

AGENDA

Meeting: Southern Area Licensing Sub Committee

Place: The Enterprise Network, (The Old Fire Station) 2 Salt Lane, Salisbury,
SP1 1DU

Date: Monday 7 November 2022

Time: 10.30 am

Please direct any enquiries on this Agenda to Lisa Alexander, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01722 434560 or email lisa.Alexander@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Kevin Daley
Cllr Tim Trimble

Cllr Robert Yuill

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

1 **Election of Chairman**

To elect a Chairman for the meeting of the Sub Committee.

2 **Apologies for Absence/Substitutions**

To receive any apologies for absence and to note any substitutions.

3 **Procedure for the Meeting** (*Pages 5 - 12*)

The Chairman will explain the attached procedure for the members of the public present.

4 **Chairman's Announcements**

The Chairman will give details of the exits to be used in the event of an emergency.

5 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

6 **Licensing Application** (*Pages 13 - 18*)

To consider and determine an application for a Review of a Premises Licence in respect of The Cuckoo Inn, Hamptworth, Salisbury SP5 2DU made by Wiltshire Councils Environmental Control and Protection.

Report and appendices attached.

6a **Appendix 1 - Current Premises Licence** (*Pages 19 - 28*)

6b **Appendix 2 - Application to Review the Licence** (*Pages 29 - 36*)

6c **Appendix 3 - Live Music Act** (*Pages 37 - 48*)

6d **Appendix 4 - Correspondence and proposed conditions**
(*Pages 49 - 52*)

6e **Appendix 4a - Noise Management Plan for premises**
(*Pages 53 - 58*)

6f **Appendix 5 - Evidence in support of application for Review**
(*Pages 59 - 64*)

6g **Appendix 5a - Exhibit 1 – Map of location** (*Pages 65 - 68*)

- 6h **Appendix 6 - Relevant representations from members of the public** (*Pages 69 - 82*)
- 6i **Appendix 7 - Location plan of the premises and relevant representations** (*Pages 83 - 84*)

LICENSING COMMITTEE

PROCEDURAL RULES FOR THE HEARING OF LICENSING ACT 2003 APPLICATIONS

1 Purpose

- 1.1 These rules have been prepared to facilitate proper consideration of licence applications, made under the Licensing Act 2003, by the Licensing Committee and its Sub Committees.
- 1.2 The rules set out a framework for how applications are to be heard and explain the role of the participants at the Hearing.

2 Definitions

- 2.1 The following definitions describe the participants at and the subject matter of a Hearing:

“Applicant” means the person who has submitted an Application for consideration by the Committee.

“Applicant’s Premises” means premises subject to the Application.

“Applicant’s Representative” means a person attending a Hearing to assist or represent an Applicant including a lawyer.

“Application” means an application for the Grant/Variation/Transfer/Review and any other decision to be made by the Committee/Sub-Committee in respect of a Licence.

“Chairperson” means the Member who is the Chairperson of the Committee for the particular Hearing.

“Committee” means the Council’s Licensing Committee and includes any Sub Committee of the Licensing Committee.

“Committee Lawyer” means the Council’s Lawyer (including an external Lawyer instructed by the Council’s Legal & Democratic Services Manager) who is present at a Hearing to advise the Chairperson and the Members.

“Committee Manager” means the Council’s Officer who is present at a Hearing to take minutes.

“Committee Report” means the Licensing Officer’s written report to the Committee concerning an Application, a copy of which has been previously

made available to the Applicant or their Representative, a Responsible Authority or their Representative or any person/s or their representative who have made a Relevant Representation.

“Hearing” means a meeting of the Committee at which an Application is considered.

“Licence” means a Licence which the Committee has the power or duty inter alia to grant, transfer, suspend or revoke.

“Licensing Officer” means the Council’s Licensing Officer(s) who is/are present at a Hearing to present reports in respect of an Application and to give technical advice in respect of an Application to the Committee when requested.

“Licensing Authority” the Council in whose geographical area the subject matter of the Application relates to, and includes the Council’s Licensing Committee, any Sub Committee of the Licensing Committee and a Licensing Officer.

“Member” means a Member who is a Member of the Committee that is considering an Application.

“Responsible Authority” means a person who is present at a Hearing to make representations in respect of an Application in their capacity as Responsible Authority and includes any person who is present to assist or make representations on behalf of the Responsible Authority including a Lawyer.

“Person making a Relevant Representation” means a person who is present at a Hearing to make a representation in respect of an Application and includes any person who is present to assist or make representations on behalf of that person including a Lawyer.

3 Key Principles

- 3.1 The principles of ‘natural justice’, and Article 6 ‘Right to a Fair Trial’, which is one of the Convention Rights in the Human Rights Act 1998, require that there is a fair Hearing of Applications.
- 3.2 Natural justice is an umbrella term for the legal standards of basic fairness. This will include that:
 - 3.2.1 the Applicant has an opportunity to make representations before a decision is made;
 - 3.2.2 those making representations have an opportunity to voice their representations before a decision is made;

- 3.2.3 the Applicant has an adequate opportunity to consider and respond to any submissions made by a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation;
- 3.2.4 the Committee does not exclude an Applicant from a Hearing in order to consider submissions from a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation.
- 3.3 It is also fundamental that there is an orderly presentation of submissions at a Hearing so that the relevant issues are properly understood, evidence is tested and that oral statements made at the Hearing are accurately recorded.
- 3.4 Ultimately the Chairperson determines the application of these rules, having regard to any submissions being made by those present and in particular the Committee Lawyer.

4 The Hearing

- 4.1 The Hearing shall take place in public.
 - 4.1.1 The Committee may exclude the public from all or part of the Hearing where it considers it to be in the public interest to do so and, in accordance with the Local Government (Access to Information) Act 1985, as amended. Public includes a party and any person assisting or representing a party.
 - 4.1.2 The Committee may require any person attending the Hearing who, in its opinion, is behaving in a disruptive manner, to leave the Hearing and may:
 - a refuse to permit them to return;
 - b permit them to return only on such conditions as the Committee may specify;
 - c in the event that a person is required to leave a Hearing that person may, before the end of the Hearing, submit to the Committee in writing any information which they would have given orally.
- 4.2 Prior to the Hearing commencing, the Chairperson shall advise the parties of the procedure it proposes to follow at the Hearing.
- 4.3 Where a party has previously requested permission for a person(s), other than their representative, to appear at the Hearing then the Committee shall consider whether to permit that request.
- 4.4 The Committee will allow the parties an equal maximum period of time in which to exercise their rights.
- 4.5 This equal maximum time may have been notified in advance of the Hearing;
- 4.6 Where there is a number of people who have made a Relevant Representation who have attended the Hearing to make the same

representation then the Committee would normally require that a spokesperson be appointed by them to make the representations on behalf of all of those who have made a Relevant Representation.

5 Presentation of Submissions

5.1 The Chairperson will introduce the Application.

5.2 In the event that the Licensing Authority has given notice to a party requiring clarification on a point(s) then that party shall respond to the points raised by the Licensing Authority.

5.3 Submissions shall be made in the following order unless the Chairperson directs otherwise:

5.3.1 The Licensing Officer will orally present the Committee Report and will in particular advise the Committee as to:

- a the options available to it;
- b the considerations that are relevant in reaching its decision.

5.3.2 The Review Applicant (or the Applicant's Representative) will orally present its submission which may include:

- a presenting their case in accordance with the papers, which will have been circulated with Agenda papers;
- b confirming key information and answer pertinent questions; and
- c calling witnesses in support of the Application (see paragraph 4.3).

A Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation will orally present their representations in turn which shall include:

- a the grounds of the representation to the Application; and
- b any condition(s) that the Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation would be happy to have the Application granted subject to which would cause the representation to be withdrawn.

The Premises Licence Holder and/or their representative will orally present their representations which shall include;

- a The response to the representations made by the Review Applicant, a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation; and
- b Whether they would be happy to accept any modifications to the Licence as suggested by the Review Applicant, a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation.

6 Questioning of Submissions

- 6.1 The Chairperson will regulate the order in which questions are asked by Members.
- 6.2 The Chairperson and Members, voiced through the Chairperson, may question any party following the completion of their submission.
- 6.3 The Chairperson will normally permit the Applicant, a Responsible Authority/Authorities or any person/s who have made a Relevant Representation to ask questions through them of the other parties.
- 6.4 The Chairperson may direct that questions which are not relevant to the Application or one of the four Licensing Objectives are not formally put or answered.

7 Documentation

- 7.1 No party shall present new documentation to the Committee at the Hearing other than with the consent of all of the other parties. This does not preclude the Licensing Officer from correcting errors, providing updated information or an extract from a local map showing the Applicant's Premises in the context of the surrounding premises and any person/s who has made a Relevant Representation's premises. If any party is granted permission to present supplementary papers at the Hearing they shall provide at least 10 copies at the start of their submission.

8 Intervention

The Chairperson shall permit the following interventions at any point in the Hearing:

- 8.1 The Committee Lawyer to advise the Committee on issues of law, procedure and relevant considerations on decision making. If necessary, the Chairperson may require the Committee, the Committee Lawyer and the Committee Manager to leave the Hearing so that advice can be given.
- 8.2 The Committee Manager to advise the Committee on procedure generally, or to request that statements made are repeated for reasons of clarity and so that they can be properly recorded.
- 8.3 The Licensing Officer to seek to clarify statements that have been made in light of information held on their file.

9 Failure of Parties to Attend Hearing

- 9.1 If a party has informed the Licensing Authority that it does not intend to attend or be represented at a Hearing, the Hearing may proceed in its absence.

- 9.2 If a party has not indicated that it does not intend to attend or be represented at a Hearing and fails to attend or be represented at the Hearing then the Licensing Authority may:
- 9.2.1 where it considers it be necessary in the public interest, adjourn the Hearing to a specified date; or
 - 9.2.2 hold the Hearing in the party's absence.
- 9.3 Where the Licensing Authority holds a Hearing in the absence of a party, it shall consider at the Hearing the application, representations or notice made by that party.

10 Closing Submissions

- 10.1 The Chairperson shall allow first, the Responsible Authority/Authorities and any person/s who have made a Relevant Representation to make a closing oral submission(s) and secondly invite the Applicant or the Applicant's Representative an opportunity to make an oral closing submission in support of the Application.

11 Decision

- 11.1 The Committee, the Committee Lawyer and the Committee Manager, shall retire so that the decision may be considered in private, and to consider any legal issues raised by the Members.
- 11.2 The decision, and reasons for the decision, of the Committee shall be communicated orally by the Chairperson to the parties after the Committee has deliberated in private on the Application.
- 11.3 Written reasons shall be provided soon after the deliberations of the Application and in any event within the statutory time limits.

Review Hearing Procedure Summary

1. The Democratic Services Officer will request nominations for a Chairman for the Hearing.
2. The Chairperson welcomes all those present and introduces the Application.
3. The Chairperson invites the Sub Committee Members, Council Officers, the Review Applicant and/or their representative, any Responsible Authorities and/or any person who has made a Relevant Representation and the Premises Licence Holder and/or their representative to introduce themselves.
4. The Chairperson outlines the Hearing Procedure.
5. The Licensing Officer presents the Committee Report and outlines the application.
6. The Review Applicant and/or their representative address the Sub Committee to present their case.
7. Questions to the Review Applicant by Members of the Sub Committee, any Responsible Authorities and/or any person's who have made a Relevant Representation and the Premises Licence Holder.
8. Responsible Authorities and/or any person/s who have made a Relevant Representation address the Sub Committee.
9. Questions to any of the Responsible Authorities and/or any person's who have made a Relevant Representation by Members of the Sub Committee, the Review Applicant and the Premises Licence Holder.
10. The Premises Licence Holder and/or their representative address the Sub Committee to present their case.
11. Questions to the Premises Licence Holder by Members of the Sub Committee, any Responsible Authorities and/or any person/s who have made a Relevant Representation and the Review Applicant.
12. Summing up by the Responsible Authorities and/or any person's who have made Relevant Representations.
13. Summing up by the Premises Licence Holder.
14. Summing up by the Review Applicant.
15. The Sub Committee retires with the Committee Lawyer and Committee Manager to consider its decision.
16. The Sub Committee returns and the Lawyer gives a summary of any legal advice that may have been given to the Sub Committee.
17. The Chairperson either gives the decision with reasons, or advises that it will be released in writing with reasons within the statutory time limits.

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WILTSHIRE COUNCIL

SOUTHERN AREA LICENSING SUB COMMITTEE

7th November 2022

Application for Review of a Premises Licence; The Cuckoo Inn, Hamptworth, Salisbury, Wiltshire SP5 2DU

1. Purpose of Report

- 1.1 To determine an application for a Review of a Premises Licence in respect of The Cuckoo Inn, Hamptworth, Salisbury SP5 2DU made by Wiltshire Councils Environmental Control and Protection.

2. Background Information

- 2.1 An application for the Review of the premises licence for The Cuckoo Inn, Hamptworth, Salisbury SP5 2DU has been made by Wiltshire Councils Environmental Control and Protection. Following advertisement of the application 8 relevant representations have also been received.
- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the review application and any representations received. In accordance with Section 52 (3) of The Licensing Act 2003 the Licensing Sub Committee is required to take such steps as it considers necessary for the promotion of the licensing objectives.
- 2.3 The licensing objectives are:
- i) The Prevention of Crime and Disorder;
 - ii) Public Safety;
 - iii) The Prevention of Public Nuisance; and
 - iv) The Protection of Children from Harm.
- 2.4 Such steps are:
- i) To modify the conditions of the licence.
 - ii) To exclude a licensable activity from the scope of the licence.
 - iii) To suspend the licence for a period not exceeding three months.
 - iv) To revoke the licence.
 - v) To determine that no steps are necessary.

Government Guidance issued under s.182 of the Licensing Act states that:

“Licensing Authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for

a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives”.

- 2.5 The premises has held a premises licence LN/000042799 under the Licensing Act 2003 since 25 November 2005.
- 2.6 On 25th June 2015, a variation to the licence was applied for and granted, with no representations made. This was to increase the area where licensable activities take place by including the garden area for events and to erect a marquee for the playing of music, dance and drinking during the events and the provision of an additional beer festival during May (two days only).
- 2.7 The current licence holder, The Trustees of the N J M Anderson 1988 Settlement were granted a licence for this premises issued under the Licensing Act 2003 on 19th May 2021. At the time of this transfer there was no DPS in place. Mr Amlianitis has held the position as DPS on the licence from 28th January 2022. Mr S Moussaieff has an active role in the management of the premises, whilst he is currently not the licence holder or DPS, the Licensing Department have been engaging with him regarding the licence. Wiltshire Councils Licensing department believe that a contract is in place for the premises and the licence to be transferred to Mr S Moussaieff however at this time no licence transfer has been applied for.
- 2.8 A copy of the current premises licence LN/000042799 issued following the application to vary the DPS on 28th January 2022 is attached as **Appendix 1**.

3. Details of the Grounds for Review

- 3.1 The review of the licence has been requested on the grounds that the premises have been conducted in such a manner as to prejudice the licensing objective; the Prevention of Public Nuisance. The grounds for review are:
 - The Licence holder's failure to comply with conditions attached to their premise licence, in particular the Noise Management Plan and to promote the licensing objective of Prevention of a Public Nuisance under the Licensing Act 2003
 - Lack of confidence in the management of the premises
- 3.2 The application for review is attached as **Appendix 2**.

3.3 The Environmental Control and Protection Officer seeks for the exemption of the Live Music Act.

The Live Music Act 2012 provides the following exemptions in relation to live music:

Live music: no licence permission is required for:

- A performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

- A performance of amplified live music between 08.00 and 23.00 on any day provided that the audience does not exceed 500 on premises authorised to sell alcohol for consumption on those premises,

Any existing licence conditions (or conditions added on a determination of an application for a premises licence or club premises certificate) which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 on the same day where the following conditions are met:

- At the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;

- If the music is amplified, it takes place before an audience of no more than 500 people; and

- The music takes place between 08.00 and 23.00 on the same day.

The Live music Act 2012 is attached as **Appendix 3**.

The premises proposed Noise Management Plan from Mr Moussaieff is attached as **Appendix 4a** and proposed conditions for the licence and correspondence are attached as **Appendix 4**.

3.4 The evidence relied upon in support of the application is contained within **Appendix 5**

4. Consultation and Representations

4.1 The review process requires a public notice to be posted on the premises for a period of 28 days together with a copy of the notice posted at the offices of Wiltshire Council, Bourne Hill, Salisbury. During the consultation period relevant representations have been received from 7 members of the public and 1 local councillor.

List all those who have made relevant representations:

- *Representation 1 Mr Curruthers and Ms Young*
- *Representation 2 Mr and Mrs Mahoney*
- *Representation 3 Mr Hinge*
- *Representation 4 Mr and Mrs Beer*
- *Representation 5 Mr and Mrs Battle*
- *Representation 6 Mr and Mrs Everett*
- *Representation 7 Cllr Clewer*
- *Representation 8 Mr and Mrs Cook*

The relevant representations are attached as **Appendix 6**

- 4.2 The Sub Committee can take into account documentary or other information presented at the hearing with the consent of all other parties.
- 4.3 A location map of the premises and relevant representations is attached as **Appendix 7**

5. Legal Implications

- 5.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

6. Officer Recommendations

- 6.1 Officers are not permitted to make a recommendation – the decision is to be reached by the members of the Licensing Sub Committee.

7. Right of Appeal

- 7.1 It should be noted that the Premises Licence Holder, the party that applied for the review and any Responsible Authority or Interested Parties who have made representations may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.
- 7.2 The decision of the Licensing Sub Committee does not take effect until the end of the period for appealing against that decision. In the event of an appeal being lodged, the decision made by the Licensing Sub Committee does not take effect until any appeal is heard and finally determined.
- 7.3 The Premises Licence Holder and all Interested Parties have been informed of the date, time and location of the hearing and their right to attend and be represented.

Report Author: Katherine Edge Public Protection Officer –
Licensing Email: katherine.edge@wiltshire.gov.uk
Tel: 01225 713559

Date of report: 26th October 2022

Background Papers Used in the Preparation of this Report

- **The Licensing Act 2003**
- **The Licensing Act (Hearings) Regulations 2005**
- **Guidance issued under Section 182 of the Licensing Act 2003**
- **Wiltshire Council Licensing Policy**

Appendices

- 1 Current premises licence – The Cuckoo Inn**
- 2 Application to review the licence**
- 3 Live Music Act**
- 4 Correspondence and proposed conditions**
- 4a Noise Management Plan for premises**
- 5 Evidence in support of application for Review**
- 6 Relevant representations from members of the public**
- 7 Location plan of the premises and representees**

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Licensing Act 2003
Premises Licence Summary

LN/000042799

ISSUING LOCAL AUTHORITY

Wiltshire Council



PART 1 – PREMISES LICENCE SUMMARY & LICENCE HOLDER DETAILS

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

The Cuckoo Inn, Hamptworth, Salisbury, Wiltshire, SP5 2DU

NAME, (REGISTERED) ADDRESS AND CONTACT DETAILS OF HOLDER OF PREMISES LICENCE

The Trustees of the N J M Anderson 1988 Settlement
13 Glasshouses, Fordingbridge, Hampshire, SP6 1QX
Tel: 01425 556015 Email: dhcp@rosehilladvisors.co.uk

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER

Not Applicable

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Nikolaos Amplianitis

ISSUING AUTHORITY AND PERSONAL LICENCE NUMBER HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Hounslow Council H05177

WHERE THE LICENCE IS TIME LIMITED - THE DATES AND TIMES

Not Applicable

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

ON and OFF Sales

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Where applicable the provisions of Section 145 of the Licensing Act 2003 apply

PART 2 – LICENSABLE ACTIVITIES & TIMINGS

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE						
Licensable activities	Location	Day	Time From	Time To	Time From	Time To
Indoor Sports Event Similar to any Music or Dance	Indoors	Sunday	12:00	22:30		
		Monday	11:00	23:30		
		Tuesday	11:00	23:30		
		Wednesday	11:00	23:30		
		Thursday	11:00	23:30		
		Friday	11:00	23:30		
		Saturday	11:00	23:30		
Non-Standard Timings & Seasonal Variations	September Beer Festival - four days (Thur, Fri, Sat & Sun) from 12:00 - 00:00 hrs May Beer Festival 2 days from 12:00- 00:00 On 12 Separate Dates each year in addition to the hours stated the hours to be extended to 0000 with precise dates to be notified to the licensing authority and Police at least 28 Days in advance All Bank Holiday Mondays 1200 - 2330 Christmas Eve 1200 0030					
Live Music Similar to Making Music/Dance	Indoors and outdoors	Sunday	12:00	22:30		
		Monday	11:00	23:30		
		Tuesday	11:00	23:30		
		Wednesday	11:00	23:30		
		Thursday	11:00	23:30		
		Friday	11:00	23:30		
		Saturday	11:00	23:30		
Non-Standard Timings & Seasonal Variations	Christmas Eve 1200 - 0030 September Beer Festival - four days (Thur, Fri, Sat & Sun) from 12:00 - 00:00 hrs May Beer Festival 2 days from 12:00- 00:00 On 12 Separate Dates each year in addition to the hours stated the hours to be extended to 0000 with precise dates to be notified to the licensing authority and Police at least 28 Days in advance					
Recorded Music Perform Dance Facilities for dancing Facilities for music	Indoors and Outdoors	Sunday	12:00	22:30		
		Monday	11:00	23:30		
		Tuesday	11:00	23:30		
		Wednesday	11:00	23:30		
		Thursday	11:00	23:30		
		Friday	11:00	23:30		

		Saturday	11:00	23:30		
Non-Standard Timings & Seasonal Variations	<p>Christmas Eve 1200 - 0030 September Beer Festival - four days (Thur, Fri, Sat & Sun) from 12:00 - 00:00 hrs May Beer Festival 2 days from 12:00- 00:00 On 12 Separate Dates each year in addition to the hours stated the hours to be extended to 0000 with precise dates to be notified to the licensing authority and Police at least 28 Days in advance</p>					
Late Night Refresh	Indoors and Outdoors	Sunday				
		Monday	23:00	23:30		
		Tuesday	23:00	23:30		
		Wednesday	23:00	23:30		
		Thursday	23:00	23:30		
		Friday	23:00	23:30		
		Saturday	23:00	23:30		
Non-Standard Timings & Seasonal Variations	<p>September Beer Festival - four days (Thur, Fri, Sat & Sun) from 12:00 - 00:00 hrs May Beer Festival 2 days from 12:00- 00:00 On 12 Separate Dates each year in addition to the hours stated the hours to be extended to 0000 with precise dates to be notified to the licensing authority and Police at least 28 Days in advance</p>					
Alcohol Sales	ON and OFF Sales	Sunday	11:00	00:00		
		Monday	11:00	00:00		
		Tuesday	11:00	00:00		
		Wednesday	11:00	00:00		
		Thursday	11:00	00:00		
		Friday	11:00	00:00		
		Saturday	11:00	00:00		
Non-Standard Timings & Seasonal Variations	<p>Christmas Eve 1200 -0030 New Year's Eve - until start of business on 1st January All other Bank Holidays last alcohol sales 2300 September Beer Festival - four days (Thur, Fri, Sat & Sun) from 12:00 - 00:00 hrs May Beer Festival 2 days from 12:00- 00:00</p>					
Hrs premises open to public	whole premises	Sunday	11:00	00:30		
		Monday	11:00	00:30		
		Tuesday	11:00	00:30		
		Wednesday	11:00	00:30		

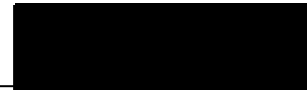
		Thursday	11:00	00:30		
		Friday	11:00	00:30		
		Saturday	11:00	00:30		
Non-Standard Timings & Seasonal Variations	Good Friday 12:00 - 22:30 hrs Christmas Day 12:00 - 15:00 hrs Christmas Day 19:00 - 22:30 hrs Christmas Eve 11.00 - 01.00 hrs New Year's Eve Until start of business on 1st January All other Bank Holidays to close 23:30					

Licence Commencement Date
3rd October 2005



Licensing Officer

Last Amendment Date
28th January 2022



Licensing Officer

ANNEX 1 - MANDATORY CONDITIONS

Supply of Alcohol

1. Where this Licence authorises the supply of alcohol:

No supply of alcohol may be made under this licence:

- (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence.
- (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a Personal Licence.

Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where:-
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question; admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

Irresponsible Promotions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or,
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

Free Tap Water

1. The responsible person must ensure that free potable tap water is provided on request to customers where it is reasonably available. (This means that responsible persons at all premises must ensure customers are provided with potable (drinking) water for free if they ask for it.)

Age Verification Policy

- (a) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - i. a holographic mark, or.
 - ii. an ultraviolet feature.

Drink Volume Measures

1. The responsible person shall ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i. beer or cider: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml.
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Permitted Price

1.
 - (a) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (b) For the purposes of the condition set out in paragraph 1—
 - A. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - B. “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$
 where—
 - i. P is the permitted price,

- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

C. "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

- i. the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

2. Where the permitted price given by Paragraph B of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

3.

(1) Sub-paragraph (2) applies where the permitted price given by Paragraph B of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervision (except theatres, cinemas, bingo halls and casinos)

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- (b) in respect of premises in relation to:
 - i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - ii. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

ANNEX 2A – CONVERTED CONDITIONS

- None

ANNEX 2B - OPERATING SCHEDULE

PREVENTION OF PUBLIC NUISANCE

- Noise must be managed in accordance with the Noise Management Plan submitted to the licensing authority. Any changes to the noise management plan must be agreed in writing by the licensing authority.
- During events held inside the premises with regulated entertainment windows and doors at the premises shall be kept closed except for access and egress.
- Customers will be asked to leave quietly.
- Notice to go quietly will be erected
- A sign will be erected designating smoking area
- Music will finish at 2300 during Beer Festivals

PUBLIC SAFETY

- Indoor sporting events shall be limited to those normally described as pub games.
- Polycarbonate Glasses to be used during Events both inside and outdoors
- Regular Glass collections will be made.
- Toilets will be checked at regular intervals
- Extra staff will be employed for Events
- The Marquee will be Fire resistant

PROTECTION OF CHILDREN FROM HARM

- Challenge 25 will operate in the Premises.
- Approved photographic proof of age will be required to be shown by anyone seeking to purchase alcohol that appear to be under 25 years of age, Passport, photo card Driving licence or PASS card.
- Under 14's not allowed in the Premises after 2100

PREVENTION OF CRIME AND DISORDER

- S.I.A. Trained security Staff will be employed between 1900 & 0000 during Beer festivals.
- CCTV will be installed inside and outside the Premises
- An Incident Book and Refusal book will be kept.
- Alcohol will not be served in the Marquee but can be drunk in there

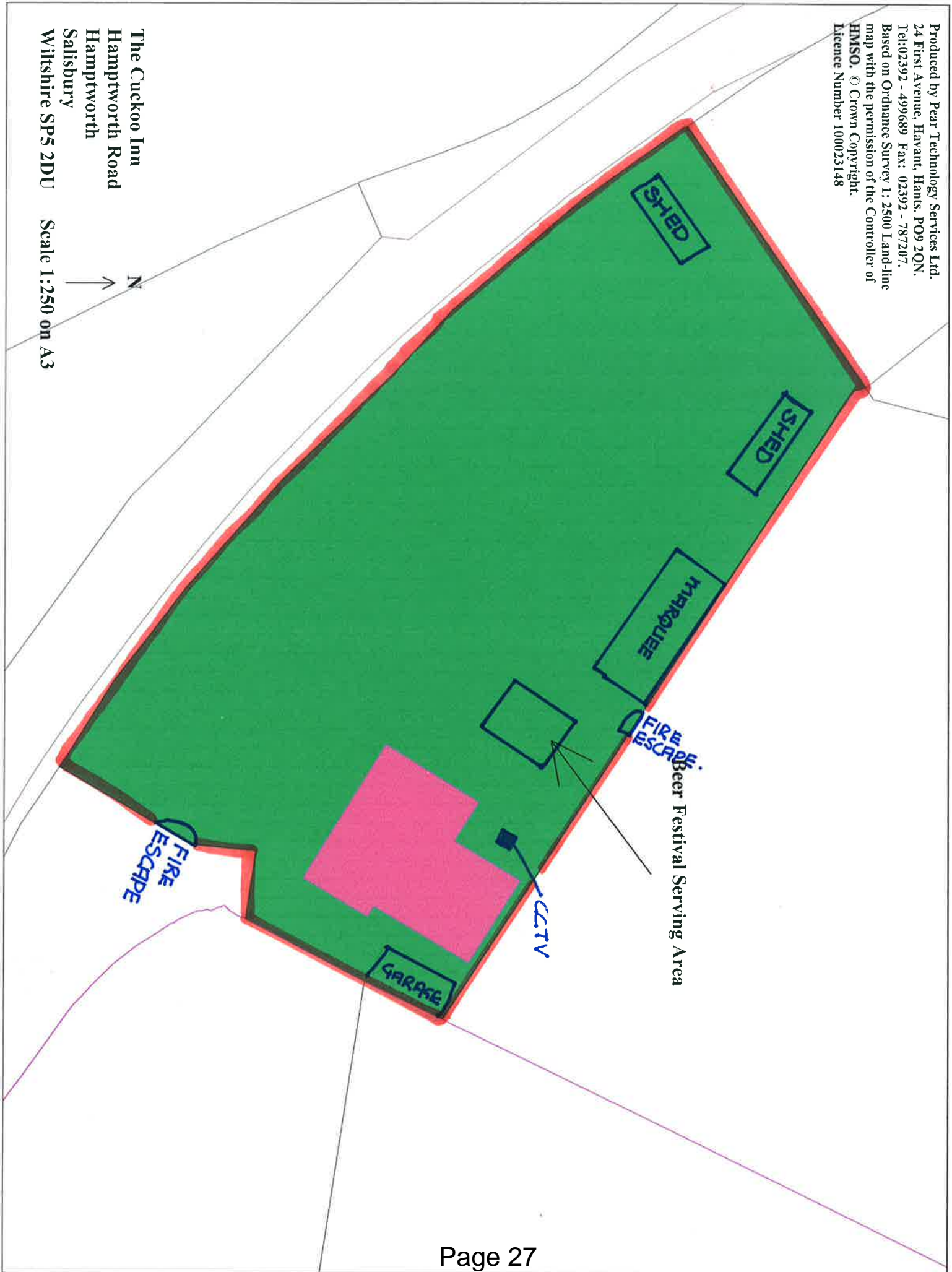
ANNEX 3 - CONDITIONS ATTACHED AFTER HEARING

- None

ANNEX 4 - PLANS

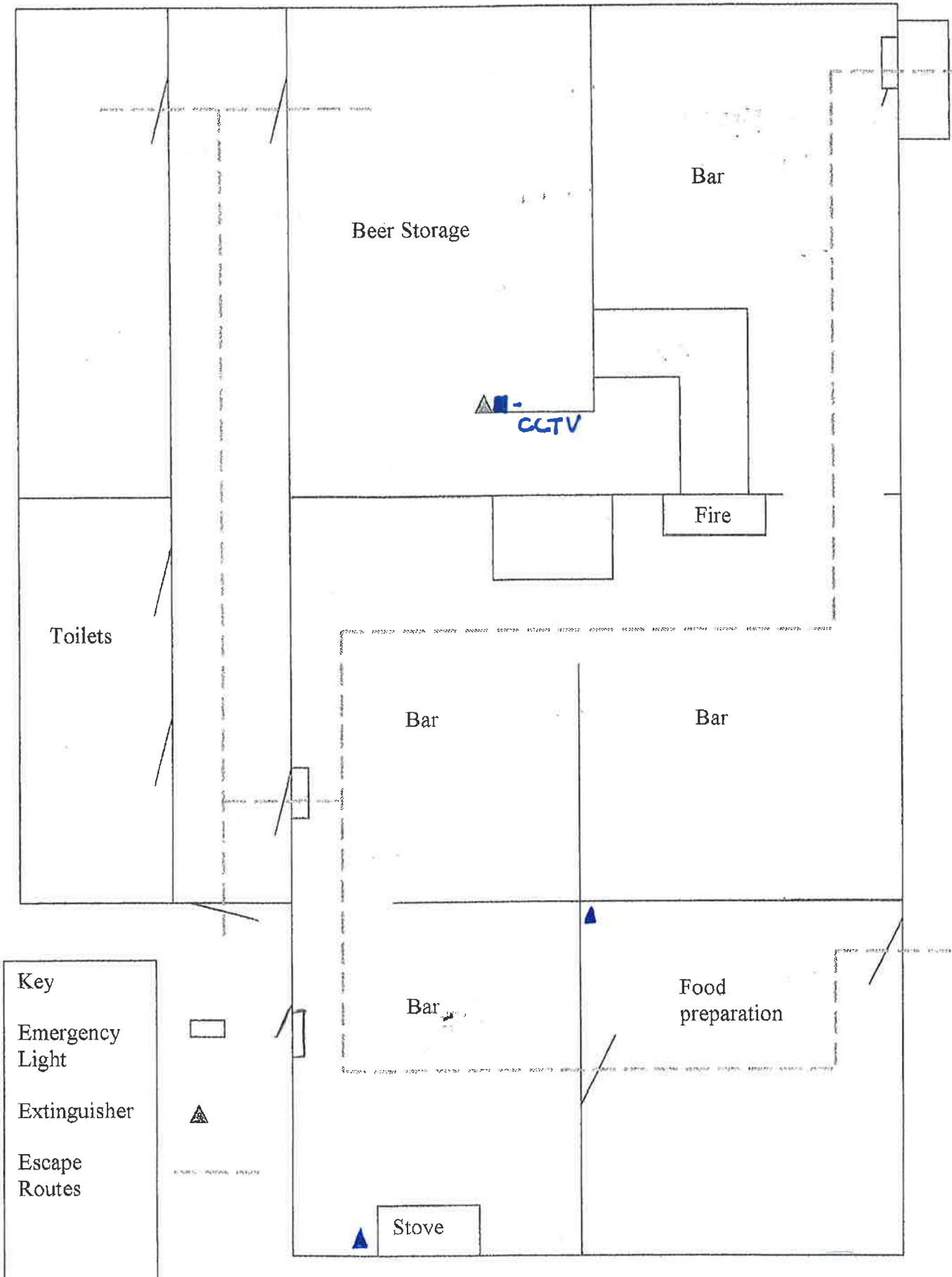
Attached Separately

Dated: 25.06.2015



The Cuckoo Inn
Hamptworth Road
Hamptworth
Salisbury
Wiltshire SP5 2DU

Scale 1:250 on A3



- Key**
- Emergency Light
 - Extinguisher
 - Escape Routes

The Cuckoo Inn - Hamptworth

Wiltshire Council

 Where everybody matters

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Katherine Fowler
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
<u>The Cuckoo Inn, Hamptworth</u>	
Post town	Post code (if known)
<u>Salisbury</u>	<u>SP5 2DU</u>

Name of premises licence holder or club holding club premises certificate (if known)
<u>PLH: NJM Anderson 1988 Settlement. Rosehill Advisors Limited act on behalf of the estate. Estate has been sold to Eagle Point Ltd and due to complete in January 2023 when they will transfer the licence to their name. Currently Eagle Point Ltd are the Leaseholders of the Cuckoo Inn. Nikolaos Amplianitis is the DPS and manager of the Cuckoo Inn employed by Eagle Point Ltd.</u>

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

Part 2 - Applicant details

I am Katherine Fowler

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address	
Katherine Fowler Environmental Health Officer Environmental Control and Protection team Wiltshire Council, Bourne Hill Salisbury SP1 3UZ.	
Telephone number (if any)	01722 434346
E-mail address (optional)	katherine.fowler@wiltshire.gov.uk

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

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

Please state the ground(s) for review (please read guidance note 2)

In June 2022 this department were notified of complaints from residents concerned about noise from the frequent amplified outdoor events held at The Cuckoo Inn, Hamptworth. Towards the end of the month we received four log sheets from separate residents illustrating noise from live music events had been affecting them in their properties almost every weekend since mid May 2022 until the end of June 2022. Residents were concerned this would continue throughout the summer adversely impacting them.

Meetings at the premises with the leaseholder and DPS were held in June and July to discuss the issues. Further advice was given over the phone and emails between June and September advising on what control measures to implement to ensure compliance with the Licence and prevent a public nuisance.

Despite providing advice this department is not confident that the DPS can effectively manage and control noise from events with amplification that are held in the external areas of the premises. Based on the evidence we have obtained throughout the summer we are satisfied that the 'Prevention of a public nuisance' licensing objective has not been met.

Please provide as much information as possible to support the application (please read guidance note 3)

A meeting was held with the Leaseholder, DPS, Licensing Officer and Police Licensing Officer on 29th June 2022. It was advised that a condition of their licence was to implement and adhere to a Noise Management Plan (NMP) and not hold events on consecutive weekends. They were unaware of these conditions. Guidance documents were provided and specific advice was given on measures to minimise disturbance to residents. This was followed up with an email I sent to the DPS (Mr Amplianitis) on the same day.

On Wednesday 6th July 2022 I received confirmation from Mr Amplianitis that they would be cancelling the event on 16th July 2022 in compliance with their licence conditions. I replied advising that each band should play for no more than 1hr 15minutes and they should avoid punk/rock/metal bands at the next event proposed on 10th July 2022. I received an email on 8th July 2022 asking me to confirm if 2hr sets were acceptable, unfortunately due to my working hours this was not picked up until after the event. An updated Noise Management Plan was also attached to this email.

During the Pride and Joy event hosted by the premises on the 10th July 2022 noise monitoring equipment was installed in one of the complainants properties. Mr Amplianitis was aware this equipment was being installed to assess the music noise from the two bands playing.

The recordings identified music noise was audible inside the complainants property from 12.47hrs until 17.43hrs. Noise between 12.47hrs and 14:10hrs was dominated by traffic noise from cars entering the event and revving of car engines, though music noise was audible and lyrics of songs were still identifiable.

From 15:16hrs the music noise level increased by approximately 10dB. The music noise was intrusive with harsh rock vocals, electric guitar and drums being played.

A subsequent meeting was held on 20th July 2022 with the Licensing Officer and DPS to discuss the recordings. Mr Amplianitis stated when the 2nd band arrived he thought they would be loud, but took no action to reduce noise levels throughout the event. We discussed the need for tighter measures and our lack of confidence in the managing of these events to effectively control noise. I informed that we would monitor noise at the next proposed event with amplification which would be the beer festival.

An email was sent to the DPS, leaseholder and client acting on behalf of the PLH on 27th July 2022 reiterating what had been discussed, the importance of adhering to their NMP, what should be included in the NMP and potential next course of action by the Council if noise continues to cause disturbance to local residents.

Advice was repeatedly given to;

- Reduce the number of bands playing and the duration music is played at events
- Avoid rock/punk/pop genre music and large bands with noisier instruments (electric guitars, drums, bass)
- Detail in their NMP what monitoring is proposed: the locations, corrective action that will be taken if the noise levels are deemed too loud.
- Detail in their NMP how they will communicate with residents at a reasonable time prior to any event

In my correspondence I asked the DPS to confirm the proposed events for the rest of the year. I received no response. Another email was sent on 15th August 2022 following concern from residents that further events were planned as advertised on social media. Mr Amplianitis responded confirming that no events with amplification were proposed until the beer festival between 2nd and 4th September 2022.

Residents notified me following the weekend of 20th/21st August 2022 that two events were held, Ladies night with music and the 150th Celebration with amplified music, but not of an excessive level.

On 3rd September 2022 my colleague Trish Morse, Public Protection Officer at WC visited two complainants to assess noise from live music played at the beer festival. Trish observed the noise inside and outside the complainants property and stated that music noise from the premises was clearly audible. At 22.15hrs in the main bedroom with the window open music noise was clearly audible and song words were identifiable. Trish confirmed that the music noise in this room was unreasonable, would prevent someone sleeping and therefore a statutory nuisance exists.

Noise monitoring equipment was installed in a complainants property for the remainder of the beer festival. These recordings demonstrate music noise is clearly audible with lyrics identifiable with the doors open and closed. Trish confirmed in her observations that music noise was audible over the TV in the lounge with the volume set at a reasonable level.

This department is satisfied it has sufficient evidence to demonstrate the prevention of public nuisance licensing objective has not been met. This is based on our lack of confidence in management to effectively control noise from outdoor events with amplification and evidence obtained in the form of noise recordings and direct observation.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Live Music Act 2012

CHAPTER 2

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

£5.75



Live Music Act 2012

CHAPTER 2

CONTENTS

- 1 Licence review for live music entertainment
- 2 Removal of requirement to license the provision of entertainment facilities
- 3 Exemptions for live music entertainment
- 4 Short title, commencement and extent



Live Music Act 2012

2012 CHAPTER 2

An Act to amend the Licensing Act 2003 with respect to the performance of live music entertainment; and for connected purposes. [8th March 2012]

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: –

1 Licence review for live music entertainment

- (1) In section 177 of the Licensing Act 2003 (dancing and live music in certain small premises) –
 - (a) in subsections (1) and (2), for “the provision of music entertainment” in each place substitute “dancing”,
 - (b) in subsection (2) omit –
 - (i) paragraph (b) and “and” immediately before it, and
 - (ii) in the words following paragraph (b), the words “, in relation to the provision of that entertainment,”,
 - (c) omit subsections (3) and (4),
 - (d) in subsection (8) –
 - (i) for “music entertainment” substitute “dancing” and in paragraph (a) of that definition omit “(e) or”, and
 - (ii) omit paragraph (b) of that definition and “or” immediately before it, and
 - (e) in the heading omit “and live music”.
- (2) After that section insert –

“177A Licence review for live music

 - (1) Subsection (2) applies where live music takes place on premises authorised to be used for the supply of alcohol for consumption on the premises by a premises licence or club premises certificate, and –

- (a) at the time of the live music, the premises are open for the purposes of being used for the supply of alcohol for consumption on the premises,
 - (b) either –
 - (i) the live music is unamplified, or
 - (ii) the live music is amplified and takes place in the presence of an audience of no more than 200 persons, and
 - (c) the live music takes place between 8am and 11pm on the same day (or, where an order under section 172 has effect, between the hours specified in that order).
- (2) Any condition of the premises licence or club premises certificate which relates to live music does not have effect in relation to the live music, unless it falls within subsection (3) or is added to the licence in accordance with subsection (4).
- (3) A condition falls within this subsection if, on a review of the premises licence or club premises certificate it is altered so as to include a statement that this section does not apply to it.
- (4) On a review of a premises licence or club premises certificate a licensing authority may (without prejudice to any other steps available to it under this Act) add a condition relating to live music as if –
- (a) the live music were regulated entertainment, and
 - (b) the licence or certificate licensed the live music.
- (5) In this section –
- “condition” means a condition –
- (a) included in a premises licence by virtue of section 18(2)(a) or (3)(b), 35(3)(b), 52(3) or 167(5)(b),
 - (b) included in a club premises certificate by virtue of section 72(2)(a) or (3)(b), 85(3)(b) or 88(3),
 - (c) added to a premises licence by virtue of its inclusion in an application to vary the licence in accordance with section 34 or 41A which is granted under section 35(2) or 41B(3) (as the case may be), or
 - (d) added to a club premises certificate by virtue of its inclusion in an application to vary the certificate in accordance with section 84 or 86A which is granted under section 85(2) or 86B(3) (as the case may be);
- “live music” means entertainment of a description falling within, or of a similar description to that falling within, paragraph 2(1)(e) of Schedule 1;
- “supply of alcohol” means –
- (a) the sale by retail of alcohol, or
 - (b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.”

2 Removal of requirement to license the provision of entertainment facilities

- (1) Schedule 1 to the Licensing Act 2003 (c. 17) is amended as follows.

- (2) For paragraph 1(1) substitute –
- “(1) For the purposes of this Act, the “provision of regulated entertainment” means the provision of entertainment of a description falling within paragraph 2 where the conditions in sub-paragraphs (2) and (3) are satisfied.”
- (3) In paragraph 1(2) omit “, or entertainment facilities are,”.
- (4) For paragraph 1(3) substitute –
- “(3) The second condition is that the premises on which the entertainment is provided are made available for the purpose, or for purposes which include the purpose, of enabling the entertainment concerned to take place.”
- (5) For paragraph 1(4) substitute –
- “(4) For the purposes of sub-paragraph (2)(c), entertainment is to be regarded as provided for consideration only if any charge –
- (a) is made by or on behalf of any person concerned in the organisation or management of that entertainment, and
- (b) is paid by or on behalf of some or all of the persons for whom that entertainment is provided.”
- (6) In paragraph 1(6) omit paragraph (c).
- (7) Omit paragraph 3.
- (8) For paragraph 4 substitute –
- “4 The Secretary of State may by order amend this Schedule for the purposes of modifying the descriptions of entertainment specified in paragraph 2, and for this purpose “modify” includes adding, varying or removing any description.”
- (9) For paragraph 7 substitute –
- “7 The provision of entertainment consisting of the performance of live music or the playing of recorded music is not to be regarded as the provision of regulated entertainment for the purposes of this Act to the extent that it is incidental to some other activity which is not itself a description of entertainment falling within paragraph 2.”
- (10) In paragraph 8 omit “or entertainment facilities”.
- (11) In paragraph 9 omit “or entertainment facilities”.
- (12) In paragraph 10(1) omit “or entertainment facilities”.
- (13) In paragraph 11 –
- (a) omit “or entertainment facilities”, and
- (b) omit sub-paragraph (b).
- (14) In paragraph 11A omit sub-paragraph (4).
- (15) In paragraph 12 omit “or entertainment facilities”.

3 Exemptions for live music entertainment

- (1) Schedule 1 to the Licensing Act 2003 (c. 17) is amended as follows.
- (2) In paragraph 11(a) for “a performance of unamplified, live music as” substitute “the playing of live or recorded music that forms”.
- (3) After paragraph 12 insert –

“Live music in licensed venues

- 12A The provision of entertainment consisting of a performance of live music is not to be regarded as the provision of regulated entertainment for the purposes of this Act on premises authorised to be used for the supply of alcohol for consumption on the premises by a premises licence or club premises certificate, if –
- (a) the requirements of section 177A(1)(a) to (c) are satisfied, and
 - (b) conditions have not been included in the licence or certificate by virtue of section 177A(3) or (4).”

- (4) After paragraph 12A (as inserted by sub-paragraph (3)) insert –

“Live music in workplaces

- 12B The provision of entertainment consisting of a performance of live music is not to be regarded as the provision of regulated entertainment for the purposes of this Act, provided that –
- (a) the place where the performance is provided is not licensed under this Act (or is so licensed only for the provision of late night refreshment) but is a workplace as defined in regulation 2(1) of the Workplace (Health, Safety and Welfare) Regulations 1992,
 - (b) the performance takes place in the presence of an audience of no more than 200 persons, and
 - (c) the performance takes place between 8am and 11pm on the same day.”

- (5) After paragraph 12B (as inserted by sub-paragraph (4)) insert –

“Live unamplified music

- 12C The provision of entertainment consisting of a performance of live music is not (subject to section 177A(3) and (4)) to be regarded as the provision of regulated entertainment for the purposes of this Act provided that the music –
- (a) is unamplified; and
 - (b) takes place between 8am and 11pm on the same day.”

4 Short title, commencement and extent

- (1) This Act may be cited as the Live Music Act 2012.
- (2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) This Act extends to England and Wales only.

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APPENDIX 6

From: Fowler, Katherine
Sent: 28 September 2022 15:58
To: sm@miltonstone.com
Cc: Edge, Katherine <Katherine.Edge@wiltshire.gov.uk>
Subject: RE: Cuckoo Inn, Hamptworth

Dear Sacha,

It was good to speak with you earlier today. I thought it would be useful to summarise what was discussed.

Based on evidence obtained throughout the summer months this year, this department is currently not confident that the DPS at the Cuckoo Inn can effectively manage and control noise from events held with amplification. Although it is evident following our intervention that some changes have been implemented to control the noise from events such as reducing the number of events to comply with the Licence, we have still continued to receive complaints about noise during events that have taken place.

Your cooperation and engagement with Poppleston Allen and Richard Vivian at Big Sky Acoustics to resolve the ongoing issue is reassuring. However, we need to be confident that going forward events will be effectively managed and controlled at the premises and not create a public nuisance. The main concern is our lack of confidence in management which has been evidenced by poor communication with residents prior to events and a reluctance to action control noise measures we have recommended. As discussed during our meeting today, for us to reconsider any application (providing no other representations are received) we would need to be satisfied that you can demonstrate what action will be taken to secure our confidence in the current management operating the Pub with the inclusion of the noise management plan submitted by Richard. Our proposals if we proceed to a review hearing would be to disapply the Live Music Act and impose conditions to the following effect;

1. Restrict the number of events that can be held at the premises annually to:
 - i) Two beer festivals one in May and one in September. Amplified music only on the Friday and Saturday evening, no amplified music on the Sunday.
 - ii) Up to an additional four events with amplified music outside the remainder of the year with a maximum of one per month.

2. Restrict the duration and time amplified music can be played outside;
 - i) Beer festivals. A total of 3hrs of music per day with an end time of 22.30hrs.
 - ii) For the other four events no more than a total of 1hr30 (x2 45min sets with 30 min break) and music to end by 21.30hrs.

3. Implement a sufficient Noise Management Plan (NMP). Details of NMP to be recommended by the noise consultant working on behalf of the licence holder and approved by the Environmental Health Officer. Noise Management Plan to include (not an exhaustive list):
;
 - i) management controls;
 - ii) either subjective noise observations or target noise levels as determined by the noise consultant

- iii) types of bands that will be hired to play at events. Given the nature of the environment bands have to be low key; such as small jazz, acoustic bands to suit the environment, not of rock/metal genre
- iv) location and positioning of speaker systems
- v) monitoring details, frequency of observations, where they will be taken (a map/plan to be included) and what corrective action will be taken if noise levels deemed too loud
- vi) details of how local residents will be notified, in advance of events with music outside;
- vii) complaints policy and procedure.

Kind regards

Kat Fowler
Environmental Health Officer
 Environmental Protection, Public Protection Services



.....

From: Sacha Moussaieff <Sacha.Moussaieff@wiltshire.gov.uk>
Sent: 07 October 2022 08:55
To: Fowler, Katherine <Katherine.Fowler@wiltshire.gov.uk>
Cc: Edge, Katherine <Katherine.Edge@wiltshire.gov.uk>
Subject: Cuckoo Inn, Hamptworth

Good morning Kat

I hope you are well.

Please find attached the updated NMP for your review and comments. This plan incorporates the list you have provided in your email of 28th September 2022. Please do let me know if you would like us to add anything else.

I can also confirm that I agree to the new suggested proposed restrictions you have proposed:

1. *Restrict the number of events that can be held at the premises annually to:*
 - i) *Two beer festivals one in May and one in September. Amplified music only on the Friday and Saturday evening, no amplified music on the Sunday.*
 - ii) *Up to an additional four events with amplified music outside the remainder of the year with a maximum of one per month.*
2. *Restrict the duration and time amplified music can be played outside;*
 - i) *Beer festivals. A total of 3hrs of music per day with an end time of 22.30hrs.*
 - ii) *For the other four events no more than a total of 1hr30 (x2 45min sets with 30 min break) and music to end by 21.30hrs.*

I can assure you that our intention is, and has always been, to provide the community with a friendly and welcoming pub and to be responsive and adaptable wherever necessary - and considerate in dealing with any reasonable complaints.

I sincerely hope that this agreement, along with the many assurances I have provided in our meeting last week, will conclude with the necessity of the review hearing to be reconsidered.

Kind Regards

Sacha

SACHA MOUSSAIEFF

.....

From: Fowler, Katherine <Katherine.Fowler@wiltshire.gov.uk>
Sent: 18 October 2022 16:56
To: Sacha Moussaieff <sm@miltonstone.com>
Cc: Edge, Katherine <Katherine.Edge@wiltshire.gov.uk>
Subject: RE: Cuckoo Inn, Hamptworth

Dear Sacha,

It was good to speak with you this afternoon.

As discussed it is evident that you have shown co-operation to resolve the noise issues at the Cuckoo Inn by agreeing to our proposals. However, we do still have a lack of confidence in the management operating the pub and any future events held. Therefore, we feel it is necessary to continue to the review hearing with the aim of disapplying the live music act deregulation and imposing conditions to ensure noise will be controlled and managed effectively to prevent a public nuisance. The conditions would be to ensure a suitable NMP is submitted and updated, restrict the number of events held annually and the duration of these events.

Furthermore, I do not believe the residents concerns will be alleviated without the review hearing.

Kind regards

Kat Fowler
Environmental Health Officer
Environmental Protection, Public Protection Services

Wiltshire Council



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Noise Management Policy

The Cuckoo Inn
Hamptworth Road, Hamptworth, Salisbury, Wiltshire SP5 2DU

Prepared by: Richard Vivian
On behalf of: Eagle Point Limited
Document Ref: 22091085
Date: 5th October 2022

Big Sky Acoustics document control sheet

Project title:	Noise Management Policy The Cuckoo Inn
Document reference:	22091085
Submitted to:	Sacha Moussaieff Eagle Point Limited Hamptworth Road Hamptworth Salisbury Wiltshire SP5 2DU
Submitted by:	Richard Vivian Big Sky Acoustics Ltd 60 Frenze Road Diss IP22 4PB 020 7617 7069 info@bigskyacoustics.co.uk
Prepared by:	Richard Vivian BEng(Hons) MIET MIOA MIOL Principal Acoustic Consultant

Document status and approval schedule

Revision	Description	Date	Approved
0	Approved for issue	05/10/2022	RV

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Noise Management Policy

We operate a considerate business. There are residential properties in the village around us that can be affected by noise and we realise that we must not disturb people in their homes. That is why we must manage all noise from The Cuckoo Inn and this becomes even more important in the evening when it is quieter and when our neighbours may be resting or sleeping. We therefore have a comprehensive approach to managing noise from the premises and we pay particular attention to strictly controlling all noise generating activity outside.

The following points are key to our Noise Management Policy:

- We will endeavour to ensure that all noise emanating from the premises will not cause a nuisance at any residential property.
- Arrangements are in place to ensure that deliveries only take place between the hours of 08:00 - 18:00hrs, Monday - Saturday except where access at other times is unavoidable and specific procedures are in place to limit disturbance.
- Glass recycling can make noise. No empty bottles are tipped or thrown into outside storage receptacles between 18:00 - 08:00hrs.
- Refuse collections are made at the times allocated for the village. We ensure that waste is correctly packaged and that refuse can be removed quickly and efficiently.
- Except for servicing, maintenance and safety reasons, fire doors and service doors to the pub building are kept closed after 21:00hrs. Emergency exits and service doors will not be propped or held secured open when the premises are trading and there is any noisy activity inside.
- Smokers are encouraged to use the smoking shelter at the rear of the pub and this area will be regularly checked by staff.
- Given that this is a country pub the style of the business and operating hours means that there will be a gradual departure of customers and we are not busy at the end of the evening.
- Clear notices are prominently displayed at the exit requesting customers to respect the needs of local residents and to leave the area quietly.
- We will strictly control events that use the outside space. These controls include:
 - Residents will be notified by email and letter drop one month in advance of any event outside with amplified music.
 - Ensuring any events with music finish at, or before, 21:00hrs.
 - Not hosting more than one outdoor event day with music per month (with the exception of our two beer festivals each year).
 - Only booking performers with smaller PA systems and ensuring loudspeakers are directed at the audience space immediately in front of the performance area.

- Avoiding bands that perform musical genres that create a higher risk of loud noise.
- Checking sound levels and setting so an agreed maximum level which will not be exceeded.
- Selecting bands that we already know and are confident can work with our restrictions.
- We attach the utmost importance to the careful investigation and prompt resolution of any complaint made in respect of how we operate The Cuckoo Inn. Particular emphasis will be placed on maintaining close links with local residents including hosting meetings where necessary to allow our neighbours to raise any issues and for those issues to be quickly resolved.
- The telephone number of The Cuckoo Inn is published on our website and our immediate neighbours have our contact details to call if they have any concerns about the premises. Any complaint will be recorded noting the date and time of complaint, the approximate location of the complainant, a description of the noise and how it is affecting the complainant, and the follow up action. We will share the complaint record with authorised officers of Wiltshire Council on request for the purposes of investigating a formal noise complaint made to the council.
- Noise management procedures are an integral part of our employee training.
- We will constantly review our Noise Management Policy and respond quickly to the needs of our neighbours.

The Cuckoo Inn Management Team

Issue date: October 2022
Next review due by: April 2023

Location of music performance area and monitoring positions:



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Application to review a premises licence	
Premises address	Cuckoo Inn, Hamptworth, Salisbury, SP5 2DU
Premises licence holder	The Trustees of the N J M Anderson 1988 Settlement C/O: Rose Hill Advisors
Leaseholder for the premises	Sacha Moussaieff
Designated Premises supervisor (DPS)	Nikolaos Amplianitis

1. Background

1.1 My name is Katherine Fowler, I am an Environmental Health Officer working in the Environmental Control and Protection team at Wiltshire Council. I have been employed by the Council for 8 years. I qualified as an Environmental Health Officer in 2013 and have been working in Environmental Health departments at different Authorities since 2011.

1.2 On 14th September 2022 I served an application for a review of the Premises Licence for The Cuckoo Inn currently held by The Trustees of the N J M Anderson 1988 Settlement. A representation has been made by the Environmental Control and Protection (EC&P) Team as it is of the opinion that the combination of the premises location being unsuitable to hold regular live and recorded music events in the outside areas and our lack of confidence in the existing management to effectively control and manage noise from events to promote the licensing objection of Prevention of Public Nuisance.

2. Location of the premises

2.1 The Cuckoo Inn is situated in Hamptworth a hamlet in the north of the New Forest. The property itself is Grade II listed and dates to the 1800s when it was originally built as two cottages and changed to a pub in 1901.

2.2 The pub has neighbouring residents to the east, west and south with the nearest residential property approximately 70m from the pub itself and 20m from the boundary of the pub's garden area. I enclose an OS view and ariel view of the pub denoting the location of residential properties and pub as **Exhibit 1a and 1b**.

2.3 The pub has a large external area with temporary gazebo structures providing a covered area for customers to the western side of the pub and a grassed area providing additional seating for customers on wooden benches to the front and west of the pub. The performance area is situated to the far west of the garden.

3. History of the premises

3.1 In 2015 this department was consulted on an application to vary the premises licence at the Cuckoo Inn to extend the sale of alcohol to the outside area, hold a beer festival in May and September, extend the opening hours until 00.00hrs for 12 days per year and erect a marquee in the garden for the playing of music.

3.2 Upon discussions with the Licensing department, we established that the beer festival had already been running for several years but had not been licensed to do so.

3.3 A site visit to the pub was carried out and I raised concerns with the proposals given the low background noise levels and likely impact from entertainment noise on the neighbouring residents. The application was amended to reflect our recommended changes including the submission of a Noise management plan (NMP) and conditions attached to their Licence to ensure compliance with the NMP and for music to finish at 11pm. The conditions are in annex 2b of the operating schedule in the Premises Licence.

3.4 Up until 2022 the premises operated without any formal noise complaints being made to this department.

4. Complaints

4.1 In June 2022 this department received notification from the Wiltshire Police licensing officer that several residents wanted to formally complain about the revised Cuckoo Inn Licence and weekly provision of events held outside with loud music until midnight on some occasions.

4.2 Since the new Designated Premises Supervisor (DPS) arrived in 2022 we had not seen sight of an updated NMP.

4.3 On the 28th June 2022 I received log sheets from four separate residents all noting that loud music had been causing disturbance every weekend throughout May and June. During the Beer festival which was held between 20th May and 22nd May live music caused disturbance from 13.00hrs to 23.00hrs every day.

5. Correspondence with the Premises

5.1 Following a phone conversation with Mr Amplianitis (DPS) I sent an email on 21st June 2022 advising him to create a NMP detailing how he will be managing and controlling noise from the premises to prevent causing a public nuisance. I advised him of the current conditions on the Premises Licence.

5.2 On 29th June 2022 Alastair Day, Police Licensing Officer, Katherine Edge, Licensing Officer, and I carried out a joint visit to the premises. We met with Mr Ampalanitis (DPS), Sacha Moussaieff (DPS employer and leaseholder of the pub).

5.3 I advised Mr Amplianitis that they were not complying with conditions on their licence and current NMP as it was evident from the log sheets received that music had been played over three days during the beer festival and on consecutive weekends for the other events. Both of which were restricted on the NMP to Fridays and Saturdays for the beer festival event and non-consecutive weekends for other events to minimise potential disturbance to neighbouring residents. He advised that prior to my email he was not aware of the conditions on the Licence. He provided me with a NMP, almost a replica of the previous one.

- 5.4** I advised that the EC&P team would be investigating the noise under Statutory nuisance provisions and would be monitoring the noise at the next events. Mr Amplianitis assured me that he was managing the noise from events and had bought a noise meter to monitor the sound levels. I informed him that he could use it as a reference but should not rely solely on this and instead should make a judgement as to whether the music is too loud at the boundary of the residential properties, These types of meters will not consider the bass level from music and instruments played. I explained that due to the very low background noise levels and proximity of residents amplified music especially with certain types of instruments will almost always be audible at the residential properties.
- 5.5** I strongly advised Mr Amplianitis to consider the frequency of events held, duration of music, type of bands hired to play (restricting to softer genres of music and avoiding bands with drum kits, bass and electric guitars which will be louder and produce bass which will travel further), providing residents with sufficient notice, complaints procedure and effective subjective noise monitoring, taking corrective action to reduce the volume at source if required.
- 5.6** On 5th July 2022 Mr Amplianitis sent me an email advising that the next event planned would be on 10th July with live music between 12pm and 6pm. The beer festival would be on Friday 2nd September to Sunday 4th September with live music between 5pm and 11pm on Friday and Saturday and no music on Sunday. They would ensure no 'thrash metal' style of music will be played. They would also provide residents with 14 days written notice of the beer festival but would be unable to give it for the upcoming event. They will also monitor the noise throughout the event.
- 5.7** On the 6th July 2022 I replied to Mr Amplianitis email advising that each band should play for no more than 1hr 15minutes providing 2.5hrs of music throughout the day to avoid causing disturbance to residents.

6. Noise monitoring 10th July 2022

- 6.1** The noise monitoring equipment was installed in the complainant's property on 6th July 2022. Upon analysing the recording and in accordance CIEH Noise Council Code of practice on Environmental Noise control at concert guidance background noise levels were identified as 34dB throughout the duration of the event. Music noise was clearly audible inside the property and noise levels were 13dB higher than background noise levels. Noise levels increased to 18.5dB above background noise levels once the second band started playing from 3pm. This is a significant increase and likely to adversely impact on residents enjoying the use of their property and could prevent someone sleeping if this volume of music was played during the evening. The noise from this band was much more intrusive due to the increase in volume of noise, type of instruments played (electric/bass guitars and drums), genre of music being rock and the harsher vocals.

7. Further correspondence

- 7.1** On 20th July 2022 Katherine Edge, Licensing officer and I met Mr Amplianitis to discuss the recent noise monitoring. He was aware that this monitoring was taking place as we had already advised him at the previous meeting. I showed him my analysis of the recordings

pointing out that the second band was noticeable louder and more intrusive than the first. He agreed stating he thought they would be loud when unloading their equipment, and he too thought the volume was loud. It was clear that effective monitoring had not been carried out and evident no corrective action was taken to reduce the volume. I reiterated the importance of a NMP and following it. A follow up email was sent to the Licence holders advising of our findings and significant concerns with frequent amplified music events at this premises.

8. Noise monitoring 3rd September 2022

8.1 On 3rd September 2022 Trish Morse carried out a visit to monitor noise from the beer festival at the premises. The complainants advised Trish that the music played last night was much louder and at the end of the night the band were inciting the crowd to cheer and be noisy to wake up the neighbours. Having listened to a video produced by the complainants the lead singer can be heard on 2nd September 2022 at 22.58hrs saying 'is it actually possible for you to get any fucking quieter, could you, oh it is' and 'let's get loud, oh we can' and 'can you turn her up a bit'.

8.2 At 21.13hrs Trish visited another complainant's property on Hamptworth Road and installed the noise monitoring equipment. Music started playing from the pub when the equipment was being set up. The complainant stated it was quieter than the previous evening. The songs played were identifiable with words to songs still heard with the doors closed. Moving into the lounge of the property with the TV on the music noise could be heard over the sound from the TV.

8.3 At 21.50hrs Trish returned to the first complainant's property she visited. On their front patio the noise from the amplified music was clearly audible and the complainants stated that they would not have been able to have their own background music on as the noise from the band at the pub would have affected their enjoyment of their garden on a summers evening.

8.4 At 22.15hrs in the main bedroom of the complainant's property on the first floor with the window open music from the band playing at Cuckoo Inn was clearly audible and in the opinion of Trish Morse the noise levels were unreasonable and would prevent someone sleeping in that room and in Trish's opinion would amount to a statutory noise nuisance.

9. Statutory noise nuisance

9.1 On 30th August 2022 I received notification from a complainant stating that residents were notified of the beer festival event 7 days before, despite Mr Amplanitis own written noise control measure stating he would provide 14 days' notice.

9.2 Having listened to the noise recordings it was evident that the music noise is clearly audible with lyrics of the songs identifiable with the doors of the property open. The music is still audible with the doors closed, though the words of the songs cannot be distinguished in most of the recordings. At 22.38hrs on 3rd September 2022 a recording is made with the doors in the dining room of the property open. The song playing is identified as Queen,

Don't stop me now. On the 4th September a recording is made at 14.11hrs and half way through Green Day, Boulevard of Broken Dreams is clearly audible albeit quieter than the previous evening.

9.3 On 14th September 2022 I contacted David Pardoe, Rosehill Advisors, Sarah Taylor at Poppleston and Allen and Mr Moussaieff to advise that we had witnessed a statutory noise nuisance at the complainant's property on Saturday 3rd September from the playing of loud music at the Cuckoo Inn. I was advised that the leaseholder of the premises, Mr Moussaieff appointed legal advice and a noise consultant to carry out an assessment and implement a sufficient NMP. Therefore, as appropriate steps had been taken, we agreed to withhold the service of the abatement notice in accordance with the relevant period as defined in Section 80 of the Environmental Protection Act 1990. I also confirmed that this department would be applying to the Licensing department to review the licence with a view to disapply the Live Music Act 2012 and impose conditions in accordance with the noise consultants' recommendations.

9.4 During a telephone conversation with Richard Vivian of Big Sky Acoustics he agreed that the location of the premises was not suitable to host events outside with live amplified music on a regular basis, if at all. We agreed that as the beer festivals had historically always taken place they could continue if they were controlled effectively, with the possibility of a few other events throughout the year, though these would need to be restricted by time and duration of music played to ensure noise would not disrupt sleep. Due to the nature of the area and low background noise levels it is inevitable that noise from music played outside will be audible at neighbouring residential properties and therefore strict control measures would need to be implemented to protect the residents and prevent a public nuisance.

10. Noise Management plan

10.1 On 7th October 2022 I received an email from Sacha Moussaieff with their new Noise Management plan attached. Sacha confirmed in his email that they agreed to the restrictions I had proposed to limit the number of events held at the premises and restrict the duration amplified music could be played outside. I enclose a copy of their new noise management plan as **Exhibit 6a in the hearing report**.

10.2 Mr Vivian has provided guidance to Mr Amlianitis and Mr Moussaieff on the subjective assessment of music noise when events are held outside and if music noise is audible at the monitoring locations it should be at a low level such that vocals should not be distinguishable, and there will be no obvious bass. I can confirm that I am satisfied with the current NMP that has been submitted.

11. Summary

11.1 It is my opinion that without effective management and strict control measures the premises is unsuitable for the provision of frequent outdoor events with live and recorded music.

11.2 I have a lack of confidence in the competency of the current management to effectively control noise from events. This is evidenced throughout verbal and written advice and guidance provided to Mr Amlianitis on at least five occasions which has not been

followed. Mr Amlianitis has also failed to adhere to his own NMP allowing bands producing louder volumes of music to play, incidents of enticing crowds to make more noise, playing amplified music on the Sunday of the beer festival, not providing sufficient notice to residents, all whilst reassuring us this would not happen.

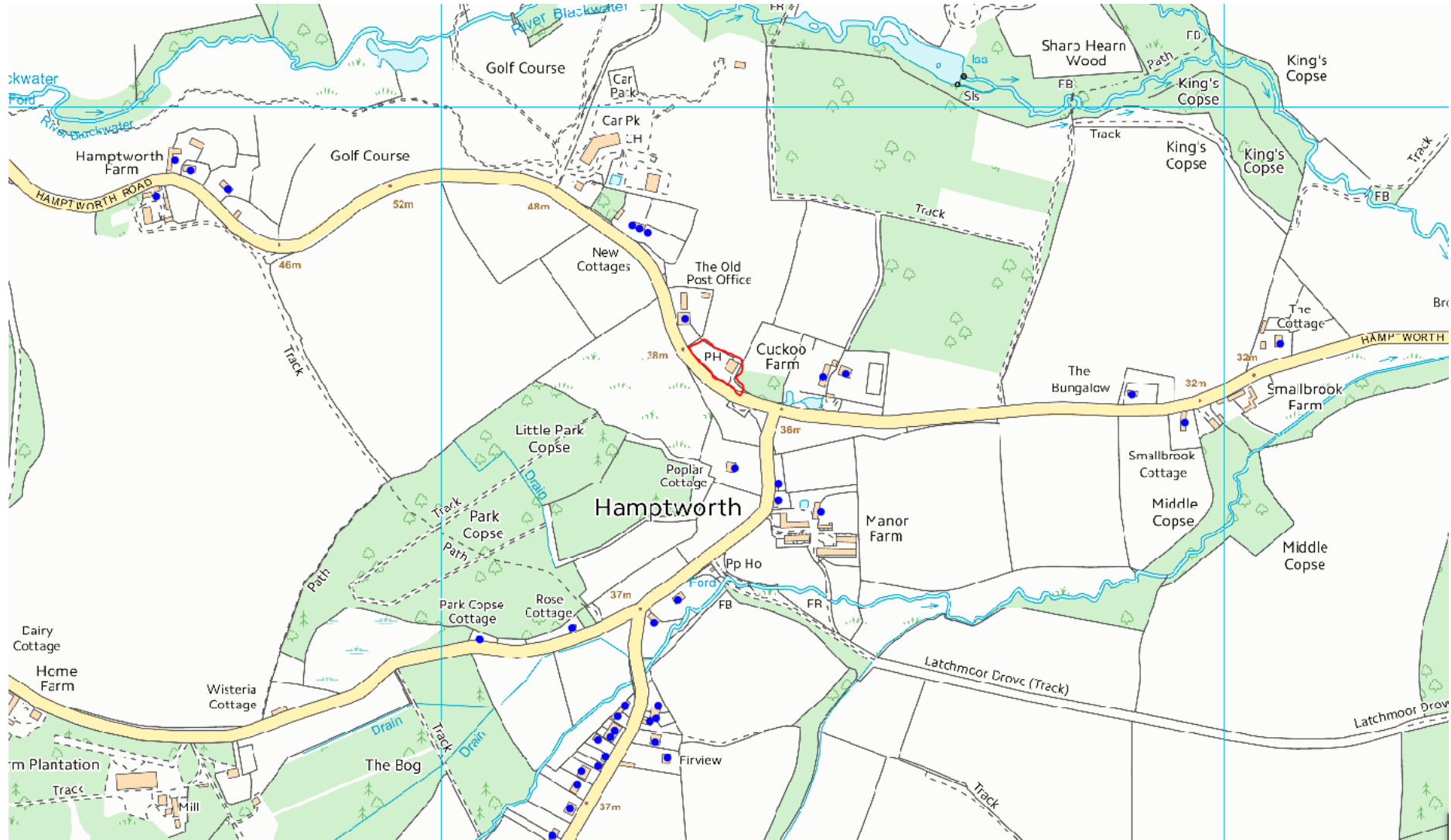
11.3 This department has investigated the noise nuisance under statutory nuisance as defined in the Environmental Protection Act 1990 and witnessed a statutory nuisance at the complainant's property. Furthermore, a public nuisance has been caused by the DPS' inability to effectively manage and control noise from music events held at the premises. The prevention of public nuisance licensing objective has not been adequately promoted by Mr Amlianitis (DPS) and the Licence Holders (N J M Anderson Settlement).

11.4 The current arrangements are complicated, but the leaseholder for the premises and likely future Premises Licence Holder has shown co-operation and following recent correspondence has agreed to our proposals set out below. However, over the last 6 months there has been a breakdown of trust between all parties and the residents require reassurance and additional protection going forward to prevent similar issues recurring. The live music act deregulation should be disapplied to allow enforceable conditions to control music noise from any events held at this premises and for the prevention of public nuisance licensing objective to be adequately met. We would therefore recommend that the committee undertake the following actions.

Recommendations

1. The provisions of the Live Music Act 2012 be disapplied to this premises
2. That conditions to the following effect are attached to the premises licence:
 - a) Restrict the number of events that can be held at the premises annually to:
 - i) Two beer festivals one in May and one in September. Amplified music only to be played on the Friday and Saturday, no amplified music on Sundays.
 - ii) Up to an additional four events with amplified music outside through the remainder of the year with a maximum of one per month.
 - b) Restrict the duration and time amplified music can be played outside:
 - i) Beer festivals: A total of 3 hours of music per day with an end time of 22.30hrs
 - ii) For the other four events no more than a total of 1hr 30minutes (x2 45-minute sets with a 30-minute break) and music to end by 21.00hrs.
 - c) Noise must be managed in accordance with the Noise Management Plan submitted to the Licensing Authority. Any changes to the noise management plan must be agreed in writing by the Licensing Authority.

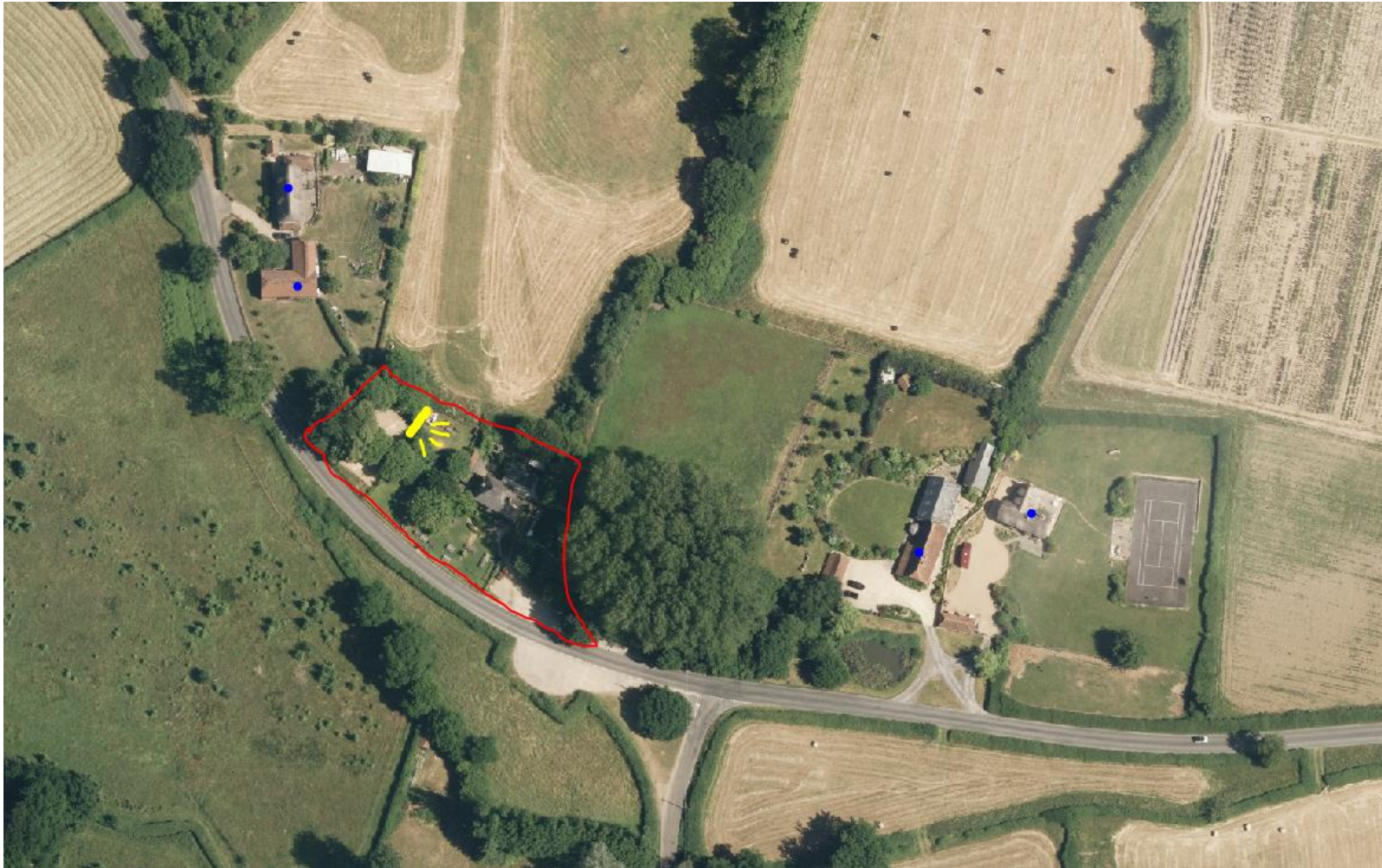
Exhibit 1a – OS view of the surrounding area



Blue dots indicate residential properties

Red outline is the boundary of the pub

Exhibit 1b – Ariel view



Blue dots indicate residential properties

Red line outlines the boundary of the Cuckoo Inn

Yellow line denotes performance area and direction of speakers towards the pub

Exhibit 1a –OS view of the surrounding area

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Edge, Katherine

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 & 21st August. At the beer festival rock bands played for over 4 hours on both the 2nd & 3rd 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

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 Heath

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

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

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.

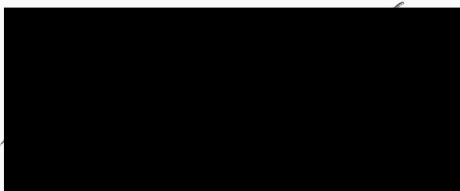
We have never, in 55 years had to complain about the events the Cuckoo Inn. At no point this year has anyone from the pub communicated with us about noisy music and vehicle events, and at no point has any effort been made to preserve our village artifacts. Going forward; we do not want to hear any noisy 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

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.

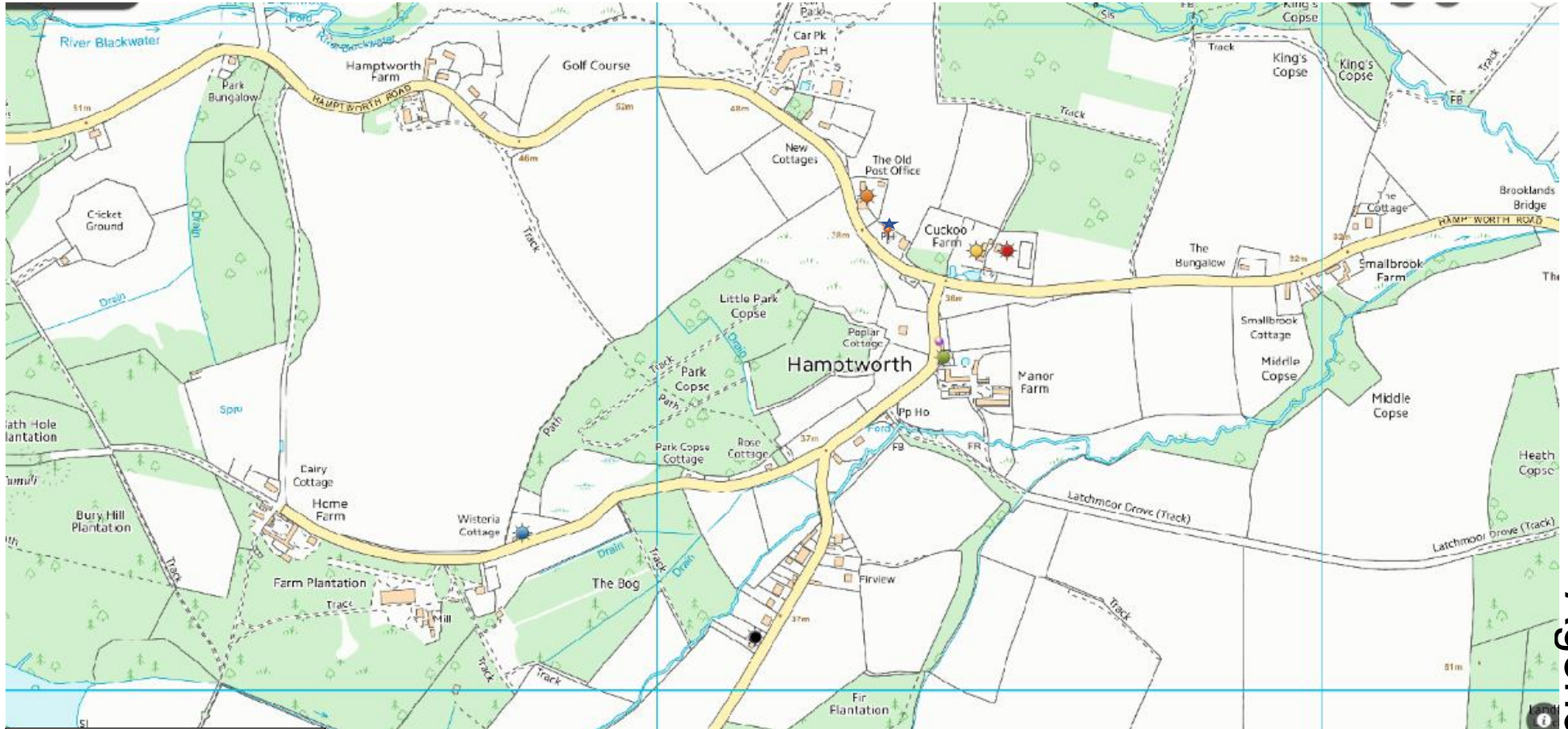
Yours sincerely



Frederick and Elisabeth Cook

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Appendix Representation Map



- ★ The Cuckoo Inn
- Yellow – Rep 1
- Red – Rep 2
- Orange – Rep 3
- Blue – Rep 4
- Green – Rep 5
- Black – Rep 6

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