

Eden District Council

Licensing Sub Committee

17 August 2005

***Application for Conversion and Variation of a Premises Licence
The White Horse, Great Dockray, Penrith***

Director of Corporate and Legal Services

1. *Purpose of Report*

The Council has received an application to convert and vary a premises licence under the provisions of the Licensing Act 2003 (the Act) and the Committee is asked to consider the request in light of representations which have been made.

2. *The Application*

2.1 The Council has received an application to convert and vary a premises licence in respect of the White Horse, Great Dockray, Penrith.

2.2 The application has been made by the licensee, Mr Scott William Millar, requesting that licensable activities including the sale of alcohol and regulated entertainment be allowed to continue beyond the hours of their current licences.

2.3 Details of current licensable activities and requested licensable activities are attached at Appendix A. A copy of the application is attached at Appendix B.

2.4 A plan showing the location of the premises is attached at Appendix C.

2.5 The application has been advertised as required by statute for a 28 day period.

2.6 The application has been copied to all relevant Responsible Authorities.

3. *Representations*

3.1 Representations have been received from the Environmental Protection Team. Details of the representation and recommended conditions are attached at Appendix D (1). Appendix D (2) is a letter from the applicant confirming acceptance of certain conditions.

3.2 Representations have been received from interested parties. The letters of representation, which includes a petition from residents, are attached at Appendix E.

4. Options available to the Committee

4.1 Grant the application;

4.2 Modify the conditions of the licence; or

4.3 Reject the whole or part of the application.

5. Recommendation:

<p>It is recommended that the Committee determines the application in accordance with one of the options set out in paragraph 4 above.</p>
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P G Foote
Director of Corporate and Legal Services

Contact Officer: John Bell
Telephone Number: (01768) 212148

Summary of Current Licensable Activities

- On Licence
Weekdays and Saturdays: 10am - 11pm
Sundays and Good Friday: Noon - 10:30pm
Christmas Day: Noon - 3pm; 7pm - 10:30pm
"Drinking up time" twenty minutes.
- Special Hours Certificate (S77) allowing sale of alcohol until midnight Monday to Saturday.

Children's Certificate
Granted in respect of licensed area until 9pm daily

Public Entertainments Licence

Granted Times From To

- Daily
- Monday 11.00 00.00
- Tuesday 11.00 00.00
- Wednesday 11.00 00.00
- Thursday 11.00 00.00
- Friday 11.00 00.00
- Saturday 11.00 00.00
- Sunday
- Other – detail as required

Summary of Requested Licensable Activities

Day	Sale or Supply of Alcohol	Ent to include below	Opening Times
Mon to Thu	11.00 - 0100	11.00 - 0100	11.00 - 0130
Fri & Sat	11.00 - 02.00	11.00 - 02.00	11.00 - 02.30
Sun	12.00 - 00.00	12.00 - 00.00	12.00 - 00.30
Sundays preceding Bank Hols, incl Easter Sunday	12.00 - 02.00	12.00 - 02.00	12.00 - 02.30
Christmas & New Years Eve	11.00 - 02.00	11.00 - 02.00	11.00 - 02.30

- A Plays
- B Films
- C Indoor Sporting Events
- D Boxing or Wrestling
- E Live Music
- F Recorded Music
- G Performances of Dance
- H Anything similar to E F G above
- I Making Music
- J Dancing
- K Anything similar to I J above
- Late night refreshment until not later than:

Refer to App Form Operating Schedule A-K for full details

PART B - Application to vary a premises licence under the Licensing Act 2003

I Scott William Millar the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/~~section 37~~ of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

Part B1 - Variation

Please tick ✓

Do you want the proposed variation to have effect from the second appointed day?

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation. (Please read guidance note 8)
 To extend the hours for the sale of alcohol until 00:00 on Sunday, until 01:00 Monday to Thursday and until 02:00 on Friday, Saturday, Sundays forming part of a Bank Holiday weekend (including Easter Sunday) and Christmas Eve, to provide regulated entertainment within those hours, to remove the requirement to provide substantial refreshment after 20:00 and to allow children in all parts of the premises.

Part B2 - Operating Schedule

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them ?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Please tick **Yes**

Provision of regulated entertainment

- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) Dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

Please complete Part B3 on this form.

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors
				Outdoors
Day	Start	Finish		Both
Mon			Please give further details here (please read guidance note 10)	
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 11)	
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 12)	
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 10)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibitions of films at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details here (please read guidance note 10)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 11)
Tue			
Wed			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 12)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)		
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 12)		
Sat					
Sun					

E

Live Music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	11:00	01:00	Please give further details here (please read guidance note 10) As under current PEL		
Tue	11:00	01:00			
Wed	11:00	01:00	State any seasonal variations for the performance of live music (please read guidance note 11)		
Thur	11:00	01:00			
Fri	11:00	02:00	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 12) 12:00 to 02:00 Sunday before a Bank Holiday including Easter Sunday 11:00 to 02:00 Christmas Eve and New Year's Eve		
Sat	11:00	02:00			
Sun	12:00	00:00			

F

Recorded Music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	✓
				Outdoors	
Day	Start	Finish		Both	
Mon	11:00	01:00	Please give further details here (please read guidance note 10) Pre-recorded amplified music including backing music for performers & DJ and discos		
Tue	11:00	01:00			
Wed	11:00	01:00	State any seasonal variations for playing recorded music (please read guidance note 11)		
Thur	11:00	01:00			
Fri	11:00	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) 12:00 to 02:00 Sunday before a Bank Holiday including Easter Sunday 11:00 to 02:00 Christmas Eve and New Year's Eve		
Sat	11:00	02:00			
Sun	12:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	✓
				Outdoors	
Day	Start	Finish		Both	
Mon	11:00	01:00	Please give further details here (please read guidance note 10) As under current PEL		
Tue	11:00	01:00			
Wed	11:00	01:00	State any seasonal variations for the performance of dance (please read guidance note 11)		
Thur	11:00	01:00			
Fri	11:00	02:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) 12:00 to 02:00 Sunday before a Bank Holiday including Easter Sunday 11:00 to 02:00 Christmas Eve and New Year's Eve		
Sat	11:00	02:00			
Sun	12:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both</u> – please tick [✓] (please read guidance note 9).	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 10)		
Wed					
Thur			<u>State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 11)		
Fri					
Sat			<u>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</u> (please read guidance note 12)		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10) Provision of amplification, disco and karaoke equipment		
Mon	11:00	01:00			
Tue	11:00	01:00	State any seasonal variations for the provision of facilities for making music (please read guidance note 11)		
Wed	11:00	01:00			
Thur	11:00	01:00	Non standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) 12:00 to 02:00 Sunday before a Bank Holiday including Easter Sunday 11:00 to 02:00 Christmas Eve and New Year's Eve		
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	12:00	00:00			

J

Provision of Facilities for dancing Standard days and timings (please read guidance note 8)			Will the facilities for dancing take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).		
			Will the facilities for dancing take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10) Dance floor as under current PEL		
Mon	11:00	01:00			
Tue	11:00	01:00	State any seasonal variations for providing dancing facilities (please read guidance note 11)		
Wed	11:00	01:00			
Thur	11:00	01:00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) 12:00 to 02:00 Sunday before a Bank Holiday including Easter Sunday 11:00 to 02:00 Christmas Eve and New Year's Eve		
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	12:00	00:00			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will this entertainment facility be indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 10)		
Wed					
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 11)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).		
Day	Start	Finish	Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	
Mon				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick [✓] (please read guidance note 3).	On the premises	
				Off the premises	
Day	Start	Finish		Both	✓
Mon	11:00	01:00	State any seasonal variations for the supply of alcohol (please read guidance note 11)		
Tue	11:00	01:00			
Wed	11:00	01:00			
Thur	11:00	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 12)		
Fri	11:00	02:00	12:00 to 02:00 Sunday before a Bank Holiday including Easter Sunday 11:00 to 02:00 Christmas Eve		
Sat	11:00	02:00	An additional 1 hour on the day British Summer Time commences		
Sun	12:00	00:00			

IN ALL CASES PLEASE COMPLETE BOXES N, O, P and Q below

N

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 14)

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 11)
Day	Start	Finish	
Mon	11:00	01:30	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 12)</p> <p>12:00 to 02:30 Sunday before a Bank Holiday including Easter Sunday 11:00 to 02:30 Christmas Eve</p> <p>An additional 1 hour on the day British Summer Time commences.</p>
Tue	11:00	01:30	
Wed	11:00	01:30	
Thur	11:00	01:30	
Fri	11:00	02:30	
Sat	11:00	02:30	
Sun	12:00	00:30	

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking

To remove the current special hours certificate requirement to have substantial refreshment available after 20:00

To remove the restriction on children under 14 being in the bar areas imposed under s.168 of the Licensing Act 1964 – thereby allowing all children in all parts of the premises as allowed by s.145 of the Licensing Act 2003.

Q Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 15)

Existing conditions applicable to current Public Entertainment Licence

b) The prevention of crime and disorder

See a) above

c) Public safety

See a) above

d) The prevention of public nuisance

See a) above

e) The protection of children from harm

See a) above

Part B3 — Premises Supervisor

Full name of proposed designated premises supervisor
Scott William Millar

Address of proposed designated premises supervisor
39 Maple Drive
Penrith
Cumbria
CA11 8TU

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable
PA 0048

Please tick ✓ Yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

Part B4 — Signatures (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 17) **If signing on behalf of the applicant please state in what capacity.**

Signature *Cobbetts*

Date *17/6/05*

Capacity Solicitors and authorized agents

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 18) **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)

H.K.Lawson
Cobbetts
Ship Canal House
King Street

Post Town
Manchester

Post Code
M2 4WB

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.

5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

PART B

This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state 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.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.

Memorandum

To: Licensing Section

From: Director of Technical Services
Environmental Protection Team

Our Ref:

Your Ref:

Date: 6 July 2005

Subject: Licensing Act 2003
Application for Variation of Premises Licence –
The White Horse, Great Dockray, Penrith.

Please find below my representation for the above premises:

I wish to raise the following concerns from the Environmental Protection Team regarding the opening hours and live music entertainment at the White Horse, Great Dockray, Penrith and wish for the following conditions to be attached (the ones agreed and the ones which are not agreed with the applicant).

The request for the extension of hours for live music and the sale of alcohol is an hour longer than the premises is currently open and licensed for. The existing background noise levels are likely to be significantly affected by these increased opening hours and the effect of any noise which emanates from the premises and any noise which is audible from outside the premises is likely to be intrusive.

Of particular concern is the noise from Karaoke activities, officers of this department are aware that the amplified voices from karaoke can clearly be heard from outside the public house, this department has received complaints regarding the noise from such activities, extended opening hours including such entertainment is likely to be intrusive on neighbouring residents, particularly also the background noise will be lower.

This department is also concerned about the ventilation and air conditioning at the premises as during hot weather the doors are often open to provide sufficient room conditions, which provides a sound transmission route and this is likely to cause noise disturbance from background music and noisy entertainment on site.

EP section has raised these concerns with the applicant which has led to the applicant agreeing to reduce the hours of karaoke entertainment noise to midnight, but no agreement has been made with regard to the closing of windows, it is anticipated that the opening of doors in the summer is likely to give rise to complaints from residents regarding noise during the extended opening hours.

Detailed below are the following conditions which have been agreed by the applicant:

1. The provision of karaoke equipment in the area specified by the application will be limited to midnight weekdays and weekends.
2. The Licence Holder shall provide and fix within the areas of the premises used for public entertainment purposes a sound operated limiter, incorporated into the electricity supply into any amplification equipment used. The noise limiter shall be set to 90dB(A) within the confines of the property and this shall apply to music played during opening hours.
(This is an existing condition).

At least once a year any noise limiting device must be calibrated to ensure the correct functioning of the system, details of which should be forwarded to the Environmental Health Department.

3. All alcohol consumed for sale off the premises, must be supplied as a wrapped purchase with all alcoholic products lidded for home consumption.

I wish to raise the following concerns from the Environmental Protection Team regarding the opening hours and live music entertainment at the White Horse, Great Dockray, Penrith.

The EP department is however particularly concerned that a significant impact on the residential amenity will be caused by disturbance from shouting, raised voices, talking, laughing from patrons leaving the premises at 02:30 in the morning on Thursdays, Fridays, Saturdays and Sundays. Such noise cannot be controlled by the premises licence or environmental health legislation and is likely to prevent residents from obtaining peaceful restful sleep and may lead to health implication for residents suffering from disturbance.

It is the experience of the Environmental Protection Section that this type of noise disturbance is most difficult to control and causes the most distress to those affected.

In light of the potential for disturbance to be caused by the extended hours the EP department would recommended the following controls and hours are attached to the licence to reduce noise emanating off the premises from noise.

4. At all times that regulated entertainment and recorded music is taking place, doors and windows will be kept closed except in the case of doors for access or egress to the premises: (access doors however should not be wedged open).
5. Ventilation must be provided during opening hours to provide adequate room temperature conditions to allow live and recorded music to take place without the need for doors or windows to be opened.

6. The sale of alcohol will be limited to: 11:00am - 12:00hrs Monday to Thursday, 11:00 - 01:00hrs Friday and Saturday and 12:00am - 11:00hrs (midnight) Sunday with 30 minutes drinking up time.
7. Sunday before a Bank holiday including an Easter Sunday the hours of opening shall be up to midnight with 30 minutes drinking up time.
8. Sunday before a Bank holiday including an Easter Sunday, the hours of opening shall be 12:00 - 00:00hrs for Sunday and Bank Holiday 11:00 - 00:00hrs with 30 minutes drinking up time.
9. All alcohol consumed for sale off the premises, must be supplied as a wrapped purchase with all alcoholic products lidded for home consumption.
10. No noise or vibration shall emanate from the premises so as to cause nuisance to nearby properties.
11. The placing of refuse, such as bottles into receptacle outside the premises shall take place before 22:30pm or after 9:00am the following day so as to minimise the disturbance to nearby residents.

Sarah Davidson

EDEN TECHNICAL SERVICES				
- 5 JUL 2005				
ACK REC	ACK REP	Plan Admin	DTS	SEC
SAD	CLIENT	LEIS	TC	
AD(ES)	HSG	POLL	FOOD	
AD(PS)	IDN	DS	BN	SS

~~White House~~ Save

~~Comba~~

~~Health~~

Comba Call TBL

4th July 2005

Miss Sarah Davidson

Environment Protection

Eden District Council

Town Hall

Health

Comba Call TBL

APPLICATION FOR CONVERSION OF PREMISES LICENCE

Dear Miss Davidson

Further to my telephone conversation with you today I write, as requested, to confirm the following two points regarding our premises licence application:

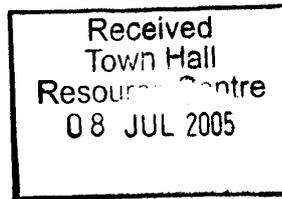
1. On nights when Karaoke is used in the White Horse the Karaoke will finish at 12 midnight and any background music ~~used~~ thereafter.
2. Children will only be allowed during the service of food, and will vacate the premises by 8:30 P.M.

Yours faithfully

 S. Sullivan

19-10
Copy Sent

Mr I.S Wilson
25 Great Dockray
Penrith
Cumbria
CA11 7DE



7th of July 2005

To, Mr R.J. Bell

I would like to take this opportunity to voice my deep concerns regarding the application by The White Horse Public House to extend its opening hours, myself and my wife strongly object to the potential extended opening hours of The White Horse and feel that approval of the application would lead to a detrimental affect on the area we reside in.

We both feel the existing opening hours of The White Horse are more than sufficient for the residents of Penrith to enjoy a drink in the public house. Please take into consideration Penrith has a reputation for being a tranquil, diverse Cumbrian Market Town at the heart of Eden, we and our neighbours at Great Dockray feel that this well deserved reputation could be placed into severe jeopardy if extended opening hours are awarded, we are inclined to feel this way due to a large number of alcohol fuelled individuals having the opportunity to display their drunken, loud, abusive, damaging, foolish and quite simply disgraceful behaviour for a additional period of time every single day of the week.

Over the past five years we have seen a notable increase in noise pollution late at night together with what we regard as loutish and disrespectful behaviour towards other people, buildings and vehicles, the extension of The White Horse's opening hours will almost inevitably lead to a further increase in unnecessary loutish and loud behaviour within Great Dockray and the town centre as a whole. We also feel that granting The White Horse longer opening hours will encourage other public houses to follow suit and apply for extended opening hours allowing more people in more public houses to consume more alcohol leading to more loutish behaviour all over Penrith.

Our youngest son is coming to a tremendously important period of his education and in 2005 and 2006 will be revising and sitting numerous GCSE exams on various subjects, one piece of advice that is drummed into GCSE students before sitting exams is to get a good, undisturbed nights sleep and with an extension of The White Horse's opening hours Great Dockray will become busier later at night jeopardising our son's chances of preparing and performing well for his exams.

To conclude, we feel that an extension of The White Horse's opening hours just isn't suitable for the town and see no real benefit this would actually have for Penrith, we are strongly against the possibility of longer opening hours and would be grateful if you take our views onboard when making your final judgment.

Yours Faithfully,

Mr I.S Wilson

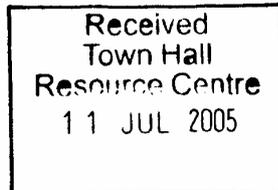
A handwritten signature in black ink that reads "I.S. Wilson".

Arnison & Company
Solicitors Ltd

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Telephone: 01768 862007 • Fax: 01768 865156 • DX63301 Penrith

Licensing Section
Eden District Council
Town Hall
Penrith
CA11 7QF

7th July 2005



Please ask for: Trevor P Price
Our ref: TPP/mjh/Smith
Your ref:
Direct e-mail:

Dear Sirs

Application for variation of premises license by the White Horse, Great Dockray, Penrith

We act for Mr and Mrs Michael Smith of 26 Great Dockray, Penrith, CA11 7DE. They have asked us to respond to the public notice in respect of the application by the White Horse for a variation but the same comments would apply to any similar application by the Gloucester and / or The Board and Elbow.

Great Dockray is an area which has mixed residential and business use. Over the years our clients and other residents have had to put up with a great deal of noise, disturbance and antisocial behaviour from frequenters of these three Public Houses, which all open out onto Great Dockray. The trouble in particular arises when drinkers spill out of the premises. They have had to suffer vandalism to their gardens, their passageways have been used as public conveniences; they have to put up with frequent noisy and foul language together with nights of broken sleep.

The situation is bad enough when the licensed premises close at 11pm but it would be intolerable after that time. Mr Smith starts work at 7.30 am and has to be up before 6am on week days and alternate Saturdays. If the licence is granted until 2am the noise will not subside until nearer 3am, leaving him an impossibly short time for undisturbed sleep. This constitutes a serious breach of human rights for him and his family together with those of other residents.

On behalf of our clients we are therefore writing to object to the proposed extension to the licensed hours. We would be grateful if you could acknowledge receipt of this letter.

Yours faithfully

A handwritten signature in black ink, appearing to be "Trevor P Price".

GEORGE AND JOYCE GARLICK



15 July 2005

Eden District Council
R.J.Bell. Licensing Officer.
Town Hall
Penrith
Cumbria

Dear Sir, The White Horse, Great Dockray. Licensing Hours Extensions.

On the 2nd of May 2001 my wife and I were invited to attend a meeting of the Licensing Sub-Committee at Lowther Street, Penrith. The subject ;- White Horse Application to extend Sunday opening from 10.30 to Midnight. We objected strongly And the Committee upheld our complaint and the application was rejected.

We hope the same applies to this latest round of extension applications. We live 50 paces from the door of this noisy public house and find sleep impossible on most nights until the music beat ceases at midnight.

On the 23rd of August 2004 the noise was so loud that at 11.50pm I called the police out. They arrived at 12.10am. and half a dozen clients were sent on their way. I passed our complaint to Environmental Services and we have been issued with Noise Complaint Diary Sheets. We are monitoring the situation.

The Yob Culture is alive and well in the Centre of Penrith and fellow residents are heartily sick of the behaviour of the clientele. A great town in which to reside but not if the pubs are allowed to serve drinks until 2.am.

Yours faithfully,

George and Joyce Garlick.

Eden Licensing Section
Eden District Council
Town Hall
Penrith
CA11 7QF

The Cottage
Fallowfield Court
Penrith
CA11 7DE

18 July 2005

Dear Sir

Variation to Licences for Licensed Premises in The Great Dockray Area

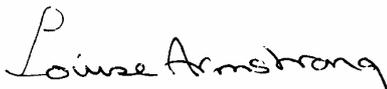
Please find enclosed a petition signed by residents in the Great Dockray Area , I was requested by the elderly residents to compile it when the application from the White Horse Great Dockray was published in the Herald. Since then Other Licensed premises in Great Dockray have also applied to vary their licence hours. Whilst I appreciate that individual letters would be better it is not practical as there are a lot of elderly residents who are unable to write to you.

We as a Neighbour Watch are appalled that any of the premises might get approval to extend their licences. The police are stretched already in maintaining the nightly noise, disturbance and nuisance in Great Dockray. We continually get people using Fallowfield Court and Robinson Yard as a public toilet or to leave bits of left over food or regurgitated food, which we have to clean up.

We feel that our rights to a quiet life are being disregarded and oppose any extension to any licensed premises in the Great Dockray Area.

At the present time due to various petty thefts and nuisance we are applying to Eden District Council to erect a gate at the entrance to Fallowfield Court and I am in the process of trying to find out if this can be locked at certain times which we feel will reduce the disturbances we have to put up with at present.

Yours sincerely



Louise Armstrong
Fallowfield Court Neighbourhood Watch
C.C. Inspector Paul Marshall

Eden Licensing Section
 Eden District Council
 Town Hall
 Penrith
 CA11 7QF

We the undersigned object to the application by Mr Scott William Millar for variation of the Premises Licence under the Licensing Act 2003 in force for the **The White Horse Great Dockray Penrith CA11 7BL** to extend the hours for the sale of alcohol as published in The Herald 25 June 2005.

NAME	ADDRESS
MRS MCGUFFIE	6 FALLOWFIELD COURT
Mrs Helton	7 Fallowfield Court
9 Helton	7 Fallowfield Court
HOUSE ARMSTRONG	THE COTTAGE FALLOWFIELD COURT
Suzanne Davison	23A Great Dockray
an Wilson	25 GT. Dockray Penrith
Michael Smith	26 GT. Dockray Penrith
J. Jellie	26 Gt. Dockray Penrith
P. Smith	26 Gt. Dockray Penrith
A DAVIDSON	2 WEST LANE PENRITH.
A. GAEOT.	18. GT. DOCKRAY. PENRITH.
D Watson	2 Robinson yard Penrith
J. Carr	13 ROBINSON YARD
H Wilson	Diamond Cottage, West Lane, Penrith
Wilson	DOCKRAY LODGE WEST LANE PENRITH.
W. Hamilton	47 Castle Lane Penrith
J. Stephenson	1A FALLOWFIELD CT PENRITH
A.S. Blackenship	Plot 1. Fallowfield Road,
KATH PAYNE	2 Fallowfield CT, Penrith.
KATH PAYNE	2 FALLOWFIELD CT, PENRITH.
NICK PAYNE	3 Fallowfield CT, Penrith
V. LITTAGHES	"
D LITTAGHES	"
ALAN KITCHING	5 FALLOWFIELD COURT PENRITH
Lillian Annalorin	19A WEST LANE PENRITH
E Rutherford	SAIKELD HOUSE PENRITH
Glenys M. Sunde	THE COTTAGE Great Dockray
MRS Holmes	14 WEST LANE GREAT DOCKRAY
JOYCE GARRICK	24. GREAT DOCKRAY.
GEORGE GARRICK	24. GREAT DOCKRAY