

# FAREHAM BOROUGH COUNCIL

Fareham & Gosport

19 AUG 2020

Environmental Health  
Partnership

## LICENSING ACT 2003 – REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Panel.

### Personal Details

Name Duncan  
McCune.....

Address 5 Wellow Gardens, Titchfield Common  
Fareham.....

Postcode: PO14 4RH..... Contact telephone Number 01489 584244 or  
mobile [REDACTED].....

### Licence application you wish to make a representation on

You do not need to answer all of the questions in this section, but please give as much information as you can:

Licence number .....Not Known.....

Name of Applicant: ...Pub & Grub Co.  
Ltd.....

Name of Premises : The Sir Joseph  
Paxton.....

Premises Address (where the Licence will take effect):

...The Sir Joseph Paxton, 272 Hunts Pond Road  
.....

..... Postcode: PO14  
4PF.....

### Reason/s for representation

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Any representations that are considered to be vexatious or frivolous will not be considered.

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

**The Prevention of Crime and Disorder**

We have had glasses thrown into our garden, and bottles left at end of cul de sac, both whole and broken across road. Will this increase again?  
Deliberate action to cause damage to cars and or individuals. Found last Thursday evening 6<sup>th</sup> August Corona bottle smashed across end of Wellow Gardens and into the drive of house to the south in Hunts Pond Road. Householder advised as they have small children.

**Public Safety**

In the current situation, the increased volume due to shouting increases chance of Covid being spread through the air, as noted in Government guidelines. Certainly, the present control in the garden does not stop this occurring at any time.  
The increased use of the garden also means the amount secondary smoke, from cigarettes, we are experiencing is also more noticeable, and will increase if the hours are extended. As asthmatics this is of concern.

**The Prevention of Public Nuisance**

Please see attached

**The Protection of Children from Harm**

Please see attached with relation to potential sleep deprivation caused by the need to move children between bedrooms due to noise. Also ear defender's with regards to our Grand Children and Live Bands.

I, ...Duncan McCune....., hereby declare that all information I have submitted is true and correct.

Signed:  ..... Dated: 10/8/20.....

Please send completed form to:

## **Sir Joseph Paxton**

### **History.**

We bought our house in 1990, the living area and 3 bedrooms are at the back of the house, with the back garden being adjacent to the pub garden. The Sir Joseph Paxton pub was, when we bought the house, only the original building and ok for a residential area. An extension was subsequently added to create a sports pub more suitable to a town centre, than a residential area, despite concerns lodged about increased noise and other potential issues.

When we bought the house there were no time restrictions on the pub garden and for some time there were no problems. After one of the Landlord changes a restriction to 10pm was put in place, as noise, anti-social behaviour and bad language continued well passed midnight. This 10pm restriction was reduced to 9pm, I believe in early 2014, due to breaches of the existing 10pm restriction.

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### **Issues**

#### **Extension of garden hours**

For the last few years, we have put up with the loud noise and extremely bad language in the garden especially on Fridays, Saturdays and sometimes Thursdays, not only in the evening but also in the afternoon. Knowing that it will cease at 9pm. Often keeping the doors and windows shut until after 9pm. The exception to the 9pm restriction is the smoking area, where the shouting, swearing and sometimes screaming continues until well after 11pm. I have phoned the pub to complain about noise in the smoking area. My calls have sometimes been answered sometimes not. The result of my call regarding the disturbance might have an effect for maybe 5 minutes before starting again. This would no doubt be the same for the garden if the extension to 11pm is allowed.

We now regularly have my 4 and 3 year old grandsons staying overnight to give my daughter a break, as my son in law is at sea for up to 9 months in a year. We have to put the 4 year old to bed in the main bedroom at the front of the house, due to the noise and move him to his own room at the back of the house after 9pm.

I have recently phoned the pub at approx 9.25pm to ask if they could get the people in the garden to move out and was told they have half an hours drinking up time. As I understand the restriction this is not correct.

If the extension to the hours is allowed are we supposed to keep windows and doors shut all night move my grandson at 11pm or would it be by 11.30pm. put up with shouting etc. which gets louder as more alcohol is consumed?

#### **Allow Live Performances after submission of TEN**

The Landlord has thankfully paid a large sum to minimise the noise from within the pub. Even so we can still hear the music if a band is on or Karaoke. We can often answer the Wednesday night quiz from our living room.

If a band plays in the pub garden, which is adjacent to my garden, there will be no sound protection. I have put up with a band in the garden on a Saturday afternoon and the volume was very intrusive.

If the band was playing in the evening/night I would find the noise unacceptable. My four year old grandson has had hearing issues, which we now hope has been rectified. If a band plays I may have to buy Ear defenders for him and his brother. My neighbour already has these for his daughters due to the garden noise. Or are we expected to move out so that we are not bothered by the excessive noise?

I have looked at the TEN and though I am sure Fareham council would not currently allow all that is on offer but the possibilities are quite frightening, for someone adjacent to a property where one is granted.

**The Bouncy castle.**

As Long as the bouncy castle is only used occasionally and not placed adjacent to my fence, this does not create a major issue. However constant use and lack of supervision could result in a change of opinion.

DUNCAN MCGINCH 10/8/20

