

Support

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 14 November 2016 13:13
To: Sarah Wilson
Subject: FW: 9 Gosport Street App./Paul Weston

Paul Weston
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



From: Seahorse Magazine
Sent: 14 November 2016 12:25
To: Licensing e-mail address
Subject: 9 Gosport Street App./Paul Weston

Dear Paul

We are at 5 Britannia Place, Station Street. Before that we were at 2 Gosport street so know the immediate area very well having been here since 1994.

I fully support the licensing application for the former Wytes bar.

The area will only benefit from further entertainment facilities. The town as a whole is getting steadily better in this respect and replacing the empty property with a vibrant and attractive new bar and restaurant premises will be a further boost to Lymington

I have, by the way, received an anonymous and very aggressive letter asking me to object.

I do not like receiving such communication without a name and address attached, as it is likely to have come from a business rival trying to prevent the application succeeding. I hope others are not swayed by the same pretty unpleasant letter which can be forwarded to you on request.

Kind regards,

Andrew Hurst

5 Britannia Place
Station Street

Lymington
Hampshire
SO41 3BA
UK

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 15 November 2016 11:21
To: Sarah Wilson
Subject: FW: FAO MR PAUL WESTON

Paul Weston

Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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From: Cathie Savin [mailto:]
Sent: 15 November 2016 11:06
To: Licensing e-mail address
Subject: FAO MR PAUL WESTON

Good Morning, I am writing to express my support for the application to operate a drinking and entertainment business at 9 Gosport Street, Lymington.

We live in a lovely town but it does need more bars/restaurants to attract tourists and locals and to keep them in town. We need visitors to spend money in our shops, and although there are plenty of coffee shops, we do need more places offering alcohol. Wytes and Graze used to use these premises and were very well used with little trouble. As long as its perhaps limited to over 21s I cannot see any issues with not granting a license.

There seems to be a lot of older people objecting to this, we really do not want Lymington to become a town just for the elderly, we need to attract young people to spend their money here and even settle down and start their families here. Please, I hope you consider this application favourably. My family, consisting of me, my husband and our four children (all in their twenties) live and work in Lymington and would like to think that there is a future for our lovely town which doesn't just consist of coffee shops and charity shops.

Thank you.

Yours

Catherine Savin

Ajax Machine Tools International Limited

AJAX MACHINE TOOLS & NOON MACHINERY
OPEN HOUSE 16TH & 17TH N
GREGG STREET, REDDISH, STO



Lest We Forget



Ajax Machine Tools International Limited is a registered company in England and Wales with the company number 6864667 – at Unit 360 Ampress Lane, Ampress Park, Lymington, Hampshire SO41 8JX.

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Sarah Wilson

From: Cathie Savin
Sent: 15 November 2016 12:33
To: Sarah Wilson
Subject: RE: 9 Gosport Street Lymington

Morning, my postal address is
The Blue House
89 Milford Road
Lymington
SO41 8DN

Yours

Cathie Savin

Ajax Machine Tools International Limited



Lest We Forget



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The contents of any attachment to this email may contain software viruses, which could damage your own computer system. While Ajax has taken every reasonable precaution to minimise this risk, we cannot accept liability for any damage sustained as a result of software viruses. You should carry out your own virus checks before opening the attachment.

From: Sarah Wilson [<mailto:Sarah.Wilson@NFDC.gov.uk>]
Sent: 15 November 2016 11:39
To: Cathie Savin
Cc: Paul Weston
Subject: 9 Gosport Street Lymington

Good morning,

Thank you for your email in support of the premises licence for the above site.

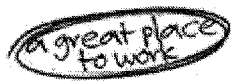
Please may you provide us with a postal address in order for us to communicate with you further?

Kind regards,

Sarah Wilson
Licensing Services
Governance & Regulation
New Forest District Council
Tel: **023 8028 5505**
Email licensing@nfdc.gov.uk
newforest.gov.uk



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* Objection

BAC14

7 Gosport Street
Lymington
SO41 9BG

21 November 2016

The Licensing Authority
NFDC
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA



Dear Sir or Madam,

OBJECTION TO No. 9 GOSPORT STREET

I own and reside in the freehold property No. 7 Gosport Street which consists of a retail business on the ground floor and an apartment on the first and second floors. This Grade II Listed property was built in the 1790's. It has no modern soundproofing and sound passes easily through floors, walls and windows.

In recent years during the period when a bar was being operated in No.9 Gosport Street my life was made a misery with loud noise percolating throughout my home. This was so intrusive at times as to make the television inaudible.

I complained several times to the NFDC. They stopped the live music but seemed incapable of reducing the volume of recorded music and other sounds to an acceptable level. At some stage they insisted that the speakers were moved but that only moved the sound of music to another part of my home.

Even in the bedrooms of my home on the second floor the rhythmic thumping of the base notes was clearly heard and sleep was impossible.

After the garden was closed each evening the smokers moved into Gosport Street immediately outside the front door of the bar and adjacent to my front entrance door. Gosport Street is very narrow at this point, not 2 metres wide, with railings behind the curb stones so these people were hemmed in right outside my front door, drinking, smoking, using foul language and regularly fights broke out. This disgusting behaviour often continued after the bar closed sometimes into the early hours.

I could not open my front windows and the smell of cigarette smoke permeated my whole property. The front first floor bedroom became unusable.

My tenant runs his business between midday and late into the evening. We fear his business will be severely affected by youths crowded round in the street outside his windows. His customers are unlikely to welcome having to run the gauntlet of semi

inebriated and sometimes very inebriated people as they enter or leave his shop. Similarly, you can imagine how unpleasant it is for a lady to return to her home in the evening to be faced by an intimidating mob milling about outside her front door.

Surely a resident can demand to live in peace in their property and businesses must have the right to carry on their lawful occupation as has been the case here for over two hundred years before the foolish and injudicious granting of licences which are completely inappropriate in a heavily populated residential area.

The proposed business and attendant licenses are not suitable in No.9 Gosport Street.

The license applications must be refused for the sake of those who live here and have done so for many years.

Please acknowledge receipt of this letter.

Yours faithfully,

Mrs Margaret Bach.

* objection

B BEARCROFT

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 21 November 2016 10:08
To: Sarah Wilson
Subject: FW: No 9 Gosport St objection: Dr J S Bearcroft 8 Place

Paul Weston
Environmental Health
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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From: Clare Bearcroft [<mailto:cl>]
Sent: 21 November 2016 08:15
To: Licensing e-mail address
Subject: No 9 Gosport St objection: Dr J S Bearcroft 8 Place

Dear Sir/Madam

Objection to the application at No. 9 Gosport Street- Grateful if you could acknowledge receipt of this email.

I object very strongly to the granting of this proposed license.

My reasons are as follows:

1. My wife (88 years old) and I (90 years old) live at 8 Trafalgar Place. This is behind and very close to the applicant premises. Our rear garden is no more than a few yards from the rear garden / backyard of the applicant premises. There are many other homes which will be similarly affected by this application.
2. In past years, we have experienced very significant problems with noise from the previous occupants of the applicant premises when they were trading as the restaurant / bar 'Grazes' and subsequently as 'Whytes'. The problem had also been a live issue for the previous owners of our house. The noise has been particularly bad during the summer months due both to the premises being busier and with doors and windows being open. It has been so intolerable that I was unable to sit outside in my back garden on summer evenings, but had to retire inside the house. Even there it was necessary to keep the windows closed. On some nights, usually weekends, I had the choice of closing my bedroom window to suppress the noise

problem and endure sleeplessness due to a hot stuffy room or open the window and endure the same due to the noise. As far as I could tell, the music played in those days was recorded, but the raucous chatter and laughter was very much 'live'. And this was when the premises were trading as a restaurant bar and not as an amplified live music venue, as is proposed in the application.

3. I have no wish to be a NIMBY killjoy, but in my opinion, the premises are 'embedded' in an otherwise residential area to such a degree that it is simply unsuited for use as a bar / live music venue, as proposed, when it would be impossible to mitigate the impact of noise on residents in the vicinity.
4. In any event, music, and certainly not amplified music, should not be permitted to be played outside at any time. As for music being played inside the venue, this should always cease at 11.00p.m.
5. Even if music is only played inside the venue, if it is amplified there must be some control of the volume which is capable of enforcement.
6. The proposed sale of alcohol until midnight and 1.00am on Saturday will inevitably mean more antisocial behaviour outside the premises.
7. I had believed that these premises were licensed as a restaurant so I am unclear how they can reposition themselves as a bar and entertainment establishment.

We thank you for your support and consideration.

John and Annette Bearcroft. (No 8 Trafalgar Place)

SO41 9BN

Sarah Wilson

* Objection

BRILL

From: Roger Brill
Sent: 17 November 2016 20:24
To: Licensing e-mail address
Cc: A Jane
Subject: Objection to Application for New Premises Licence: 9 Gosport Street, Lymington, S041 9BG

Re. Objection to Application for New Premises Licence: 9 Gosport Street, Lymington, S041 9BG

Dear NFDC Licensing,

As residents of No. 12 Trafalgar Place we are writing to express our objection to the Premises Application on Gosport Street which we understand includes provision to serve alcohol and play live and recorded music until midnight 6 days per week and until 1am on Saturdays. We have been residents at Trafalgar place for 14 years and strongly believe that if this application were to be approved it would undoubtedly have serious implications for the residents, not only of Trafalgar Place, but also those of Gosport Street and Quay Hill. Our main concerns are as follows:

1. Increased levels of noise in such a densely populated area; something which has already been a problem with prior businesses operating in this premises. This is especially a problem for residents of Trafalgar Place due to the confined outside area which magnifies the noise coming from inside and out. Even if live music was limited until 9pm outside, undoubtedly the serving of alcohol until 1.30am would result in increased noise/shouting etc. coming from the garden area and on the street as patrons leave the premises.
2. Antisocial behaviour: with late night drinking and entertainment, of course will come an increase in antisocial behaviour, again a problem experienced previously, and one which will only be magnified by the extending of the premises licence. Even with restrictions on use of the outdoor area, the noise made by smokers and those on the street leaving the premises is a real problem for residents living around the area.

Overall we feel that a premises of this size, listed nature and location in the heart of Lymington is far better limited to that of a cafe/restaurant/wine bar (with sensible limits on licence timings and provision of music), rather than that of a late-night drinking establishment which will undoubtedly foster anti-social behaviour and cause unnecessary stress and disruption to the residents.

We must emphasise that we are in no-way anti-commerce, and by all means would appreciate and support a well-run establishment- cafe/restaurant- which is appropriate for the setting and building.

Yours faithfully,

Roger and Jane Brill
12 Trafalgar Place
Lymington SO41 9BN

* Objection

CAPNER G

Paul Weston

From: G CAPNER ESC
Sent: 07 November 2016 09:48
To: Licensing e-mail address
Cc:

Subject: Greenwood
OBJECTION to Application for New Premises Licence: 9 Gosport Street, Lymington SO41 9BG

Attachments: Enforcement letter 2 30.11.2015.pdf; Enforcement letter 1 of 9.9.2015.pdf; Enforcement complaint 2 001.jpg; Enforcement Complaint 1 001.jpg; Capner to Curran 23.7.2015.eml; Capner to NFDC and Police 20.7.2015.eml; Louise Stone complaint 14.8.2014.eml; To Sgt McWilliam 10.8.2014.eml; Karen to Env.Health 8.8.2014.eml; licensing email 28.7.2014.eml

Dear NFDC Licensing

As residents of Lymington for 28 years we write to register our **STRONG OBJECTION** to this new Premises Licence application in its entirety on the following grounds:

1. As your records will show, we have been in regular contact with yourselves, Sgt McWilliam the officer then in charge of Lymington Police Station and his colleagues in Hampshire Constabulary Licensing Department, Safer New Forest Targeting Crime and Anti Social Behaviour, NFDC Environmental Health and NFDC Planning regarding the non observance of the **EXISTING** licence and the adverse impact on our health and wellbeing from noise and anti social behaviour from the use of these premise including having to leave our home at weekends when the impacts become intolerable and unbearable. A sample of emails in 2014 and 2015 are attached, including a diary log (the premises have been closed for most of 2016). The proposed new premises licence application will intensify and greatly magnify those concerns relating to noise and anti social behaviour into the small hours which are not just the result of ineffective operator management but relate to the fundamental inappropriateness of this small Grade 2 listed building in Lymington's Conservation Area to accommodate a late night drinking and entertainment establishment. The building is closely surrounded by noise sensitive receptors with houses and flats on all sides and this confined area magnifies noise and disturbance as well as affecting a large number of people trying to sleep and carry on with their lives without major and intrusive disturbance. In particular, the proposal for live and recorded amplified music both outdoors and indoors demonstrates that the proposers have no thought for the effect on surrounding noise sensitive receptors which suggests they will have a similarly insensitive attitude in running their business. The existing building does not have double glazing and it has been repeatedly shown that operators do not abide by time conditions or conditions to close doors and windows (which do not in any event effectively attenuate noise nuisance) especially in warm weather. Indeed it just means that drunken customers congregate at the Gosport Street entrance to smoke, shout and scream into the small hours. An application for mechanical ventilation in 2007 was refused and dismissed on appeal because of its impact on the listed building and the conservation area (see NFDC 06/0882 & 07/89748).

2. It is clear from the application that the proposed operators will seek to run the premises as a drinking and entertainment establishment. As the attached correspondence with NFDC's Planning Enforcement Officer demonstrates, the lawful planning use is as an A3 restaurant/cafe (also confirmed in Savills last sales particulars) not an A4 drinking establishment or a sui generis entertainment establishment. The operators do not have planning permission for their proposed activities which are not characteristic of a genuine A3 restaurant/cafe and on this basis alone the application should be rejected in its entirety as well as the manifest and documented impacts in terms of noise, anti social behaviour and effect on the general amenity of the area and the peaceful enjoyment of one's home which is protected by the Human Rights Act.

3. As well as rejecting this application in its entirety, in the light of the past history of this establishment in terms of noise nuisance, anti social behaviour and unlawful planning use this opportunity should be taken to **REVIEW** the **WHOLE EXISTING LICENCE** to make it compatible with its lawful use as a genuine A3

, restaurant/cafe in a sensitive location which has been the subject of ongoing and consistent complaints. This should include prohibiting the use of the garden after 21.00 hours, the restriction of opening hours to before 23.00 hours , prohibiting the playing of ALL amplified live and recorded music, the showing of films and the sale/supply of alcohol off the premises.

We are happy to attend any inquiry into this matter.

Yours faithfully,

Gareth and Susan Capner
6, Trafalgar Place,
Lymington SO41 9BN
Tel: 07799 11111

PLANNING & TRANSPORTATION

Head of Service: Chris Elliott

Mr G Capner, MA FRTPI
6, Trafalgar Place
Lymington
Hampshire
SO41 9BN

Our Ref: EN/14/0524

Your Ref:

30 November 2015

Dear Mr Capner,

ADDRESS WYTES, 9 GOSPORT STREET, LYMINGTON, SO41 9BG
ALLEGED BREACH UNAUTHORISED CHANGE OF USE FROM A3
RESTAURANT TO A4 DRINKING ESTABLISHMENT

Further to my last letter dated 9th September 2015, I am writing today to update you with regards to the above alleged breach of planning control that you brought to our attention.

As you are aware, we have been monitoring the use of the Wytes over the last 3 months and I can now confirm that the Council have concluded, based on the information available, that the alleged unauthorised change of use of Wytes to a drinking establishment (A4) appears to have ceased. Therefore, it is our intention to close the enforcement file on this matter.

I trust this clarifies our position at this time. Should you be concerned by activities at these premises in the future, please do not hesitate to contact the Council again and we will investigate accordingly.

Thank you for your assistance during our investigations.

Yours sincerely,

Sarah Barnes
Assistant Planning Officer - Enforcement

Tel: 023 8028 5588
Email: dev.control@nfdc.gov.uk

PLANNING & TRANSPORTATION

Head of Service: Chris Elliott

Mr G Capner, MA FRTPI
6, Trafalgar Place
Lymington
Hampshire
SO41 9BN

Our Ref: EN/14/0524

Your Ref:

09 September 2015

Dear Mr Capner, MA FRTPI,

RE: ALLEGED UNAUTHORISED CHANGE OF USE OF WYTES, 9 GOSPORT STREET, LYMINGTON, SO41 9BG

Further to my last e-mail 21st July 2015, I am writing today to update you on our investigations concerning the alleged breach of planning control at Wytes, 9 Gosport Street, Lymington.

Following the issues reported in July 2015, the owners have confirmed that they have revised the premises use in order to fall within the permitted A3 Use Class, to resolve the alleged breach.

A new manager had been appointed and Wytes are now open from 12:00 pm to 11.00 pm (closing later, 12.30 a.m, Friday and Saturday), during which they serve food between 12 - 3 pm and 6 - 10 pm Wednesday to Sunday. Customers do not need to pre book or pre order.

In light of the above, the Council intend to monitor the premises use until November 2015, and will review the case again thereafter.

I trust this clarifies our position on this matter at this time. If you have any queries about the content of this letter, please do not hesitate to contact me on the number below.

Yours sincerely,

Sarah Barnes
Assistant Planning Officer - Enforcement

Tel: 023 8028 5588
Email: dev.control@nfdc.gov.uk

newforest.gov.uk

Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA

Planning Enforcement Enquiry Form

Please use this form to make a complaint about a planning enforcement matter. We will investigate your complaint and reply to you by e-mail or in writing, usually within 7 working days. We will advise you if our initial investigations will take longer to complete.

The comments that we will give you are at officer level only, without prejudice, and solely based on the information provided to the Council. It does not, in part or in full, form a legal determination under Section 191 or 192 of the Town & Country Planning Act 1990. If you require such a determination, you will find the appropriate advice, fees and application forms on www.newforest.gov.uk/planning.

Full name* Gareth Capner, MA FRTPI
Address* 6, Trafalgar Place
Lymington

Postcode SO41 9BN

Telephone

Email (leave blank if none)

PLEASE NOTE: Officers do not accept anonymous complaints.

Please complete all of the details marked with a *. We will keep all of your details confidential.

Address where the activity is being undertaken* Wytes
9, Gosport Street
Lymington

Postcode SO41 9BG

Description (e.g. building works, extension, business activity, tree works etc)* Unauthorised change of use from A3 restaurant to A4 drinking establishment and unauthorised display of advertising banner on railings along Gosport Street.

Date which work/activity started (if known) 07/06/2014

Name/Address/Phone numbers of the owner/occupier/builders etc (if known) As above

Please give further details as to the effect the building/activity is having on you and local amenities e.g. noise, traffic, smells, overshadowing etc.

The established use of 9 Gosport Street at ground floor and basement level is an A3 restaurant trading as Limpets until 2006 and subsequently as Graze until last year. It has now been rebranded as Wytes which describes itself on the unauthorised banner as a "Champagne, Cocktails and Music Lounge". It is now an A4 Drinking Establishment functioning in a small Grade 2 listed building in the Conservation Area totally inadequate for its purpose and creating serious disturbance.

First observed on or about 07/06/2014

Information/Evidence to support allegation

Sgt McWilliam of Lymington Police, Arran Harmer of NFDC Environmental Health, Stephanie Bennett NFDC Community Safety Co-ordinator and Bernadette Hanly of Victim Support are all involved and logs are being kept.

Date

10/08/2014

Paul Weston

From: G CAPNER ESQ
Sent: 23 July 2015 08:13
To: Patrick Curran
Cc: Karen White
Subject: Fwd: FW: Re Wytes

Dear Mr Curran

Further to this morning's email I note from reading Licence 633/6 that the 01.00am time limit for a Sunday morning specifically relates to both the Sale or SUPPLY of alcohol on or off the premises.

Regards

Gareth Capner

-----Original message-----

From : r

Date : 23/07/2015 - 07:14 (GMT+01:00)

To : Patrick.Curran@NFDC.gov.uk

Cc

Subject : RE: FW: RE WYTES

Dear Mr Curran

I refer to your email and our telephone conversation yesterday.

1. As I said in my email of 20th July I was awoken at 1.17am on the morning of Sunday 19th July by customers of Wytes standing outside Wytes on the east side of Gosport Street drunkenly screaming and shouting. I put on my dressing gown and shoes, walked out of my house and positioned myself directly opposite Wytes on the west side of Gosport Street. It was 1.24am by my watch. Wytes has a large window and was brightly lit so I had a clear view of the large number of customers clustered round the bar and I observed alcohol being passed over the bar by the bar person and money being paid. I also observed a male urinating in the street drain outside Loose Ends.

2. As they were busy serving alcohol no one was even available, or aware of the need, to manage the outside customers. The licence states:

"So as to minimise disturbance to local residents late at night, staff will be given appropriate instructions and training to encourage customers to leave the premises quietly and not loiter in the vicinity of the premises. At each exit point a prominent and clear notice will be displayed to the effect that customers should be considerate to local residents by leaving the premises and the area quietly".

The new young managers are not carrying out these duties and have taken down the notices required by the licence on both the garden door and the main Gosport Street door.

3. The licence states that noise from music and voices must be inaudible between 2300 and 0900 hours. Mrs White at 9 Trafalgar Place which lies immediately behind the garden of Wytes was disturbed on the night of Thursday 16th July by the use of the garden after 2300 hours. In addition the door to the garden was lodged open so that the noise from inside Wytes escaped. This is in breach of the condition in the licence which states:

"External doors will also be kept closed, except where necessary for access and egress, ie the doors will not be secured open and will be fitted with self closers if necessary".

Mrs White will be contacting you by email with further particulars which I am aware is a recurring problem.

We are grateful for your undertaking to raise these breaches with the licensee.

Yours sincerely

Gareth Capner
6, Trafalgar Place,
Lymington SO41 9BN
Tel: 07850 491320

-----Original message-----

From : Patrick.Curran@NFDC.gov.uk
Date : 22/07/2015 - 12:52 (GMTDT)
To :
Subject : FW: Re Wytes

Patrick Curran
Licensing Enforcement Officer
Licensing
Tel: 023 8028 5505 | Internal: 4444
patrick.curran@nfdc.gov.uk | www.newforest.gov.uk

From: Patrick Curran
Sent: 22 July 2015 11:49
To:
Subject: re wytes

Dear Mr & Mrs Capner,

Thank you for your email concerning Wytes. Rest assured I will do what I can within the terms of the Licensing Act 2003 to resolve this matter. Cases of disorder or matters of persons acting in an inappropriate manner outside the premises would also be matter for the Police. I have forwarded your email to my point of contact in Hampshire Police who has said that she will be passing the matter to the colleagues based at Lymington, I believe you have already contacted a Police officer in that regard.

One area that does concern me is your allegation that the premises is selling alcohol beyond their permitted hours. Can you actually say that you saw alcohol being sold i.e. money changing hands on the 19th July 2015 past 0100hrs?

I have tried your telephone number on a couple of occasions to verify this. Once I have established this I will speak to the licensee in order to establish if any breaches of the licence have or alleged to have occurred. I will not release your detail to the owners unless you particularly want me to.

I understand that my colleague Sarah Barnes has been in contact with you regarding planning matters.

I look forward to hearing from you.

Yours sincerely,

Patrick Curran
Licensing Enforcement Officer
Licensing Services
NEW FOREST DISTRICT COUNCIL
Tel 02380 285505

From: G CAPNER ESQ
Sent: 20 July 2015 11:57
To:

Subject: Wytes, 9 Gosport Street, Lymington SO41 9BG (Licence 633/6)

Dear Mr Harmer, NFDC Licensing, Mrs Barnes and Sgt McWilliam,

Following our discussions last year, Wytes is now "under new management" although we understand that the licensee is still Mr Robert Milton of Stanwell House Hotel.

We were awoken at 01.17am on Sunday 19th July by customers congregating and shouting in Gosport Street outside Wytes with one male urinating in the street drain outside Loose Ends.

The new management make no attempt to manage this situation and indeed have taken down the notices regarding quiet exit from the Gosport Street and garden doors in breach of the licence.

I confirmed this by putting on my dressing gown and shoes and going into the street. Mrs Pitt Brown of 5 Trafalgar Place also did this at 01.00am

I also confirmed that they were still selling alcohol at 01.24am in breach of their licence.

In addition on the night of Thursday 16th July Mrs Karen White of 9 Trafalgar Place was disturbed by the garden door being kept open and the garden being used after 11pm also in breach of the licence.

In my discussions with Mrs Barnes it is clear that Wytes is operating illegally as an A4 Drinking Establishment in an inappropriate small listed Grade 2 building where it's appropriate and lawful use is as an A3 restaurant. The operators of Wytes need to change their business and operational model and return to being a full time restaurant.

Please take action to contain and resolve this anti social nuisance including a complete review of the licence.

Yours sincerely

Gareth and Susan Capner
6, Trafalgar Place, Lymington SO41 9BN

From: G CAPNER ESQ [m]
Sent: 20 July 2015 11:57
To:
Cc:
Subject: Wytes, 9 Gosport Street, Lymington SO41 9BG (Licence 633/6)

Dear Mr Harmer, NFDC Licensing, Mrs Barnes and Sgt McWilliam,

Following our discussions last year, Wytes is now "under new management" although we understand that the licensee is still Mr Robert Milton of Stanwell House Hotel.

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Please take action to contain and resolve this anti social nuisance including a complete review of the licence.

Yours sincerely

Gareth and Susan Capner
6, Trafalgar Place, Lymington SO41 9BN

Patrick Curran
Licensing Enforcement Officer
Licensing
Tel: 023 8028 5505 | Internal: 4444
patrick.curran@nfdc.gov.uk | www.newforest.gov.uk

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Paul Weston

From: G CAPNER ESQ
Sent: 20 July 2015 11:00
To:
Cc:
Subject: Wytes, 9 Gosport Street, Lymington SO41 9BG (Licence 633/6)

Dear Mr Harmer, NFDC Licensing, Mrs Barnes and Sgt McWilliam,

Following our discussions last year, Wytes is now "under new management" although we understand that the licensee is still Mr Robert Milton of Stanwell House Hotel.

We were awoken at 01.17am on Sunday 19th July by customers congregating and shouting in Gosport Street outside Wytes with one male urinating in the street drain outside Loose Ends.

The new management make no attempt to manage this situation and indeed have taken down the notices regarding quiet exit from the Gosport Street and garden doors in breach of the licence.

I confirmed this by putting on my dressing gown and shoes and going into the street. Mrs Pitt Brown of 5 Trafalgar Place also did this at 01.00am

I also confirmed that they were still selling alcohol at 01.24am in breach of their licence.

In addition on the night of Thursday 16th July Mrs Karen White of 9 Trafalgar Place was disturbed by the garden door being kept open and the garden being used after 11pm also in breach of the licence.

In my discussions with Mrs Barnes it is clear that Wytes is operating illegally as an A4 Drinking Establishment in an inappropriate small listed Grade 2 building where its appropriate and lawful use is as an A3 restaurant. The operators of Wytes need to change their business and operational model and return to being a full time restaurant.

Please take action to contain and resolve this anti social nuisance including a complete review of the licence.

Yours sincerely

Gareth and Susan Capner
6, Trafalgar Place, Lymington SO41 9BN

Paul Weston

From: louise stone
Sent: 14 August 2014 12:20
To:
Subject: v v y l e s

Dear Gareth

Your email has been forwarded on from my former employer following my redundancy last year.

I too have been finding the noise level intolerable and have been forced to sleep on my sofa at the rear of the property. My bedroom is directly above the DJ's equipment and my bedroom vibrates with the noise.

I was unaware that others were being disturbed and will take it up with Robert Milton, the owner of the business.

Regards
Louise

Paul Weston

From: G CAPNER ESO
Sent: 10 August 2014 12:04
To:
Cc:
Subject: Wytes, 9 Gosport Street, Lymington.

Dear Seargeant McWilliam

Thank you for your email of 7th August. We have been on a short holiday and on our return have found the situation variable. As you will have seen from Mrs White's recent email noise from a live band was intrusive last Thursday 7th August and the log we are keeping for NFDC Environmental Health records disturbances both before and after 11pm on Friday 8th August from music, distinct drumbeats and voices. Last night Saturday 9th was OK.

The essential problem is that a small listed building has been turned from a restaurant into a drinking and music venue. We trust you will continue to help us because the management ignore us and once they think they are "off the radar" they will not even try to manage the inadequacies of this inappropriate venue.

We are copying this email to Mrs Crowe at No 11, Mrs White at No 9, Mr Harmer at NFDC Environmental Health, Stephanie Bennett and Bernadette Hanly at Victim Support and the freeholder of the premises Louise Stone.

Kind regards

Gareth and Susan Capner

6, Trafalgar Place, Lymington, SO41 9BN

Paul Weston

From:
Sent: 08 August 2014 14:45
To: Gareth Capner; Shireen Crowe
Subject: Fwd: Whytes, Gosport Street, Lymington

Prompt reply but disappointing information.... K

Sent from my iPad

Begin forwarded message:

From: Arran Harmer <Arran.Harmer@NFDC.gov.uk>
Date: 8 August 2014 14:03:02 BST
To: '
Cc:

Subject: RE: Whytes, Gosport Street, Lymington

Dear Mrs. White

Thank you for your email.

I am disappointed to hear that there have been further disturbances from music at Wytes, especially having brought the issue of noise to their attention on several occasions. I would be grateful if you could forward your diary sheets to me after the weekend so that I can assess them with a view to arranging some noise monitoring from your property in the near future.

In terms of the live music advertised in relation to their premises licence (i.e. occasionally permitted), unfortunately, since the premises licence was issued live music has been deregulated by the Live Music Act 2012 between the hours of 08:00hrs and 23:00hrs for audiences up to 200 people. Therefore, any conditions attached to the licence in relation to live music between these hours are no longer enforceable- which may include this condition about accessional live music only being permitted at the premises. That said, they must still not cause a nuisance to neighbouring properties from any music or noise from the premises- which is the aspect we are currently investigating.

I have copied the planning enforcement officer into this email in relation to the vinyl advertising banner attached to the railings along Gosport Street as it may be of interest in the course of investigating other issues associated with the premises.

Yours sincerely

Arran Harmer
Environmental Health Technician
Public Health and Community Safety
Tel: 023 8028 5588 | Internal: 284444
arran.harmer@nfdc.gov.uk | www.newforest.gov.uk

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

From: Karen White

Sent: 08 August 2014 17:22

To:

Subject: whytes, Gosport Street, Lymington

Dear Sirs

Following the recent communications concerning licence breach at Whytes, I would like to report an incident last evening (8th August) when a live band was playing just inside the open garden doors at Whytes at 9.00pm. After complaining in person the girls behind the bar said 'oh, the doors were closed earlier'. Even after the doors were closed, music could be quite clearly heard due to the amplification.

I would also like to comment on Whytes' vinyl advertising banner now attached to the railings in Gosport Street. As far as I am aware they do not have planning permission for this. The notice advertises live music on Thursdays, Fridays and Saturdays i.e. 50% of their opening evenings - not occasional live music permitted under their license.

I will continue to complete the Noise Complaint Record form sent to me by Mr Harmer.

Yours faithfully,

Karen White
9 Trafalgar Place
Lymington

Sent from my iPad

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Paul Weston

From:
Sent: 28 July 2014 10:13
To: Licensing e-mail address
Cc:
Attachments: [redacted]

Dear Mr Weston

Further to our telephone conversation this morning we attach a log of the breaches of premises license 633/6 by the Wytes license holder. Specifically there are 4 issues:

1. The licence states that there could be "occasional live music for customers". Wytes are now holding live music and DJ sessions every Thursday, Friday and Saturday and as they are closed on

Mondays, live music is being played for 50% of their opening days. This is not "occasional".

2. Before 11pm it should not be possible to recognise distinct tunes and all external doors and windows must be kept shut. This is not being observed.

3. After 11pm noise will be "inaudible" when measured at the external boundary of our house number 6 Trafalgar Place. We are regularly woken by amplified noise heard within our double skinned

and double glazed house. We can never open our windows even in the hottest weather.

4. Customers congregate outside in Gosport Street to smoke, drunkenly shout and scream after 11pm. into the small hours.

Our amenity and sleep patterns are being seriously affected by these breaches of the licence. Wytes has effectively become an A4 drinking establishment whereas its existing established use is as an A3 restaurant previously known as Limpets. It is a small listed building entirely unsuitable for this use and we formally request that you review the fundamental appropriateness of this license.

Yours sincerely

Gareth and Susan Capner

Sarah Wilson

* Objection

G CAPNER ESQ

From: Paul Weston on behalf of Licensing e-mail address
Sent: 21 November 2016 10:10
To: Sarah Wilson
Subject: FW: New Premises Licence application: 9 Gosport Street Lymington SO41 9BG

Paul Weston
Environmental Health
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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From: G CAPNER ESQ [mailto:gcapner@nfdc.gov.uk]
Sent: 20 November 2016 09:50
To: Licensing e-mail address
Cc: Cllr Alan Penson
Subject: New Premises Licence application: 9 Gosport Street Lymington SO41 9BG

Dear Mr Weston

I wish to make a separate objection to this application. The garden of 9 Gosport Street is only 20 feet from my small court garden garden. If amplified or even non amplified live and recorded music is allowed in their garden it really means you are denying me quiet enjoyment of my home and garden. Music coming from these premises in the past has meant that my home vibrates with loud bass notes and I am forced to hear their choice of music. I am a musician and I love to hear music but I do not think it is too much to ask that I choose the music I hear in my home. You will know that this listed building is not sound proofed and so even music played inside the premises means that I can clearly hear the beat and words of the recordings in my home and in the summer months when it would preferable to sleep with the windows open this is not possible. I fail to understand why a restaurant would need to create a night club atmosphere to attract customers. I urge you to take into consideration the peace and well being of the residents in the neighbouring properties.

Thank you
Susan Capner
6 Trafalgar Place
Lymington
SO41 9BN

Sarah Wilson

objection

CARDWELL

From: Paul Weston on behalf of Licensing e-mail address
Sent: 15 November 2016 08:30
To: Sarah Wilson
Subject: FW: Objection to No 9 Gosport Street, Lymington

Paul Weston
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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From: Peter Cardwell [mailto:]
Sent: 15 November 2016 08:05
To: Licensing e-mail address
Subject: Objection to No 9 Gosport Street, Lymington

To The Licensing Authority, NFDC:

I am writing to object to the licensing application for No 9 Gosport Street, Lymington.

Number 9 Gosport Street is situated in the middle of a residential area and the application to play recorded music and to perform live music to late in the evening raises concerns. It is likely that amplified music will be heard clearly in neighbouring homes.

The sale and consumption of alcohol raises concerns about the possible behaviour of customers. There are frequent incidents of smashed windows in the Gosport Street /Lymington High Street areas and this indicates the necessity for the provision of security.

Yours faithfully,
Peter Cardwell
21 Trafalgar Place
Lymington
SO41 9BN

4 objections *COMFORT*

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 15 November 2016 08:28
To: Sarah Wilson
Subject: FW: New Premises Licence 9 Gosport Street, Lymington, SO41 9BQ

Paul Weston
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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From: Gillian Comfort [[mailto:](#)]
Sent: 14 November 2016 18:50
To: Licensing e-mail address
Subject: New Premises Licence 9 Gosport Street, Lymington, SO41 9BQ

Dear Sirs

I am writing to object to the following application in the strongest possible terms.

My reasons for objecting are as follows:

1. The premises only have planning permission for A3 use. The proposed use is undoubtedly A4 and is for a drinking and entertainment establishment not a café/restaurant.
2. Residents of Trafalgar Place have been plagued for years by issues with anti social behaviour and excessive noise from this building. It is a listed building in a conservation area and is not fit for the purpose. The windows are not double glazed, the garden backs on to many other private dwellings and the sound insulation is insufficient for amplified music and films!!!!

I sincerely hope that this application is dismissed in its entirety.

Yours faithfully

Gillian Comfort
23 Trafalgar Place
Lymington
SO41 9BN

Sarah Wilson

From: Dudley Cr
Sent: 17 November 2016 10:00
To: Licensing e-mail address
Subject: Licence Application - 9 Gosport Street, Lymington - OBJECTION

We are writing to object to the granting of the licensing application by the proprietor of 9 Gosport Street on the following grounds:

- Currently, the premises has permission to operate as a restaurant/café – not a drinking and entertaining establishment with extended hours and amplified music.
- The surrounding area, Trafalgar Place, Gosport Street, Mill Lane, Station Street, The Quay and Captain's Row, is predominantly residential, and much of it in the Conservation Area.
- The application is asking for permission to operate a drinking and entertainment business from 8.00 am to midnight/1.00 am, with an extension to 3.00 am on special occasions. Clearly this will have a huge impact on the noise levels of the neighbouring area, not to mention drinking crowds outside until the early hours of the morning with the likelihood of public disturbances and even police intervention.
- The building in question is a listed building and an extended hours drinking and entertaining establishment is not an appropriate use for it.
- Gosport Street is a busy access street for the town – the granting of this licence will increase congestion due to delivery trucks having to stop outside the premises and, particularly if an off premises sales licence is also granted, the real possibility of inconsiderate/hazardous parking on the part of its clientele.

We therefore strenuously urge the New Forest District Council to deny this application.

Dudley and Emma Cox
7 Trafalgar Place
Lymington

SO41 9BN

* Objection -

Crowe

Sarah Wilson

From: Paul Weston
Sent: 10 November 2016 14:35
To: Sarah Wilson
Subject: FW: Objection to the licence application by 9 Gosport Street, Lymington

Paul Weston

Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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New Forest In Touch



From: Shireen Crowe [m]
Sent: 10 November 2016 14:26
To: Sarah Barnes
Cc: Paul Weston
Subject: Objection to the licence application by 9 Gosport Street, Lymington

Dear Ms Barnes and Mr Weston

I would like to make the strongest objection to the licence request by the new operator of this property (9 Gosport Street) on the grounds of the anti social behaviour and distress to local residents it will result in. Those in the immediate vicinity (Trafalgar Place, Mill Lane, The Quay, Captain's Row) have been through the nightmare of noise, drinking till all hours, vomiting on the pavements or over Trafalgar Place wall, urinating in the Trafalgar Place gardens, police being called because of 2am noise. However, I realise that the planning department are less interested in the emotional distress of the local community – albeit that several of us had to move out of our homes in order to get some sleep during the balmy summer nights when the noise was so bad. In my case I suffered stress and depression due to the lunch/evening noise levels and regular inconsiderate behaviour of those who frequented the establishment. I have no reason to suspect that the general public's behaviour will be any better under this new management – long hours of drinking encourages drunken (and usually bad) behaviour which spills out on to the street.

But, on a less emotional note, No: 9 Gosport Street only has permission for a restaurant/café NOT a drinking and entertainment establishment.

Sarah Wilson

From: Shireen Crowe
Sent: 10 November 2016 15:02
To: Sarah Wilson
Subject: Re: 9 Gosport Street

Yes of course – SO41 9AU – 4 Haven Point, Station Street, Lymington.

Shireen Crowe |

From: Sarah Wilson <Sarah.Wilson@NFDC.gov.uk>
Date: Thursday, 10 November 2016 14:51
To: Microsoft Office User <Microsoft.Office.Outlook@newforest.gov.uk>
Subject: 9 Gosport Street

Good afternoon,

Thank you for your recent representation to the application for the grant of a premises licence.

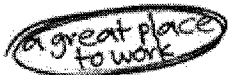
For administrative purposes, please may you provide a full postal address to future correspondence.

Kind regards,

Sarah Wilson
Licensing Services
Governance & Regulation
New Forest District Council
Tel: **023 8028 5505**
Email licensing@nfdc.gov.uk
newforest.gov.uk



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Sarah Wilson

* Objection

DoLP=12

From: Paul Weston on behalf of Licensing e-mail address
Sent: 21 November 2016 10:10
To: Sarah Wilson
Subject: FW: New Premises Licence Application: 9 Gosport Street Lymington

Paul Weston
Environmental Health
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk

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

From: Peter Dolphin
Sent: 20 November 2016 08:04
To: Licensing e-mail address
Subject: New Premises Licence Application: 9 Gosport Street Lymington

Dear NFDC Licensing,

I am writing to register my strong objection to the new premises licence application for 9 Gosport Street Lymington.

As I understand it the premises only has permission for an A3 restaurant/cafe and now the application is to allow them to operate as a drinking and entertainment establishment. I believe that this will cause immense nuisance to residents in Trafalgar Place and beyond. Trafalgar Place is a quiet residential square situated very close to Gosport street and many of the properties either back directly onto the rear of 9 Gosport Street or overlook the premises.

I am very concerned about the potential problems this will incur including:

1. The noise created by allowing opening hours up until 1:00am in the morning - and potentially later still for special events.
2. The potential for noise and nuisance created by allowing off licence sales of alcohol.
3. Drinking alcohol outside the premises, in the garden area late in the evening - into the early morning hours
3. Amplified music being played outside in the garden of the property which is surrounded by residential housing
4. The general disruption that will be likely caused to the surrounding residential areas by broadening the licence application

In addition I understand that severe problems have been caused previously when this establishment was allowed to operate in the way that this licence is permitting.

Yours sincerely

Peter Dolphin
12A Trafalgar Place
Lymington

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 14 November 2016 15:57
To: Sarah Wilson
Subject: FW: Mr Paul Weston, Esq.

Paul Weston
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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From: Britannia House [\[mail\]](#)
Sent: 14 November 2016 15:31
To: Licensing e-mail address
Subject: FAO: Mr Paul Weston, Esq.

Licensing Application: 9 Gosport Street, Lymington

Dear Mr Weston,

I am writing with regard to above application.

My name is Tobias and I am the owner of Britannia House, AA 4 star gold Bed and Breakfast in Station Street.

It has been brought to my attention that the new owners of no.9 Gosport Street have applied for a 7 day a week, 16-hour a day drinking and entertainment business operation incl playing live music until 1/3am in the morning, selling alcohol off licence etc.

I STRONGLY OBJECT to such a comprehensive licensing application.

Any operation of such extent is not recommendable at all in Lymington. Now after so many years, the pub goers of the Kings Head are "tame and civilised" and hardly any noise after 11pm/midnight coming from Quay Hill, not to mention The Fusion and the Thomas Tripp where fights were part of the entertainment. All that has been sorted out, very much to the delight of both community and police.

So I don't think that it is in anyone's interest to open a noisy bar in Lymington town centre, where loud music and drinking are the core of the business.

Many thanks for your consideration.

Yours Tobias Feilke
Owner, Britannia Guesthouse, Station Street, Lymington

Britannia House
Station Street
Lymington
SO41 3BA

11



BRITANNIA
HOUSE



Lymington Bed and Breakfast Accommodation in The New Forest

Sarah Wilson

Objection

GARBUTT

From: Dotty Garbut
Sent: 15 November 2016 22:42
To: Licensing e-mail address
Subject: Re: "Objection to NO. 9 Gosport Street"

Dear Sarah Wilson,

Sorry not to have given my details in my email "Objection to No 9 Gosport street." They are as follows=- Dorothy Garbutt, 16, Trafalgar Place, Lymington SO41 9BN

On 10/11/2016 15:09, Licensing e-mail address wrote:

> Good afternoon,
>
> Thank you for your objection to the above premises licence application.
>
> For our assistance, please may you provide your full postal address for future correspondence.

> Kind regards,

> Sarah Wilson
> Licensing Services
> Governance & Regulation
> New Forest District Council
> Tel: 023 8028 5505
> Email licensing@nfdc.gov.uk
> newforest.gov.uk

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> -----Original Message-----

> From: Dotty Garbutt [<mailto:>]
> Sent: 10 November 2016 15:02
> To: Licensing e-mail address
> Subject: "Objection to NO. 9 Gosport Street"

> Dear Sir/Madam,

> Having heard from my neighbours & various residents about the application for the property of NO 9 Gosport street to be permitted to become a drinking establishment with extended hours, I felt it needed a second thought. The area is not really suitable to the requirements. Parking is always a problem even during normal daytime needs, let alone extra space required for our youthful party-goers, has plenty of thought been given to the additional noise late at night? I note planning is asking for 1am closure, this would be 1.30am clearance of the surrounding area at least. The properties alongside of NO 9 are of considerable age, has any great thought been given to FIRES or available space for a Fire Crew to attend should the need arrive? I ask only for this matter to be given careful thought before planning consent be granted.

> Yours Sincerely

Sarah Wilson

From: Paul and Liz Gredley
Sent: 15 November 2016 21:03
To: Licensing e-mail address
Subject: Objection to Licensing application at No.9 Gosport Street, Lymington

Dear Sir/Madam

We live at Flat 2, The Old Mill, Mill Lane, Lymington, SO41 9AZ.

We are objecting to the proposed licence application at No.9 Gosport Street due to the likelihood of intrusive disturbance from live and recorded music (live music being amplified) being played potentially from 08:00hrs to midnight, Sunday to Friday inclusive and beyond on Saturdays, Christmas Eve and New Years Eve.

Together with the sale and consumption of alcohol on and off the premises during the same hours, this raises concern about unsupervised, unruly behaviour of customers local to the premises especially at closing times.

No.9 Gosport St is situated adjacent a residential area, including our property, and it is inevitable that the music will be heard at these homes especially in summer with windows open and with amplified live music. Despite the requirement for the music to move inside at 21:00 hrs with windows and doors closed, No.9 Gosport St is a listed building and has single glazed windows which cannot provide sufficient reduction in the noise.

We consider that the licence to play music should not be granted but if it is, the volume should be controlled and monitored and the music hours greatly reduced and stopped much earlier in the evening.

We trust you will consider this application carefully in line with your duties under sections 80 and 81 of the Environmental Protection Act 1990 (as amended by the Noise and Statutory Nuisance Act 1993)

Paul and Liz Gredley

* Objection

HELLIER

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 21 November 2016 10:12
To: Sarah Wilson
Subject: FW: Objection to No9 Gosport Street

Paul Weston
Environmental Health
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk

  
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From: Florence Hellier
Sent: 18 November 2016 16:15
To: Licensing e-mail address
Subject: Objection to No9 Gosport Street

We object to No 9 Gosport Street as it will cause disturbance to our house

Kindest regards,

Florence Hellier
HOXTON BAKEHOUSE

UNIT 9B
LOVERIDGE LANE
SOUTHAMPTON
SO15 1GQ

M
+ . .

Sarah Wilson

From: Sarah Wilson
Sent: 22 November 2016 10:58
To:
Cc: Sarah Wilson
Subject: 9 Gosport Street Lymington

Good morning Ms Hellier,

We are in receipt of your objection for the above premises, who have made an application for a Premises Licence.

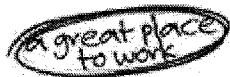
In order for us to communicate with you further, please may you provide us with your residential address for administrative purposes.

Kind regards,

Sarah Wilson
Licensing Services
Environmental Health
New Forest District Council
Tel: **023 8028 5505**
Email licensing@nfdc.gov.uk
newforest.gov.uk



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* Objection

JOHNSON

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 15 November 2016 08:30
To: Sarah Wilson
Subject: FW: 9 Gosport Street, Lymington

Paul Weston

Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
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From: Mike Johnson [<mailto:>]
Sent: 13 November 2016 10:49
To: Licensing e-mail address
Subject: 9 Gosport Street, Lymington

Dear Sirs : I should like to record my objection to an application for a late night drinking and music licence at 98 Gosport Street. This premises is at the heart of a residential neighbourhood and is highly inappropriate for where it is situated. Additionally, late night licensing will bring with it associated traffic in an already crowded street and make it impossible for people to sleep.

Yours faithfully
Michael A. Johnson
3 Trafalgar Place
Lymington
SO41 9 BN

* Objection

MELLO

Sarah Wilson

From: Ian and Tina MELLO
Sent: 22 November 2016 16:08
To: Sarah Wilson
Subject: Re: Application for late night drinking 9 Gosport Street

My address is;
Ruardean
Captains Row
Lymington
SO41 9RP

Regards Ian Mell

From
To >
Sent: Tuesday, 22 November 2016, 13:30
Subject: FW: Application for late night drinking 9 Gosport Street

Good afternoon,

Thank you for your email.

In order for us to communicate further, please may you provide your full postal address.

Many thanks,

Sarah Wilson
Licensing Services
Environmental Health
New Forest District Council
Tel: 023 8028 5505
Email licensing@nfdc.gov.uk
newforest.gov.uk

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

From: Paul Weston
Sent: 22 November 2016 12:40
To: Sarah Wilson
Subject: FW: Application for late night drinking 9 Gosport Street

Paul Weston
Environmental Health
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk

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

From: Ian Mellor [mailto:

Sent: 22 November 2016 12:34

To: Paul Weston

Subject: Application for late night drinking 9 Gosport Street

Dear sir,

we own property on Captains Row and we object to this application for late night drinking at Wytes , 9 Gosport Street.

The reason for this is:

This is mainly a residential area

There are houses very close to these premises and customers leaving here late at night will cause noise and nuisance
People leaving these premises also walk down Captains Row causing a lot of noise and disturbance and engage in
unneighbourly activities.

In the past customers who have had too much to drink have been involved in altercations both with residents and each
other.

This will have a material adverse affect on residential amenity and safety.

This sort of establishment is more appropriate in a city centre clubland not a residential street in a market town.

Sent from my iPhone

Kind regards

Ian Mellor

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* Objection

MOWBRAY, G

Sarah Wilson

From: Geoffrey de Mowbray
Sent: 17 November 2016 09:00
To: Licensing e-mail address
Cc: Paul Weston
Subject: RE: Objection - 9 Gosport Street

Good morning,

It is 15 Trafalgar Place
Lymington
Hants SO41 9BN

From: Sarah Wilson [mailto:Sarah.Wilson@NFDC.gov.uk] **On Behalf Of** Licensing e-mail address
Sent: 17 November 2016 08:51
To: <
Cc: _____
Subject: RE: Objection - 9 Gosport Street

Good morning,

Thank you for your email.

For us to be able to communicate with you further, please may you provide your full postal address by return.

Kind regards,

Sarah Wilson
Licensing Services
Governance & Regulation
New Forest District Council
Tel: **023 8028 5505**
Email licensing@nfdc.gov.uk
newforest.gov.uk



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From: Geoffrey de Mowbray [mailto:
Sent: 17 November 2016 08:38
To: Licensing e-mail address
Subject: Objection - 9 Gosport Street

Dear Sir/Madam

I wish to object to the Licencing application for Number 9 Gosport Street which is situated in the middle of a residential area in Lymington town.
While prevailing conditions will vary, it is likely that amplified music will be able to be heard clearly in twenty neighbouring homes, in which old people and children who have difficulties in sleeping, live. Control of volume of the music will need to be enforced and not be allowed after 23:00, at the latest. It should be noted that one of the appeals to Lymington is not one of a "bar and club" town.

- Furthermore, the sale and consumption of alcohol from 08:00 until midnight every day and until 1am, or even 3am, on Saturdays raises concern with regard to the possible behaviour of customers. The provision of Security in the street will be essential every evening from 19:00 and will have to continue until all customers have left and the premises are closed.

Kind Regards

Geoffrey de Mowbray
Chief Executive Officer



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* - 10/11/2016

MOWBRAY P

Sarah Wilson

From: Patricia de Mowbra
Sent: 15 November 2016 10:15
To: Sarah Wilson
Cc: Paul Weston
Subject: Re: 9 Gosport Street

15 Trafalgar Place
Lymington
SO41 9BN.

On 15 Nov 2016 09:13, Sarah Wilson <Sarah.Wilson@NFDC.gov.uk> wrote:
Good morning,

Thank you for your email relating to the above premises.

For administration purposes to allow us to communicate with you further, I would be grateful if you could provide your full postal address by return.

Kind regards,

Sarah Wilson
Licensing Services
Governance & Regulation
New Forest District Council
Tel: **023 8028 5505**
Email licensing@nfdc.gov.uk
newforest.gov.uk



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Sarah Wilson

requested address

From: Paul Weston on behalf of Licensing e-mail address
Sent: 15 November 2016 08:27
To: Sarah Wilson
Subject: FW: Objection to No.9 Gosport Street

Paul Weston
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk

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-----Original Message-----
From: Patricia de Mowbray [r]
Sent: 14 November 2016 17:26
To: Licensing e-mail address
Subject: Objection to No.9 Gosport Street

I wish to object to the Licencing application for Number 9 Gosport Street which is situated in the middle of a residential area in Lymington town. While prevailing conditions will vary, it is likely that amplified music will be able to be heard clearly in twenty neighbouring homes, in which old people and children who have difficulties in sleeping, live. Control of volume of the music will need to be enforced and not be allowed after 23:00, at the latest. Furthermore, the sale and consumption of alcohol from 08:00 until midnight every day and until 1am, or even 3am, on Saturdays raises concern with regard to the possible behaviour of customers. The provision of Security in the street will be essential every evening from 19:00 and will have to continue until all customers have left and the premises are closed.

Sarah Wilson

From: Paul Packham
Sent: 15 November 2016 22:04
To: Licensing e-mail address
Subject: 9 Gosport Street, Lymington, SO41 9BG - New Premises Licence - OBJECTION

Dear NFDC Licensing,

Please accept this email as my OBJECTION to an application that I understand has been made for a new Premises Licence at the address of 9 Gosport Street, Lymington, SO41 9BG.

I am aware that this property has had a premises licence in the past and that this has, on many occasions in the past, not been adhered to and the site has been a significant contributing factor to antisocial behaviour in this area of the town. The new premises licence appears to include for extended hours beyond that which previous applications have been granted for, and this raises major concerns regarding the wellbeing of residents within close proximity – Trafalgar Place is such a location and the residents therein should not be subjected to the high probability of regular antisocial behaviour into the early hours, which is quite obviously going to be the inevitable outcome of the granting of any form of premises licence that allows operations later than could be considered reasonable, and includes a licence to perform live and recorded amplified music on a regular basis, late at night.

My understanding is that the property does have lawful planning use as an A3 Restaurant/Café and this is accepted, albeit I would strongly urge the reconsidering of this current License on the basis of the history of this site – this property does not have an A4 Drinking Establishment Licence and, on this basis alone, the application is strongly objected to and I would wish to lodge this email as a STRONG OBJECTION to the granting of a new premises licence to this property.

Thank you.

Mr P Packham
11 Trafalgar Place, Lymington, SO41 9BN

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* Objection

Pitt

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 21 November 2016 14:04
To: Sarah Wilson
Subject: FW: Objection to No.9 Gosport Street, Lymington

Paul Weston
Environmental Health
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk

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

From: Shirley Pitt-Brown
Sent: 21 November 2016 13:25
To: Licensing e-mail address
Subject: Objection to No.9 Gosport Street, Lymington

Dear Sirs,

I write to object to the licensing application made for the above premises.

My family live less than 20 yards away from the door, on Gosport Street itself, and is very concerned with what is likely to happen.

We have read the proposals regarding the sale of alcohol combined with music, and sense a repeat of anti-social behaviours that we - the neighbourhood - had to witness previously, when the No. 9 was used similarly. At that time, customers would 'roll out' into the road, screaming obscenities, singing along to the music Perhaps if music was taken OUT of the equation, as in other local eateries (i.e. The Elderflower, Egans,), objections would not be so heavily provoked?

Yours faithfully,
Shirley Pitt-Brown (Mrs.),
5 Trafalgar Place,
Gosport Street,
SO41 9BN.

My name and address:

* Objection

RUCE

Sarah Wilson

From: Jar
Sent: 29 November 2016 13:04
To: Sarah Wilson
Subject: Re: Objection to 9 Gosport Street Application

5 Hamilton Mews
26 Gosport Street
Lymington
SO41 9BG

From: Sarah Wilson <Sarah.Wilson@NFDC.gov.uk>
Sent: 29 November 2016 08:52
To: 'jantwining@hotmail.com'
Subject: RE: Objection to 9 Gosport Street Application

Good morning,

Thank you for your email regarding the above premises.

In order for us to correspond with you further, it would be helpful if you could provide us with your full postal address by return.

Kind regards,

Sarah Wilson
Licensing Services
Environmental Health
New Forest District Council
Tel: **023 8028 5505**
Email licensing@nfdc.gov.uk
newforest.gov.uk



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From: Janet [mr]
Sent: 25 November 2016 16:53
To: Licensing e-mail address
Subject: Objection to 9 Gosport Street Application

Dear Sir/Madam

Objection to the licensing application at No 9 Gosport Street

As a very local resident, also in Gosport Street, we ask the application to play live music and recorded music both in and outside at NO 9 Gosport Street, seven days a week be turned down.

Gosport Street is a busy road, and the sounds bounce off all the houses, as they are in close proximity. To add music into this confined space, all day every day, till midnight, will make the noise levels unacceptably high

Its inappropriate in a densely populated residential area, with flats on the party walls to both sides of 9 Gosport Street.

We ask you to consider the immediate residents and reject this application.

Regards

Janet Rule

Hamilton Mews

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Objection

09/11/16

Sarah Wilson

From: Paul Weston
Sent: 09 November 2016 12:39
To: Sarah Wilson
Subject: RE: 9 Gosport Street

Sarah

Yes - try & get an address for Mel.

Paul Weston
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk

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

From: Sarah Wilson On Behalf Of Licensing e-mail address
Sent: 09 November 2016 12:18
To: Paul Weston
Subject: FW: 9 Gosport Street

Are you happy to accept this objection?

Sarah Wilson
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email licensing@nfdc.gov.uk
newforest.gov.uk

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

From: Brian Smith [mailto:brian.smith@nfdc.gov.uk]
Sent: 09 November 2016 11:51
To: Licensing e-mail address
Subject: 9 Gosport Street

We have been alerted to the application for a music licence for the above premises. As joint owners of Old Walls, Mill Lane, Lymington, we should like to register our strong objections to this application on the grounds that amplified music being played on these premises, both indoors and outdoors, would be a gross intrusion into the lives of the inhabitants of the surrounding neighbourhood.

SO419AZ

Please ensure that no such inappropriate licence is granted.

Brian Smith
Stephen Boswell.
Sent from my iPad

* Objection

STEVENS

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 28 November 2016 10:09
To: Sarah Wilson
Subject: FW: 9 Gosport St

Paul Weston

Environmental Health
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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From: Captain [\[mailto: \]](#)
Sent: 26 November 2016 12:17
To: Licensing e-mail address
Subject: 9 Gosport St

Good morning.

I would like to put an objection to the licensing of 9 Gosport st.

This is a residential area and having a bar close at 0100 is not going to work in this area.

Amplified music and all day drinking is not an advancement to this area.

Please be sensitive to the type of area this is.

Best regards

Captain Mark Stevens
SY Red Dragon

Sarah Wilson

From: Captain
Sent: 29 November 2016 11:09
To: Sarah Wilson
Cc: Paul Weston
Subject: RE: 9 Gosport St

Hi Sarah
My postcode is
SO41 9AZ
Best
Mark

Captain Mark Stevens

Red Dragon

Hill Robinson Yacht Consultants ... Residence du Port Vauban
17 Avenue de 11 Novembre ... Antibes ... 06600 ... France

From: Sarah Wilson [<mailto:Sarah.Wilson@NFDC.gov.uk>]
Sent: 29 November 2016 09:43
To:
CC: Paul Weston <Paul.Weston@NFDC.gov.uk>
Subject: FW: 9 Gosport St

Good morning Captain Stevens,

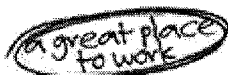
In order for us to correspond with you further on this matter, please may you provide your full postal address by return.

Kind regards

Sarah Wilson
Licensing Services
Environmental Health
New Forest District Council
Tel: **023 8028 5505**
Email licensing@nfdc.gov.uk
newforest.gov.uk



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Sarah Wilson

From:
Sent: 15 November 2016 09:40
To: Sarah Wilson
Subject: Re: 9 Gosport Street

Thank you for your response. My address is: 3 Britannia Place, Mill Lane, Lymington SO41 9AY.
Jacqueline Tester

Sent from my iPad

On 15 Nov 2016, at 09:14, Sarah Wilson <Sarah.Wilson@NFDC.gov.uk> wrote:

Good morning,

Thank you for your email relating to the above premises.

For administration purposes to allow us to communicate with you further, I would be grateful if you could provide your full postal address by return.

Kind regards,

Sarah Wilson
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email licensing@nfdc.gov.uk
newforest.gov.uk

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<image004.jpg>

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Sarah Wilson

requested address

From: Paul Weston on behalf of Licensing e-mail address
Sent: 15 November 2016 08:28
To: Sarah Wilson
Subject: FW: 9 Gosport Street

Paul Weston
Licensing Services
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk

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

From:
Sent: 14 November 2016 19:05
To: Licensing e-mail address
Subject: 9 Gosport Street

Dear Sir or Madam,

I would like to raise my objections to the licensing application by the owner of 9 Gosport Street to operate a drinking and entertainment business. My objections are based on my belief that such an establishment would impair the quality of life for local residents. In particular I believe that nuisance will be caused by:

- 1) amplified music and noisy drinking crowds, potentially until 1am or later at the weekend.
 - 2) encouraging drinkers to move from local pubs when they close, where they will continue their alcohol consumption to the point of intoxication, with bad behaviour resulting.
 - 3). Noise when drinkers leave the establishment.
 - 4) nowhere for the taxis to wait to pick up customers.
- In addition:
- 5) off license sales are totally unnecessary given that Tesco is open until 10pm.

I see a repeat of the bad behaviour that occurred when Longs night club operated in the town.

The proposed establishment would be fine in a city centre, but not in Gosport Street, Lymington.

I ask that you take my objections seriously.

Yours faithfully

Jacqueline Tester (Mrs)

Sent from my iPad

* Objection

TYDEMAN C

Sarah Wilson

From:
Sent: 10 November 2016 11:17
To: Licensing e-mail address
Subject: No.9 Gosport St SO41 9BG

STRONG OBJECTION

I live in close proximity to this premises which has insidiously escalated from a grade A3 eating establishment to a Grade 4 drinking and music/entertainment venue which previously has not been without problems of noise and anti social behaviour. No.9 is a small Grade 2 listed building in a conservation area closely surrounded by many residential properties whose residents will be greatly affected in one way or another by amplified music and, no doubt, the anti social antics which seem to proliferate around these drinking places. I object very strongly to the granting of this license.

Mrs C A Tydeman
19 Trafalgar Place
Lymington
SO41 9BN

Sent from Samsung tablet

* Objection

TYDEMAN G

Sarah Wilson

From: Paul Weston on behalf of Licensing e-mail address
Sent: 21 November 2016 10:09
To: Sarah Wilson
Subject: FW: No. 9 Gosport Street, Lymington

Paul Weston
Environmental Health
Governance & Regulation
New Forest District Council
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk
newforest.gov.uk



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From:
Sent: 20 November 2016 15:01
To: Licensing e-mail address
Subject: No. 9 Gosport Street, Lymington

I wish to make a strong objection to the granting of a license to the above premises for its inappropriateness in a very small Grade 2 listed building in a conservation area which is highly residential. It will be a huge imposition on the people living in the vicinity and, in particular, many of the residents of Trafalgar Place several of whom will be very badly affected by noise and, almost inevitably, anti-social behaviour.

Yours
George Tydeman
Director, Trafalgar Place (Lymington) Residents' Ass. Ltd.
19 Trafalgar Place
Lymington
SO41 9BN

Sent from Samsung tablet

* Objection

WHITE K



TRAFALGAR PLACE (LYMINGTON) RESIDENTS ASSOCIATION LIMITED

Registered Office: Keels Barn, Highclere, Newbury RG20 9PS

20th November 2016



Attention: Mr Paul Weston
Planning/Licensing Department
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst SO43 7PA



Dear Mr Weston

New Premises Licence Application: 9 Gosport Street, Lymington SO41 9BG

I write as Honorary Secretary of the Trafalgar Place (Lymington) Residents' Association to which all 24 households in Trafalgar Place belong. We wish to object to the above application in the following terms.

Mrs Barnes of NFDC Planning Enforcement has confirmed that the lawful use of 9 Gosport Street is as an A3 restaurant/cafe and she has confirmed, along with PC Conway of the Police Licensing Department, that the new owners intended to run this establishment as a restaurant. We have no objection to this.

However, the existing licence and the proposed new licence seek clauses which will allow them to operate as an A4 drinking and entertaining establishment which has caused immense nuisance and anti-social behaviour in the past, and which has involved your Department, Environmental Health, the Lymington Police and Planning Enforcement. A sample of these abuses since 2014 has been well documented in real time by Mr Capner of 6 Trafalgar Place in his objection as well as by others.


.....cont

In order that the establishment operates as an A3 restaurant and not an unauthorised A4 drinking and entertaining establishment we request the following amendments:

1. In common with other restaurants in Lymington the establishment should close by 23.30.
2. There should be no live or recorded music (amplified or not) outside in the small patio garden which is closely surrounded by residential properties, or inside this small poorly sound-proofed listed building with no ventilation.
3. The garden should be closed at 21.00 to safeguard the amenities of adjoining properties following the precedent established in the planning permission (16/10559) and licence (1294/8) for the Shipyard Bar and Kitchen at Berthon.
4. Off licence sales of alcohol are not a usual occurrence at genuine restaurants and should be prohibited.

We shall be represented at the hearing on Tuesday, 20th December by Mr Peter Dolphin, a resident of Trafalgar Place and Director of the Residents' Association.

Yours sincerely



Karen White
Honorary Secretary
Trafalgar Place Residents' Association
9 Trafalgar Place
Lymington SO41 9BN

Sarah Wilson

From: Martyn W'
Sent: 16 November 2016 08:06
To: Licensing e-mail address
Subject: Licence Application 9 Gosport Street

OBJECTION to Application for New Premises Licence at 9 Gosport Street, Lymington

Dear NFDC Licensing

Please record our strong objection to every topic in this new licence application - we have lived in Lymington for over 20 years and are well aware of the past problems concerning these premises.

1.
You will be aware of well-documented records of the involvement of both the local and county Police forces dealing with anti-social behaviour following incidents at the premises, and the Environmental Health Department have been heavily involved in noise and nuisance issues. These long-standing problems from the former Wytes and Graze concerned the CURRENT licence the range of which is far less intrusive than that of the new application.

2.
9 Gosport Street is situated in a mainly-residential Conservation Area. The garden (at the rear of the building) is in a largely residential area and is surrounded by private houses and flats with gardens and balconies. Many of the residents are elderly retirees. The nature of the buildings means the 'garden' of 9 Gosport Street is in a confined area which acts as a sound-box and any outside noise which is hugely intrusive to all residents.

3.
The premises are totally unsuitable for outside entertaining, let alone for the playing of music at all hours of the day until the middle of the night. Even music restricted to the inside is intolerable as windows and doors are continually opened and closed for access and ventilation - any sound 'escapes', and people gather outside in Gosport Street to drink and smoke. Even the existing permission for use of the garden without music until 9.30pm is unacceptable for neighbours.

4.

We understand that the premises currently hold a licence for a restaurant or cafe, but recently the premises have become a purely drinking establishment with all the associated problems of alcohol consumption. The requested extension to the opening hours (a 17 hour- day) for selling alcohol and providing continual music does not seem consistent with a restaurant status and is entirely in-appropriate for its surroundings.

In conclusion, we feel that the Licensing authority should take the opportunity to review the existing licence and give no consideration to the new application. The use of the premises should be compatible with their residential, quiet, conservation-area surroundings and be respectful to those who live there and have the right to peace and quiet.

Yours sincerely

Martyn White
9 Trafalgar Place
Lymington SO41 9BN