

FAREHAM

BOROUGH COUNCIL

AGENDA LICENSING PANEL

Date: Wednesday, 28 February 2024

Time: 10.00 am

Venue: Collingwood Room - Civic Offices

Members:

Councillor Mrs P M Bryant (Chairman)

Councillors I Bastable

Mrs P Hayre



1. Licensing Act 2003 - Application for premises licence at the Boat House Cafe, Swanwick Marina, Shore Road, Swanwick SO31 1ZL (Pages 3 - 54)

To consider a report by the Licensing Officer in respect of a premises licence application at the Boat House Café, Swanwick Marina, Shore Road, Swanwick SO31 1ZL.



A WANNELL
Chief Executive Officer

www.fareham.gov.uk

15 February 2024

**For further information please contact:
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Tel:01329 236100
democraticservices@fareham.gov.uk**

FAREHAM

BOROUGH COUNCIL

Report to Licensing Panel

Date: 28 February 2024

Report of: Licensing Officer

Subject: LICENSING ACT 2003 – APPLICATION FOR PREMISES LICENCE
– THE BOAT HOUSE CAFÉ, SWANWICK MARINA, SHORE ROAD,
SWANWICK SO31 1ZL

SUMMARY

On 5th January 2024, the Council's Licensing Team received an application from Premier Marinas for a new premises licence in respect of their temporary unit based in Swanwick Marina. The application sought to mirror the premises licence for the Boat House Café, however the hours for licensable activity have since been reduced by the Applicant following advice from Police Licensing. During the 28 day consultation period, 10 relevant representations were received in respect of the application, mostly citing the Nuisance objective and making reference to the hours originally applied for.

RECOMMENDATION

The Panel Members are asked to review the information in this report and any additional evidence presented to them at the Hearing and determine the application.

BACKGROUND

1. The Licensing Act 2003 specifically restricts the grounds on which the Council, as Licensing Authority (LA), may refuse an application for a New Premises Licence, or impose conditions. Where relevant representations are made, the LA may refuse on the grounds that the licensing objectives are not met or the operating schedule is inadequate. Equally, conditions may be imposed where appropriate. The LA may also refuse an application in part and thereby only permit some of the licensable activities sought.
2. The decision making committee, in considering an application, must have regard to the adopted Statement of Licensing Policy and any relevant representations made.
3. An applicant applying for a new premises licence, whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court.
4. In considering this application the Panel will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the Panel must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision. The Panel must also have regard to:-

Crime and Disorder Act 1998

Section 17 of the Crime and Disorder Act 1998 places a Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Human Rights Act 1998

The Act requires UK legislation in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon other persons' Human Rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

PROCEDURE FOR THE HEARING OF THE APPLICATION

5. The standard procedure for the hearing of this licensing application can be seen as Appendix A.

THE APPLICATION

6. This application is in respect of a new premises licence at The Blue Boat Café. The premises are a temporary unit located in Swanwick Marina and owned/operated by Premier Marinas/Ideal Collection respectively.

In 2023, the old Boat House Café, which had been operating under their existing licence since 13th September 2005, was demolished to make way for a new building.

When the premises licence holders contacted the Licensing Team last year, the team determined that the best way forward would be for them to apply for a new premises licence to cover the temporary unit which will stay in place until the new building is ready, at which point they will vary the original premises licence so that it covers the new building.

The new application submitted for the temporary building initially sought to authorise licensable activities (including hours) that mirror the old Boat House Café premises licence; however, the applicants have since agreed to reduce the hours following advice/discussion with the Police Licensing Officer for the area. The public register has been updated to reflect this concession.

The new application for the temporary unit, if granted, will authorise the following:

Sale of Alcohol – Monday – Sunday – 07:30 – 23:00
Recorded Music – Monday – Sunday – 09:00 – 23:00
Live Music – Monday – Sunday – 12:00 – 23:00

During the 28-day consultation period, 10 relevant representations were received, mostly relating to the potential for nuisance should a licence be granted. The representations also refer to the hours originally applied for as set out below:

Sale of Alcohol – Monday – Sunday – 07:30 – 01:00
Recorded Music – Monday – Sunday – 09:30 – 01:00
Live Music – Monday – Sunday – 13:00 – 01:00
Late Night Refreshment – Monday – Sunday – 23:00 – 01:00

A copy of the application can be seen at Appendix B to this report. The Premises Plan can be seen at Appendix C.

RELEVANT REPRESENTATIONS

Responsible Authorities

7. In respect of this new premises application the following summarises from whom representations have been received:-

Child Protection Services	No representation
Hampshire Fire and Rescue	No representation
FBC Health and Safety	No representation

FBC Pollution	No representation
FBC Planning	No representation
Police	No representation
Trading Standards	No representation
Hampshire Public Health	No representation

0 representations have been received from Responsible Authorities

OTHER PERSONS REPRESENTATIONS

8. 10 representations have been received from members of the public.
9. All of the individual representations can be seen at Appendix D to this report.
10. A map showing the premises and the location of "Other Persons" properties can be seen at Appendix E (number 1 is a block of flats inhabited by two of the representors).
11. A letter sent by the premises operators to those who have made representations in an attempt to address the concerns raised within them can be seen at Appendix F.

CONCLUSION

12. Any decision made by the Panel must be in accordance with the four licensing objectives, the Council's licensing policy and the Section 182 guidance issued by the Secretary of State.
13. The Panel is now requested to review the information in this report and any additional evidence presented to them at the Hearing and determine the application.

Background papers: None.

Enquiries:

For further information on this report please contact Pearl Gillies on 01329 824367.

Licensing, Fareham Borough Council, Civic Offices, Civic Way, Fareham, PO16 7AZ
www.fareham.gov.uk

Hearings procedure as detailed at	APPENDIX A
New Premises Application	APPENDIX B
Site Plan	APPENDIX C1
Premises Plan	APPENDIX C2
Representations	APPENDIX D
Map showing premises and "Other Persons" proximity	APPENDIX E
Letter from premises operators to "Other Persons"	APPENDIX F

FAREHAM

BOROUGH COUNCIL

PROCEDURE FOR HEARINGS BY THE LICENSING PANEL

GENERAL

- 1 This procedure will be followed for hearings held by the Licensing Panel to determine :-
 - Applications for grant, variation or review of a premises licence under the provisions of the Licensing Act 2003 where representations have been made by any of the responsible authorities or other persons (as defined by the Licensing Act 2003);
 - Applications for grant or renewal of a personal licence under the provisions of the Licensing Act 2003 where representations have been made by any of the responsible authorities or other persons (as defined by the Licensing Act 2003);
 - Applications for grant or renewal of a public entertainments licence which is not otherwise determined by officers;
 - Such other licensing matter as may be referred by the Licensing Officer or the Licensing and Regulatory Affairs Committee from time to time.
- 2 Hearings shall be held in public unless the Panel considers that the greater public interest is served by excluding the public from the meeting in accordance with Schedule 12A of the Local Government Act 1972. Circumstances when it may be appropriate to do so include where there is a likelihood of disclosing exempt information relating to the applicant.
- 3 Parties to the hearing will be the applicant and any responsible authority or other person party making representations. The parties to the hearing may be accompanied by a representative, who may present the case on their behalf.
- 4 The Licensing Officer will not be a party to the hearing but will facilitate proceedings by conducting such pre-decision discussions as may be required and by presenting at the hearing a summary report of the application and any representations, together with the Officer's comments as to how these relate to the relevant legislation and the appropriate licensing policy.
- 5 Where any party intends to produce documents in support of his/her case they shall have been asked to do so in advance of the date of hearing. In the event that a document is submitted for consideration for the first time at the hearing, the Chairman may adjourn the hearing to a later time or date. It is expected that such adjournments will only be used in exceptional circumstances. The Chairman may in any event adjourn the hearing at any time before the Panel reaches its decision for any other reason he/she considers appropriate.
- 6 Each party when asked will present details of any witnesses to be called.

AT A HEARING in accordance with THE LICENSING ACT 2003

- 1 **The Chairman of the Licensing Panel** will outline the procedure to be observed and may invite any Other Persons to appoint a spokesperson².
- 2 **The Chairman** will ask the applicant whether any modification is to be made to the application or operating schedule submitted.
- 3 **The Licensing Officer** will present a summary of the application and of any representations received and will comment upon their relevance to the Licensing Act 2003 and the Council's licensing policy.
- 4 **The Applicant** may comment on the application and on representations made addressing the four licensing objectives³.
- 5 **The Panel** may seek clarification of points.
- 6 **The responsible authorities** in turn shall make their representations relating to one or more of the licensing objectives³ and may be questioned by members of the Licensing Panel and/or applicant.
- 7 **Other Persons**¹ in turn shall make their representations relating to one or more of the licensing objectives³ and may be questioned by members of the Licensing Panel and/or applicant.
- 8 **The responsible authorities** in turn may make a closing statement.
- 9 **The Other Persons** in turn may make a closing statement.
- 10 **The Applicant** may make a closing statement.
- 11 **The Licensing Panel** will then withdraw from the hearing to deliberate in private. In the event of uncertainty on any of the evidence, all parties will be recalled to the hearing whilst the point in question is clarified. In the event that the Licensing Panel has sought advice on points of law, the legal adviser shall explain to all parties what advice was given.
- 12 **All parties** shall be invited to return to the hearing when the Licensing Panel has completed its deliberations.
- 13 **The Chairman** shall announce the Panel's decision.

1: i.e. those other than responsible Authorities who have submitted representations;

2: this is most likely where there are a number of persons making representations upon the same point. The fact that the Panel does not hear from all Other Persons will not mean that their representations are not taken into account, but rather that the strength of feeling is understood and the case will not gain weight through repetition;

3. the four licensing objectives are:- (i) The prevention of crime and disorder; (ii) Public Safety; (iii) The prevention of public nuisance; (iv) The protection of children from harm.

Application for a premises licence to be granted 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 in black ink.
- Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Premier Marinas Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Boat House Temporary Facility Swanwick Marina Bridge Rd Swanwick Hampshire			
Post town	Southampton	Postcode	SO31 1ZL
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£Temp structure	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick if yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of Birth:		I am 18 or over <input type="checkbox"/>		Please tick if yes	
Nationality:					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of Birth:			I am 18 or over <input type="checkbox"/>	Please tick if yes	
Nationality:					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Premier Marinas Ltd
Address Swanwick Marina Bridge Road Swanwick Southampton Hants SO31 1ZL
Registered number (where applicable) 00304664
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number 01489 884091
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	5	01 20 24

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises and its intended use (please read guidance note 1)

A temporary structure to facilitate ongoing catering provision at Swanwick Marina to cover the period between demolition of the former Boat House Café premises and completion of a new build replacement to house The Boat House which is anticipated to be available for occupation Summer 2024.

It is intended that the temporary facility will be able to provide:

- i) Performance Live Music
- ii) Play recorded Music
- iii) Sale of alcohol

Consistent with premises Licence 1012 relating to the demolished Boat House.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	x
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	13:00	01:00	Please give further details here (please read guidance note 4) Live music to be in the form of bands, i.e. jazz, blues etc and will be amplified, to be played inside the temporary structure. The music will mainly be played in the evenings to entertain diners and will take place predominantly on Fridays and Saturdays.		
Tue	13:00	01:00			
Wed	13:00	01:00	State any seasonal variations for the performance of live music (please read guidance note 5) During summer months the evenings may be more frequent to meet demand.		
Thur	13:00	01:00			
Fri	13:00	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	13:00	01:00			
Sun	13:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	x
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	09:30	01:00	Please give further details here (please read guidance note 4) Mainly the use of CD's as background music played through speakers		
Tue	09:30	01:00			
Wed	09:30	01:00	State any seasonal variations for the playing of recorded music (please read guidance note 5) Frequency of playing of recorded music may be reduced in the winter months as opening hours can be reduced.		
Thur	09:30	01:00			
Fri	09:30	01:00	Non standard timings. Where you intend to use the premises for		

			the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat	09:30	01:00	
Sun	09:30	01:00	

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	x
Day	Start	Finish			Outdoors	<input type="checkbox"/>
Mon	17:00	01:00	Please give further details here (please read guidance note 4)		Both	<input type="checkbox"/>
Tue	17:00	01:00				
Wed	17:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Thur	17:00	01:00				
Fri	17:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)			
Sat	17:00	01:00				
Sun	17:00	01:00				

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	x
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) Hours may be restricted in the winter months as opening hours are reduced.		
Mon	07:30	01:00			
Tue	07:30	01:00			
Wed	07:30	01:00			
Thur	07:30	01:00			
Fri	07:30	01:00			
Sat	07:30	01:00			
Sun	07:30	01:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor. (Please see declaration about the entitlement to work in the checklist at the end of the form).

Name Steven Moore
Date of Birth: [REDACTED]
Address [REDACTED]
Personal licence number [REDACTED]
Issuing licensing authority Southampton

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	01:00	
Tue	08:00	01:00	
Wed	08:00	01:00	
Thur	08:00	01:00	
Fri	08:00	01:00	
Sat	08:00	01:00	
Sun	08:00	01:00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The premises does operate to a high standard and will continue to do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities about the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. The premises will close 20 minutes after the licensing activities have ceased, to allow customers to finish their drinks and leave in a quiet and orderly manner.

b) The prevention of crime and disorder

Licence Holder shall ensure the designated premises supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority and the Police as soon as is reasonably practicable of any incidents relating to crime and disorder. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority and the Police shall be informed when faults are rectified.

The DPS will keep an up-to-date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises. An incident record will be kept in a bound book, as will all refusals for the sale of alcohol. These books will be made available to the police and officer from the council on request. Sufficient staff will be on duty during all events, with a risk assessment carried out in advance of the event. The majority trade will be from the guest house bar and will be to residential customers. Evening events will be pre booked events with numbers carefully controlled along with those who are invited guests only.

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a premises of this size, and the business has been fully fire risk assessed. A digital accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the business for a period of three years.

d) The prevention of public nuisance

As part of the winding down of events, customers will be reminded of their responsibility to leave the premises without causing disturbance to any properties who may be affected.

e) The protection of children from harm

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. Challenge 25 POS will be on display in the store. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request. All children on the premises will be supervised/ accompanied by an adult after 21:00 hours in the bar area

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee. x
- I have enclosed the plan of the premises. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. x
- I understand that I must now advertise my application. x
- I understand that if I do not comply with the above requirements my application will be rejected. x
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	
	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please read note 15).
Signature	
Date	5 th January 2024
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Return form to The Licensing Team, Fareham Borough Council, Civic Offices, Civic Way, Fareham PO16 7AZ

Data Processing Fair Processing Statement

The information that you provide is used to determine whether or not to grant a Premises Licence. We have a duty to protect the public funds we administer and may use your information for the prevention and detection of fraud. The information may also be used for auditing, monitoring, statistical and other research. Some of the information we hold may be shared with other Council or Government departments, agencies and similar organisations (including law enforcement agencies) to enable them to perform their duties or for comparison purposes. The information we hold about you is normally retained for seven years after the end of the licence period. For further information about the National Fraud Initiative see www.fareham.gov.uk/dpnfi

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - 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 on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol,

- provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full birth** or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

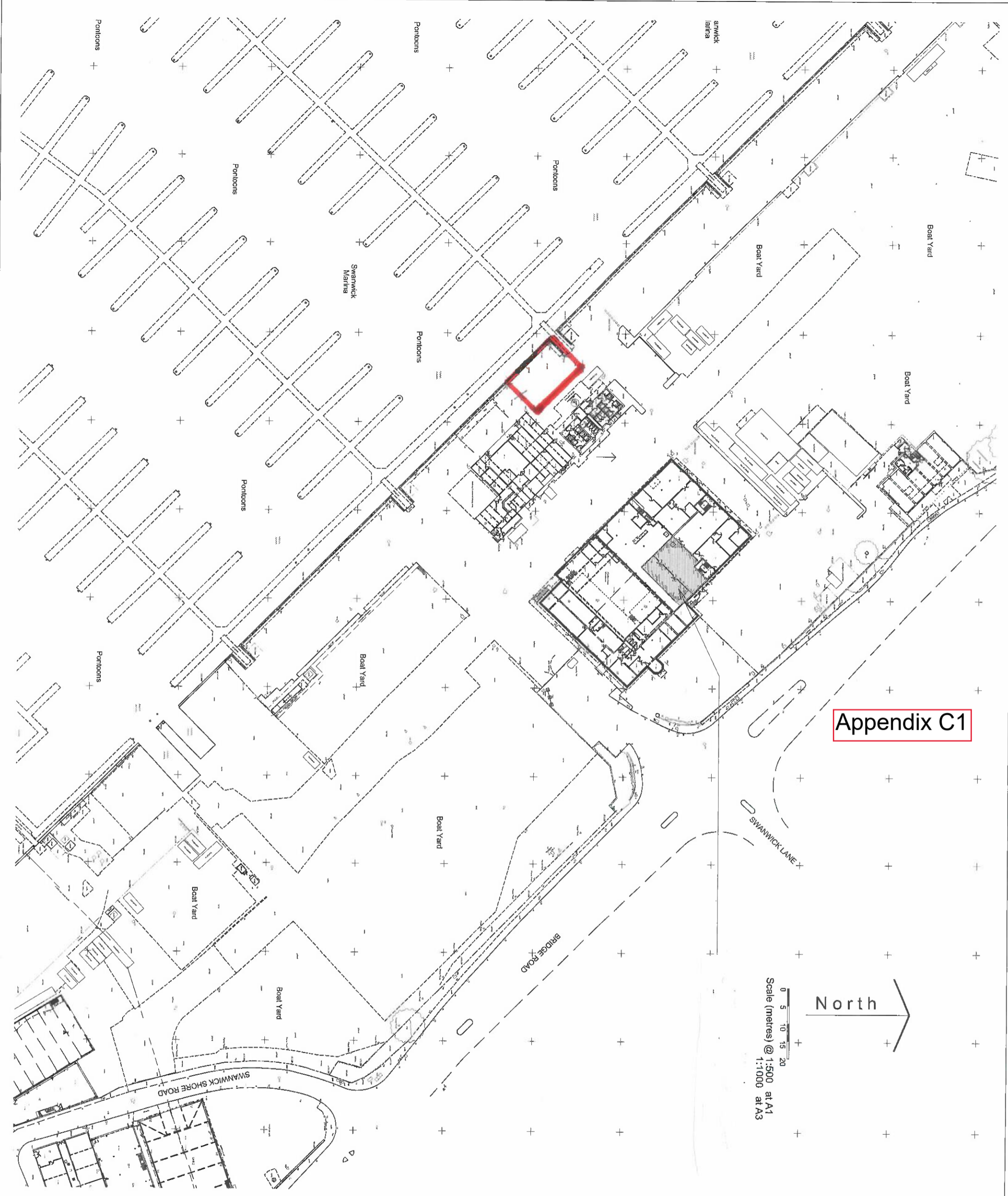
Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

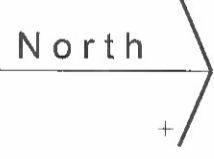
If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Return form to The Licensing Team, Fareham Borough Council, Civic Offices, Civic Way, Fareham PO16 7AZ



Appendix C1



Scale (metres) @ 1:500 at A1
1:1000 at A3

- NOTES:
1. THIS DRAWING IS COPYRIGHT AND SHOULD NOT BE REPRODUCED WITHOUT APPROVAL.
 2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE ARCHITECT'S DRAWINGS. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF BOTH PARTIES IMMEDIATELY.
 3. ANY DIMENSIONS/ELEVATIONS INDICATED 'REF.' REFER TO ASSUMED/EXISTING DIMENSIONS WHICH ARE TO BE CHECKED PRIOR TO THE COMMENCEMENT OF ANY WORK.

PRELIMINARY

Rev	Description	Author	Checked	Approved	Date
P4	PRELIMINARY	HDL/11/12	HDL/11/12	HDL/11/12	
P3	PRELIMINARY	HDL/10/12	HDL/10/12	HDL/10/12	
P2	PRELIMINARY	HDL/08/11	HDL/08/11	HDL/08/11	
P1	PRELIMINARY	HDL/08/11	HDL/08/11	HDL/08/11	

ORIGINAL DRAWING SIZE - A1
X-REFS: -

HDL
HAMILL DAVIES
LIMITED
Consulting Civil
and
Structural Engineers

Client: PREMIER MARINAS LTD
Project: SWANWICK MARINA

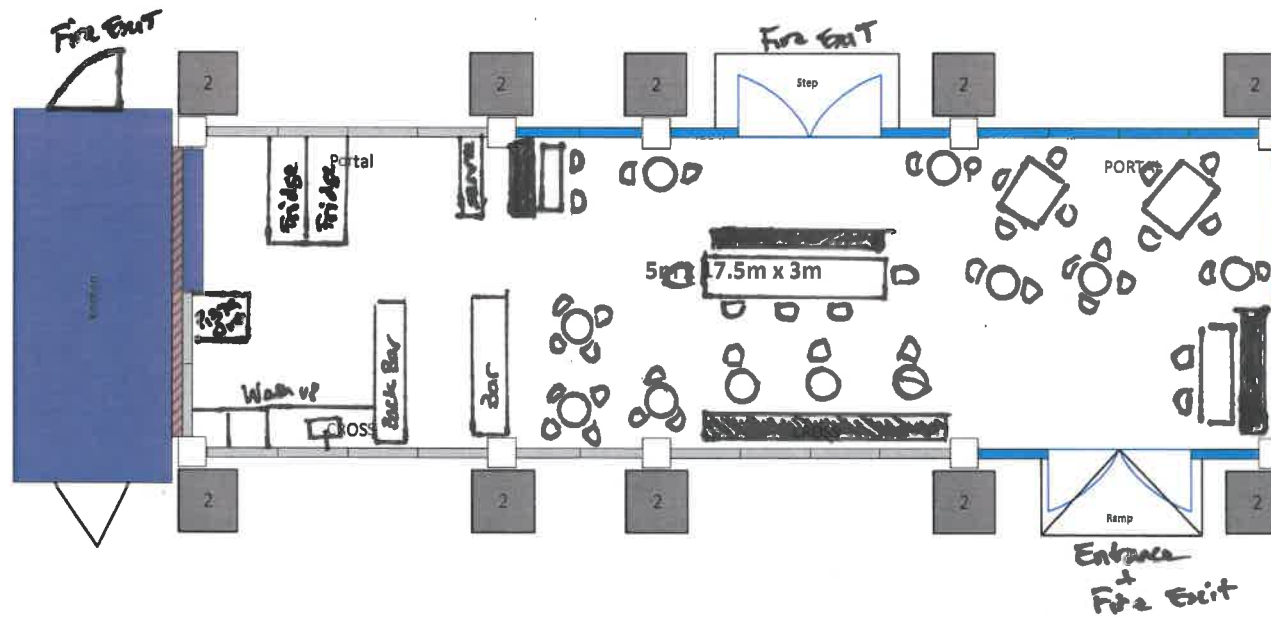
Drawn: HDL
Checked: HDL
Scale: 1:500 @ A1
1:1000 @ A3

Project No: SWANWICK
Drawing No: 12-1939-101
Date: P4

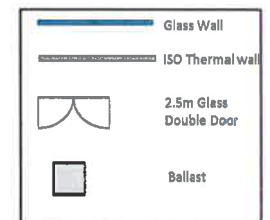


Appendix C2

← RIVERSIDE →



Client: Premier Marinas Limited
 Project: 5m x 17.5m x 3m
 Install Date: 11.12.23
 Location: Swanwick Marina
 Version: 04/01/2024 - As Built
 Author: S.Felts





STRUCTURE - Swanwick Marina

1 FRAMEWORK

1 5m x 17.5m Clearspan Premium Structure with Apex PVC Roof on 3m Leg
(1 Bay Length: 5.00m 1 Eave Height: 3.00m)

1 ROOFING

1 TRANSLUCENT Non-Insulated PVC Roof Covers, Gable Triangles all Bar

Tensioned

1. 1 WALLING

2. 2 5m Bay of Glass Walling

1. 1 2.5m "Half" Bay (3m Leg) of Glass Walling

2. 2 5m Bay (3m Leg) of ISO Thermal Insulation Panels

1. 1 2.5m "Half" Bay (3m Leg) of ISO Thermal Insulation Walling

2. 2 5m Bay (3m Leg) of ISO Thermal Insulation Panels on Gable Corner

2 The Above Fitted to a 5m Span (3m Leg) Gable End

DOORS

1 2.5m Glass Double Door with Emergency Exit Bar (c/w Door Key), Door at Side

of Bay, with 2no. Glass Panels at one Side with 8' x 8' Ramp with NEW Black

Astro

1 2.5m Glass Double Door (3m Leg) with Emergency Exit Bar (c/w Door Key),

Door in Middle of Bay, with 2no. ISO Panels Either Side with 8' x 8' Ramp with NEW Black Astro

FLOORING

1 5m x 17.5m of Cassette Ring Beam Floor System with Phenolic Board Finish (with

Premium Marquee on top)

1 Packing/"Jengas" to Level Cassette Floor with 200mm Max Ground Height

Differential for 5m x 17.5m Cassette Floor With Plastic Packing Base

1 WEIGHTS

1 20no. 1000kg Concrete Weight(s) for Premium Structure with White Polythene

Cover (of which 4no. Weights on a Corner)

FLOOR COVERING -

1 5m x 17.5m of New Rubber Backed CHARCOAL "Mode" Carpet

[REDACTED]
Daniel Armitage

- BROOKLANDS HOUSE, BRIDGE ROAD, SWANWICK CREEK
HAMPSHIRE, SO31 7EE

Appendix D

25th January 2024
The Licencing Officer
Fareham Borough Council
Civic Offices
Civic Way
Fareham
PO16 7AZ

Representation to application for premises license (alcohol and live music) for Swanwick Marina, Bridge Road, Swanwick, Southampton, SO31 1ZL dated 05 January 2023.

I am writing to make an **objection** to the above application. Over the years, Swanwick Marina has had increasing development steering it away from its original use of a boatyard.

Concerns

1. Increase of crime/disorder

It is becoming more apparent that we are experiencing antisocial and disorderly behavior in the local area particularly around the marina and public slipways (swanwick/lands end road) leading to increased police time to aim to combat this. Increasing the hours of the license of alcohol and live music open to the general public could further increase an already concerning problem.

2. Public Safety

Given the primary use of the boatyard and its proximity to the water, pontoons, boatyard machinery and boats on the hard standing at a raised height, the extended licensing hours would prove higher risk to public safety in this area.

3. Public Nuisance

In the last few years since the subject property has outsourced its food and beverage facilities, there has been increased noise due to increased footfall from that of outside the marina residents. With the addition of live music, this has significantly impacted the surrounding properties particularly in the adjacent properties on the water due to the natural nature of sound being amplified across water. The marina is surrounded by residential properties, most of which are families with young children, whom in the summer months cannot keep their windows open due to the noise particularly from the live music at Swanwick marina and regularly disturbing the children's sleep on the weekends. To increase the alcohol and music license to 7 days a week until 01:00 will have a permanent effect on the wellbeing of the surrounding residents. The subject property is currently being developed to provide an expanded outdoor raised terracing, eating and drinking area, thus further increasing the disturbance of the residents in the surrounding area. It should not be allowed

to turn into a venue for nightlife. It is the responsibility of the council, to preserve the use of the river and its amenities and licensing are a fundamental control when considering the use of the marina.

4. Loss of biodiversity and habitat surrounding the conservation area.

The existing site has developed excessively over the past 15 years with increased commercial buildings leading to an increase in noise and light pollution. The current planning application states "Where possible, the site should be subject to no significant increases in current illumination levels. If an increase in illumination is required within the residential areas, it should be carefully designed to light critical areas only, with low level, minimum spillage. Within the residential areas, lighting should be directed away from the retained and created boundary features, trees and shrub areas on site to ensure there are no adverse impacts on foraging and commuting habitat for bats." This has not shown to be the case and floodlights from high levels continue to light the area. The extended licensing hours will have a detrimental effect on both the Special Site of Scientific Interest which borders the marina and surrounding residents. In recent years, I have tried to contact the marina with these concerns without any response.

In summary, the extension of licensing hour for alcohol and live music is deemed inappropriate for the location taking in account the risks described above and would put the existing environment and residents at risk.

Sincerely,

Daniel Armitage

[REDACTED]

Dominique Caudwell

The Boat Store, Lands End Road, Bursledon, Southampton, SO31 8DN |

[REDACTED]

25th January 2024
The Licencing Officer
Fareham Borough Council
Civic Offices
Civic Way
Fareham
PO16 7AZ

Representation to application for premises license (alcohol and live music) for Swanwick Marina, Bridge Road, Swanwick, Southampton, SO31 1ZL dated 05 January 2023.

I am writing to make an **objection** to the above application.

We are the residents directly opposite the marina across the river Hamble in the conservation area. Over the years, Swanwick Marina has had increasing development steering it away from its original use of a boatyard.

Concerns

1. Increase of crime/disorder

It is becoming more apparent that we are experiencing antisocial and disorderly behavior in the local area particularly around the marina and public slipways (swanwick/lands end road) leading to increased police time to aim to combat this. Increasing the hours of the license of alcohol and live music open to the general public could further increase an already concerning problem.

2. Public Safety

Given the primary use of the boatyard and its proximity to the water, pontoons, boatyard machinery and boats on the hard standing at a raised height, the extended licensing hours would prove higher risk to public safety in this area.

3. Public Nuisance

In the last few years since the subject property has outsourced its food and beverage facilities, there has been increased noise due to increased footfall from that of outside the marina residents. With the addition of live music, this has significantly impacted the surrounding properties particularly in the adjacent properties on the water due to the natural nature of sound being amplified across water. The marina is surrounded by residential

properties, most of which are families with young children, whom in the summer months cannot keep their windows open due to the noise particularly from the live music at Swanwick marina and regularly disturbing the children's sleep on the weekends. To increase the alcohol and music license to 7 days a week until 01:00 will have a permanent effect on the wellbeing of the surrounding residents. The subject property is currently being developed to provide an expanded outdoor raised terracing, eating and drinking area, thus further increasing the disturbance of the residents in the surrounding area. It should not be allowed to turn into a venue for nightlife. It is the responsibility of the council, to preserve the use of the river and its amenities and licensing are a fundamental control when considering the use of the marina.

4. Loss of biodiversity and habitat surrounding the conservation area.

The existing site has developed excessively over the past 15 years with increased commercial buildings leading to an increase in noise and light pollution. The current planning application states "Where possible, the site should be subject to no significant increases in current illumination levels. If an increase in illumination is required within the residential areas, it should be carefully designed to light critical areas only, with low level, minimum spillage. Within the residential areas, lighting should be directed away from the retained and created boundary features, trees and shrub areas on site to ensure there are no adverse impacts on foraging and commuting habitat for bats." This has not shown to be the case and floodlights from high levels continue to light the area. The extended licensing hours will have a detrimental effect on both the Special Site of Scientific Interest which borders the marina and surrounding residents. In recent years, I have tried to contact the marina with these concerns without any response.

In summary, the extension of licensing hour for alcohol and live music is deemed inappropriate for the location taking in account the risks described above and would put the existing environment and residents at risk.

Sincerely,

Dominique Caudwell

Greyladies Cottage
High Street
Bursledon
Southampton
SO318DL

28th January 2024

**Objection to Premises License application at Swanwick Marina Bridge Road
Swanwick Southampton SO311ZL**

Dear Licensing Officer,

I am objecting to the application of the licence to 01:00 Monday to Sunday for live music, recorded music, supply of alcohol & late-night refreshment. Whilst I am in support of the upgrading of facilities to support the local community, I think this application will have a detrimental effect on the surrounding environs due to the potential for noise beyond 23:00 every night of the week. Unfortunately, noise transmits across water so the village opposite the venue, where I live, will be negatively impacted. I believe that if the license is granted in its present form, it will unreasonably and substantially interfere with the use or enjoyment of the homes across the marina & may ultimately lead to a deterioration in the health of the residents.

Thank you in advance for your consideration of my objection.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Alison Ford

Re: Application for Premises Licence @ Premier Mannas Ltd. Swanwick

The Boat House - Swanwick Marina, Lower Swanwick

We are concerned that the application is for licensed opening, with loud music, until 1am, on every day of the week.

The Boat House is surrounded on all sides by private homes, this will bring a huge amount of disturbance to hard working individuals and families with children. Also those staying on yachts in the Marina and across the other side of the river near the Jolly Sailor.

You should also consider the safety aspect of both the marina and river, along with lack of safe pedestrian crossing facilities on exit via the A27 Bridge Road.

A late license is acceptable and the need understood, although usually to Midnight considering the area and local residences. But it seems excessive to award on every week night as well.

We are also concerned that this will set a precedent for the three other pubs/restaurants near by - Harpers Steak house and Bar, The Old Ship and The Jolly Sailor.

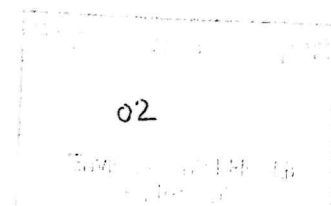
This area should not be turned into a City Centre style hub for late night drinking and potential disorder.

Please also note this application has disappointingly had limited awareness raised locally - with limited or no post box information and limited posting on street signs. Plus also concerns are only voiced by post and not online. Why is this the case compared to other planning information for Swanwick Marina?

Regards

15 Swanwick Quay

30/1/24



Tim Green
Flat 10, 335 Swanwick Lane
Lower Swanwick, Southampton
S031 7GT

29th January 2024

Dear Sir, dear Madam

Application for a Premises Licence – Premier Marinas Ltd, Swanwick Marina, Bridge Road, Swanwick Marina, Southampton S031 1ZL

I am writing to object in the strongest possible terms to the granting of a late night licence as per the above application. I am a neighbor to the premises in question – probably the nearest – and I have a direct line of sight to the new building.

The planning licence for the new building laid out the stipulations for this replacement refreshments building – as an F&B facility for berth holders in the Marina. Objections were raised at the time by numerous residents, including the impact on an area of outstanding natural interest, potential light pollution, noise pollution and additional traffic issues in an area which is very poorly served by the roads network. The application highlighted the use of the land as a boatyard ... not open to the general public in any major commercial way.

The licence application in question is now suggesting food, recorded music and live music every night of the week until 1:00am! I cannot imagine that the application is considering only berth holders anymore! Nor does the company seem content to restrict the use of the site to "boatyard activities".

There are numerous pubs within yards of the proposed site, all of which serve the needs of the marina's berth holders. The site faces the marina, which is surrounded by established communities, all of whom will be plagued by late night lighting, noise and an influx of drinkers, who will need to arrive and leave in various states of inebriation.

The new building replaces an old licenced F&B facility for berth holders of much smaller proportions, and which was licenced in line with standard licencing rules, and minus the music until 1am!

I am certain that you will be inclined to grant the venue an alcohol licence, but ask that you restrict their activity to serving alcohol until 11pm – the same as the other (very) local pubs, and refuse the option to play recorded or live music at volume until the early hours. This is REALLY not the location for a nightclub!!!

Yours faithfully
Timothy Green



WATERS EDGE
LANDS END ROAD
OLD BURSLEDON
SOUTHAMPTON
SO31 8DN

30th January 2024

The Licencing Office
Fareham Borough Council
Civic Offices
Civic Way
Fareham
PO16 7AZ

Dear Sirs

Swanwick Marina, Bridge Road, Swanwick SO31 1ZL

We refer to the application by Premier Marinas Ltd for a premises licence at the above address.

We strongly object to the whole of this application as residents on Lands End Road, directly across the River Hamble and immediately opposite the application site.

We have previously suffered from noise and light pollution from the marina. Noise easily travels across the water and we can clearly hear conversations from people on pontoons and boats moored up. Previously the noise from diners outside the old Boat house could be heard well into the night and even worse when bands and DJs were booked for private parties.

We do not consider it acceptable that we should be disturbed up to 1 am every night of our lives. We should be able to sleep at night without disturbance or noise intrusion. It would be a statutory nuisance affecting our quality of life.

It would appear Premier Marinas Ltd are trying to create a nightclub. We have no particular objection to a dining facility as such but believe this application should restrict supplying of alcohol and food service to 11pm. We also consider live music and DJs should be restricted to Friday and Saturday nights within the premises to 11 pm only and that any recorded music is only allowed within the premises, not outside again only until 11 pm. Any music licence granted should be on the basis it does not cause a nuisance for residents.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Annette and David Mead

Myrtle Cottage
Lands End Road
Old Bursledon
Hampshire
SO31 8DN

29th January 2024

The Licencing Office,
Fareham Borough Council,
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

Dear Sir / Madam,

Re: Swanwick Marina, Bridge Road, Swanwick, Southampton, SO31 1ZL

I have been informed that Premier Marinas Ltd have applied to Fareham Borough Council for a premises licence at the above address.

The licence is for:

LIVE MUSIC:

13.00 – 01.00 Mon – Sun

RECORDED MUSIC:

09.30 – 01.00 Mon to Sun

SUPPLYING OF ON / OFF ALCOHOL:

07.30 – 01.00 Mon – Sun

LATE NIGHT REFRESHMENT:

07.00 – 01.00 Mon to Sun

As residents on Lands End Road, Old Bursledon, which is directly across the River Hamble from Premier Swanwick Marina, we would like to object to the long licencing hours requested serving alcohol / refreshment, and for live and recorded music up to 1am, Mon – Sun.

The Noise Act 1996 which works in conjunction with the Environmental Protection Act 1990 and the Noise and Statutory Nuisance Act 1993, defines night hours as 11pm to 7am and the local authority has a mandatory obligation to deal with any noise which is deemed to be a nuisance.

The new restaurant / bar will be directly on the river frontage on the Fareham side of the river, facing the Old Bursledon side of the river, which is heavily residential. The plans show large outdoor terracing areas that also face the river frontage, for the capacity of many diners using this area.

Due to our proximity to the river, with our garden having direct river frontage, we have had issues in the past with noise nuisance with music playing late at night and into early hours, along with loud noise from their diners. This was particularly prevalent when the old Boat House was booked for private parties with DJ's etc.

Noise is amplified when projected across water, and particularly at night. Even as it is, we can hear day to day conversations from people on the marina's pontoons. With permission to play music up to 1am, Monday to Sunday, it would certainly be a 'statutory nuisance' and affect our right to quality of life.

Allowing the requested licencing hours would be detrimental to the residences across the river, and if these long hours were granted, we could endure loud noise and disturbance every single night into the early hours of the following day. Being continually denied a proper night's sleep would be detrimental to a person's mental and physical health and interfere with the residence's own enjoyment of their own property and land.

There should also be full consideration for the local wildlife as excessive noise causes the birds and the bees to alter their behaviour in many significant ways: it interrupts mating, reduces the number of birds and insects in the vicinity, causes them to stop moving (a "shock" reaction), and prevents birds from hearing fellow birdsong that's important to their day-to-day life.

I hope that you will take full consideration into the local residences concerns, and local wildlife in this lovely area that also has SSI status.

Our wellbeing should come before a commercial company's endeavour.

Yours faithfully,



Jule de Pina & Michael Blackman

Upcott
Station Road
Bursledon
SO31 8AA
31/1/2024

Dear Sir or Madam,

We are writing to strongly object to the application for a live/ recorded music licence as requested by the new restaurant/bar at Premier Swanwick Marina.

We live across the river directly opposite to the site of the old Boat House Café and even as I type this the current noise emanating from the construction of the new premises is extremely intrusive. Noise travels and across the water this is of course amplified. The idea of loud music over which we have no control being audible all afternoon and past midnight everyday of the week is completely unacceptable.

Whilst I appreciate that music goes hand in hand with a bar venue it seems short sighted to alienate the established local community upon whom the owners of the new venture will surely rely upon year-round for good custom.

Yours faithfully,

Rebecca Symons
Iain May



Vine Cottage
Station Road
Old Bursledon
Southampton
SO31 8AA

31st January 2024

The Licencing Office,
Fareham Borough Council,
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

Dear Sir / Madam,

Re: Swanwick Marina, Bridge Road, Swanwick, Southampton, SO31 1ZL

It has recently been brought to our attention that Premier Marinas Ltd have applied to Fareham Borough Council for a premises licence at the above address.

The licence is for:

LIVE MUSIC:

13.00 – 01.00 Mon – Sun

RECORDED MUSIC:

09.30 – 01.00 Mon to Sun

SUPPLYING OF ON / OFF ALCOHOL:

07.30 – 01.00 Mon – Sun

LATE NIGHT REFRESHMENT:

07.00 – 01.00 Mon to Sun

We live in Station Road in Old Bursledon, on the river Hamble, above the Elephant Boatyard and therefore have a direct view across to Premier Swanwick Marina. We would like to object to the long licencing hours that are being requested for the service of alcohol / refreshment, and for live and recorded music up to 1am, Mon – Sun, for 7 days a week for these new premises.

The new restaurant / bar will be directly on the river frontage on the Fareham side of the river, facing Old Bursledon (Eastleigh authority), which is heavily residential. The plans for the new establishment show a large outdoor terracing area that also faces the river frontage, with the capacity for many diners. Even if the music is being played inside the establishment, doors and windows will be open at various times of the day/evening during the year and the noise will therefore spill out to the outside eating area and further afield.

When the previous establishments were in situ, we have previously had issues with noise nuisance i.e. music playing late at night into the early hours, along with loud voices from the diners eating, drinking, or

smoking outside. This was particularly prevalent when the old Boat House was booked for private parties with DJ's, etc. We did not complain about the noise as it was not a regular occurrence however if music is to be played daily until 1.00am then this is a different matter.

Why is Premier Marinas Ltd requesting longer hours for both music and the supply of alcohol than was originally permitted for the former premises? Surely Premier Marinas should be only granted a licence until 11.00pm on a daily basis and made to apply for special licences for special occasions, i.e. functions, parties, etc., when these are held on an ad hoc basis.

Noise is amplified when projected across water, and particularly at night. Most bars and dining establishments have a premises licence until 11.00pm at night. If permission is given to this new establishment to play music up to 1am, Monday to Sunday inclusive, this will become a 'statutory nuisance' and affect our right and the rights of others to quality of life.

The Noise Act 1996 which works in conjunction with the Environmental Protection Act 1990 and the Noise and Statutory Nuisance Act 1993, defines night hours as 11pm to 7am and the local authority has a mandatory obligation to deal with any noise which is deemed to be a nuisance. However, Bursledon does not lie within the Fareham Borough Council remit and therefore we feel that the residents of Bursledon will be very badly affected by the noise from this premises licence if it is granted by your authority.

Allowing the requested licencing hours until 1.00am for 365 days a year will be detrimental to the residences across the river and in the surrounding area of Swanwick Marina. Granting these extensive hours for the service of food and drink and the playing of recorded and live music, will result in noise deprivation and light pollution for all the households in this area. There are families of all ages living in houses adjacent to the Marina from young children to the very elderly. All households will be affected by the noise and light pollution and this will affect a person's ability to have a good night's sleep. Being continually denied a proper night's sleep will be detrimental to a person's mental and physical health and their general wellbeing. Also, residents across the water will not be able to use their own gardens for their own peace and enjoyment if music is constantly being played all day and evening. Residents will not have the choice to turn off the music or listen to music they would like to.

There should also be full consideration for the local wildlife in the area, as excessive noise causes the birds and the bees to alter their behaviour in many significant ways: it interrupts mating, reduces the number of birds and insects in the vicinity, causes them to stop moving (a "shock" reaction), and prevents birds from hearing fellow birdsong that is important to their day-to-day life. There are several swans and flocks of ducks on the water that use this area and they will be affected by the noise and light pollution. In the wood below our property, we have foxes that would be affected by the noise and may be forced to move elsewhere.


We hope that you will take full consideration into the above points that we have outlined concerning this application, and the fact that this part of Bursledon across from Swanwick Marina is in a Conservation area and also has SSI status.

Yours faithfully,



Carol & Tim Browne

Andrew Meyrick

Parsons Plot, Lands End Road, Bursledon, Hants. SO31 8DN | 

29 January 2024

The Licensing Officer
Fareham Borough Council
Civic Offices
Civic Way
Fareham
PO16 7AZ

Representation to Application for Premises Licence
Applicant: Premier Marinas Ltd
Application Date: 05 January 2024
Subject Property: Swanwick Marina, Bridge Road, Swanwick, Southampton. SO31 1ZL

Dear Sir/Madam,

I am writing to make a formal representation objecting to the above application (the "Application").

My family and I are effectively direct neighbours to the subject property, being situated opposite across the River Hamble. Having lived here for fifteen years, I fully appreciate the area's historic mix between residential and commercial (in particular boat building) uses. Swanwick Marina has an established presence and, as stipulated by relevant planning permissions, has been supported by an ancillary food and beverage ("F&B") facility. The ancillary nature of the facility is, however, now being conveniently forgotten as part of Premier Marina's expansion and the outsourcing of F&B operations to the Ideal Collection, a group that commercially runs hospitality venues in Hampshire and West Sussex, seeking to maximise turnover and profit even if it is at the expense of local residents (and customers judging by the poor reviews online).

[REDACTED]

My principal concerns and reasons for objecting to the Application are as follows:

Increased anti-social behaviour and disorder

The operating hours proposed in the Application – until 1.00 am every day – are wholly inappropriate for the area and a so-called ancillary use; they are also inconsistent with the permitted closing times of relevant comparable premises:

- *The Boat House, Swanwick* (prior to current redevelopment) – 10.00pm Mon-Thurs and Sun; 11.00pm Fri-Sat
- *The Boat House, Chichester Marina* (also operated by the Ideal Collection) – 8.00pm Mon-Thurs and Sun; 11.00pm Fri-Sat (earlier in Winter)
- *The Bugle, Hamble* (traditional public house also operated by the Ideal Collection) – 10.30pm Mon-Thurs; 11.00pm Fri-Sun
- *The Jolly Sailor, Old Bursledon* (traditional public house also located on the River Hamble, almost opposite the subject site) – 10.00pm Mon-Thurs; 11.00pm Fri-Sat; 09.00pm Sun

The River Hamble already suffers from disorder and anti-social behaviour in the Summer. The Harbour Master's team and the Hampshire Marine Police Unit (under 'Operation Wavebreaker') have been attempting to control matters, but any lengthening of the Marina's alcohol sales licence can only exacerbate this problem and potentially lead to an increase in dangerous River use under the influence.

Public nuisance and impact on residential neighbours including children

Amplifying the detrimental impact that extended opening hours would have, the subject property is currently being redeveloped to provide a materially expanded outdoor eating and drinking area, including raised terrace. This will inevitably lead to increased light and noise pollution, harming the character and quiet enjoyment of neighbouring residential areas including the Old Bursledon Conservation Area.

The music license sought (both recorded and live) is especially concerning given the harmful effect – both directly from the music and also indirectly through increased likelihood of drunken/antisocial behaviour – that it would have on my children, as our bedrooms front the River. While the distance between the subject site and my property would appear provide reasonable separation, the fact that noise would be traveling over water means that it is

unobstructed and effectively amplified due to the physics of sound waves. On warm summer evenings, when it is often necessary to have bedroom windows open, it would be totally unacceptable to affect children's sleep due to loud music being played and outside drinking until 01.00am.

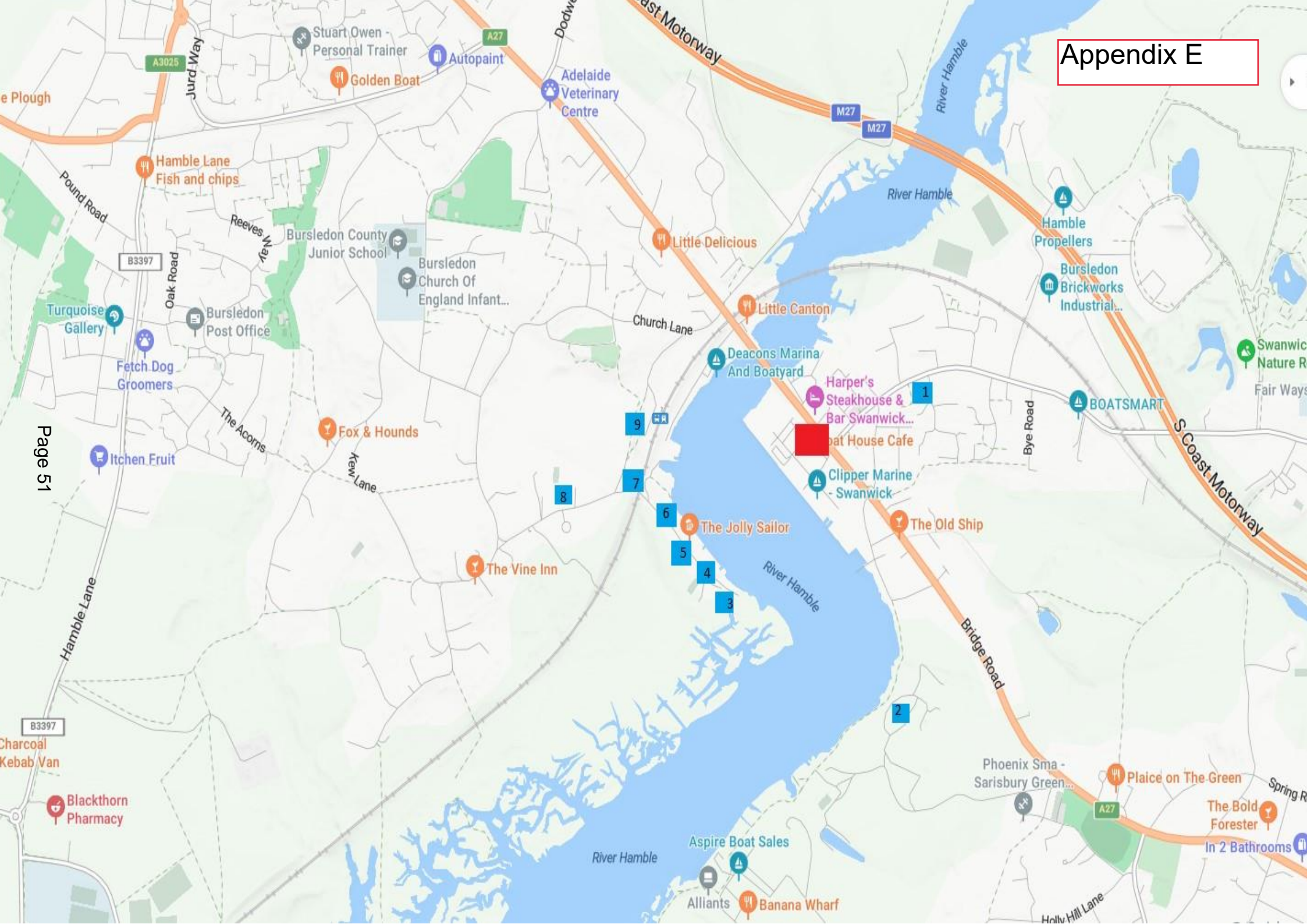
I trust that sense will prevail and you will not permit the extended operating hours and music license.

Yours faithfully,



Andrew Meyrick

Appendix E



8th February 2024

Dear Concerned Neighbour,

RE: The Boat House Café, Swanwick, temporary pop up, licence application

With reference to the premises licence application submitted by Premier Marinas Ltd for the temporary 'pop up' Boat House at Swanwick Marina, and your representations to the licensing officer, please find herewith an explanatory note from Oliver Weeks, the managing director of Ideal Collection.

This provides an update, and clarity, around the application which I trust you will find helpful and informative.

Yours faithfully,



Richard Saville BSc (HONS) MRICS
Estates Manager
Premier Marinas Ltd

DD: 

Mob: 



**IDEAL
COLLECTION**
UNIQUE INFORMAL HOSPITALITY

Dear Concerned Neighbour,

RE: The Boat House Cafe, Swanwick, Temporary pop up, licence application

I write to you all, in my capacity as the managing director of Ideal Collection, owners of the Boat House Cafe, having seen the letters of objection regarding Premier Marinas licence application for our temporary pop-up cafe in Swanwick marina.

Having read your letters it would seem to me that there is some misleading and confusing information circulating that may have, quite understandably generated the majority of the objections to this application. Therefore, I would like to try and address this providing you with some clarity & comfort regarding the situation.

1. The application relates to the temporary pop-up cafe.
2. Premier Marinas simply made this application mirroring the hours and conditions already in place from the existing Boat House Cafe license for ease, which although never used did have extended opening hours. These were inherited from the previous Dog House licence from 2005, issued prior to when we took over the site in 2012. This site has had a 1am license in place since at least 2005 as far as we can see, this is not something new that we are applying for, we have just never used it, nor do we intend to in the way that is feared. Our intention is to continue trading in the manner we have operated over the preceding 12 years.
3. Therefore, and in response to prior discussions with the local authority & police, Premier Marinas through agreement with ourselves have already revised the opening hours requested through the premises licence application to restrict trading activities under the license until 2300/11pm. Indeed, the licensing officer at Fareham Borough Council has confirmed that the public register has been updated to reflect this change.

So with this said, I do hope that this addresses and appeases your objections, and that if it does, you may see fit to withdraw your objection thereby negating the need for a licensing hearing by committee. We can then continue with our business, content with the revised licensing hours and providing a service for locals, berth holders, tenants, and visitors alike, and shall look forward to welcoming you in our temp pop up cafe in the marina soon.

Should you need to contact me for any further information please do not hesitate.

Yours Sincerely,


Oliver Weeks
Managing Director Ideal Collection