

# ANNEX 1

Test Valley Borough Council

## 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 **Carol Ruddle**

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

### Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Lardicake 19 Adelaide Road Andover Hampshire SP10 1HF	
<b>Post town</b> Andover	<b>Post code (if known)</b> SP10 1HF

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Mr Andrew Rogers
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<b>Number of premises licence or club premises certificate (if known)</b> PREM/05/0155
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### Part 2 - Applicant details

I am

Please tick ✓ yes

Carol Ruddle  
Environmental Health Manager  
Housing, Health & Communities Service  
Test Valley Borough Council  
Beech Hurst  
Weyhill Road, Andover  
Hampshire SP10 3AJ

2) a responsible authority (please complete (C) 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 Carol Ruddle Environmental Health Manager Housing, Health & Communities Service Test Valley Borough Council Beech Hurst Weyhill Road, Andover Hampshire SP10 3AJ
Telephone number (if any) <b>01264 368461</b>
E-mail address (optional) cruddle@testvalley.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) <b>the prevention of public nuisance</b> | <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)**

We request this review in the interests of preventing public nuisance.

**What I am seeking**

In the interests of preventing public nuisance I believe that the current level of regulated entertainment at the premises should not be allowed to continue and that additional conditions ought to be applied.

Therefore, I am seeking the imposition of conditions to the following effect:

1. Live music, amplified music and/or amplified sound shall not be permitted to take place outdoors between 23.00hrs and 11.00hrs
2. Live music, amplified music and/or amplified sound shall not be permitted to take place outdoors more than once per calendar month.
3. The duration of outdoor events involving either live music, amplified music and/or amplified sound shall be no longer than 3 hours from start to finish.
4. Live music, amplified music and/or amplified sound shall not be permitted to take place inside the pub between 2300 – 1100 hrs unless all windows and doors are kept closed (except for access and egress purposes).
5. There shall be no Temporary Events Notices for the premises.

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

The Lardicake is located in a residential area close to the edge of Andover town centre. The pub is closely surrounded by several homes, creating a potential conflict with residents in the case of regular and/or poorly managed events involving live and/or amplified music.

In June 2016, the Council's Environmental Health Unit received a complaint about loud music from a weekend event. In response to a further event on the weekend of 16/17 July 2016, an officer visited to investigate and considered the level of music to be excessive and unreasonable. This was followed by the service of a noise abatement notice (dated 20 July 2016) on the Designated Premises Supervisor (DPS).

Following an event on Sunday 28 August 2016 that was considered to be excessive a written warning was subsequently issued to the DPS on 9 September 2016.

The Council then received further complaints about outdoor music events on Sunday 9 April 2017 and Sunday 7 May 2017, though neither event was witnessed by any officer from the Council's Environmental Health Unit.

On 8 May 2017, we wrote to Ei Group Limited, the pub-owning company, to notify that company of our general concerns with the pub's management and to seek their co-operation to speak to the DPS and give him any advice and assistance he might require to avoid causing further nuisance to local residents.

Complaints were received about noise from loud music on the 18<sup>th</sup> and 25<sup>th</sup> of June 2017. Then another complaint was received about loud music from an outdoor music event during the late afternoon and early evening of Sunday 2 July 2017. An officer attended and considered that the music was indeed disturbing and, whilst such an event might reasonably be tolerated occasionally at such volume and times, was too disturbing to be held on a frequent basis.

A further complaint was received about an outdoor event held during the evening of Saturday 8 July 2017. A visit was not made by any officer of the Environmental Health Unit at the time, but was alleged to have continued from 20.00hrs to 01.00hrs the following morning, when it was followed by noise from people leaving the area.

On Sunday 16 July 2017 an officer from the Council's Environmental Health Unit visited in response to an outdoor event reportedly held during that afternoon and reported to be still going at 00.20hrs. This event was witnessed by the officer between 22.24hrs and 23.24hrs and was considered to be excessive, especially given the timings of the event for such a built-up area closely surrounded by houses.

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

7

Day	Month	Year

1	1	1	1	1	1	1	1
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**If you have made representations before relating to the premises please state what they were and when you made them**

tick ✓ yes

Please

- 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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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 26<sup>th</sup> July 2017

Capacity Environmental Health Manager

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

Carol Ruddle  
Environmental Health Manager  
Housing, Health & Communities Service  
Test Valley Borough Council  
Beech Hurst  
Weyhill Road, Andover, Hampshire SP10 3AJ

<b>Post town</b> Andover	<b>Post Code</b> SP10 3AJ
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**Telephone number (if any)** 01264 368461

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)** cruddle@testvalley.gov.uk

**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.