
Lymington
SO41 9HG
[REDACTED]

To: Licensing e-mail address

Subject: The Sail Inn, Queen Street, Lymington SO41 9NQ - Variation Premises Licence (S34) dated 09/04/2019

I wish to object to certain aspects of the Application made for The Sail Inn as follows:-

OPENING HOURS; The premises are in a mixed commercial and residential area and the immediate surrounding area is predominantly residential.

I consider the late Premises Opening Hours would extend noise from film, live music and recorded music to an unacceptable time past midnight, with possible disturbance to local residents in the early hours of some mornings.

Also, the provision of late night refreshments and sale and supply of alcohol beyond midnight would possibly lead local residents being subjected to noisy behaviour from premises customers leaving at anti-social hours of the night.

OTHER LICENSED PREMISES:- I think the Premises Opening Hours should fall in line with The Thomas Tripp (directly opposite) and the Kings Arms (St Thomas Street) and The Six Bells (ST Thomas Street). All three premises close each evening at 23.00 Monday to Thursday, 00.00 Friday and Saturday, 23.00 Sunday.

The Sail Inn application closing times are 00.30 Monday to Thursday, 02.30 Friday and Saturday, 00.30 Sunday.

The application lists different late opening times for various service provisions and entertainment (excluding seasonal variations) that exceed 00.00, which I feel should not be approved for the reasons stated above.

Mr R Mudge
14 Middle Road
Lymington
Hants
SO41 9HF

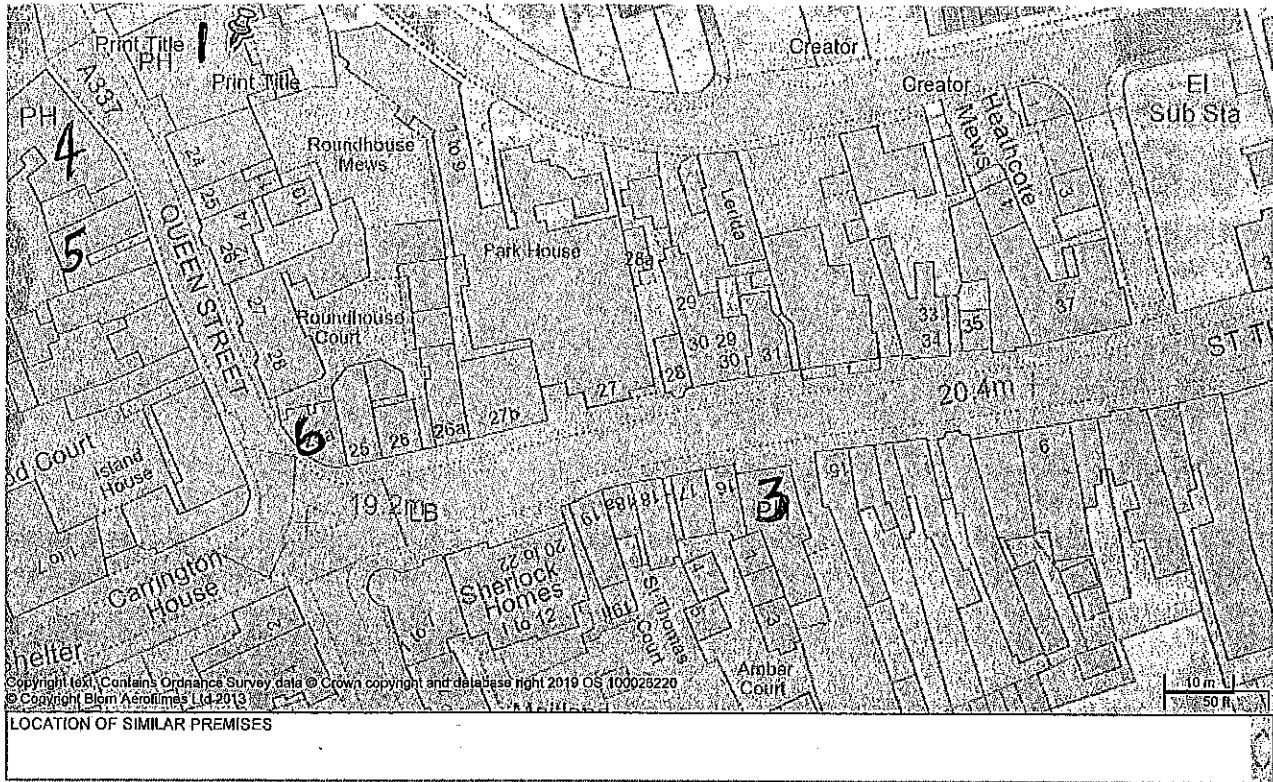
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www.newforest.gov.uk/emaildisclaimer

Our privacy notice can be read here: <http://www.newforest.gov.uk/article/4549/Privacy-Notice>

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1	The Sail Inn
2	The Six Bells
3	Kings Arms
4	Thomas Tripp
5	Kebab House
6	Lymington Lobster and Burger Bar

Trading hours of licensed premises surrounding The Sail Inn (formerly The Fusion).

Premises	Licensable Activity	Hours	Opening Hours
The Six Bells (J D Wetherspoon)	Late Night Refreshment	Friday and Saturday 23:00hrs to 00:00hrs	Monday to Thursday and Sunday 08:00hrs to 23:30hrs Friday and Saturday 08:00hrs to 00:30hrs
	Sale of alcohol	Monday to Thursday and Sunday 09:00hrs to 23:00hrs Friday and Saturday 09:00hrs to 00:00hrs	
Kings Arms	Films, Indoor Sporting Events Recorded Music	Monday to Sunday 08:00hrs to 01:00hrs	Monday to Sunday 08:00hrs to 01:00hrs
	Live Music, Anything similar	Monday to Sunday 19:00hrs to 23:00hrs	
	Late Night Refreshment	Monday to Sunday 23:00hrs to 00:30hrs	
	Sale of alcohol	Monday to Sunday 08:00hrs to 00:30hrs	
Thomas Tripp	Live Music, Recorded Music, Performance of Dance, Similar	Wednesday to Saturday 20:00hrs to 23:00hrs Sunday 20:00hrs to 22:30hrs	Monday to Sunday 08:00hrs to 01:30hrs
	Sale of alcohol	Monday to Sunday 08:00hrs to 01:00hrs	PTO/.....

<p>Kebab House</p>	<p>Late Night Refreshment</p>	<p>Monday to Sunday 11:00hrs to 23:45hrs</p>	<p>Monday to Sunday 23:00hrs to 23:45hrs</p>
<p>Lymington Lobster & Burger Bar</p>	<p>Late Night Refreshment Sale of alcohol</p>	<p>Monday to Sunday 12:00hrs to 00:00hrs</p>	<p>Monday to Sunday 23:00hrs to 00:00hrs Monday to Sunday 12:00hrs to 00:00hrs</p>

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CONTINUE TO SITE >

Or wait...4s



'Pubs will prosper' under Heineken's proposed £50m investment

By Robert Mann [↗](#)

07-May-2019 - Last updated on 08-May-2019 at 08:25 GMT



Heineken's bold £50m investment programme, that will see the refurbishment of 150 pubs, has been hailed as a 'much-needed' boost to the industry.

The Morning Advertiser **reported last month** that the brewer and pubco giant had announced plans to invest the substantial figure, which will create an estimated 1,200 hospitality jobs, as well as seeing 150 pubs refurbished.

The world's second largest brewer has already siphoned £190m into the refurbishment of its estate since 2013 and now 150 more of its 2,700 sites have been earmarked for an average spend of £250,000 per venue.

Customer spend impact

Having already pumped millions of pounds into hundreds of its Star Pubs & Bars businesses over the past six years, its 2019 investment is set to become the most the Dutch brewer has ever spent on UK pubs.

Star Pubs & Bars managing director Lawson Mountstevens dubbed the significant investment as a "breath of fresh air" for the category and explained that such investment will help impact customer spend.

"Investment can impact customer spend quite dramatically indeed," said an enthused Mountstevens.

"The clear majority, if not all, will open up a quality food opportunity to attract a new type of punter.

"All our major investments are focused on a true transformation of the pub and, furthermore, the investment has got to work for the operator.

"Ultimately, they need to be able to deliver a plan in order to drive a sustainable business – otherwise it's a very poor investment for all involved."

Tender loving care

Focusing on investing in a mixture of Star and former Punch pubs, Mountstevens said that the investment comes at a time when attention must be given to pubs that had been neglected and uninvested in over the past five years.

He added that operators can make financial contributions themselves, dependant on the nature of the agreement, investment and style of pub.

"Regardless of all that, all the way through, we would have an outline view and vision in order to get the process moving," Mountstevens concluded.

"For example, if you think of someone that's quite new to running pubs, then we would probably take much more of a leading role.

"On the other hand, a more mature operator would have a clearer understanding of what they want and what they don't want."

The plans to spend a record amount on transforming dozens of its pubs in the UK comes as the Amsterdam-based brewer searches for growth opportunities in a mature market – even as the prospect of Britain leaving the EU looms.

The investment also comes at a time when almost one in four pubs have closed across Britain since 2008 – the Government's statistics agency said last November – bringing the total in the country to about 39,000.

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Or wait...10s



Heineken promises £50m for 150 pubs

By Nicholas Robinson [↗](#)

25-Apr-2019 - Last updated on 25-Apr-2019 at 08:18 GMT



Brewer and pubco Heineken has ring-fenced £50m to pump into 150 of its Star Pubs & Bars sites, a record sum for the business, which is estimated to create 1,200 jobs in the sector.

The company has already siphoned £190m into the refurbishment of its estate since 2013 and now 150 more of its 2,700 sites have been earmarked for an average spend of £250,000 per venue.

All aspects of the pubs lined up for investment will be considered, including gardens, kitchens, bars, snugs and toilets.

Star said bespoke refurbishments will be given to each pub to emphasise various characteristics, while environmentally friendly technology Smart Dispense will also be installed.

Refurbishments won't be about creating "a nicer pub", said the group, but about enhancing the customer experience and generating better returns for licensees.

The great British pub

“We believe in the great British pub,” said Heineken UK managing director David Forde. “We’ve invested just shy of £200m in the past six years into hundreds of our Star Pubs & Bars businesses.

“They all have bespoke refurbishments that respect the heritage of the buildings, keep the soul of the pub, and give a fresh and welcoming look for its locals.

“Pubs are the hubs of communities – they are where people meet, chat and laugh, where we enjoy everything from pub quizzes to karaoke, from a quiet pint to a fabulous home-cooked meal,” he continued.

“Some would have you believe the pub is in danger. We are in the business to keep pubs open and thriving, providing a boost to the local community.”

The Extraordinary Hare in West Hendred, Oxford, has already received £500,000 of investment, having been boarded up for four years.

The only pub in the village is now said to be thriving, with a new exterior, exposed brickwork and original fireplaces the focus of the renovation. Some 10 jobs have also been created in the community as a result.

Forgotten by many

Licensee Kate Hayden said: “The Extraordinary Hare had been closed for so long that it had been forgotten by many people.

“There’s plenty of competition and expectations are high, so changes had to be eye-catching to put it back on the map.

“The response has been amazing. Residents are delighted to have their local back and are using it for all sorts of different occasions.”



Chuffed: Extraordinary Hare licensee Kate Hayden

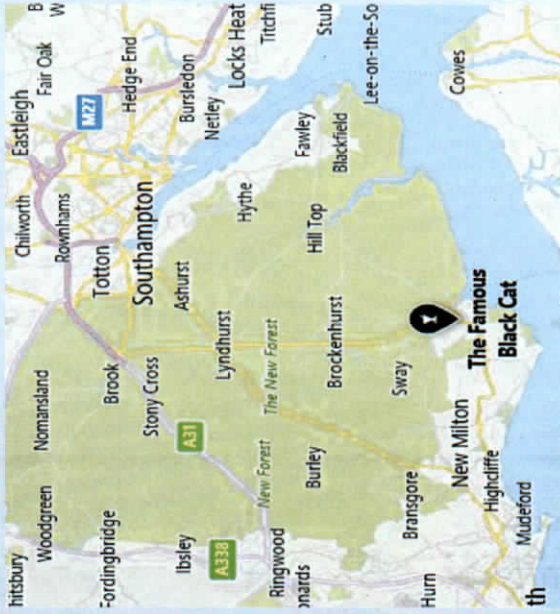
Chief executive of the non-for-profit scheme Pub is the Hub John Longden OBE said Heineken's investment in pubs was "extremely welcome".

He added: "With local shops and services closing in many parts of the country, pubs have an increasingly vital role to play as hubs of their communities.

"Heineken's continued investment to ensure its pubs remain relevant to the residents they serve."

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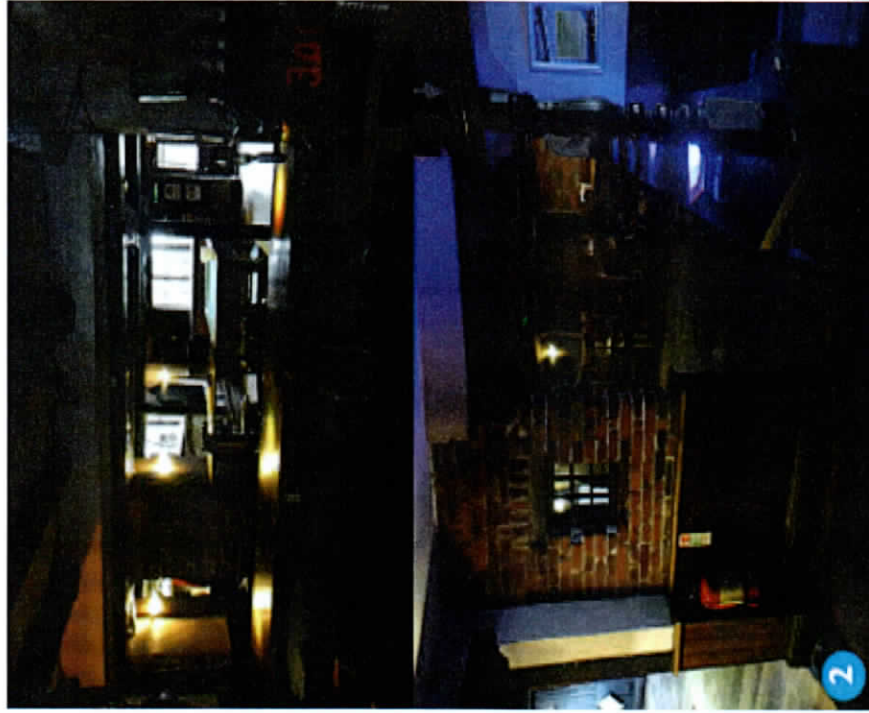
Capex Approval Doc

Black Cat Lymington

- Investment Proposal for £380k
- Moving from Closed to Premium Local

The Current State

[Link to more photographs](#)



COMPANY

Appendix 5 – Existing Photos

[Link back to slide 2](#)



Lessee Profile



Lessee/principle beneficial owner

Paul Smith and Sue Franklin

Current occupation

GM of a site called the Old Rooms in Weymouth. 1.5M turnover. Manages site for M&B.

Relevant experience

30 years pub experience. Has worked through from bar man, to Ass GM to GM. For the last 10 years has held GM status managing 4 venues across the country. Currently manages a team of 30 people. The Old Rooms is an impressive operation with great retail, service, food standards, customer service levels, hygiene and rhythm of the week.

Other pubs (financial interests/commitments)

No other interests. Will be handing in notice to run the black cat. 3 months notice period required. Will live on site with partner once capex is finalised.

Financials (where applicable)

Detailed financials submitted as part of business plan application. Accountant approved and in line with our capex forecasts.

Support network

Partner runs a social media company. She will manage marketing of site and the design and social platform. Paul will be operations. Has a support from his contacts generated through years of experience.

Business plan standouts

Well thought through and details BP submitted. Good understanding of position. Modern High St – Bar with great food. Trade through the day with focus on driving sales with different customers at different times.

Front/back of house operations

Paul Smith will be FOH, Sue will be FOH and BOH. Paul will recruit and manage staff, ordering, offer. Sue will create the platform for this.

Future prospects/ambitions

Both partners are keen sailors/yachters, having recently completed their chartering course. They want to live in Lymington and be more involved in this community whilst owning their own business.

The Proposed Scheme – External



COMPANY

The Proposed Scheme – Floor Plan

[Link to existing floor plan](#)



PART OF THE  HEINEKEN COMPANY

The Proposed Scheme



BAR SERVICE



LOCALS BARS



GARDEN DINING



PART OF THE 'HEINEKEN COMPANY

The Proposed Scheme



EXTERNAL COURTYARD

Fusion Inn (TBK The Sail inn), Queen Street, Lymington, SO41 9NG
Additional Proposed Premises Licence Conditions

1. Door staff shall be employed at the premises on Friday and Saturday whenever the premises trade after 01.00. Door staff shall commence no later than 23.00 and will remain on duty until 30 minutes after the premises are closed to the public to aid with the dispersal of customers

2. No new customers shall be permitted entry to the premises after midnight. Re-admission to existing customers to retrieve personal belongings and those who have gone outside to smoke is permitted

3. No customers shall be allowed to use any external area of the premises after 23.00 hours, except for customers permitted to temporarily leave the premises to smoke in the external area to the front of the premises. No drinks shall be permitted to be taken into the external area after this time

4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram

5. Full training shall be provided to all staff involved in the sale of alcohol on commencement of employment relating to prevention of underage sales of alcohol, proxy sales of alcohol to underage persons and sales of alcohol to a person who is drunk. Refresher training shall be provided at regular intervals – at least every 6 months. Records detailing the training provided shall be kept on the premises for a minimum of 12 months and be made available for production upon request by the Police and other officers of Responsible Authorities

George Domleo

From: Karen Cochrane
Sent: 27 April 2018 12:43
To: [REDACTED]
Subject: RE: Fusion Inn, Lymington Hampshire.

Dear [REDACTED]

I have forwarded your email to both the area manager and the estates manager and if I hear anything at all I will be in touch.

Kind regards,

Karen

Karen Cochrane
Solicitor

 Flint Bishop LLP St. Michael's Court, St. Michael's Lane, Derby, DE1 3HQ
 karen.cochrane@flintbishop.co.uk
 01332 226 148

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From: [REDACTED]
Sent: 27 April 2018 11:34
To: Karen Cochrane
Subject: Re: Fusion Inn, Lymington Hampshire.

I really appreciated your help here, Karen. I did not hear anything from your client Star Pubs and Bars Ltd but as the Fusion Inn is actually nothing to do with me, I am not surprised by this. After my contact with you the security people turned up 2 days later and I have seen them a couple more times here. There was

actually also a chap looking at the pub, considering taking this over although I have not seen him again since mid March. There is though a "squatter" now living in one of the sheds at the back of the Fusion Inn. It is a terrible mess there and not acceptable. The Department of the Environment of the New Forest District Council have been alerted as this is a health hazard now.

Please be kind enough to forward this to your clients again. None of us here can understand why Star Pubs did not simply just secure the gates at the back - both of which have now fallen off leaving the whole rear of the Fusion wide open.

best wishes



On 12/03/2018 10:53, Karen Cochrane wrote:

Dear 

I have forwarded your correspondence to my clients Star Pubs and Bars Ltd and asked that they contact you directly.

Kind regards,

Karen

Karen Cochrane
Solicitor

📍 Flint Bishop LLP St. Michael's Court, St. Michael's Lane, Derby, DE1 3HQ
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From: [REDACTED]
Sent: 10 March 2018 13:22
To: Karen Cochrane
Subject: Re: Fusion Inn, Lymington Hampshire.

Dear Karen,

TRUST ME I'M A LAWYER.

I was delighted, and so were my neighbours, to receive your e-mail of January 5th, 2018 informing me that - and I quote you " the lease has been signed and that work is due to start on site imminently". Well Karen, I know you meant well and your intentions sincere and so we had no reason to doubt your word - after all you are a lawyer ! We were optimistic that at last Star Pubs had found a new tenant and encouraged that the plan remains for the premises to be turned back, as you stated, in to a traditional "Great British Pub". But, Karen the harsh reality is that nothing has happened here in 10 weeks whatsoever - in fact the situation has deteriorated even further to the point where action has to be taken. [REDACTED]

[REDACTED] where thieves and con men run riot, I can only conclude that the Area Manager was telling massive Porky Pies - excellent Cockney rhyming slang to exclude those not in the now.

The Fusion Inn continues to crumble into an ugly eyesore, battered, neglected, grimy and derelict, a gaunt shell of a pub and a hideous blot on our landscape. The rear single gate lies hanging from one rusty hinge edged by broken glass since the debacle on New Year's Eve. Old beer barrels roll across the garden courtyard and rubbish accumulates in the storage area becoming a health and safety hazard. One month ago, a security man arrived, much to my surprise. I happened to be outside. He was taking over from the previous security man, whom we hardly ever saw. The new chap was looking for the key to get into the Fusion Inn as it had been left somewhere under a brick outside. He asked me if I knew which brick it was under. This incident alone deserves a Dad's Army award. None of us can understand why the Fusion Inn was not secured properly at the back in the first place. Matters though have got much worse.

Last Wednesday around 11.30pm I heard scuffling and shouting outside which came from the garden area and I think a couple of chaps were searching the storage huts. Last night there was a break in through the side window (one window is permanently open above the rear door) and the fear is that it now won't be long before rogue travellers - squatters - take over the Fusion Inn which has dangerous implications. It is our intention to do something about this before matters totally get out of hand.

I would ask you please to seriously get on the case. I hope that that you won't be fobbed off again with idle words from the Area Manager. I feel it would be more productive if I made contact with the Managing Director of Star Pubs - do you have his e-mail details ?

With best wishes

[REDACTED]

On 05/01/2018 09:50, Karen Cochrane wrote:

Dear [REDACTED]

I have received an email from the area manager to state that the lease has now been signed and that work is due to start on site imminently. Whilst I don't have a start date, the fact that I have been advised work will be starting asap is hopefully a good sign.

I understand that the plan remains for the premises to be turned back into a traditional "Great British Pub".

If I hear anything further I will let you know.

Kind regards,

Karen

Karen Cochrane

Solicitor

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From: [REDACTED]
Sent: 04 January 2018 12:34
To: Karen Cochrane
Subject: Re: Fusion Inn, Lymington Hampshire.

Thank you very much, Karen. I appreciate it is not your problem but we are at a loss as to what to do next. I feel that Star Pubs have been negligent. All they simply had to do was fit the missing gate - then lock the 2 gates with VPS as key holders here and there would have been no problem at all. The shed doors are wide open and clattering and broken glass is scattered near the rear entrance.

I wish you happy and successful 2018.

Best wishes



On 04/01/2018 12:22, Karen Cochrane wrote:

Dear [REDACTED]

I do apologise for the delay in responding to your email. I have been away over Christmas.

I have today forwarded your concerns to the area manager and asked for clarification as to what can be done to help.

I hope to be able to respond shortly.

Kind regards,

Karen

Karen Cochrane
Solicitor

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From: [REDACTED]
Sent: 28 December 2017 14:39
To: Karen Cochrane
Subject: Fwd: Fusion Inn, Lymington Hampshire.

Hi Karen

I feel you may have some influence with Star Pubs so if you do please speak to them about this appalling situation. I have heard that VPS do not do very much because their budget is very low from Star Pubs.

I wish you a very Happy New Year.

[REDACTED]

----- Forwarded Message -----

Subject: Fusion Inn, Lymington Hampshire.
Date: Thu, 28 Dec 2017 14:34:23 +0000
From: [REDACTED]
To: [REDACTED]

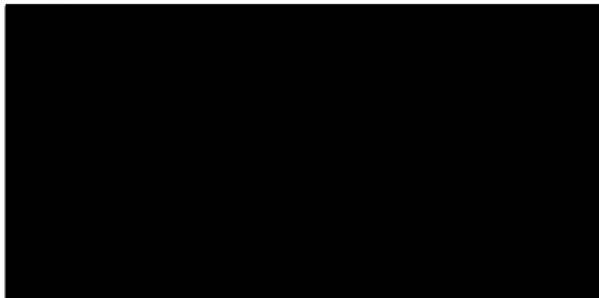
Dear Sir or Madam.

I am trying to get in touch with the person of the VPS company, which I believe is part of your Group, that has the agreement to oversee the security of the Fusion Inn in Lymington. This pub has been closed for many months now but the back courtyard garden is wide open with very poor security. The place is grim, derelict, decrepit and seriously delapidated now, and is a blot on the landscape. I gather Star Pubs are having great difficulty in finding a new tenant for the Fusion Inn. On

Christmas Eve there were several drunken youths celebrating Christmas, I assume, but their behaviour was out of order and a damn nuisance at 11pm. (or any time for that matter) The rear of the pub is open to the public as one gate fell off 3 years ago and was never replaced and the second gate is left swinging from one old broken rusty hinge, (the lack of gates is an infringement of their New Forest District Council license) This provided the opportunity for the troublemakers on Sunday evening to roll empty beer barrels across the old garden paving stones - they opened the 2 storage sheds, presumably for items to steal and they threw beer glasses across the courtyard and there is a lot of broken glass outside and the open shed doors clatter away. I have spotted on several occasions people dumping rubbish in the garden area which could create a health and safety hazard. The Fusion Inn has become an embarrassment amidst the elegant environment of Lymington.

I feel that Star Pubs urgently need to address this situation by liaising with your company before matters deteriorate even further.

I look forward to hearing from you.



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