

## Edge, Katherine

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**From:** [REDACTED]  
**Sent:** 04 October 2022 17:39  
**To:** PublicprotectionNorth  
**Cc:** Fowler, Katherine; Edge, Katherine; [REDACTED]  
**Subject:** Cuckoo Inn, Hamptworth, SP5 2DT - licence review

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom it may concern

We write in support of the licence review of the Cuckoo Inn, Hamptworth, SP5 2DT. We are the immediate neighbours of the pub, albeit that our house is some 250 yards from the Inn, separated by our paddock and formal gardens - which makes our observations all the more telling.

From May 2022 through to July 2022 we were subject to amplified heavy metal, rock and pop bands almost every weekend. To the extent we were notified in advance, these bands;

1. often substantially exceeded the notified times
2. at every event the volume was such that we could hear every word inside our house with windows closed and the TV on at modest volume (extensive evidence as already been shared with Wiltshire Council Environmental Health (WCEH) together with their observations of events from our property - so has not been separately listed here - but is available on request)

We were aware that events were scheduled (but not publicized outside the pub) for almost every weekend of the summer. We attempted to engage in person and in writing with pub management on the frequency, type and volume of these events but were rebuffed at every turn and told to vacate our house if we had a problem.

Post 10 July, we became aware of engagement by WCEH to ensure the frequency, amplification, types of bands and volume, in combination, could be managed in such a way as to be consistent with the traditional environ of the pub over the last 150 years and avoid the dire situation we found ourselves in. This included no events between July 10 and a scheduled beer festival in early September. Yet, there were events on 20th & 21<sup>st</sup> August. At the beer festival rock bands played for over 4 hours on both the 2<sup>nd</sup> & 3<sup>rd</sup> of September again with levels of volume consistent or more invasive than the May-July events – this was also coupled with what appeared to be incitements by at least one band to disrupt the neighbours and to potentially violence.

Given all of the above any reasonable resolution must be in writing and binding on the pub as between the pub and Wiltshire Council as;

1. they will not engage with neighbours
2. have not complied with advice from the WCEH,
3. have not been open and honest in dealings with neighbours or WCEH and
4. have demonstrated no ability to control events

It seems to us that this must then take the form of a suspension of the Live Music Act 2012 and the imposition of a restriction on the licence that amplified outdoor music is not allowed at any time. We would of course be happy to engage with WCEH if they have alternative ways to arrive at the same certainty.

Kind regards

Fearghas Carruthers  
Jane Young

## Edge, Katherine

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**From:** Carole Mahoney [REDACTED]  
**Sent:** 06 October 2022 09:50  
**To:** PublicprotectionNorth  
**Cc:** Fowler, Katherine; Morse, Trish; Edge, Katherine; Cliff Mahoney  
**Subject:** Review Reference WK/202221320 : Representation from Cuckoo Farm

### Representation to Wiltshire Council Environmental Health

#### Review Reference WK/202221320

**6 October 2022**

We write in support of the licence review of the Cuckoo Inn, Hamptworth, SP5 2DT. We are close neighbours of the pub, positioned 150yd from the pub, having a direct audible path to our property, gardens and, in particular, to our bedroom where the windows open out to the pub. Our property is grade II listed and doesn't benefit from the installation of secondary or double glazing. Any excessive noise from the pub garden can be heard clearly from inside our bedroom regardless of whether the windows are open or shut.

We experienced the early part of summer with relentless noise (notably amplified heavy metal and rock genre, plus motorbike and car revving) emanating from the Cuckoo Inn, over consecutive days, and weekends.

We also reported on 2 occasions the vandalism of our egg stall (positioned on private driveway) and the theft of money from the locked cash box. Coincidentally, on each occasion this occurred on an evening of heavy noise and partying at the pub.

In June we had a private meeting with Mr Ampilianitis to explain why we reported the thefts to the police and to voice our concerns over the regularity of the noise. In response we were advised that he 'can do what he likes when he likes' and that he had 'already booked events for each weekend till September and had started booking the 2023 events that would start in February and run through to September'. At this point, Mr Ampilianitis made it very clear to us that he had no intention for compromise with us or the Wiltshire Council.

The music and outside excessive noise continued, although less regularly, until the Beer Festival weekend in early September. However, over this period, we observed increasing hostility towards us when we frequented the pub. Neither Mr or Mrs Ampilianitis would acknowledge our presence and would intentionally leave the common areas of the pub when we arrived. This culminated in open verbal abuse, plus intimidation and threats over social media starting the weekend of the Beer festival and continuing to this date.

After the beer festival, Mr Ampilianitis requested a meeting with us, and met at our home, 9 September. We expected it was to apologise for the aggression and intimidation that had been shown towards us. However, Mr Ampilianitis chose to ban us from the pub on the grounds that he 'could not assure our safety if we visited the pub' and that we 'didn't support the pub'. Having questioned this reasoning it transpires that Mr Ampilianitis and a barman saw Mr Mahoney in the garden of our neighbours with his phone in his hand on the early evening of Sept 2 and as a result Mr Ampilianitis and this barman chose to publicise that Mr Mahoney was filming the pub and trying to close the pub down. The threats and intimidation towards Mr Mahoney that followed, were a direct result of Mr Ampilianitis actions, spreading an unjust rumour and inciting hatred, that night in the pub. Owing to the seriousness of this situation, full evidence has been disclosed to the police and to WC.

Mr Mahoney is a staunch supporter of the Cuckoo Inn and met with the Mr Sacha Moussaieff and Mr Ampilianitis before the pub reopened, with the sole purpose of supporting the pub and their integration with the larger community. In fact, when the pub was closed back in early 2020 Mr Mahoney started the Facebook site 'The Cuckoo Locals and Regulars', to ensure the pub maintained the interest of its regulars during the pandemic, so that

it could open again without detriment. It is testament to this approach that the site continues with over 1000 active followers.

The management of the Cuckoo Inn have demonstrated over the course of 2022:

- An inability to control extreme noise.
- The incitement of aggression towards neighbours at events.
- The failure to suppress divisive discussions in public areas.
- The non-compliance with the advice given by the WCEH.
- The inability to acknowledge or compromise with requests from neighbours.

Given this, the balance of probability is that the incumbent person of responsibility will not adhere to the requirements of the licence review as set out by the WCEH. Moreover, given we are no longer welcome in the Cuckoo Inn it makes it impossible for us to embrace any events in the future, as we have in the past. Hamptworth is a quite hamlet, and we should not be subject to any noise nuisance from our neighbours. For this reason, we recommend that the Cuckoo Inn has a restriction placed on its licence, so that there are no more outside events with amplified sound or loud noise to the extent that noise cannot be heard within the grounds of Cuckoo Farm.

Furthermore, as evident in recent months, there is question over the 'Fit & Proper' status of parties named on the licence and we would request that the Licence be reviewed in respect of this.

Kind Regards,

Cliff & Carole Mahoney



Review Reference WK/202221320

8 October 2022

Representation to Wiltshire Council Environmental Heath by:

Mervyn Hinge

This representation has been dictated and then typed up on my behalf.

I write in support of the licence review of the Cuckoo Inn, Hamptworth, SP5 2DU.

[REDACTED] is an immediate neighbour of the pub with the buildings approximately 30m from the Cuckoo Inn boundary line. It also is directly next to the entrance to the back field (previously the driving range, and more recently opened for use by the Cuckoo Inn). As such, I have a boundary line with the Cuckoo Inn (garden and extended area) around 2/3 of my garden. I have lived here for over 40 years and have not had any problems with the Cuckoo Inn. It has always been a good country pub and although events were run in the past, they were always quieter than in 2022.

[REDACTED]

Events at the pub this year have caused considerable concern to me for the following reasons:

- The intense noise of banging music, thump of drums, and shouting from the bands, emanating a few meters from my boundary line.
- The access gate to the backfield has been opened for the events (previously the gate was always locked) and vehicles of all types (cars, motorbikes, and trucks) enter throughout the day and night, driving within 10m of my kitchen window. There is an incomplete boundary hedge along this side and anyone entering the field can look straight into my house or worse still, could enter my premises. Noting that on the first night that the Cuckoo Inn re-opened after covid my car was stolen from the drive (Police registered this theft).
- Both boundaries against the pub and golf course land have been regularly used for parking of vehicles at these events, which compromises my privacy, and has resulted in rubbish and bottles being discarded in my garden.
- This year Cuckoo Inn removed their rear boundary fence and now promote free access to the back field for customers to use. This creates even greater opportunity for anyone to gain access to my property.
- The noise of vehicles starting up, and being revved up, during the events is continuous, and overbearing.
- During one event my evening care helper couldn't park outside my gates and was verbally abused when she asked a visitor to the pub to move their car, causing her distress and concern.

- My recovery from the stroke is a slow one. The immense stress of these events, my homes security, and the noise intrusion through the summer has not helped my progress.

At no point has anyone from the pub visited me to advise of any planned events and the only communication with the pub has been a letter, regarding the September Beer Festival, that was typed in a font that was illegible, and had to be read to me.

At no point has there been any consideration for my wellbeing during these events although the staff are aware of my health situation and restrictive movements.

I request that Wiltshire Council address this situation so that I cannot hear any future noise from the Cuckoo Inn in my garden or my home. I thank you for helping me get some peace so that I can concentrate on my rehabilitation.

Sincerely,



Mervyn Hinge

**Edge, Katherine**

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**From:** [REDACTED]  
**Sent:** 09 October 2022 20:38  
**To:** PublicprotectionNorth  
**Subject:** Review of Licence, Cuckoo Inn, Hamptworth WK/202221320

**Categories:** [REDACTED]

[REDACTED]

For the attention of the Licensing Officer,

We are writing in response to the public notice of a review into the Premises Licence issued to the Cuckoo Inn, Hamptworth and would like to make the following representation:

We have lived in Hamptworth for nearly thirty years during which time we have enjoyed the relatively quiet rural environment. The Cuckoo Inn is a special place that has in the past melded into the local environment and enhanced our lives here.

Earlier this year, on a series of early summer weekends, we could hear loud music with a heavy base beat coming from the pub despite living half a mile away. Whilst not being excessively loud in our garden it was an unwelcome intrusion that persisted each time for prolonged periods. The base beat was obvious even inside the house. This type of nuisance was not something that we had encountered before apart from during the pub's annual beer festival when it was tolerable. We have heard that a number of subsequent planned events were cancelled while local objections were being investigated and that it is the intention of the license holder to continue hosting bands in the beer garden if he is able to do so.

It seems incongruous to us that The Cuckoo's licence appears to allow the licensee to frequently host bands playing very loud music outside. We would like to see The Cuckoo thrive in harmony with its neighbours and other local residents but the unrestrained application of this aspect of its licence appears to preclude this.

Nick and Lizzie Beer

[REDACTED]

Cc: Fowler, Katherine <Katherine.Fowler@wiltshire.gov.uk>; Edge, Katherine <Katherine.Edge@wiltshire.gov.uk>

Subject: Representation to Wiltshire Environmental Health

As Hamptworth residents, the review of the licence at the Cuckoo Inn is something we are keen to pursue. Whilst not directly neighbouring we too have been impacted by the unprecedented number of outdoor events this summer (2022).

The Cuckoo is a huge community asset, and like many others attracted us to the area. The beer festival is a tradition for the Inn and valued by so many and universal acknowledgement that these happen twice a year and likely some disruption that neighbours can plan for (if informed).

However, throughout the summer months of excessive amplified music could be heard repeatedly across Hamptworth. The genre not in keeping with the surroundings and attracting anti-social behaviour - littering, vomiting plus motorbike racing in the overflow car park.

For a New Forest Inn, the demand and existing licence conditions for such events appears disproportionate in comparison to neighbouring Inns. The frequency and nuisance noise of these additional weekend events makes Hamptworth more akin to Glastonbury than a traditional New Forest Inn.

Understanding of what clearly constitutes an event so it is clear to all parties, car events to be classed as an event due to the excessive noise and disturbance to local residents. It would also be helpful to include the use and permission for temporary event notices (TEN).

Any recommendations from this review will need active enforcement as the current noise management plan isn't working and residents have no voice to help or steer a pragmatic path.

Notwithstanding the need to operate a profitable business, this can be achieved in a respectful manner.

Regards

Mr and Mrs Battle

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**Review Reference WK/202221320**

**10 October 2022**

**Representation to Wiltshire Council Environmental Heath by:**

Garth & Mary Everett



We write in support of the licence review of the Cuckoo Inn, Hamptworth, SP5 2DU.

We have lived in Hamptworth for 55 years and Mary's brother (Richard Morton) was Landlord of the Cuckoo Inn for 16 years, approximately 45 years ago. Our house and gardens are situated circa 500m from the Cuckoo Inn. We have seen many changes that have affected this quiet, idyllic hamlet, most notably the loss of 'village life' and 'community activities' and most recently the increase of noise from the pub, noise from speeding vehicles, and the destruction of the village green by visitors to the pub.

We are supportive of this review process for the following reasons:

- Ordinarily, we live in an area of complete silence, broken only by bird song and the gentle sounds of cows grazing nearby. This year the silence has been destroyed with regular noisy events at the pub. The intense noise commencing early evening and getting considerably louder after 8pm. The music style is banging and thrashing heavy metal. We can hear the noise clearly from inside and outside our home.
- In previous years the only disruption caused by the pub was the twice-yearly beer festival and the Landlord (CJ) would visit early in the year to give us a written notification of these events, outlining when the music would take place and apologise in advance for any disturbance. He would then keep the noise to a reasonable level throughout the event. We have not been informed of any music events this year, so their regular occurrence has come as a shock and an inconvenience.
- Moreover, no consideration has been taken for residents with pets, horses, or livestock and the affect the loud music might have on them. With no notification, owners cannot plan ahead to ensure the animals safety.
- These events attract a lot of visitors from outside the village and as a result we suffer increased sound from traffic noise and speeding along this 40mph road. At times it's like being in a Grand Prix. Lyburn Road is a single-track road with houses grouped close to the road towards the Cuckoo Inn, and no path for walking. This heavy increase of speeding vehicles impacts the lives of all local residents and creates unnecessary danger for us all.
- The once pretty village green (at the top of Lyburn Road) has been wrecked this year with pub visitors carelessly parking at any angles across the green. As the official groundsman for the village green and I, Garth, have cut the grass there for over 20 years. This area of grass and land has been destroyed with the weight of the vehicles chewing the ground into ruts making it at times impossible to get the mower over. On several occasions, I have arrived with the mower to find I cannot gain access to the green to cut it, due to the cars parked on it. It is highly unlikely that the snowdrops, which were planted around the green by a local resident over many years, will survive this year.
- The village green, our bus shelter, phone box and the oak tree are the last remaining artifacts of our village history, and the local community life. Their existence is being threatened by allowing cars to unnecessarily destroy it, especially, considering there is a



huge carpark that has been laid 200m up the road from the pub at the Hamptworth golf club. Importantly, the oak tree which was planted to commemorate the 25yr anniversary of the Queen has a preservation order on it, and the bus shelter is a building of special historic interest.

- The Cuckoo Inn was created for the local community, but the current activities of the pub appear more about attracting visitors from afar than for supporting the local community. More and more we feel estranged from this community asset and unwelcome. Where once the pub was the refuge of the Hamptworth village, and supportive of village activities, it now stands alone and unyielding.

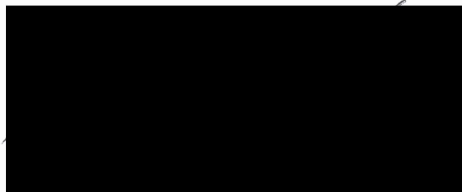
We have never, in 55 years had to complain about the events the Cuckoo Inn. At no point this year has anyone from the pub communicated with us about noisy music and vehicle events, and at no point has any effort been made to preserve our village artifacts. Going forward; we do not want to hear any noisy events at the Cuckoo Inn; we want action taken to prevent the destruction of the village green; and we want the issue of excessive speeding of vehicles though this quiet village tackled.

We request that Wiltshire Council address this situation so that we cannot hear any future noise from the Cuckoo Inn in our garden or home, and that the village green be protected for future generations to enjoy.

Separately, we would also like Wiltshire Council to support the nomination of a Hamptworth representative to the Parish Council. I (Garth) was a local Parish Counsellor for many years, but since I stepped down, no one has invited a nomination from a Hamptworth resident to represent the village in parish matters. As a result, we see Hamptworth as the 'forgotten child' in the parish and we get no visible benefit from being part of the larger parish.

Your sincerely,

Garth and Mary Everett



## Edge, Katherine

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**From:** Clewer, Zoe  
**Sent:** 10 October 2022 15:35  
**To:** Edge, Katherine  
**Cc:** Fowler, Katherine; [REDACTED]  
**Subject:** RE: Licence Review: The Cuckoo Inn, Hamptworth

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Katherine and Kat,

Please find below my response to the Premises Licence Review consultation invitation below for the above location. This response is informed by local residents who have contacted me and those that attended recent Parish Council meetings.

There is general acknowledgement there has been investment in the pub, which is become an asset of community value after a local community campaign, and that it is reasonable for the owners to look to recoup that investment and make a profit going forward and assure the future of a much loved local pub.

There's a balance to be struck between a successful, sustainable commercial entity and with needs of the community to have peaceful enjoyment of their homes and gardens and those in the general environs outside, whatever licensing arrangements there are in place, and in conjunction road safety and parking considerations as more visitors attend events at the Cuckoo.

Before I move on to the most directly relevant, there are some **ancillary points** which have been raised by parishioners, namely:

1. Recent planning applications in with NFNPA (car park, outdoor gazebos) which may appear to some residents to be establishing The Cuckoo as a 'destination' pub.
2. Social media advertising is able to spread the news of specific events far further than in days gone by, resulting in more visitors and parking pressure.
3. Security issues in the temporary car park, 'lots of break ins'.

### **Residents' concerns include:**

1. Frequency of events has increased greatly.
2. Level of volume of music, especially out door music.
3. Type of music/band, type of vocals, amount of percussion/bass etc.
4. Noise made outside carries further in to the local area, beyond immediate neighbouring properties.
5. Some residents have been able to 'hear every word inside our house with windows closed and the TV on at modest volume'.
6. There has been nowhere quiet for a student to concentrate on their studies during these events.
7. Finish times and or/duration of amplified music.
8. Huge increase on previous amount of events, formerly two beer festivals per annum.
9. Hamptworth was a quiet hamlet but (Tranquillity SP15 of the NFNP Local Plan) has been affected this summer.
10. Communication to local residents regarding upcoming events in a timely manner, a process needs to be put in place, not all residents use social media.
11. Prevailing conditions – this very hot summer residents' windows often needed to be open.

### **Residents are asking for the Licence review currently taking place to take account of:**

1. Compliance with the law.
2. All action necessary to be taken to prevent a public nuisance.

3. For a restriction on the premises licence to have no outdoor amplified music at any time, if possible.
4. Volume (decibels level) of any indoor or outdoor music to be defined in a binding Noise Management Plan and Licence conditions.
5. Make clear by what time music must conclude on any given occasion and what the sanctions are for breaching any conditions within the licence.

Please would those reviewing the licence give due consideration to all the points residents have been making to me and directly to WC, in determining which course of action available to WC (and some appear below from WC website) is appropriate and proportionate in these circumstances:

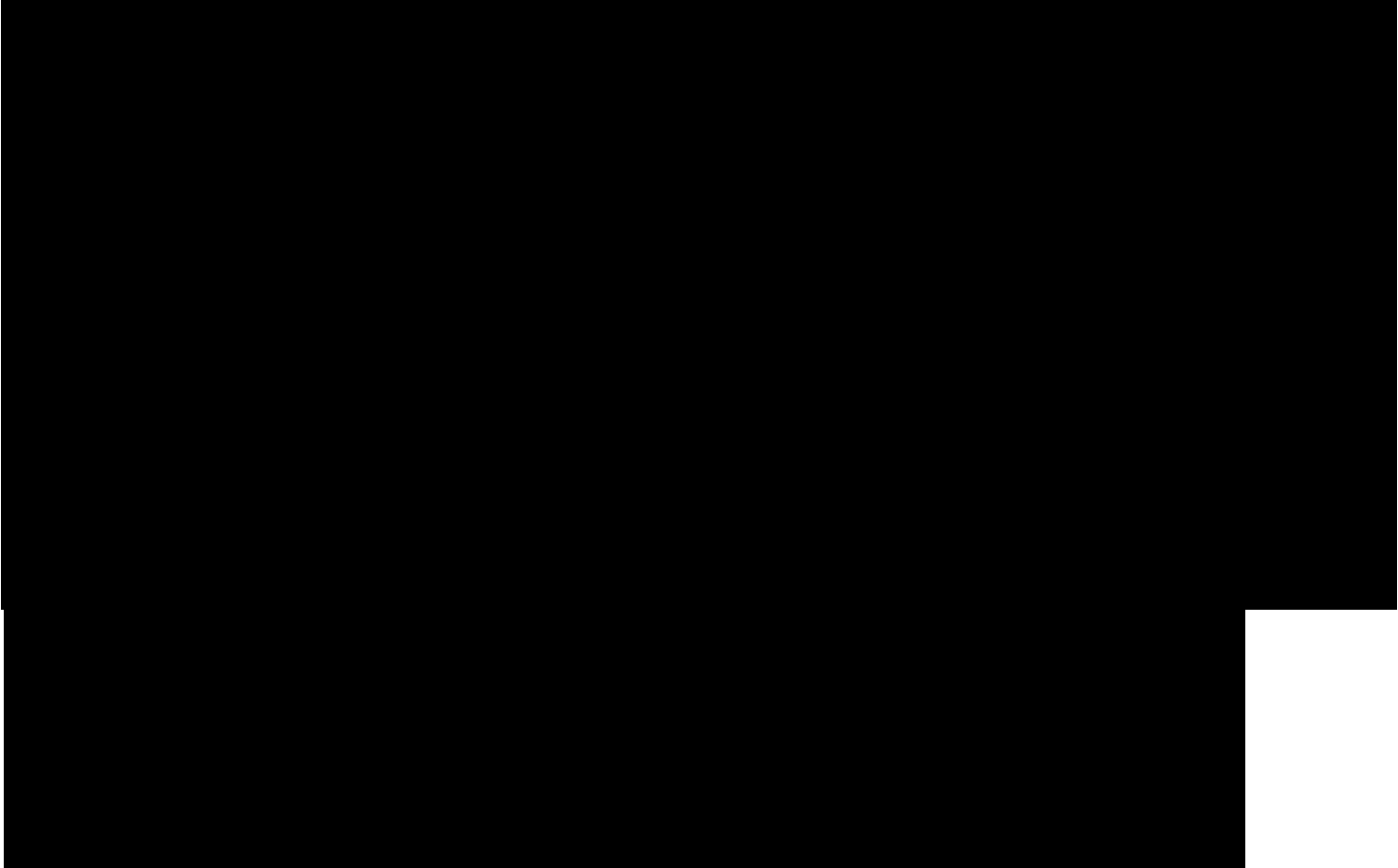
- Modify or add conditions to the Licence.
- Exclude a Licensable Activity from the Licence.
- Remove the Designated Premises Supervisor.
- Suspend the Licence for a period, not exceeding three months.
- Revoke the Licence.

It will be necessary to reach an accommodation on a reasonable and enforceable balance so that the community can all move forward together.

Many thanks.

**Best wishes,**

**Cllr Zoë Clewer  
Redlynch and Landford Division, Wiltshire Council.**



Review Reference WK/202221320

11 October 2022

**Representation to Wilshire Council Environmental Health by:**

Frederick and Elisabeth Cook



We write in support of the license review of The Cuckoo Inn, Hamptworth, SP5 2DU

We have lived in and renovated our period cottage opposite the Cuckoo Inn since early 2018. We bought this house and chose to live in this area to further our existing rural lifestyle and enjoy the natural environment and wildlife available here. Our house is one of the closest to the pub and is opposite the village green that has the bus shelter, mature oak tree and telephone box.

Since the pub has re-opened after Covid the volume of traffic carried by Hamptworth Road and Lyburn Road has increased significantly, as has the speed the cars travel at. Access to the public footpaths that surround the pub is often blocked by pub goers vehicles. Due to the pub having no official car park the village green has been significantly damaged by the pub vehicles parking on it (we have got photos of this). Cars parked on the green also present a significant safety issue for residents and other users of Lyburn Road, as the vehicles parked on the green severely impede visibility for those entering and exiting Lyburn Road onto the Hamptworth Road. To paint a clearer picture, we have had overflow parking occurring down Lyburn Road which has prevented us from having vehicular access to our own driveway. This has also caused all passing traffic (including tractors and lorries) to drive on and destroy the remaining verge outside The Red House, Yew Tree Cottage and Poplar Cottage.

Events at the pub this year have presented the following concerns, upon which we seek the council's action:

- Excessively loud amplified music, sometimes past 11pm. We accept that at the beer festivals twice a year people should be able to have fun, but the volume of the music makes it audible even inside our homes, late at night, which is not acceptable. We have had an infant to settle in hot summer weather and have been unable to open our windows because of the thrash metal music being played. We have already filed a noise log in relation to this.
- Following events at the pub we have also had drunk pub goers leaving in a disorderly fashion, some of which have urinated publicly on the green and the verges, have been sick outside our door, have littered beer bottles and wrappers and evidence of drug use on the verges, have banged on our windows and entered our garden. The lack of the pub's sense of responsibility to prevent such heinous behaviour when leaving their premises is deplorable and something we never imagined having to tolerate while living in a hamlet with a young family. The landlord has a responsibility to stop serving those who have clearly had too much to drink already.
- We have had little to no notice of the events being held at the pub and, when we have, it has been too short notice to enable us make plans to be elsewhere.
- At the beginning of all of these activities we approached Nikos, the landlord, to politely raise our concerns and see if anything could be done to alleviate our concerns. We were placated with promises that never came to fruition, and this left us feeling that we could not rely upon any future engagement from the pub or its owners.
- We have also recently seen Nikos laugh at and support social media posts which suggested that people who didn't like the activities at this pub shouldn't have known better than to buy a house near a pub. This has felt overtly aggressive and certainly disrespectful to local residents. Those of us who have concerns have not wanted to close the pub, something we have been accused, quite the reverse in fact. Many of us have been fighting for its survival

long before the current management arrived. We simply wish to ensure that the pub's modus operandi are more in keeping with everyone's wider enjoyment of Hamptworth village, particularly the local residents.

- There is a concern for the surrounding wildlife vis-à-vis the verges along which a herd of deer circulate on a daily basis, the village green's suffering, and the first year ever that we have not heard the woodpecker in the trees behind the pub etc. We are very concerned that they have not been considered at all in the pubs plans.
- The Cuckoo Inn already has a more liberal license than any other pub in the local area. No other local pub has a licence to play amplified music outside at this level, and as frequently as this. We would like the council to confirm why the Cuckoo Inn has this uniquely unrestricted licence, and we seek for it to be amended in line with other similar pubs in the wider New Forest area.

We request that the licence of The Cuckoo Inn, Hamptworth is reviewed and amended to prevent us from having to hear amplified music in our gardens and homes, aside from the 2 beer festivals each year. We ask that any music played at the festivals is predominantly acoustic, and restricted to an earlier finish time. We also request that the pub takes more responsibility to not serve those that are clearly inebriated and act in an anti-social manner upon leaving the pub..

Furthermore, albeit outside the scope of the subject matter, we support the point raised by other Hamptworth residents with respect to our village needing to be represented at the parish council.

Yours sincerely

A large black rectangular redaction box covering the signature area of the letter.

Frederick and Elisabeth Cook