

LICENSING ACT 2003

NOTICE OF DECISION

LICENSING COMMITTEE

Notice is hereby given to:

Name: Mr Michael Washington

Address: mawbuilding@gmail.com

Status: Lead applicant on behalf of Upper Froyle Residents Group

in accordance with the provisions of the Licensing Act 2003 (“the Act”) and Regulations made there under, that a hearing was held on:

Date: 16th – 18th March 2026

To consider an application for the review of a premises licence made in accordance with Section 51 of the Act. The details of the applicant and premises are:

Name of Applicant:	Michael Washington lead applicant on behalf of Upper Froyle Residents Group
Premises and address:	Froyle Park, Ryebidge Lane, Upper Froyle, Alton, Hampshire GU34 4LA

Decision of Licensing Authority:
In considering the application, the Committee had regard to the promotion of the licensing objectives, the Act, its statement of licensing policy, the statutory guidance issued by the Secretary of State and the representations (including supporting information) presented by all the parties.
Decision: As attached and, where appropriate, those matters detailed in the operating schedule and the relevant mandatory conditions under the Licensing Act 2003 will form part of any licence issued.
Reasons for decision:
As attached

The decision under section 52 does not take effect until the end of the period given for appealing against the decision or if the decision is appealed against, until the appeal is disposed of:

Appeal provisions:

In accordance with the provisions of Schedule 5, Part 1, paragraphs 8 & 9 of the Act, appeal provisions exist in respect of this application. Those provisions are as follows:

The applicant:

Where the Licensing Authority decides an application under section 52 of the Act, the applicant, holder of the premises licence or any other person who made relevant representations in relation to the application may appeal against the decision.
(Schedule 5, Part 1, paragraph 8(2) of the Act).

General provisions about appeals under the Act:

An appeal must be made to the magistrates' court for the petty sessions area in which the premises concerned are situated.

An appeal must be commenced by notice of appeal given by the appellant to the justices' chief executive for the magistrates' court within the period of **21 days** beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.

On an appeal under paragraph 8(2)(a) or (c), the holder of the premises licence is to be the respondent in addition to the Licensing Authority.

Action that may be taken by the magistrates' court:

On an appeal against a decision of the Licensing Authority, a magistrates' court may:

- (a) dismiss the appeal;
- (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority; or
- (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court,

and may make such order as to costs as it thinks fit.



Should you have any questions relating to this Notification of Decision, please contact the Licensing Team Leader.

Email: licensing@easthants.gov.uk

Date of Notice:	25.03.26
Signed:	Emma Grieve
Job Role	Licensing Team Leader

Decision Notice

EAST HAMPSHIRE DISTRICT COUNCIL LICENSING SUB-COMMITTEE

16 March 2026

1. This is an application for the review of the premises licence for premises at Froyle Park, Ryebidge Lane, Upper Froyle GU34 4LA. The application, dated 6 November 2025, was submitted by Mr Michael Washington on behalf of the Upper Froyle Residents' Group and refers to each of the four licensing objectives: the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.
2. A premises licence was first granted in September 2014 when the premises were owned by Froyle Harbour Hotel Limited. The current premises licence holder is Froyle Park Limited, the directors of which company are Mr Charles McNeil and Mr Douglas McNeil. Mr Douglas McNeil is the designated premises supervisor.
3. The premises are authorised to be open 24 hours a day, 7 days a week. The premises licence authorises the following licensable activities:

Performance of plays (indoors)	Monday – Saturday	1000 – 2330
	Sunday	1000 – 2300
Non-standard timings	Bank holidays	1000 - 2300
Supply of alcohol for consumption ON the premises only	Monday – Saturday	1000 – 2330
	Sunday	1000 – 2300
Non-standard timings	Bank holidays	1000 - 2300

Performance of live music (indoors and outdoors)	Monday – Saturday	1000 – 2330
	Sunday	1000 – 2300
	Bank holidays	1000 - 2300
Non-standard timings		
Playing of recorded music (indoors)	Monday – Saturday	0800 – 2330
	Sunday	0800 – 2300
	Bank holidays	1000 - 2300
Non-standard timings		
Performance of dance (indoors)	Monday – Saturday	1000 – 2330
	Sunday	1000 – 2300
	Bank holidays	1000 - 2300
Non-standard timings		

4. The premises licence is also subject to a number of conditions as are set out at Annex 1 and Annex 2 to the licence.
5. The application attracted no representations from responsible authorities other than a supportive representation from the East Hampshire District Council environmental health team, through Mr Ian Inman. The application attracted a total of 187 representations from other persons, of which 43 supported the application and 144 supported the premises.
6. The Applicant was represented by Mr Nelson of counsel and the premises licence holder was represented by Mr Grant of counsel. During the course of the hearing, the Sub-Committee heard from a considerable number of people who either spoke in support of a representation they had submitted or who were called as a witness by a party to the proceedings. These included Mr Inman, Mr Hurst (the Applicant's acoustic expert) and Mr Gosling (the premises licence holder's acoustic expert). The details of all those who spoke

at the hearing and the evidence they gave is recorded in the Council's record of the hearing.

The sub-committee wishes to thank counsel and everyone who spoke for their help in making a lengthy hearing of a highly sensitive application proceed in an efficient and dignified manner.

7. In summary, the Applicant complains that the use of the premises as a "dry-hire" wedding venue has given rise to public nuisance impacting on the residents of Upper Froyle. The components of that nuisance include guest noise, loud music, dhol drumming carried out at a number of events, traffic noise and the noise of caterers and other suppliers setting up before and clearing down after events and the use of garden machinery to carry out work in the grounds of the premises and to clear leaves, confetti and other event-related debris. A noise abatement notice was served on the premises in November 2023 and remains in force. It is said that the number of events (fluctuating slightly between 185 in 2022 to 197 in 2025) is in itself a problem because events often follow one another, affording residents no respite from the event-related nuisance.
8. In the course of the hearing, it was made clear that the Applicant did not seek the revocation of the licence or the removal of any licensable activity from the scope of the licence. There was some measure of agreement between the parties as to conditions that it was suggested should be attached to the licence. There remained, however, four key areas where the Applicant and the premises licence holder remained in disagreement. These areas were:
 - (i) The fitness for purpose of the existing condition on the licence governing the setting and maintenance of limits for amplified music played at events. The Applicant contends that the

existing condition is not fit for purpose and the process of assessing fresh limits and fixing them into a new condition should be undertaken;

- (ii) Permitting dhol drumming at events held at the premises. The Applicant (supported by the Council's environmental health team) contends that dhol drumming by its very nature is loud and intrusive and that the only practicable solution to the nuisance it causes is for it to be prohibited at events;
 - (iii) Permitting clear-down activities after events beyond 22.00. The Applicant contends that clear-down activities inevitably generate noise nuisance at an anti-social time and therefore seek their curtailment after 22,00; and
 - (iv) The number of events permitted per year, the permitted frequency of such events per week and the maximum number of guests permitted at each event.
9. The premises licence holder argues that some noise disturbance is the inevitable consequence of the use of the premises but that the premises are a popular and award-winning venue that is important for the local economy. The alternative to allowing the premises to operate as a successful wedding venue would be to see them fall once again into disuse and disrepair. A significant investment had been made into the business and the restrictions on operation already in place and/or proposed for the future have already had a significant financial impact. There needed to be reasonableness on both sides, which in practical terms requires an element of "give and take".
10. As to the four key issues, the premises licence holder points to the differing noise conditions on the premises licence and planning permission as varied in 2016. The planning condition

represents a more recent attempt to address noise concerns than the condition on the premises licence and it would be desirable to see the planning condition replicated on the licence. As to dhol drumming, the premises licence holder points to the large number of Hindu wedding celebrations held at the premises. Dhol drumming is an essential component of these celebrations and to prohibit dhol drumming would adversely affect the level of bookings and send the unwanted message that Hindus are not welcome at the premises. The licence holder argues that its proposals for how dhol drumming must be carried out at events represent a significant restriction on the activity and strike a reasonable balance. The premises licence holder's case on the clear-down restriction goes hand in hand with its case on limits on events and clear days between events. Such events are often held on consecutive days whereby clear down when one event has finished is necessary to enable the next event to be set up. To restrict clear-down – in effect to the following day – would prevent bookings for that following day and overall have the effect on reducing the number of events that could be held. A reduction in the number of events of the magnitude contended for by the Applicant, together with the imposition of clear days between events, would render the business unviable. Similarly, the premises licence holder argues that, since a very significant part of its business comes from larger events, a cap on attendees as proposed by the Applicant (150 persons) would also render the business unviable.

11. In making its decision, the Sub-Committee has had regard to the provisions of the Licensing Act 2003, the Secretary of State's Guidance issued under section 182 of that Act (February 2026 version), the National Licensing Policy Framework and the East Hampshire District

Council Statement of Licensing Policy. On the issue of dhol drumming, the Sub-Committee was reminded by Mr Grant of the Section 149 Equality Act 2010 public sector equality duty.

It has also borne in mind the dicta of Toulson LJ in the Hope and Glory case that:

Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity and so on.

12. The Sub-Committee has read and considered the application and supporting evidence together with all representations and evidence in support of those representations. It has listened carefully to all the evidence and submissions placed before it in the course of this 3-day hearing. It has reminded itself that its decision must be proportionate and evidence-based.
13. Section 52(3) of the Licensing Act 2003 provides that, on an application for review, the Licensing Authority must, having regard to the application and any relevant representations, take such of the steps set out in subsection (4) as it considers appropriate for the promotion of the licensing objectives. As the Sub-Committee has already noted, all parties agree that the appropriate step here would be the modification of conditions on the licence.
14. In this case, the Sub-Committee is not persuaded that it would be appropriate or proportionate to restrict the number of events at the premises, or their frequency, or the number of attendees. It accepts that to do so would have a seriously detrimental effect on the viability of the business, which it accepts is an important contributor to the local economy.

Rather, the Sub-Committee has adopted a stepped approach and agrees to impose the conditions that are in substance agreed. It is to be hoped that the imposition of conditions will support both the licence holder and local residents in working together to resolve any problems in a clear and transparent way.

15. The Sub-Committee is also not persuaded to prohibit dhol drumming at the premises, but rather, to condition the licence so that this activity is carried out in a managed and responsible way. It is recognised that drumming has the potential to be very intrusive but equally, the Sub-Committee accepts the licence holder's argument as to the importance of dhol drumming to the appeal of the venue to potential customers. It also took into account the fact that Mr Hurst accepted the licence holder's proposals around dhol drumming as reasonable.
16. Finally, the Sub-Committee considered carefully the parties' arguments in relation to the existing noise condition. In spite of extra time being given during the course of the hearing, the parties were unable to agree on a way forward. It was not persuaded that it would be appropriate to modify the condition as suggested by the Applicant and accepted the licence holder's submission that to impose noise conditions as proposed by the Applicant would create further confusion. Rather, the Sub-Committee accepts the point that the noise condition imposed on planning permission by way of variation in 2016 should be replicated on the premises licence as this promotes consistency.

17. The sub-committee therefore resolved to modify the conditions on the licence by adding the following conditions.
- (i) A Noise Management Plan (**NMP**) shall be prepared in writing by the Premises Licence Holder in consultation with a suitably qualified acoustic consultant who is a Member/Associate Member of the Institute of Acoustics or an equivalent professional body.
 - (ii) The NMP shall be submitted in writing to the appropriate officer within the Council's Environmental Health and Licensing departments.
 - (iii) The Noise Management Plan shall include detailed procedures and controls designed to prevent public nuisance arising from the operation of the premises, including but not limited to noise arising from:
 - amplified and unamplified music
 - low frequency bass noise
 - outdoor ceremonies and performances
 - guest congregation and dispersal
 - deliveries and servicing
 - waste handling and glass disposal
 - equipment loading and clear-down operations
 - vehicle movements

- contractor activities
 - grounds maintenance and machinery.
- (iv) The premises shall operate at all times in accordance with the approved NMP.
- (v) A copy of the NMP shall be kept at the premises and made available for inspection by an authorised officer of the Licensing Authority upon request.
- (vi) The Licensing Authority may request the NMP to be reviewed and updated where noise complaints or nuisance issues arise.
- (vii) Any proposed amendment to the NMP shall be served on the Environmental Health Officer at least 14 days prior to the amended NMP taking effect (“the consultation period”). The licence holder shall have regard to any observations made by the Environmental Health Officer in relation to the proposed amendment during the consultation period.
- (viii) All amplified music and speech within the Ballroom shall be controlled by a tamper-proof sound limiting device installed within the audio signal chain. The system used shall be approved by Environmental Health and Licensing Team.
- (ix) The sound limiter shall be installed, configured and calibrated by a suitably qualified acoustic consultant who is a Member of the Institute of Acoustics or an equivalent professional body.

- (x) The sound limiter shall be configured so that the maximum internal sound levels cannot exceed the levels necessary to ensure compliance with the music noise limits specified in the premises licence conditions.
- (xi) All amplified audio sources, including but not limited to DJ equipment, live band mixing desks, microphones, playback devices and auxiliary inputs, shall be routed through the sound limiter so that no amplified sound may bypass the system.
- (xii) The limiter shall be configured to control overall sound pressure levels and low-frequency content.
- (xiii) The limiter shall incorporate a visual warning indicator or equivalent system to alert performers or operators when sound levels approach the configured threshold.
- (xiv) The limiter settings shall be secured and protected against unauthorised adjustment. Access to the configuration controls shall be restricted to the appointed acoustic consultant or member of the Environmental Health Team.
- (xv) The limiter settings shall not be altered without the involvement of the appointed acoustic consultant or Environmental Health Team, and any changes shall be documented.
- (xvi) The Premises Licence Holder shall ensure that the sound limiter remains operational and in use at all times when amplified music or speech is played in the ballroom.
- (xvii) In the event of failure of the sound limiter system, all amplified music shall cease until the limiter is repaired or replaced and confirmed to be functioning correctly.

- (xviii) The appointed acoustic consultant shall, following installation or adjustment of the sound limiting device, provide a certificate of conformance and accompanying report to the Licensing Authority confirming that the sound limiter has been correctly configured and calibrated.
- (xix) The certificate of conformance and report shall be submitted to the Licensing Authority within 28 days of installation or adjustment of the sound limiter, and a copy shall be retained at the premises and made available for inspection by an authorised officer of the Council upon request.
- (xx) The noise level attributable to amplified music associated with any event within the function room shall not exceed 39 dB LAeq 5min at the boundary of any nearby residential property. Furthermore, the following noise levels attributable to amplified music associated with any event within the function room at individual low frequency octave bands shall not be exceeded at the boundary of any nearby residential property:

44 dB Leq 63 Hz 5 min

45 dB Leq 125 Hz 5 min

unless otherwise agreed in writing by the Local Planning Authority and the Council.

This condition replaces the current noise level condition on the premises licence under Prevention of Public Nuisance.
- (xxi) Compliance with the Noise Limits conditions shall be determined using the following measurement protocol: Measurements shall be taken following industry practice agreed with the Local Authority.

(xxii) **Dhol drums**

- A. There shall be no more than 50 Dhol drum performances per calendar year.
- B. Only 20 inch deep sized Dhol drums shall be used.
- C. No more than two Dhol players may perform at any one time.
- D. No more than ten minutes Dhol drumming shall occur per event.
- E. A designated member of staff shall be present throughout the performance to ensure compliance.
- F. No Dhol drumming shall take place in the rear garden.
- G. Outdoor Dhol drumming shall be confined to the front fountain area. Indoor Dhol drumming is restricted to the Ballroom and Ballroom corridor.
- H. Outdoor Dhol drumming is only permitted between 11:00 and 18:00.
- I. Indoor Dhol drumming is only permitted between 11:00 and 21:00.
- J. No Dhol drumming shall take place during services held at St Mary's church.
- K. The premises shall maintain a dedicated Webpage listing to give residents advance notice of any outdoor Dhol drumming.

(xxiii) The use of drones will be limited to no more than 10 minutes per event and one drone per event and in accordance with Froyle Park's written drone policy which shall be provided to the licensing authority.

- (xxiv) Noise monitoring data shall be retained by the premises licence holder for a period of 30 days. Upon the written request of an authorised officer of the licensing authority the premises licence holder shall provide noise monitoring data within 3 working days of the request being made.
- (xxv) Save for Dhol drums, acoustic drum kits are not permitted at Froyle Park. All performers must use electronic drum kits routed through the in-house sound system. Similarly, stage monitors are not permitted. Live performers are required to use in-ear monitoring systems, ensuring all amplified sound remains under control.
- (xxvi) No outdoor ceremonies after 18:30pm. No amplified sound is permitted outside at any time.
- (xxvii) All windows and doors will be kept closed in the Ballroom when amplified music is being played.
- (xxviii) No amplified music is permitted in the atrium/glasshouse area.
- (xxix) Low level acoustic instruments (eg, string quartet, harp) are permitted externally. Loud instruments such as bagpipes, brass quartet, drums are not permitted externally. Use of all acoustic instruments will cease by 18:30.
- (xxx) Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- (xxxi) The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff

or door supervisors so as to ensure that there is no public nuisance or obstruction of the public highway.

(xxxii) No guests shall enter in the rear external garden area after 22:30.

(xxxiii) No set-up activity shall take place before 08:00 Monday to Sunday.

This replaces the condition on the current licence 'Delivery activities associated with the hotel shall be limited to 07:00 - 18:00hrs Monday - Sunday only'

(xxxiv) So far as reasonably practicable, all suppliers must use Froyle Park's low noise trollies externally during clear down (fitted with rubber wheels that minimise noise when running over a path).

(xxxv) Froyle Park will maintain the trollies to ensure low noise operation.

(xxxvi) All suppliers are encouraged to commence clear down as soon as practically possible.

(xxxvii) From 22:30 a minimum of 2 members of Froyle Park staff shall be dedicated to the quiet management of supplier departure.

(xxxviii) No noisy garden machinery will be used before 09:00.

(xxxix) So far as reasonably practicable, electric leaf blowers will be used in the back garden.

(xl) The back garden shall be closed to customers from 22:30. Guests shall be routed to the front entrance if they wish to smoke.

(xli) The main gates shall be closed after 20:00 on event days.

(xlii) Froyle Park must have prominent, clear and legible notices displayed on all exits requesting the public to respect the needs of local residents.

(xliii) The premises adopts the following dispersal noise control measures:

- (a) A strict no loitering policy in the corridor and conservatory. This is enforced by a designated member of staff.
- (b) A member of staff is located at the beginning of the Avenue to accompany guests to their cars, 30 minutes prior to the anticipated guest departure time.
- (c) Signage is displayed in the corridor / conservatory to remind guests to be mindful of neighbours and keep their voices lowered.
- (d) Staff wear body cams and high vis jackets after 18:00, to promote good behaviour and encourage guests to depart in an orderly manner.
- (xliv) From 20:00 the premises shall operate a one-way system where vehicles depart from the Avenue directly onto the A31.
- (xlv) A telephone number for an on-duty manager shall be made available to residents in the event of any noise complaint. The premises shall investigate all noise complaints with a view to resolving them.
- (xlvi) All complaints will be logged on file, kept on the premises for 12 months and made available for inspection by an authorised officer of the local authority on request.
- (xlvii) Staff at the premises shall receive detailed training on matters relating to noise management. Refresher training shall be completed every 6 months as a minimum. Records must be kept of all training, signed and dated by the staff member(s) and person(s) delivering the training. These records must be made available for inspection by the police and an authorised officer of the local authority.

- (xlvi) During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises.
- (xlix) Pursuant to section 177A(4) of the Licensing Act 2003, any conditions on this premises licence relating to live or recorded music (including the terms of the Noise Management Plan) are to apply and have effect notwithstanding the terms of section 177A and paragraph 12A of Schedule 1 to the Licensing Act 2003.
- 18. All other conditions currently on the premises licence remain unchanged.
- 19. Any party to the hearing may appeal to the Magistrates' Court in writing, within 21 days of receipt of this written decision.