

**DETERMINATION OF AN APPLICATION FOR
THE REVIEW OF A PREMISES LICENCE
MELFORD HOUSE, 17-19 CHURCH AVENUE,
FARNBOROUGH, GU14 7AT**

1.0 INTRODUCTION

- 1.1. This report concerns an application for the review of a premises licence made under section 51 of the Licensing Act 2003 (the 'Act'). The receipt of such an application invokes a statutory requirement to hold a hearing with Members to consider it.
- 1.2. The report provides details of, and background to the application, and should be read in conjunction with the council's licensing policy and Secretary of State's guidance. This, together with information obtained at the hearing should be used to determine the application.

2.0 BACKGROUND

- 2.1. On the 16th February 2022, the Licensing Authority acting in the capacity as a responsible authority, submitted an application for the **review** of the premises licence held in respect of Melford House, 17-19 Church Avenue, Farnborough GU14 7AT. A copy of the review application together with its enclosures is given at **appendix A**.
- 2.2. A map of the area showing the general location of the premises is given at **appendix B**.
- 2.3. **Existing premises licence**
- 2.4. The application requests the review of the premises licence number 20/00194/LAPREM, held in respect of the premises, initially granted in September 2017 to Mr William Hallinan. A copy of the current premises licence is given at **appendix C**.
- 2.5. The licence is subject to a number of mandatory and transposed conditions. It authorises the retail sale of alcohol for consumption on and off the premises between 12:00pm and 00:00am Monday's to Thursday's and 12:00pm to 01:00am Friday's to Sunday's.

3.0 ADMINISTRATION OF REVIEW APPLICATION

3.1. Advertising the review application

3.2. In submitting an application for review, it is the duty of the applicant to ensure that notice of the application is given to all responsible authorities and the licence holder to which it relates. It is also the duty of the licensing authority to advertise receipt of the application by way of enabling representations to be made by other parties.

3.3. I can confirm that the applicant and each responsible authority have received a copy of the review application and the licensing authority has advertised receipt of the application both at the premises and at the Council Offices in accordance with the requirements of the Act.

4.0 GROUNDS FOR REVIEW

4.1. The grounds for review of the premises licence are set out in the review application (see **appendix A**).

4.2. Relevance of grounds for review

4.3. By virtue of section 51(4) of the Act, the licensing authority may, at any time, reject any ground for review if it is satisfied that the ground is not relevant to one or more of the licensing objectives.

4.4. The grounds for review are considered to be relevant in this case, as the application has been made by a responsible authority and concerns the licensing objective **public nuisance**.

5.0 REPRESENTATION(S)

5.1 A number of representations have been received in respect of the application, one from a responsible authority namely Environmental Health. The rest of the representations have been made by members of the public. They are given as **appendix D1-D83** respectively.

5.2 A breakdown of the representations is given below;

	Reside in Rushmoor	Reside outside of Rushmoor	No residential address given
Number of representations	52	22	16

5.2 In addition, the licence holder has submitted some additional information in response to the review application. This is given as **Appendix E**.

6.0 DATA PROTECTION ISSUES

6.1 In accordance with data protection requirements, any personal details, addresses, contact details and/or signatures submitted on any application, representation or other relevant document etc. have been redacted.

7.0 DETERMINATION

7.1. The Sub-Committee is asked to determine the application for review.

8.0 RELEVANT CONSIDERATIONS

8.1. Licensing objectives

8.2. In considering the application the licensing authority must have regard to the promotion of the licensing objectives. These are:

- (a) the prevention of crime and disorder;
- (b) ensuring public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

8.3. Licensing policy & Secretary of States guidance

8.4. The licensing authority must also have regard to its statement of licensing policy and any guidance issued by the Secretary of State. Details of the parts of the policy and guidance that may be relevant to this application are given in **Appendix F**.

8.5. Human rights

8.6. Members are reminded that in determining a review application the licence holder is entitled to a fair hearing, on merit and, any action(s), terms or conditions imposed must be both proportionate and appropriate.

8.7. A premises licence is deemed to be a possession under Article 1(1) of the first protocol.

8.8. Appeals

8.9. The applicant for the review, the holder of the premises licence and/or any other party who made representations have a statutory right of appeal to the Magistrates' court within 21 days of being notified of the decision / outcome. The decision of the Sub-Committee has no effect until the appeal period has passed or until the appeal is disposed of.

9.0 OPTIONS

9.1. In determining this application, the Sub-Committee must, having regard to the review application and any relevant representations, take any one or any combination of the following steps as it considers appropriate for the promotion of the licensing objectives, namely:

- (a) to take no action;
- (b) to issue an informal warning and/or recommend improvement(s);
- (c) to modify the existing conditions of the licence**;
- (d) to exclude a licensable activity from the scope of the licence**;
- (e) to remove the designated premises supervisor;
- (f) to suspend the licence for a period not exceeding three months;
and/or
- (g) to revoke the licence.

*** for this purpose, the conditions of the licence are modified if any of them is altered, omitted or any new condition is added.*

9.2. Where undertaking any of the steps in subparagraph (c) or (d) above, the Sub-Committee is reminded that there are mandatory conditions that must be included in a premises licence where applicable.

9.3. Where the Sub-Committee considers the removal of the DPS, members are reminded that the holder of a premises licence may make an application to vary the premises licence to specify a new individual as DPS at any time. The premises licence holder can specify that this application take immediate effect until it is determined in accordance with the Act.

10.0 RECOMMENDATION(S)

10.1. The Sub-Committee is asked to determine the application having regard to -

- (a) the contents of this report;
- (b) any additional information obtained from the hearing;
- (c) the Council's licensing policy;
- (d) guidance issued by the Secretary of State; and
- (e) the promotion of the licensing objectives.

AIMEE VOSSER
Licensing Officer
Operational Services
licensing@rushmoor.gov.uk

Background Papers: Application ref: 22/00136/LAPRER
Premises Licence ref: 20/00194/LAPREM

Public Documents:

- 1) **HMSO (2003)**, The Licensing Act 2003
- 2) **Home Office (April 2018)**, Guidance issued under Section 182 of the Licensing Act 2003

Contact:

Aimee Vosser, Licensing Officer (01252 398131)

Appendices:

- Appendix A - Application for review (pages 7 - 33)
- Appendix B - Map of the area (page 35)
- Appendix C - Premises Licence (pages 37 - 46)
- Appendix D - Representations from the Environmental Health and members of the public (pages 47 - 283)
- Appendix E - Response from licence holder (page 285 - 301)
- Appendix F - Relevant Considerations (page 303)

**APPLICATION FOR REVIEW
MELFORD HOUSE, 17-19 CHURCH AVENUE,
FARNBOROUGH, GU14 7AT**

Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Shelley Bowman

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Melford House 17 - 19 Church Avenue	
Post town Farnborough	Post code (if known) GU14 7AT

Name of premises licence holder or club holding club premises certificate (if known) William Hallinan

Number of premises licence or club premises certificate (if known) 20/00194/LAPREM
--

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Licensing Authority Council Offices Farnborough Road Farnborough Hants GU14 7JU
Telephone number (if any) 01252 398855
E-mail address (optional) shelley.bowman@rushmoor.gov.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

X

Please state the ground(s) for review (please read guidance note 2)

Multiple noise complaints have been received regarding noise from people drinking in the garden at Melford House. On investigating these, statutory nuisance has been witnessed by officers of the Council on two separate occasions.

In light of this, and having spoken with Mr Hallinan about the operation of the business, it is the opinion of the Licensing Authority that changes need to be made to the licence conditions and clarity over the areas on the plan attached to the licence, in order to ensure the promotion of the licensing objective, the prevention of public nuisance, and to prevent further statutory nuisance occurring.

Officers from the Licensing Team and Environmental Health have spoken with Mr Hallinan in order to discuss these issues, and come to an agreement about suitable conditions, with a view to the changes being made by minor variation, but Mr Hallinan has failed to make an application to amend the licence.

As we believe the changes need to be made to ensure the promotion of the licensing objective, we are applying for a review of the licence to request that the sub-committee make the changes discussed.

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

Melford House has been licensed by virtue of a premises licence since September 2017. The initial application attracted a number of representations from local residents, and therefore was determined by a sub-committee hearing. At the hearing, the panel granted the licence subject to a number of conditions as follows:

- (1) Alcohol shall not be sold on the premises, otherwise than to persons residing there, their bona fide guests, or guests of the owner of the premises by invitation only.
- (2) No alcohol shall be consumed in the external areas of the premises.

The reasons for these conditions being added, and the information provided by the licence holder as to the nature of the premises that he was intending to run, and the non-resident guests are detailed in the decision notice which is attached as Appendix 1.

In October 2019 a noise complaint was received regarding Melford House from a local resident. This was dealt with by Environmental Health as that was the process at the time.

In April 2020, Mr Hallinan made contact with me, as he wanted to add the sale of alcohol for consumption off the premises to his licence. He explained that he wanted to be able to sell ale etc. to local people for consumption at home. Having liaised with Planning, Environmental Health and the Police it was agreed that this could be done as a minor variation, as there was no reason to believe that based on what Mr Hallinan had said, the variation would have a negative impact on the licensing objectives. At this time, Mr Hallinan was advised that as part of that variation, we would advise that he asked to amend the condition regarding sales only to residents and bona fide guests by invitation only, to say that it only applied to sales made for consumption on the premises. This advice was given on the basis that Mr Hallinan had stated that he wanted to be able to sell to local residents, and it would not be practicable for this to be by invitation only.

The application for minor variation was submitted and took effect in May 2020.

In June 2021, further noise complaints were received from local residents. Throughout the period that the complaints have been dealt with there are complaints from 4 separate local residents. Initially contact was made by 2 residents. In between the previous noise complaints, and these ones being received the general process for dealing with noise complaints regarding licensed premises had changed, in that they are initially dealt with by the Licensing Team rather than the Environmental Health team. The reason for this, is that as the prevention of public nuisance is a licensing objective, there are generally conditions placed on the licence of any premises to reduce the likelihood of noise complaints. The Licensing Authority are ultimately responsible for ensuring compliance with licence terms and conditions. However, where appropriate, the Environmental Health team will work with the Licensing Authority where there are wider noise related issues. However, in order to provide clarity to licence holders and complainants, generally contact will be via the Licensing Team, with Environmental Health joining as necessary.

The complainants were provided with diary sheets, to log the noise that they were experiencing. A number of diary sheets were received back from the complainants over the next few weeks as well as some video footage. Given that the application for review will be open for representations from local residents, I have not included their evidence as part of this application, as it is appropriate for them to consider whether they wish to make a representation, and if so to present any evidence they deem relevant.

Given that the diary sheets suggested ongoing noise issues, and in particular that it

appeared that the main source of noise was from the garden area of the premises being used for consumption of alcohol, on 22nd July 2021 I e-mailed Mr Hallinan to make him aware of the noise complaints, and to remind him of the condition on his licence "no alcohol shall be consumed in the external areas of the premises" and to advise that we would be monitoring the premises.

On 30th July 2021 I visited the premises with PC Dennett, Hampshire Constabulary Licensing Officer for Rushmoor. There was no noise emanating from the premises at the time of the visit, and all customers were drinking inside the bar area of the premises. On liaising with PC Dennett it became apparent that Mr Hallinan had responded to my email stating that he had amended his business model as a result of the pandemic, and that he was holding pizza nights at the premises, and local residents were using the bar. He stated that the garden did not form part of the licensed area, and therefore he believed sales of alcohol made for consumption off the premises could be consumed in his private garden. A copy of the email is attached as Appendix 2. This email unfortunately went to a junk mail box so I was not aware of it until evening of the visit.

During the visit the noise complaints were discussed with Mr Hallinan, we discussed his business operation. Mr Hallinan advised that he allowed the bar to be used for sales of alcohol for consumption both on and off the premises by any member of CAMRA (Campaign for Real Ale) and local residents who were known to him, without any form of written invitation or invitation to specific dates or events. At this time, I referred to the condition on the premises licence which states "Alcohol shall not be sold on the premises, otherwise than to persons residing there, their bona fide guests, or guests of the owner of the premises by invitation only. This condition applies only to the sale of alcohol for consumption ON the premises."

Mr Hallinan stated that there are specific local residents who use the bar, and also any CAMRA member, and he deems them to be his invited guests, and therefore compliant with the condition, as it was his opinion that the condition was grey. He also stated as per his email that in his opinion the garden area does not form part of the licensed premises, therefore he is able to make sales for consumption of alcohol off the premises, and the customer can choose to consume it in his private garden. He also said that there were occasions where people would be drinking in the garden as his private garden, not linked to the licensed premises in any way. Mr Hallinan also mentioned that he felt that some residents had a vendetta against him and that may drive some complaints. I agreed that I would liaise with our Legal Team regarding the licence condition regarding invited guests and the consumption of alcohol in the garden and get back to Mr Hallinan in that regard. In the meantime, he agreed he would be aware of the noise complaints and the potential to disturb the neighbours and take steps where appropriate. During the visit, I also explained to Mr Hallinan that whilst licence conditions may not apply when the premises was being used privately, statutory nuisance legislation applies at any time.

Given Mr Hallinan's comments about using the garden for private use not always linked to the licence and his concerns about the validity of the complaints, whilst I was waiting for confirmation in respect of the legal queries Mr Hallinan had raised relating to the licence, I agreed with our Environmental Health team that we would issue the complainants (still 2 at that time) with a reference number which would mean that they could contact the out of hours duty officer when the noise was occurring and a visit would take place to assess whether there was a statutory nuisance occurring. This is normal practice for ongoing complaints where nuisance occurs out of hours, as it allows officers of the council to witness first hand the issues occurring and take the relevant steps. The reference was issued to the complainants on 10th August 2021.

On 25th and 29th August 2021 visits were carried out by two different duty officers from Rushmoor Borough Council. On both occasions they deemed that the noise coming from the garden at Melford House was a statutory nuisance.

On 16th September 2021, an update was sent to Mr Hallinan advising that unreasonable noise had been witnessed by officers of the council on the above dates, therefore I would be liaising with Environmental Health as to the next steps, and that I was still awaiting a response from our Legal

Team in respect of the licensing queries but expected to get back to him in that regard the following week.

Following these visits, I was made aware by a colleague in the Environmental Health team that the planning for the bar area stated that it was a games room, and therefore may be also be a concern if the bar was open to members of the public rather than residents. On speaking with a colleague in the Planning Team, they confirmed that the bar area being used by non-residents of the guesthouse may be a breach of the Planning consent. Given that Planning are also a responsible authority under the Licensing Act 2003, and to ensure a co-ordinated response to both the complainant and licence holder, liaison in respect of the issues continued with Planning, Environmental Health, Licensing and Legal.

In discussing the issues with the teams mentioned above, it was decided on advice from the Legal team that both the plan attached to the licence, and the conditions on the licence added at the hearing were a bit grey, and therefore whilst it was accepted that Mr Hallinan was not promoting the licensing objectives (particularly given the nuisance witnessed) and was not operating in the spirit of the intentions of the members when adding the licence conditions, he was not technically breaching the conditions themselves. Therefore, it was agreed that the most appropriate action was to deal with the Licensing issues by way of amending the licence conditions and the plan to ensure that the licensing objectives were promoted, and the intent of the members in adding the conditions was upheld. The only option available for the responsible authorities to request these amendments to the licence is by way of licence review, however it was agreed that they could be made by the licence holder by minor variation if he was willing to do so.

In light of this, an email was sent to Mr Hallinan on 23rd September 2021, responding to some questions that he had raised about noise nuisance, making him aware of the planning issues and explaining the steps that we felt were necessary to resolve the issues. The email gave Mr Hallinan the opportunity to meet with Helen Payne, Environmental Health and I to discuss this further, and advised that if no application was forthcoming by 7th October 2021 an application for review requesting the changes would be made. A copy of this email is given as Appendix 3.

On the 7th October 2021, Mr Hallinan contacted me by email and asked for a meeting to discuss the issues. A meeting was held at Melford House on 18th October 2021, which was attended by both Helen Payne, Environmental Health and myself – to enable discussions regarding both licensing and noise nuisance legislation. We discussed the issues with Mr Hallinan and the conditions that we were asking for on the licence. I explained the options available in respect of minor variation or review of the licence, and the possible outcomes of both to ensure that Mr Hallinan could make an informed decision. During this meeting, we discussed with Mr Hallinan what changes had been made to the operation of the business since re-opening after lockdown, from beforehand, as there were limited complaints prior to lockdown but a number of complaints since. On discussion with Mr Hallinan we were able to get a better understanding of what had changed, and to discuss changes to the conditions that may address the issues, whilst allowing Mr Hallinan to operate his business in a way that would still work for him. Mr Hallinan also explained that in response to my previous email, he had stopped opening the bar to non-residents until the issues with Planning had been resolved – he was liaising directly with Planning in this regard. At the end of the meeting Mr Hallinan stated that he was willing to consider applying for a minor variation, subject to some amendments to the suggested conditions, which had been discussed in the meeting. We agreed to allow him some time to consider this, as our approach would always be to try to work with the licence holder to agree changes, rather than applying for a review of the licence where possible.

A further discussion was had with Mr Hallinan and an agreement reached in principle that he would make an application for a minor variation based on the conditions we had discussed. Given that the bar was not currently operating for members of the public, therefore the issue had temporarily stopped and Mr Hallinan appeared to be working with us to achieve an appropriate outcome, no application for review was made at that time. An email confirming the agreement was sent to Mr Hallinan on 22nd October 2021. A copy of the email is given as Appendix 4.

On 19th November 2021, as no further correspondence or the application for minor variation had been received, a further email was sent to Mr Hallinan advising that if the application was not received by 24th November 2021, I would go ahead and make an application for review of the licence requesting the changes discussed.

On 23rd November 2021, Mr Hallinan escalated the issue to the Head of Operations as he was unhappy with our response. Mr Hallinan has met with and liaised with the Head of Operations since that time and was given further opportunity to make the changes to his licence by way of a minor variation as a result. Unfortunately, no application has been forthcoming, and in consultation with the Head of Operations and Service Manager - Place Protection it was deemed that the only way forward is to make an application for review of the licence, requesting the changes deemed appropriate to promote the licensing objectives, and deal with the issues raised. This will also allow the opportunity for Mr Hallinan to attend a hearing and present his case, and allow any other parties to make representations should they wish to do so.

The Licensing Authority are requesting that in order to promote the licensing objective the prevention of public nuisance, and to ensure that the terms and conditions of the licence are clear and enforceable, whilst enabling Mr Hallinan to operate his business the following changes are made to the licence:

- Attach the plan (given as Appendix 5) to the premises licence and make it clear that it defines the boundary of the licensed premises as the whole of the property. Highlight on the plan all external areas of the property and mark them as such for clarity in respect of the condition stopping alcohol from being consumed in them.
- Amend Annex 3 Condition (1) to read "At any time that licensable activities are taking place at the premises, there shall be no more than 6 people present who are not residing there or bona fide guests of patrons residing at the guesthouse. Non-residents shall be permitted entry by prior booking only."
- Amend Annex 3 Condition (2) to read "No alcohol shall be consumed in the external areas of the premises. Prominent, clear and legible notices shall be displayed at all exits and external areas to notify patrons of this."
- Add the following conditions:
 - Prominent, clear and legible notices shall be displayed at all exits and external areas requesting patrons and staff keep noise levels to a minimum in external areas.
 - Procedures for responding to noise complaints shall be established. Written records of noise complaints and action taken in response shall be kept and made available to officers from Rushmoor Borough Council when requested.
 - No pre-advertised events shall take place at the premises at any time when it is open for licensable activities.

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

Please tick ✓ yes
No

If yes please state the date of that application

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

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

N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, 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.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date 16/02/2022

.....

Capacity Licensing Manager

.....

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

.....

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



LICENSING ACT 2003

Application for a New Premises Licence

Decision Record

APPLICANT: Will Hallinan

PREMISES: Melford House, 17 – 19 Church Avenue, Farnborough

DATE OF HEARING: 30 August, 2017

MEMBERS SITTING: Crs. E Corps, B Jones, JE Woolley (Chairman)

DECISION

The Sub Committee is satisfied on a balance of probabilities that the steps below are appropriate for the promotion of the licensing objectives.

The licence is granted, subject to:

- The mandatory conditions imposed by the Licensing Act, 2003; and
- Conditions consistent with the premises licence operating schedule, including the conditions listed below under 'Other Conditions'.

The latter conditions have been imposed following consideration of the evidence and the submissions made to the Sub-Committee, to promote the licensing objective of prevention of public nuisance and prevention of crime and disorder (with emphasis on disorder rather than crime).

The premises licence shall take effect from 6 September 2017.

REASONS

Before the hearing the application for regulated entertainment comprising live and recorded music had been withdrawn and the conditions agreed between the applicant and the responsible authority for public nuisance had also therefore been withdrawn.

At the start of the hearing the applicant withdrew his application for late night refreshment as it appeared that what he was intending to do did not require a licence.

The only issue for determination was the application for the supply of alcohol on the premises during the days and hours requested.

In coming to its decision, the Sub-Committee took into account:

- The Licensing Act Section 18, which states that, having regard to relevant representations that are made, the Sub-Committee must take such steps it considers appropriate for the promotion of the licensing objectives;
- The Secretary of State's Guidance issued under section 182 of the Licensing Act 2003, particularly paragraphs 2.15 and 2.16 which advises that the Sub-Committee should concentrate on the effects of the licensable activities on people living and working in the area, which are disproportionate and unreasonable. Paragraphs 2.17 and 2.18 contain advice about conditions with respect to noise nuisance and state that the approach of licensing authorities should be one of prevention. Paragraph 1.16 advises that conditions should be proportionate, justifiable and capable of being met.
- That the Council's Statement of Licensing Policy 2010–11 has not been formally continued in force or updated to reflect changes in the legislation, and for this reason has placed little reliance on it.
- The written report including all written representations, and
- Oral evidence presented at the hearing:

The licensing officer explained that under the Live Music Act 2012, live and recorded music would be permitted between 8am and 11pm at any time premises were open for the sale of alcohol for consumption on the premises. During this period any conditions relating to such activities would be suspended; it was only if a review of the licence were to take place that it would be possible to consider whether it was appropriate to lift the suspension or add conditions as if music were regulated entertainment.

In addition, a late night refreshment licence was not required where there was no admission of the public and hot food or hot drink was supplied between 11pm and 5am to employees or residents of a guest house and their guests.

The applicant would be able to serve a temporary event notice on the licensing authority if he wished to hold an event at which licensable activities would be carried out.

The licensing officer explained also how the indicative distances given in her written report, between the addresses of those making representations and the application premises had been calculated using Google Maps, and were not intended to be accurate. However, as the application for regulated entertainment had been withdrawn, representations concerning those proposals may no longer be relevant.

Concerns about the running of an honesty bar had been investigated but no evidence of that occurring had been found.

The application was not seeking to use the garden for the consumption of alcohol which would be confined to the buildings. The garden would not form part of the licensed premises.

The applicant explained that he had bought the guest house in 2005, saving it from conversion into flats and transforming it into a highly rated guest house. He was targeting sophisticated business leaders and captains of industry, and wanted to market it as a boutique establishment, for which he needed an alcohol licence.

The guest house has 8 bedrooms, normally occupied by solo travellers. Children and families were not its target clientele and were unlikely to be attracted to the premises owing to the relatively high charges. The dining room seated 10 and when completed, the games room would have a seating capacity of 12 (the standing capacity was as yet unknown.)

As an establishment with a largely professional clientele, it was unlikely that people would wish to drink to excess or be rowdy, particularly as they included pilots, or trainee pilots undergoing periods of intensive training where excessive drinking could jeopardise their careers. Guests valued the peace and quiet and would not tolerate a noisy environment. This was apparent from some of the representations made in

support of the application.

He also wished to be able to hold occasional open days to show the facilities to businesses who might be considering his guest house for regular bookings, as well as visits by those who currently arranged bookings on behalf of their companies.

The applicant said that he had applied for late night refreshment so that he could have the flexibility to offer it to members of the public if he wanted; however, he now wished to withdraw it and to rely on the exemption under the Licensing Act 2003.

The fact that so many representations had been made against his proposals by local residents had come as a complete surprise to him. He thought some to be exaggerated or expressed in inflammatory language. He pointed out that not all close neighbours had made representations, that no complaints had been made to the Council and that the police had not made any representations.

He had withdrawn the application for regulated entertainment, which appeared to be the concern of many of the objectors. Notwithstanding that, he was still prepared to implement a number of measures, in order to ensure that both his guests and local residents were not disturbed by noise. This included the fitting of mute switches, a distributed speaker system and engineered solutions to minimise noise pollution.

An advocate, Mr Ashwell, spoke on behalf of 36 objectors who had made representations. He emphasised the quiet, leafy nature of the local area where the guest house is situated. The main concern of local people was the potential public nuisance caused by noise. Despite the withdrawal of the application for regulated entertainment, there was anxiety that noise would be caused if the applicant chose to take advantage of the exemptions under the Live Music Act.

Talking by people smoking outside the buildings would cause noise, the volume of which it would be difficult to control, although he was not saying that people would be raucous, or that Mr Hallinan would not try to control them. In his view, once completed, the games room would attract people outside.

It was not clear what would happen at weekends, when most business clients would not be at the premises.

Based on their view of how they saw he had handled planning issues, local people had little confidence in any assurances given by the applicant.

The Sub Committee's findings

No representations had been made by the police with respect to crime and disorder nor the responsible authority for public nuisance.

It was not able and did not take into account any matter that was not relevant to the application as amended or to the promotion of the licensing objectives. This included representations about:

- the potential increase in traffic and car parking,
- the need for licensed premises in the local area (as this is a commercial consideration),
- any effect of granting the application on property prices,
- the grant of planning permission for the games room, and
- whether allowing the application would set a precedent in the locality.

Whilst the Sub Committee noted that the application no longer requested a licence for regulated entertainment, it did consider the potential impact of noise generally on the occupiers of neighbouring properties if the application to supply alcohol were to be granted. This could come from people going outside to smoke or the leakage of sound on entering or leaving buildings when noisy activities were taking place, which could disturb neighbouring occupiers. It noted that the application for the premises licence was for the sale of alcohol for consumption on the premises which were defined on the plan as buildings. Consumption of alcohol outside the buildings ie off the premises, was not included in the application.

It took into account the measures voluntarily offered by the applicant towards reducing

potential noise from the premises in the interests of both his own guests and his neighbours; it also noted his view in respect of the external areas, namely that consuming alcohol was not a licensable activity.

The Sub Committee decided that a condition preventing the consumption of alcohol in the external areas would address the reasonable concern of the local residents.

A condition restricting the people to whom alcohol could be sold, would address any concern that noisy, drunk or anti-social members of the public who were neither residents nor guests, would be attracted to the premises.

OTHER CONDITIONS
(New, amended and deleted conditions consistent with the operating schedule)

NEW CONDITIONS:

1. Alcohol shall not be sold on the premises otherwise than to persons residing there, their bona fide guests or guests of the owner of the premises by invitation only.
2. No alcohol shall be consumed in the external areas of the premises.

From: [Shelley Bowman](#)
To: [Helen Payne](#)
Subject: FW: Melford House
Date: 16 September 2021 10:46:09

Shelley Bowman
Licensing Manager
Place Protection - Operations
Rushmoor Borough Council
07423 685930

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https://forms.office.com/Pages/ResponsePage.aspx?id=xIKROOSyU6l_0zpYWLz9r2XlOoDj1sPqdfgzM2raNUM1paWIBDNzlZTFdFQTg0RDhNSFIVMk42US4u

-----Original Message-----

From: Willem Hallinan [REDACTED] > On Behalf Of Willem Hallinan
Sent: 22 July 2021 19:06
To: Shelley Bowman <shelley.bowman@rushmoor.gov.uk>
Cc: Dennett, Philip <philip.dennett@hampshire.pnn.police.uk>; Sandy Muirden <sandy.muirden@rushmoor.gov.uk>
Subject: Re: Melford House

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Dear Ms Bowman

Thank you for your email regarding noise complaints.

We are having something of a tough time at the moment and have had to find income streams other than the traditional one to survive. Outgoings in terms of energy and running costs are increasing but income has all but disappeared from the guesthouse accommodation with occupancy rates at about 10% of pre-pandemic levels. Any government help died up months ago. The end of lockdown has not seen any sign of things picking up either, with our main customers badly affected.

I will do my best to manage this issue and completely understand that you may have to investigate further. To put things into perspective there was a noisy event emanating from no [REDACTED] on Saturday 17th July went well into the early hours. This incident was commented on by one of my guests who had been at a wedding reception and came back at 1am.

Thank you for your offer of assistance in your email I would like clarification on which legislation applies.

We have been to holding woodfired pizza events where the pizzas are made in an outdoor pizza oven, and consumed in the grounds of Melford House. The garden is not part of the licenced premises so I am not sure if the licensing act is applicable in this case.

I not aware of any legislation that prevents consumption of alcohol in a private garden that has been purchased in a store or as off sales. If my guests were to consume alcohol with their pizza that was obtained this manner, then it would be outside the 2003 licencing act. Can you confirm that this is correct? I have spoken to licencing about this before this and was told that this was not covered by the licencing act.

Secondly, we have not had any music playing in recent memory, but there was one occasion where one of our guests played music in the garden from a small battery driven blue tooth speaker. This was in the evening and not in the night time, I did not consider this or anything else to be a breach of Environmental Health. Can you confirm what is considered permissible within the scope of the Environmental Act referred to in your email.

Melford House is one of the most highly rated places of accommodation in Hampshire, and continues to receive favourable reports from the media. However, the occupants of [REDACTED] have spent many thousands of pounds on a never ending campaign targeted at Melford House The continuing campaign is bound to aggravate and influence some local residents who were part of the original campaign against Melford House.

https://www.facebook.com/KeepThePeaceInFarnboroughPark?comment_id=Y29tbWVudDoxMTg1Nzk5NjIxOTM0NDIzXzExODU5Mjc4OTUyNTQ5Mjk%3D
<https://www.facebook.com/KeepThePeaceInFarnboroughPark?comment_id=Y29tbWVudDoxMTg1Nzk5NjIxOTM0NDIzXzExODU5Mjc4OTUyNTQ5Mjk%3D>
Keep the Peace in Farnborough Park - against Melford House premises licence
<https://www.facebook.com/KeepThePeaceInFarnboroughPark?comment_id=Y29tbWVudDoxMTg1Nzk5NjIxOTM0NDIzXzExODU5Mjc4OTUyNTQ5Mjk%3D>
Keep the Peace in Farnborough Park - against Melford House premises licence. 66 likes * 2 talking about this.
Page aimed at providing information to Farnborough Park residents opposed to the Premises...
www.facebook.com

You can see that this page is now receiving very little support despite its history of aggressive promotion. Our neighbours [REDACTED] use the bar and have booked rooms for a party (in their garden) in August. Our neighbours [REDACTED] have 2 small children and regularly use the bar.

Look forward to your reply on the points mentioned.

Regards

Will Hallinan
www.melfordhouse.co.uk <<http://www.melfordhouse.co.uk>>

+44 7920 153452

<<http://www.melfordhouse.co.uk>>
<<http://www.goatinthegarden.com>>

From: Shelley Bowman <shelley.bowman@rushmoor.gov.uk>
Sent: 22 July 2021 15:16
To: [REDACTED]
Cc: Dennett, Philip <philip.dennett@hampshire.pnn.police.uk>; Sandy Muirden <sandy.muirden@rushmoor.gov.uk>
Subject: Melford House

Dear Mr Hallinan,

ENVIRONMENTAL PROTECTION ACT 1990

LICENSING ACT 2003

MELFORD HOUSE, 17 - 19 CHURCH AVENUE, FARNBOROUGH, HAMPSHIRE, GU14 7AT

I write to advise you that I have received noise complaints from two separate complainants about the above

property. The complainants allege that they are experiencing noise disturbance from loud music and people using the premises. In particular, both complainants refer to the use of a beer garden for the consumption of alcohol, and suggest that this is the main cause of the noise.

In light of the allegations made, I would like to take this opportunity to remind you that your premises licence 20/00194/LAPREM is subject to a condition at Annex 3 (2) which states "No alcohol shall be consumed in the external areas of the premises."

As I am sure you will be aware, the Council has a duty to investigate noise and licensing complaints. As such, the responsible authorities will be monitoring the premises (which may include unannounced visits) in order to investigate the allegations made, and to ensure compliance with the terms and conditions of your premises licence. In addition under the Environmental Protection Act 1990, should we be satisfied that a statutory nuisance exists, then we are legally required to serve an noise abatement notice requiring you to take all necessary steps to prevent a future recurrence of the problem. I would therefore recommend that you consider whether there are any steps required to ensure compliance with your licence, and to reduce any possible nuisance. If you do make any amendments to the operation of the premises as a result I would be grateful if you could advise me.

Whilst I will of course be in touch following initial investigations, please do not hesitate to contact me if I can be of assistance in the meantime.

Kind Regards

Shelley Bowman

Licensing Manager

Place Protection - Operations

Rushmoor Borough Council

07423 685930

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<https://forms.office.com/Pages/ResponsePage.aspx?id=xrIKROOSyU6l_0zpYWLz9r2XlOoDj1xPqdfgzM2raNUM1paWIBDNzIZTFdFQTg0RDhNSFIVMk42US4u>

<<https://www.nhs.uk/conditions/coronavirus-covid-19/testing/>>

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From: [Shailev Rowman](#)
To: [Willem Hallinan](#)
Cc: [Helen Payne](#); [Louise Davies](#); [Dennett, Philip](#)
Subject: RE: Noise Complaints - Malford House
Date: 23 September 2021 11:03:55
Attachments: [image002.png](#)
[557619.pdf](#)
[158264.pdf](#)
Importance: High

Hi Will,

You requested clarification on permitted noise levels from the premises. There is no decibel limit prescribed for noise from the premises, instead we assess whether a statutory nuisance is arising. This means that the noise is unreasonably and significantly interfering with the enjoyment or use of a neighbouring property. Nuisance can arise at any time of the day or night. The assessment for nuisance is subjective and we take into account many factors when determining whether nuisance is arising, including frequency, duration, time of day, noise type, noise level and characteristics, impact on resident, characteristics of the area, background noise levels etc. Further information on nuisance and how we investigate noise complaints is available on our website at www.rushmoor.gov.uk/noise. These statutory nuisance powers are in addition to the powers contained in the Licensing Act 2003 to prevent public nuisance from licensed premises.

Whilst I am pleased to hear that you have taken some proactive steps to reduce noise disturbance since our visit, unfortunately both the incidents where unreasonable noise was witnessed were before 10pm in the evening. On 25th August the officer was in attendance between 19:30 and 20:30 hours the noise witnessed was from people talking, laughing and children screaming & shouting, it appears from the notes that it was the Pizza Night that you referred to when we visited. On 29th August the officer attended between 19:25 and 20:10 hours and the noise was from people talking, shouting & laughing. In both cases the officer attending reported that the noise levels were of a level where they would prevent other residents from enjoying their home.

As promised I have liaised with our Legal team in respect of the discussions we had regarding you selling alcohol for consumption off the premises, and then allowing the alcohol to be consumed in the garden area, as you do not deem this to be part of the licensed premises according to the plan, and the condition in respect of selling alcohol only to residents and invited guests. We accept your suggestion that the condition is relatively open in the way that it is currently worded, however the way in which you have advised you are currently operating the business is not in keeping with the information provided by you at the hearing, and therefore with the members intention in adding both conditions to Annex 3 of your licence. Whilst I understand that you have made adjustments to your business in order to respond to the effects of the pandemic, unfortunately those changes are having a negative impact on the promotion of the licensing objective, the prevention of public nuisance.

Furthermore, in 1999 planning permission was granted to permit the change of use of your property from a residential home for the elderly (Class C2) to guest house (Class C1). Conditions were placed on this permission, in particular condition 3 stated that the land and/or buildings shall be used only for the purpose of Guest House and for no other purpose, including any other purpose within Use Class C1 (including a Hotel), unless the Local Planning Authority otherwise first agrees in writing. In addition, Condition 5 states that any dining facilities which may be provided are only to be made available to the resident guests and shall not be used by non-residents, or for functions by non-residents. Please find full permissions attached. Your outbuilding was permitted under planning permission 16/00730/FUL (Retention and completion of an outbuilding to rear for use as a games room). This was described in the Delegated Report considering this application as an outbuilding to be used as a games room for visitors staying at the guest house. Any change to the use of the land or buildings to a use outside of that which is permitted by both these permissions may require the submission of a planning application. Based on the information that you have provided about the visitors to your premises, I have liaised with our Planning team, and I would recommend that you get in touch with them (Louise Davies is copied into this email), as it appears that by offering services to non-residents you may not be compliant with these conditions.

In light of the above, and given that the nuisance witnessed and the complaints relate specifically to people utilising the garden area, and appears to relate to non-residents on pizza nights, private parties, football and other events, in order to ensure the promotion of the licensing objectives, I believe that it is necessary to amend your premises licence. The amendments I would recommend are to change the plan of your premises licence to ensure that the whole of the external area of the property does form part of the licensed premises, this will mean that the controls in place apply to this area. Furthermore, I am of the opinion that the licence conditions should be amended to restrict the sale of alcohol for consumption on the premises only to residents of the guesthouse, and that the sale of alcohol for consumption off the premises should only be made in sealed containers / bottles. These measures would promote the licensing objectives by responding to the issues identified, meet with the intent of the sub-committee members at the time that the initial conditions were applied, and accord with the planning restrictions at the premises. If the licence was amended in this way, there would be the option to make applications for Temporary Events Notices, where you want to hold events outside of the restrictions of the licence.

Given that the changes I am suggesting are to further promote the licensing objectives, they can be applied by way of a minor variation to your premises licence. This would require you to make an application to amend the licence, and would mean that there is no risk of other actions being taken in respect of the licence as part of that application, therefore I would advise that this is the most appropriate way if you are in agreement and willing to do so. If you are not in agreement and willing to make an application to amend your licence, then I will have no alternative but to make an application to review the premises licence, and recommend to the members of the sub-committee that they make these amendments. If this was the case, there would be a sub-committee hearing, and you would of course be invited to attend and present your case to the members. Any application for review of the premises licence would be open to representations from any of the responsible authorities or any other party (either in objection or support). The panel of members would have a number of options available to them including doing nothing, amending the terms and conditions of the licence, removing the DPS or suspending or revoking the licence. I must advise that should you choose to make an application for a minor variation, this does not prevent another party from making an application to review your licence, as this can be done at any time by any person.

Should you wish to make a minor variation application, this can be done online at [Make a minor variation to a premises licence - Rushmoor Borough Council](#) if we do not receive a minor variation application from you by close of business on Thursday 7th October 2021 then I will proceed with the application for review of the licence. Should you wish to discuss any of the above or require any assistance with any application

you may wish to make in the meantime, please email me, and I will arrange a suitable time for Helen and I to meet with you.

Kind Regards

Shelley Bowman
Licensing Manager
Rushmoor Borough Council
07423 685930

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https://forms.office.com/Pages/ResponsePage.aspx?id=xrIKRCOSyU6L_OzoYWLz9r2XlOoDj4xPqdfiizM2raNUM4paWIBDNdZTFdEOTe0RDhNSEwMk42US4u

From: Willem Hallinan <[REDACTED]> > On Behalf Of Willem Hallinan
Sent: 19 September 2021 16:19
To: Shelley Bowman <shelley.bowman@rushmoor.gov.uk>
Subject: Re: Noise Complaints - Melford House

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Hi Shelley,

Thank you for the update

Following your visit, we decided to enforce a 10pm curfew in the garden regarding bar customers.

The incidents that you referred to are 3 weeks ago so this makes recalling specifics a little difficult.

Can you elaborate on what the incidents were and what the decibel readings were? I am still in the dark as to what the specific requirements are regarding noise levels. The more information we have about incidents and the requirements the easier it will be to take action to keep within acceptable limits.

I don't have much recollection from the 25th but I did make a note that 4 Polish pilots were studying for their final simulator examination, they were sitting outside on the patio and going over their charts. I was aware that this could disturb other guests so I asked someone in an adjacent room to monitor the noise and let me know if it got too loud. I did not receive any complaints. Could this be the incident in question? If so, it was not related to the licensed premises, but please let me know if it was something else.

The second date in question the 29th Aug was the Sunday before the bank holiday. We hosted a birthday party on request from our [REDACTED]

We had an incident of unruly behaviour which was shut down immediately. Please let me know if this was the source of the disturbance or if it related to something else?

Regards

Will
www.melfordhouse.co.uk
www.goatinthegarden.com

From: Shelley Bowman <shelley.bowman@rushmoor.gov.uk>

Sent: 16 September 2021 11:00

To: [REDACTED]

Cc: Helen Payne <helen.payne@rushmoor.gov.uk>; Dennett, Philip <philip.dennett@hampsire.pnn.police.uk>

Subject: Noise Complaints - Melford House

Dear Mr Hallinan,

I am writing further to my visit with PC Dennett on 30th July. Firstly, I would like to apologise for the delay in coming back to you following our visit, I had a period of annual leave and then unfortunately I was not well, so have only returned to work this week. However I wanted to update you in respect of the noise complaints that we are receiving and the discussions that we had surrounding the garden area, licence plan and licence conditions, whereby I advised that I would liaise with our Legal team and come back to you.

I have referred the queries that you raised and the issues that we discussed to our Legal Team, and I am expecting clarification from them early next week. In respect of the noise complaints, the council's out of hours duty officer attended in response to calls from local residents on both 25th and 29th August. On both occasions the officer in attendance stated that the noise emanating from your premises was at an unreasonable level. In light of this, I will be liaising with our Environmental Health team in addition to the Legal team, and we will be in touch next week to discuss appropriate steps to prevent recurrence of these issues. In the meantime, it would be useful if you are able to advise what was happening at the premises on the evenings concerned and the number of residents/ invited guests in attendance.

I recommend that in the meantime you take steps to ensure that unreasonable noise does not emanate from any activity taking place at your property, which is likely to cause disturbance to your neighbours.

Kind Regards

Shelley Bowman
Licensing Manager
Place Protection – Operations
Rushmoor Borough Council
07423 685930

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From: [Shelley Bowman](#)
To: "Willm Hallman";
Cc: Helen Sayne; Aimee Vossler
Subject: Minor Variation
Date: 22 October 2021 17:04:40
Importance: High

Hi Will,

Further to our meeting and subsequent discussions it is my understanding that you are willing to put in an application for minor variation, to make the following changes to your premises licence in order to deal with the nuisance issues at the premises:

- Amend the plan attached to the premises so that it shows the boundary of the licensed premises as the whole of the property. Highlight on the plan all external areas of the property and mark them as such for clarity in respect of the condition stopping alcohol from being consumed in them.
- Amend Annex 3 Condition (1) to read "At any time that licensable activities are taking place at the premises, there shall be no more than 6 people present who are not residing there or bona fide guests of patrons residing at the guesthouse. Non-residents shall be permitted entry by prior booking only."
- Amend Annex 3 Condition (2) to read "No alcohol shall be consumed in the external areas of the premises. Prominent, clear and legible notices shall be displayed at all exits and external areas to notify patrons of this."
- Add the following conditions:
 - Prominent, clear and legible notices shall be displayed at all exits and external areas requesting patrons and staff keep noise levels to a minimum in external areas.
 - Procedures for responding to noise complaints shall be established. Written records of noise complaints and action taken in response shall be kept and made available to officers from Rushmoor Borough Council when requested.
 - No pre-advertised events shall take place at the premises at any time when it is open for licensable activities.

I can confirm that if an application is made in accordance with the above, and the changes take effect before you re-open the premises from it's current closure to non-residents that I will not go ahead with the application for review of the premises at this stage.

I look forward to receiving the application, I am on annual leave next week, but if you require any assistance with the application, please do not hesitate to contact my colleague Aimee Vossler (aimee.vossler@rushmoor.gov.uk)

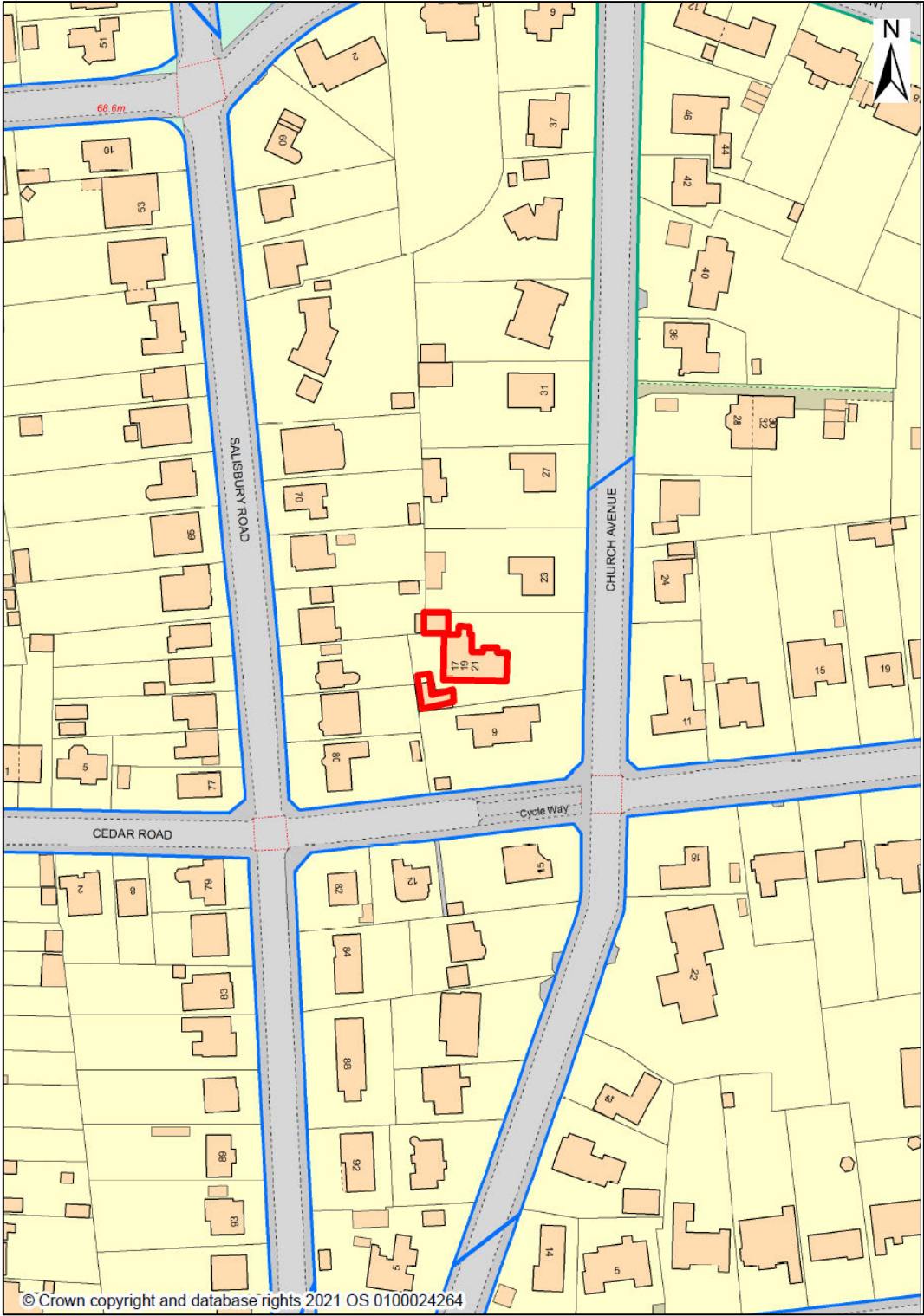
Kind Regards

Shelley Bowman
Licensing Manager
Place Protection – Operations
Rushmoor Borough Council
07423 685930

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https://forms.office.com/Pages/ResponsePage.aspx?id=exrIKROOSyUGl_0zpYWLzr2xIQdJpYpQdfgzM2raNUM1paWIBDNzIZTEdEQTg0R0hNSFVVMk42US4u



MAP OF AREA OF THE PREMISES
MELFORD HOUSE, 17-19 CHURCH AVENUE,
FARNBOROUGH, GU14 7AT



**PREMISES LICENCE
MELFORD HOUSE, 17-19 CHURCH AVENUE,
FARNBOROUGH, GU14 7AT**

Premises Licence Number
20/00194/LAPREM - 1/9



RUSHMOOR
BOROUGH COUNCIL

PREMISES LICENCE
Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
Address: 17 - 19 Church Avenue Farnborough Hampshire GU14 7AT	Map Ref (E): 487245 Map Ref (N): 155207 UPRN: 010008777677
Telephone 01252 242400	

Where the licence is time limited the dates
➤ This licence is NOT time limited

Licensable activities authorised by the licence
➤ The retail sale / supply of alcohol ONLY

Times the licence authorises the carrying out of licensable activities
➤ Monday's to Thursday's - 12:00pm to 00:00midnight; and
➤ Friday's to Sunday's – 12:00pm to 01:00am the following day

The opening hours of the premises
➤ On any day – 00:00am to 00:00am.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies
➤ Alcohol may be sold / supplied for consumption ON and OFF the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Name:	William Hallinan	Telephone:	
Address:		Email:	Not Known

Registered number of holder, e.g. company number, charity number (where applicable)

➤ N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Name:	William Hallinan	Telephone:	
Address:		Email:	Not Known

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number:	13/00742/LAPER
Issuing authority:	Rushmoor Borough Council

Granted by Rushmoor Borough Council, as licensing authority
pursuant to the Licensing Act 2003 and regulations made thereunder

Date Licence Granted:	30 th August 2017
Date Licence Effective:	6 th September 2017
Date Last Modified:	16 th May 2020

(Minor Variation)

SIGNED on behalf of the
Head of Operational Services
(Authorised Officer)

Annex 1 – Mandatory conditions

- (1) No supply of alcohol may be made under the premises licence:-
 - (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (ii) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (3)
 - (i) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (ii) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (iii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- (4) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
 - (f) Where the permitted price given by Paragraph (b) would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 - (g) Paragraph (b)(ii) applies where the permitted price given by Paragraph (b) on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (h) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- (5) (i) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (ii) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities,

carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- (6) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (7) The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 – Conditions consistent with the Operating Schedule

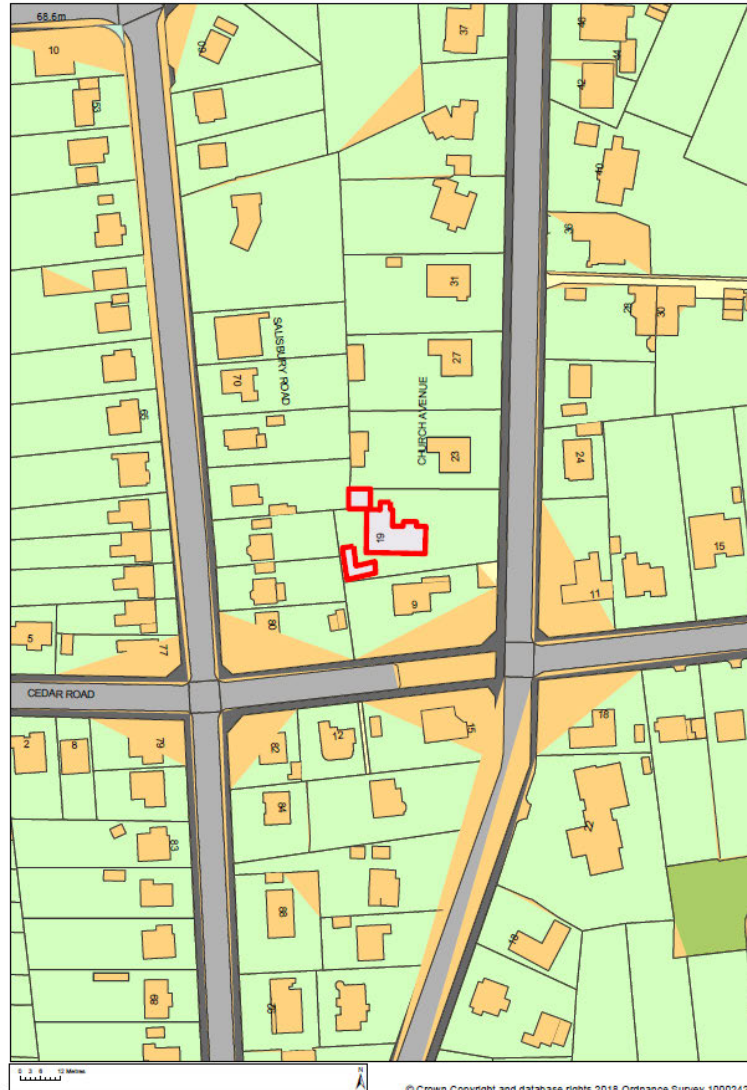
- (1) No licensable activities shall be undertaken except during permitted hours.
- (2) All alcohol shall be stored in an area that is monitored by staff, or is secured, to stop unauthorised access.
- (3) All staff / employees shall (before being permitted to make sales of alcohol) be given suitable and sufficient training in relation to the lawful sale of alcohol and the procedures adopted at the premises in respect of alcohol sales to a level commensurate with their role and responsibilities.
- (4)
 - (i) Anyone authorised to sell or supply alcohol at the premises shall request and ensure sight of suitable identification, for proof of age, of any person appearing to them to be under the age of 25 (twenty-five) and who is attempting to purchase alcohol.
 - (ii) Further to the above, anyone authorised to sell or supply alcohol at the premises shall be instructed that no sale of alcohol shall be made unless suitable identification, for proof of age, can be provided.
 - (iii) Suitable and sufficient warning signs shall be displayed in the premises advising customers of the above policy and the request for suitable identification in connection thereof.

Annex 3 – Conditions attached after a hearing by the licensing authority

- (1) Alcohol shall not be sold on the premises, otherwise than to persons residing there, their bona fide guests, or guests of the owner of the premises by invitation only. This condition applies only to the sale of alcohol for consumption ON the premises.
- (2) No alcohol shall be consumed in the external areas of the premises.

Annex 4 – Plans

This licence permits the licensable activities stated at the premises addressed above and outlined below in accordance with the plan(s) attached and marked 20/00194/LAPREM – 10.



-oOo-

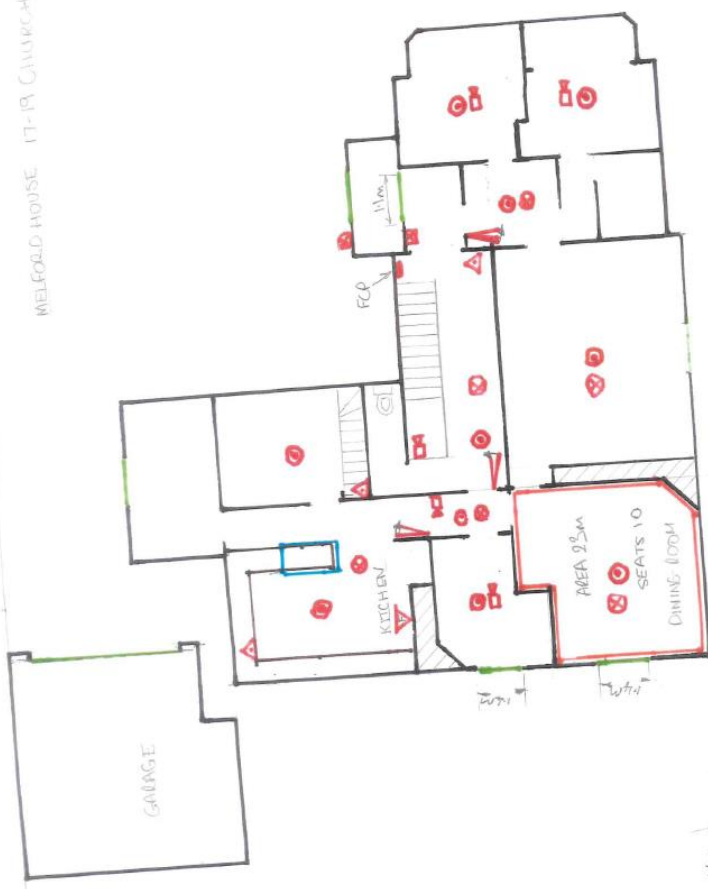
RUSHMOOR BOROUGH COUNCIL, Operational Services,
Council Offices, Farnborough Road, Farnborough, Hampshire GU14 7JU. Telephone: (01252) 398 398

Fax: (01252) 524 017 • Minicom: (01252) 371 233 • Email: licensing@rushmoor.gov.uk • DX 122250 FARNBOROUGH 2

MELFOLD HOUSE 17-19 CAULKICH AVE FARMBOROUGH

SCALE 100:1
-01M M

8m to entrance >



- FIRE SAFETY EQUIPMENT KEY**
- SMOKE DETECTOR
 - FIRE EXTINGUISHER
 - EMERGENCY LIGHT
 - EMERGENCY DOOR CLOSER
 - FIRE BLANKET
 - FIRE CONTROL PANEL
 - FIRE ALARM HORN
 - ALARM ACTUATOR

- COLOUR KEY**
- BOUNDARY
 - ENTRANCE
 - ENTICEMENT
 - ALCOHOL SERVING
 - FIXED FURNISHING
 - FIRE SAFETY ZONE

REPRESENTATION – ENVIRONMENTAL HEALTH
MELFORD HOUSE, 17-19 CHURCH AVENUE,
FARNBOROUGH, GU14 7AT

RUSHMOOR
BOROUGH COUNCIL



Council Offices, Farnborough Road,
Farnborough, Hants. GU14 7JU
Tel: (01252) 398 399
Website: www.rushmoor.gov.uk

Your reference

Contact Helen Pavne

Our reference 21/01738/NOIDOM

Telephone 01252 398170

Email helen.payne@rushmoor.gov.uk

Licensing Team
Operational Services
Rushmoor Borough Council

Date 16 March 2022

Dear Sir

LICENSING ACT 2003

**Representation in respect of review of premises licence
Melford House, 17-19 Church Ave, Farnborough, GU14 7AT**

Individual making representation:

My name is Helen Payne and I am employed as Principal Environmental Health Officer in the Environmental Control & Pollution Team at Rushmoor Borough Council. I have been employed in this capacity by Rushmoor for approximately 14 years and qualified as an Environmental Health Officer in 1997. I have BSc(Hons) Environmental Health and a post graduate Diploma in Acoustics and Noise Control.

Capacity and authority of individual making representation:

I am making this representation in my capacity as representative for the responsible authority for the prevention of public nuisance.

Relevance of representation:

As a responsible authority, I am making this representation in accordance with the procedure for a review of a premises licence detailed in the Licensing Act 2003. This representation is being made, as it is my opinion that changes to the premises licence are necessary to promote the licensing objective the prevention of public nuisance. The grounds for this representation are outlined below.

Nature and grounds of representation:

Melford House is situated in a residential area in Farnborough. It is adjacent to other residential dwellings, which are located on either side of Melford House and immediately to the rear on Salisbury Road. The rear garden of Melford House is a compact area relative to the overall size of the property, measuring approximately 9m x 14m, with the area laid out with tables and chairs. The position of the rear

Chief Executive Paul Shackley • Executive Director Ian Harrison • Executive Director Karen Edwards

customerservices@rushmoor.gov.uk

www.rushmoor.gov.uk

garden of Melford House and its proximity to neighbouring properties can be seen on the plan in Appendix 5. The bar is located in the separate building on the left-hand side of the rear garden of the premises.

Between June and September 2021, the Council received multiple noise complaints from four residents relating to noise disturbance, primarily from people drinking in the rear garden of Melford House.

Shelley Bowman, Licensing Manager outlines in the review application the steps taken undertaken by the Licensing Team in their initial investigation of the noise complaints. This included contact with the licence holder Mr Hallinan on 22 July 2021 to advise noise complaints had been received and that the premises would be monitored.

It is normal procedure that the investigation of complaints about noise from licensed premises are led by the Licensing Team, with input from Environmental Health as required to provide specialist advice on noise and its control. This approach ensures that there is consistency and clarity for both licence holders and complainants in the Council's response to complaints about noise from licensed premises.

As the noise complaints were on going, it was agreed with Environmental Health that the case could be referred to the Council's Out of Hours Service (OOH) to enable noise from the premises to be monitored. The referral of a case to the OOH Service is normal procedure where we are investigating ongoing complaints of noise from domestic, commercial or industrial premises which regularly occurs outside normal office hours and is unpredictable in its occurrence. Complainants are given a reference number and are requested to contact the OOH Service at the time of the noise disturbance to request that the duty officer visits to witness the noise.

The five duty officers employed on the OOH Service all work within Operational Services and provide the emergency response for the Council on a rota providing cover 24/7 whenever the council offices are closed. Within their remit they deal with a range of issues, including attending to witness noise from premises to gather evidence as part of our investigations into noise nuisance. All duty officers are specially trained to assess noise and routinely respond to this type of issue as part of their role. The two officers who attended to witness noise from Melford House have more than nine years and ten years of experience respectively as duty officers for the OOH Service.

Two residents living in close proximity to Melford House were issued with the reference number on 10 August 2021 to enable them to contact the OOH Service.

On 25 August 2021 at 18:29 and 18:45, the OOH Service received calls from two separate residents regarding noise disturbance from people in the garden of Melford House. The duty officer Ruth Whymand was advised that the noise from the rear garden had been going on since 16:54. Ruth Whymand agreed to visit and arrived in the area at 19:30. In the resident's garden, lots of noise was coming from Melford House and the voices of adults and children talking and laughing in the rear garden were clearly audible, plus also noise from children running around, screaming and shouting. The officer could see two children running around and chasing each other and six adults were also visible. The noise levels indicated to the officer that more people were present than she could see, and she estimated between 10-15 people

were present in the garden. The duty officer observed people holding glasses and drinking from them in the garden.

As it was a warm evening, the duty officer would have expected to be able to sit out in the garden, but the noise level experienced from people at Melford House would have prevented her from doing so as she would have been unable to relax and enjoy the garden. Inside the resident's house sitting at the desk where the resident advised they would normally be working in the evening, the noise level quietened momentarily before the children started screaming again and the adults laughing was audible inside the resident's property. The officer felt the noise was intrusive and would have prevented her being able to concentrate on work. The external door was open as it was a warm night. It is reasonable that residents should be able to have their windows and doors open at any time and they should not be expected to have to keep them closed to prevent noise disturbance from another premises.

The duty officer then went into the garden of a second residential property adjacent to Melford House. Similar noise levels were experienced as at the first property from people talking, laughing, shouting and screaming. The officer observed adults drinking from pint glasses containing what looked like beer.

The duty officer then visited the garden of a third residential property adjacent to Melford House. The officer continued to be able to hear children and several adults in the rear garden of Melford House, talking and laughing and the children were regularly shouting and screaming. Inside the property, with the door closed but the window ajar, the officer could still hear children shouting and screaming above her conversation with the resident. At no time during the visit did the officer observe or hear a representative from Melford House taking steps to control the noise from customers. The officer did not note any significant noise from any other source in the locality during the visit.

The officer left at 20:30 and returned to her car parked on the public highway approximately 90 metres from the rear garden of Melford House and could clearly hear voices, laughing and children shouting and screaming the entire walk back to the car. In the officer's opinion, the level of noise witnessed from Melford House was unreasonable and would have prevented residents from enjoying their homes.

On 29 August 2021 at approximately 19:15, the duty officer Richard Apsey received a call from a local resident advising that people were drinking alcohol in the rear garden of Melford House and the resident was experiencing noise disturbance from people laughing and shouting. The duty officer agreed to visit to witness and arrived in the area at 19:25. Upon exiting their vehicle parked on the public highway approximately 50 metres from Melford House, the officer was able to hear voices and laughter coming from the direction of Melford House. Once they were within the resident's garden, the officer was able to verify the noise was emanating from the rear garden of Melford House. The resident advised that they had been experiencing noise disturbance from the premises since approximately 14:00.

The duty officer could see what appeared to be an event taking place with approximately 15 adults in rear garden of Melford House, sitting and standing in groups. The presence of filled pint and wine glasses, indicated to the officer that it was extremely likely that alcohol was being consumed in the garden area.

Within the resident's property with the windows and doors fully closed, the duty officer was unable to hear noise from Melford House. However, with the external door open (as is reasonable) the noise from people talking, laughing and shouting was audible and intrusive inside the property and would have prevented relaxation, or the ability to concentrate when working from home which the resident advised they routinely did.

In the resident's garden, the officer could clearly hear people talking, laughing and shouting. It sounded like people were enjoying themselves. When in the resident's garden, the officer observed it felt like he was sitting in the middle of a pub garden and the noise witnessed was unreasonable and would in his opinion prevent residents from relaxing and enjoying their own garden on that warm evening. The noise was coming from different people at different times, but the noise was continuous during the visit. At no time during the visit did the officer observe or hear a representative from Melford House taking steps to control the noise from customers.

The duty officer noted that aside from the noise from Melford House, it was otherwise a quiet residential area, with no other noise sources significantly impacting on the property at the time of the visit, including airport or road noise. The officer left the site at 20:10 and the noise from people was ongoing when they left and still audible outside the resident's property.

From these visits to witness noise, it was concluded that the noise complaints received were justified. The officers considered the noise from the garden area of Melford House to be unreasonable and as having a significant impact on the ability of nearby residents to enjoy their properties. Information submitted by residents suggest these events were not isolated incidents and formed part of an ongoing problem caused by regular events. On this basis, public nuisance is likely to arise when licensable activities take place in the garden area of Melford House. Furthermore, the licence holder has failed to take adequate steps to prevent public nuisance by promoting the licensing objectives.

Following the hearing in 2017 for the new premises licence, the Licensing Sub Committee included a condition on the licence stating, "no alcohol shall be consumed in the external areas of the premises". This was imposed to address concerns regarding the impact of noise from use of the external areas. The investigation of these noise complaints reinforces why this condition remains appropriate.

In my opinion, the external area is not suitable for use as a pub garden due to the potential for noise disturbance to arise. The area is small and very close to the residential properties located immediately either side and behind Melford House. I would also question the suitability of the venue for young children, particularly given the event on 25 August where adult supervision of children present appears to have been lacking. The owner has also not demonstrated that he was properly controlling and dealing with noise issues from the premises which have occurred because of customer behaviour.

The email titled "Noise complaints – Melford House" in Appendix 3 of the review application outlines how noise nuisance is assessed. In addition to the Licensing Act 2003, Environmental Health also has powers contained in section 80 Environmental

Protection Act 1990, which allows enforcement action to be taken for statutory noise nuisance. Statutory nuisance could be taken for any noise from a premises amounting to nuisance, not just that arising from licensable activities. In this situation, it was considered appropriate for the complex issues associated with the premises licence and planning consent to be considered before it was determined whether further investigation and enforcement action was appropriate for statutory nuisance. As was already occurring, we would always seek to work with the licence holder to resolve these issues first without the need for enforcement action. The noise problem was resolved as Mr Hallinan stopped opening the bar to non-residents and this stopped the noise complaints, so further action was not appropriate at that time. However, as indicated in the review application, issues with the premises licence remain outstanding and still need to be resolved by the Licensing Authority.

On 18 October 2021, I visited Melford House with Shelley Bowman, Licensing Manager and we met with Mr Hallinan to discuss these issues and come to an agreement about suitable conditions to be included on the licence, with a view to these changes being made by a minor variation application. When we met, Mr Hallinan appeared to agree with the recommendations made. However, no minor variation application was subsequently submitted by Mr Hallinan.

To promote the licensing objective the prevention of public nuisance, the responsible authority for the prevention of public nuisance supports the changes to the licence proposed by the Licensing Authority in their application to review the premises licence, whilst enabling Mr Hallinan to operate his business, namely to:

- Attach the plan (given as Appendix 5) to the premises licence and make it clear that it defines the boundary of the licensed premises as the whole of the property. Highlight on the plan all external areas of the property and mark them as such for clarity in respect of the condition stopping alcohol from being consumed in them.
- Amend Annex 3 Condition (1) to read “At any time that licensable activities are taking place at the premises, there shall be no more than 6 people present who are not residing there or bona fide guests of patrons residing at the guesthouse. Non-residents shall be permitted entry by prior booking only.”
- Amend Annex 3 Condition (2) to read “No alcohol shall be consumed in the external areas of the premises. Prominent, clear and legible notices shall be displayed at all exits and external areas to notify patrons of this.”
- Add the following conditions:
 - Prominent, clear and legible notices shall be displayed at all exits and external areas requesting patrons and staff keep noise levels to a minimum in external areas.
 - Procedures for responding to noise complaints shall be established. Written records of noise complaints and action taken in response shall be kept and made available to officers from Rushmoor Borough Council when requested.
 - No pre-advertised events shall take place at the premises at any time when it is open for licensable activities.

Consideration was given to the inclusion of a condition relating to keeping windows and doors closed to reduce noise from the building containing the bar. However, this is not considered proportionate at this time as it was not on the premises licence pre-lockdown when there were no complaints about the premises, and the conditions essentially put the business back to operating as it was before. Furthermore, consideration was given to the fact that the requirement to keep the doors and windows closed would likely result in Mr Hallinan having to install air-conditioning to the building, and by their very nature, air-conditioning units will generate noise and this may also impact on nearby residents.

In addition to any powers contained in the Licensing Act 2003, it remains that the Council could in future take enforcement action to control noise amounting to a statutory nuisance from licensable and/or non-licensable activities at the premises. Residents are also able to take their own action for statutory nuisance using section 82 Environmental Protection Act 1990.

Please do not hesitate to contact me if you have any queries or require further clarification regarding this representation.

Yours faithfully

Helen Payne
Principal Environmental Health Officer
Operational Services

**REPRESENTATIONS FROM MEMBERS OF THE PUBLIC
MELFORD HOUSE, 17-19 CHURCH AVENUE,
FARNBOROUGH, GU14 7AT**

From: [Rushmoor Council Licensing](#)
To: [Aimee Yasser](#)
Subject: FW: Melford House License review
Date: 16 March 2022 08:20:53

From: [REDACTED]
Sent: 15 March 2022 20:47
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House License review

You don't often get email from [REDACTED]. [Learn why this is important](#)

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To: Licensing Manager, Rushmoor Borough Council, Council Offices,
Farnborough Road, Farnborough GU14 7JU

Dear Sir or Madam,

We wish to object to the continuing grant of an alcohol licence at:

Melford House 17-19 Church Avenue Farnborough Hampshire GU14 7AT.

We attended the hearings and objected to the grant of the original licence in 2017.

It appears now that all the objections made at the time regarding it being inappropriate, liable to cause a public nuisance and not conducive to a residential area have all come to pass.

Mr Hallinan has no consideration for the neighbours and is riding roughshod over all the commitments he made at the time of his original licence application.

The public nuisance noise is well documented by neighbours and indeed by Rushmoor Council.

Mr Hallinan is not to be trusted and has shown himself to be not a proper steward of an alcohol licence.

Rushmoor Council should now revoke his licence.

Your faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

APPENDIX D3

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15/03/2022

Representation regarding premises licensing review for Melford House, 17-19 Church Avenue, Farnborough, GU14 7AT. Reference: 22/00136/LAPRER

In March 2022, myself and my two sons moved into [REDACTED] to live with my [REDACTED]. It had been a tough couple of years following my [REDACTED] which has left her with [REDACTED] and also my [REDACTED]. COVID restrictions had made it difficult to spend time together safely and we were looking forward to spending time together.

Our garden in [REDACTED] has always been a sanctuary to us and we enjoy sitting out together in the evenings. Unfortunately, the noise from Melford House was so invasive that it made it impossible for us to do this. The noise was so loud and so intrusive that it was like they were sitting in our garden. The language was appalling and made us so uncomfortable that we would be forced to go inside. My children had to keep their windows shut all evening as their rooms are at the back of the house in an attempt to be less disturbed by the noise. The conversations that were being had were certainly not anything that I would like my children to overhear.

We had created a lovely seating area in the garden which we then could not use and the thought that we may have to endure more of this again is completely heartbreaking. As a family we have lived in this house for nearly 40 years, we love it, especially the garden and get on well with our neighbours. It seems incredible to me that this could be destroyed in this way. We did not buy the house that had a licenced premises with people drinking and making noise late into the night practically at the back of our garden. It seems incredible to me that it was ever considered within a residential area and I would appeal to the review that we should have the right to enjoy our garden in peace and quiet, as should our neighbours.

My [REDACTED] is sitting his [REDACTED] this year and then will, hopefully continue his [REDACTED]. Surely he should be able to study and rest in his own room without the windows closed to try to keep out some of the noise and blackout blinds down to keep out the lights that blaze in from Melford House?

The impact of the activities at Melford's House brought a great deal of stress to us as a family. The noise of children screaming and shrieking in the garden late at night was uncomfortable but the loud and inappropriate conversations of the adults was intrusive and vulgar. My mother started to keep a diary of the really dreadful evenings and it completely ruined our entire Summer.

I would ask that you are mindful of your own principle to prevent public nuisance and consider the impact that the licence of Melford House has had on us as local residents and will protect us from the nuisance, stress and intrusion that it has caused.

Kind regards,





Reference: 22/00136/LAPRER
Review of the premises license at Melford House, 17-19 Church Avenue,
Farnborough, Hampshire. GU14 7AT.

15th March 2022

Dear Licensing,

I am writing in connection with the premises license review for Melford House, 17-19 Church Avenue, Farnborough. Until November of 2021 I lived with my parents at [REDACTED], and had to put up with unreasonable noise from Melford House at least 2-3 times a week.

During this period and due to lockdown measures, I was working from home full-time and much of my work was speaking to various C-level executives at large companies. There have been numerous times in the summer when approaching 4pm onwards, I had to make sure the (double glazed) windows were closed to minimize the noise disruption. I have been on more than one call when the customer has asked what was going on in the background (embarrassingly an important CMO in the US called this out before I'd had the chance to close my windows – this is how loud it could be).

I have also seen the effect that the noise has had on my [REDACTED], whose sanctuary at the end of her busy day was the garden. She has worked on the garden for many years and it really is a beautiful peaceful place to be in the summer. It was her 'chill-out' place where she would just relax and enjoy some downtime. To see this ripped away from her because of the selfish actions of Melford House and the people that frequent it makes me angry – angry that they have no respect for anyone else, and that they think that their right to drink outside and make a public nuisance is more important than the rights of those people who live in close proximity to Melford House (particularly on [REDACTED] as this seems to get the brunt of the noise nuisance).

In addition to this, the noise has disrupted my sleep on many occasions, and despite it being a hot day (and evening), I've had to sleep with the windows shut just to minimize the shouting, laughing and swearing from Melford House people late at night. This is often during week days and I, like others, have to get up early to start work. Sleep has often been disrupted due to the noise coming from Melford House, particularly if I try to get an earlier night due to an early start. This leaves me tired and struggling with my work.

There are plenty of real pubs around Farnborough – and within easy walking distance of Melford House. These pubs have either been in situ for many, many years or have been built taking into account housing around them – as have their beer gardens. In the case of the 'Goat in the Garden' at Melford House – it arrived very much under the radar and into an area that has always been quiet and peaceful. It is inappropriate and the cause of much frustration, especially given its close proximity to neighbouring properties. My parents did not choose to have a noisy pub and pub garden at the [REDACTED] (literally [REDACTED] of the boundary!)

The Swan, The Gloster, The Tilly Shilling, the Aviator, the Village and various long-established pubs at North Camp are all within walking distance – there is no reason for the council to allow this individual to disrupt and upset so many peoples' lives by allowing him to keep his premises licence. I am requesting that Rushmoor Borough Council reconsider the continuance of this premises licence, as the license owner does not promote the licensing objectives, in particular the prevention of public nuisance. The premises licence should be revoked.

Yours faithfully,

[REDACTED]

APPENDIX D5

From: [Rushmoor Council Licensing](#)
To: [Aimee Vasser](#)
Subject: FW: Melford House Licence
Date: 15 March 2022 14:07:18

From: [REDACTED]
Sent: 15 March 2022 14:06
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Fw: Melford House Licence

You don't often get email from [REDACTED]. [Learn why this is important](#)

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[Sent from Yahoo Mail on Android](#)

----- Forwarded message -----

From: [REDACTED]
To: "licencing@rushmoor.gov.uk" <licencing@rushmoor.gov.uk>
Cc:
Sent: Tue, 15 Mar 2022 at 11:02 am
Subject: Melford House Licence
Dear Sir/Madam

I strongly object to the renewal of a Alcohol licence for Melford House Ref 22/00136/LAPRER

The original granting of a licence for this premises was a grave mistake and has resulted in drunk behaviour and unacceptable

noise for a residential area. This is a public nuisance that should never have been allowed in the first place.

It is being run as a public house and is open until the early hours with total disregard to adjoining residents.

Yours sincerely

[REDACTED]

APPENDIX D6

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Review of licence in respect of Melford House
Date: 15 March 2022 08:10:00

-----Original Message-----

From: [REDACTED]
Sent: 14 March 2022 23:29
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Review of licence in respect of Melford House

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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Dear Sir,

We are writing to express our concern over the granting of a licence at Melford House and the distress caused to neighbours of the property by the noise and behaviour of guests in the garden in this normally quiet residential area.

Yours faithfully,

[REDACTED]

APPENDIX D7

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: The Goat in the Garden Pub : 17-19 Church Avenue
Date: 14 March 2022 08:10:13

One against

-----Original Message-----

From: [REDACTED]
Sent: 13 March 2022 13:14
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat in the Garden Pub : 17-19 Church Avenue

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

It has recently come to our notice that the above establishment is about to undergo a Licensing Review and, as we are residents of [REDACTED], we would like to register our views on the subject.

It has always seemed totally inappropriate to have a licensed premises in the middle of an attractive residential area but this is doubly so following the 'lockdown' period of 2021, when the premises in question operated as a full-blown pub with all the noise levels associated - from the parties, screaming, shouting, laughter, bad language and cigarette smoke pollution which were regularly emanating from the premises during that time. In addition, we have noticed an increase in cars speeding along [REDACTED] during our leisure time, which is both disruptive and dangerous for local residents.

It can be said that the experiment has been tried and failed because of the effect on the residents of the local area and we hereby register our disapproval of the granting of a license. We were regularly made aware of these effects during that time - both from our own experience and from the comments of acquaintances in the local area, and would be gratified if you refuse any extension of the license and change the premises back to a residential facility again.

With our thanks, in anticipation,

Sincerely,

[REDACTED]
[REDACTED]

Sent from my iPad



The Licensing Authority
Rushmoor Borough Council
Farnborough Road
Farnborough
GU14 7JU

REF: *The Goat in The Garden* Licence

Dear Sir/Madam

I am writing to you in respect of your consideration of licensing for the above establishment in Church Avenue. Might I draw your attention to a post on the Facebook page of *The Goat in the Garden* posted on March 7th:

Well folks it's that time!
We need your help
If you want to keep us open to you folks you need to write to
licensing@rushmoor.gov.uk
ref Melford House

To avoid being rejected your email should answer one or all of the following:

- 1) Is the Goat quiet? Or is it rowdy compared to for example a pub?
 - 2) Is the Goat free from crime? Like drugs or theft that you see in many pubs in the area
 - 3) Is it a safe place to come to? Is there a threat of violence like in a lot of bars in the area
 - 4) Is it a safe place for your children?
- (Give your name and address)

The more emails the more the community support we get!
Get writing!

All the best from the Goat!

By now you will have received numerous messages of support for the licence and all of them covering the above points. Examples of how to word the support are also available on *The Goat in the Garden* Webb site.

My concern as a member of the local community is for item 1, as the others are covered in basic law. There is no question that when alcohol is taken the human volume increases and leads to shouting conversations and raucous laughter. There is nothing I like more than to be in a jovial setting, but we must respect the impact on our surroundings. Indeed, were there a nest of eagles in a nearby tree, the beer garden would have been off-limits period!

The [REDACTED] of [REDACTED] have been subjected to a barrage of noise and this is just not right. Unlike the peeling of the bells from our local St Peters church which is a dream in this residential area, party time in [REDACTED] is not. The balmy summer's evenings will soon be upon us and I am dreading a regular noise intrusion. Please understand that we firmly believe that everyone is entitled to have a party, but not on a regular basis.

Yours sincerely

[REDACTED]

PS By the way, did you know that the slang for *The Goat in the Garden* is a derogatory term for malfunctioning clothing around a female's derriere? A rather strange choice for a licensed premises.

[REDACTED]

APPENDIX D9

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Opposition to renewal of alcohol license for Melford House
Date: 14 March 2022 08:08:17

-----Original Message-----

From: [REDACTED]
Sent: 13 March 2022 11:16
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Opposition to renewal of alcohol license for Melford House

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Licensing Manager

We are residents in [REDACTED]. Please take this email as our opposition of Melford House having their alcohol license renewed. We are upset that such a lovely, quiet, upmarket area is having its reputation damaged by what is meant to be a bed and breakfast establishment. Why would anyone allow a 'pub/beer garden' to be allowed in such a residential area? If people staying at Melford House want to have a drink, The Swan Pub is within walking distance and also there are pubs in the nearby town centre. It's totally unacceptable for local residents to put up with this public noise and have the intrusion. It will not help our house prices in this area and that is totally unfair to all of us living here. I have also heard that Mr Hallinan, the owner of Melford House, has not enforced the licensing rules and is taking advantage of gray areas. This seems to be unfair and unthoughtful to residents in the surrounding area.

Thank you
[REDACTED]



Re: Review of the premises licence at Melford House, 17-19 Church Avenue, Farnborough, Hampshire, GU14 7AT.

Reference: 22/00136/LAPRER

15th March 2022

Dear Sir/Madam,

We are writing with regards the review currently being undertaken in respect of the premises licence at Melford House, Church Avenue, Farnborough. We submitted a representation against the premises licence being issued back in 2017, and it seems that the concerns we had then have manifested themselves.

We have witnessed first-hand the appalling noise emanating from Melford House, both whilst visiting friends and family in [REDACTED] and also on a number of separate occasions at night when walking our dogs around the vicinity of [REDACTED]. The noise from the place and the language that we have heard is frankly disgusting – these people should be ashamed of themselves – and I cannot believe that Rushmoor Borough Council have allowed this to happen in this peaceful, quiet area.

The license holder has not been promoting the licensing objectives, and in particular the Prevention of Public Nuisance, and as with our objections to the premises licence previously, we believe that the review panel should take all appropriate steps to remove this premises licence. It is not acceptable that everyone around Melford House is subject to this unreasonable noise and the swearing and shouting – never mind those poor people who Melford House overlooks.

This kind of establishment has no place in this area and it's time for Rushmoor Borough Council to right a wrong.

Yours faithfully,



Representation regarding premises licensing review for Melford House, 17 – 19 Church Avenue, Farnborough GU14 7AT Reference 22/00136/LAPRER

The construction of a large outbuilding at the rear of Melford House in 2016 caused my husband and I to question its purpose, but not to harbour any real concerns, especially as our neighbours at [REDACTED] had seemingly allowed the workmen, working on the outbuilding, to enter their garden and dismantle their existing fence and erect a new one. It was only at a much later date that we discovered that this was not the case and that permission had not been given for the removal of the fence and it had actually taken place whilst the occupants of [REDACTED] were away on holiday.

Our concerns increased however, with the arrival of a letter from the Council stating that Melford House was applying for a music and alcohol license to operate between 12 pm to midnight Monday to Thursday and between 12 pm to 1am Friday, Saturday, and Sunday. The granting of the license was aimed at the outbuilding which, had by then, been granted retrospective planning permission as a Games Room for residents staying at Melford House. We were naturally dismayed and upset at the prospect of having a pub in such close proximity. It was certainly not in keeping with [REDACTED] a place renowned locally as a quiet, favoured area to live in. A large cohort of neighbours were equally concerned and £5000 was donated in 5 days to fight the application. The music application had been withdrawn but, sadly, despite many objections from the residents of the local vicinity, the alcohol license was granted. It did, however, bear restrictions that banned the consumption of alcohol outside and gave clear clarification to whom alcohol could be served. At the time, I believe the committee members genuinely thought that the restrictions imposed, compounded by Mr. Hallinan's statement of catering for a "largely professional clientele who would be unlikely to drink in excess or be rowdy", along with his reassuring statement that "invited guests" would be local business owners for one off opening days, (not an open invitation to people he knows or the whole of CAMRA!) would ensure that one of the key principles of their Licensing Policy, the prevention of public nuisance, would be upheld.

During lockdown, unbeknown to myself and other neighbours, Mr. Hallinan was granted a "minor variation" to his license. I only became aware of this when, after initially thinking a one-off party was being held somewhere close on a Sunday afternoon, the noise and disruption became more frequent, and with it, the realization that the sessions were emitting from the garden of Melford House. The house and garden are set high above the properties in [REDACTED] allowing noise to easily infiltrate into the gardens and houses below. It is highly feasible that most of those who are using the outside area, are perfectly reasonable people, and may be totally unaware of the stress and noise they are creating. For them they were having a good time with friends and family in a pub garden from which

they could return to the sanctuary of their room or home where, if they chose, they could sit enjoying the tranquility of a late summer evening in their own garden. Unfortunately for those of us in [REDACTED] it was not the case. For us, our afternoons and evenings consisted of screaming children, shrieking, shouting, loud laughter and occasional swearing. In June I began to start an "informal diary" of the nuisance we were enduring. By August I felt compelled to complain by phone to the Council and was advised to keep a formal record using the Council's Diary Notes.

As both my informal notes and formal complaint notes will confirm, drinking was taking place in the garden of Melford House leading to a perception of raucous behaviour. There was clearly no regard or understanding by the owner of the establishment given to the impact that this noise was having on the neighbours that bordered on the rear of the pub garden. The noise was so invasive that on these occasions my daughter and myself were unable to use our garden and had to retreat indoors. My grandsons had to shut their bedroom windows when they needed to study. Beside the mental strain that this invasive noise caused, there was the added stress that you were never sure when, or if, the noise was going to set up again, although Wednesday "Pizza nights" were a certainty! When it was quiet you were always on tender hooks that the noise would start up again. This all takes its toll, I felt stressed enough, but I became increasingly concerned about my neighbour's wellbeing, her property being in [REDACTED] to the beer garden than mine, and consequently enduring more of the noise. Her blood pressure levels were extremely high and dangerous and I begged her to go to the doctors. I did actually record this on one of my diary sheets.

Our complaints were listened to by the Licensing department and over a period of 4 months Council representatives met with, and emailed Mr. Hallinan, in order to provide him with a number of opportunities to apply for minor variations. Despite implying he would do so, he obviously hasn't. I feel this shows a contempt for the Council officials who have, by their own admission, "tried to work with him to agree changes and make it work for him", but also contempt for the households in [REDACTED] that his "pub garden" seriously impacts on and with whom he has not bothered to communicate at any stage.

I feel that as Rushmoor residents we are entitled to enjoy the peace and tranquility of our own gardens and not be denied access to the areas we love, as was the case in the summer of 2021. Mr. Hallinan does not promote the licensing objective of the prevention of public nuisance I feel Mr. Hallinan's history of pulling down someone else's fence without permission, trespassing, building a games room without prior permission, not adhering to the spirit of the previous restrictions and using these "grey areas" to the detriment of others does little to reassure me that any new variations will be adhered to.

I have lived in harmony with my neighbours for 38 years and love this supportive community where we all look out for each other. I feel it is not acceptable that I may, once again, be placed in the insidious position of having to monitor and keep diaries and report on a neighbour's activities in order to live in a peaceful environment. This places far too much pressure on anyone's mental well-being. I fully believe that the Council representatives want to uphold their licensing objectives but, I also believe that unless the

license is revoked this will not be achieved. Other "grey areas" could once again be "misinterpreted". As is the case in most hotels the bar area is confined to the inside of the hotel itself which, is perfectly reasonable. Everyone is entitled to have a drink and relax but not at the expense of the mental well-being and health of others. This may be something to be considered by the committee.

Thank you for taking the time to read this submission.

I attach both my informal and formal notes.



13th March 2022.

noise from Melford House

(1)

29/6 7.10 pm. Once again raised voices from the rear of Melford House, loud and ~~disruptive~~ intrusive. Shrieking children and a particular woman. Fed up. Same noise as on Wed & Fri. Shout etc

3/7. Really noisy again from Melford. As the 1/4 finale so might be why. Hope so. Appears he has licence extended to allow drinking in his garden. Can't believe it !!

9/7th. Here we go again! Usual shrieking, loud voices & drinking. Looked at the Council's 2018 Statement of Licensing Policy. Think it has been breached. Made note of clauses that think have been broken. Will mention to [REDACTED]

21.7. Despite perforated eardrum am still disrupted by noise from Melford House. [REDACTED] said it was bad again last Weds evening/night as well. Swearing as well as drinking apparently. Glad we're going away!

noise from Holford.

(2)

22/8. Here we go again! Last night as well. Actual drinking / loud voices - obviously drinking as noise gets louder as it gets later. Also can hear people shouting. Really fed up that Council has allowed this!

22.8. House noise = massive noise from Holford. Have visitors tomorrow. Hope this doesn't happen whilst they're here. Told them it was really peaceful round here! Ha! Ha!

25/8 Wednesday night again! Apparently the 'Brew Night' ^{26/8} spoke to Council and complained. Had enough! Apparently official sheets for complaints will be downloaded. Told to keep a diary.

26/8 spoke to [REDACTED]. Says the Council hasn't given him permission to have drinking in the garden so he is in breach of his licence.

[REDACTED] 26.8.21

RUSHMOOR BOROUGH COUNCIL



Council Offices, Farnborough Road,
Farnborough, Hants, GU14 7JU
Tel: (01252) 388 389
Website: www.rushmoor.gov.uk

Reference:
Case Officer:

DIARY SHEET FOR NOISE NUISANCE COMPLAINTS

The Council will investigate complaints of statutory noise nuisance under Section 80 of the Environmental Protection Act 1990. In order to help in the assessment of your noise problem, please use this diary sheet to keep an accurate record over the next 7-14 days of the dates and times when you are disturbed by unreasonable noise.

Please sign and date each page of the diary sheet and return to Operational Services, Rushmoor Borough Council, Farnborough Road, Farnborough, Hants GU14 7JU or by emailing to environmental.health@rushmoor.gov.uk. You are advised to keep a copy of the diary sheet for your own records.

If you have any queries about completing the diary sheet, please contact us on 01252 389177 or environmental.health@rushmoor.gov.uk.

Date	Time Start	Time Finish	Describe the type of noise disturbance		Name of Noise Source (if known):	Describe how the disturbance affects you	
e.g. 08/09/2020	09:30pm	10:40pm	Loud music being played constantly			I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV	
25-8-21			Ski1 cont-inuing road works. Loud, raised voices 8pm when 2 cars forced inside		17-19 Church Avenue Farnborough GU14 7AT	Had to retreat indoors as the noise was unbearable. (8pm) Complainant by phone to Council on the am. of the 26/8/21	
29.8.21	7.30pm approx	7.50pm approx	Incessive noise - children, adult, loud voices, sound of drinking glasses, music			Settng in garden was not a good experience. Once again. (Noise increased on the evening progressed.)	

but by 7.30pm approx
getting disruptive to sitting
in garden

of drinking glasses, music
not loud but disruptive.
Noise increased on the evening progressed.)

Local 82 Rev. Ad

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RUSHMOOR BOROUGH COUNCIL



Council Offices, Farnborough Road,
Farnborough, Hants, GU14 7JU
Tel: (01252) 396 589
Website: www.rushmoor.gov.uk

Reference:
Case Officer:

DIARY SHEET FOR NOISE NUISANCE COMPLAINTS

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If you have any queries about completing the diary sheet, please contact us on 01252 396177 or environmental.health@rushmoor.gov.uk.

Your Name:		[Redacted]		Name of Noise Source (if known):	
Address:		[Redacted]		Address of Noise Source: Medford House 17-19 Church Avenue Farnborough GU14 3NR	
Telephone Number:		[Redacted]			
Email address:		[Redacted]			
Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you	
e.g. 08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV	
2-9-21	6.50pm	10pm onwards	loud voices, clunking glasses, shouting children, getting louder as evening progresses	Constant noise which interrupts and changes of sitting outside peacefully in own garden. Garden Road is close bedroom windows. Contacted Council	

continuing

→

15

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
2/9/21		2:50 PM Chill gym	Over again loud voices. Children. Cluttering of glass. Gets louder as evening progresses.	Can't relax outside. Constant noise which disturb any chance of sitting outside peacefully. Head is sore. Bedroom loud sounds when want to lay down. Earning again and made a complaint and also reported my concern about both the mental & physical issue being of my neighbors & of S. She is externally distressed & painful - most unlike her. Advised she to go to the doctor.

I, [redacted] certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed: [redacted] Date: 2/9/21

Please see informal notes that I was keeping prior to
 finding out that the conditions of the 'minor variations'
 to Holford House license did not allow drinking outside
 in his garden

6

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
8.9.21	5:40 hr	?	Musical band, intrusive voices. Pizza night again. Generally should use for so loud as would band, raised voices	as written before. It makes it impossible to cut outside & enjoy the peace of your own garden like having a pub. backing onto you. Generally disturbing outside as voices get louder as evenings progress.
15.9.21			I was awoken by my daughter said it was the usual noisy words evening.	
16.9.21			Returned from holiday - noise noise coming from Rajesh's home	
17.9.21			alone male voices & shouting.	

I ... certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.
 Signed: ...
 Date: 20 Sept '21

②

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
22.9.21	around 7pm	?	usual noise - raised voices, children but not too loud as usual. some bickering of daughter.	As usual can't hear it. It was once I needed this year for relaxing because of the amount of guards with the Gem the garden and Maford House.

I certify that the information given above is a true and accurate account of the noise disturbance.
I understand that these records may be used as evidence in court.
Signed:
Date: 22.9.21

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Reference: 22/00136/LAPRER
Review of the premises license at Melford House, 17-19 Church Avenue,
Farnborough, Hampshire. GU14 7AT.

16th March 2022

To whom it may concern:

I am writing in connection with the premises license review for Melford House, 17-19 Church Avenue, Farnborough. Whilst I am now [REDACTED], my [REDACTED], which I have been returning to during reading weeks, Christmas, and the summer.

Melford House links [REDACTED], and during the summer of 2021, was particularly disruptive and loud, with high levels of noise extending beyond 11pm into the early morning at times. I have experienced first-hand the disruption and noise induced by the guests attending Melford House – specifically when in use of the garden. My [REDACTED] is [REDACTED], at level with the [REDACTED] of Melford House. Consequently, I am in an unfortunate position when completing work or being in my own space, with the frequent disruptions caused. Additionally, I have documented issues with sleeping and anxiety, therefore the noise pollution can at times be troubling coupled with these issues.

These disturbances, including shouting, loud laughter, and children screaming, can be heard through shut windows and headphones. From approximately 4-5pm, the noise begins; this can begin to die out around 10-11pm on some nights while other nights continue until 1-2am – including weekdays and weekends. Due to the loudness of the guests, I have overheard many conversations, including talking about women in a sexually derogatory manner, and drunken altercations. One incident on the 11th December 2020, I woke up my mother out of concern of the noise, sounding as though it were in our [REDACTED] or [REDACTED]; this noise was composed of shouting and swearing men at around 1am. This interfered with my ability to sleep, which has happened on multiple occasions. As I understand it, this breached the approved licensing hours and may have been outside the government's COVID-19 restrictions in place at the time. [REDACTED] [REDACTED] [REDACTED] [REDACTED] of Melford House. I have never seen or overheard any attempt to control the guests by asking them to quieten down or bring them indoors. There appears to be little concern for the noise volume, particularly after residential hours, or anyone monitoring to control potentially disruptive behaviours.

The disruption caused by Melford House guests has had a detrimental effect on the mental and physical wellbeing of my [REDACTED], unable to use [REDACTED] own garden space for enjoyment and relaxation. There is a very real, physical impact on peoples' health

caused by noise pollution, with my [REDACTED] experiencing her [REDACTED] to dangerous levels. The levels of noise experienced by the community are a public nuisance.

As of September 2022, [REDACTED], consequently I will be completing [REDACTED] and [REDACTED] over the summer. I am contemplating staying [REDACTED] over the summer break as to avoid the same kinds of obnoxious noise and disruptions produced by the inconsiderate actions of the owners of Melford House and their guests. The licence owner does not promote the licensing objectives, in particular the prevention of public nuisance – which we have experienced on a regular basis, multiple times a week, which they seem to have no appetite to resolve. The premises licence should be revoked as a consequence of the owners' breaching behaviours.

Yours faithfully,

[REDACTED]

**Representation regarding the premises license review of:
Melford House, 17-19 Church Avenue, Farnborough, Hampshire. GU14 7AT.
Reference: 22/00136/LAPRER**

Submitted from: [REDACTED]

Dated:

15th March 2022

1. SUMMARY:

1.1 We are submitting our representation in respect of the ongoing issues we have experienced over an extended period with Melford House, which was granted a premises licence in September 2017. The license holder, Mr Hallinan, has (i) been in breach of the terms of the premises licence on a number of occasions (section 3.1 refers); and (ii) shown time and time again that he does not promote the licensing objective of Prevention of Public Nuisance (section 4 refers).

1.2 Our evidence, as set out in this representation, will support our view that the Council should not just amend the licence, but should revoke the licence in its entirety – only then can the residents in [REDACTED] who are seriously affected by the irresponsible behaviour of the licence holder, be sure that the public nuisance caused by Melford House will be prevented. The license holder has shown on multiple occasions that he will manipulate and interpret to suit his own needs, with no consideration for either the spirit of the agreement with the Council, or residents impacted by his actions.

2. BACKGROUND & POINTS OF CLARIFICATION:

2.1 Please refer to Appendix A which sets out (i) the history of our interactions with Mr Hallinan at Melford House, and (ii) important points of clarification in relation to the misleading and untrue statements Mr Hallinan has made in various emails to Licensing, as included in the Council's submission documents.

It is important for the Committee to read Appendix A and understand the facts rather than be led by Mr Hallinan's unsubstantiated, and misleading comments in his emails to Licensing.

3. BREACHES OF THE PREMISES LICENCE:

3.1 The premises licence granted to Melford House allows for the carrying out of licensable activities as follows:

- Monday's to Thursday's - 12:00pm to 00:00midnight; and
- Friday's to Sunday's – 12:00pm to 01:00am the following day.

These terms have been breached on at least two occasions that we are aware which the Council has been previously notified of. Note, it is entirely possible that numerous other breaches have taken place but we have not monitored:

- Friday 11th December 2020 – finished at 1.30am (note, this was an event that Melford House hosted whilst certain COVID-19 restrictions were in place – see section 4.1.6 for more details).
- May 2021 (specific date not captured but noted as being a Saturday & Sunday) – raucous behaviour ongoing at 12.30am.

4. LACK OF PROMOTION OF THE LICENSING OBJECTIVE OF PREVENTION OF PUBLIC NUISANCE:

4.1 Noise Nuisance:

4.1.1 One of the key objections raised when Melford House first applied for a premises licence in 2017 was concerns about noise. Given its elevated position (and given most activities would likely occur in late afternoon and evening) concerns were raised that the noise emanating from Melford House was more likely to impact the households directly behind it in Salisbury Road.

This indeed turned out to be true, with the unexpected and unwanted arrival of the aptly named 'Goat in the Garden' and its associated 'pub garden'. It is worth pointing out that at the hearing in 2017, Mr Hallinan told the Committee that:

- (i) He was not seeking to use the garden for the consumption of alcohol which would be confined to the buildings;
- (ii) Children and families were not his target clientele and were unlikely to be attracted to the premises due to the relatively high charges;
- (iii) It was unlikely that people would wish to drink in excess or be rowdy; and
- (iv) He wished to hold occasional 'open days' to show facilities to businesses, as well as visits by those who arranged bookings on behalf of businesses – hence the request that he was able to include 'invited guests'.

He has since reneged on **all four** of these points.

4.1.2 Mr Hallinan took advantage of what he perceives as 'grey areas' in the licensing drafting as well as the 'minor variation' which was granted in 2020. We did not know about the minor variation request at the time as we were not informed – had we been informed we would have submitted a representation against the issuance of such 'minor variation'. The Council should have concerns with this variation being granted without the households most affected being notified, as well as concerns about the validity of such approval being in contradiction to the Council's published policies.

4.1.3 Mr Hallinan started encouraging the use of his 'pub garden' throughout the spring and summer of 2021 after the relaxation of lockdown measures - purposefully extending the guests from 'hotel residents' and 'invited guests', to families, non-resident guests, and an open invitation to any member of CAMRA. For reference, CAMRA has over 180,000 members. This is not in the spirit of the licence that was granted in 2017, and Mr Hallinan has, as usual, interpreted to suit himself with absolutely no consideration for those who may be impacted.

4.1.4 Summer of 2021 was horrendous. From May 2021 through September 2021 we were unable (or unwilling) to sit in our garden due to interruption from (or anticipation of) the shouting, swearing, loud laughter, screeching and children screaming. We have endured the sound of people being sick, falling over, disgusting language (usually later at night) and booze fuelled arguments and altercations. Mr Hallinan has admitted in his emails to Licensing to dealing with one such incident, but there have been many more where he seems to be unusually silent on the matter. We have kept diary sheets (see Appendix B) and recorded the noise, both from inside and outside of our house (see Appendix C) for these months – something we have not enjoyed doing but have endured at the behest of the Council so that evidence could be provided. All of the diary sheets and video recordings were submitted via Dropbox to Licensing in 2021, however we have included some of the recordings in this submission (see separate emails, and you may listen via Licensing's access to the Dropbox account if you wish via this link – note you will need to have a Dropbox account to view: <https://www.dropbox.com/sh/zik9imv3tp6qpkx/AADSi6r0EhfjrTo0-xSFI--Oa?dl=0>). The noise nuisance seriously impacted nos. [REDACTED], and was independently

witnessed on two separate occasions by officers from Rushmoor Borough Council, who attended after calls from said residents.

Occurring on numerous occasions throughout the week and at weekends, we have endured unbearable noise caused by the guests of Melford House, both from inside the 'Games room' (now a pub it seems) and in the 'beer garden'. Bear in mind that instead of using the large frontage of Melford House for his 'beer garden' (which we estimate must be 80-100ft + and which then has a road in front before it impacts another residential boundary), Mr Hallinan chose to position his 'beer garden' at the back of the house, in a much smaller garden area, directly up to the boundary, separated from the gardens in [REDACTED] with a thin wooden fence. This means that his guests are literally sitting by the fence, in an elevated position, and the noise is not muffled or reduced. Mr Hallinan appears to make no significant effort to reduce the noise. The noise has started anytime from around 4pm in the afternoon, carrying on until late in the evening – the noise diary sheets have recorded the dates and times of same. It impacts us mentally, physically, in our work (we both work from home), our ability to enjoy our home, and our ability to just enjoy our garden.

In trying to give credit to his guests (despite their nasty comments about us on social media), we can only suppose that they genuinely do not understand the impact their loud laughing, shouting, talking, screeching etc has on the neighbours in [REDACTED]. We cannot fathom that any reasonable person, should they experience the noise as it is from our side, could possibly determine it was acceptable. Their perception of what constitutes a noise nuisance is not objective – they are the ones creating the noise, and they are physically sitting in an elevated area so therefore cannot possibly understand what they sound like from our perspective. I would like to think that these people are decent and simply enjoying an evening with Mr Hallinan – no-one is disputing that Mr Hallinan may well be an excellent host to his guests – but the key difference which they should perhaps consider, is that when they have finished their jolly evening at our expense, they get to go home to their houses, and if the evening is fine, enjoy sitting in their gardens in peace and quiet.

4.1.5 We have not been afforded the luxury of actually being able to sit in our garden undisturbed. Even when there is no noticeable noise emanating from Melford House, we always feel 'on edge' and anxious – not knowing if and when the noise will start. We have had guests over and have been unable to sit outside because of the noise, and as we work from home often on conference calls in the early evening, we have to shut all doors and windows (and even then it could still be heard on occasion). One of the diary entries notes that the first opportunity we had to sit in our garden without the raucous noise from Melford House, was at 11.15pm! Being able to sit in our house and garden without suffering a noise nuisance is a basic right and Mr Hallinan's profits – made from his 'pub' (which he introduced by stealth) – should never be at the expense of neighbours.

4.1.6 The impact of COVID has affected us all. With the easing of restrictions in 2021 we were looking forward to finally being able to spend time with our family and friends, and enjoy various summer events – especially after one close friend had recovered from being intubated and in a coma between January 2021 and April 2021. Being able to enjoy time together was all the more important as [REDACTED] had suffered a [REDACTED] in December 2020. Whilst she was alone in Frimley Park Hospital and unable to receive visitors, Melford House was merrily hosting a Christmas event on the 11th December 2020 that finished at 1.30am. We are aware that it was a Christmas event because one of the attendees mentioned it to a [REDACTED] whilst [REDACTED] for them stating that he was surprised it went ahead – he is not willing to be named.

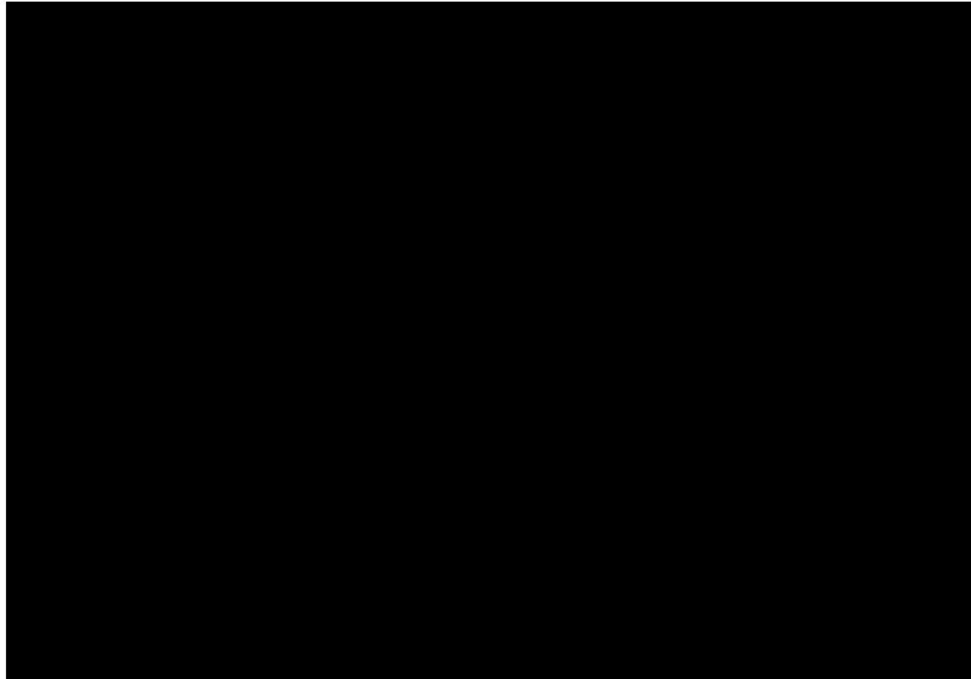
Looking back at the restrictions in place at the time, we cannot see that Mr Hallinan complied with his legal obligations, but regardless, said event was not only in breach of the terms of the premises licence, but also caused a significant noise nuisance. My daughter, whose room is at the back of the house, was woken by shouting. She thought that people were in our garden

and was scared. She came and woke us up and we contacted the Council (see Exhibit 2). This was also recorded on the diary sheets. What makes this all the more shocking is that Rushmoor was in Tier 2 on 12/12/2020, and had seen a 109% increase in COVID infections from the previous week – and also had one of the highest infection rates in the country. In our opinion, the fact that Mr Hallinan hosted such an event with the restrictions in place and with local infection rates soaring, was not only selfish but highly irresponsible.

4.1.7 All in all, these irresponsible and selfish actions have caused huge issues, not only compromising our ability to use our house and garden without interruption, but also health issues. Again, as noted on various diary sheets, when the noise is at its worst it causes stress, anxiety, and dangerous blood pressure readings (including hypertension stages 2 & 3 – whereby the chance of a stroke or heart attack is significantly raised). There are numerous articles and studies that show a direct correlation between elevated noise levels and impact on health. [REDACTED] GP is well aware of the impact that the noise nuisance has had on her from a stress, anxiety and physical health perspective, and [REDACTED] is now on lifelong medication to try and keep [REDACTED] blood pressure at non-dangerous levels. It is agreed and documented that the noise disturbance from Melford House exacerbates [REDACTED] stress and elevates [REDACTED] blood pressure to dangerous levels.

4.2 Light Pollution:

4.2.1 We have noticed that Melford House is now lit up in its entirety at the back of the house at night. We are aware that security or access lighting should not be operated so as to cause a nuisance to nearby occupiers – and all external lighting should be directed away from adjacent occupiers. Given Melford House's elevated position the lighting installed causes a direct nuisance to us, particularly on the first floor where the bedrooms are on a level with Melford House. These lights are often on until well past 1am. This is not acceptable and we consider it a public nuisance. We have now installed temporary black out blinds to minimise the impact of this light. Below are some images taken in the last week to indicate how bright these lights are.



CONCLUSION

We are extremely disappointed that we yet again find ourselves embroiled in an unwanted and time-consuming dispute with Melford House and Mr Hallinan. We have been putting up with his inappropriate behaviour, underhand and unneighbourly actions since 2016. With everything we have all been through in the last two years with COVID, one would have hoped that Mr Hallinan would have approached this matter in a more sensitive way. Instead, he has by stealth, manipulation and misinterpretation, installed a pub and a pub garden which is not only in a previously quiet residential area, but also right on the boundary of his neighbours' gardens, and created substantial statutory noise nuisance.

Mr Hallinan has not communicated his plans with any of the households in [REDACTED] affected by him, or approached from any kind of consultative/collaborative way, instead focusing his attention on one person and making out that he is some kind of victim to [REDACTED] so-called 'vendetta' (again, please read Appendix A for the facts). This is tiresome, lazy and frankly quite boring now – he should have put his efforts into promoting the licensing objectives and ensuring his patrons did not cause a public nuisance. In addition, Licensing have given him ample opportunity to rectify the situation, but Mr Hallinan seems to be intent on having his own way– despite volumes of evidence proving that he is not promoting the licensing objective of prevention of public nuisance. His actions have so severely affected and disrupted our lives, that we are quite prepared to continue to stand up to his bullying behaviour. Mr Hallinan has been requesting that his guests write to Licensing in favour of his pub – even telling them what to write – however their submissions should not be given any significant weight as they simply cannot fathom what they sound like from our perspective (and they have a vested interest in keeping this wholly inappropriate establishment open).

Our view is that this individual cannot be trusted to uphold the licensing objectives. He continues to make a mockery of Rushmoor Borough Council by twisting and manipulating to suit his personal agenda; there is a mountain of evidence proving the continued noise nuisances also witnessed by Council employees, and yet he continues to believe that he is not in the wrong and refuses to rectify the situation. He should never have been allowed to sell alcohol in an outbuilding in the first place and the Committee should remedy this (planning permission was granted for a Games room, not a pub and there are also questions in the Council's submission as to whether he is also in breach of the conditions of planning permission granted to change Melford House into a B&B).

If Mr Hallinan truly wanted a licence to provide a residents' bar service to the B&B guests as he first set out, then the bar should be in the main house (as most B&B bars are), and any smoking areas should be in the substantial area at the front of the house to minimise noise impact on the residents of Salisbury Road. As an aside, on reviewing the approximate 344 'pubs' listed on the CAMRA Surrey/Hants borders (eleven of which are in Farnborough and include hotels, social clubs and golf clubs), Mr Hallinan has the unique honour of being the only 'bar' operating in a 'games room' in his back garden, less than a metre from a residential boundary. There's probably good reason for that.

We are firmly of the belief that **the Melford House premises licence should be revoked, or in the worst case, should be limited to a residents only bar inside the main house with no access to the back garden** by patrons so as to promote the licensing objective of prevention of public nuisance, and the 'Games room' should be a games room per planning permission granted. We have no confidence in this individual or his ability to comply with the terms of the premises licence, as has been proven to date. He has shown time and time again that he acts irresponsibly and does not promote the licensing objective of Prevention of Public Nuisance. We would appreciate the Committee's support to ensure that the horrendous noise nuisances we have endured will not be repeated.

APPENDIX A

BACKGROUND & POINTS OF CLARIFICATION

1. HISTORY OF INTERACTIONS WITH MR HALLINAN, MELFORD HOUSE:

- (i) We moved into our house at [REDACTED] in February 2001. We purchased this house on the basis of it being in a quiet, peaceful area with good links to schools for our children. Melford House was at that time, a residential care home.
- (ii) Prior to 2016 we had very little contact with Mr Hallinan, and therefore considered him of little consequence. There are only three occasions that we can recall any contact with him prior to 2016: (i) when our cat got stuck on the roof of Melford House and had to be rescued; (ii) when we sent him an extremely polite text message at approx. 11.30pm on a summer's evening (year unknown) saying that whilst the guitar music being played through amplifiers in his garden was very nice, it was very late and could he please turn the volume down (we received no answer to this request); and (iii) in 2015 when he was peering over the fence into our garden (from behind a tree!) for an extended time, and we challenged him on why he was peering into our garden (although initially we thought it was one of his guests, not him). All in all, we had little to do with him as he was not of any significance.
- (iii) In 2016, we returned from holiday to find that part of our 6ft fence at the bottom of our garden had been removed without our knowledge or permission and had been replaced with a fence approximately 15ft high. This was a shock, and we were angry that not only had Mr Hallinan done this without our permission but had more than doubled the height of the fence, which entirely changed the look and feel of our garden. Due to the way this new fence had been built (not a continuous fence) there was a gap and our dog managed to escape our garden through this gap - luckily, he was found later. In addition, we witnessed an individual (unknown if an employee or a contractor) trespassing on both our neighbour at [REDACTED] property, as well as our own, to spray the fence on our side. Unfortunately, this was spotted just as he'd finished spraying the fence, and he climbed back over the fence between us and [REDACTED] and then back into Melford House's garden before we had the opportunity to challenge him.

Whilst shocked by Mr Hallinan's behaviour, we decided that logically (and whilst an eyesore at that time), a higher fence at least afforded us more privacy (and the area behind the fence on Mr Hallinan's side has previously been a rubbish heap, so in that regard it was at least an improvement). Our mantra was very much 'choose your battles' and we did not challenge Mr Hallinan on his actions (with hindsight we should have). A point to note here is that we found out earlier this year that a fence of this height requires planning permission – Mr Hallinan has not - to date - obtained planning permission for this fence.

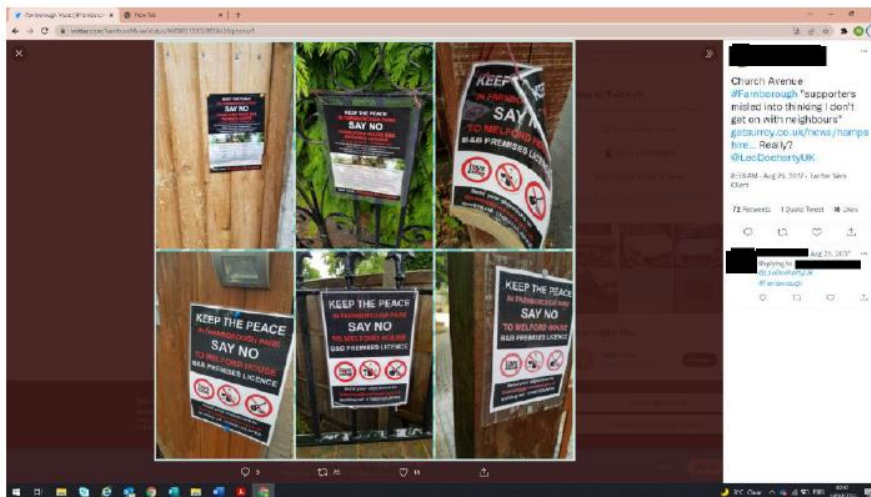
- (iv) In the same year, we noticed that there was building work going on behind this tall fence. We were told by workmen that they were building a 'summer house'. It turns out that the 'summer house' was in fact a substantial brick building, which Mr Hallinan had built (again) without planning permission. Mr Hallinan applied for planning permission retrospectively telling the Council that it was a 'games room'.

We objected to the planning permission on the basis of the size of this development; its close proximity to the border of our property (less than 1m); and our view that it was likely to be used as more than a 'games room'. Planning permission was granted retrospectively.

- (v) In 2017, not entirely unexpectedly and as we'd predicted would happen when we objected to the 'games room', we received notice that Mr Hallinan was applying for a music & alcohol licence (changed to a premises licence application just before the hearing). This caused serious concerns not only to ourselves, but also to our neighbours, and the greater community – all concerned about the potential noise and related implications of a premises licence in such a quiet, peaceful area. There was huge local opposition to this, but the Council granted a premises licence with certain restrictions which they considered would allay some of the concerns regarding public nuisance.

To be clear regarding objections to this premises licence: a huge number of people in the community took issue with the request for a premises licence and submitted a considerable number of objections accordingly. The community also raised a considerable sum of money in a short period of time to enable a barrister to be engaged, to represent the people who objected to the premises licence.

At the hearing, Mr Hallinan tried to make out that all these people had been 'duped' and 'misled' by [REDACTED] and that he did in fact enjoy the support of his neighbours. The photo below would suggest this was not entirely true....



- (vi) On 1st September 2017, [REDACTED] was made aware of libellous comments that Mr Hallinan was making about [REDACTED] on his Facebook page. A cease & desist letter was issued via email, setting out that [REDACTED] had 'no desire to extend my dealings with you in a negative manner, and I am giving you this opportunity to resolve this matter sensibly and amicably. I trust you will act accordingly.'

The libellous comment was removed within an hour of the letter being sent. A copy of the letter is attached as Exhibit 1.

Interestingly, we believe that Mr Hallinan continues to make slanderous comments about [REDACTED], evidenced by his guests' view of [REDACTED] (none of whom have met [REDACTED]) in their comments on his Facebook page (comments to a post where he told them that he had been forced to close, which was again, an untrue statement). Comments are also made about Rushmoor Borough councillors and inferences that they take bribes. Instead of correcting his guests' comments, Melford House 'loves' the comments. Screenshots available in case the post is deleted.

- (vii) In December 2017, despite the stress and events of the prior 6 months, and on the basis of extending a semblance of goodwill and wishing to draw a line under everything, we sent Mr Hallinan and his (girlfriend?) a Christmas card, which was posted to them. In it we wished them both a Happy Christmas and said that we hoped that 2018 would be a happier and more peaceful year for us all. In response, a card and a bottle of wine were left by our front door from Melford House, reiterating the same view. Mr Hallinan does not share this fact as it does not fit with the rhetoric that a 'vendetta' is being conducted against him.

2. POINTS OF CLARIFICATION:

(a) Mr Hallinan has mentioned in an email to the Council on 22/July/2021 that *"the occupants of [REDACTED] have spent many thousands of pounds on a never-ending campaign targeted at Melford House. The continuous campaign is bound to aggravate and influence some local residents who were part of the original campaign against Melford House"*.

The facts are that the community raised and spent a significant sum to engage the services of a barrister to represent their interests at the 2017 hearing. No single household contributed more than £200 (donations ranged from £5 to £200), and the fact that we were able to raise so much in such a short time was indicative of the depth of feeling in the community against this premises licence.

(b) With regards the '*continuous campaign*' Mr Hallinan refers to, we are unclear what Mr Hallinan considers as 'continuous' given the facts below (which Council members may verify by visiting the 'Keep the Peace in Farnborough Park' facebook page):

2017:

Between 16th July 2017 and 14th December 2017, when an entire community came together to oppose the premises licence, with valid and justifiable reasons - there were approximately 40 posts on the 'Keep the Peace in [REDACTED]' facebook page, mostly during the 2 month period between July and September when we were campaigning against the issuance of a premises licence at Melford House. These posts were predominantly informational posts about the application, newspaper articles, notice of community meetings held to discuss, and subsequently the results of the hearing, and how to contact the Council in case of complaints.

2018:

In 2018 there was one post on 2nd March 2018 when we had a lot of snow:

"An unrelated post to Melford House - but if any elderly or infirm neighbours need any help with shopping essentials in this snowy weather, let me know. Happy to walk down to the shops for basic essentials and deliver them to you. Just let me know. X"

And one post on 16th July 2018 reminding people of the contact numbers for the Council in case we had a lot of noise in the evening from the 'games room' during the Airshow week.

2019:

One post on 22nd February 2019 where there was significant noise from the 'games room' and stating that the 'sound proofing' Mr Hallinan had alluded during the hearing that he would install (yet wouldn't mention what) was clearly not working.

One post on 12th October 2019 letting people know that Mr Hallinan's 'games room' was now apparently a fully-fledged 'pub', complete with illuminated signage.

2020:

No posts.

2021:

One post on 24th June 2021 letting followers know that Mr Hallinan had applied for a 'minor variation' in 2020 during lockdown measures (which no-one potentially affected by these changes was notified of), which had been granted, and advising of the implications of same. This only came to light when, after having been subjected to horrendous noise from Melford House, we searched the licence applications at Rushmoor Borough Council to check the original restrictions.

2022:

One post on 11^h March 2022, letting followers know about the premises licence review, and asking for support from [REDACTED] residents for their neighbours affected by the irresponsible actions of Mr Hallinan.

(c) Mr Hallinan also notes in his email that *"You can see that this page is now receiving very little support despite its history of aggressive promotion."*

Since the campaign in 2017, there have been a grand total of **six** posts in **five years** (one of which was entirely unrelated to Melford House).

Hardly a 'continuous campaign' and hardly 'aggressive promotion'. It is to be expected when a page **is averaging just over 1 post per year** that it will have little support – after all, given Facebook algorithms it's more likely that it's not even appearing in most peoples' feeds given the lack of regular posts.

It is clear that Mr Hallinan's statements to the Council in this regard are inaccurate, misleading and based on his own skewed and now very tiring rhetoric that he is somehow a victim of a continuous campaign, orchestrated by one individual.

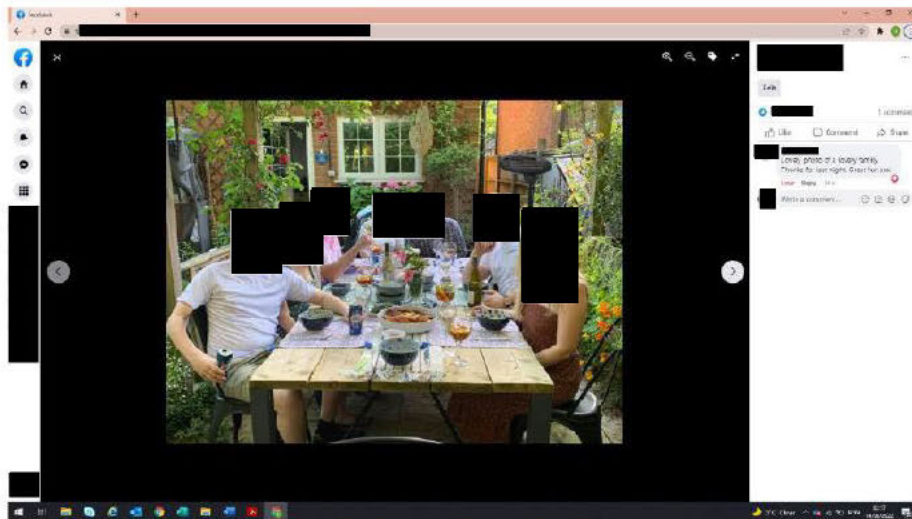
(d) In the same email, Mr Hallinan sets out "to put things in perspective there was a noisy event emanating from [redacted] on Saturday 17th July went well into the early hours. This incident was commented on by one of my guests who had been at a wedding reception and came back at 1am."

So, let's actually put things into perspective with the facts:

Indeed, we did have a joint birthday dinner for [redacted] and one of our [redacted] on Saturday 17th July. This was an impromptu last-minute dinner because for once it appeared that we did not have to deal with the horrendous noise, swearing and noise nuisance from Melford House. Not that we should have to justify a one-off celebration, we shall do so just to ensure the Council is aware of how much Mr Hallinan exaggerates and misconstrues the facts:

This allegedly 'noisy event' was actually a family dinner starting at approximately 7pm, the first time the family had got together following the easing of lockdown restrictions. It was attended by a grand total of nine people – three of whom were aged between 74 years and 84 years of age, and who returned to their homes by 9pm, two more then retired by 10.30pm. This left 4 people, all of whom had retired inside by 10pm (at [redacted] request). IF a guest overheard anything (and this in itself would be suspect as an Uber was called by two guests just before midnight) it would have been one person outside smoking and possibly chatting to his girlfriend. Hardly a noisy event.

For verification, this image was taken at the start of the evening, is time-stamped, and has a comment from the 9th guest who joined us after dinner.



Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
May 2021 (Saturday & Sunday date unknown)	12:30 am		Laughing, shouting, cheering, swearing.	WARM evening so my son, whose room [redacted] had [redacted] garden usually sleeps with window open. Had to close window as noise, from the front terrace was keeping him awake. Even after closing the window, the noise was disturbing him & affected his ability to sleep.
23/06/2021 (Wednesday) (video taken)	5:15 pm 11:15 pm	11:10 pm 11:15 pm	Outside drinking - guests very loud & boisterous solid. Cheering, screaming, kids crying, shouting - as evening started on, it was adults making noise.	WARM evening but could not go into garden due to noise. Shut all windows + doors and still the noise can be heard. Unable to see garden. Sent BP high & very stressed [redacted] ill.
24/06/21 (Tuesday)	5:30 pm	still going at 10:30 went back	Loud (German?) but talking & drinking in garden.	Unable to relax in garden due to raised voices, cheering, swearing. Not as bad as night before though

emailed
Helen

I certify that the information given above is a true and accurate account of the noise disturbance.
I understand that these records may be used as evidence in court.

Signed: [redacted] Date: 24/06/21

23/6/21. emailed Helen @ [redacted]

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
25/06/21 (Friday) (video taken)	just after 4pm	11:15 pm	Loud laughing, screaming, singing, cheering, kids screaming & crying. Constantly loud.	unable to sit in garden - sat inside on warm evening with doors & windows shut, and TV on high to cut out noise. <u>Very</u> loud guests. Checked BP again with high. Can't get heart rate below 103 before 2 hrs now week 2 of this hugely disruptive noise and it's seriously affecting my physical & mental health - and also my work as I'm so upset by it. Almost cried on a call yesterday when colleague asked how I was!
			Music started to an audible level @ 10pm. 133/53 (lostire) - "High Hamas"	
			People leaning at various points in the evening - shouting goodbyes etc. No conversation at all. Car doors slamming etc.	
		11:00/ 11:10 pm	People loudly singing SSH: people singing are very loud & annoying 'fing' and 'blinding'!	as above.

I certify that the information given above is a true and accurate account of the noise disturbance.
I understand that these records may be used as evidence in court.

Signed: ...

Date: 25/6/21

- emailed to my messenger -
and texted [redacted]
with videos.

The first time I
was able to sit in
my garden,
whilsturbed by
noise was at
11:15 pm...!

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
29/06/20 Tuesday	17:45/50 videos taken	18:00	Loud laughing, cheering, kids screaming, shouting, 'Egehan's shouting, chanting.	Had to shut back door + knock N up - as can still hear them through double glazed window + door! Makes me angry, frustrated and stressed
	at various times		↓ Loud as they exit the 'games' room and into the garden. I can hear them shouting etc from inside the house with doors + windows (double glazed) SHUT!	That I can't let my fresh air in - or enjoy some peace + quiet after work! (2)
				Bf. 19:20 17/1/08. Hypertension stayed heart rate 104.

I ... certify that the information given above is a true and accurate account of the noise disturbance.
I understand that these records may be used as evidence in court.

Signed:

Date: 29/6/21

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
29/06/21	CONTINUED 2:05		As before with added pipe at me of loud music.	Shredded. My guy can't go in garden without noise pollution.
30/06/21	15:05	16:00	(19:40) shouting, cheering, some like 'hey hey in bar?' with door open? loud banging.	waking from home - in business call - negotiating \$3.5m deal and have to shut back door to stop noise.
29/06/21			As above louder but it gets quieter with nightfall.	Not gone outside. Staying inside with TV up & down.
21.30				Window SHUT.

I certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed: [Redacted]

Date: 29/6/21



3

DIARY SHEET FOR NOISE NUISANCE COMPLAINTS

The Council will investigate complaints of statutory noise nuisance under Section 80 of the Environmental Protection Act 1990. In order to help in the assessment of your noise problem, please use this diary sheet to keep an accurate record over the next 7-14 days of the dates and times when you are disturbed by unreasonable noise.

Please sign and date each page of the diary sheet and return to Operational Services, Rushmoor Borough Council, Farnborough Road, Farnborough, Hants, GU14 7JU or by emailing to environmental.health@rushmoor.gov.uk. You are advised to keep a copy of the diary sheet for your own records.

If you have any queries about completing the diary sheet, please contact us on 01252 398177 or environmental.health@rushmoor.gov.uk.

Your Name	[REDACTED]			Name of Noise Source (if known):	MEAFORD HOUSE
Address:	[REDACTED]			Address of Noise Source:	2119 Church Avenue Farnborough.
Telephone	[REDACTED]				
Email add	[REDACTED]				
Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you	
e.g. 08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV	
01/07/21			ABSOLUTE BLESS - NO NOISE!!		
02/07/21	Unknown		In Bristol so unable to monitor.		
03/07/21	see OVER				

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
03/07/21	6:15pm		Sweating, shouting, screaming, cheering. Loud	
			Sent in statutory noise complaint	→ council. 3/7/21. 22:51
	23:15		Males sweating / fing'ing etc. Arguing / preparing for a pizza	
	23:20		Female being sick.	Drunken shouting
	23:24		More sweating, loud talking, female cackling.	SWEARING - sexual loud noise. Have a SPAT at end of garden!!
		1am		
<u>05/07/21 → 08/07/21 - on holiday so unable to monitor noise.</u>				

I, [redacted], certify that the information given above is a true and accurate account of the noise disturbance.
I understand that these records may be used as evidence in court.

Signed: [redacted]

Date: 09/07/21

✓ sent to Council
09/07/21



(4)

DIARY SHEET FOR NOISE NUISANCE COMPLAINTS

The Council will investigate complaints of statutory noise nuisance under Section 80 of the Environmental Protection Act 1990. In order to help in the assessment of your noise problem, please use this diary sheet to keep an accurate record over the next 7-14 days of the dates and times when you are disturbed by unreasonable noise.

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If you have any queries about completing the diary sheet, please contact us on 01252 398177 or environmental.health@rushmoor.gov.uk.

Your Name	Date	Time Start	Time Finish	Describe the type of noise disturbance	Name of Noise Source (if known)	Describe how the disturbance affects you
[REDACTED]	08/03/2020	09:35pm	10:40pm	Loud music being played constantly	N. KALLINAN / MELFOLD HOUSE	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV
	11/07/21	16:54	17:56	Loud talking, cheering & kids screaming.	17-19 CHURCH AVENUE FARNBOROUGH, HAMPSHIRE Licence no: 22/00194/LTPIEM.	Was in a conference call + someone asked what was happening.. (had my back window open) - had to close window to block out screams (and it's raining heavily!)

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
13/07/21	-	-	Peace and Quiet! Absolute bliss	Peace and Quiet! Absolute bliss
14/07/21 (Pizza Night)	16:40	21:01 21:01 (when people with kids left)	Few voices + kid(s) @ 16:40, but got much much louder from bich onwards for Habibi's Pizza Night's	Kids being allowed to scream/shout. Finally left at 9.
"	21:01		CONSTANT kids screaming + shouting - adults talk + talking/laughing etc. Few people left + end talking female/male voices. Some swearing.	Son had an important conf call. Had to shut doors/windows so that he could do call w/out screaming interruptions! (Office is in middle of house!!)
16/17 July	-	-	Quiet	Quiet
18 July	5:10pm	5:15pm	Numbred vocal noise - loud talking/laughing/cheering/sweating voices. Some swearing.	Note - sounds like party were in diff part of garden, but noise still

I certify that the information given above is a true and accurate account of the noise disturbance.

Signed: [Redacted]

Date: 18/07/21

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
19/7/21	- peace	& Quiet	BP - Normal!	& optimal!
20/7/21	1630			(1630 - odd voices - loud SWEARING (fing) etc.)
21/7/21	1650			'sweeps' + kids started coming and so started talking/anything! kids screaming etc working in between, so doors + windows now shut!!
			usual as usual - PLUS fire wood fired pizza oven is sending LOADS of smoke into my + Alan's garden. Had to bring in washing from the line.	Shut windows + doors again as noise of lawnmower - SMOKE in house as if got to shut conservatory window. These people are beyond incarnate!!
still going but went to bed.	11:30			Back garden smells like a takeaway!

I certify that the information given above is a true and accurate account of the noise disturbance
 I understand that these records may be used as evidence in court.

Signed:
 Date: 21/7/21



DIARY SHEET FOR NOISE NUISANCE COMPLAINTS

The Council will investigate complaints of statutory noise nuisance under Section 80 of the Environmental Protection Act 1990. In order to help in the assessment of your noise problem, please use this diary sheet to keep an accurate record over the next 7-14 days of the dates and times when you are disturbed by unreasonable noise.

Please sign and date each page of the diary sheet and return to Operational Services, Rushmoor Borough Council, Farnborough Road, Farnborough, Hants, GU14 7JU or by emailing to environmental.health@rushmoor.gov.uk. You are advised to keep a copy of the diary sheet for your own records.

If you have any queries about completing the diary sheet, please contact us on 01252 398177 or environmental.health@rushmoor.gov.uk.

Your Name	[Redacted]			Name of Noise Source (if known):	Melford House
Address:	[Redacted]			Address of Noise Source:	17-19 Church Avenue Farnborough Hampshire.
Telephone	[Redacted]				
Email address	[Redacted]				
Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you	
e.g. 08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV	
08/03/2020 28/07/21	13:30	14:50	Loud talking, anything etc - sounds like they would mob (alcohol) around at this time of day. Heavy rain + thunder @ 0.45 so they went inside (but can still hear them over the rain!!! ☹️)	Didn't really affect as rain covered most of their noise, and they had to go inside so were muffled.	

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
28/07/21	17.30	21.30	Normal loud talking, laughing, kids screaming, sound of outdoor cooking equip?	Early evening worse as heavy rainfall deterred them later on. Could hear Mini closed door & windows! (see 18/41 video)
		coming evening	Very heavy rain so noise abated/stopped during heavy rainfall, but people outside in between. Video taken but sound not clear. Video taken while a great amount of guests (lots)	2/24 video confirms loud talking/laughing - very heavy rainfall affect. as usual.
29/7/21	20:29	21:30	Very loud laughing!	
30/07/21	23:10		Loud talking + laughter. (Maybe Freddie?) been out for the evening so don't know if noisy earlier.	(Recording taken but stopped phone which affected recording)

I certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed:

Date: 30/7/21

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
09/08/21	1840	unknown	Young people laughing, laughing loudly.	Disruptive, annoying
			Kids screaming (usual noise from the sounds of it).	Had to shut back door, close windows to reduce noise.
			One kid night by bombing	Turn TV on to drown out noise!!
			Screaming	-went out at 7:30 on Friday so
			Repeatedly. Didn't have phone to capture.	unknown what level of noise/duration after this.

I ... certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed: ...

Date: 09/02/21



RUSHMOOR
BOROUGH COUNCIL

Council Offices, Farnborough Road,
Farnborough, Hants. GU14 7JU
Tel: (01252) 398 399
Website: www.rushmoor.gov.uk

Reference:
Case Officer:

DIARY SHEET FOR NOISE NUISANCE COMPLAINTS

The Council will investigate complaints of statutory noise nuisance under Section 80 of the Environmental Protection Act 1990. In order to help in the assessment of your noise problem, please use this diary sheet to keep an accurate record over the next 7-14 days of the dates and times when you are disturbed by unreasonable noise.

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If you have any queries about completing the diary sheet, please contact us on 01252 398177 or environmental.health@rushmoor.gov.uk.

Your Name: [Redacted]
 Address: [Redacted]
 Telephone N: [Redacted]
 Email address: [Redacted]

Name of Noise Source (if known): **Melford House**
 Address of Noise Source:
**17-19 Church Avenue,
 Farnborough.**

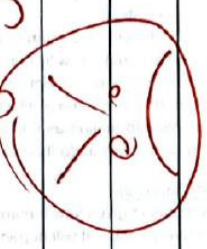
Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
e.g. 08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV
10/08/21	11.40	12.50	Men in garden talking / laughing very loud. Also female voice. Recordings taken + sent to seller.	Had a conference call and had to shut back door + windows (on first hot day in a year!) to reduce the noise.
11/08/21	17.20	18pm	Given these guys were reminded of their hearing	— same as usual.
"Pizza Night"			obnoxious, they're talking but mucking!	All outside!
every Wednesday!			loud laughter / shouting / cackling / cheering as usual.	

- Given Halimowis had a visit from Council (and denied that people drinking in garden), diary shows utter contempt for RBC + licence restrictions!!!

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
13/08/21	18:40	21:20 (went to bed)	Loud talking outside.	Closed door + went to front of the house.
14/08/21	19:10 (unknown start)	unknown (went to bed)	People outdoors - usual loud talking etc. People in garden loud talking laughing etc. Cheering etc.	Shut doors/windows as disruptive & annoying.
16/08/21	19:15			
17/08/21	20:50 (unknown start)	21:00	Have had door shut most of evening but heard them in garden when I went out. Clearly the Council's visit is irrelevant. N. people above it all! 😡	
18/08/21	16:44		Went Pizza Night event with live sound of people whooping etc. Loud talking early on (female). Can't sit in garden. Have to shut windows + back door. Turn up TV.	

I certify that the information given above is a true and accurate account of the noise disturbance.
I understand that these records may be used as evidence in court.

Signed: [Redacted]
Date: 18/8/21

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
2/08/21	16:49	17:00	loud talking, laughing, sound of pizza oven etc	Trying to get y/ end accounts done -
		23:15	loud from a conversational chat, woman	had to close back door fully as their noise is disruptive.
			WOMAN SCREAMING	Called Duty officer -
			loud billy laughing	but a matey screwing woman appears to have left. They're carrying on in the garden but not as bad as it has been in past (still not great!)
				Not making a call out as it usually disappears

I, [redacted], certify that the information given above is a true and accurate account of the noise disturbance. I understand that these records may be used as evidence in court.

Signed: [redacted] Date: 20/08/21 Put TV on to 9ish. Jam out their talking.

* Last people left garden area @ 23:15. Sound of glasses/bottles being collected (but OF COURSE they're not sleeping because conditions!!!)



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Your Name:	Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
[Redacted]	08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV
	22/08/21	15:25	21:00	people talking loudly, laughing, cheering etc. clearly in garden. Loud stuff for Westford House	Very distracting have had to shut windows + doors on 10/1 day to be able to concentrate on my work.
		lots of cheers		4 Video taken. →	Drinking cheering under as she went on. Left doors + windows shut.

Noise Source (if known):
Westford House (Nill Hallinan)
Noise Source:
17-19 Church Avenue
Farnborough

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
23/08/21	18:00	22:47	<p>combo of people in the self proclaimed 'pub' but clearly had doors open as conversation v. loud / laughing / cheering etc. came outside from time to time & very noisy talking. (guessing smoking) - sound of glasses (plate) being cleared - I went to sofa after finished eating/drinking/talking @ 22:42.</p>	<p>annoying hearing people being so loud inside the 'pub' but manageable.</p> <p>Issues are when people are outside either smoking/drinking w/ eating - that's when manageable becomes unbearable. Have to shut windows/doors when people are outside. As usual, have only</p>
	went into "pubs"			
	Serving food outside @ 22:10. (would you like slip with hat?)			

I understand that these records may be used as evidence in court. I certify that the information given above is a true and accurate account of the noise disturbance.

Signed: [Redacted] Date: 23/8/21

we my garden on a handful of evenings this summer!!! THIS CAN'T BE RIGHT!!!

started an entry for 24/8, but literally stopped as soon as it started!

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
25/8/21	16:54	02:50	Pizza Night strikes again! Usual screaming, laughing, loud talking, kids SCREAMING, sweating etc. Usual stuff.	! On a call at Spu - had to shut back door of windows. Been a stressful week - could have gone into hot tub, but no point putting it on to warm up as noise is too upsetting / stressful. Hot day today - would have been nice to open windows, or sit in garden!! (2)
			Noise of them guffawing, laughing, drinking, swearing, shouting PIZZAS etc.	DUIT OFFICIAL attended ✓ 21:16 - still loud - can hear them with door + windows shut!!!

I certify that the information given above is a true and accurate account of the noise disturbance.
I understand that this statement may be used as evidence in court.

Signed: [Redacted]

Date: 25/08/21

*Duty Officer able
to hear first hand
the noise generated
by MF. Also able
to verify anything
outside.

8

RUSHMOOR BOROUGH COUNCIL



Council Offices, Farnborough Road,
Farnborough, Hants, GU14 7JU
Tel: (01252) 398 399
Website: www.rushmoor.gov.uk

Reference:
Case Officer:

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Your Name:	[REDACTED]	Name of Noise Source (if known):	NEALFORD HOUSE	
Address:	[REDACTED]	Address of Noise Source:	17-19 Church Avenue Farnborough.	
Telephone:	[REDACTED]			
Email address:	[REDACTED]			
Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
e.g. 08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV
26/08/21	12-35	0135	loud voices - noise of pizza oven(?) - lots of utensil type noises and smell of cooking (smells like bacon?)	Noise near as loud as pizza night, but wishing as reference to heavy eating/drinkage side.
	16-28	unknown - without phone	Pizza oven crackling. loud laughter.	going on and call so have to shut & door - mtrandon.

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
27/08/21	16:20	22:15	16:35 - louder laughing, cheering, guffawing, etc. Heed	Have a call at 16:45 - warm day and forced to shut windows + doors. Dryer trying to catch up on sleep and how shut windows + wearing headphones! It's 4:35pm!!
			Out from 19:00 → 22:00 but dryer mentioned that it was noisy as went back at 22:00 and loud laughing, lots of swearing, etc.	Shut doors. Stayed inside. Checked periodically to determine end time.
29/08/21	14:00 (less before)	15:10 (temp)	Loud barking kids screaming etc	Don't even have my one day off a week now! Get home from work @ 14:00 to avoid noise!

I certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed:

Date: 29/8/21

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
29/8/21	16:11*	11:35	Loud talking, laughter, kids shouting - seems it was a gender reveal party. Called the duty officer - typically loudness stopped just before arrival. Started again just as leaving - and continued very loud - until @ 11:35	Had to shut door to dominant noise. Unable to sit outside and enjoy garden on Bank Hols. Weekend. Swearing + shouting bothers me - BP high and v. emotional and angry.
30/08/21	@ 2:30 pm	7:00	Stated @ 2:30pm with a few voices getting more severely loud	

I understand that these records may be used as evidence in court.

Signed: [Redacted]

Date: 30/08/21

Information given above is a true and accurate account of the noise disturbance.



RUSHMOOR
BOROUGH COUNCIL

Council Offices: Farnborough Road,
Farnborough, Hants. GU14 7JU
Tel: (01252) 398 393
Website: www.rushmoor.gov.uk

Reference:
Case Officer:

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Your Name	Address	Telephone	Email address	Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
				e.g. 08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV
				01 Sep 21	between 10-25 pm		Usual fire alarm night. Loud talking/laughing / swearing, shouting, swearing, shouting	Got home from dropping daughter at uni at Bristol @ 7pm. Just wanted some quiet time. Unable to - had to shut door +
				clear drinking noises - clinks, dregs etc.			Video taken as witness. windows - idiots making usual noise - swearing. etc.	

Name of Noise Source (if known): **Melford House**
Address of Noise Source: **17-19 Church Ave, Farnborough, W. Hants.**

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
2 Sep 21	4pm(1)	10:25pm	to name loud talking / laughing / cheering.	Shut doors at 4pm when it started as in still hallway
		"game room"	sweating	Messaged Shelley @ RBC
		10:57pm	people leaning forward / goodbyes / chatter / etc.	permanently checked off still
				going away → @ 10:25pm -
				clearly drinking - smell of beer today is very strong
				like being in a pub
				garden H. Nates me
				being frustrated / stressed
				and annoyed. That clear
				breaches of hence we
				happens - ruined whole
				summer for me + family.

I certify that the information given above is a true and accurate account of the noise disturbance. I understand that these records may be used as evidence in court.

Signed:

Date: 2/sep/21

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
03/sep/21	@ 7pm	@ 9pm	Loud talking; sounds of cutlery plates & glasses. Loud laughing. Not as loud as when I set (7:30pm) but still disruptive esp when laughing loudly. People sitting at tables & drinking beer.	Nigering now regardless of volume. Angry - frustrated - And Zzz!! (I had the curtains to get away with such a blatant breach of decency!) Looked thru fence +
4/9/21	@ 7pm		Loud talking / laughing etc. noisier leading to loud conversation outside by 10:30pm. (Male + female talking)	→ Got a pic but very grainy. Really shows people outside @ tables.

I ... certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that this statement may be used as evidence in court.

Signed: [Redacted] Date: 04/09/21

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
08/09/21	17:40	@ 9:30pm	Loud talking - water & fenceable. Cackling laughing, shouting, etc	Had to shut doors + windows. Had to bring in washing on line because of
			VERY strong food smell + smelly + smoky.	Smoke & smell of
			kid back (the screechy one?) and baby crying.	food (coming into house when door was open it was that strong!!)
			Ramming & still out there!!!	
10/09/21	(didn't take note)	still out @ 22:15 (went to bed)	Loud talking laughing etc - turned stuff.	Doors + windows shut.

I, ... certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed: ...

Date: 10/09/21

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
13/9/21	16:49	unknown (went out) still going at 8pm - left house & returned @ 10:30pm	Normal loud talking. Male / female voices	Shut doors + windows
15/9/21	16:43		Raised voices, loud talking, laughing, cackling. Kids loud screaming, shouting, squealing. Sound of pizza oven? being used. Video taken from inside house as well. Audible through closed double glazed windows in back bedroom!	Knocked shut back door as on a conf. call. Ended up closing all windows and doors + turning on TV after work to drown out their noise - kids screaming can be heard thru double glazing! Ended up going out! Finished by the time I returned @ 10:30pm

I ... certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed:
 Date: 15/09/2021



RUSHMOOR BOROUGH COUNCIL



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Your Name	[REDACTED]			Name of Noise Source (if known)	MELFORD HOUSE
Address:	[REDACTED]			Address of Noise Source:	17-19 Church Avenue Farnborough.
Telephone	[REDACTED]				
Email address	[REDACTED]				
Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you	
e.g. 08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV	
16/09/21	unknown		Neural suspects - loud laughing cheering etc		
	noted by me @2008	see next page	Muted noise at start - assume they are in the bar but with the doors open. / cont.		

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
17/09/21	17:30	@ 19:30 (last checked)	loud talking, and laughing swearing @ 17:57 (in voices) All outside. Drinking. Nice conversation about 'hats' and 'fracking'. Pleasant people - I'd be beyond myself if I had lived here!	Shut the doors + windows - switch on TV to avoid hearing the gutter banging and loud laughter.
18/09/21	(Saturday)		(General comment) A couple of neighbours ^(or about 10) stayed at MHV. Said the bar was 'full of' (might be an exaggeration) police councillor(s). We recorded no noise that evening - he said people were in the bar + doors closed. Sat night again - just been up - can hear people in bar + noise closed (so doesn't impact at noise level) -	

I, [redacted], certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed: [redacted] Date: 18/9/21

At band am can hear laughter etc - but nowhere near on same scale! coincidence! ←
 (evidence @ 8:20pm)
 wonder if the same visitors are in and Hallman's putting a wash on



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If you have any queries about completing the diary sheet, please contact us on 01252 398177 or environmental.health@rushmoor.gov.uk.

Your Name:	[Redacted]			Name of Noise Source (if known):	Neilford House (who else?)
Address:	[Redacted]			Address of Noise Source:	impact - shut down windows. Turn up TV.
Telephone:	[Redacted]				
Email address:	[Redacted]				
Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you	
e.g. 08/03/2020	09:35pm	10:40pm	Loud music being played constantly	I am in my living room trying to watch TV and the music is so loud I had to turn up the volume on my TV	
22/09/21	4pm!	still outside 6:45pm 6:50pm but much quieter by then	4pm - 6:45pm. Sporadic talking/laughing - not at normal levels. 6:45pm onwards - male female loud laughter shouting kids noise, shouting noise	Advised Helen @ environmental health - that little port coming out a much quieter than usual. Within 15 mins of putting phone down back to us when video taken - in 15 mins volume of speech	

Date	Time Start	Time Finish	Describe the type of noise disturbance	Describe how the disturbance affects you
12/11/21	23:19		female voices - sound from the gymnasium.	

I certify that the information given above is a true and accurate account of the noise disturbance.
 I understand that these records may be used as evidence in court.

Signed: Date:

EXHIBIT 1

Copy of letter sent to Mr Hallinan on 1st September 2017 requesting removal of libellous comments on his Facebook page about [REDACTED]

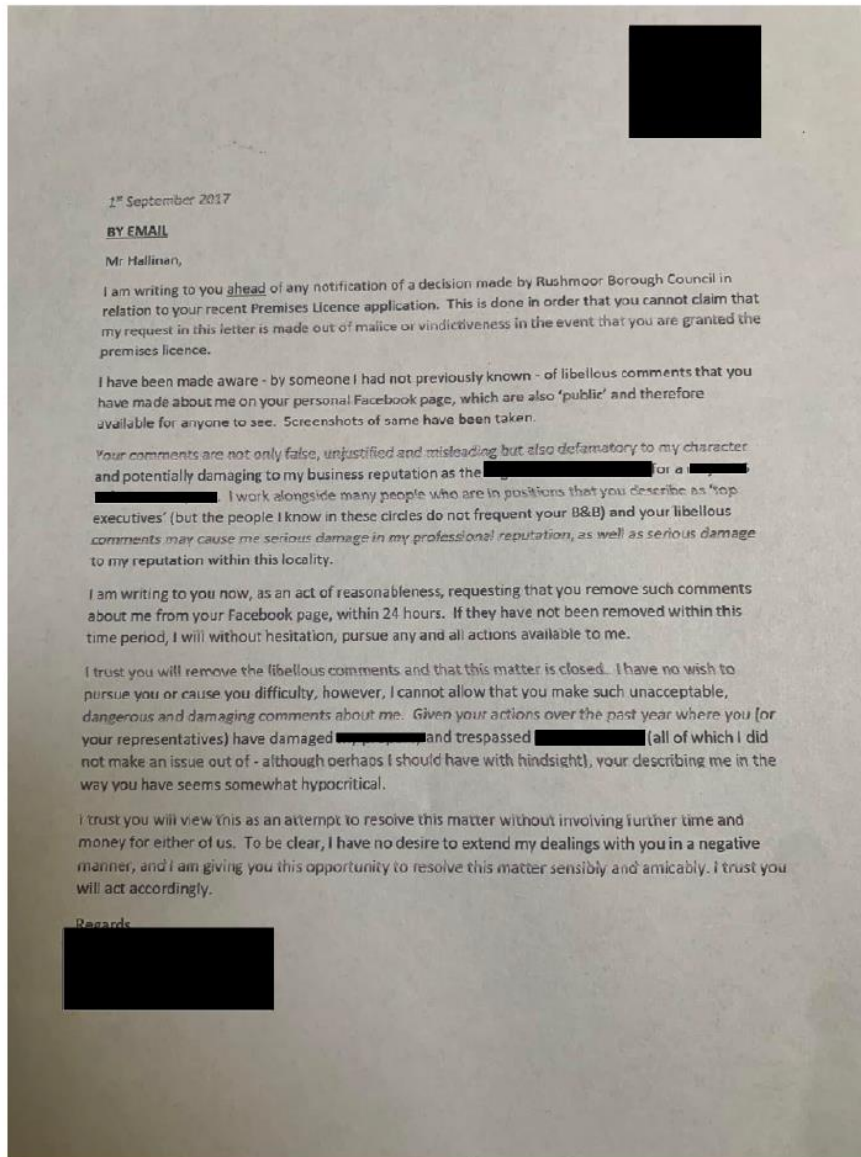
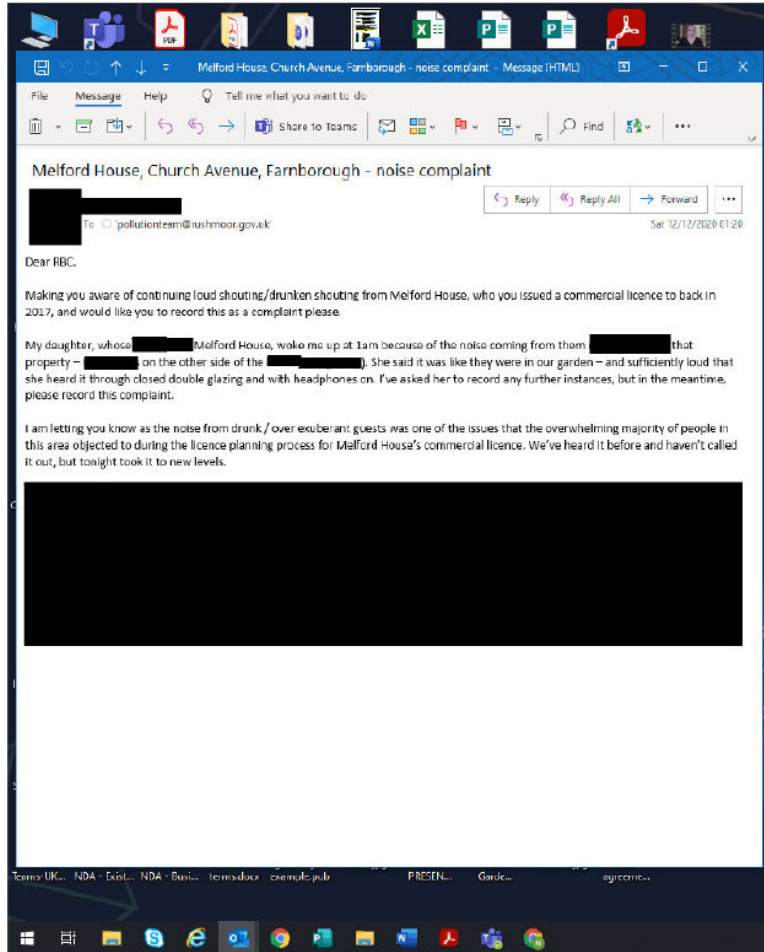


EXHIBIT 2

**Copy of email sent to Rushmoor Borough Council
regarding noise nuisance on 11th December 2020**



Submission of representation for the licence review of Melford House, 17-19 Church Avenue Farnborough, Hampshire, GU14 7AT(Reference: 22/00136/LAPRER).

Representation submitted by: [REDACTED]

Address: [REDACTED]

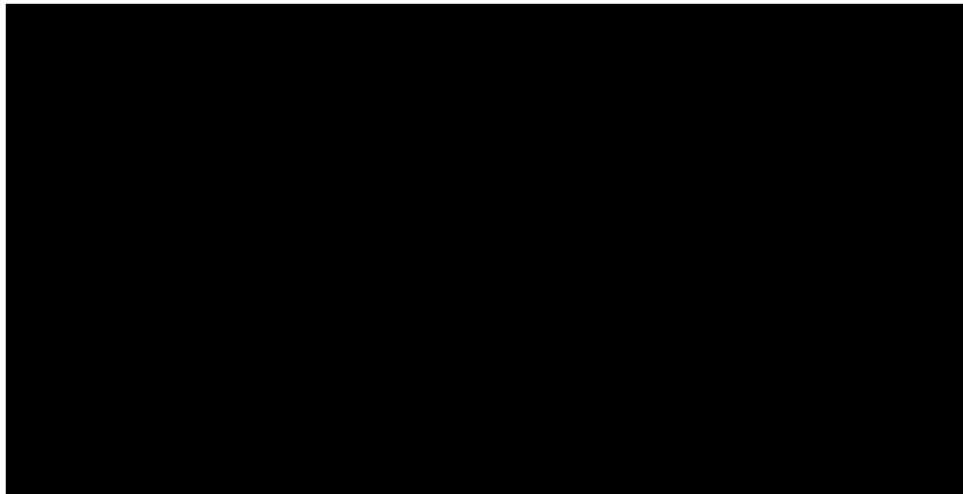
Summary

We are writing to submit representation for the licence review of Melford House as detailed above. Our representation is for the revoking of or significant changes to be made to the licence.

After moving into the [REDACTED] area, we were extremely surprised to learn of a licenced pub operating next to our property after suffering continuous noise disturbances in the summer of 2021. On reading the licensing objectives outlined by Shelley Bowman on the review, we believe that the licensing authority has not upheld the outlined licensing objectives, especially the prevention of public nuisance on a routine basis, as well as sometimes the prevention of disorder and protection of children from harm. We have observed a range of the following from Melford House:

- Very often loud, raucous shouting and laughing when customers are having drinks and are becoming drunk
- Very often smoking in the garden which blows directly onto our decking area, which is unpleasant for us but we want to actively prevent exposing children to
- Poor language is heard when customers become drunk which is again unpleasant but we would especially want to prevent exposing children to this
- General pub chatter and hubbub, ongoing throughout the day, on a daily basis.

Due to the above points, the noise experienced that summer has meant that we were extremely limited in the use of our garden. We have a summerhouse and decking area to the rear, built there because it's in a position where it gets the last of the sun each day (shown in the below diagram, taken from the plans).



The noise from Melford House has severely, unexpectedly, impacted our enjoyment of our surroundings in our new home. We have been restricted in our use of our outdoor space - the decking is an area we are no longer able to use, because the peace is disrupted so severely by the noisy pub garden. We are only [REDACTED] from it by a [REDACTED], so often we will be subject to general noisy chatter and laughing on good days, ranging to extremely loud shouting, parties, screaming and swearing on worse days. Often clients are also smoking in this area of the garden, which blows over onto our decking area and further deters us from using it. The noise can also travel across our whole garden which forces us inside. On some occasions we can even hear the noise in our kitchen with all the windows shut, which is a particular problem as we mostly work from home and it can disturb our conference calls. Even on occasions where Melford House is quiet, the frequency and level of noise that has been experienced previously means that we struggle to enjoy the garden even on these days, for fear the noise will start up again suddenly. An additional stress is that we have had to be vigilant in gathering evidence (a task where the onus is on the residents, and it's not something we enjoy doing).

Looking forward, we are both expecting to work from home for the majority of each week indefinitely, and need to have quiet surroundings in our home to do this - something we often did not get last summer. We are also expecting our first baby in August and as first time parents, the public nuisance issues we have known Melford House to cause in the past is definitely concerning, especially as the nursery will be facing the back garden. We understand that the Goat in the Garden has many customers and supporters, and has multiple advocates. However, these customers are able to go home at the end of the day and enjoy the peace and quiet of their own space, whereas we no longer have that choice.

On reading the licence review Shelley Bowman has submitted, we have been made more aware of the history of the Melford House licence, and Mr Hallinan's challenges to the current licence 'grey areas', a point which Rushmoor Council has agreed was not in keeping with the spirit of the licence agreement. The council has also given Mr Hallinan multiple opportunities to amend his practices or make official responses, all of which he has refused to do. We believe the above makes it questionable whether he can be trusted to strictly enforce any changes to the licence suggested by Ms. Bowman, therefore we feel the only satisfactory outcome to this situation is for the licence to be completely revoked.

Please see below for a more detailed account, submitted evidence and timeline of events, which give a better picture of the situation.

Timeline of events

We purchased the property at [REDACTED] and have lived here since [REDACTED]. We were relocating from Kent, and wanted to settle down in a long-term home in a quiet, family friendly area that was located between [REDACTED] (our [REDACTED] respectively before lockdown).

We did not know about the Goat in the Garden at all when we moved here, the business had not come up on any of our mortgage surveys and was not mentioned by the estate agent. When looking around and researching the area, it was not something that came up.

The first time we noticed any issues from Melford House was early May 2021, where there was a large amount of noise coming from their gardens. We put it down to a neighbour having a party or celebration and did not take any action, as we should all be fine with our neighbours having parties every once in a while. However over the next couple of months, the noise persisted on most days, and as we started to pay more attention it became evident that the area was being used as a beer garden. As a result, we began to do some searching online and came across both the Goat in the Garden Facebook page, as well as the Keep the Peace in Farnborough Park Facebook page. Links are provided here:

The Goat in the Garden:

<https://www.facebook.com/search/top?q=goat%20in%20the%20garden>

Keep the Peace in Farnborough Park:

<https://www.facebook.com/KeepThePeaceInFarnboroughPark/>

On finding the Goat in the Garden page, we were extremely surprised to learn that a licenced pub was operating in our back garden. Farnborough Park is an extremely quiet, green residential area and the idea of a pub operating right in the middle of it did not seem to fit with the surroundings at all.

On the 21st July 2021 (a particularly noisy night) we decided to take the steps to report the noise to the council, which George submitted through the online form on the website. You can see this submission in Appendix A.

Shortly after this we also decided to contact the Keep the Peace in [REDACTED] Facebook page to find out more, as it was obvious some sort of dispute had occurred previously, and we were keen to find out why it was still an ongoing problem. The initial correspondence I had with [REDACTED] who is the page admin is shown in Appendix B.

Following [REDACTED] complaint to the council, we were contacted by Shelley Bowman on the 22nd July 2021. She explained to us that the issue was currently under investigation, and she had reminded the licence holder about not allowing alcohol in the external areas. We highlighted that they were clearly not following these rules as we could see over the fence and they were advertising lots of outdoor drinking photos on their Facebook Page (Appendix C) which have since been removed.

In the meantime she requested that we fill in a diary sheet to monitor any ongoing noise. We agreed to do this and attach the sheets we filled in Appendix D. We also attach two videos that were taken during this time (Appendix E 28th July 2021 and Appendix F 18th August 2021). Both these times we would say the noise was not at its loudest, as it's difficult to be vigilant and always be able to capture these, but is a good representation of the constant background noise we were hearing on a daily basis. In Appendix F you can also see that the noise often even travels to the front of our garden, so we hear it from everywhere, and on

the times where the council made visits we were also able to hear it from indoors, with the windows and doors closed.

██████████ also attended a council meeting on the 23rd September 2021, and was again very surprised to learn that a minor variation was granted to Mr Hallinan in May 2020, which was particularly surprising given that no notice was given to residents and we were not made aware of this at all. It was assumed up to this point that all licensing and disputes had occurred before we had moved in, but this had taken place while we were living in the property, so we are unsure as to why we were not notified of something that had the potential to be so impactful.

After some back and forth, including two visits from the council to confirm the noise disturbance and the meeting at the council offices, we are now at the stage of submitting representation for the licence review, after Mr Hallinan failed to submit the requested changes.



Fw: Noise Complaint

1 message



6 March 2022 at 20:03

----- Original message -----

From: customer.eh@rushmoor.gov.uk

Date: Wed, 21 Jul 2021, 22:00

To:

Subject: Noise Complaint



Thank you for submitting your report about a statutory noise nuisance.

We will normally have looked into your complaint within three working days. We will be in contact to update you soon after this time. If you have any queries, please email us at customer.eh@rushmoor.gov.uk.

Please see the noise complaint details below:

Emergency : No

Noise Type: **Pubs, clubs or outdoor events**

Is noise one-off: No

Your address

Your Details :

- First name:
- Last name:
- Telephone number:
- Email Address:

Noise coming from: **17 - 19 Church Avenue Farnborough Hampshire GU14 7AT**

Person responsible details : **Mr Hallinan**

Have you contacted the person responsible for the noise about this problem? - **No I do not feel comfortable raising this with the pub owners in person.**

Noise impact details:

- Please tell us more details about the noise. **Our house, and several more down the road, on to a B&B which has recently been granted an alcohol licence. This premises now acts like a pub with beer garden and the noise regularly reaches levels way above what I**

06/03/2022, 20:08

Gmail - Fw: Noise Complaint

would call reasonable for a quiet, residential area. On some occasions the pub will play loud music which can be heard all across the street. Regularly they host parties where the volume increases even further. The local residents were not made adequately aware that this licence was going to be granted otherwise would have strongly opposed it.

- How often does the noise occur? 4 or 5 times a week noise reaches unacceptable levels, where it can be heard clearly from inside our house.
- First noise affected from: 01/05/2021
- When does the noise occurs: From 4pm until closing (12am/1am)
- How long does the noise go on for? Most days when the pub is open
- How does the noise affect you at your home / property? Our garden backs directly on to the 'pub garden' and the noise completely ruins our ability to enjoy our garden.

Further information about the complaint:

Have you complained before about this problem? - No

Is the property that the noise is coming from a rented property? - No

Have you contacted one of our teams or any other organisations about this problem - No

Other details : I hugely appreciate your help with this matter and look forward to hearing from you. Kind regards, [REDACTED]

Ema : customer.eh@rushmoor.gov.uk Phone:01252 398177
Rushmoor Borough Council, Council Offices, Farnborough Road,
Farnborough, Hampshire, GU14 7JU

This e-mail, and any attachments, may contain confidential information and is intended solely for the individual to whom it is addressed. It may contain sensitive or protectively marked material and should be handled accordingly. If this e-mail has been misdirected, please notify the author immediately. If you are not the intended recipient you must not disclose, distribute, copy, print or rely on any of the information contained in it or attached, and all copies must be deleted immediately. Whilst we take reasonable steps to try to identify any software viruses, any attachments to this Email may nevertheless contain viruses which our anti-virus software has failed to identify. You should therefore carry out your own anti-virus checks before opening any documents. Rushmoor Borough Council will not accept any liability for damage caused by computer viruses emanating from any attachment or other document supplied with this e-mail. E-mails may have to be disclosed or monitored in accordance with relevant legislation.

Keep the Peace in

- against Melford House premises licence



Keep the Peace in ' - against Melford House premises licence

66 people like this, including 1
Community

21/07/2021, 22:06

Hello, have been doing some research on the Goat in the Garden and came across this page. We recently moved into [redacted] and have been affected by the noise!! Especially lately with the hot weather and their garden activities. We would be keen to understand what you guys have done already to try and tackle this, got to say we were extremely surprised to learn our garden [redacted] into a licenced pub in such a residential area when we moved in. Not really sure how they got the licence and we have already put in a noise complaint! Thanks and hope you're keeping well.

Hi Elizabeth,

Thanks for your message! We're at [redacted], and we've been fighting Mr Hallinan's various activities for around 4 years now. The noise is awful where we are, and if you're as affected as us, it totally impacts your ability to enjoy your garden. It's horrendous. I'm more than happy to give you an update on the latest round - perhaps I could come round to you or vice versa?

In the meantime, do keep sending in noise complaints to Rushmoor Borough Council, and if you can, keep a video diary of the noise. I'm doing it every time, and as wearing as it is, RBC will be able to enforce better if there is clear evidence of the disruption this so called 'pub' causes. A ridiculous decision in the first place, but we do have options.

My number is [redacted] if you want to message, and do let me know if you'd like to meet.

Kind regards,
[redacted]

Hi [redacted] thanks for getting back to me. It would be great to catch up on what has happened so far as I wasn't aware it had been going on for so long. Will certainly continue to keep a record of the noise, it's pretty bad at the moment! Maybe just let me know if you're free for a bit any weekend and can have a chat with me and my partner [redacted]. You can message me on [redacted]

Thanks again,
[redacted]



Goat in the Garden



Home

Menu

Photos

Posts

Reviews

Videos



Like



Comment



Share



Goat in the Garden



24 May · 🌐

Wood-fired 🍕 at the 🐐 😊



👍❤️ 21

8 comments

Send Message





Home

Menu

Photos

Posts

Reviews

Vide



Like



Comment



Share



Goat in the Garden



7 Jun · 🌐

Don't forget

Pizza 🍕🍕🍕🍷🍷🍷

That's Wednesday sorted!



Goat in the Garden

Bar

Learn More



19



Send Message



13:45

32%



Goat in the Garden

26 JUN AT 18:56

2

1 Comment

Like

Comment

Share



13:45

32%



Goat in the Garden



Home

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Photos

Posts

Reviews

Videos



Like



Comment



Share



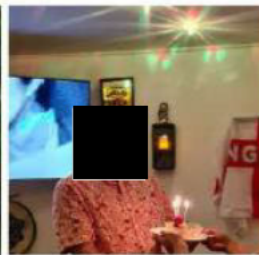
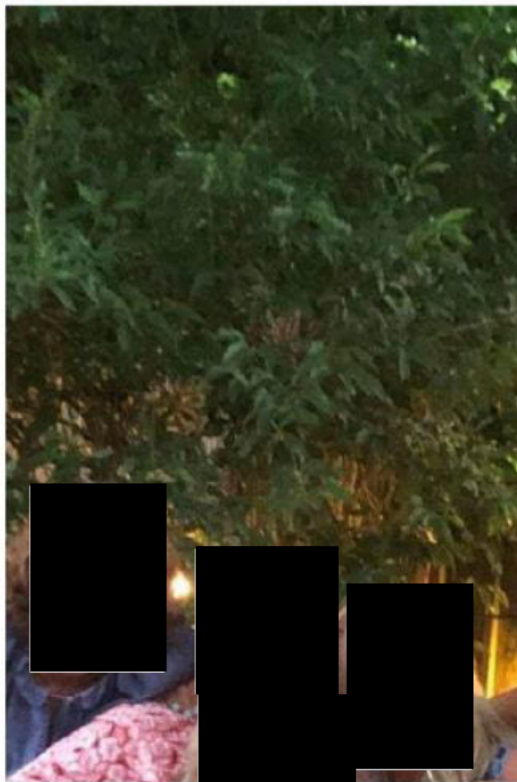
Goat in the Garden



26 Jun •

Happy Birthday [redacted]

We hope you had a great day 🥳



9

1 share

Send Message



13:44

32%



Goat in the Garden



Home

Menu

Photos

Posts

Reviews

Videos



Goat in the Garden



10 Aug • 🌐

Pizzas at the Goat this [Wednesday!](#)



Comment with video

Send Message





10

Like Comment Share



Goat in the Garden

15 Aug

Goat in the Garden holding pizza night again this Wednesday (5pm-9pm) we have four ever changing ales and our ne... See more



WED, 1 SEP

Pizza Time

Goat in the Garden · Farnborough

INTERESTED

9

Send Message





RUSHMOOR BOROUGH COUNCIL

COUNCIL OFFICES,
FARNBOROUGH ROAD,
FARNBOROUGH,
HAMPSHIRE,
GU14 7JU.

Tel: 01252 398 398
Fax: 01252 398 088

Case Reference:

Officer:

DIARY SHEET FOR NUISANCE COMPLAINTS

The Council will investigate complaints of nuisance under Section 80 of the Environmental Protection Act 1990. In order to help in the assessment of your particular problem, please use this form to keep a record of the dates and times over the next few weeks when you consider there are grounds for complaint. If you have any queries about completing the form, contact your case officer. Please sign and date the last page of the diary and then return the completed form to the address given above.

If the Council decides it is unable to proceed with this case, an aggrieved person who feels that a nuisance exists and is affecting them can use Section 82 of the Environmental Protection Act to take their own action. You therefore may be advised to keep a copy of the diary sheet for your own records. Further information is available from the Council on the Section 82 procedure on request.

Your Name:	[REDACTED]			Address of Nuisance Source: MELFORD HOUSE
Address:	[REDACTED]			Name of Occupier (if known):
Telephone:	[REDACTED]			
Date	Time Start	Time Finish	Describe the type of disturbance	Describe how the disturbance affects you
e.g. 15/01/08	08:35pm	10:40pm	Loud music being played constantly	Able to hear the music above own TV
21/7/21	16:00	00:00	VERY LOUD, CONSTANT SHOUTING/ CHILDREN SCREAMING	COULD NOT SIT IN BACK GARDEN. COULD HEAR NOISE OVER TV FROM INSIDE
23/7/21	18:00	23:00	MUFFLED NOISE - COULD BE HEARD AT DECKING BACK OF GARDEN	
28/7/21	12:00	13:30	LOUD NOISE COULD BE HEARD FROM INSIDE OUR HOUSE	INTERFERED ABILITY TO WORK FROM HOME OFFICE
28/7/21	16:00	22:00	MEDIUM NOISE LEVEL - NOT AS BAD AS LAST WEEK BUT AUDIBLE INSIDE (GAIN!)	COULD HEAR WHINE IN KITCHEN, NOT PLEASANT
29/7/21	20:00	22:00	OUTDOOR - LOUD TALKING & OCCASIONAL SHOUTING	COULD BE HEARD FROM INDOORS w/ windows closed

Date	Time Start	Time Finish	Describe the type of disturbance	Describe how the disturbance affects you
16/8/21	10:00	11:00	LOUD SHOUTING @ INTERVALS	DIDN'T WANT TO SIT OUTSIDE IN THE MORNING
04/08/21	5pm		Loud shouting, kids screaming or shouting	Can hear in house, had to shut windows so can be on wide calls
	7pm		Kids screaming got worse - continued to be constant - screaming about pizza	Could hear from [REDACTED] when walking up to our house from the shops
	8:30pm		Continued pub garden noise but no more kids screaming	
6-8/8			AWAY FOR WEEKEND	
11/8/21	4am	→ 11am	VERY LOUD ALL OVERNIGHT - kids shouting, adults talking very loudly continuously	Had to move inside from our decking area
18/8/21	8pm	→ late	Loud talking and laughing but not many people so but can hear from inside house with windows open.	Could hear when sitting in quiet kitchen trying to work. Called the out of hours line to report.
20/8/21	8pm		loud hubbub and chatting / laughing outside, had to come inside the house	Can still hear it in the kitchen over the TV. Called the out of hours line to report again and left a message
21/08/21	all day		General loud talking and pub garden hubbub all day.	Cannot sit on decking. Can hear from indoors with doors open and radio playing loudly.
22/08/21	all afternoon		Loud chatting and laughing all day.	Called out of hours line again - could see wine glasses on the garden tables when glanced over the fence

22/08/21	all evening	chatting, loud laughing, lots of people noise continued until late. Can hear from inside the house. occasional very loud cheering.	Means we cannot use our decking area in peace. We can see over the fence and the guests were continuously all day having drinks outside and smoking (which drifts into our garden).
24/08/21	all day and into late evening	chatting again in garden. Drinking outside	Had to close the window to my study during working hours to block out noise. Disrupted my working from home. Noise continued late into evening, can hear from kitchen

I / We... [redacted] certify that the information given above is a true and accurate account of incidents. I understand that these records might be used as evidence in court.

Signed [redacted]

Date: 24/8/2021

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Reference: 22/00136/LAPRER
Date: 16 March 2022 08:25:40

From: [REDACTED]
Sent: 16 March 2022 07:20
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Reference: 22/00136/LAPRER

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Reference: 22/00136/LAPRER

Review of the premises license at Melford House, 17-19 Church Avenue, Farnborough, Hampshire. GU14 7AT.

[REDACTED]

16th March 2022

Dear Licensing,

I am writing in connection with the premises licensereview for Melford House, 17-19 Church Avenue, Farnborough.

I have witnessed first-hand the horrendous noise emanating from Melford House when visiting family at [REDACTED]:

It is impossible to sit outside when this noise nuisance is happening as it literally takes over and you cannot hold a conversation. With kids screaming, people screeching, loud laughter and talking, the people making this noise appear oblivious to its impact and effect on the people in [REDACTED] who have to put up with this.

I have been inside with the double glazed doors and windows shut, and have had to turn the television up to drown out the noise from Melford House.

I have had planned evenings cancelled at short notice as there was just no point coming round when the noise is happening – it is literally impossible to deal with.

We did manage to have one evening with the family together to celebrate two birthdays – this was arranged at the last minute when it seemed that we would not be dealing with the awful noise from Melford House. To then read in one of Mr Hallinan's emails to Licensing that we were creating a noise is just laughable! How he has the audacity to even mention a small family dinner after everything he's put his neighbours through in [REDACTED] is beyond me! We are unsure if this is plain arrogance or ignorance – either way, his comment is of no value – individual houses are allowed to have one-off celebrations – and with over 50% of the group being aged between 50-84 you can imagine it wasn't exactly a rave!

I am aware that Melford House has asked its guests to write in support of it to yourselves – however given they are the ones causing the problem, we are unsure how valid their submissions are – it's implausible to ask the very people creating the nuisance whether they're loud or quiet! Of course they will maintain that they are quiet! They are NOT quiet!

I have also seen the physical effect that this noise nuisance has.

There is a clear, proven link between ill health and noise nuisance, and we are seeing that in action. It causes stress, upset, anxiety and physical symptoms including raised heart rate and blood pressure. I am extremely worried for those that have to deal with this in their own homes each day.

I do not believe that the premises licence for Melford House should be allowed to continue. The licenceholder has proven many times that he has zero regard for the people affected by his business operations, and dismisses them with his 'vendetta' theories (how old is he, 12?).

Trying to dismiss the views of others, or minimize their validity, has all the hallmarks of a bully.

Aside from this and understanding that the Committee has to view any application on the basis of promotion of the four licensing objectives, it is clear to me and to anyone unfortunate enough to have to deal with this

awful noise, that Melford House does not promote the licensing objective of preventing public nuisance. The premises licence should be revoked.

Yours faithfully,

A solid black rectangular redaction box covering the signature area.

APPENDIX D16

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Ref: 22/00136/LAPRER - Melford House, 17-19 Church Avenue, Farnborough, Hampshire
Date: 17 March 2022 08:36:15

-----Original Message-----

From: [REDACTED]
Sent: 16 March 2022 21:49
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Ref: 22/00136/LAPRER - Melford House, 17-19 Church Avenue, Farnborough, Hampshire

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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Dear Sirs

I write to inform you of a public nuisance that I have witnessed first hand, and the damage this behaviour has done to the mental health of my long time business partner. I attended a planned business meeting at 6pm on 9th July 2022 at [REDACTED] (our company has a retail premises with no office space, so we tend to hold meetings from home offices situated in our respective gardens).

When I arrived at my business partners home in [REDACTED], she appeared distressed and I soon ascertained why. After having suffered from noise nuisance from Melford House for a month plus, she was clearly at the end of her tether and very stressed. Upon entering her garden I was greeted by a wave of noise from Melford House, the B&B operated behind her home. It sounded more like closing time from a nightclub in a city rather than a quiet residential area. Loud talking, cheering, children screaming and loud laughter that was very disruptive and annoying. The noise got progressively worse (presumably the more intoxicated people became) and we decided to move indoors instead. Even indoors with the windows and doors shut, it was impossible to concentrate.

It is wholly unacceptable for a business in the area to treat neighbours with such utter contempt and allow such disgraceful behaviour from guests. Having witnessed the effect this has had in my business partner and her family, it leads me to the conclusion that simple alterations to the conditions of this premises licence are simply not enough. Melford House has a duty of care not just to its patrons, but to those living in its shadow, to prevent public nuisance and conduct business activities in a way that does not encroach on residents ability to enjoy their property.

I have seen local social media comments on the Goat in The Garden's Facebook page making derogatory comments about my business partner and anyone else who has complained about the noise nuisance. Perhaps they should put themselves in the shoes of the people affected – after all – they get to go home and have respite from noise. The people in [REDACTED] affected by this cannot escape it.

It is clear that this licensee cannot be trusted to promote these fundamental values and in particular the promotion of the prevention of public nuisance, and I implore Rushmoor Borough Council to revoke this licence and restore the quality of life the people in [REDACTED] most affected by his irresponsible actions (or omissions) are used to.

I look forward to hearing from you.

Yours sincerely

[REDACTED]



The Licensing Department
Rushmoor Borough Council
Farnborough Road
Farnborough GU14 7JU

Dear Sirs

Licence Number 22/00136/LAPRER

I understand that the conditions under the subject licence are up for review and comment by interested parties. I wish to make comment.

My [REDACTED] onto the [REDACTED] of Melford House and I have found over the past 2 years there have been a number of occasions, especially during the summer months, when the noise from the residents and/or visitors to the Bar facility in [REDACTED] Melford House garden has prevented me from enjoying sitting in my own garden. It would seem that the noise level increases with the level of alcohol consumption. The result is that I have to retreat indoors for some peace and quiet when I would rather be outside enjoying the weather. Is there any way whereby the control of the noise level can be made a part of the licence?

Yours sincerely



From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Review application notification
Date: 16 March 2022 08:25:18
Attachments: [image001.png](#)

From: [REDACTED]
Sent: 16 March 2022 01:39
To: Aimee Vosser <aimee.vosser@rushmoor.gov.uk>
Cc: [REDACTED]
Subject: Re: Review application notification

Dear Aimee,

22/00136/LAPRER - Melford House

I write to make representations in relation to the above application for a Premises Licence (Review), as a hearing for determination is likely to be held shortly by the Licensing Sub-Committee (Alcohol and Entertainments)

In reference to the proposed amendment to **Condition (1)**, relating to the number of additional patrons allowed in the premises at any one time, I am keen to understand how the number six (as well as residents and their bona fide guests) has been arrived at. I would be interested to understand if the Licensing Authority has received complaints to the effect that larger numbers of patrons within the internal parts of the premises have caused a statutory nuisance for neighbours.

In reference to the proposed amendment to **Condition (2)**, relating to use of external areas of the premises, I am keen to understand whether the nuisance emanating from the garden has been found to have only occurred in the evenings. I note, without having seen additional evidence from residents sent to Environmental Health and Licensing, that the officer visits included as part of the application took place after 7pm. Is there evidence to suggest such nuisance has taken place throughout the day as to warrant a blanket condition?

Additional conditions, as requested, seem sensible to promote the licensing objectives.

Regards,

[REDACTED]
[REDACTED]

From: [Rushmoor Council Licensing](#)
To: [Aimee Vossler](#)
Subject: FW: Melford House - Church Avenue
Date: 16 March 2022 08:25:06

From: [REDACTED]
Sent: 15 March 2022 22:58
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House - Church Avenue

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Licensing Manager,

I am writing to you in support of keeping The Goat in The Garden open at Melford House on Church Avenue in Farnborough Park.

I live [REDACTED] Melford House and have never experienced any problems whatsoever with The Goat In The Garden. I have myself visited the bar with my young family which is a wonderful, quiet haven, family run, family friendly place. It feels no different to sitting in a garden of a house.

The owners have always been so respectful of us as neighbours. The bar area is heavily sound proofed and the owners are always very vigilant about keeping the door shut if people are sitting inside.

They have a lovely outdoor garden area that is peaceful and secure. It has a wonderful atmosphere and vibe about it and doesn't worry me like a regular pub might because all the guests are very respectful. I can let my children play and feel safe as they would in our garden across the road. There are no other pubs in the local vicinity that would allow me to feel as comfortable to take my family.

It is a fantastic place for the local community and it's a shame there aren't more like it! There is a big drive to shop local and support local these days and I feel this is a great example of that. I was devastated to see the signs up outside [REDACTED] of it's potential closure. I am not sure how much more a local community pub like this can do. I would be utterly disappointed if it were to shut because it would be yet another example of how these little local places have no chance against the big chains.

I know me and so many other local residents are in strong support of The Goat in The Garden remaining open for the local community.

Kind regards,

[REDACTED]

APPENDIX D20

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Melford House - Review of Premises License
Date: 16 March 2022 08:24:54

-----Original Message-----

From: [REDACTED]
Sent: 15 March 2022 22:15
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House - Review of Premises License

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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To whom it may concern

Please accept this email as my opinion in relation to the review of premises license for Melford House, Church Avenue, Farnborough.

Being a resident of [REDACTED], I had the pleasure of spending a lovely few hours with friends one Wednesday evening for The Goat's pizza night. Myself and the other three ladies (all of which are [REDACTED], listed below), sat in the garden. There was no loud music in the garden, only music in the bar area, of which I would not describe as loud. I did not feel at any point I needed to raise my voice above a normal speaking tone, in order to be heard. Although all other tables had customers again the noise level was no more than what you would expect from an evening spent with friends in my own garden. Everyone was very civilised and looked to be enjoying themselves. Chess and Will are fabulous hosts, both considerate and friendly. Chess even asked us politely to enter the bar area, so they could close the doors to prevent any noise to neighbours later in the evening or drink up for home.

After the visit above, I had hoped to be able to return with my children, as there was a very safe and family friendly ambience and I would be happy to take my children (aged 12 and 10) to Melford House.

As a resident of [REDACTED], I feel it will be a real travesty if Melford House is prevented from renewing their license, as it is in my opinion an asset to the local community, offering a family friendly, safe alternative to pubs in the area. Bringing local people and neighbours together, in a friendly manner can only be a good thing for the community!

I or any of the ladies listed below would be happy to discuss their experience further if required.

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15th March 2022

Licensing Manager
Rushmoor Borough Council,
Council Offices
Farnborough Road
Farnborough
Hampshire
GU14 7JU
licensing@rushmoor.gov.uk

Dear Sir/Madam,

Melford House – review of premise licence.

I am writing both in a personal capacity and on behalf of the [REDACTED] of [REDACTED] – the [REDACTED] with respect to the above licensing review.

From my personal experiences I have visited Melford House over a dozen times in the past 2 years, as a guest of Mr Hallinan, and on none of these occasions have I experienced anything that I consider to be a public nuisance.

In particular when inside the bar I have never experienced any noise or disturbance that would affect anybody living nearby. On occasions in the Summer when visitors have been sat outside there has been no noise in excess of what I would consider to be reasonable within a garden (i.e. normal level conversation) and never late into the evening.

From my experience I would therefore consider the complaints are unjustified and have observed the owners to have taken all reasonable steps to address concerns that have been raised.

I have always found Melford House to be a pleasant and peaceful place to have a beer in contrast to some of the other licenced establishments in and around Farnborough. Indeed this is one of the reasons that I choose to visit, so that I can have a quiet drink, with friends in pleasant surroundings. I consider this to be something that the Council should be encouraging, supporting local business and do not believe there is a significant noise issues associated with the bar.

In terms of support from [REDACTED], the campaign is a strong supporter of unique venues that support British heritage and serve good beer, and there are many bars and clubs up and down [REDACTED]

[REDACTED]

the country that are not pubs that do this, such as Melford House. [REDACTED] support and the invitation Mr Hallinan has extended to [REDACTED] enforces this but remains carefully managed. [REDACTED] members are required to contact Mr Hallinan before visiting, but the arrangement allows us to support and promote the real ales that are available.

From a wider perspective I would also like to make the following observations on the changes proposed.

The review clearly indicates that the alleged public nuisance relates solely to use of the garden. I am therefore surprised to see a proposed amendment to Annex 3 Condition (1) placing a limitation on the number of non-residents or bona fide guests using the inside bar to 6. The complaints do not relate to noise emanating from inside, which is well sound proofed and furthermore a limit of 6 is significantly below the capacity of the space. It is also unclear why there needs to be a distinction between non-residents and others, as clearly there is no obvious reason why either group would be intrinsically more noisy. This condition, particularly the limit of 6, seems arbitrary, and not related to the alleged nuisance issues, but will undoubtedly have a significant impact on the ability to operate a profitable business. Therefore I think such a limitation is beyond the scope of this particular review and in any case if it were to be imposed should reflect more realistically the capacity of the room and not related to any particular type of customer.

The proposed amendment to Annex 3 Condition (2) would appear to result in a complete ban on outside drinking at all times and seems excessive. Outside drinking, in a responsible manner, is an accepted part of British culture and happens at many licenced premises throughout the Borough. Having said that it is accepted that this can generate noise, in these cases licences require venues to cease outside drinking at an earlier time than inside. This would seem to be a reasonable and proportionate approach in this case and it is unclear why it has not been suggested. So rather than an outright ban, if you consider such a condition is necessary I would suggest it is amended to allow outside drinking until an agreed time.

I trust these comments are self-explanatory, but please let me know if you require any further clarification.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

APPENDIX D22

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: The Goat - Objection to planned changes
Date: 16 March 2022 08:20:22

From: [REDACTED]
Sent: 15 March 2022 18:39
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat - Objection to planned changes

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam,

I am writing to object to the proposed change of license for The Goat at Melford House!

The goat is a quiet pub where we are able to enjoy high quality beer and entertainment. We frequently visit our friends in the area and this is always the first place we ask to go to!!

It's a safe environment for our children and has always been very welcoming to us!

I strongly object to your proposed change to only allow residents of the guest house to drink there. I have never witnessed any noise issues or rowdy customers. Everyone I have ever seen there are very respectful!

I hope you will reconsider your proposals and common sense will prevail.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[Sent from Sky Yahoo Mail for iPhone](#)

APPENDIX D23

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Melford House
Date: 16 March 2022 08:19:25

-----Original Message-----

From: [REDACTED]
Sent: 15 March 2022 18:32
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern

I am writing to show my support for The Goat at Melford House.

This is a lovely, respectful, family environment. Chess and Will always know their guests by names and it is just a really special place to be.

It is not a rowdy environment whatsoever. When we have brought our daughter (18 months old) to the goat, we have always been welcomed and we have felt she is in a safe, family friendly environment.

I have never experienced crime at The Goat - as I mentioned Chess and Will make the effort to know all guests meaning no one is anonymous.

It would be a great loss to the community if the goat had to close.

My address is [REDACTED]

Kind regards

[REDACTED]

Sent from my iPhone

APPENDIX D24

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Melford House. Church Avenue. Farnborough. (Garden bar called The Goat)
Date: 15 March 2022 11:18:47

From: [REDACTED]
Sent: 15 March 2022 09:54
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House. Church Avenue. Farnborough. (Garden bar called The Goat)

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Sirs.

We write to you with some concern regarding the above establishment. It has come to our attention that the council are to consider revoking their license. We hope this is not the case. The Goat is a very friendly family safe establishment with which to go and have a quite drink with friends and neighbours. Unlike other public houses within the area The Goat does not have any problems regarding rowdy behaviour. It is quiet, social and we always feel safe in this establishment. We have never come across any antisocial behaviour or any crime in here. As such we would be devastated should the Goat be forced to close.

With Best Intentions.

[REDACTED]

[REDACTED]

APPENDIX D25

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Melford House, 17-19 Church Avenue, Farnborough, GU14 7AT
Date: 15 March 2022 08:10:11

From: [REDACTED]
Sent: 15 March 2022 06:51
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House, 17-19 Church Avenue, Farnborough, GU14 7AT

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Licensing Committee,

I write in support of retaining the license at Melford House, 17-19 Church Avenue, Farnborough GU14 7AT.

I am delighted to be a patron of this unique and characterful bar tucked away in the corner of the garden of Melford House. Well screened from the neighbouring properties and about the size of a large living room, the bar provides a haven from the formulaic demeanour of so many larger pubs and bars that can be found elsewhere in the district.

I have seen the bar accommodate twenty patrons in an atmosphere no different from a large family gathering and their enjoyment of the facilities is akin to any such event, and I have seen the bar accommodate its more customary two patrons who quite happily while away the hours discussing diverse and interesting topics without any disturbance to anyone else's peaceful enjoyment of the area.

I find the landlord and the other patrons to be people of great integrity, welcoming and honest and from a cross-section of professional and skilled backgrounds. It is wonderful to feel that there is somewhere you can go for a drink where those around you, treat you with respect and decency from the moment you walk through the door.

It would be a tragedy to lose this gem of independent entrepreneurship and community, especially when it contributes to Rushmoor's ambition of sustaining a thriving economy of global and - more importantly - local businesses.

I reiterate my support for continuation of the license at Melford House.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]

APPENDIX D26

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Melford House
Date: 15 March 2022 08:09:41

From: [REDACTED]
Sent: 14 March 2022 23:02
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I have visited Melford House many times and have found that I can say It has always been safe and secure place to visit.

No indications of drug use , or anything that would endanger children.

All of the people I have met have been brilliant and descent towards me, excellent food and service.

Fun and a descent experience.

Have moved recently to [REDACTED] for a new job but still visit Farnborough to catch up with old friends and always find time to visit Melford House to see how they are doing.

A brilliant family place, anybody who goes out of their way to slander them and incite negative attitudes have issues with there own life.

Best regards

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

APPENDIX D27

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Supporting the Goat in the Garden
Date: 15 March 2022 08:09:30

-----Original Message-----

From: [REDACTED]
Sent: 14 March 2022 21:30
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Supporting the Goat in the Garden

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello, my name is [REDACTED] from [REDACTED]. I would like to support the Goat in the Garden pub attached to Melford Guest House.

The is pub very quiet with a calm atmosphere. It is much quieter than Prince of Wales Farnborough or the Tilly Shilling for example. I have always felt very safe on normal evenings and even when there is sport shown on the TV. I have never witnessed any criminal activity either.

I've been there while children have been present and everyone seemed happy and comfortable too.

This is a good, friendly and wholesome pub. If you can give Wetherspoons a license with a clear conscience then the Goat in the Garden should be an easy decision.

[REDACTED]

From: [Rushmoor Council Licensing](#)
To: [Aimee Vasser](#)
Subject: FW: 22/00136/LAPRER Licence review
Date: 15 March 2022 08:09:18

From: [REDACTED]
Sent: 14 March 2022 20:19
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Cc: will@melfordhouse.co.uk
Subject: 22/00136/LAPRER Licence review

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[REDACTED]
[REDACTED]
[REDACTED]

14th March 2022

To whom it may concern

I am writing with respect to the 22/00136/LAPRER Licence review. I am writing in my capacity as an upstanding member of the local community and some-one who has benefitted from visiting Melford House during the time in question. To introduce myself, I am a [REDACTED] resident within [REDACTED] to Melford House where I live with my [REDACTED] and [REDACTED]. As a working professional, my role is [REDACTED] for [REDACTED] [REDACTED] and I volunteer as a [REDACTED] for the [REDACTED].

I would like to offer my support for the licence remaining with Mr William Hallinan.

I have lived in the Farnborough area for a little over 12 years and Melford House is one of only two places in Farnborough I can say that I've experienced real community spirit. The other is Quay Swim at Mytchett Lake where I [REDACTED] basis. My family and I have visited Melford House and enjoyed pizza as a family on weekly basis through the late spring, summer, and early autumn months of 2021. Here we were fortunate to mix with like-minded people and made some close connections. Our children came with us and were able to meet and socialise with a small number of other well-behaved children of a similar age, something that is not freely available in this day and age. While our children attended, I can assure you that noise levels from either myself or my children were no more or less than would be experienced in my own garden. Due to the location of our property, we have a significant number of neighbours, approximately 15 properties back on to my property and we have never received a complaint about noise. I can also confirm that during my visits I did not experience any undue noise from other guests. The

general ambience of Melford House is one that is gentle & considerate rather than boisterous & disorderly.

I believe Mr William Hallinan is providing a unique service to the local residents and said service is something that is sorely lacking in Farnborough. I was devastated to hear that his licence is under review, so this letter is to offer my support. This support is offered by myself, my [REDACTED]

Thank you for considering my representation.
Yours sincerely

[REDACTED]

APPENDIX D29

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Make representations about a licence application - 2052291
Date: 15 March 2022 08:07:49

From: Rushmoor Council Online Forms <forms@rushmoor.gov.uk>
Sent: 14 March 2022 19:49
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Make representations about a licence application - 2052291



A customer has recently completed one of our make representations about a licence application forms.

We said we will look over the information that they sent to us and get back to them soon.

Below is a copy of the information they sent to us.

Reference number: 2052291

Data protection: We will only use the information you give us for the purpose stated on the form.

Representation details

Address of premises:

Melford House
21 Church Avenue

Farnborough

GU14 7AT

Application reference number (if known):

The representation must be about the effect of the grant of the application on one or more of the Licensing Objectives.

Which of the following Licensing Objectives do you think will be impacted by the grant of the licence?

The prevention of crime and disorder, The prevention of public nuisance

What is the nature of your representation?

I have drunk at Melford a few times since lockdown, as a guest of the owner. I understand the licence is for renew. I would like to say that it is a civilised place to drink, without the crime and disorder associated with some premises, and while I believe some residents have complained about nuisance, I understand this has been resolved. I would also like to add that the proposed restriction of no more than six non-resident guests is excessively onerous, as the premises can easily accommodate a greater number without spilling over into the outside area.

APPENDIX D30

From: [Rushmoor Council Licensing](#)
To: [Aimee Vasser](#)
Subject: FW: Rushmoor Council - The Goat in the Garden
Date: 14 March 2022 13:19:31

From: [REDACTED]
Sent: 14 March 2022 13:05
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Rushmoor Council - The Goat in the Garden

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Madam or Sir,

I heard that Rushmoor Council might want to close The Goat in the Garden bar at Melford's House down. I have been at the place several times and compared to other pubs in Farnborough the place is very quiet and frequently used by the neighbours. I have seen great BBQ parties at the garden too where many people from the neighbourhood visited it.

It is moreover a very safe area to go to, including coming in with young children etc.

I hope finally The Goat in the Garden would stay alive because it will be very unfortunate not only for the owner but also for the neighbourhood as people from nearby houses are also frequently visiting this place.

Sincerely

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

APPENDIX D31

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: "The Goat in the Garden"
Date: 14 March 2022 13:19:18

From: [REDACTED]
Sent: 14 March 2022 13:01
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: "The Goat in the Garden"

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello

I believe that the licence at the above establishment is under question, and would like to submit the following comments in support of it remaining as it is. I live [REDACTED] in [REDACTED], but find it worth the trip to visit somewhere that serves good ale in a convivial but safe and quite setting – to me, it has more of a “club” atmosphere, where everyone is considerate of one-another. I have never known of any bad feeling, nor seen anyone that I might consider “dodgy” amongst the clientele, and do hope that your deliberations will result in the Goat being able to continue to provide a wonderful service to the community.

With best regards,

[REDACTED]

Sent from [Mail](#) for Windows

APPENDIX D32

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Ref Melford House
Date: 14 March 2022 11:30:15

-----Original Message-----

From: [REDACTED]
Sent: 14 March 2022 11:29
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Ref Melford House

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi, I am writing to you to give my support for the Goat in the garden Melford House. It saddened me to hear that it may close to non residents because of noise complaints which I find hard to believe. I am a [REDACTED] and have [REDACTED] in my [REDACTED] so I need to keep mobile so I go for long walks around Farnborough. One of my walks I come across a oasis Farnborough, Melford House and it's lovely owner's Will and Jess. I can have a rest and a good pint of beer in a quiet nice atmosphere. I have not at any time seen noisy, rowdy and violent behaviour at the Goat in the garden, is it safe YES, is it quite Yes. I do not go to pubs in Farnborough much don't feel safe being a [REDACTED]. Melford House is not a pub it's a quiet friendly haven in Farnborough where you can have a good pint of beer and a chat with friendly people in a quiet friendly atmosphere and feel very safe. Will and Jess are a wonderful couple who work extremely hard to keep Melford House the great place it is, it would be a shame and a very sad day for me and my friends if the Goat in the garden had to closed. let's hope there's some serious thinking and common sense used at your meeting and that the Goat in the garden can stay open to none residents. Kind regards [REDACTED]

[REDACTED]

APPENDIX D33

From: [Rushmoor Council Licensing](#)
To: [Aimee Vasser](#)
Subject: FW: Melford House - Goat in the Garden
Date: 14 March 2022 11:08:32

From: [REDACTED]
Sent: 14 March 2022 10:53
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House - Goat in the Garden

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Rushmoor council,

I hear the Goat in the Garden (Melford House, 21 Church Avenue, Farnborough) is under threat and I would like to submit a few words in support.

My partner and I have spent some very pleasant evenings at the Goat – it is such a pleasure to visit – the staff are friendly, the ales (often from local breweries) are very well kept and served and the atmosphere is relaxed, safe and quiet. We much prefer it to the local pubs in the area which can be noisy, impersonal spaces, with the ever present chance of a bag being stolen or drunken groups encountered.

It would be a real loss to the local area if the Goat could not continue to operate. It is an asset to Farnborough, and an excellent example of the sort of friendly local business we need more, not less of in the area.

[REDACTED]
[REDACTED]

APPENDIX D34

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Belford house licence review.
Date: 14 March 2022 10:06:10

-----Original Message-----

From: [REDACTED]
Sent: 14 March 2022 10:04
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Belford house licence review.

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear licensing team,

I write to you in support of the bar at Milford guest house. I have been frequenting the goat in the garden for several years and no longer choose to use any other local establishments, mainly because of the levels of crime and particularly widespread drug abuse from and the affects that this has, particularly when mixed with alcohol. Wills bar is relaxed, quiet and friendly also serving the best real ale I have tasted! If this unique local gem is closed down it will be nothing short of a tragedy.

Thanks

[REDACTED]

Sent from my iPhone

APPENDIX D35

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Goat in the Garden
Date: 14 March 2022 10:05:59

From: [REDACTED]
Sent: 14 March 2022 10:04
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the Garden

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom this may concern,

I have had the pleasure of staying with will, who is an absolute gentleman, and had the pleasure of a few drinks with him in the goat. It's a very unique place, with no trouble what so ever. It's a place to relax and chat with other fellows staying at the bnb. I wish to visit there in the near future do to see this shut one what appears to be over nothing, as this is a trouble free and drug free zone. So to see this shut down would be a shame and an embarrassment on rushmoor.

Kind regards

[REDACTED]

Get [Outlook for Android](#)

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Goat in the Garden
Date: 14 March 2022 09:16:18

From: [REDACTED]
Sent: 14 March 2022 09:10
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the Garden

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning

I'm saddened and shocked to hear the news of complaints against this bar. I lived in farnborough up until recently, and frequented this place often. It was a quiet, hidden away and very respectable establishment, usually with only two-three customers, occasionally busier. I always felt welcome, safe, and respected as a woman on my own and was able to make some great friends with locals in the community and the owners, who were always so kind and welcoming. Places like this are hard to find, it's unique, different and such good fun. The owner was always cautious of noise and would ask customers to leave quietly to protect the neighbours from being disturbed. I would feel so very sad for them to lose this bar, which they are clearly passionate about and make some of their income from, particularly in these difficult times, where money is so hard to make as a self employed person.

I really hope this email makes some difference, I'd love to see it stay open so I can meet my friends there again when I visit.

Kind regards

[REDACTED]

Get [Outlook for iOS](#)

APPENDIX D37

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Melford House
Date: 14 March 2022 08:12:40

-----Original Message-----

From: [REDACTED]
Sent: 12 March 2022 14:47
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House

You don't often get email from [REDACTED]. Learn why this is important
<<http://aka.ms/LearnAboutSenderIdentification>>

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

1) Is the Goat quiet? I bring [REDACTED] to the Goat when there are training at [REDACTED] and it's a great place for them to network. All the feedback I get is positive.

2) Is the Goat free of crime? I am coming know since 2021 to the Goat and there was no crime.

3) Is it safe to go there ? Yes it is for anybody.

4) Is it safe for children? Last summer I witnessed a few families with there children, so yes it is absolutely safe for children.

[REDACTED]
[REDACTED]
[REDACTED]

APPENDIX D38

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Regarding alcohol sales at Melford House Bar (The Goat in the Garden)
Date: 14 March 2022 08:12:28

-----Original Message-----

From: [REDACTED]
Sent: 13 March 2022 20:15
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Regarding alcohol sales at Melford House Bar (The Goat in the Garden)

You don't often get email from [REDACTED]. Learn why this is important
<<http://aka.ms/LearnAboutSenderIdentification>>

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam,

I am writing to support the case for allowing the ongoing sale of alcohol at the garden bar within the Melford House B&B, known as 'The Goat in the Garden'.

I work at [REDACTED] but live [REDACTED] and, as a result, therefore come up and stay for a few nights at Melford House when I work in the office. I have been staying at Melford House for nearly 10 years now and got to know the owner 'William' well over this period. In recent times he has developed the bar in the garden which is a lovely place to relax and have a pint or two after a hard day's work, whilst staying at Melford House.

Will has created a relaxing and low key bar that is quiet, friendly, free from any crime or threatening behaviour and a wonderful place to quietly relax on an evening when staying away from home.

I often meet like-minded people involved in the [REDACTED] industry either training at [REDACTED] or, like me, attending the office or relaxing prior to a [REDACTED] the next day. Everyone I meet there enjoys having a quiet drink in the Melford House bar (the Goat in the Garden) rather than the alternative of a noisy bar in town that can often be more threatening with anti-social behaviour. It gives us an opportunity to connect on a professional as well as a social level.

There is no reason that this bar should not be allowed to continue to serve alcohol in this way and it would be a real step backwards both for the options available for professionals visiting the area to relax but also a backwards step for the support that we can give small local businesses who have had such a tough time surviving during COVID and are just getting back on their feet.

Should you wish to get any further information then feel free to contact me. I hope you consider this matter carefully and come to the decision to allow alcohol to continue to be served at this bar.

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Melford House
Date: 14 March 2022 08:12:11

From: [REDACTED]
Sent: 12 March 2022 00:09
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Re: Melford House

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs,
I write to you regarding the licensing review for Melford House.

Whilst not a full time [REDACTED] resident my [REDACTED] have had a home here for over 60 years and I return regularly. If I get any opportunity to seek refreshment when in the area The Goat in the Garden is my preferred choice. I have on occasion driven from [REDACTED] just to enjoy a pint too, but that is a rarity as its hard to just have the one!

It has a unique intimate atmosphere; the landlord has a passion for local and smaller brewery beers and is a cut above your usual host! He treats everyone like friends, and runs a quiet cosy bar. I have never experienced any kind of loud or boisterous behaviour when there. I have generally witnessed a middle-aged local clientele together with a small number of mostly overseas visiting hotel guests, all of whom seem to enjoy the atmosphere too.
In fact, I suggested staying at Melford House to a client of mine from [REDACTED] who absolutely loved the hotel but especially the bar with the "quaint English feel" as she described it! Quite a compliment from someone who is very well travelled and usually opts for the large hotel chains. She stayed for two weeks last year but is talking about coming back and says she wouldn't dream of going anywhere else, considering most of her work is outside the area that is quite an endorsement.

To sum up with regard to licensing objectives, it is quiet, I have never seen any trouble or unsavoury characters nor any sign of illegal substances either being taken or sold. It is an oasis that has remained largely undiscovered through design as I understand it and in my opinion is by far and away the best bar not just in Farnborough but for miles.

I would be happy to answer any further questions or give a more in-depth reference if required, contact details are below.

Kind regards, [REDACTED]

[REDACTED]

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Premises Licence Review - Melford House (Ref: 20/00194/LAPREM)
Date: 14 March 2022 08:10:32

From: [REDACTED]
Sent: 13 March 2022 15:37
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Premises Licence Review - Melford House (Ref: 20/00194/LAPREM)

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam,

I write in support of the application for the "Goat in the Garden" situated and owned by Melford House Hotel and the licensee William Hallinan. The licensed premises is used by hotel residents and their guests and by invite of the licensee only.

It is not known as Farnborough's hidden secret for nothing as it is a very discreet and normally quite venue certainly when compared to some of the more local main street pubs in the area. There is absolutely no instance of crime or drugs in the premises which I understand may be a problem in other establishments. At Melford House with William running a very well controlled environment in his bar with largely-invited guests it is extremely difficult to visualise such .events occurring.

I often, on invite, bring my [REDACTED] to the bar and she is always very safe and well looked after with Williams wife Chess often offering her a glass of squash and peanuts.

Invariably on my visits There have been less than five persons there as it is mainly used by residents of the hotel.

Will is an asset to the local community and also to the Campaign for Real Ale (CAMRA) who have recognised his contribution to the pub scene and real ale in Farnborough being one of only 3 venues in the CAMRA National Good Beer Guide. In my visits I have never considered noise to be an issue of community annoyance.

It will be a great loss to the majority of neighbours and local community if the license is revoked or the restrictions listed restricting William from running a viable business and unique attraction for the town of Farnborough and Rushmoor Borough Council.

Yours sincerely

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 10 March 2022 08:22
To: Aimee Vosser
Subject: FW: Premises Licence Review - Melford House (Ref: 20/00194/LAPREM)

From: [REDACTED]
Sent: 10 March 2022 08:18
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Premises Licence Review - Melford House (Ref: 20/00194/LAPREM)

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Dear Sir / Madam,

I write in support of the application for the "Goat in the Garden" situated and owned by Melford House Hotel and the licensee William Hallinan. The licensed premises is used by hotel residents and their guests and by invite of the licensee only.

It is not known as Farnborough's hidden secret for nothing as it is a very discreet and normally quite venue certainly when compared to some of the more local main street pubs in the area. There is absolutely no instance of crime or drugs in the premises which I understand may be a problem in other establishments. On the border of Rushmoor Borough Council there is a pub in Tongham called the Cricketers which had a stabbing outside the pub. I would say that this would be unbelievable to happen at Melford House with William running a very well controlled environment in his bar with invited guests only.

I often, on invite, bring my [REDACTED] to the bar and she is always very safe and well looked after with Williams wife Chess often offering her a glass of squash and peanuts.

Invariably on my visits there will be no more than half a dozen visitors talking in a relaxed atmosphere.

Will is an asset to the local community/neighbours and also to the Campaign for Real Ale (CAMRA) who have recognised his contribution to the pub scene and real ale in Farnborough being one of only 3 venues in the CAMRA National Good Beer Guide. In my visits I have never considered noise to be an issue of community annoyance.

It will be a great loss to the majority of neighbours and local community if the license is revoked or the restrictions listed restricting William from running a viable business and unique attraction for the town of Farnborough and Rushmoor Borough Council.

Yours sincerely

[REDACTED]

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 10 March 2022 08:23
To: Aimee Vosser
Subject: FW: Make representations about a licence application - 2052118

From: Rushmoor Council Online Forms <forms@rushmoor.gov.uk>
Sent: 09 March 2022 21:58
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Make representations about a licence application - 2052118



A customer has recently completed one of our make representations about a licence application forms.

We said we will look over the information that they sent to us and get back to them soon.

Below is a copy of the information they sent to us.

Reference number: 2052118

Data protection: We will only use the information you give us for the purpose stated on the form.

Representation details

Address of premises:

Melford House, 17-19 Church Avenue.

Farnborough

GU14 7AT

Application reference number (if known):

The representation must be about the effect of the grant of the application on one or more of the Licensing Objectives.

Which of the following Licensing Objectives do you think will be impacted by the grant of the licence?

Public safety

What is the nature of your representation?

I commend Willem for providing an alternative to the local pubs. It has always been a tranquil haven to meet up with friends or family. It has and will remain a quiet, safe, drug free venue for local residents and the guest house clients.

Your details

Name: [REDACTED]

Address:

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 10 March 2022 09:17
To: Aimee Vosser
Subject: FW: Melford House / Goat In The Garden

From: [REDACTED]
Sent: 10 March 2022 08:56
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House / Goat In The Garden

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Good morning, to whom it may concern

I am more than happy to put my support behind the absolutely lovely bed & breakfast that is Melford House on Church Avenue, Farnborough, and their 'pub' The Goat In The Garden.

I had a fantastic visit there last year in their beautiful, tranquil setting. It was relaxing, comfortable and just a lovely opportunity to finally meet up with friends I hadn't seen for a long time due to the pandemic.

I understand their licence to serve alcohol is in question, which seems a huge shame. They are not a busy pub with a wide variety of customers, but an intimate venue ideal for a relaxed catch up with friends. I attended a birthday gathering in May 2021, with around 20 people - all middle aged apart from 3 children. I can only say there really is only so much noise we can generate these days and it definitely wasn't rowdy! There were a few neighbours who were there and enjoyed a drink at the Goat In The Garden, we enjoyed chatting to them and they weren't disturbed by our presence - which is usually a good benchmark.

It's a friendly, welcoming, relaxing place to stay, meet with friends and enjoy the hospitality of the owners, and I think Farnborough is incredibly lucky to have this establishment. Their support of local food and drink producers is admirable, and that they have made it through the pandemic is testament to the industry and ingenuity of the business owners.

I do hope that they can continue to operate, and if there are any additional details I can provide to support you with your considerations, please do not hesitate to get in touch.

Kind regards

[REDACTED]

[REDACTED]

Aimee Vosser

From: [REDACTED]
Sent: 10 March 2022 10:38
To: Aimee Vosser; Rushmoor Council Licensing
Subject: Re: Melford House Licencing Ref: 22/00136/LAPRER

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Aimee & the Rushmoor Licensing Team,

Thank you for your prompt response detailing the key aspects of Licencing you are reviewing, namely preventing crime and disorder, preventing public nuisance, ensuring public safety & protecting children from harm. 21:29...You work very late!

Here is my revised submission supporting Melford House B&B ('The Goat in the Garden'), 17-19 Church Avenue, Farnborough GU14 7AT & their licence to serve alcohol.

I live in [REDACTED] where we don't have a similar venue of such quality where I can enjoy a quiet social evening with friends in such a beautiful purpose-built bar area. I look forward to my visits to the Goat with my [REDACTED] friends.

On each visit, I have found the owner, William Hallinan to be most welcoming, with a well run bar & interesting offerings. He provides great public amenity in a relative desert of independent, quality drinking establishments. The Goat supports many local small business & breweries, a refreshing change to the large scale, chain-owned social drinking venues.

On no occasion have I witnessed rowdy, noisy behaviour or public nuisance. I suspect the few instances reported to / witnessed by your Environmental Health team were rare, with people letting off steam after months of relative isolation in lockdown. As [REDACTED], my friends & I set up & run many local festivals including Ascot, Farnham, Guildford, Woking & Oxford, so we understand the importance of controlling noise & behaviour, encouraging social drinking in a safe, enjoyable & responsible manner (Public safety & nuisance aspects of Licencing).

My children are grown up now, but I would have no hesitation recommending the Goat to friends with young, well-behaved children to eat & drink in a safe, friendly environment with no risk of harm.

If the Goat were to have its licence revoked, it would be the loss of a great local community asset, leaving locals & their friends with no alternative venues of such quality in the Farnborough area.

Kind regards,

[REDACTED]

APPENDIX D45

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 10 March 2022 11:11
To: Aimee Vosser
Subject: FW: In support of the Goat in the Garden, Melford House

From: [REDACTED]
Sent: 10 March 2022 10:12
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: In support of the Goat in the Garden, Melford House

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I am writing in support of Melford House B&B on Church Avenue in Farnborough and their licence to serve alcohol.

I have been fortunate to use the Goat in the garden many times and the reason I do this is because it is a quiet, child friendly and very welcoming place. It is off the beaten track so people that go there have to make the effort and as such you do not get rowdy groups of people, instead you get couples and people with children, and it also welcomes dogs which not all places do.

Because of the warm welcome you always get we chose to celebrate my [REDACTED] birthday there last year, knowing children and dogs would be welcome, that we wouldn't have to deal with large groups of drunken people or bad language, it would be a shame to lose this lovely place, especially given it is a small business that survived the pandemic.

My full name and address are

[REDACTED]

thanks
[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 10 March 2022 12:18
To: Aimee Vosser
Subject: FW: ref Melford House

From: [REDACTED]
Sent: 10 March 2022 11:49
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: ref Melford House

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

I am writing in support of the above premises in the current licencing review application.

I have been using this little family run gem of a place, for about three and a half years. Apart from the very friendly reception I have always received, it has proven to be a very quiet and tranquil spot, with just the the odd resident, and a very few local "known", non-residents dropping in for a drink. To my knowledge most non-resident locals, out of courtesy to the running of a small business, ring first to check it's ok to arrive.

It's a very quiet, safe and trouble free haven, which is ideal for older clientele like myself, or people with children. There has never to my knowledge ever been any noise or rowdy behaviour. There has also never been problems with anyone trying to use drugs, as is the case in some busy pubs, as that would not be tolerated by the management or customers.

I have been recommending Melford House to family and friends who wish to visit, about using this little gem of a location. The fact that there is a safe bar, where residents and non residents can meet is clearly fairly essential, it is far more appropriate than some local noisy pubs in the area, especially at the weekends.

Yours faithfully

[REDACTED]

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 10 March 2022 13:06
To: Aimee Vosser
Subject: FW: Melford House

-----Original Message-----

From: [REDACTED]
Sent: 10 March 2022 13:04
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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My version....already had a very detailed and polite reply which i wasnt expecting! 😊😊

Just need to add own name and address.....and change anything you don't agree with obviously but feel free to copy and paste or alter.

To whom it may concern,

I am writing in support of Melford House B&B on Church Avenue in Farnborough and their licence to serve alcohol.

They have a beautiful property with a specially designed, designated area for their non staying residents to visit.

The multiple times I've visited and supported this local, friendly and welcoming business, it has been quiet and there have been no issues at all.

There are no problems that I could even imagine causing impact on their neighbours or surrounding area. I have witnessed no noise concerns or antisocial behaviour at all.

I live at [REDACTED]

The "Goat in the Garden" is a hidden gem within our local community. It's an authentic, independent establishment with an honest interest in serving the local area with alternative places to socialise and investing in local breweries.

It would be incredibly sad to see it shut down and quite honestly, a waste of council resources even debating it.

I have lots of people who are in agreement with me who will hopefully be contacting you in due course as well in support.

If you could also reply for my own understanding, with the detailed reasons and rationale behind the possible closure and if or what council codes are in violation, that would be most appreciated.

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 11 March 2022 09:38
To: Aimee Vosser
Subject: FW: The Goat in the Garden bar support

From: [REDACTED]
Sent: 10 March 2022 14:43
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat in the Garden bar support

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Dear council licensing,

I'm getting in touch as a previous guest at the Melford House hotel, as I've heard there's been some questions about shutting down their garden bar.

While I appreciate the need to follow rules about licensing and keep communities happy, I do feel that having visited the premises, there isn't a strong case for removing its licence, according to current regulations.

The reasons for this are:

- 1) The bar has few numbers in it; it seems very much more like a friend's quiet gathering than anything else (when I visited, only 4 drinkers). The demeanour is very quiet, the guests are primarily older locals and hotel guests travelling for work- it's not a party bar! I wouldn't have thought it was open to the public had I not been told- it just looked like a handful of friends having a catch up when I was there.
- 2) Quiet and respectful behaviour is strictly and strongly enforced- those entering the bar are swiftly made aware of the need to respect the neighbours and the neighbourhood. These restrictions mean that the garden bar is likely to be consistently quiet and peaceful throughout the year; unlike the average neighbourhood where one can reasonably expect occasional parties, fireworks, new years events to cause noise. The restrictions on this bar here mean it will be creating *less* noise compared to unrestricted local homes.
- 3) Similarly, this bar is controlled and rules enforced by the owners, meaning it remains free from crime or antisocial behaviour- unlike other bars, houses, or unregulated venues around the area.
- 4) This is a very safe place- it's not advertised to the street, the main house is locked and only accessible to guests, the entrance hidden behind the back, so this doesn't attract random footfall which could disrupt the peace and quiet. I'd happily take children here to sit and enjoy the peace and quiet, and scenery- unlike other local establishments where nobody knows who might be there, this is very much like entering someone's home.
- 5) The special atmosphere and unique, enjoyable offering does wonders for the hotel and the local economy- should I ever be in the area again, I know I'll stay here again.

I am [REDACTED], and I'd strongly encourage you to keep this little local gem open!

Very best,

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 11 March 2022 09:38
To: Aimee Vosser
Subject: FW: Melford house

From [REDACTED]
Sent: 10 March 2022 16:03
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford house

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Good afternoon,

I'm sorry to trouble you with my thoughts and concerns. It has come to my attention that the bar in the outside building of Melford House is under licensing review.

Whilst I appreciate there are many complexities involved with licensing in the UK and I also respect there is due process to follow for yourselves I wish to highlight my experiences of Melford House.

I discovered Melford House or "The goat in the Garden" on an app called Neverspoons. This app helps users find independently owned drinking establishments and public houses. As you likely well know these are a bit of a rarity these days. I live a [REDACTED] from Melford house and whilst running or dog walking I'd passed the premises many times with knowing it was anything more than a guest house. I made contact with Will shortly after the first set of covid restrictions were lifted and he was allowed to have guests again.

When meeting Will for the first time he and his wife made the effort to meet me face to face, introduce themselves and get to know myself and my then 3 month old daughter with whom I was caring for that day. Will made it very clear on that day that because of where the bar is and his respect for his neighbours that if I wished to come for a drink to speak with him first to ensure the bar was quiet.

I've frequented many times since this first day and always followed the rules. On the majority of occasions myself or my wife, daughter and I would be the only persons in attendance. Over the last 12 months the bar has become not only my favourite place for a beer in Farnborough but my favourite bar in the UK! As a [REDACTED] that's a big claim.

My reasons for this is it's a friendly safe place to go. It's personable and local. I've been several times with [REDACTED] and both Will and Chess (Ceslava) his wife have held and cared for her. They've always been so accommodating, loving and trustworthy. As a [REDACTED] that's only lived in Farnborough for [REDACTED] this friendship and connection has been really important.

I work [REDACTED] to Melford house and when I first started at [REDACTED], not a single one of my colleagues had ever heard of Melford house or it's perfect little bar. However, something they are all happy to talk about is how poor Farnborough is when it comes to entertainment and places to socialise. I have visited every pub in Farnborough over the last 4 years and in that time I've witnessed, fighting, use of illicit substances, dirty/unhygienic places, swearing, racism and most commonly impersonal and poor customer service.

My [REDACTED] not local to [REDACTED] and have visited Melford House as guests and my [REDACTED] who suffers from [REDACTED] was treated with love and respect. Will and Chess made every effort to accommodate [REDACTED] and every time I speak [REDACTED] he asks me to send my regards to Will.

Finally a plea for my own mental health and wellbeing, The Goat in the Garden has been the only local place I've felt happy to unwind, relax and destress over what has been a very eventful 12 months. Being quite in nature and away from crowds of people and it really is a little area of perfection in the area.

I do hope when the license is reviewed a level of balance and pragmatism is used and that the RBC 2030 vision priority of "growing the local economy" and "Improving the health and wellbeing of residence" is taken in to consideration.

Thank you for taking the time to read this email and for all the hard work that you do.

Yours Sincerely,

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 11 March 2022 09:40
To: Aimee Vosser
Subject: FW: Goat in the Garden

-----Original Message-----

From: [REDACTED]
Sent: 10 March 2022 17:10
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the Garden

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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To whom it may concern

I am writing to you to let you know how disappointed I am to hear that my favourite pub in farnborough might be closing.

I have been drinking in The Goat for a while. I'm not a regular but I'm regular enough to be concerned enough to write to you.

Its a great little place and Will and Chess are always the perfect hosts.

It doesn't feel like a pub but more like meeting for a pint with Will at his house in the garden the place is so friendly and nothing is too much trouble and it serves the best Real ale for miles around. I've met some people in there that I would know call my friends.

At Christmas after my [REDACTED] in [REDACTED] 16 of my close family and friends of various ages from 1-72 went back for a drink and a bite to eat and it was lovely. Most of our group had never been but all commented how lovely it was and my [REDACTED] has since returned and stayed in one of his rooms over the weekend.

There is never any trouble or youngsters doing who knows what in the toilet like some of the pubs in farnborough I hear about.

I only drink in two places in farnborough The Goat or The Snow Goose these are the only places I would ever go for a nice friendly pint where I feel safe.

I cannot understand why you would want to close such a quiet little friendly place where most nights everyone in there knows each other and are friends and or friends of friends.

PLEASE KEEP THIS GREAT PLACE OPEN.

Kind Regards

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 11 March 2022 09:40
To: Aimee Vosser
Subject: FW: Melford House, Farnborough

From: [REDACTED]
Sent: 10 March 2022 20:58
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Re: Melford House, Farnborough

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To whom it may concern,

I am writing in support of Melford House B&B, Church Avenue, Farnborough and their licence to serve alcohol.

I am a resident of [REDACTED] and I work [REDACTED] as a [REDACTED] at our [REDACTED].

I can vouch that the owners of Melford House operate an extremely safe and friendly B&B with on-site facilities for meals and drinks. They operate an extremely professional establishment and have invested a considerable amount of money into having a purpose built area for non resident guests.

I have visited their business multiple times, alone, and with my partner and family members. Every time I have visited and supported this local, friendly and welcoming business, it has been quiet and there have been no issues at all. It has a 'home from home' atmosphere and it definitely does not attract great numbers of rowdy individuals. Quite the opposite, and that's the main attraction.

It is an exceptionally safe environment, one that I would take my child or elderly relative to. It is by far the safest atmosphere out of all the drinking establishments in Farnborough and the surrounding area. So much so that I no longer visit my more local options, such as, The Alexandra or the Tilly Shilling, mainly due to the amount of drug use and antisocial behaviour that is present in these pubs!! This is not an issue I need to consider at Melford House.

As Melford House does not actively advertise, I have never seen it busy. I have never seen or could imagine any impact on the neighbours when people are in or leaving Melford House.

I have never seen any antisocial behaviour or noise concerns. Frankly, I expect most people who live in Farnborough experience much more noise (and antisocial behaviour) from people exiting and making their way home from other pubs, or even from their normal neighbours!!

The "Goat in the Garden" is a true, hidden gem within our local community. It's an independent establishment with an honest interest in serving the local area with alternative places to socialise and investing in local brewers. Not to mention it is a local business belonging to professional, friendly, hard working people.

It would be incredibly sad to see it shut down based on, I expect, 1 or 2 local neighbours who simply do not like the idea of it.

I live at [REDACTED].

I sincerely hope you take this appeal into consideration.

Kind regards,

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 11 March 2022 13:04
To: Aimee Vosser
Subject: FW: REF: Melford House

From: [REDACTED]
Sent: 11 March 2022 11:58
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: REF: Melford House

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Dear Sir/Madam,

I would like to petition for the Goat in the Garden bar to rename open as a location with cultural significance. Here are my thoughts:

- My company would approve me staying in one of the generic hotels in Farnborough but I choose to stay in Melford house because I get to meet likeminded people in a relaxed social environment
 - I get to experience Farnborough and the real England
 - The same applies to going to The Swan in Farnborough, which is local, great food and I'm experiencing local culture
- The Goat is a quiet, small bar where guests meet to talk and share experiences, it is truly a gem
- There is no noise, no drugs, no crime, no disturbances
 - It's a B&B and the guests generally are workers who are up early
 - If there was noise it would affect them also and there aren't, from what I can see every time I stay, any complaints
- The B&B including this bar is children friendly and safe
- This is not a pub, it's a small bar on the premises of an excellent B&B

I have stayed here more than [REDACTED] times and when I return to Farnborough with [REDACTED] I will stay here again. Closing this small bar would make me consider a generic hotel because I work 10hr + days sometimes and I need to wind down at the end of the day. Having the bar on-site is a massive draw.

Our company [REDACTED] is a [REDACTED] from this B&B and we are extremely happy to have it nearby and we usually recommend it to international colleagues flying in from around the globe. I have every faith that you will consider petitions for this small bar to remain open and hopefully I have outlined why it is more than just a small bar, it is of cultural significance and importance to Farnborough.

Thank you for your time,

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 11 March 2022 13:13
To: Aimee Vosser
Subject: FW: The Goat in the Garden

From: [REDACTED]
Sent: 11 March 2022 09:51
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Cc: [REDACTED]
Subject: The Goat in the Garden

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CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Licence Review ref: 22/00136/LAPRER

Good morning

I am writing to express my support for The Goat in the Garden, and my dismay that you are actually considering reviewing the licence at this great little place.

I can not say strongly enough how lovely and friendly the Goat is. It is great for our local community to have a quiet place to go that is not a chain pub with the usual noise and rowdiness (especially in Farnborough).

I have found the Goat to be quiet, welcoming and safe - I have taken my [REDACTED] there, something I do not do to The Gloster, The Tilly Shilling or The Tradesmans Arms ([REDACTED]) which I find intimidating, rowdy, and (as the evening wears on) the threat of shouting and nastiness increases. The Goat is a world away from this - it is quiet, fun, full of interesting conversation, safe and a great addition to the local area.

In summary:

1. The Goat is very very quiet compared to a pub
2. There is no crime and no drugs on offer
3. The Goat is a very safe place to come and there's never any threat of 'nastiness'
4. It is a safe and welcoming place for children
5. The Goat is an excellent addition to the neighbourhood

Finally, given the modern world we live in, I think Will's entrepreneurial spirit should be applauded and welcomed rather than challenged.

If you have any questions, or require further details, then please feel free to be in touch - I feel passionately that The Goat should retain their licence.

Thank you for your time, and for listening

Kind regards

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 11 March 2022 15:06
To: Aimee Vosser
Subject: FW: Melford House - Goat in the Garden

-----Original Message-----

From: [REDACTED]
Sent: 11 March 2022 14:44
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House - Goat in the Garden

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Rushmoor Council.

I'm very concerned about the terrifying news that Rushmoor Council is trying to close down Melfords House Goat in the Garden bar.

Pre-pandemic I've stayed there multiple times [REDACTED], spending some nice time at the bar in the garden. It has always been quiet in there, only a few punters enjoying their handpulled ales with a bit of banter.

There are no other cosy pubs or bars in the area you would want to visit after a long day at work. As a [REDACTED] [REDACTED] I've always tried to avoid the nearby city center pubs at nighttime, there are always some dodgy people hanging around. The only other pub in walking distance is The Squirrel, but it's always crowded in there with loud music. None of both I've ever experienced at Melford House.

I'm looking forward to visit Melfords House and the Goat in the Garden bar again, keeping my carbon footprint small without the need to drive somewhere cosy!

Best regards,

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 11 March 2022 15:37
To: Aimee Vosser
Subject: FW: The Goat in the Garden - Melford House

From: [REDACTED]
Sent: 11 March 2022 15:34
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat in the Garden - Melford House

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Dear Sirs

I am writing in support of the "Goat in the Garden" hotel bar of Melford House, Church Avenue, Farnborough.

This is a little known venue in Farnborough, whenever I visit there there are never many customers. Of those that are there, many if not most are residents at the hotel.

This is a quiet and safe establishment - to my knowledge there has never been any trouble or criminality there (unlike many of the other pubs which fall under your jurisdiction and which I presume you are not threatening with closure or restrictions).

Finally I would also like to express my outrage that the council is spending my taxes on pursuing businesses who have actually shown a great deal of initiative and ingenuity to adapt to challenging economic circumstances following the pandemic.

Kind regards

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 14 March 2022 08:06
To: Aimee Vosser
Subject: FW: The Goat In The Garden licence

From: [REDACTED]
Sent: 12 March 2022 11:05
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat In The Garden licence

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madam,

With reference to the above licensed premises at Melford Guest House, I understand that this licence is under consideration.

As an professional [REDACTED], I stayed at this property a number of times and visited the licensed premises on each occasion.

My experience there was always that this was a civilised, well-managed premises, the other guests I met were invariably friendly and, like me, appreciated that the proprietor served excellent real ales and good quality bar food. Clientele there were different in a positive way from those who often attend licensed public houses in the area; I appreciated this and would have been entirely happy to bring my family to eat and drink with me.

I slept in a room overlooking the bar in the summer months on every occasion and the clientele in my experience were considerate when arriving and leaving; I was not disturbed on any occasion.

Please accept this message as my endorsement of the value of this premises' licence.

Best regards,

[REDACTED]

APPENDIX D57

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 14 March 2022 08:07
To: Aimee Vosser
Subject: FW: Goat in the garden ,Melford house

-----Original Message-----

From: [REDACTED]
Sent: 12 March 2022 17:31
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the garden ,Melford house

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs,

I feel very privileged to have found such a wonderful classy bar in Farnborough Park,area.

I am a [REDACTED] and find it difficult to go into a bar alone, but not at The Goat, you are always made welcome and I have never felt uncomfortable.

On the occasions I have frequented this haven I have never experienced any problems noise or otherwise.

I think it would be a big mistake to rob the locals of a place to relax and have a quiet social evening.

Regards [REDACTED]

Sent from my iPad

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 14 March 2022 08:07
To: Aimee Vosser
Subject: FW: THE GOAT IN THE GARDEN . Melford house GU147AT

From [REDACTED]
Sent: 12 March 2022 19:27
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: THE GOAT IN THE GARDEN . Melford house GU147AT

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[REDACTED]

To whom it may concern,

As a long term resident of Rushmoor I have found a wonderful jewel of an establishment in Farnborough, in the form of a small well run , safe space , known as THE GOAT IN THE GARDEN. I first heard about this oasis of tranquility , by word of mouth from a friend. THE GOAT IN THE GARDEN, which I will refer to for now as The Goat, is a small bar attached to Melford guest house , in a nice area of Farnborough. I've been a visitor since coming out of lockdown from covid . The bar is well run , clean , tidy and very welcoming. I have made friends there , met some very interesting people , some being visitors to the guest house and others being people who like to have a quiet drink in a safe , uncrowded place and being able to relax without some drunken yob bumping into them .

I have been informed that Rushmoor council is looking to close The Goat . This would be a great loss to a number of people and certainly would be of no benefit to the council. Guests that have stayed at Melford house come from all over the world as a number of them are aircrew from Farnborough Airport and having spoken to a few , I can assure you it is a well liked bar and talked about by many aircrew . If they go to a bar in town and come across the drunks and drug addicts that frequent our wonderful town centre, how will Farnborough and more so , Rushmoor Borough Council appear to the wider world .

I appeal to your better judgment that you do not close down this safe space and let THE GOAT IN THE GARDEN continue to serve the select clientele in this hidden gem of Farnborough .

Yours sincerely [REDACTED] .

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 16 March 2022 12:09
To: Aimee Vosser
Subject: FW: Goat in the Garden, Melford House

From: [REDACTED]
Sent: 16 March 2022 10:28
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the Garden, Melford House

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

I am writing about The Goat in the Garden, the bar for Melford house. Our house is the [REDACTED] - our [REDACTED] is probably less than [REDACTED], so I believe that I have good grounds for these comments.

I understand that there have been complaints about the noise while it is open. This surprises me, as the only time there has been noise was during the Euro football in (I think) 2020. This was only during the matches, and even then was not bad. Since then, Will has said that he does not want to have football shown, and has, as far as I can tell, stuck to that.

Other than that, we have not heard any significant noise from the bar, or from the house. In fact, I would say that a bigger source of noise is the house behind Melford House, on Salisbury Road, which has had quite a few noisy parties, which tend to go on into the early hours.

In comparison with other pubs and bars, I would say that Goat in the Garden is particularly quiet, and I never seen any violence or other bad behaviour around it.

I hope that these comments are helpful.

Best regards,

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 16 March 2022 13:31
To: Aimee Vosser
Subject: FW: Melford House - Goat in the garden

From: [REDACTED]
Sent: 16 March 2022 13:14
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House - Goat in the garden

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I have visited the "Goat in the Garden" on several occasions over the past 12 months and was very surprised to hear that there have been complaints from neighbours. I have specifically met there for business purposes because it is so welcoming, friendly, relaxed and quiet. It's a truly lovely location, hidden around the back of the B&B with no street advertising to drive trade up to noisy levels. A cliché for sure - but this really is a "hidden gem" and I can't imagine the cause for complaints. The atmosphere is really much more akin to having guests around for summer drinks in the garden than a pub or beer garden vibe. No drunks, shouting, anti-social behaviour etc. Everyone pretty much knows everyone else.

I quite honestly cannot fathom what the cause for complaint is based on and would be truly sorry to see this lovely establishment lose its licence.

I know that many others are voicing the same view and hope that you will take these into proper consideration.

[REDACTED]

--

Best regards,

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 16 March 2022 14:20
To: Aimee Vosser
Subject: FW: Goat in the Garden, Farnborough

From: [REDACTED]
Sent: 16 March 2022 14:19
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the Garden, Farnborough

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Sir,

I am writing in support of the Goat in the Garden as I understand it has been the subject of some complaints to you recently.

I have visited numerous times over the past couple of years and all I have ever found is a very amenable, professional host and some locals having a quiet pint after work.

When I have stayed late, again it has always been quiet, certainly no loud music playing etc.

I recall going to one event last summer when there was a pizza night again populated with locals and family's and thought to myself, how pleasant a location and how nice to have a drink with good people in a nice surrounding – something very hard to find these days in the pubs of Aldershot and Farnborough!

Overall, Will's bar is a credit to the local community and should certainly retain its license in my view

Yours,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

APPENDIX D62

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 16 March 2022 15:38
To: Aimee Vosser
Subject: FW: Goat in the Garden, Farnborough

From: [REDACTED]
Sent: 16 March 2022 15:02
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the Garden, Farnborough

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Sir,

I am writing in support of the Goat in the Garden as I understand it has been the subject of some complaints to you recently, which I find very disappointing. My family have visited the premises a number of times over the past couple of years and we have found the host and the clientele to be professional, well behaved and never witnessed any inappropriate behaviour or noise.

I have found the bar populated with locals and family's enjoying themselves in a relaxing, safe and friendly environment, something very hard to find elsewhere in the Borough of Rushmoor.

Will's bar is a credit to the local area and unquestionable retain its current license.

Yours,

[REDACTED]

[REDACTED]

Sent from my iPhone

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 16 March 2022 16:58
To: Aimee Vosser
Subject: FW: Melford house - licence review

From [REDACTED]
Sent: 16 March 2022 16:46
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford house - licence review

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear licensing team,

I wanted to write to you regarding the current license review for Melford House Farnbrough.

I came across Melford House during the summer last year after moving to the area a few years back.

Coming from West London's I've struggled to find anywhere that I'd call my 'local' as I have found most pubs in the area are disappointingly rough with unsavoury characters and no where I feel comfortable relaxing and having a few drinks free of any 'trouble', 'rowdiness', or concerns for me and my children (if ever they are also with me).

The bar is so friendly and I've met some really nice and interesting people coming here - some of which have now become really good friends.

The bar is very quiet, chilled and relaxed and always a nice vibe.

After hearing that there is a possibility this bar will be closing I am beyond sad that this could be the case. I can't think of anywhere else remotely local that offers the same atmosphere or cosy feeling as here and it would be such a shame - I'm honestly astounded that there have been any complaints about this place - never once in my many times I've been here has the place been loud, overbearing, or disrespectful towards the local residents

In fact never once has anyone ever asked for the customers to keep the noise down - it's that quiet!!

Struggling so see why there would be any issue or offence caused to anyone nearby... - my friends and family have all been and many said what a little gem this bar is..

I would be more than happy to be contacted further in support of keeping this little gem open.

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 15:09
To: Aimee Vosser
Subject: FW: Melford house

From: [REDACTED]
Sent: 09 March 2022 14:47
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford house

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Sirs

I'm writing to support the license application for The Goat in the Garden.

On the occasions that we've visited this bar we have found it to be welcoming and relaxing. Other guests we've met have been convivial company. It's quiet; in fact a passer by wouldn't know there was a bar there unless they noticed the understated sign by the by road. I don't expect that they get much passing trade.

In a town where the pubs are so few and far between (and the good one's even rarer) it's nice to have a friendly , welcoming local place.

Regards

[REDACTED]

APPENDIX D65

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 15:07
To: Aimee Vosser
Subject: FW: Goat In The Garden

-----Original Message-----

From: [REDACTED]
Sent: 09 March 2022 13:57
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat In The Garden

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon,

I am writing to share my objection regarding the closure of Goat in the Garden.

This is a wonderful small bar run by friendly and kind people. It's clear to me that Will, Ches and family just want to provide a place for a select clientele to enjoy time with their friends.

As a woman I would not feel safe visiting local pubs and bars in the area alone but I would not hesitate to visit the Goat alone. I have never felt threatened, judged, intimidated there. Nor have I witnessed any violence, threatening behaviour, drug use or anything else associated with 'rowdy pubs'.

I have only ever experienced positive times here and It would be an absolute travesty if the Goat closed. The Goat is a small haven for those who simply want to enjoy a safe and relaxed time with likeminded people.

Thank you very much for your time.

With kind regards,

[REDACTED]

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 14:36
To: Aimee Vosser
Subject: FW: Make representations about a licence application - 2052085

From: Rushmoor Council Online Forms <forms@rushmoor.gov.uk>
Sent: 09 March 2022 10:39
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Make representations about a licence application - 2052085



A customer has recently completed one of our make representations about a licence application forms.

We said we will look over the information that they sent to us and get back to them soon.

Below is a copy of the information they sent to us.

Reference number: 2052085

Data protection: We will only use the information you give us for the purpose stated on the form.

Representation details

Address of premises:

Goat in the Garden
(also known as Melford House)

21 Church Avenue
Farnborough
GU14 7AT

Farnborough

GU14 7AT

Application reference number (if known):

The representation must be about the effect of the grant of the application on one or more of the Licensing Objectives.

Which of the following Licensing Objectives do you think will be impacted by the grant of the licence?

The prevention of crime and disorder, Public safety, The prevention of public nuisance, The protection of children from harm

What is the nature of your representation?

Having visited the premise, I do not feel that there will be any impact on the above objectives.
Always found to be a secure/safe and quiet place to visit.

Your details

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 08:41
To: Aimee Vosser
Subject: FW: Goat in the Garden

From: [REDACTED]
Sent: 08 March 2022 12:01
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the Garden

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi

I feel I must write to give my support to this establishment.

I've visited several bars in Farnborough and can honestly say that this small bar is:

1. A very quiet place to have a relaxing drink.
2. A safe place compared to other bars in the area (town centre bar I have witnessed drug use).
3. Lovely place for the kids to relax along with parents/grandparents.

I do sincerely hope that you will allow this bar to stay open.

Really looking forward to our next visit to Farnborough and without this small bar we will be forced to visit one of the larger establishments where we do not feel as safe with the kids or visit a different town entirely.

Best Regards

[REDACTED]
[REDACTED]
=====

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 08:40
To: Aimee Vosser
Subject: FW: The Goat in the Garden, Melford House

From: [REDACTED]
Sent: 08 March 2022 14:56
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat in the Garden, Melford House

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon,

I am writing to lend my support to the Goat in the Garden bar at Melford house, as I believe that Rushmoor Council are seeking to close it.

Whilst I do not [REDACTED], I do [REDACTED] this marvellous venue very frequently. Every time I stay [REDACTED] I use this hotel and bar. I am on first name terms with Will, the owner.

I find it incredible that anyone could make ANY complaint against the bar. It's in a secluded and solid well built insulated building away from the road. If you did not know it was there you would be unaware there was even a bar there. Every time I stay in a room at Melford House I always have some drinks in the bar there with my friends and their children. It's something that everyone enjoys. Will is an excellent host and the bar is his pride and joy. The only noise I ever hear in that bar, or in the garden where the bar is situated, is noise from the road or our own conversations. It really is so very quiet there.

It's the perfect place to take children as it's a safe environment where they are never out of sight at any time, it's as crime free a place as you would ever wish to visit.

Will, the owner is a businessman and his hotel is his income. It's used a good deal by private pilots from the nearby airport. Even Tim Peake, the UK astronaut, has stayed there. I have stayed in the room that is decorated in Time Peakes honour, and it's a fabulous space themed room.

Lets not forget that the Covid pandemic has robbed Will of income, he has struggled with trying to stay open. Bookings are still down from pre pandemic levels.

Taking away an extra much needed source of income from his bar is madness and counter productive in the extreme.

As I said at the beginning of my email I find it baffling that anyone could say this place is noisy or problematic at all. Even with children in the garden it's a lovely quiet safe place to be to enjoy a drink.

Best Regards

[REDACTED]
[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 08:40
To: Aimee Vosser
Subject: FW: Melford House - Goat in the Garden

From: [REDACTED]
Sent: 08 March 2022 16:02
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House - Goat in the Garden

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I am writing in support of Melford House B&B on Church Avenue in Farnborough and their licence to serve alcohol. I have been fortunate to visit this stunning property many times to use the Goat in the garden and there has never been any issues at all in regards to noise or anti-social behaviour, it is never rowdy, and for these reasons I spent my birthday there last year, knowing it would be a safe place to take children.

It is a very welcoming, friendly and wonderful place to visit, not only providing a quiet space that is family and dog friendly, but it also supports many local breweries.

It would be very sad to lose such a lovely place, given everything that has happened in the last two years this is the time we should be doing everything we can to support small, independent, local businesses,

My full name and address are

[REDACTED]

Many thanks

[REDACTED]

[REDACTED]

[REDACTED]



Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 08:39
To: Aimee Vosser
Subject: FW: The Goat in the Garden

From:
Sent: 08 March 2022 17:09
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat in the Garden

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I am a native of Farnborough, attended before to the many years ago. Recently, my and I had to travel home at short notice. Somehow I stumbled across the Melford House and was particularly attracted to it due to the Goat in the Garden being on premise. In fact I wouldn't have even booked the Melford House without the bar being in the rear.

I found the bar to be a very quiet, respectful environment of intellectual individuals simply looking for a quiet and sociable drink away from the uncomfortable situations one can find themselves in when going to other local establishments. It is a very mellow place and never had more than half a dozen people in it the entire 2 weeks I was there. It provided me, a place of solace and comfort after spending an entire day in the hospital. After witnessing the kind of clientele that stay at the Melford House I would imagine many feel the same as I. There are many pilots and international business people using the guest house and I believe that they adore the Goat in the Garden and feel a great deal safer there, as opposed to going to a local bar.

I plan on coming back to Farnborough in the summer with the family and hope to again stay at the Melford House. In the event we were not able to utilize the Goat in the Garden I am not sure that The Melford House is so appealing.

Please feel free to reach out should you need anything further.

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 08:38
To: Aimee Vosser
Subject: FW: Melford house b&b (goat in the garden)

From: [REDACTED]
Sent: 08 March 2022 17:27
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford house b&b (goat in the garden)

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I am writing in support of Melford House B&B on Church Avenue in Farnborough and their licence to serve alcohol.

They have a beautiful property with a specially designed, designated area for their non staying residents to visit.

The multiple times I've visited and supported this local, friendly and welcoming business, it has been quiet and there have been no issues at all.

There are no problems that I could even imagine causing impact on their neighbours or surrounding area. I have witnessed no noise concerns or antisocial behaviour at all.

I live at [REDACTED]

The "Goat in the Garden" is a hidden gem within our local community. It's an authentic, independent establishment with an honest interest in serving the local area with alternative places to socialise and investing in local breweries.

It would be incredibly sad to see it shut down and quite honestly, a waste of council resources even debating it.

I have lots of people who are in agreement with me who will hopefully be contacting you in due course as well in support.

If you could also reply for my own understanding, with the detailed reasons and rationale behind the possible closure and if or what council codes are in violation, that would be most appreciated.

Kind regards,

[REDACTED]

APPENDIX D72

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 08:37
To: Aimee Vosser
Subject: FW: Melford house

-----Original Message-----

From: [REDACTED]
Sent: 08 March 2022 19:43
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford house

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear sir

I have recently found out the licensing for the goat in the garden is under review. As a [REDACTED] from Said premises I would be very keen for this to continue.

William and chess have created a pleasing atmosphere by restricting numbers and keeping any potential disturbance to the neighbours minimised.

The quiet surroundings that the goat in the garden brings with no loud music or shouting customers like some other establishments in the borough is a welcome relief.

We do not have a place quite like this in the borough at the moment so I think of it as an island refuge in a troubled time, long may it continue.

Kind regards

[REDACTED]

[REDACTED]

Sent from my iPhone

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 09 March 2022 08:37
To: Aimee Vosser
Subject: FW: Goat In the Garden

From: [REDACTED]
Sent: 08 March 2022 22:49
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat In the Garden

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I am most surprised that there should be any question about the licence for the Goat in the Garden. I have been there on many occasions and have always found the place to be very quiet unlike many other pubs in the Farnborough area. I always feel very safe there and would be very happy to take my grandchildren there. I have never seen any indication of any criminal behaviour associated with the premises.

As one of the best hotels in Farnborough I would hope it can continue to serve its loyal clientele in the way we are accustomed to.

Yours [REDACTED]

[Sent from Yahoo Mail on Android](#)

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 11:16
To: Aimee Vosser
Subject: FW: Melford House B&B, Farnborough

Sorry might have sent this one twice

From: [REDACTED]
Sent: 08 March 2022 09:42
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House B&B, Farnborough

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

My name is [REDACTED], director of a small, independent [REDACTED] based in [REDACTED]. We have used Melford House B&B since 2015 on average for an average of 8-16 man-nights every month to conduct essential work at [REDACTED]. We choose Melford House because of the very high quality service that it offers for a reasonable price - as a small company we cannot afford the often outrageous prices charged in the week by hotels. The 'Goat in the Garden' bar is very much part of the attraction for us: it provides a welcome place to relax after work in peace and quiet with the option of excellent quality food - again at reasonable cost. The bar also serves real ale very well, mainly from local micro-breweries, unlike many of the local hotels.

In my experience, the clientele is mainly professionals and it is popular with commercial pilots undergoing continuation and type-conversion training on Farnborough's simulators and who need a quiet place to stay and study for weeks at a time. The bar is definitely not like a pub and is not open to the general public; we have experienced no loud music or rowdiness and certainly no criminal activities or drug dealing. The building itself seems very sound-proofed as I often sleep at the back of the B&B and do not hear any noise. When working in Farnborough, we do eat in the local pubs and restaurants, but the Melford House bar offers a less hectic alternative which we are happy to support as we know that our money stays in Farnborough, unlike many chain establishments. There has always been a dearth of reasonably priced B&Bs in the Farnborough area; Melford House, with its private bar, stands out as a first-class example of a modern B&B and is head and shoulders above the competition. I am aware that there has always been a small but vociferous lobby against Melford House's bar project from its inception, but I have never observed any issues during my stays there over the last 7 years: no fights, no crime, no drunkenness or wild behaviour and certainly no drugs. I and my contractors hope that Rushmoor Council will support Melford House and its bar as it is a major factor in us staying in the town when working in the area.

Yours faithfully,

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 10:55
To: Aimee Vosser
Subject: FW: Melford house

From [REDACTED]
Sent: 08 March 2022 09:14
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: RE: Melford house

You don't often get email from [REDACTED]

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Dear Sirs

I should first introduce myself, I have lived in [REDACTED] all my life and currently live at [REDACTED], I am [REDACTED] and have worked for them for over 40 years.

I understand you are considering the licensing arrangement of Melford House in Farnborough.

I can confirm I have visited the premises on several occasions with my family. As part of your regulatory process, I can provide the following information to the key questions you need to consider which may assist you.

1) Is the Goat quiet? Or is it rowdy compared to for example a pub?

The premises and outside are small and well controlled by the owner. I have visited on a number of occasions and it has been very quiet and pleasant. On no occasions have I seen any rowdy or intoxicated people.

2) Is the Goat free from crime? Like drugs or theft that you see in many pubs in the area

I have seen no evidence of crime or drugs, I would assess that the risk of this was extremely low given the size of the premises and the clientele that visits, who in my experience are of a much older generation.

3) Is it a safe place to come to? Is there a threat of violence like in a lot of bars in the area

A very safe place to visit with my family

4) Is it a safe place for your children?

Yes a very safe place for children.

Regards

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 10:16
To: Aimee Vosser
Subject: FW: Melford house

From: [REDACTED]
Sent: 08 March 2022 08:33
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford house

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

I should first introduce myself, I am the [REDACTED] in [REDACTED] and also the [REDACTED] of the [REDACTED].

I understand you are considering the licensing arrangement of Melford House in Farnborough.

I can confirm I have visited the premises on several occasions with my family. As part of your regulatory process, I can provide the following information to the key questions you need to consider which may assist you.

1) Is the Goat quiet? Or is it rowdy compared to for example a pub?

The premises and outside area are quite compact and it is controlled closely by the proprietor. Each time I have visited it has been a quiet and pleasant place to frequent. On no occasions have I seen any rowdy or intoxicated people out of control.

2) Is the Goat free from crime? Like drugs or theft that you see in many pubs in the area

I have seen no evidence of crime or drugs and due to the compact nature of the premises and close control, I would assess that the risk of this was extremely low

3) Is it a safe place to come to? Is there a threat of violence like in a lot of bars in the area

There is not at all, in my opinion, I felt very safe there, as one of the older generation.

4) Is it a safe place for your children?

Children would be safe there, I suspect they would need to sit with their parents as there is no opportunity for them to run around and consequently less risk of injury

[Redacted]

Kind Regards

[Redacted]

[Redacted]

[Redacted]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 08:30
To: Aimee Vosser
Subject: FW: The Goat in the Garden

-----Original Message-----

From: [REDACTED]
Sent: 08 March 2022 08:06
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat in the Garden

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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Dear Councillor

I write in respect of the latest attempt to close down grass roots, well meaning and highly regarded social ventures that provide enjoyment, solace, companionship and well being to local people and also to those who may visit the area.

I refer to the unique and quirky venue universally known by those who have had the pleasure to visit it as the 'The Goat in the Garden', Church Avenue, Farnborough. This little gem of a place should be held in high esteem for its innovative attempts to bring people together in a non threatening environment which even encourages children to learn about music. Yet, I hear it is being threatened with enforced closure!

Why is this? What are the problems this venue brings that may suggest it needs to suffer enclosed close down and where is the evidence for this?? In my opinion The Goat in the Garden is the most friendliest place we have visited on our busman's holidays around the UK. We have never encountered any excess noise arising from it even when staying overnight in very close proximity of it, similarly we have never seen any trouble emerging from people who use the premises and I would have no qualms whatsoever about letting my children be given impromptu music lessons by the many talented people I know to visit as a truly believe this is a safe and well coming place for any friend or stranger who carries the same ethos of believing in mankind.

Personally, I don't understand why you are not hailing the achievements of the owners of this place instead of deliberately trying to destroy not only them but also the lives of the people who enjoy visiting it. Whatever your reasons I would kindly ask you remember not everyone wants to visit Weatherspoons and MuckDonalds no matter how many you license in your district. Whilst these 'run of the mill' venues may seem more commercially viable and undoubtedly bring other advantages that meet other undesirable priorities for the common people, I would sincerely ask you listen to THE people whom want to have a choice in what type of venue is open and accessible to them. After all, this can be seen to be true when one considers what attracts business and visitors to areas, thus in our case, we make an effort to stay over and spend money in your ward which we wouldn't necessarily do without such enjoyable 'quirky' places to visit.

My last point is to further express deep sadness that ALL of our towns and cities are quickly becoming to look the same, one could close ones eyes in central locations and see the very same shops, pubs and restaurants. So what happened to originality in your opinion? Then ask yourself why it is the smaller towns and villages that are building

up reputations as places to visit BECAUSE of their unique shops and individual bars and restaurants are becoming the choice areas to visit?

Yours faithfully,
Supporter of The Goat in The Garden

A black rectangular redaction box covering the signature of the sender.

Sent from my iPad

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 08:29
To: Aimee Vosser
Subject: FW: Melford House B&B / Goat in the Garden

From: [REDACTED]
Sent: 07 March 2022 23:57
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House B&B / Goat in the Garden

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I am writing in support of Melford House B&B on Church Avenue in Farnborough and their licence to serve alcohol.

They have a beautiful property with a specially designed, designated area for their non staying residents to visit. During the multiple times I've visited and supported this local, friendly and welcoming business, it has been quiet and there have been no issues that could be classified as 'antisocial'. I have never witnessed anything that I could even imagine causing impact or distress to their neighbours or surrounding area. In short, I have witnessed no noise concerns or antisocial behaviour at all.

I live at [REDACTED] By comparison, living in close proximity to The Tilley Shilling is far worse. Anti-social behaviour and noise, along with violence requiring a police presence, at closing time are a daily occurrence and yet this seems to not be of any concern.

The "Goat in the Garden" is a hidden gem within our local community. It's an authentic, independent establishment with an honest interest in serving the local area with an alternative place to socialise and investment in local breweries. It would be incredibly sad to see it shut down and quite honestly, a waste of council resources even debating it.

I have lots of people who are in agreement with me who will hopefully be contacting you in due course with further support.

If you could also reply for my own understanding, with the detailed reasons and rationale behind the possible closure and if or what council codes are in violation, that would be most appreciated.

I find it an utter abomination that Rushmoor BC would even consider the revocation of the licence for the above mentioned establishment given the occurrences of the last couple of years and the plight of local small businesses. I would therefore urge you drop this matter immediately, allow Melford House and The Goat in the Garden to continue trading as normal and turn your attentions to far more pressing matters.

Yours faithfully

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 08:29
To: Aimee Vosser
Subject: FW: Melford House

From: [REDACTED]
Sent: 07 March 2022 22:41
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford House

You don't often get email from [REDACTED] [Learn why this is important](#)

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To whom it may concern,

I am a [REDACTED] who enjoys a quiet drink with [REDACTED] in a friendly and safe environment.

The Goat in the Garden, in our opinion, provides exactly this. It is quiet, friendly and a safe place to visit which is in complete contrast to many pubs in Farnborough and the surrounding area. Many of these establishments can be over crowded and often full of noisy disorderly people that, quite frankly, leave us feeling on edge and not able to enjoy our free time.

To close this lovely peaceful establishment will deprive many decent people of a quiet safe haven that always provides a friendly and welcoming service, without fail.

Please do not hesitate to contact me should you require any further information.

Kind regards,
[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 08:28
To: Aimee Vosser
Subject: FW: Milford house

From: [REDACTED]
Sent: 07 March 2022 21:37
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Milford house

You don't often get email from [REDACTED]. [Learn why this is important](#)

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To whom it may concern and with reference to the above property.

1. Milford House is exactly what is needed to partake in a beverage at the end of a long hard day.
2. It is always quiet and is a very calm atmosphere.
3. There is never any trouble and no wrongdoing at all.
4. Very professionally operated and a great amenity to the local community.
5. My wife and I have spent many a lovely evening in the company of Will and Chess.
6. It is a very friendly, safe environment and I would have no problem bringing my children and young Grandchildren for a meal etc.

The community mustn't lose this little hidden gem, we hope it's license will not be revoked in any way. We fully support Will, Chess and the whole Milford House.

[REDACTED]

[REDACTED]

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 08:27
To: Aimee Vosser
Subject: FW: Melford house

From: [REDACTED]
Sent: 07 March 2022 20:54
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Melford house

You don't often get email from [REDACTED]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern, I would like to raise my concerns that you plan on removing the license for the goat in the garden at melford House. I have been a regular user of many public houses in and around rushmoor and a [REDACTED] [REDACTED]. It was lovely to discover this great little bar after the first lockdown during a period of redundancy. Will and his partner always made you feel welcome and safe limited the amount of people so you felt safer from the recent pandemic. I mentioned it to a few friends who are on the local camra committee and from that point they have managed to get this fine establishment into the good beer guide. During my regular visits midweek and weekends there was never any loud behaviour and unlike some public houses you never felt threatened and having to keep watching others behaviour. The people using the bar were all well behaved and even when leaving kept the noise down. This would be a great shame if the bar was unable to open to the public, as we have lost enough businesses due to the pandemic. Hopefully common sense is used by all [REDACTED]

[REDACTED]

APPENDIX D82

Aimee Vosser

From: Rushmoor Council Licensing
Sent: 08 March 2022 08:26
To: Shelley Bowman; Aimee Vosser
Subject: FW: The Goat In The Garden

-----Original Message-----

From: [REDACTED]
Sent: 07 March 2022 20:23
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: The Goat In The Garden

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Shelly,

I am led to believe that you are looking into the licence for The Goat In The Garden.

I would like to point out that this venue is ALWAYS [REDACTED] recommendation when businessmen and women, who are visiting from outside this borough, ask us to suggest somewhere to go for a quiet drink when visiting Rushmoor.

We do this confidently because we can be sure that there will never be any issues as this is a quiet, well run bar and the owner doesn't admit anyone undesirables (unlike many establishments you are happy to licence).

Having visited this establishment myself on several occasions myself I sincerely hope you are not inclined to revoke the licence of the lovely little bar.

Yours sincerely,

[REDACTED]

APPENDIX D83

From: [Rushmoor Council Licensing](#)
To: [Aimee Vosser](#)
Subject: FW: Goat in the Garden, Farnborough
Date: 17 March 2022 08:36:53

From: [REDACTED]
Sent: 16 March 2022 20:09
To: Rushmoor Council Licensing <Licensing@rushmoor.gov.uk>
Subject: Goat in the Garden, Farnborough

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of Rushmoor Borough Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Council

I gather the Goat in the Garden has been the subject of some complaints recently.

I have visited the venue a number of times and I have to say the host (Will) has always appeared extremely considerate to both clients and neighbours.

I have always enjoyed visiting, when I have been, there is normally only a handful of people there. I always look forward to going to this venue as it is never too loud and attracts a "civilised" group of people. I would therefore like to register my support for the venue to retain its license.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

**RESPONSE TO REVIEW FROM LICENCE HOLDER
MELFORD HOUSE, 17-19 CHURCH AVENUE,
FARNBOROUGH, GU14 7AT**

15th March 2022

Melford House Licence Review

Background

Melford House is a highly regarded business and is at the time of writing the highest rated accommodation in the area, and one of the highest rated in the UK based on independent reviews from all sources. (See Annex V which shows all accommodation within 30mile radius). No review from any source has ever mentioned that Melford House was noisy or had an issue with noise.

The drastic effects of the pandemic on the hospitality sector led us to temporarily look for other sources of income. As Melford House has both a bar and beautiful garden. The gardens were used during the pandemic in response to Government guidance with respect to public safety.

The Garden Area Location and Character

The garden on the premises is within the noise contour planning limit zone of Farnborough Airport which permits 50,000 air movements per year, with the summer months having flights almost nonstop up until 10pm. (Noise from aircraft attracted almost 400 complaints the last quarter ref. 13)

There are plans for the adjacent civic quarter that offer bars and restaurants see [FINAL-CONSULTATION-BANNERS-APPROVED.pdf](#) on the council website. The pictures in the planning document show alfresco drinking and dining and evening outdoor events. There are high rise apartments integrated with bars and restaurants on the ground floor.

Current Licence Conditions.

Condition no.2 on the premises licence stated 'No alcohol shall be consumed in the external area of the premises' This is a condition that I objected to on the grounds it was not lawful. I have requested clarification on it many times over the last five years (see email thread Annex IV). I was subsequently told that the condition applied because I did not have a takeout licence. This to me was an inadequate answer because I had asked for its lawful justification. I temporarily accepted the answer only because I found clear provision in the legislation (ref. 3[8.35]). *'Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.'*

During the pandemic I needed a takeout licence for other reasons. My requirement was to sell alcohol in this form, as patrons were initially not allowed on the premises. I applied for and

was granted a takeout licence. My ongoing search for clarity regarding the condition no. 2 continued when I met with Head of Licensing Shelly Bowman on 30th July 2021. She told me she would follow my query up with the legal team. Some 7 weeks later I received an email confirming that the query had been relayed to the legal department. Then a further week later I received another email again failing to respond to my query, but instead raising issues about planning which were unrelated to licensing. Please note that the Revised Guidance issued under section 182 of the Licensing Act 2003 (ref. 3[3.46]) states....

The Licensing Authority would impress that planning, building control and licensing regimes are separate legislative regimes that involve consideration of different (albeit sometimes related) matters. In view of this and so as to ensure a clear separation of planning and licensing systems, licensing applications will, in all cases, be considered wholly independently of planning applications.

I now face the imposition of even more conditions (which in my opinion are also without a legal justification). For these reasons I have been forced to accept a review rather than accept conditions which would impact on viability.

Hate Campaign

One neighbour has run a hate campaign against Melford House for over 5 years, this has made it difficult for us to differentiate genuine from egregious complaints.

The Campaign has drummed up a lot of damaging local opposition against our business, including two Facebook pages designed to incite complains. One of the two Facebook pages is a closed group and one is an open group. The open group had a video posted showing the problem with noise, but after I told licencing that I was going to use this as evidence to support my case, the video was promptly removed. We believe that they use the closed group to coordinate complaints.

After the Licensing Authority informed us about the verified complaints, we called to talk to two of our other neighbours one at [REDACTED] (as these are relatively [REDACTED]), and the other at [REDACTED]. Ten minutes later the person who we now know to reside at no. [REDACTED] called around to us saying that she had made a complaint against us. She said that she had not answered the door when we called. But in light of the fact that we did not call at no. [REDACTED] I began to think, I realised this was the same person who had messaged me some weeks earlier (see Noise Complaint Timeline 2021 29thAug) seemingly about staying at Melford House. We then assumed that the complaint could be all part of the activities coordinated by the Hate Campaign. I understand from Environmental Health that you must take into account this kind of activity as it does not make the complaints truly independent.

The Hate Campaign conducted a leaflet drop recently to drum up more opposition to my business (Annex 1). They refer among other things to cigarette smoke. The small volumes of people indicated by the bar takings (see Annex II and Annex III) indicate that there could have been no more that about 20 people in the garden and bar. The national average is that 12% of adults smoke. Even if we double that it means a total of around 5 people, who would probably not all be smoking at once. The garden area is on a much higher level than

surrounding gardens (the top of the fence is at gutter level of the 2-storey buildings opposite). The layout of the garden means that smokers can't get close to the boundary fence. There is an herbaceous boarder, a high fence and several trees and bushes separating properties. I suspect that you could not possibly smell cigarette smoke from any of the neighbouring gardens no matter how close you got to the fence. This is very much indicative of the type of exaggerated complaint that the Hate Campaign have used since we applied for the licence in 2017. Initially it was claimed there was going to be raucous live music every night of the week, then we were going to run as a night club, etc.

Responsibilities and Limitations of a Licensing Authority

To guide the administrative authority Part 2 Section 4(1) of the Licensing Act 2003 (ref.1) states 'A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives. 4(3) A licensing authority must also have regard to (a) its licensing statement published under section 5, and (b) any guidance issued by the Secretary of State under section 182 (ref. 3)

The intention of this legislation is to provide a tractable policy and framework to administer the objectives of the Act. The policy has to be "with respect to the exercise of its licensing functions" (ref. 1 section 5(b))

Additional Responsibility Under the Legislative and Regulatory Reform Act 2006 Section 21 (ref. 9) provides that, subject to any other requirement, a person exercising a regulatory function to which the section applies, must have regard to specified principles including the principle that regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent.

With the emphasis on transparency the licensing web page for [Alcohol, entertainments and late night refreshment licensing](#), has a link only to the Statement of Licensing (ref. 8) and the Licensing Act (ref. 1). Rushmoor's Statement of Licensing (ref. 8) contains a section 2.14 Other documents and references, which has incorrectly formatted vague references to non-specific documents without hyperlinks. The section is as follows:

2.14 Other documents and references

Where appropriate, this policy should be read in conjunction with the following documents -

- (a) RBC Enforcement and compliance policy;
- (b) RBC Guidance notes for applicants (various);
- (c) RBC Hearing procedures;
- (d) RBC Hearings protocol;
- (e) RBC Pool of model conditions; and
- (f) Any interim policy notices (see pp 2.15 below).

I could not find any published policy document relating to 'RBC Enforcement and compliance policy'. The fact that these references are not hyperlinks or tractable references means that Rushmoor Licensing Authority are likely to be in breach of the legislation. Having requested previously this policy document and not been provided with a copy I am concerned that such a policy does not exist.

The council submission in the case of *The British Beer and Pub Association & Others v Canterbury City Council* (ref. 5[60]) states: *All of this, it is submitted, shows the importance of communicating the licensing authority's expectations clearly through the licensing policy, so that applicants know how best to avoid disputes. The policy informs the applicant at the stage of completing his application and also indicates the approach that the council will adopt in the event of a contested hearing, as well as being relevant to the council's other licensing functions such as its enforcement powers. It is stressed that the policy informs applicants of the council's expectations - the language of expectation is to be found in numerous passages - but makes clear that each case will be considered on its own merits and that the council does not have a closed mind. These characteristics, it is submitted, are the hallmarks of a lawful policy.*

I am concerned that no policy was communicated to me with respect to dealing with noise complaints. With reference to Rushmoor's Statement of Licensing (ref. 8) I would question whether Rushmoor Licensing Authority actually have a policy at all.

Circumventing Environmental Health Legislation

Policy of Rushmoor Licensing Authority

The licensing objective 'Prevention of a Public Nuisance' is a broad category, prevention of noise being one component to consider. The underlying legislation for this is the Environmental Protection Act (ref. 6)

Expanding on this in the evidence submitted by Rushmoor Licensing Authority they state that the Licensing Team had now taken over dealing with noise complaints from licenced premises. The reason stated....

"... is that as the prevention of public nuisance is a licensing objective, there are generally conditions placed on the licence of any premises to reduce the likelihood of noise complaints. The Licensing Authority are ultimately responsible for ensuring compliance with licence terms and conditions."

This above paragraph is evidence that Rushmoor Licensing Authority were overriding the underlying Environmental Health Legislation with an ad hoc unspecified process. I do not accept that this is lawful

Lawful Licensing Policy

The Licensing Act 2003 - Councillor's handbook (England and Wales) (ref. 2) states '*Statutory guidance warns against using the Licensing Act when other more specific legislative powers are available*'.

Revised Guidance issued under section 182 of the Licensing Act 2003 (ref. 3[1.10]) States '*Nothing in this Guidance should be taken as indicating that any requirement of licensing law or any other law may be overridden (including the obligations placed on any public authorities under human rights legislation)*'....

Revised Guidance issued under section 182 of the Licensing Act 2003 (ref. 3[9.15]) With regard to licensing authorities acting as responsible authorities: *It is also reasonable for licensing authorities to expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance*

Revised Guidance issued under section 182 of the Licensing Act 2003 (ref. 3[11.5]) With regard to the review process. *responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review*

I think it is pretty clear that The Licensing Authority does not have the authority to short circuit Environmental Health Legislation. I would suggest that in doing that they have made their actions unlawful. In establishing a case for a public nuisance, The Licencing Authority **did not** follow the underlying Environmental Health legislation which would have required among other things a noise abatement order, this culminated in an ad hoc process which did not adequately protect my rights and could be considered unlawful.

Duty to Act Fairly and Impartially

The licensing authority has a duty, in accordance with the rule of law, to behave fairly (ref. 5[41]). In this respect I believe that the Licensing Authority has not acted fairly they sent letters and emails implying they were bound by the Environmental Protection Act (ref. 6), then adopted some other policy that was not in the Act without informing me. The ad hoc policy that they have used was bias against my interests.

With reference to the timeline below, following the unannounced visit from Ms Bowman and PC Dennett a period of 7 weeks elapsed where there was no contact and 8 weeks before the some of the requested clarification was provided that would have enabled me to address the issues. At this point it was too late for me to take any remedial action because the Licensing Authority had collected evidence during this period that they were going to use to try to amend the premises licence. To make matters worse we received a message from one of the complainants asking what amenities we offer. This message was received on 29th August 2021. Obviously, the complainant was not interested in staying, they were trying to extract

information to support a potential breach of planning permission, on the same day that the council out of hours officers were collecting evidence. The first time I was informed about the unearthed planning issues was some 25 days later on 23rd September.

We have a control process whereby if their noise from the premises is at annoyance threshold, we have asked the adjacent neighbours (south) whose property is closest to the bar (██████████) to let us know. We have an open line of communication with the adjacent neighbours (north) at (██████████) (who most recently called regarding an issue concerning tree roots, circa June 2021). These neighbours have always informed us if noise incidents occur. During this period neither of them or any other neighbour informed or complained about noise. When the neighbour at No. (██████████) contacted me she asked what amenities we offer (29th August 2021), she did not mention anything about noise in the message. See Noise Complaint Timeline 2021.

It seems clear that both The Licensing Authority and the Hate Campaign were worried about making me fully aware of the noise concerns because they knew it would give me an opportunity to resolve them without going to licence amendment.

Imposition of Licensing Conditions

Several test cases have asserted the licensing authority are administrators and bound by the law (ref. 5[41]). The case of *The British Beer and Pub Association & Others v Canterbury City Council* (ref. 5), is brought about because Canterbury Licensing Authority are trying to impose onerous conditions on license applicants which are not supported by underlying legislation. We therefore question the legitimacy of Condition no 2 and the other conditions that are being suggested, and whether these conditions are lawful.

Licence Condition No 2

As stated above I have objected to this condition because it has a fundamental impact on the viability of the business, making it almost impossible to open in the hot summer months. I felt that this was trying to extend the licencing act to include consumption, which is not one of the regulated activities.

Exploring this concept using case law from *Hope and Glory Public House Limited v City of Westminster Magistrates* (ref. 5). In [4 para 2] the council state that they cannot ban drinking outside because they have no policy to do this.

It is important to differentiate that this case involved taking alcoholic drinks into a public area that was regulated by the council and not a private beer garden as this was key to the findings.

Other important principles are established in this case. That the council could have made the time limit anything (ref. 5 [35]). However, if the principle of fairness is applied. The council would be required to consider how other similar licenced premises located in residential areas are dealt with, especially in the absence of a specific policy.

I would question the lawfulness of imposing licence restrictions without underlying legislation. It is our opinion that a licensing authority is not entitled to invent arbitrary conditions, and should handle the imposition of licensing conditions with a light touch, to avoid the unlawful scenario where a licensing authority is creating legislation rather than following it.

Rushmoor Council Licensing Case for Public Nuisance

When restrictions were eased during the pandemic people had been isolated for some time. We sometimes had days where our Guesthouse guests would want to meet other family members or friends, as it was safest to meet outdoors, they would meet in the garden. This has not happened very often outside the pandemic.

It has been difficult to recall details of the days that the verified noise complaints occurred, due to the significant delays from the Licensing Authority in reporting them. However, my records show that on the 25th August 2021 there were £177 in wet sales (see Annex II) and on 29th August 2021 there were £241 in wet sales (see Annex III). The returns that were taken on these days are indicative of the fact that the bar is not run as a pub. On the second occasion we were hosting a neighbour's birthday party. It was a private event with several of the attendees being residents.

I requested for the recordings and decibel readings in order to make comparisons with my own readings but was told that the assessment was purely subjective and there were no recordings or noise levels. On both occasions the complaints were of screaming children and adults laughing in the early evening. The children are from respectable families that live on Farnborough Park. I assume they make the same type noise in their own gardens.

We have two teenage children living on the premises who sometimes have friends around, screaming kids and laughing adults have been heard from surrounding gardens many times in the 17 years that I have lived here. Full capacity of the bar is about 20 people so the noise levels would not be anything like they would from other local licenced premises in residential areas.

Effects of the Pandemic

During the pandemic I received numerous emails and letters from Rushmoor Council making clear my responsibilities and insisting I produced a risk assessment (Example letter sent on 8/04/2021 by Operational Services). The government guidance was to use outdoor spaces where possible. My risk assessment included drinking outside, as I had no other way of operating so the alternative was just to remain closed. It was my opinion that I was legally covered to do this as The Licensing Authority had not come back to me refuting my assertions on the condition. In any case, I now had an offsales licence. Even after the ban on drinking inside was lifted, we still faced the constant threat of further COVID outbreaks, and were constantly being reminded of our responsibilities.

The noise that occurred during the pandemic was of a temporary nature and I have explained to the council that operations would return to normal as normal trading returned.

Noise Complaint 2019

In October 2019 we received an isolated noise complaint my recollection of this was that it was after we had live music in the bar, and we were unsure whether this was related to the Hate Campaign. I consulted with my neighbour nearest the bar. They said it was not bad and had not disturbed them although they had heard the music. After consulting with Sandy Muriden of Environmental Health we discussed potential ways to mitigate the noise. After some thought, we decided not have music events in the bar.

Noise Complaint Timeline 2021

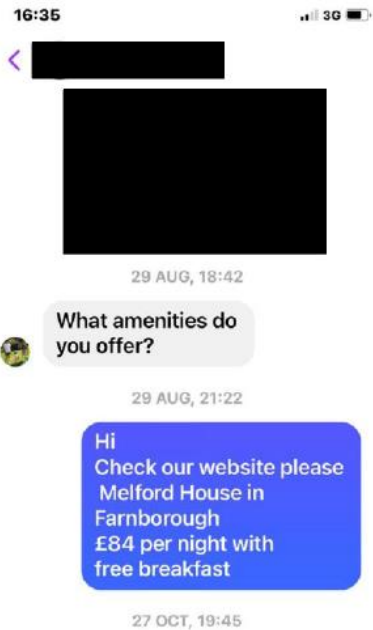
22nd July 2021 Email from Head of Licensing Ms Bowman informing us of 2 separate noise complaints, with no dates or description (attached email). The first line of the email reads **ENVIRONMENTAL PROTECTION ACT 1990**. The email refers to the licencing condition no 2 it does not mention at all the previous correspondence on this matter.

22nd July 2021 Under the assumption that only noise during silent hours was an issue I replied saying I would try my best to manage the situation, and to put things into perspective there was a complaint to us about noise emanating from an event at no [REDACTED] on Saturday 17th July that went well into the early hours. This incident was commented on by one of my guests who had been at a wedding reception and came back at 1am. I also said in my reply that they would likely receive more complaints due to The Hate Campaign run by the residents of no. [REDACTED]

30th July 2021 Unannounced visit from Ms Bowman and a police officer PC Dennett. They had a first hand view of the bar on a normal evening. We discussed who attended the bar. I also once again asked for legal clarification regarding condition no. 2.

To clarify, condition no 1 regarding invited guests. This is a condition imposed at my requested because I do not want to have unknown guests coming to the bar. I extended an invitation to CAMRA members because I wanted to promote real ale and support local breweries. CAMRA members still have to contact me to arrange a visit. In general, the only guest that turn up uninvited are personal friends or Flight Safety instructors who often have their students staying as guests. This works well and means there are a few people in the bar most evenings. The Flight Safety instructors often bring potential resident guests to see the bar, but they always inform us prior to arriving, if they have guests with them.

29th August Received this message on Facebook Messenger from one of the complainants, not mentioning anything about noise but asking what amenities we offer! Later it would be confirmed that this date corresponded to one of the verified noise complaints!



16th September 2021(seven weeks later!) Email from Head of Licensing Ms Bowman discussing the meeting on 30th and stating they had now had further noise complaints one on the 25th and 29th August and that she would finally get back to me early the following week regarding my long standing legal query reference licence condition no. 2.

19th September 2021 I replied still under the impression we were referring to late night noise! I tried to recall what happened but it was weeks ago. I did not realise that I was not even referring to the same incidents. I told Ms Bowman about the measures we had put in place to mitigate late night noise.

23rd September 2021 Email from Head of Licensing Ms Bowman: Finally received details of the other complaints which were actually early evening 19:30 and 20:30 and 19:25 and 20:10 respectively. The email contains the phrase 'statutory noise nuisance'. This is governed by the Environmental Protection Act (ref. 6) and its implicit legislation.

Ms Bowman confirmed that she had clarification from the legal team. Unfortunately the email contained nothing about the long standing legal query regarding licence condition no. 2. Instead the email alleged to some historical planning issues.

24th September 2021 Confused about the planning issues raised I closed the bar to all but residents. Many nights we had no residents due to the effect of the pandemic so there were economic consequences.

6th October 2021 Confirmed the above in writing to Licensing

8th October 2021 Contacted a licenced premises planning expert, who advised me that the planning permission was poorly written but there was no enforceable planning condition regarding alcohol, and that planning issues such as this are raised when the licence is applied for.

8th November 2021 I emailed Louise Davies of the Planning Department asking for clarification on the planning status, and whether they would take any enforcement action if I reopened.

In December 2021 we reopened as I had had no reply from planning, and my planning consultant had advised me that there was no enforceable condition in the planning with regard to alcoholic sales.

Drawing Conclusion from the Timeline Evidence

The email of 22nd July 2021 quotes the Environmental Protection Act and the Licensing Act. The acts have not been followed.

Licensing took seven weeks after the unannounced visit to respond to the queries raised, they did not want to discuss the nature of the complaints. In this period, they claimed to have collected two verified noise complaints, both were purely subjective, early evening and with no noise readings or recordings (the verification process needs some clarification). To put this into perspective the amount of alcohol sold must be proportional to the level of public nuisance because that is what the Licensing Act is trying to regulate. The total takings for 25th August 2021 were £177 a relatively small amount (see Annex II, Annex III).

On one of the days of these days we had the above message enquiring about what amenities we offer. This was from one of the complainants! It raises some interesting questions about why someone in the process of making a complaint about noise would ask what amenities we offer without mentioning noise.

Licence Amendments proposed by Licensing Authority

- *Attach the plan (given as Appendix 5) to the premises licence and make it clear that it defines the boundary of the licensed premises as the whole of the property. Highlight on the plan all external areas of the property and mark them as such for clarity in respect of the condition stopping alcohol from being consumed in them.*
 - 1) There is no need under the Licencing Act to attach a plan of the garden because consumption is not regulated (ref. 3[8.36])
- *Amend Annex 3 Condition (1) to read "At any time that licensable activities are taking place at the premises, there shall be no more than 6 people present who are not residing there or bona fide guests of patrons residing at the guesthouse. Non-residents shall be permitted entry by prior booking only."*

- 1) There is no requirement in the Act or the Regulations to give details of occupancy, which is only relevant as regards to Public Safety. There is no underlying legislation or lawful way to include this condition.
 - 2) We have a booking system in place which is adequate for managing numbers.
- *Amend Annex 3 Condition (2) to read "No alcohol shall be consumed in the external areas of the premises. Prominent, clear and legible notices shall be displayed at all exits and external areas to notify patrons of this."*

There is no requirement in the Act or the Regulations to prevent consumption in this manner. Licensing therefore cannot make a condition that is not supported by legislation. The condition could read 'no alcoholic drinks in open containers are permitted in the garden after a certain time'. With no underlying policy the time should be the same as the precedence set by other local licenced premises. The economic viability of having to remain closed due to hot weather would effectively sanction the business. Revised Guidance issued under section 182 of the Licensing Act 2003 (ref. . 3[2.17]) states 'Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community'

- *Add the following conditions:*
 - *Prominent, clear and legible notices shall be displayed at all exits and external areas requesting patrons and staff keep noise levels to a minimum in external areas.*
 - 1) Already in place
 - *Procedures for responding to noise complaints shall be established. Written records of noise complaints and action taken in response shall be kept and made available to officers from Rushmoor Borough Council when requested.*
 - 1) This should not be a licensing condition. A tractable procedure should be included in the Statement of Licensing Policy (ref. 8). The policy should describe the process and clearly identify the obligations of all parties.
 - *No pre-advertised events shall take place at the premises at any time when it is open for licensable activities.*
 - 1) I do not think this can be lawfully added as I am not aware of underlying conditions therefore should be omitted.

Summary

There has been a suggestion from both the Hate Campaign and the Licensing Authority that they have been contacting me many times with regard to these issues. But with reference to the evidence presented by Ms Bowman. I was emailed just once on 22nd July. The other emails were either after the verified noise complaints had been established (too late to take remedial action), or with regard to a separate issues more than a year earlier that had been dealt with.

There are grounds for concern in the approach by Rushmoor's Licensing Authority. First, the reluctance answer questions on the Condition no 2. Second, a reluctance to comply with Environmental Health Legislation regarding a statutory noise nuisance, and thirdly, the unhealthy level of collusion with the Hate Campaign both with the lack of communication regarding the complaints and communication the planning concerns in order to strengthen a case against me. Finally, we made it clear that any issues were temporary because they were exacerbated by the effects of the pandemic. In fact the latter was used opportunistically to attack my licence. I believe that the ad hoc process was biased and unfair, contrary to the duty of the Licensing Authority to remain impartial.

The legislation is in place to protect all parties. Licensing Authorities are not elected legislators and do not have a mandate to form legislation, but rather must be guided as administrators of underlying legislation. The attempt to circumvent it and instead use an ad hoc, undocumented, and unadvertised process devised by an unelected body with no legislative powers is a dangerous threat to democracy, and an abuse of my civil rights.

Public Nuisance is a common law offence and the relevant authority for this would be the police. Statutory Nuisance is dealt with by Environmental Health as a relevant authority.

With the frustrations of trying to deal with The Licensing Authority I contacted Head of Services James Duggin. We had a meeting on 29th November, I explained my reservations about the process, and although he listened to the issues raised, he said that he had been placed under huge pressure to review the licence. I would like to know who was applying this pressure? I am not sure that this type of manipulative pressure has a place in local government.

Licence condition no 2) that prevents consumption in outdoor areas is not lawful as consumption is not regulated in the Licensing Act and there is no other legislation or published policy that allows this condition. The Licensing Authority therefore cannot make a condition that is not backed by legislation. The condition could be that no alcoholic drinks in open containers are permitted in the garden after a certain time. With no underlying policy the time should be the same as with other local licenced premises in similar surroundings. Anything else would be unduly discriminatory.

Regarding other new conditions proposed, restricting the capacity is not lawful as there is no legislation that restricts capacity on the basis of 'prevention of a public nuisance' and setting capacity limits with regard to 'public safety' has already been dealt with at the original licence hearing.

It is important for licensing authorities to work with the licensee. In this case it appears that the Licensing Authority did not want to take this approach and had a predetermined mindset to seek modification of my licence. In the worst case scenario, the outcome of the review could seriously handicap my business. But this would still lawfully allow me to conduct Temporary Events, which would allow me to run the same modest events with impunity. So, what does the review achieve? The case could proceed at huge expense to a magistrate and then Judicial Review.

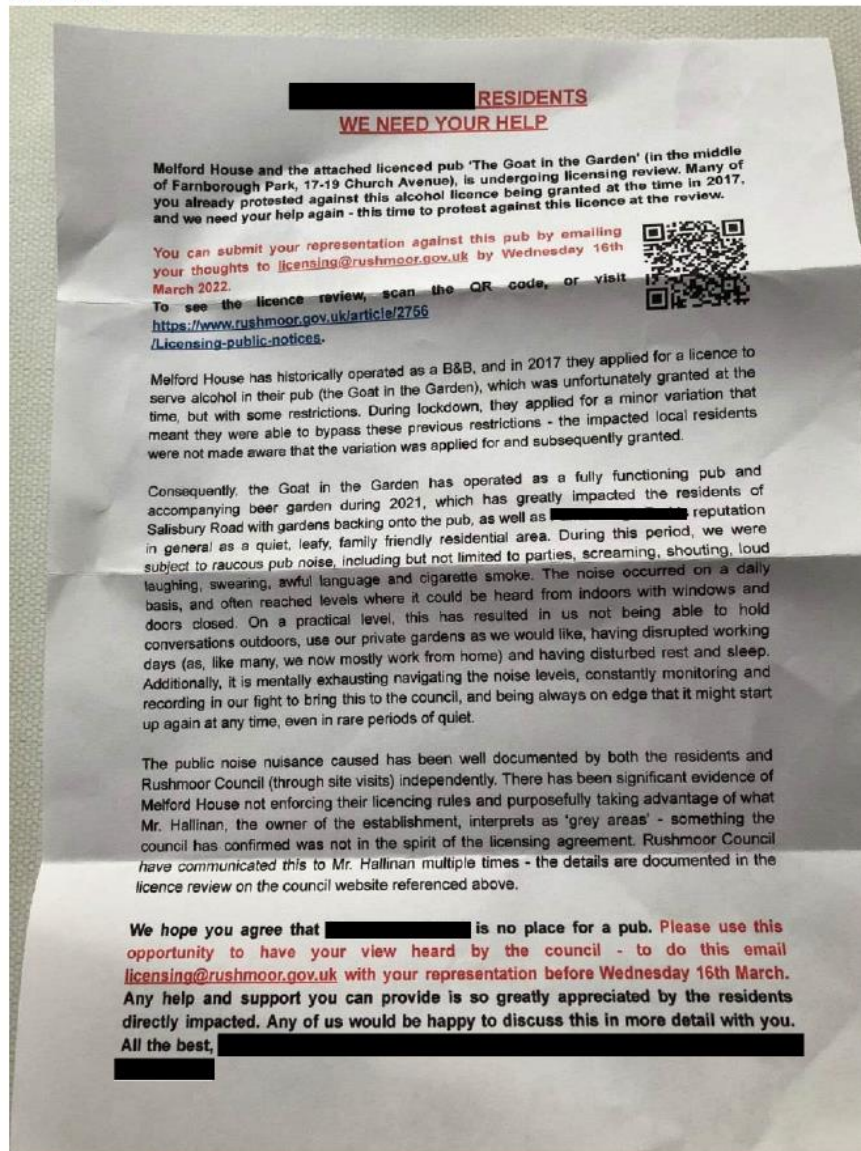
In this instance it is alledged that some untypical noise levels occurred at gatherings that took place purely as a result of financial pressures caused by the pandemic. Establishing a noise

nuisance is subjective. Clearly it did not offend all of the neighbours, and none of the neighbours contacted me directly about noise even though they did contact me about other things at that time. Had the Licensing Authority discussed issues openly (as has always happened with Environmental Health in the past) instead of adopting a semi-secretive approach I think we would have arrived at a solution without this unnecessary and expensive procedure.

References

1. [Licensing Act 2003](#)
2. [Licensing Act 2003 - Councillor's handbook \(England and Wales\)](#)
3. [Revised Guidance issued under section 182 of the Licensing Act 2003](#)
4. [The British Beer and Pub Association & Ors v Canterbury City Council \[2005\] EWHC 1318 \(Admin\) \[24 June 2005\]](#)
5. [Hope and Glory Public House Limited v City of Westminster Magistrates' Court \[2011\] EWCA Civ 31:](#)
6. [Environmental Protection Act 1990](#)
7. [Noise Act 1996](#)
8. [STATEMENT OF LICENSING POLICY & GUIDANCE Ver2 2018](#)
9. [The Legislative and Regulatory Reform Act 2006](#)
10. [Complaints Report October - December 2021](#)

Annex 1



Annex II

clover Melford House

Start: 25/08/2021, 12:00 End: 25/08/2021, 23:30

Successful Payments Summary

Number of Payments: 13
 Payments Total: £177.00
 Tip Total: £1.00
 VAT and Fees Total: £0.00
 Service Charge: £0.00
 Additional Charges: £0.00

50 results per page

Created	Item #	Vendor	Amount	Tax Amount	Employee	Customer	Application	Details
25-Aug-2021 18:50 ID: 8529714_603FM	003526		£22.00	£0.00				Details
25-Aug-2021 18:00 ID: 7121287629681	003530		£16.00	£0.00				Details
25-Aug-2021 18:13 ID: 7155802804843	003531		£14.00	£0.00				Details
25-Aug-2021 18:15 ID: 71938921138	003532		£20.00	£0.00				Details
25-Aug-2021 18:46 ID: 870628140248	003533		£7.00	£0.00				Details
25-Aug-2021 18:52 ID: 8813814622499	003534		£32.00	£0.00				Details
25-Aug-2021 19:07	003535		£4.00	£0.00				Details

Annex III

clover Melford House

Start: 29/08/2021, 12:00 End: 29/08/2021, 23:30

Successful Payments Summary

Number of Payments: 12
 Payments Total: £248.00
 Tip Total: £1.00
 VAT and Fees Total: £0.00
 Service Charge: £0.00
 Additional Charges: £0.00

50 results per page

Created	Item #	Vendor	Amount	Tax Amount	Employee	Customer	Application	Details
29-Aug-2021 19:45 ID: 881805689653	003577		£12.00	£0.00				Details
29-Aug-2021 18:18 ID: 71681802818	003578		£68.00	£0.00				Details
29-Aug-2021 21:15 ID: 828904702284	003579		£23.00	£0.00				Details
29-Aug-2021 21:25 ID: 832276883110	003580		£8.00	£0.00				Details
29-Aug-2021 21:54 ID: 86188810218	003581		£36.00	£0.00				Details
29-Aug-2021 22:03 ID: 8547701181818	003582		£16.00	£0.00				Details
29-Aug-2021 22:04	003583		£16.00	£0.00				Details

Annex IV

Re: Plan
 Willem Hallinan [REDACTED]

Sun 01/10/2017 21:08

To: Wendy Harden <wendy.harden@rushmoor.gov.uk>

Hi Wendy

Sorry for the delay in responding but I have had to think about this.

I would like to get legal clarification on the point about consumption.

In the Licensing Act 2003 it is clear (ref below) as was stated by yourselves (licensing authority) at the

hearing, that alcohol consumption is not licensable.

In effect means that alcohol consumption is not a regulated activity, but in the 'Other Conditions'

section of the Decision notice it states,

2. No alcohol shall be consumed in the external areas of the premises.

As in the case of the Music Act 2012, where it was not possible to place conditions on aspects which

had been deemed by this act to be unregulated, it is surely not possible to place conditions on any

other unregulated activities, of which consumption is one.

I would be grateful if you could produce a ratified legal statement on this, because this condition is

going to lead to no end of controversy.

The current condition 2 effectively forbids an unregulated activity in unregulated areas of the

premises. Hence, if I mark the plan in the way that you advised, I am further adding to this confusion.

Sorry for the trouble caused, but I feel sure that addressing this now could prevent problems down

the line

Regards

Will

<http://www.legislation.gov.uk/ukpga/2003/17/section/1>

Licensing Act 2003 - legislation

www.legislation.gov.uk

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Licensing Act 2003. Any changes that have already been made by the team appear ...

Will

+44 7920 153452

www.melfordhouse.co.uk

From: Wendy Harden <wendy.harden@rushmoor.gov.uk>

Sent: 27 September 2017 15:17:15

To: Willem Hallinan

Subject: Plan

Hi Will,

Thanks for your plan, however it is not correct:

Where you have put the key for Licensable Activities this should read alcohol consumption, are you happy for

me to amend this or do you wish to come and do it.

Thanks

Wendy.

Wendy Harden
Licensing Officer
Environmental Health & Housing Services
licensing@rushmoor.gov.uk
Tel: 01252 398245
Fax: 01252 524017

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Annex V

The screenshot displays a search results page for accommodations in Farnborough. The page is organized into a list of properties on the left and a map on the right. The properties listed are:

Property Name	Property Type	Price / night	Guest rating	Location
Meiford House	Hotel	£108	Excellent (52 reviews)	Farnborough
Willow Court Farm	Hotel / Apartment	£237	Excellent (21 reviews)	Farnborough
Coworth Park	Hotel	£670	Excellent (23 reviews)	Farnborough
Mayfields Guest House	Guest House	£74	Excellent (52 reviews)	Farnborough
The Inn West End	Hotel	£78	Excellent (52 reviews)	Farnborough

The map on the right shows the geographical location of these properties in the Farnborough area, with various landmarks and roads visible.

**RELEVANT CONSIDERATIONS
MELFORD HOUSE, 17-19 CHURCH AVENUE,
FARNBOROUGH, GU14 7AT**

1.0 Guidance issued under S182 of the Licensing Act 2003 (April 2018)

1.1. The sections of the Secretary of State's guidance identified in **Table 1** below may be relevant to the consideration of this application

**TABLE 1 - SECTIONS OF THE SECRETARY OF STATE'S GUIDANCE
WHICH MAY BE RELEVANT TO THIS APPLICATION**

Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
2	-	2.1	2.32	The licensing objectives	6	13
10	-	10.1	10.66	Conditions attached to premises licences	77	88
10	-	10.8	10.9	Imposed conditions	78	-
10	-	10.10	-	Proportionality	78	-
11	-	11.1	11.29	Reviews	89	94
11	-	11.1	11.11	The review process	89	90
11	-	11.16	11.23	Powers of a licensing authority on determination of a review	91	92
13	-	13.1	13.13	Appeals	103	105
12	-	13.10	-	Giving reasons for decisions	104	-

2.0 The Council's Licensing Policy

2.1. The sections of the Council's Licensing policy identified in **Table 2** below may be relevant to the consideration of this application.

**TABLE 2 - SECTIONS OF THE COUNCIL'S LICENSING POLICY
WHICH MAY BE RELEVANT TO THIS APPLICATION**

Section	Other Ref.	Paragraph(s)		Subject Matter	Page(s)	
		From	To		From	To
3	Part C	3.1	3.47	Licensing principles, objectives & general considerations	13	17
3	Part C	3.12	3.14	General licensing principles	14	15
14	Part N	14.1	14.29	Review of relevant authorisation	52	55
18	Part R	18.1	18.59	Representations, Responsible Authorities & Interested Parties	69	75
19	Part S	19.1	19.29	Conditions and restrictions	76	79
19	Part S	19.10	19.15	General principles of transposition and imposition of conditions	76	77