

Annex 47

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Licensing Authority
TVBC
Beech Hurst
Weyhill Road
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SP10 3AJ

28th April 2009

For the attention of Mr. Michael White

Dear Sir

Objection to the Application for a Licence to Sell Alcohol at Rownhams House, Rownhams.

I wish to add my objection to Mr. and Mrs. Barber's planning application to allow regulated entertainment, the sale of alcohol and late night refreshment at Rownhams House, Rownhams.

My property shares a boundary with Rownhams House and therefore any events that are held on these premises will affect me directly.

I draw the attention of the Borough Council to the following material planning considerations.

- Adequacy of parking/loading/turning.
- Highway safety
- Traffic generation
- Noise and disturbance resulting from use
- Road access
- Nature conservation
- Prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Adequacy of parking/loading/turning

It is obvious the intention of this planning application is to attract members of the public to attend functions, for profit. This will lead to parking on the street. It will also involve the loading and turning of private cars and large commercial vehicles making deliveries.

The highways in this area, particularly providing access to Rownhams House from Balmoral Way, were designed for estate purposes only. They are not of adequate width to accommodate parking and the safe passing of vehicles, especially large vehicles. The design radius of the bends in the highway may also create restrictions in the legal movement of larger vehicles causing them to mount the footway and pedestrian areas.

Parking on a footway is an offence. This causes obstructions to people with pushchairs (there are a considerable number of young families residing in the area) and wheelchairs for the disabled. I understand that driving on a pedestrian area (footway) is also an offence.

I enquire if parking on a grass verge is illegal in the TVBC as many Local Councils specifically ban parking on such areas?

Highway Safety

The influx of cars travelling to and from this venue is bound to create many safety concerns. Currently the area enjoys a safe environment, however, many hazards would be introduced should this application go ahead. These include the safety of the resident children of the area who use the area for cycling and playing. Pedestrians would be affected by the obstructions caused by parked cars. Large delivery vehicles travelling in this area would also create further safety problems.

The highway safety concern relates to all the routes from Balmoral Way to Rownhams House and all would be detrimentally affected.

Traffic Generation

The granting of this application will incur a large percentage increase in traffic volume. As stated above, the roads, and area in general, cannot cope adequately and sufficiently with a swell in traffic numbers, albeit temporary.

Noise and Disturbance Resulting From Use

I draw your attention to the following as an example. If there is a proposal to extend the provision for music until midnight and there is an operational condition to keep all the windows closed until midnight, is that fair and sufficient? Will it work in practice? What will happen on hot humid nights when someone is bound to want to open a window? Will the proposal also include a condition to install air-

conditioning? Would that be fair and reasonable? If so where will the plant go? Will it be next to someone's bedroom window or in an area where there is a constant hum of the motor? Does the planning application cater for this? If not should the condition say that the music will not commence until a properly authorised air conditioning plant has been installed and is running effectively?

There will undoubtedly be an increase in the slamming of car doors until the early hours of the morning. Shouting and loud behaviour is also to be expected. It is not advisable for the residents to take matters into their own hands and consequently this then raises security questions.

Drunken behaviour can also lead to vandalism, hooliganism and theft. Who will police these matters at the time of happening?

Rownhams is a peaceful area and the residents should not be suddenly subjected to such a massive change to their environment and deterioration in their quality of life, particularly to satisfy someone's lust for profit.

Road Access

Although some of the matters relating to roads and highways have been mentioned above, it is worth drawing the attention of TVBC to the access arrangements. The roads that enable access from Balmoral Way to Rownhams House, do not allow for any practical accessibility by delivery vehicles and the numerous cars that would be using the route.

In the case of emergencies at the venue, emergency vehicles, such as a Fire Engine, would have great difficulty negotiating the route from Balmoral Way to Rownhams House amidst the parked vehicles of the attendees. Any attempt to preclude the parking of cars by the TVBC as a condition of the granting of the application during events would be naïve, impractical, totally unfair to the residents as well as being completely ignored by the attendees.

The introduction of yellow lines would be unacceptable. This would cause unfair restrictions for residents who have nothing to gain from this imposition plus the lines would be visually offensive.

Nature Conservation

The area of Rownhams House is subject to tree preservation orders. The trees offer safe haven to myriad birds and animals. The area offers refuge and protection to an abundant wildlife. Loud noises, the influx of numerous people, who may act irresponsibly because of the affects of alcohol, could disrupt the status quo and drive these animals from their sanctuary.

Licensing Act 2003

I understand that under the Licensing Act 2003, a Premises Licence is required for any premises where licensable activities take place. These activities include the sale of alcohol, the provision to regulate entertainment and the supply of hot food and drink between 23:00 and 05:00 hours. In such circumstances, is it the case that any person selling or authorising the sale of alcohol requires a Personal Licence?

My understanding is that where a Premises Licence includes the sale of alcohol, the operating schedule, which forms part of the application, must specify a designated premises supervisor who must have a Personal Licence. A designated premises supervisor is to be the main point of contact at all times for the premises. Is this correct?

My understanding also is that anyone supplying alcohol or authorising its sale must hold a Personal Licence and they have to be applied for from the Licensing Authority in whose area the applicant lives, not from the area in which he/she works.

I am informed that neither, Mr or Mrs Barber lives in Hampshire but in Wiltshire. This being the case, is it appropriate for them to apply for this licence to TVBC?

I understand that if it is proposed to hold temporary events that include a licensable activity in premises that do not hold a Premises Licence, a Temporary Event Notice is required. Is my understanding correct that this is where a Premises Licence is in force, but not for the activity proposed or the time required? I believe the requirement is that in such cases, a non-Personal Licence holder can hold up to five events in any calendar. Under this Licensing Act, I believe that any person living or working in the vicinity, or any body representing them, will be able to make representations of objection. Such people or bodies can also apply for a review of an existing Premises Licence at any time where there are breaches of the licensing objectives attributed to the premises and the patrons. Is this the case? If so and evidence is required to confirm a breach, how does the TVBC propose to police this, bearing in mind offences would be likely to occur at anti-social times, i.e. late Saturday night and early Sunday morning. Surely a TVBC representative would need to be in attendance to ensure the accusations are genuine and correct?

Is it not also a requirement that an applicant for a Licence to sell liquor and provide entertainment must also include this information in the operating schedule for the premises?

I believe Mr and Mrs Barber seek to hold more than five events per calendar year. Even holding five events still requires an operating schedule and the applicant has to fulfil its obligations under the Licensing Act. As Mr and Mrs Barber are non-residents I am not convinced that they can conform.

The Prevention of Crime and Disorder

Any granting of this application for the sale of alcohol at Rownhams House is likely to result in an increase in crime and disorder. This has been evident in the past where noise and disruption was caused by late night revellers following one of the plays put on at this venue in 2008.

Future events are likely to attract people from outside of the area. The sale of alcohol to these patrons, who have no connection with the locality and are therefore more prone to acting irresponsibly, could very well increase disorderly behaviour.

It is not unheard of for people to attend such events because of the extended drinking hours.

Public Safety

The residents of the neighbourhood may be called upon to protect their property and might need to react should there be unwanted attendees damaging or entering their premises. The residents deserve some protection from such incidences. They are not the ones attracting the attendees to the area.

There is also the road safety perspective referred to above. This affects children as well as the old and infirm.

Anti-social behaviour is a term that describes actions or incidents that affects the quality of life of the residents. It also falls into the Public Safety category. This includes vandalism, intimidation, abuse, litter and noise.

The assessment of noise nuisance is based on whether it is 'reasonable', bearing in mind the locality, how often noise occurs and how many people are affected. How would the TVBC propose to monitor this if the occurrence was on a Saturday night and the staff member concerned was not on duty?

The residents of the area under discussion do not wish to get involved in the implementation or issue of ASBO's. They would rather pre-empt the situation by preventing the issue of the Licence to Mr and Mrs Barber.

Prevention of Public Nuisance

Some of the matters have been dealt with above, but for the sake of repetition, they do include the following.

- The prevention of noise and vibration escaping from the premises, including music, ventilation equipment and human voices.
- The disturbance cause by people arriving, leaving or gathering at the venue, particularly after 10:00pm.
- There is the problem of clearing up staff causing a nuisance and leaving Rownhams House quietly.

- Parking of vehicles has already been mentioned above.
- There is the likelihood of taxis, private hire vehicles, mini-buses disturbing local residents.
- Delivery and collection times may cause or contribute to all the safety features mentioned no matter the time of day or night.
- Light pollution caused by external and security lighting. This includes flashing and bright lights.
- Light pollution caused by vehicles leaving Rownhams House.
- Refuse storage and disposal problems and the accumulation of litter in the vicinity.
- Noxious smells emanating from the preparation of food.

Protection of Children from Harm

It is likely the proposed events will attract children under the age of 16 who may not be accompanied by an adult. These children would be able to enter the premises and order alcoholic drinks or convince someone of legal age to purchase on their behalf.

Does the applicant have a current policy on keeping children safe from harm? What precautions does the applicant intend to take with regard to the protection of children from abuse and violence? What facilities are in place to ensure children are not exposed to passive smoking?

Conclusion

In the past, occasional outdoor events have taken place on the Mountbatten Estate. They are well policed and administered and away from surrounding properties. The impact on the resident of the area is therefore minimal.

Events at the Mountbatten Estate demonstrate there is a tried and tested alternative venue available should Mr and Mrs Barber wish to entertain the general public.

Rownhams House is a totally inappropriate venue for the production of entertainment of the general public. The impact on the residents and the area is improper and totally unacceptable. It illustrates little understanding as well as a total lack of respect by the applicants for the people of Rownhams.

It is my considered opinion, that the application for the Licensing of events at Rownhams House, submitted by Mr and Mrs Barber, should be rejected.

Yours faithfully

Haydn and Valerie Fearn