

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

**APPLICATION TO VARY A PREMISES LICENCE
INDIA COTTAGE, 35 CHRISTCHURCH ROAD,
RINGWOOD, BH24 1DG**

Date and Time: THURSDAY, 13 FEBRUARY 2020, AT 10.00 A.M.

Place: COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
023 8028 5588 - ask for Andy Rogers
E-mail: andy.rogers@nfdc.gov.uk

These papers are also available on audio tape, in Braille, large print and digital format

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1. **APPLICATION TO VARY A PREMISES LICENCE - INDIA COTTAGE,
35 CHRISTCHURCH ROAD, RINGWOOD (Pages 3 - 70)**

THE RELEVANT PAPERS ARE ATTACHED

A large scale map of the premises will be available at the hearing

To: Members of the Sub-Committee:

Cllr Ann Bellows
Cllr Keith Craze

Cllr David Hawkins
Cllr Steve Davies (Substitute)

Parties to the Hearing:

Mr S A Mannan, Applicant

Objectors:

Mr and Mrs M J Gubbins
A & Z Sheen
C & M Vesty
L Wiltshire
T Brayer
S W Green
M Burton
J P & M T Tuck
P Humble
A Aguilar
J Hill

Copies for Information:

Cllrs J Heron and S Rippon-Swaine - Local Members

Ringwood Town Council

Licensing – C Ferguson

Environmental Health – R Higgins/J McClay

Legal Services – Miss G O'Rourke/M Wisdom/P Mwedzi/A Wilson

LICENSING SUB-COMMITTEE – 13 FEBRUARY 2020

APPLICATION TO VARY A PREMISES LICENCE

INDIA COTTAGE, 35 CHRISTCHURCH ROAD, RINGWOOD

1. INTRODUCTION

- 1.1 The purpose of the 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 being India Cottage, 35 Christchurch Road, Ringwood, BH24 1DG.

2. BACKGROUND INFORMATION

- 2.1 India Cottage is an Indian Restaurant situated on Christchurch Road Ringwood. The premises is within a conservation area and is surrounded by older properties. However, Elizabeth Court, a residential development has been built next door to the restaurant in recent years. A location plan is provided at **Appendix 1**. There are commercial properties opposite and along the road, as can be seen in photos 2, 3 and 4 in **Appendix 2**.
- 2.2 The premises has held a licence issued under the Licensing Act 2003 since November 2005, however, it had operated under previous legislation for some years. The restaurant can provide seating for 54 inside and the outside seating area to the rear of the property has been added to provide seating for approximately 16 additional patrons. There are also two dining beach huts to the rear of the property which can seat four persons in each. The roof of the external seating area is made of a corrugated Perspex construction and heaters are provided for customer comfort (see photo 10 in **Appendix 2**).
- 2.3 The outside seating area has existed for at least 6 years, albeit initially in the form of a pergola. However, there is no provision on the current licence for licensable activities in this outside area, which has been developed to provide improved facilities for customers. The application seeks to address this, as well as making additional variations to the current licence as set out below.
- 2.4 The doors to this outside area are of a bi-fold construction and can be opened to effectively merge the inside and outside when required.
- 2.5 Photographs of the property, front and rear are provided for Members as **Appendix 2**. These photographs also reference the properties of neighbours who have made relevant representations.
- 2.6 The photographs are described as follows:-
- Photo 1- Front of premises and neighbouring properties
 - Photo 2- Front of premises
 - Photo 3- Properties opposite
 - Photo 4- Church opposite
 - Photo 5- Car park and Elizabeth Court properties
 - Photo 6- Rear customer car park
 - Photo 7- Rear of premises looking towards entrance
 - Photo 8- Side view of outdoor seated area
 - Photo 9- View of outdoor seated area looking towards restaurant
 - Photo 10- Roof of outdoor seated area
 - Photo 11- Heater in outdoor seated area

Photo 12- Heaters
Photo 13- Restaurant and rear bi-fold doors
Photo 14- Bar
Photo 15- Covered outdoor seating area
Photo 16- Beach hut dining facilities
Photo 17- Rear of premises and bins

- 2.7 The applicant has also supplied further photographs of the outdoor seating area and has requested that these are included in the report, these are provided at **Appendix 3**.
Photo 1- External view at night
Photo 2- Beach hut dining
Photo 3- Illuminated bench seating
Photo 4- Bench seating and heater

- 2.8 The current premises licence (number 713) is provided as **Appendix 4** and it permits the following activities:-
Monday to Sunday 12:00 to 14:30 and 18:00 to 00:00
- Recorded music (Indoors)
 - Supply of alcohol (on the premises)

The opening hours of the premises are also Monday to Sunday 12:00 to 14:30 and 18:00 to 00:00

- 2.9 The current plan attached as Annex 4 to the licence is also provided, however this does not include the outside seating area. Mr Shadeq Ahmed Mannan is the Premises Licence Holder and also the Designated Premises Supervisor (DPS).

3. THE APPLICATION

- 3.1 On 23 December 2019 the Council received an application to vary the premises licence from Mr Shadeq Ahmed Mannan ('the applicant'). The application is attached as **Appendix 5** (blank pages removed).

- 3.2 The variation seeks the following:-

Live music (in and outdoors)

18:00 to 00:00 Thursday, Friday and Saturday

Recorded music (Outdoors)

12:00 to 14:30 and 18:00 to 00:00

Late Night Refreshment (in and outdoors)

23:00 to 00:00 Monday to Sunday

New plan submitted to include outdoor seated area and dining huts.

There are no proposed changes to the sale of alcohol or the opening times, the terminal hour for these being Monday to Sunday 12:00 to 14:30 and 18:00 to 00:00.

- 3.3 Members should note that legislative exemptions permit amplified or non-amplified live and recorded music to be played from 08:00 to 23:00 daily on any premises licensed for the sale of alcohol for consumption on the premises. However, any later or earlier times will need to be included on a premises licence.
- 3.4 This is a full variation application and, therefore, consultation by way of public notices and notification to the Responsible Authorities must take place during a 28 day period.

The application has been correctly advertised both on the premises and in the local newspaper, thereby fully satisfying the requirements under the Licensing Act 2003.

- 3.5 Within the application, (section M), the applicant submitted a number of conditions to be placed on the premises licence, should any or part of the application be granted. In accordance with Statutory Guidance issued under Section 182 of the Licensing Act 2003, conditions placed on a licence are required to be meaningful, precise, enforceable, unambiguous, prescriptive and clear. Therefore, these have been amended by the Licensing Manager and agreed by the applicant and are provided as **Appendix 6**. Amendments are also proposed to existing conditions which were included on the licence. Both sets of conditions are provided in the appendix and should be considered for imposition by Members in respect of any granted variation of this licence.

4. REQUIREMENTS FOR A HEARING

- 4.1 The Licensing Authority must hold a hearing to determine the application where relevant representations addressing the licensing objectives are made. These objectives being:

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

- 4.2 Members are referred to 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-revisedguidance-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) Home Office guidance;
- 4) The Council's own Statement of Licensing Policy.

5. REPRESENTATIONS RECEIVED

- 5.1 During the representation period the Licensing Authority received a representation from the Environmental Health Officer responsible for Environmental Protection, acting in the capacity as a Responsible Authority. The representation submitted by the Environmental Health Officer (**Appendix 7**) raises concerns with the use of the outside seating area for licensable activities until midnight, as applied for.
- 5.2 The Environmental Health Officer's recommendation is that the outside seated area should not be used to provide live or recorded music or hot food after 23:00. In addition, they state that, in their opinion, this outside area should also not be used by customers to consume alcohol after 23:00. A number of conditions have also been suggested to support the Prevention of Public Nuisance licensing objective.

- 5.3 There have been no other representations from other Responsible Authorities (save for comments by the Police asking for the current conditions to be re-visited in line with the Home Office Guidance) as included in **Appendix 6**.
- 5.4 A neighbour in Elizabeth Court has submitted a relevant representation objecting to the application. The neighbour further raises an issue regarding noise from the premises in the early hours of New Year's Day. Licensing records confirm that a temporary extension of hours was not received for this period. In addition, there is a relevant representation signed by the residents of the occupied flats in Elizabeth Court also objecting to the application. These are provided as **Appendix 7**. Both relevant representations raise concerns regarding public nuisance from noise at the premises.

6. THE HEARING

- 6.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations 2005. These Regulations 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 attend and have been provided with this report and the procedures 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.

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 the decision made by the Magistrates' Court.

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- Photographs of the premises and surrounding area
- Appendix 3- Photographs submitted by the applicant
- Appendix 4- Current premises licence number 713
- Appendix 5- Variation application
- Appendix 6- Revised conditions
- Appendix 7- Representations from Environmental Health Officer and neighbours

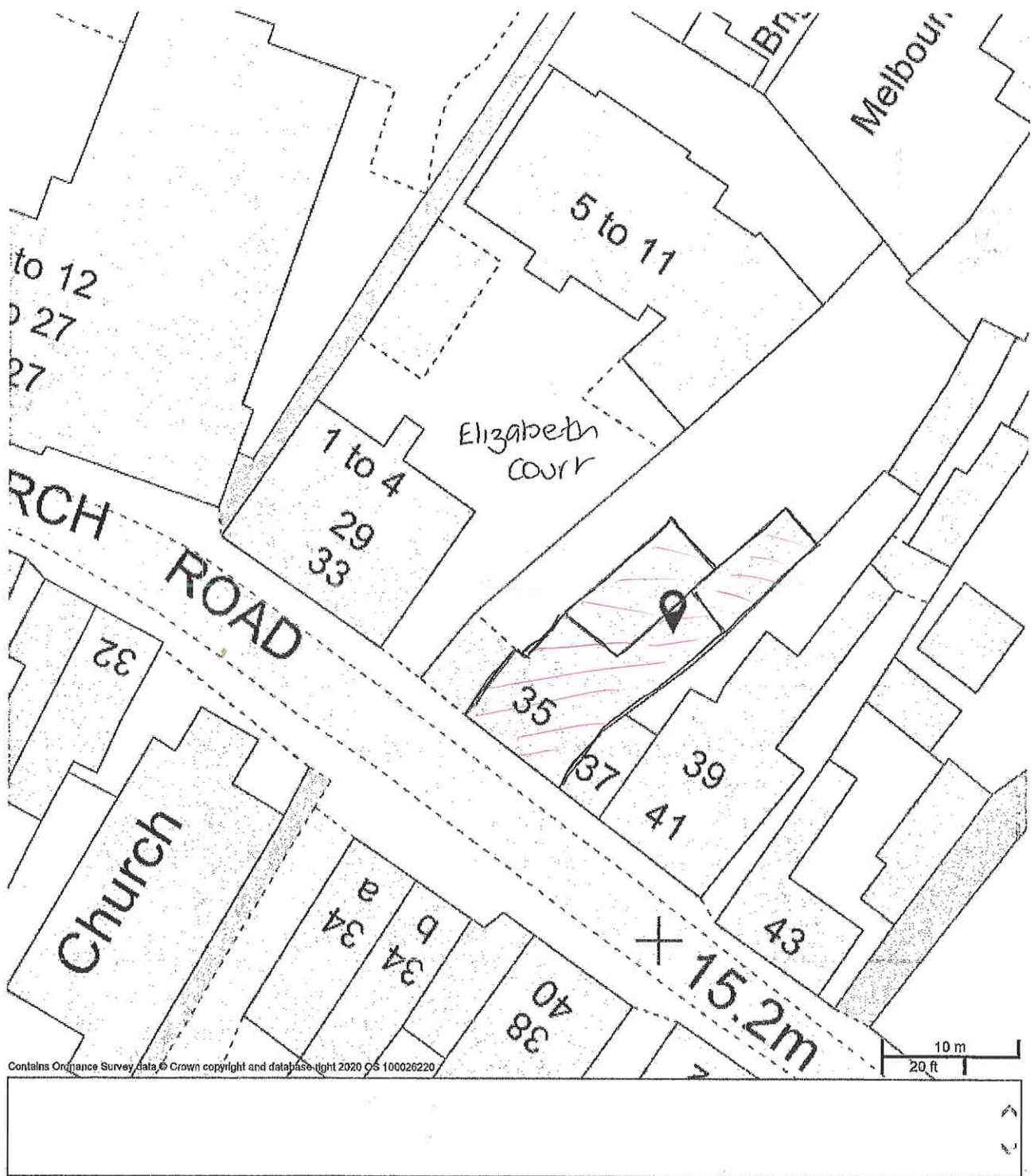
Further information:

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

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Print Title

Creator



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5. Car Park and Elizabeth Court Properties



7. Rear of Premises Looking Towards Entrance to Car Park









11. Heater in Outdoor Seating Area





13. Restaurant Near Bi-Fold Doors







15. Covered Outdoor Seating Area



16. Beach Hut Dining



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1. External View at Night

**APPENDIX 3
(Applicant Photos)**





2. Beach Hut Dining

3. Illuminated Bench Seating





4. Bench Seating and Heater

((t:6))

Licensing Act 2003

Premises Licence

Issued under Section 24 of the above Act

| | |
|--------------------------------|------------|
| Premises Licence Number | 713 |
|--------------------------------|------------|

Part 1 - Premises Details

| Postal address of premises, or if none, ordinance survey map reference or description | |
|---|--|
| India Cottage 35 Christchurch Road Ringwood Hampshire BH24 1DG | Map Ref (E): 414936.500524781 Map Ref (N): 105131.410648975 UPRN: 100062213705 |
| Telephone Number: 01425 473671 | |

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

| Licensable activities authorised by the licence |
|---|
| F) Recorded Music M) Supply of Alcohol |

| The times the licence authorises the carrying out of licensable activities | | | | |
|--|-------|---|---|---|
| F) Recorded Music | | Playing of recorded music may take place: | | Y |
| | | Indoors | | |
| | | Outdoors | | |
| | | Both | | |
| Day | Start | Finish | Further details: | |
| Mon | 12:00 | 14:30 | Un-amplified background music for guests. | |
| | 18:00 | 00:00 | | |
| Tue | 12:00 | 14:30 | | |
| | 18:00 | 00:00 | | |
| Wed | 12:00 | 14:30 | Seasonal variations: | |
| | 18:00 | 00:00 | | |
| Thur | 12:00 | 14:30 | | |
| | 18:00 | 00:00 | | |
| Fri | 12:00 | 14:30 | Non standard timings: | |
| | 18:00 | 00:00 | | |
| Sat | 12:00 | 14:30 | | |
| | 18:00 | 00:00 | | |
| Sun | 12:00 | 14:30 | | |
| | 18:00 | 00:00 | | |

| M) Supply of Alcohol | | | |
|-----------------------------|--------------|---------------|------------------------------|
| Day | Start | Finish | Seasonal variations: |
| Mon | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Tue | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Wed | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Thur | 12:00 | 14:30 | |
| | 18:00 | 00:00 | Non standard timings: |
| Fri | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sat | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sun | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |

| The opening hours of the premises | | | |
|--|--------------|---------------|------------------------------|
| O) Opening Hours | | | |
| Day | Start | Finish | Seasonal variations: |
| Mon | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Tue | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Wed | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
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| | 18:00 | 00:00 | |
| Sat | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sun | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence
 Shadeq Ahmed Mannan
 17 Talbot Hill Road
 Talbot Park
 Bournemouth
 Dorset
 BH9 2JT
 Telephone:
 Email:

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

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

Shadeq Ahmed Mannan
17 Talbot Hill Road
Talbot Park
Bournemouth
Dorset
BH9 2JT

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

N/A

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: 12/01/2009

Date licence commences: 24/11/2005

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

A Reynolds

CCTV & Licensing Manager
(Authorised Officer)

Annex 1 - Mandatory conditions

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.

Where licence authorises door supervision:

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

- (3) For the purposes of this section:
- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 - Conditions consistent with the operating schedule

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

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

The premises have a nominated premises supervisor to ensure that alcohol is not taken off the premises.

b) The prevention of crime and disorder

The premises have been in business in the town for over twenty years and have a good relationship with the local Police.

c) Public Safety

The premises have adequate lighting inside and outside. Clear exit signs and a seating capacity for forty five persons. The premises have a policy to exercise due diligence with regard to health and safety and fire.

d) The prevention of public nuisance

A smart/casual dress code policy applies.

The premises do not promote 'Happy Hour' drinking offers.

e) The protection of children from harm

The legal restrictions on the admission of children and do not serve alcohol to underage children.

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

N/A

Annex 4 - Plans

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

| | |
|------------------|-------------------------|
| Plan of Premises | |
| Plan/Drawing No: | |
| Date of Plan: | Plan approved 2/11/2005 |

((n))

((2))

Licensing Act 2003

Premises Licence Summary

Issued under Section 24 of the above Act

| | |
|--------------------------------|------------|
| Premises Licence Number | 713 |
|--------------------------------|------------|

Part 1 - Premises Details

| Postal address of premises, or if none, ordinance survey map reference or description | |
|---|--|
| India Cottage 35 Christchurch Road Ringwood Hampshire BH24 1DG | Map Ref (E): 414936.500524781 Map Ref (N): 105131.410648975 UPRN: 100062213705 |
| Telephone Number: 01425 473671 | |

| |
|--|
| Where the licence is time limited the dates |
| This licence is NOT time limited. |

| |
|--|
| Licensable activities authorised by the licence |
| F) Recorded Music M) Supply of Alcohol |

| The times the licence authorises the carrying out of licensable activities | | | |
|--|--------------|---|--|
| F) Recorded Music | | Playing of recorded music may take place: | Y |
| | | Indoors | |
| | | Outdoors | |
| | | Both | |
| Day | Start | Finish | Further details: |
| Mon | 12:00 | 14:30 | Un-amplified background music for guests |
| | 18:00 | 00:00 | |
| Tue | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Wed | 12:00 | 14:30 | Seasonal variations: |
| | 18:00 | 00:00 | |
| Thur | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Fri | 12:00 | 14:30 | Non standard timings: |
| | 18:00 | 00:00 | |
| Sat | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sun | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |

| M) Supply of Alcohol | | | |
|----------------------|-------|--------|------------------------------|
| Day | Start | Finish | Seasonal variations: |
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| | 18:00 | 00:00 | |
| Tue | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Wed | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Thur | 12:00 | 14:30 | |
| | 18:00 | 00:00 | Non standard timings: |
| Fri | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sat | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sun | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |

| The opening hours of the premises | | | |
|-----------------------------------|-------|--------|------------------------------|
| O) Opening Hours | | | |
| Day | Start | Finish | Seasonal variations: |
| Mon | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Tue | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Wed | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
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| | 18:00 | 00:00 | Non standard timings: |
| Fri | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sat | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sun | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |

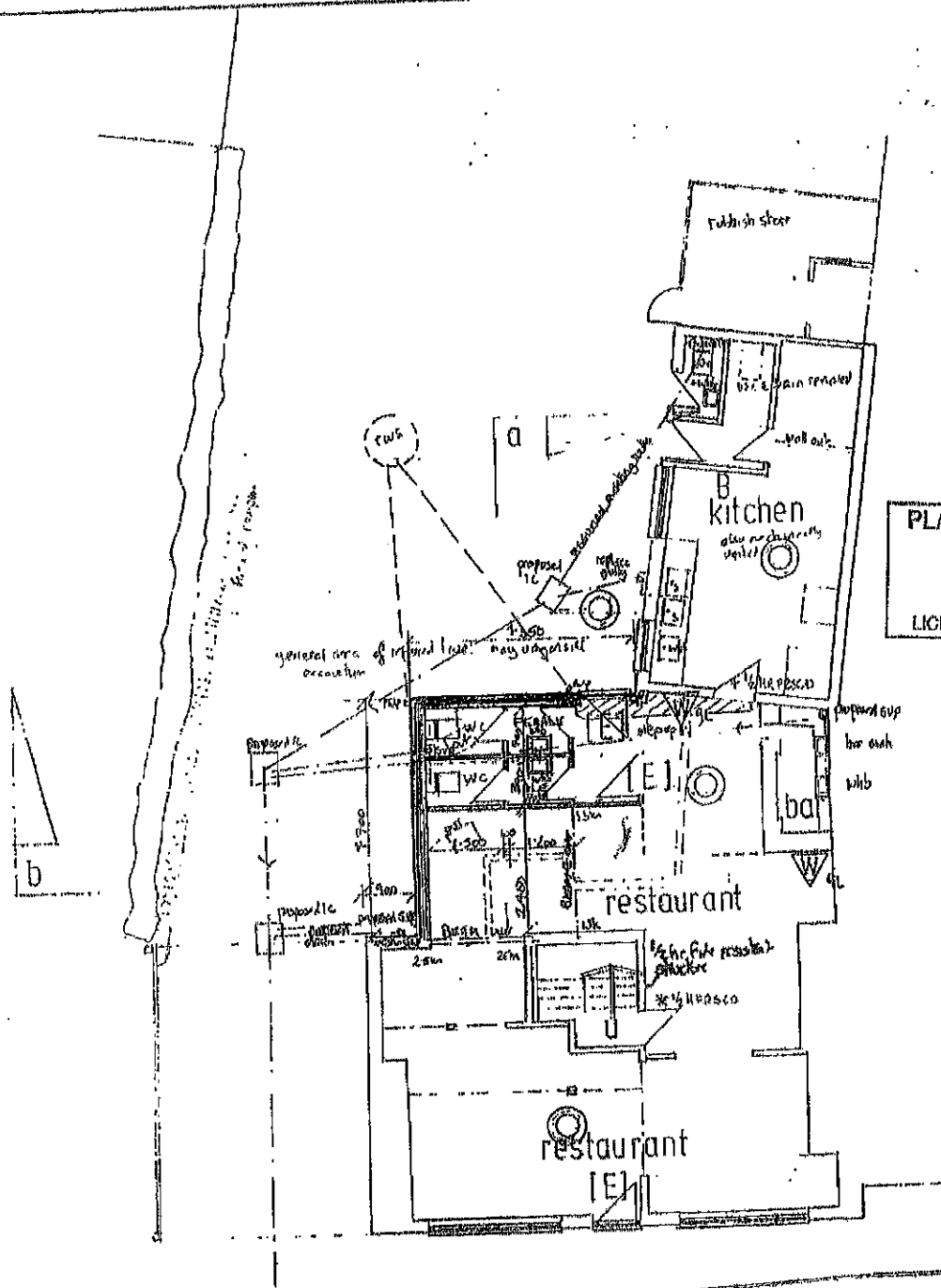
Where the licence authorises supplies of alcohol whether these are on and/or off supplies:
 Alcohol is supplied for consumption ON premises only

Name, (registered) address of holder of premises licence
 Shadeq Ahmed Mannan
 17 Talbot Hill Road
 Talbot Park
 Bournemouth
 Dorset
 BH9 2JT

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

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol
Shadeq Ahmed Mannan

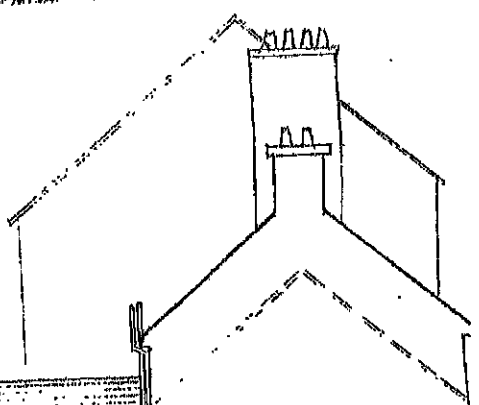
State whether access to the premises by children is restricted or prohibited
Not Restricted

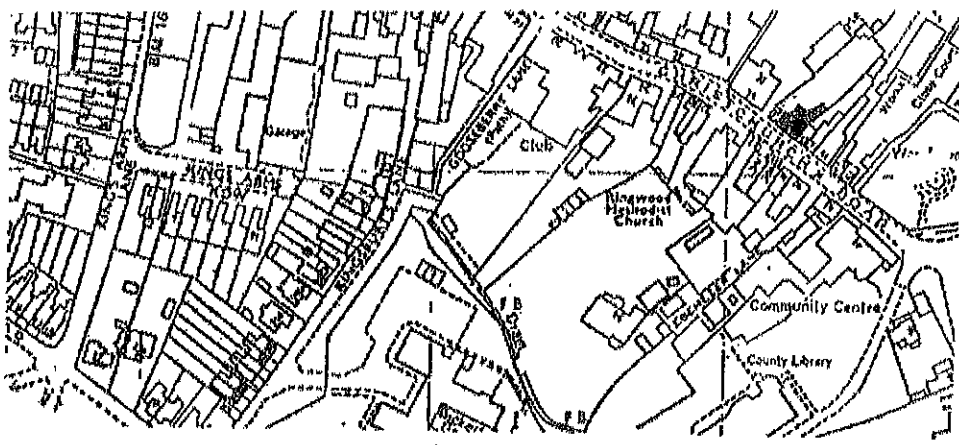


PLAN APPROVED
 -21.0V 35
 NFDC
 LICENSING SERVICES

ground floor

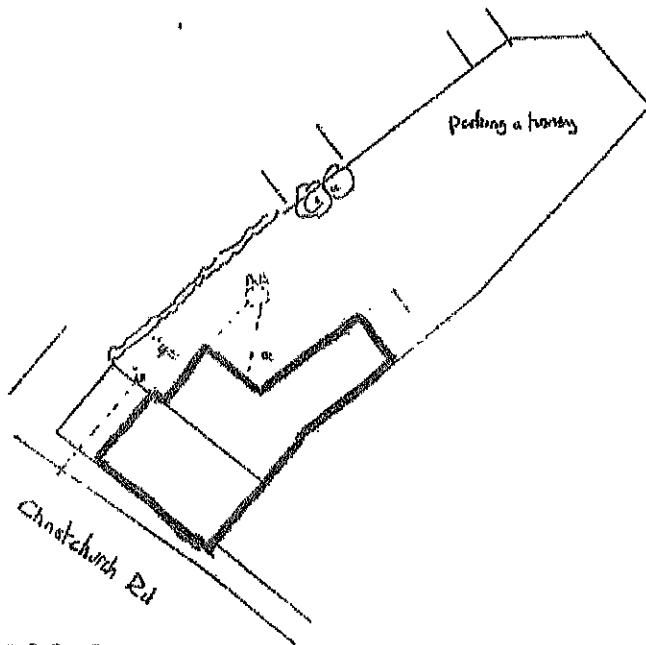
SCALE: 1/100





1/ 2500 location plan SU 1405

- ⊙ Emergency Lighting Points
- [E] 125 mm fire exit signs - green on white
- ▽_{9L} 9 Litre water type fire extinguisher
- B 2x1m fireblanket



1/500 Block Plan



- to Fl joists:
joists with
2" of etc. P.C.
board below
- 3) Internal Wall
block bonds
Wall between
x 100 mm p
lighten up
- 4) Floor:- se
concrete at
end laps
into 150 mm
by using
- 5) Flat Roof
roofing fel
clippings
by 150 mm
lead tray/
polyethylene
giving 1:4
plasterboard
joist is v
in etc.
- 6) Rainwater:
in hys con
can be or
from any
- 7) Drains to li
the local
taking into
it is propo
Proposed a
on mid sun
solid floor
over drain
in any way
cages form
code 4 la
by cladding
drains give
BS 8921.
H2 table 2
re-sealable
pvc waste
back inlet
pick up b
satisfactor

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.

I/We SADEQ AHMED MANNAN
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

| | |
|-------------------------|------|
| Premises licence number | 713. |
|-------------------------|------|

Part 1 – Premises Details

| | | | |
|--|----------|-------------------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description | | | |
| INDIA COTTAGE, RESTAURANT. 35 CHRIST CHURCH RD | | | |
| MAP REF (E) 414936.500 824781. | | UPRN-100062213705 | |
| " " (N) 105131.410 648 978 | | | |
| Post town | RINGWOOD | Postcode | BH24 1DG |

| | |
|---|---------------|
| Telephone number at premises (if any) | 01425 473671. |
| Non-domestic rateable value of premises | £ 7800.00. |

Part 2 – Applicant details

| | |
|---|----------------------------------|
| Daytime contact telephone number | [REDACTED] |
| E-mail address (optional) | [REDACTED] |
| Current postal address if different from premises address | 17 TALBOT HILL RD BOURNEMOUTH |
| Post town | BIMHAM |
| Postcode | BH9 2JT |

Chq: 005010

Kitlu Ltd

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

| DD | MM | YYYY |
|----|----|------|
| | | |

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

SEE ATTACHED

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

| |
|--|
| |
|--|

Part 4 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 all that apply

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

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

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

E

| | | | | | | |
|---|-------|--------|--|--|----------|-------------------------------------|
| Live music Standard days and timings (please read guidance note 6) | | | Will the performance of live music take place indoors or outdoors or both -- please tick (please read guidance note 2) | | Indoors | <input type="checkbox"/> |
| | | | | | Outdoors | <input type="checkbox"/> |
| | | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | | |
| Mon | | | WE ARE A SMALL RESTAURANT AND ONLY INTEND ON HAVING SOME PIANO OR SOMEONE TO SING, GENERALLY UN-AMPLIFIED TO CREATE AN AMBIENCE IN THE RESTAURANT. | | | |
| Tue | | | | | | |
| Wed | | | State any seasonal variations for the performance of live music (please read guidance note 4) | | | |
| Thur | | | 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 (please read guidance note 5) | | | |
| | 18:00 | 00:00 | | | | |
| Fri | | | | | | |
| | 18:00 | 00:00 | | | | |
| Sat | | | | | | |
| | 18:00 | 00:00 | | | | |
| Sun | | | | | | |

Recorded on existing licence for indoors only
 Music - now for both.

F

| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music take place Indoors or outdoors or both - please tick (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|---|-------|--------|--|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 12.00 | 14.30 | Please give further details here (please read guidance note 3) WE A RESTAURANT AND ONLY PLAY BACKGROUND RECORDED MUSIC | | |
| | 18.00 | 00.00 | | | |
| Tue | 12.00 | 14.30 | | | |
| | 18.00 | 00.00 | | | |
| Wed | 12.00 | 14.30 | State any seasonal variations for the playing of recorded music (please read guidance note 4) | | |
| | 18.00 | 00.00 | | | |
| Thur | 12.00 | 14.30 | | | |
| | 18.00 | 00.00 | | | |
| Fri | 12.00 | 14.30 | 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 (please read guidance note 5) | | |
| | 18.00 | 00.00 | | | |
| Sat | 12.00 | 14.30 | | | |
| | 18.00 | 00.00 | | | |
| Sun | 12.00 | 14.30 | | | |
| | 18.00 | 00.00 | | | |

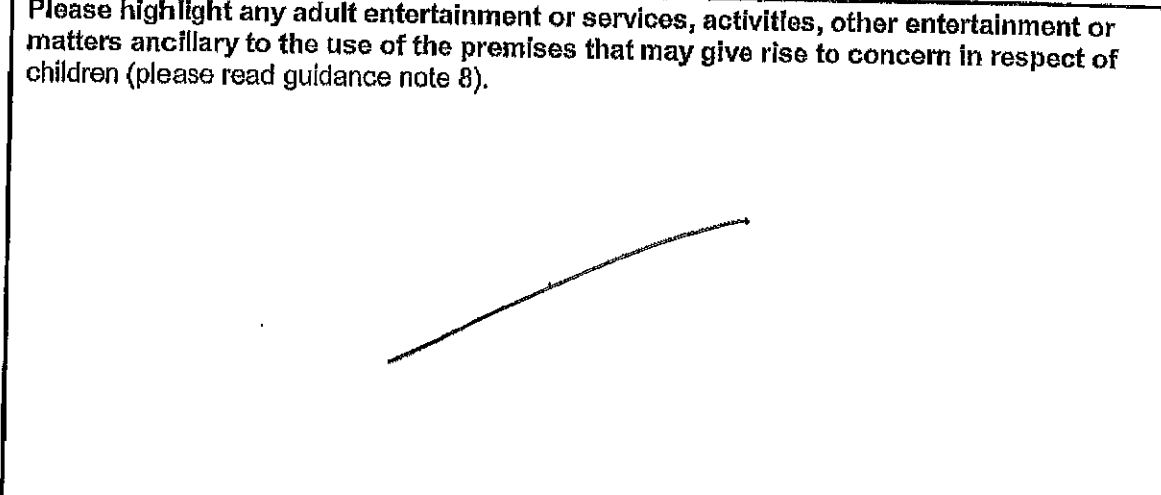
| Late night refreshment Standard days and timings (please read guidance note 6) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|---|---------------------------|---------------------------|--|--|-------------------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| Mon | 12.00 23.00 | 14.30 00.00 | Please give further details here (please read guidance note 3) AS A RESTAURANT WE ONLY SUPPLY ALCOHOL TO GUEST EATING DINNER, THIS MINOR VARIATION IS TO ALLOW GUEST TO DRINK AND EAT OUR GARDEN AREA ATTACHED TO THE BUILDING | Both | <input checked="" type="checkbox"/> |
| Tue | 12.00 23.00 | 14.30 00.00 | | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) | |
| Wed | 12.00 23.00 | 14.30 00.00 | WEATHER PERMITTING | | |
| Thur | 12.00 23.00 | 14.30 00.00 | | | |
| Fri | 12.00 23.00 | 14.30 00.00 | 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 (please read guidance note 5) | | |
| Sat | 12.00 23.00 | 14.30 00.00 | | | |
| Sun | 12.00 23.00 | 14.30 00.00 | | | |

J

| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption - please tick (please read guidance note 7) | On the premises | <input checked="" type="checkbox"/> | | | |
|--|----------------|----------------|--|---------------------|-------------------------------------|---|--|--|
| | | | | Off the premises | <input type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | | | | |
| Mon | 12.00 18.00 | 14.30 00.00 | | | | <p>THE RESTAURANT IS OPEN A LUNCH BETWEEN 12.00 - 14.30 AND 18.00 - 00.00 WHERE GUESTS CAN DRINK WITH DINNER.</p> | | |
| Tue | 12.00 18.00 | 14.30 00.00 | | | | | | |
| Wed | 12.00 18.00 | 14.30 00.00 | | | | | | |
| Thur | 12.00 18.00 | 14.30 00.00 | 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 (please read guidance note 5) | | | | | |
| Fri | 12.00 18.00 | 14.30 00.00 | | | | | | |
| Sat | 12.00 18.00 | 14.30 00.00 | | | | | | |
| Sun | 12.00 18.00 | 14.30 00.00 | | | | | | |

K

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



L

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
| Day | Start | Finish | |
| Mon | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Tue | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Wed | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Thur | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Fri | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sat | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| Sun | 12:00 | 14:30 | |
| | 18:00 | 00:00 | |
| 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 5) | | | |

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.

Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.

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 and e) (please read guidance note 9)

b) The prevention of crime and disorder

SEE ATTACHED.

c) Public safety

SEE ATTACHED.

d) The prevention of public nuisance

e) The protection of children from harm

(M)

General

The premises has been a restaurant in the town now for 39 years under the same ownership, and operates a strict policy to promote the four licensing objectives.

Crime and disorder licensing objective

I Sadeq Mannan have DPS role, and in my absence I have a nominated responsible person to manage the premises. There is CCTV in operation and is continuously recording all licensing areas. The premises is a restaurant and guests are served with drinks during their meal, we have not had any incidents with physical altercation or disorder, physical ejection or injury. We have never had any incidents with drug misuse. We have an incident book at the premises but have never needed to use. Staff have been trained to identify and refuse anyone under 18, for the consumption of alcohol, along with the challenge 25 policy.

Public Safety Licensing Objectives

With the help of Hampshire Fire, we have all fire precautions in place, this can be found in our Fire Risk Assessment which is reviewed once a year. The alarms and extinguishers along with staff training are all in place. This can be found in the Log Book. We have sufficient lighting inside and outside, with notices to guests in how they leave the premises.

Prevention Of Public Nuisance Licensing Objective

The sale of alcohol is only permitted during meals and only in the designated area. As we have our own car park around this area, there is no chance of an over spill to a public area, nevertheless this is does not happen and is not permitted. All drinks are served in glasses and collected from the tables as necessary. We have a strict smoking policy, and only allowed in the smoking area where ash trays are located and regularly cleaned. All areas are still located in our own car park so there is no chance of litter in the public area. We do not promote any 'Happy Hour' drinking offers.

Protection Of children From Harm Licensing Objective

We are a restaurant and will only permit children accompanied by an adult for dinner. No person under 18 will be permitted the sale of alcohol. We do not permit any nudity or any sexually stimulating performances. We operate the '25 Challenge Policy'.

Checklist:

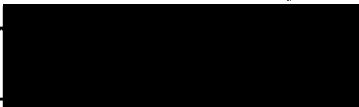
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- 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.

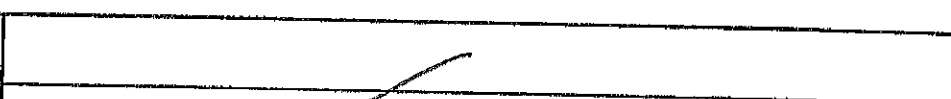
IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|---|
| Signature |  |
| Date | 8/12/18. |
| Capacity | |

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 12). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|--|
| Signature |  |
| Date | |
| Capacity | |

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

| | | | |
|---|--|-----------|--|
| | | | |
| Post town | | Post code | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

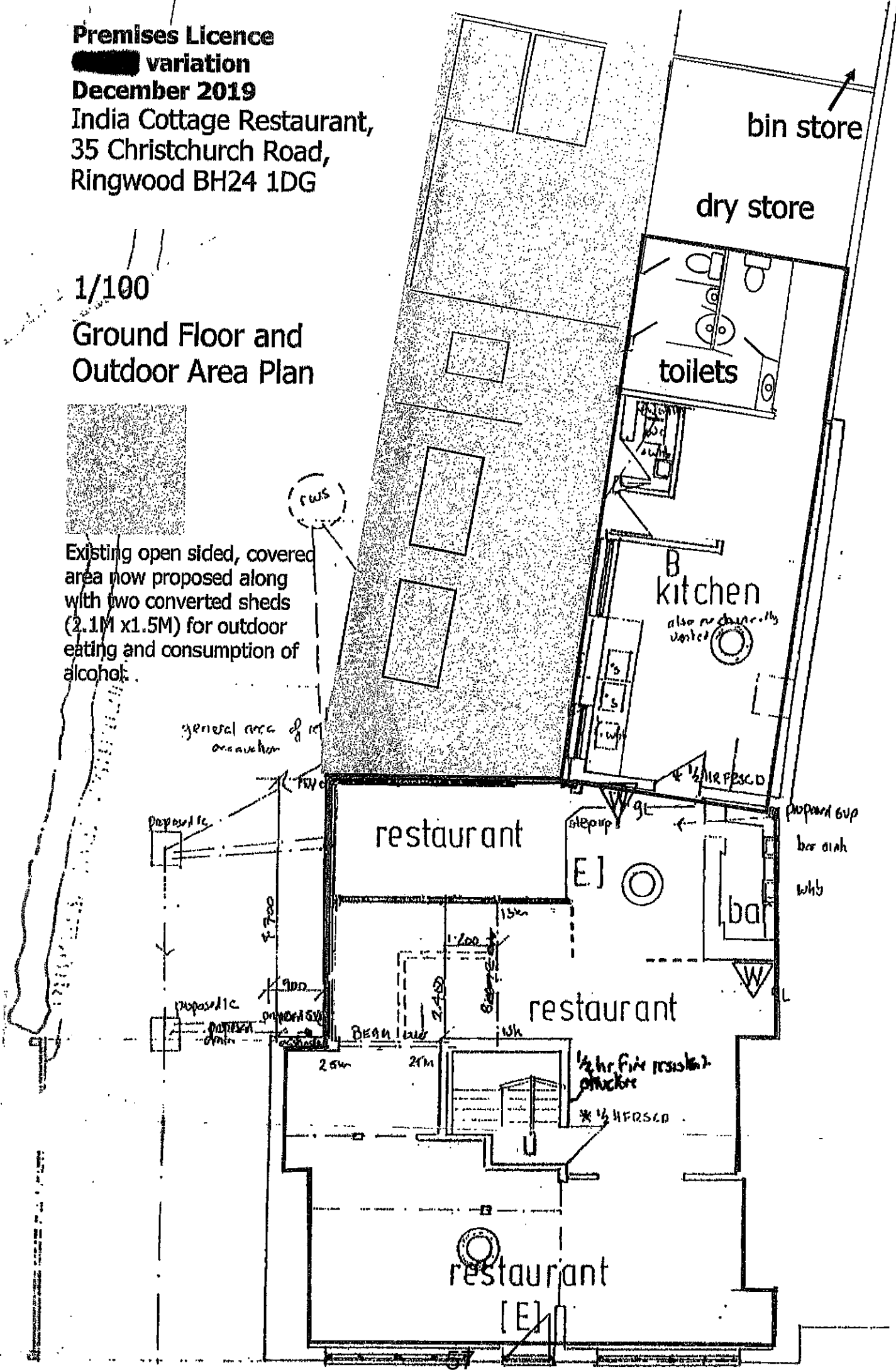
**Premises Licence
variation
December 2019**
India Cottage Restaurant,
35 Christchurch Road,
Ringwood BH24 1DG

1/100

**Ground Floor and
Outdoor Area Plan**



Existing open sided, covered area now proposed along with two converted sheds (2.1M x 1.5M) for outdoor eating and consumption of alcohol.



general area of occupation

Proposed

Proposed

restaurant

EJ

bar

restaurant

restaurant

[E]

bin store

dry store

toilets

B kitchen

also no chemically vented

outward gap

bar area

whb

1/2 hr fire resistant structure

* 1/2 HFRSLD

7.700

1.200

1.500

900

2.5m

2.1m

1.5m

BEAN

step up

gt

1/2 hr FRSLO

W

rw/s

rw/s

35 Christchurch Road

POST OFFICE
CAR PARKING

RECENT
MILKMAKERS
BLOCK

Redevelopment
access

Bin
store

DRY
store

GENS

LADIES

TOILETS

TOILET
FOUR

STORAGE
AREA

STAYS

STAYS
(KITCHEN)

GARDEN AREA
FOR DRINKING
AND EATING.

pedestrian
access

entrance

restaurant

bar

restaurant

restaurant

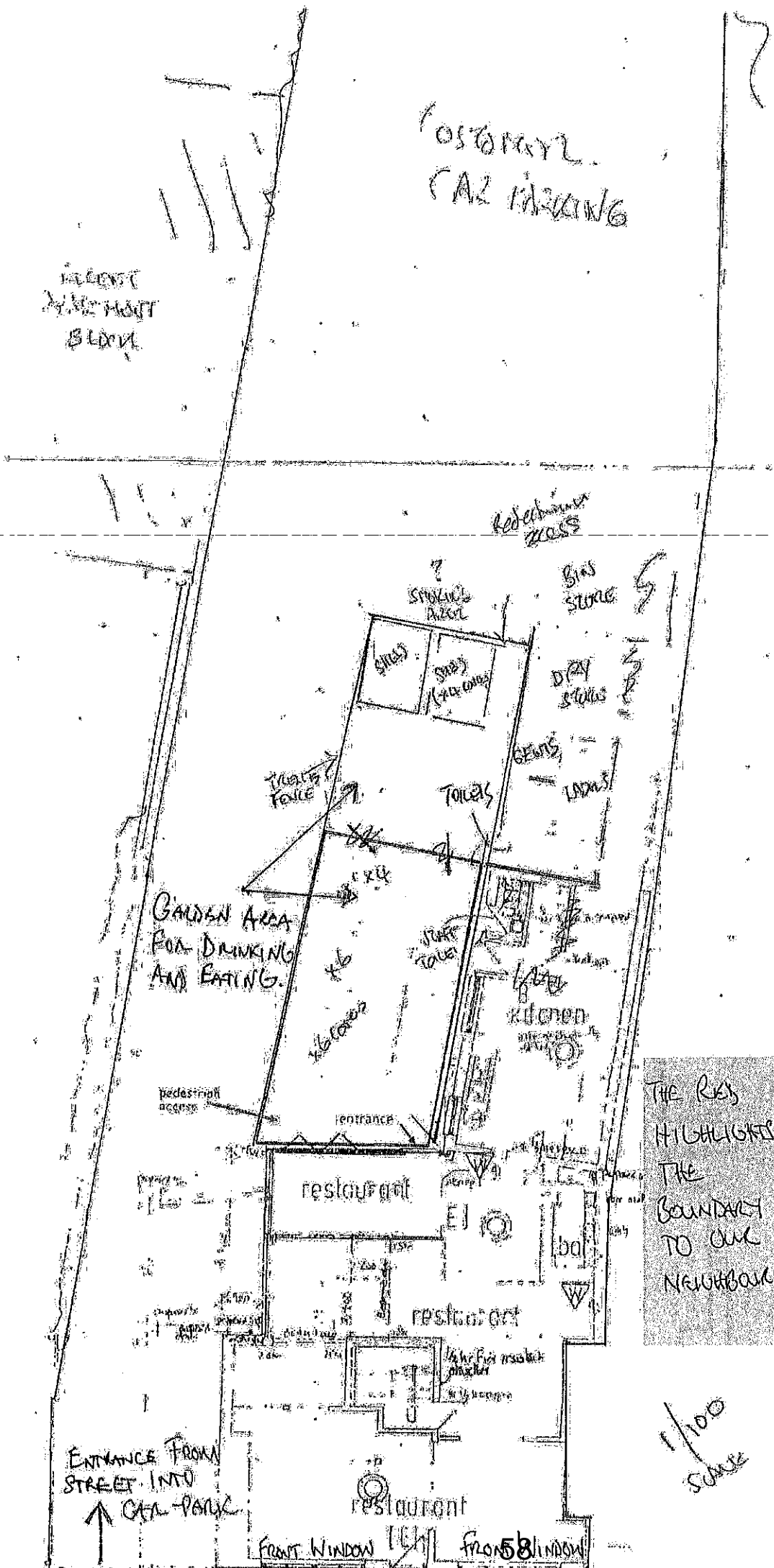
ENTRANCE FROM
STREET INTO
CAR PARK

FRONT WINDOW

FRONT WINDOW

THE RED
HIGHLIGHTS
THE
BOUNDARY
TO OUR
NEIGHBOUR

1/100
SCALE



Sarah Herringshaw

From: Pearce, Jason <jason.pearce@hampshire.pnn.police.uk>
Sent: 12 December 2019 14:01
To: Sarah Herringshaw; Licensing e-mail address
Subject: NFDC - India Cottage premises licence variation
Attachments: Copier_20191212_131349.pdf

Dear Sarah,

The Police do not wish to make a representation to the above variation of premises licence application as the requested licensable activity is for low level live music Thurs - Sat until midnight in an Indian restaurant.

The applicant has offered up measures in section M of the application document.

I see that the current premises licence has conditions that have clearly been copied and pasted from a previous application document. The measures offered need to be translated into conditions.

The applicant of the current application has offered up several measures in section M which include CCTV, challenge 25, alcohol only with a meal, training & incident book. I'd be grateful if these becoming meaningful and enforceable conditions of the premises licence.

At present there is a condition that reads:

'The premises have been in business in the town for over twenty years and have a good relationship with the local Police'.

Many thanks.

Jason

PC 512 Jason Pearce
Licensing and Alcohol Harm Reduction team jason.pearce@hampshire.pnn.police.uk
Internal: 4641503
External: 101 ask for 4641503
Licensing Home Page
<http://www.hampshire.police.uk/Internet/advice-and-information/licensing/>

India Cottage Conditions

Amend existing conditions to make them meaningful, precise, enforceable, unambiguous, prescriptive and clear).

The premises have a nominated premises supervisor to ensure that alcohol is not taken off the premises.

AMEND TO

Alcohol must not be removed from the premises by customers

b) The prevention of crime and disorder

The premises have been in business in the town for over twenty years and have a good relationship with the local Police.

REMOVE THIS

c) Public Safety

The premises have adequate lighting inside and outside. Clear exit signs and a seating capacity for forty five persons. The premises have a policy to exercise due diligence with regard to health and safety and fire.

AMEND TO

The premises have adequate lighting inside and outside. Clear exit signs will be displayed. There is a policy in place to exercise due diligence with regard to health and safety and fire safety.

d) The prevention of public nuisance

A smart/casual dress code policy applies.

The premises do not promote 'Happy Hour' drinking offers.

AMEND TO

The premises shall operate a smart/casual dress code policy

The premises do not promote 'Happy Hour' drinking offers.

e) The protection of children from harm

The legal restrictions on the admission of children and do not serve alcohol to underage children.

Applicant offered conditions (amended as above criteria)

Crime and disorder licensing objective

The DPS will nominate a responsible person to manage the premises in his absence.

Continuous CCTV recording will take place in all licensed areas of the premises.

An incident book will be provided at the premises and completed by staff.

There shall be in place for the premises a written policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 25 years to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence indicating that they are over 18 years of age. (Armed Forces ID are also acceptable).

Public Safety Licensing objective

The Fire Risk Assessment will be reviewed annually.

Staff will be trained in H&S and fire safety and a record will be kept of all training.

Prevention of public nuisance licensing objective

Alcohol shall not be sold or supplied on the premises otherwise to persons taking table meals and for consumption by such a person as ancillary to their meal.

Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises.

A smoking area for customers will be provided and suitable receptacles for cigarette debris provided.

Protection of children licensing objective

Children must be accompanied on the premises by an adult.

There will be no nudity or sexual performances at the premises.

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**REPRESENTATION ENVIRONMENTAL PROTECTION TEAM
INDIA COTTAGE, 35 CHRISTCHURCH ROAD, RINGWOOD**

On behalf of the Environmental Protection Team for New Forest District Council I am making representations against the application to vary the premises licence at: India Cottage, 35 Christchurch Road, Ringwood, BH24 1DG.

I object to the application to amend the permitted timings for licensable activities that fall outside of the Live Music Act 2012, the Licensing Act 2003 and the Deregulation Act 2015.

In addition, the objection includes the requested changes (points 4e, 4f, and 4i) to allow recorded music, live music and late-night refreshment to both inside and outside areas of the venue.

India Cottage currently benefits from a premises licence authorising the sale of alcohol until 00:00 hours on all days. The current conditions on the premises licence were agreed with the applicant at the time of the original premises licence application to support the licensing objectives. It is noted that customers of India Cottage have become accustomed to consuming alcohol and refreshments in the outside area of the premises during the current authorised hours.

At the rear of India Cottage there are residential properties to the north and west of the premises, with the nearest residential property being approximately 10m from the outside seating area. This close proximity of residents to the premises has resulted in noise issues from India Cottage typically from customers outside the rear of the premises using the seating area and the Environmental Protection Team has received noise complaints associated with the premises within the last 12 months. Furthermore, representations have been made by the residents of Elizabeth Court objecting to the variation of conditions of the premises licence claiming they have ongoing issues with noise from the premises.

As such, an extension or addition of hours and licensable activities in the outside area at India Cottage could further exacerbate the current situation and negatively impact the Prevention of Public Nuisance Licensing Objective.

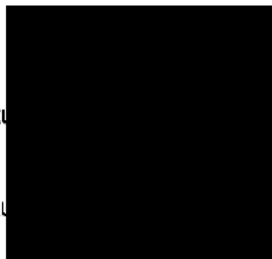
This representation therefore recommends the following conditions with the purpose of supporting the Prevention of Public Nuisance Licensing Objective: -

1. All licensable activities (late night refreshment, recorded music, live music and the sale of alcohol) must cease at 23:00 hours in the outside covered area to the rear of the premises. In addition, customers must not be permitted to consume alcohol in this area after 23:00 hours.
2. Smoking by customers outside of the premises must be monitored and management must ensure that customers do not cause nuisance to neighbours.

3. Management shall make provisions to ensure the safe and quiet dispersal of customers. Any customers congregating or loitering outside after leaving the premises will be asked to depart quickly and quietly.
4. All external doors and windows shall be kept closed when regulated entertainment is being provided, except for access and egress and in the event of an emergency.
5. The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment. A written record shall be made of those assessments in a log.

Lead officer: Rachel Higgins

Signature



Date: 17/2/2020

Authorised by: Joanne McClay

Signature

Date: 17/2/2020.



Mr M J Gubbins
 Flat 10 Elizabeth Court
 29-33 Christchurch Road
 Ringwood
 Hampshire
 BH24 1DG
 27-12-2019

Opposition for a variation of a Premises Licence

Dear Sir/Madam

I am submitting my objections and concerns regarding the licence application (Licence number 713) for the Indla Cottage Restaurant 35 Christchurch Road Ringwood Hampshire BH24 1DG submitted by Sadeq Mannan.

We live at flat 10 Elizabeth Court on the first floor and our flat is directly alongside the applicants property. A gravel driveway roughly a five metre wide separates our properties. When we first took up residence at Elizabeth Court in 2011, there was no outside seating area at the restaurant and the noise pollution was kept within the restaurant itself. Shortly after moving into our flat the restaurant introduced a small covered area at the rear of the premises to cater for smokers.

This outside covered area has gradually increased in size and the owners have now installed tables and benches, lighting and a wood burner stove (unable to have lounge windows open due to smoke) so it's now part of the restaurant where food and drink can be served outside to customers up until midnight.

Unfortunately this has caused nuisance to us and the residence of Elizabeth Court due to parties being held there, instead of inside. We have had to put up with customers in this outside area shouting, singing at the top of their voices bad language and on occasions bad behaviour.

The majority of residents who live at Elizabeth Court are elderly and want a quiet life. There are also two young families living here with young children ranging in age from one to six (three girls and two boys) they live in close proximity to the covered area and are regularly woken up by noisy customers either in the outside seating area or leaving the restaurant. I believe it's your duty to protect these youngsters from physical harm due their sleep being disturbed and reject Mr Mannans licence application for a live and outdoor recorded music licence. The residents had a taste of live music back in the summer. We couldn't listen to our television and had to adjourn to the back of our property as the sound was deafening.

It seems strange that he is now applying for a licence when he contravened his existing licence.

I have complained to the environmental department in the past but unfortunately when the two officers came and sat in my flat to monitor the noise levels it was a quiet evening, you don't know when it's going to be noisy as they don't advertise parties.

Also I had to ring the police at two o'clock one morning as there was a party going on and the noise levels were intolerable, the officer who I spoke to was very understanding as he could hear the noise in the back ground but unfortunately there were no officers available to attend but he said he would log it and inform the Environmental department of the New Forest District council.

So to conclude my opposition letter I am raising objections predominantly under the heading Noise and Disturbance.

Yours Sincerely

Mr M J Gubbins.



IC2

**The Residents
Elizabeth Court
29-33 Christchurch Road
Ringwood
Hampshire
BH24 1DG**

**Opposition to vary the premises licence at India Cottage restaurant
Ringwood**

Dear Sir or Madam

We the undersigned being residents of the eleven flats at Elizabeth Court, 29-33 Christchurch Road, Ringwood, Hampshire BH24 1DG, strongly oppose the Licence Application (Licence No: 713) for outside live and recorded music and late night refreshments recently submitted by Sadeq Mannan of the India Cottage Restaurant, 35 Christchurch Road Ringwood, BH24 1DG.

We oppose the application on the grounds of Noise and Disturbance which we currently suffer and have suffered over many years since the restaurant erected of a covered seating area at the back of their restaurant. This area is currently used for parties, eating, drinking and smoking.

Elizabeth Court consists mainly of elderly residents apart from two young families living in flats one and three.

Flat number one has three young girls aged six, four and one. Flat number three has two young boys aged three and five.

These children are regularly woken up by the noise of people using the outside covered seating area, shouting, laughing loudly and sometimes singing at the top of their voices. Their bedrooms are approximately ten to fifteen metres from the restaurant. They are also disturbed by the restaurants staff throwing empty bottles into their bottle bins late at night. Regarding the application for live and recorded music, we hear recorded music all the time and we've had a taste of live music back in the summer of 2019. One evening a young girl was engaged to sing live at a party for approximately two hours. The party was held under the covered area at the back of the restaurant, (seems strange they are now applying for a licence). The volume from the speakers was way above what is acceptable, fortunately, her performance finished around nine o'clock, so can you image the noise from refreshments being served, live music and recorded music being played, ten, eleven and twelve o'clock at night.

LICENSING
SERVICES
6 JAN 2020
RECEIVED

We believe if the application is approved it would be detrimental to the health and welfare of the children and the other elderly residents, not only at Elizabeth Court but Cottage Mews along the road .

We are aware that the owner has little jurisdiction over the noise people make leaving the restaurant but is it right that their licence allows it to remain open until midnight being it's in close proximity to residential properties. In the past other businesses in the vicinity have had their licences revoked due to excessive noise levels which the management of those businesses failed to control. Maybe it's time the licence at India Cottage is reviewed regarding closing times being it's in such a close proximity to Elizabeth Court and other residential properties.

Could the Licensing officer when making his decision take into account India Cottage restaurant breaching part of Article 8 of the Human Rights Act, The convention to the Right to respect private and family life regarding noise levels.

Yours sincerely

Residents of Elizabeth Court,
29-33 Christchurch Road,
Ringwood,
Hampshire

Please see below names and signatures of residents opposing the application.

[Note: Petition signed by all residents, but signatures redacted for publishing]

| | |
|------------|---|
| FLAT ONE | ZOE SHEEN ANTHONY SHEEN |
| FLAT TWO | Mrs Paula Vestby Miss. Michelle Vestby |
| FLAT THREE | MR LOKE WILFSTHIRE MISS TIRA BRAYER |
| FLAT FOUR | S W Green |
| FLAT FIVE | Not occupied |
| FLAT SIX | MR MIKE BORTON |
| FLAT SEVEN | MR + MRS Tuck |
| FLAT EIGHT | P. HUMBLE & A AGUILAR |



| | | |
|-------------|----------------------|--|
| FLAT NINE | Not occupied | |
| FLAT TEN | MR & MRS M J GURBINS | |
| FLAT ELEVEN | JOSS HILL | |

MR M S GURBIN'S
FLAT 10 ELIZABETH COURT
29-33 CHRISTCHURCH ROAD
RINGWOOD
HAMPSHIRE
BH24 1DG

Dear Sir / Madam.

I would just like to add to the letter the residents of Elizabeth Court have submitted. On the morning of the 1st January 2020, I had cause to ring the police. (REF 139).

The reason being that at 01:25, the party being held at India Cottage restaurant was still going in full swing.

The music was loud and the base thumping along with noisy party goers.

This isn't the first time I have called.

The police, the last time was 02:00 in the morning.

I don't know what licence they had for this evening but surely they should have closed before my complaint.

Yours Sincerely

