

Item 6 Application for a new Premises Licence – Rownhams House, Rownhams, Southampton SO16 8LS

1 The application

1.1 The application is by Roger J Barber and Penelope J Barber for the premises known as Rownhams House, Rownhams, Southampton SO16 8LS. Rownhams House is a Grade 2 Listed country house surrounded by approximately 12 acres of gardens and woodlands.

1.2 As these premises have not previously been licensed a new Premises Licence is required and the applicant has now applied under section 17 of the Licensing Act 2003 for such a licence. This application has attracted representations necessitating the application to be determined at a hearing. The application seeks the following licensable activities:

- Provision of regulated entertainment comprising: plays, both indoors and outdoors between 0900 and 2230 hours Monday to Friday and 1200 and 2230 hours Saturday and Sunday; films, both indoors and outdoors between 0900 and 2230 hours; indoor sporting events between 0900 and 2230 hours; live music, both indoors and outdoors between 0900 and 2300 hours; recorded music, both indoors and outdoors between 0900 and 2300 hours; performances of dance, both indoors and outdoors between 0900 and 2300 hours; anything of a similar description to live music, recorded music and performances of dance, both indoors and outdoors between 0900 and 2300 hours; provision of facilities for making music, both indoors and outdoors between 0900 and 2300 hours; provision of facilities for dancing, both indoors and outdoors, between 0900 and 2300 hours; and provision of facilities for entertainment of a similar description to making music and dancing, both indoors and outdoors between 0900 and 2300 hours; and
- The supply of alcohol for consumption on the premises between 1000 and 2315 hours; and
- The provision of late night refreshment, indoors, from 2300 until 0100 hours.

A copy of the application is attached as Annex 1 to this report. The applicant has submitted an appendix which provides additional information regarding the application and this is attached as Annex 2 to this report. The applicant has also provided further documentation in connection with his application. This comprises: a letter sent by an interested party drawing attention to the application (Annex 3); the applicant's reply to this letter (Annex 4); an article relating to the premises and application which appeared in a recent edition of the Rownhams village newsletter (Annex 5); the text of a statement read out by the applicant at the recent Rownhams Parish Council annual meeting in

response to questions regarding the application (Annex 6); a copy of a leaflet produced by the applicant advertising the premises use as office accommodation (Annex 7); and details of amendments to the application (Annex 8).

The applicant has also provided a copy of a book entitled *The Lords of Rownhams* which gives a history of the application premises. The applicant acknowledges that there may not be anything of direct relevance to the hearing within the book but believes that it may convey to members the premises' local significance and its links with many well known people and events. He also comments that the chapter on his own family and the epilogue may assist in placing the premises into a more recent context. It has not been possible to copy the book but it will be available to members of the Sub Committee at the hearing.

2 Background

- 2.1 Rownhams House is an old country house and coach house which over the years has been surrounded by residential development. It has more recently mostly been let out for professional office use and for business courses. It is Listed Grade 2 with about 12 acres of gardens and surrounding woodlands. Office use alone is no longer a viable use for the premises and if it is to be maintained properly the applicants need to employ alternative strategies. Accordingly the applicants are seeking a licence for those activities for which they believe the premises lend themselves. For indicative purposes only the applicants believe appropriate uses for the premises might include, but not be limited to: film shows and lectures for special interest groups; educational theatre; dance performances; corporate events/training days; weddings; civil ceremonies; receptions; and other family events.

3 Promotion of the Licensing Objectives

- 3.1 The applicant makes the following comments in relation to the steps taken to promote the four licensing objectives:-
- a) General – We have sought advice from the appropriate official organisations in respect of the objectives and the personal views of the applicants are in line with the objectives. It is in our interests, and the long term interests of Rownhams House, to continue to seek advice as and when required, not to become complacent and to run the property in a thoughtful and community minded spirit.
 - b) The prevention of crime and disorder – We should use best endeavours not to stage any event/occasion that may result in crime and disorder.

- c) Public safety – Before any licensable activities take place in a given area safety notices will be erected where appropriate; we are working on the latest Fire Risk Assessment and we shall be installing adequate external lighting. We have also carried out a risk assessment in respect of food safety. Any potential hazards in the grounds will be highlighted by signage. A First Aid kit will be provided on site. A Designated Premises Supervisor, or a duly appointed deputy, will be on duty at all times during licensable activities.
- d) The prevention of public nuisance – Please see the attached Appendix for our proposed measures.
- e) The protection of children from harm – Please also see box N on the application. We intend to erect safety/warning notices where appropriate within the house/gardens and to advise users and those in supervision of the users verbally and in writing of any possible physical risks.

The measures to promote the licensing objectives are of relevance when considering the representations received.

4 Relevant Representations – Responsible Authorities

- 4.1 **Housing, Health and Communities Service** – The Pollution Team have raised a holding objection to this application. With regards to regulated entertainment held indoors the Team wishes to apply conditions and if these are adhered to then the team do not anticipate any problems. The Team are at the time of writing this report working with the applicant on this matter.
- 4.2 With regard to outdoor regulated entertainment, the Team does have concerns with the location of the site and the close proximity of neighbouring houses. The Team needs to clarify the intended usage and frequency of any activities and the applicant will need to demonstrate that these will not give rise to any problems. At the time of writing this report the Team were in negotiations with the applicant. It is therefore likely that by the date of the hearing negotiations will have been concluded and a verbal update will be given at the hearing.
- 4.3 **Hampshire County Council Trading Standards Service** – Trading Standards raised no objection subject to the applicants agreeing to conditions to be attached to the licence regarding adoption of a Challenge 21 scheme, training and display of Challenge 21 posters. The applicants have confirmed that they agree to these conditions.
- 4.4 **Hampshire Constabulary** – No representation made.
- 4.5 **Hampshire Fire and Rescue Service** – Does not wish to make a representation.

5 Relevant Representations – Interested Parties

- 5.1 There are a number of representations from interested parties listed below. Many of these mention matters which are not relevant to the licensing objectives and thus not relevant to this application. Members of the Sub Committee must ignore any such matters. Matters to be disregarded would include comments about: crime and disorder where not directly attributable to the application site; any matter relating to other licensed premises or other locations; financial matters including property values; the nature and character of the premises and the immediate locality; animal safety and welfare; fireworks; noise and other pollution not directly attributable to the application site; environmental issues where not directly attributable to potential pollution or nuisance from the premises; and the need for planning permission.
- 5.2 Mr & Mrs G Martin – Objection to the application on the grounds that the objective of prevention of public nuisance will not be achieved. See Annex 9 to this report.
- 5.3 M & J Lyel – Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 10 to this report.
- 5.4 N & V Head – Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 11 to this report.
- 5.5 L & D Saw – Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. It is debatable if the reasons outlined in the representation are relevant and thus the Sub Committee may consider this representation irrelevant. See Annex 12 to this report.
- 5.6 A Rust – Objection to the sale of alcohol and provision of late night refreshment on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 13 to this report.
- 5.7 P C Jackson – Objection to the application on the grounds that the objectives of prevention of public nuisance and public safety will not be achieved. See Annex 14 to this report.
- 5.8 D S Bedi - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 15 to this report.
- 5.9 H Bedi - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 16 to this report.

- 5.10 G Bedi - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 17 to this report.
- 5.11 N K Bedi - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 18 to this report.
- 5.12 D Munro - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 19 to this report.
- 5.13 M Munro - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 20 to this report.
- 5.14 I Fisher - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 21 to this report.
- 5.15 C & J Pitt - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 22 to this report.
- 5.16 A Doyle - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 23 to this report.
- 5.17 B & J Richards - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 24 to this report.
- 5.18 C Mairey - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 25 to this report.
- 5.19 C & M Kennedy - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 26 to this report.
- 5.20 R & S Callaway - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 27 to this report.
- 5.21 P & W Kewley - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 28 to this report.

- 5.22 P & H Halliwell - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 29 to this report.
- 5.23 P & V Harder - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 30 to this report.
- 5.24 J Mallen - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 31 to this report.
- 5.25 D Lovett - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 32 to this report.
- 5.26 A Goodey - Objection to the application on the basis that the objectives of prevention of crime and disorder and prevention of public nuisance will not be achieved. See Annex 33 to this report.
- 5.27 D J & A M Sherry – Objection to the application on the basis that the objectives of prevention of crime and disorder, public safety and prevention of public nuisance will not be achieved. See Annex 34 to this report.
- 5.28 R & S Hodges – Objection to the application on the basis that the objectives of prevention of public nuisance and public safety will not be achieved. See Annex 35 to this report.
- 5.29 Mr & Mrs M Whitehead - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 36 to this report.
- 5.30 R Norman - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 37 to this report.
- 5.31 M James & J Brown - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 38 to this report.
- 5.32 Mr & Mrs S M Mellor - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 39 to this report. NB Comments relating to public safety and protection of children from harm do not appear to be relevant to the application and should be disregarded.
- 5.33 S & N Lindsay - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 40 to this report.

- 5.34 M Fletcher - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 41 to this report.
- 5.35 T Bailey - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 42 to this report.
- 5.36 S Gwilliams - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 43 to this report.
- 5.37 D & A Masters - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 44 to this report.
- 5.38 S Betteridge - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 45 to this report.
- 5.39 J Bull - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 46 to this report.
- 5.40 H & V Fearn - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 47 to this report. Members should note that many of the comments contained within this representation are not relevant to the determination of the application and should be disregarded. The Licensing Manager will, if requested, provide members with a verbal response to those matters contained within the letter that relate to the Licensing Act 2003.
- 5.41 C Baker - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 48 to this report.
- 5.42 J & H Enfield - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 49 to this report.
- 5.43 P George - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 50 to this report.
- 5.44 J Stanton - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 51 to this report.

- 5.45 R & R Abbott - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 52 to this report.
- 5.46 L Knott - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 53 to this report.
- 5.47 J Swinn - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 54 to this report.
- 5.48 A & L Rawlins - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 55 to this report.
- 5.49 A & M Tetchner - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 56 to this report.
- 5.50 R Johnson - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 57 to this report.
- 5.51 B Jones - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 58 to this report.
- 5.52 J Hall & F Gethin - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 59 to this report.
- 5.53 K Ford - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 60 to this report.
- 5.54 I Game & T Gates - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 61 to this report.
- 5.55 N Booker & E Robinson - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 62 to this report.
- 5.56 R Roberts - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 63 to this report.

- 5.57 P Billows - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. Please note that points 6 to 9 in the letter are irrelevant and should be ignored. See Annex 64 to this report.
- 5.58 R B & A Withers - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 65 to this report.
- 5.59 S & S Watkins - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 66 to this report.
- 5.60 S Payler - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 67 to this report.
- 5.61 J Payler - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 68 to this report.
- 5.62 Mr & Mrs G Walton - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 69 to this report.
- 5.63 Mr & Mrs M Coleman - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. Please note that items 1 and 6 are irrelevant and should be disregarded. Item 8 is questionable as to its relevance and members should weight it accordingly. See Annex 70 to this report.
- 5.64 B & B Hopkins - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 71 to this report.
- 5.65 C McLoughlin - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 72 to this report.
- 5.66 R Merry - Objection to the application on the basis that the objective of prevention of public nuisance will not be achieved. See Annex 75 to this report.
- 5.67 In addition, members may wish to note that two representations **in support of the application** have been received from Digital Terrain Surveys LLP (Annex 73) and Mrs S Hamer (Annex 74).

6 Policy Considerations

- 6.1 It is considered that the following extracts from the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 are relevant.

2.1-2.18 – Crime and disorder
2.32-2.40 – Public nuisance
3.36 – Late night refreshment
8.28-8.32 – Steps to promote the licensing objectives
9.3-9.7 – Where representations are made
9.8-9.12 – Relevant, etc. representations
9.19-9.28 – Hearings
10.7-10.8 – Proposed conditions
10.9-10.10 – Consistency with steps described in operating schedule

- 6.2 It is considered that the following extracts from the Licensing Authority's own Statement of Licensing Policy are relevant to this application:

Section C: Prevention of Public Nuisance

The Statement of Licensing Policy has either previously been provided for Members of the Committee or will be provided at the hearing. Copies can also be obtained from the Licensing Section of the Legal and Democratic Service or downloaded from the Council's website.

7 Observations

- 7.1 The Committee is obliged to determine this application with a view to promoting the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. In making its decision, the Committee is also obliged to have regard to the national Guidance and the Council's own Statement of Licensing Policy. The Committee must also have regard to all of the representations made and the evidence it hears. The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- a) Grant the application as requested
- b) Modify the conditions of the licence, by altering or omitting or adding to them. (The Committee may where appropriate attach different conditions to different parts of the premises concerned and/or to different licensable activities).
- c) Reject the whole or part of the application (in the case of the latter for example by only allowing some of the licensable activities or permitting them to take place at times other than those requested).

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote one or more of the four licensing objectives:-

- a. Prevention of crime and disorder
- b. Public safety
- c. Prevention of public nuisance
- d. Protection of children from harm

Background Papers (Local Government Act 1972 Section 100D)

Premises Licence application for Rownhams House, Rownhams and all associated paperwork

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	75		
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