

**The Phoenix Public House
26 – 28 Thames Street
Sunbury on Thames**

Chronology of Environmental Involvement

The premises are located at 26 – 28 Thames Street, Sunbury, with a beer garden facing the River Thames. On adjacent sides there are residential properties.

An application has been received, by W H Brakspear and Sons Ltd, the licence holder, to vary the Premises Licence.

The current licence has the following restrictions:

Sale of alcohol

Monday to Saturday: 11:00 to 23:00
Sunday: 11:00 to 22:30

Sale of alcohol from the outside bar
11:00 to 21:00

With non-standard Hours and Seasonal Variations for Christmas, New Year's Eve, Good Friday and Bank Holidays

In addition, there are conditions, restriction the use of the outside garden and bar, these are:

The outside bar shall close at 21:00 seven days a week.

The Garden shall close at 22:00 seven days a week.

After 22:00, a maximum of six customers will be allowed in the garden.

Signs will be displayed prominently in the garden informing customers that they must be mindful of the presence of local residents and that last orders for the garden bar is 20:30 and that the garden must be vacated by 22:00.

The application is to vary the restrictions for the use of the outside garden and bar, their proposals are:

To vary the licence to amend the sale of alcohol from the outside bar from 11:00 – 22:00 seven days a week and amend and remove the following conditions:

1. The outside bar will close at 21:00 hours on Sunday to Wednesday but 22:00 hours on Thursday, Friday, Saturday and Bank Holiday Sunday.

2. The garden will close at 22:00 hours on Sunday to Wednesday but 23:00 hours on Thursday, Friday and Saturday, and 22:30 hours on Bank Holiday Sunday.
3. Remove condition 7 which reads “After 22:00, a maximum of six customers will be allowed in the garden.”
4. Amend condition 8 to read “Signs will be displayed prominently in the garden informing customers that they must be mindful of the presence of local residents.”

The current Designated Premises Supervisor (DPS), Flavio Martignago, has been DPS at the Three Fishers Pubic House and is the current DPS at the White Horse Public House, in addition to The Phoenix Public House.

Whilst he was DPS at the Three Fishes Public House, 35 Green Street, Sunbury, from November 2011 to February 2013, Environmental Health did not receive any noise complaints concerning the premises. Environmental Health did received complaints about noise, coming from The Three Fishes, before and after these dates.

He became DPS for The White Horse Public House, 69 Thames Street, which is opposite The Phoenix, in April 2014. To date, Environmental Health have not received any noise complaints concerning the White Horse.

Flavio Martignago became DPS, for The Phoenix in June 2019. Since that date Environmental Health have been aware of the following Temporary Event Notices for the following events:

Temporary Event Notice submitted for 17.08.2019 and 18.08.2019 from 22:00-24:00 at The Phoenix Public House and for Extension of hours for the garden.
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Temporary Event Notice Carnival weekend 23.08.2019 Requesting customers in garden until 23.30
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Temporary event notice - End of school holidays Date: 31st August 2019-1st September 2019 Time: 22.00 till 24.00
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Temporary Event Notice applied for Halloween party from 23:00 to 1 on 31 Oct. there will be regulated entertainment.
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Following these events Environmental Health have not received any noise complaints, especially from the garden.

Environmental Health are fully aware of the history of these premises, prior to the last DPS in November 2015, taking over the premises, Simon Bailey, there were complaints about the loud music and other anti-social behaviour

being undertaken in the garden. In 2017, there was a request from neighbours to have a meeting concerning noise concerns. This was held. Concerns about the beer garden and way the pub was being managed, especially relating to an incident in July 2018, was raised with Environmental Health in August 2018, discussions were held with Licensing. No further noise concerns have been raised by neighbours, with Environmental Health.

There was a review hearing of the licence in 2016, when the restrictions that are subject to this application were added to the Licence. On viewing the application, Environmental Health would like the wording for condition 8 to read:

“Signs will be displayed prominently in the garden informing customers that they must be mindful of the presence of local residents. Last orders for the garden bar is 21:00 hours on Sunday to Wednesday but 22:00 hours on Thursday, Friday, Saturday and Bank Holiday Sunday. The garden will close at 22:00 hours on Sunday to Wednesday but 23:00 hours on Thursday, Friday and Saturday, and 22:30 hours on Bank Holiday Sunday.”

This will reduce any conflict when staff close the garden bar and ask customers to leave the garden. The reason for this, is that Environmental Health, believes it will promote the public nuisance objective under Licensing.

Leslie Spearpoint
Senior Environmental Health Officer
17th January 2020