



WAVERLEY BOROUGH COUNCIL

Licensing Team, Chief Executive's Dept, Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR

Application for a premises licence to be granted 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 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/We STUART DEAR (insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 48 HIGH STREET HASLEMERE	
Post town HASLEMERE	Post code GU27 2LA

Telephone number at premises (if any) **07747 - 050208**

Non domestic rateable value of premises **£ 31,250 @ 41.5 p.**

Part 2 – Applicant Details

Please state whether you are applying for a Premises Licence as:

- Please tick ✓
- a) an individual or individuals* please complete section (A)
 - b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) The proprietor of an educational establishment please complete section (B)
- f) A health service body please complete section (B)
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) The chief officer of police of a police force in England and Wales please complete section (B)

Please tick ✓

*If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - Statutory function; or
 - A function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname: First names:

Please tick ✓

I am 18 years old or over

Current postal address if different from premises address:

Post Town: Postcode:

Daytime contact telephone number:

Email address (optional):

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

I am 18 years old or over Please tick ✓

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	1	07
2	0	1
0		

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

N/A

If 5000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

Please give a general description of the premises (please read guidance note 1)

THE PREMISES COMPRISES OF A HIGH STREET SHOP / COFFEE SHOP OF APPROX 1000 SQ FT. IT IS OPEN PLAN WITH A SERVING BAR / COUNTER AREA TOWARDS THE REAR, WITH ADJACENT SMALL KITCHEN AREA. IN ADDITION THERE IS A SMALL PARTIALLY ENCLOSED (BY A LOW HOGE) OUT DOOR SEATING AREA AT THE FRONT, WHICH IS THE FULL WIDTH OF THE PREMISES AND APPROX 4 METRES DEEP.

What licensable activities do you intend to carry on from the premises?
 (Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the
 Licensing Act 2003)

Provision of regulated entertainment

Please
 tick ✓

- | | | |
|----|---|-------------------------------------|
| a) | plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) | films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) | indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) | boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) | live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) | recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) | performance of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) | anything of a similar description to that falling within (e), (f) or (g) (if ticking
yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | | |
|----|---|-------------------------------------|
| i) | making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) | dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) | entertainment of a similar description to that falling within (i) or (j) (if ticking
yes, fill in box K) | <input type="checkbox"/> |

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

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

In all cases complete boxes N, O and P

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place Indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	18.30	23.30	Please give further details here (please read guidance note 3) OCCASIONAL SMALL JAZZ BAND, OR GUITARIST, OR SIMILAR ON ORGANISED EVENINGS OR SAT/SUN AFTERNOONS.	Both	
Tue	18.30	23.30			
Wed	18.30	23.30		State any seasonal variations for the performance of live music (please read guidance note 4) APPROX TWICE A MONTH, MAX OF 24 TIMES PER YEAR.	
Thur	18.30	23.30			
Fri	18.30	23.30		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5)	
Sat	18.30	23.30			
	11.00	15.30			
Sun	11.00	15.30			
	18.30	23.30			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place Indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	8.00	00.00	Please give further details here (please read guidance note 3) BACKGROUND MUSIC PLAYED FOR GENERAL ENJOYMENT.	Both	
Tue	8.00	00.00			
Wed	8.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	8.00	00.00			
Fri	8.00	00.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5) NEW YEAR'S EVE → 2.00AM NEW YEAR'S DAY.		
Sat	8.00	00.00			
Sun	8.00	00.00			

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 3) FOR SALSA / DANCE INSTRUCTORS TO BE ABLE TO PERFORM TO A CLASS		
Mon	18.30	23.30			
Tue	18.30	23.30	State any seasonal variations for the performance of dance (please read guidance note 4) APPROX TWICE A MONTH, NO MORE THAN 24 TIMES A YEAR.		
Wed	18.30	23.30			
Thur	18.30	23.30	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri	18.30	23.30			
Sat	18.30	23.30			
Sun	11.00	15.30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
			Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri					
Sat					
Sun					

Provision of facilities for making music Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			PIANO / KEYBOARD MIKE FOR GUITARIST ETC	
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	8.00	00.00	IF PIANO OR KEYBOARD MAY BE INSTALLED IN THE BAR FOR PEOPLE TO USE.	
Tue	8.00	00.00		
Wed	8.00	00.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur	8.00	00.00		
Fri	8.00	00.00	Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 5)	
Sat	8.00	00.00	NEW YEARS EVE TIL 2.00AM NEW YEARS DAY.	
Sun	8.00	00.00		

J

Provision of facilities for dancing Standard days & timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
			Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	
Mon	18.30	00.00	WOODEN FLOOR! UNAMPLIFIED RECORDED MUSIC OR LIVE MUSIC.	
Tue	18.30	00.00		
Wed	18.30	00.00	State any seasonal variations for providing dancing facilities (please read guidance note 4)	
Thur	18.30	00.00	PERIODIC "SALSA" NIGHTS OR SIMILAR TWO OR THREE TIMES A MONTH.	
Fri	18.30	00.00		
Sat	18.30	00.00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5)	
	11.00	15.30		
Sun	18.30	00.00	NEW YEARS EVE TIL 2.00AM NEW YEARS DAY.	
	11.00	15.30		

K

Provision of facilities for entertainment of a similar description to that falling within (i) or (j) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing							
			Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	<table border="1"> <tr><td>Indoors</td><td></td></tr> <tr><td>Outdoors</td><td></td></tr> <tr><td>Both</td><td></td></tr> </table>	Indoors		Outdoors		Both	
Indoors										
Outdoors										
Both										
Day	Start	Finish								
Mon			Please give further details here (please read guidance note 3)							
Tue										
Wed			State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within (i) or (j) (please read guidance note 4)							
Thur										
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within (i) or (j) at different times to those listed in the column on the left, please list. (please read guidance note 5)							
Sat										
Sun										

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)						
			<table border="1"> <tr><td>Indoors</td><td><input checked="" type="checkbox"/></td></tr> <tr><td>Outdoors</td><td></td></tr> <tr><td>Both</td><td></td></tr> </table>	Indoors	<input checked="" type="checkbox"/>	Outdoors		Both	
Indoors	<input checked="" type="checkbox"/>								
Outdoors									
Both									
Day	Start	Finish							
Mon	23.00	00.00	Please give further details here (please read guidance note 3)						
Tue	23.00	00.00							
Wed	23.00	00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)						
Thur	23.00	00.00							
Fri	23.00	00.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 5)						
Sat	23.00	00.00							
Sun	23.00	00.00	NEW YEARS EVE TIL 2.00 AM NEW YEARS DAY.						

M

Sale of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the sale of alcohol (please read guidance note 4)	Both <input type="checkbox"/>
Mon	11.00	00.00		
Tue	11.00	00.00		
Wed	11.00	00.00		
Thur	11.00	00.00		Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)
Fri	11.00	00.00		
Sat	11.00	00.00		
Sun	11.00	00.00		

NEW YEARS EVE TILL 2.00 NEW YEARS DAY

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	STUART DEAR
Address	BROOMFIELD MEAD ROAD HINDHEAD, SURREY
Postcode	GU26 6SQ
Personal licence number (if known)	LN/000002751
Issuing licensing authority (if known)	WAVELLEY
Personal licence expiry date (if known)	28.04.2020

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	8.00	00.30	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5) NEW YEARS EVE TILL 2.30AM NEW YEARS DAY.
Tue	8.00	00.30	
Wed	8.00	00.30	
Thur	8.00	00.30	
Fri	8.00	00.30	
Sat	9.00	00.30	
Sun	10.00	00.30	

P

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)

PLEASE SEE SEPARATE TYPE
WRITTEN SHEET ATTACHED

b) The prevention of crime and disorder

AS ABOVE

c) Public safety

AS ABOVE

d) The prevention of public nuisance

AS ABOVE

e) The protection of children from harm

AS ABOVE.

Addendum Sheets for Premises Licence Application

48 High Street, Haslemere, Surrey, GU27 2LA

Section P

- a) Staff shall be trained in the basic law relating to the sale/supply of alcohol and written records will be kept for inspection. This will include the law relating to both the sale and the consumption of alcohol to persons under 18 and the refusal of sale of alcohol to persons who are drunk. There will be an ongoing training regime.
- b) A comprehensive digital colour CCTV system will be installed at the premises. The system will be maintained and operational at all times the premises are open for business. Video recordings shall be available for a minimum of 31 days and shall be made available to an authorised officer or police officer together with facilities for viewing. There will be a capability to download to CD/DVD.
- c) Hemingways intend to join the local "pubwatch" scheme and have already approached the chairman.
- d) An incident log shall be kept at the premises, and made available on request to an authorised officer of the Borough Council or the Police, which will record the following:
 - All crimes reported to the venue
 - All ejections of patrons
 - Any complaints received
 - Any incidents of disorder
 - Seizure of drugs or offensive weapons
 - Any faults in the CCTV system
 - Any refusal of the sale of alcohol
 - Any visit by a relevant authority or emergency service
- e) The premises will operate a Challenge 21 policy and will only accept passport, photo driving license or ID cards bearing the PASS hologram as forms of identification.
- f) No proof, no sale policy will be adopted
- g) Bottles will not be disposed of late at night, to avoid a noise nuisance. The bottles will be disposed of in the morning.
- h) A smoking area is provided at the front of the premises in an outside seating area. This area is away from any residential property to avoid smoke being a problem.
- i) Hemingways has their fire extinguishers etc maintained by WJFIRE and all relevant signage.
- j) Patrons will be asked to keep noise levels to a minimum when they are in the seating area outdoors at the front of the premises.



Waverley Borough Council
 The Bury, Godalming, Surrey
 GU7 1HR
 Telephone: 01483 523333
 Fax No: 01483 523118



Hemingways, 48 High St, Haslemere

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Scale 1/1250 Date 24/6/2010

Centre = 490541 E 132952 N



Licensing Officer,
Waverley Borough Council,
The Burys,
Godalming, Surrey

WAVERLEY B.C.	
CHIEF EXECUTIVE'S OFFICE	
PRM	
DATE	11 JUN 2010 REC'D
DATE ACK:	
PASS TO FOR ATTN:	
ACK. CODE:	
FILE No:	

15/6/10

9th June, 2010

Dear Sir,

Re: Stuart and Nikki Dear
Hemingways, 48 High Street, Haslemere Surrey GU27 2EA

We have received a Letter from the above people saying they are making an application for an alcohol license for Hemingways.

We strongly object to having a wine/tapas bar close to our premises and especially having salsa evenings and jazz band activities either during an evening or Sunday afternoon sessions. We cannot see how they would be able to stop parking at the rear of their premises or in the Estate Agents parking area which is vacant in the evenings, Saturday afternoons and all day Sunday. This in turn could cause congestion in front of our entrance and late night disturbances.

We hope this license will be refused accordingly

21/6/10
re submitted by phone

Licensing Section,
Waverley Borough Council,
The Pump, Gosdening, GU7 1HE

WAVERLEY B.C. CHIEF EXECUTIVE'S OFFICE	
PRM	
DATE	15 JUN 2010
DATE ACK:	
PASS TO FOR ATTN:	
ACK. CODE:	
FILE NO:	

June, 2010

2

Dear Sirs,

Licensing Act 2003, Henningsways, 48 High Street, Haslemere

Whilst we have no overall objection to the application made for the granting of an alcohol and music licence at the above premises, which could add to town life, we should like to object strongly to the closing times proposed. We believe these should in each case be confined to 22.00/23.00 Monday to Sunday rather than midnight applied for, with the exception of New Year's Eve which could be extended to 00.30.

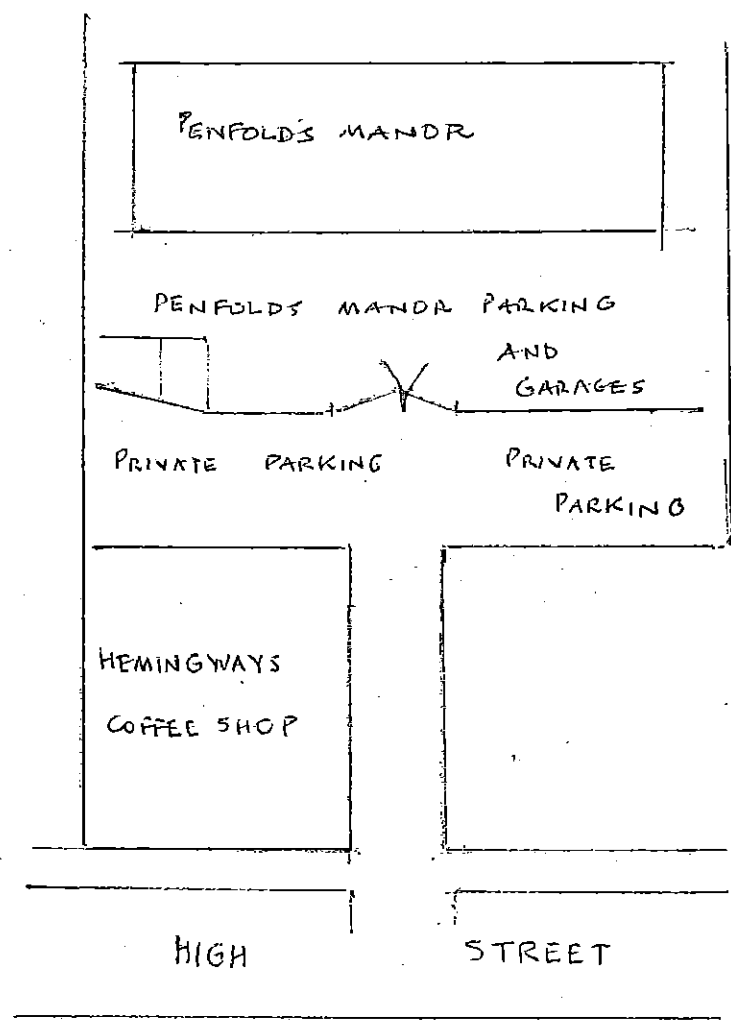
The premises are within 30 yards of the quiet residential area of Penfold's Manor directly behind Henningsways and any extension of closing time beyond 23.00 would greatly prejudice the late night quality of life for the residents. We understand the Georgian Hotel on the opposite side of the High Street also stops playing of music at 23.00.

It is also essential that there should be no access for customers to the area behind Henningsways which is directly in front of Penfold's Manor. Loud voices and banging of car doors could easily be heard by elderly residents, as

2.

as well as any other anti-social behaviour. We presume that these additional applications will require the provision of adequate lavatory facilities on the premises for customers.

A sketch of the immediate layout of the area is shown below.



16th June 2010

3

OBJECTIONS - re the application for an alcohol, music and dancing licence from Stuart Dear for Hemingways, 48 High Street, Haslemere, GU27 2LA.

Penfold Manor, which comprises 12 apartments, is situated a few metres behind Hemmingways in the centre of Haslemere High Street, (there are also flats above many of the surrounding shops). Most of the occupants are in their 70,s and 80,s with 2 residents being more than 90 years old.

I object to the application on the following grounds of Public Nuisance:

NOISE

1 The hours applied for (virtually all day, every day until midnight for the playing of CD or live music). – Last December the previous owners had a music licence for a few ‘odd ‘ evenings and the music could be heard all the way up the High St. I dread to think of the disturbing noise forthcoming in the Summer months when Hemmingways’ windows would be open.....Many of our residents, being elderly go to bed early and sleep with their windows open.

2 The probable clinking sound of bottles being put out plus, possibly, broken glass

PARKING AND NOISE

The spaces either side of our electronic boundary gates are for private parking during the day but it is possible that up to 10 vehicles could park behind Hemmingways at night, resulting in noise from the starting up of engines and the voices of people saying ‘good-night to each other.

HEALTH AND SAFETY

There will obviously be more accumulated rubbish. How will it be contained? The previous owners left old carpets etc piled up in a corner which attracted rats (an officer from WBC visited and said it was a health hazard)

Whilst I am not against a Wine Bar for Haslemere , I just do not think that this is the right situation for one

WAVERLEY B.C.	
CHIEF EXECUTIVE'S OFFICE	
DATE	17 JUN 2010
REC'D	

4

WAVERLEY B.C.	
CHIEF EXECUTIVE'S OFFICE	
PRM	
DATE	17 JUN 2010 REC'D
DATE ACK:	
PASS TO FOR ATTN:	
ACK CODE:	
FILE No.	

15 June 2010

Licensing Section

Dear Sir/Madam,

Reference attached Application for Alcohol Licence I wish to object to the granting of this licence as a case of Public Nuisance for the following reasons.

See enclosed note *

This would involve unknown numbers of people - customers, staff and performers, almost all arriving in vehicles, all needing somewhere to park. This situation would inevitably lead to people parking in the lane and spaces just outside our gates - people and cars blocking the only exit and entrance to a property.

Most of the inhabitants of Penfold Manor are elderly and need access to their property at all times for themselves or emergency ambulance facility (an ambulance has been called at least 3 times in the last few weeks!)

Imagine some distressed wife of an husband (over 80 years of age) having to walk outside, at night and in to a crowded Hemingways with customers dancing, slugging and drinking, to discover whose vehicle is blocking our gateway or alley and preventing help getting to their partner.

This is a most inappropriate request for Licence to provide a facility which in an opinion is unsuitable for Hazlemere High Street and would be taking in the wrong place for all the best houses.



LICENSING ACT 2003

NOTICE OF APPLICATION FOR ALCOHOL LICENCE

**RELATING TO HEMINGWAYS,
48 HIGH STREET, HASLEMERE, SURREY, GU27 2LA**

NOTICE IS HEREBY GIVEN that an application has been made to the Licensing Authority of **WAVERLEY BOROUGH COUNCIL** for permission to sell alcohol and other licensable activities under the Licensing Act 2003. Details of the application are as follows:

Licence for the sale of alcohol between 11.00 and Midnight Mon to Sunday

Licence for provision of facilities for making music between 08.00 and Midnight Mon to Sun

Licence for provision of facilities for dancing between 18.30 and Midnight Mon to Sun & 11.00 to 15.30 Sat/Sun

Licence for performance of dance between 18.30 and Midnight Mon to Sat & 11.00 to 15.30 Sun

Licence for provision of late night refreshment 23.00 to Midnight Mon to Sun

As above for New Years' Eve but till 02.00

Premises to be open 30 minutes later than licence applications.

A copy of the application may be inspected during normal office hours at the address shown below. Any responsible authority or interested party wishing to make representations on this matter must submit those representations in writing to Licensing Section, Waverley Borough Council, Council Offices, The Bury, Godalming, Surrey, GU7 1HR by not later than 02.07.2010 stating the grounds on which the representation is made. Written representations may also be made to: licensing@waverley.gov.uk

Please note that it is an offence knowingly or recklessly to make a false statement in connection with an application and, on summary conviction for the offence, a person is liable to a fine not exceeding level five on the standard scale (currently £5,000).

5

WAVERLEY B.C. CHIEF EXECUTIVE'S OFFICE	
PRN	
DATE	17 JUN 2010 RECD
DATE REC'D	
POST TO	
POST FROM	
ACK CODE	
SENO	

June 15, 2010

To Membership Section
Waverley Borough Council
Godalming

Dear Sir,

Re: Application for New Premises licence
Hemmingsway, 48 High St. Haslemere GU27 2LA

I have lived at 1 Penfold Manor for 3 years.
The apartment is on the ground floor facing, and
only a few metres away from the above premises.
Our building is approached through electric gates
via a short connecting lane from the High Street,
shared by Hemmingsway, and the owners of a few
designated parking spaces which are empty in the
evening.

I am 84 years old and occupy one of the 12
apartments, which in the main are occupied by
residents of 70 - 95 years old. My living room
windows and patio doors, and all the bedrooms
open onto and face Hemmingsway's (as do those of
apartments 5, 9 and 10). I retire before 10 pm &
sleep with windows open ^{P31} all night.

I object to all of the following requests for licensing on the grounds of Public Nuisance as outlined below.

1. license for provision of facilities for making music, facilities for dancing and for the performance of dance. These would all result in the creation of noise which would penetrate through open or closed doors and windows and would be heard in my apartment and on my patio during the entire day until late night.
2. license for the sale of alcohol, particularly spirits and beer, 11.00 to Midnight Mon → Sat Sun, together with dancing and music, especially live music, would create disturbance in the High Street and certainly disturb my enjoyment and rest during the day and sleep at night. The quality of my life would be badly affected.
3. Opening hours and licensing hours, applied for, (cover all and every day including Sunday from 8.00 to 12.00 plus 30 mins until closure. These hours together with objections in Nos 1 & 2 would cause intolerable disturbance in the High Street and to me with no respite day or night 7 days per week. Similarly for 02.00 New Year's Eve.
4. Other. Noise would additionally be generated by customers arriving & leaving during and after closure and from cars entering and leaving available

car parking outside our gates and in front of my apartment until and after closure.

From previous occasional licenses granted to former owners for alcohol and late night opening, nuisance was caused by broken glass, bottles and refuse in the access lane, urination against our boundary walls and others. For myself and other residents Health & Safety issues are raised by this.

This concludes my objection to the granting of each of such licenses on the grounds of Public Nuisance causing disturbances due to continuous and excessive noise and late night opening on a daily basis. All this would result in a considerable reduction in the quality of my life as enjoyed in this currently delightful and peaceful part of Haslemere, and the introduction of a licensed premises with music and dancing would be inappropriate and harmful to the reputation of this ^{unique} and thriving town.

I regret that I will be unable to attend the hearing of this application as I shall be away and thus unable to speak in support of these objections.

Yours faithfully, P33

(6)

16.6.2010

Dear Mr Hayes this letter is sent in regard for an alcohol license for "Itemizing" coffee shop in Haslemere High Street. It also asks for permission for music and dancing every night throughout the year.

If you visit the said coffee shop you will see that my flat, one of twelve is just yards away. Also that we are nearly all elderly residents.

My main cause for concern is that there will be increased noise, extra rubbish which has caused problems in the past. Plus the added cars being driven off in the early hours.

Therefore on the grounds of prevention of public nuisance I hereby object to the granting of a license.

Yours sincerely,



to:
licensing
17/06/2010 15:01
Show Details

Dear Sir/madam

I am writing to you in regard to the planning application by Hemingways for an alcohol and dance licence.

I am the resident of no. [REDACTED] a near neighbour of the shop/cafe and also of Penfold Manor who are dreading this potential nightmare being thrust upon them.

How Waverley Council can allow this to happen in the wonderful High street of Haslemere is amazing, we, the residents reside here because of the peace and quiet, never thinking such a thing could happen. This will destroy our way of life, the parking will be terrible and the illegal urination what with the ONE toilet will be awful

I could give a great many more reasons, but I think the main points have been pointed out.

Please accept this letter as a vote against any potential licence being issued.

- Free. Sign-up now.

EDGEFIELD

Estate Management Limited

Abbott House
Hale Road
Farnham
Surrey
GU9 9QH

Tel 01252 891170
Fax 01252 891171

The Licensing Section
Waverley Borough Council
Council Offices
The Burys
GODALMING
Surrey GU7 1HR

WAVERLEY B.C.	
CHIEF EXECUTIVE'S OFFICE	
FROM	
DATE	21 JUN 2010
DATE ACK	
PASSTO FOR ATTN	
ACK CODE	
FILE No	

⑧

16th June 2010

Dear Sirs

Re: Penfold Manor, High Street, Haslemere, Surrey, GU27 2LT

We are the Managing Agents for the owners living at Penfold Manor in Haslemere. It has been brought to our attention that a Notice of Application for Alcohol Licence relating to Hemingways, 48 High Street, Haslemere was displayed in the local Haslemere Herald.

We are writing to object to this licence being given to Hemingways because of the following:-

Penfold Manor is located at the back of Hemingways and when the windows of the flats are open the music will be a disturbance to residents, a number of whom are elderly and bought Penfold Manor to be close to the High Street, not to be close to a late night disco venue.

Parking will be an issue as cars will be parked at the rear of the building and when people are leaving they stand at their cars talking, engines running and banging doors shut which is a nuisance to residents at Penfold Manor, and the thought of this happening after midnight every night of the week is totally unacceptable.

Tables are placed outside Hemingways in the summer and voices carry up the access road to Penfold Manor which again is not acceptable late in the evening/early morning.

There are a number of residential properties in and very close to the High Street and the residents of Penfold Manor feel this licence should not be granted to Hemingways. They consider more consideration should be given to the residential owners living in close proximity of the High Street.

Yours faithfully



EDGEFIELD Estate Management Limited

Encs.

Hemmingways - Application for alcohol, music
and dancing licence.

June 16th 2010.

⑨

Dear Sir/Madam,

I am writing about the above application for Hemmingways as I am very upset and alarmed about this.

I moved to this flat in November last year after a serious illness and came to this flat to be near all the conveniences in the town. I have lived in Harlemere for 50 years (in Old Harlemere Rd).

If this flat had been for sale later and I knew of the intention of the owners of Hemmingways to apply for these licences I would never have considered moving here.

To apply for the provision of music to be allowed to be played Mon^{to}/Sunday 8am until midnight and dancing from 18-30 to midnight Mon. to Saturday and 11.00 to 15.30 on Sundays is alarming.

We are mostly retired residents here

and the thought of noise so late is not right. Also there could be noise after midnight as people leave Hemmingsway's.

There has been so much trouble about drink - also should they be driving cars after drinking?

The thought of noise every day is awful. There are other homes near here as well. Most of us - I am sure need to get sleep long before midnight.

Also what about the value of our (homes)? Surely it will be difficult to sell if these applications go ahead.

I do hope you will consider all the above objections seriously at all and many others are really worried.

Yours sincerely,

WAVERLEY B/C. CHIEF EXECUTIVE'S OFFICE	
PRM	
DATE	21 JUN 2010 REC'D
DATE ACK:	
PASS TO FOR ATTN:	
ACK. CODE:	
FILE No.	

10

Licensing Section
Waverley Borough Council
Council Offices
The Bury's
Goldalming
Surrey
GU7 1HR

21 June 2010

Dear Sir/Madam

Licensing Application – Hemingways, 48 High St, Haslemere GU27 2LA

In response to the above application, I wish to register a representation as to why I consider that the application should be rejected. My objections are due to the impact on myself as a nearby resident to Hemingways. It is my considered opinion that an unintended consequence of approving the application is a level of noise which constitutes a public nuisance. In particular, the following sources of noise are a concern which should be considered:

- Noise created by customers leaving the premises would range from chatting to shouting and thus create unnecessary and annoying disturbance especially in the late evening up until midnight and beyond when the surrounding area is virtually quiet. Such noise will easily reach Penfold Manor where I prefer to sleep with an open window especially during the summer months.
- There will be additional noise from those customers sitting at the tables outside the front of the cafe in summer and from groups of smokers throughout the year which could congregate on the access lane to Penfold Manor to shelter from inclement weather
- The private business owned car parking spaces adjacent to the gates of Penfold Manor are generally empty in the evening and could potentially be used by Hemingway's customers. Once again, this will create noise as customers depart with car door banging and engine noise contributing to that of the customers.
- The noise from music (especially the beat of bass) will also reach Penfold Manor at a volume which could readily be heard and is likely to be increased if dancing is permitted or live music is played.
- Whilst the outlook of Hemingways is to the High Street, its rear door is invariably open and would let noise out in the direction of Penfold Manor
- The rubbish skips for Hemingways are located immediately outside the gates to Penfold Manor. It is anticipated that these will be in constant use when Hemingways is open and include the tipping of glass bottles which can be heard from a long distance

If approved, the resultant noise from customers, staff activity and music outlined above, will be relentless, 7 days per week up until 12:30 am. I do not wish to be disturbed by such noise to this extent and see no reason why I should be forced to tolerate such a disturbance in order for a small business to be expanded.

More subjectively, but in my view and experience, premises with a licence for late night drinking and dancing equates to a club which could attract groups of people which, when fuelled with alcohol, make considerable noise and can often cause trouble resulting in crime. I do not feel that the position of Hemingways, adjacent to a residential part of the High Street is an appropriate place for such a venue.

In addition, it is not as if there is a shortage of licensed premises within Haslemere; there are 2 pubs, 2 licensed restaurants and a licensed hotel all situated on High Street and several others within walking distance which I would suggest easily serves the needs of the community.

Finally, I understand that you should only consider objections that are written from a personal perspective but I feel that I should make you aware of the general demeanour of the majority of Penfold Manor's residents who are elderly and in 6 cases, females living alone. These residents have chosen to live at Penfold Manor where they feel safe and are content with their immediate surroundings. However, I suggest that this relatively vulnerable group will feel intimidated by late night noise and activity immediately outside the gates to their property which are easily opened.

If you would like clarification of any of the points above then please do not hesitate to contact me

Yours sincerely

By e mail

WAVERLEY B.C. CHIEF EXECUTIVE'S OFFICE	
PRM	
DATE	23 JUN 2010 REC'D
DATE ACK:	
PASS TO FOR ATTN:	
ACK. CODE:	
FILE No:	

22 June 2010

Licensing Section
Waverley Borough Council
Council Offices, The Bury's
Godalming, Surrey.GU7 1HR

(11)

Ref: Hemmingways - Application for an alcohol, music and dancing licence.

We view with some concern the a. m. application for a number of reasons and wish to register our objection.

1. How many drinking establishments can Haslemere support? There are already two pubs and a hotel bar within 200 metres of Hemmingways, not to mention five restaurants with alcohol licences within 300 metres of the establishment.
2. The question has to be asked who would be attracted to every night dancing and drinking? Such a business could not be supported by Haslemere residents and it would therefore mean that people have to come from outside the area. They would likely be young, in danger of binge drinking and would have to come by car with all the inherent dangers of drink driving.
3. These reactions from us are not far fetched, as many of us still remember the Good Friends Club close to the High Street and Three Gates Lane .The residents nearby suffered from noise pollution and unacceptable evidence of too much drinking and had to involve the Police on many occasions. As Haslemere does not now have a full time presence of Police it is even more important that problems are kept to a minimum. It is one thing to cope with existing problems but quite another to import problems..
4. The area surrounding Hemmingways is mainly a residential area and the residents are largely elderly or very elderly. Noise pollution therefore would be a real problem for them.
5. Finally there is the all important question of parking. Hemmingways would have no control over where people park and the nearest places would be used. That would be the High Street and the parking areas in Well Lane. The residents of Well Lane (again largely old) feel that they are entitled to a good night's sleep without the shouted final greetings and slamming of car doors, nor would the businesses, whose parking places we are talking about, appreciate clearing up after any excesses.

12

The Licensing Section
Waverley Borough Council
The Burys
Godalming
Surrey GU7 1HR

WAVERLEY B.C. CHIEF EXECUTIVE'S OFFICE	
PRM	
DATE	25 JUN 2010 REC'D
DATE ACK:	
PASS TO FOR ATTN:	
ACK CODE:	
FILE No:	

23 June 2010

Dear Sirs

Application for Alcohol Licence – Hemingways, 48 High Street, Haslemere

I object most strongly to the Application made to the Licensing Authority by Hemingways on the grounds that it will be damaging to the established amenities of the residents of Penfold Manor and other residential properties above the adjoining shops, not to mention the Georgian Hotel directly opposite. Hemingways is situated alongside the entrance road to Penfold Manor, just a short distance from my flat which faces down the access road. My objection is based on the following concerns:

- I am 95 years old and a light sleeper – I am normally in bed by 10 p.m. Noise at the entrance tends to funnel up the access road and I am absolutely certain that I will be unable to sleep through the din of music and dancing going on beyond midnight every night. I would consider this a public nuisance.
- Licenced premises with music and revelry at the quiet end of Haslemere High Street are likely to attract the wrong sort of people. We do not want Haslemere becoming as rowdy as the centre of Guildford on Friday and Saturday nights.
- If past experience in Haslemere is anything to go by we will have broken glass in our access road and drunk revellers using the road as a toilet.

Yours faithfully

13

28th July 2010

Licensing Section
Waverley Borough Council
Council Offices
The Burys
Godalming
Surrey GU7 1HR

DATE	29 JUN 2010	REC'D
DATE ACK:		
FILE NO:		
CLERK:		

Dear Sirs

Re: Notice of Application for Alcohol Licence relating to Hemingways, 48 High Street, Haslemere, Surrey, GU27 2LA

I write in respect to the above application and hereby submit my extremely strong objection to this application.

I live on the Haslemere High Street and have lived in and around Haslemere for over 45 years. The High Street in particular has always been a beautiful and relatively peaceful area and captures the quintessential charm of Haslemere and the surrounding areas. To permit the proposed application for extended licensing hours will in essence completely destroy this area.

Some of the many reasons for my objection are as follows:

Late night noise – noise travels further at night as matter of course, the High Street area will become extremely noisy at a time when all local residents have the reason expectation of peace and quiet, namely late at night (and on Sunday afternoons). Given the brick structures surrounding the area, noise will be amplified by the echoes created. I fear that granting the license applied for will mean I am not able to have my windows open at night and will create a public nuisance.

Late night antisocial behaviour – currently there are enough problems during the day and early evenings being caused by people who have consumed too much alcohol or have scant regard for personal property. Things like urinating in the alleyway leading to my house, aggressive and yobbish behaviour on the Jubilee Path running along the top of the National Trust land at the rear of my property, discarding of litter including fast food remains giving enticement to vermin. Additionally, there is the reasonable expectation that there will be an increase in drunken behaviour possibly leading to fighting or bottles and glasses being broken – both of which present a high risk to us as local residents.

Parking problems – I suffer a lot of problems with either unauthorised parking occurring in the area by my property at the end of the access alleyway or by people ignoring the no parking sign and parking across the entrance of the alleyway. With increased enticement to a late night drinking venue, these problems will only get worse.

Safety and Vandalism – I am an elderly lady now, living on my own, and I really feel that by having a large number of drunken individuals late at night in the High Street could put the safety of my property and me at significant risk. Additionally there are countless examples of the damage that can be caused by drunken behaviour and I do not see why my property or me should be exposed to this risk.

For the reasons stated I strongly object to the license application – I feel it will endanger both me and my property, create additional aggravation from both noise and antisocial behaviour and bring an adverse change to Haslemere High Street.

Yours faithfully

9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

9.13 Licensing authorities should consider providing advice on their websites about how any interested party can make representations to them.

DISCLOSURE OF PERSONAL DETAILS OF INTERESTED PARTIES

9.14 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide to the applicant with the notice and copies of the relevant representations that have been made.

9.15 In some exceptional and isolated circumstances interested parties may be reluctant to make representations because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.

9.16 Where licensing authorities consider that the interested party has a genuine and well-founded fear of intimidation and may be deterred from making a representation because of this, they may wish to consider alternative approaches.

9.17 For instance, they could advise interested parties to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.

9.18 The licensing authority may also decide to withhold some or all of the interested party's personal details from the applicant, giving only enough details (such as street name or general location within a street) which would allow an applicant to be satisfied that the interested party is within the vicinity of the premises. However, withholding such detail should only be considered where the circumstances justify such action and the licensing authority is satisfied that the complaints are not frivolous or vexatious.

HEARINGS

9.19 Regulations governing hearings may be viewed on the DCMS website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be dispensed with by the agreement of the licensing authority, the applicant and all of the parties who made relevant representations. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is necessary. To this end it may wish to notify the interested parties concerned and give them the opportunity to withdraw their representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.

- 9.20 Responsible authorities should try to conclude any discussions with the applicant in good time before the hearing. If the application is amended at the last moment, the licensing committee should consider giving interested parties time to address the revised application before the hearing commences.
- 9.21 The Regulations require that representations must be withdrawn 24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.
- 9.22 Applicants should be encouraged to contact responsible authorities before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of Regulations made by the Secretary of State. Where matters arise which are not covered by the Regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.
- 9.23 There is no requirement in the Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees to reach more informed decisions. Where several responsible authorities within a local authority have made representations on an application, a single local authority officer may represent them at the hearing if the responsible authorities and the licensing authority agree. However, an officer of the licensing authority may not perform this role which would compromise the licensing authority's independence.
- 9.24 As a matter of practice, licensing authorities should seek to focus the hearing on the steps needed to promote the particular licensing objective which has given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or interested party may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.
- 9.25 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are necessary to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - this Guidance;
 - its own statement of licensing policy.
- 9.26 The licensing authority should give its decision at once, unless the Act itself states otherwise and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the

operating schedule. Any conditions imposed must be necessary for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition which is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety.

- 9.27 Alternatively, the licensing authority may refuse the application on the grounds that this is necessary for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that interested parties and others have the most current information.
- 9.28 In the context of variations, which may involve structural alteration to or change of use of the building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control or planning consent where appropriate.

