



Waverley Borough Council
Council Offices, The Burys,
Godalming, Surrey
GU7 1HR
www.waverley.gov.uk

To: All Members of the LICENSING SUB-COMMITTEE B
(Other Members for Information)

When calling please ask for:

Maureen Brown, Democratic Services officer
Policy and Governance

E-mail: maureen.brown@waverley.gov.uk

Direct line: 01483 523225

Calls may be recorded for training or monitoring

Date: 29 October 2015

Membership of the Licensing Sub-Committee B

Cllr Kevin Deanus
Cllr Patricia Ellis

Cllr Tony Gordon-Smith

Dear Councillors

A meeting of the LICENSING SUB-COMMITTEE B will be held as follows:

DATE: MONDAY, 9 NOVEMBER 2015

TIME: 10.00 AM

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,
GODALMING

[In the event of adverse weather conditions preventing this meeting from proceeding, the meeting will be held instead at 1.30pm on Monday 16 November 2015]

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

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NOTE FOR MEMBERS

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

AGENDA

1. **ELECTION OF CHAIRMAN**

To elect a Chairman for the Sub-Committee B meeting.

2. **MINUTES**

To agree the Minutes of the Meeting held on 28 September 2015 which had been laid on the table half an hour before the start of the meeting.

3. **LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - MARKS & SPENCER, LION LANE, HASLEMERE, SURREY GU27 1LD** (Pages 5 - 26)

The purpose of the report is to enable the Sub-Committee to consider an application from Marks & Spencer Foods Limited for a new premises licence for Marks & Spencer (M&S), Lion Lane, Haslemere, Surrey GU27 1LD, where two representations have been received from 'other persons'.

Recommendation

The Sub-Committee is requested to consider the application for the grant of a premises licence on its merits.

Having regard to the representations made, the Sub-Committee must take such of the steps outlined below (if any) as it considers appropriate for the promotion of the Licensing Objectives. Those steps are:

- **To grant the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions;**
- **To exclude from the scope of the licence any of the licensable activities to which the application relates;**
- **To refuse to specify a person as the premises supervisor;**
- **To reject the application.**

4. **EXCLUSION OF PRESS AND PUBLIC**

To consider the following recommendation on the motion of the Chairman:-

Recommendation

That pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of

the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in paragraph 3 or the appropriate paragraph(s) of the revised Part 1 of Schedule 12A to the Act as follows:-

Information relating to the financial or business affairs of any particular person (including the authority holding that information) (paragraph 3)

5. LEGAL ADVICE

To consider any legal advice relating to any applications in the agenda.

[Note: Reports relating to confidential or exempt information may be excluded from those copies of the agenda provided for inspection by members of the public if they relate to matters during which the meeting is likely not to be open to the public.]

**For further information or assistance, please telephone
Maureen Brown, Democratic Services officer, on 01483 523225 or by
email at maureen.brown@waverley.gov.uk**

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WAVERLEY BOROUGH COUNCIL

LICENSING SUB-COMMITTEE B - 9 NOVEMBER 2015

LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – MARKS & SPENCER, LION LANE, HASLEMERE, SURREY GU27 1LD.

[Wards Affected: Haslemere Critchmere & Shottermill]

Summary and Purpose

1. The purpose of the report is to enable the Sub-Committee to consider an application from Marks & Spencer Foods Limited for a new premises licence for Marks & Spencer (M&S), Lion Lane, Haslemere, Surrey GU27 1LD, where two representations have been received from 'other persons'.

Background

2. An application has been received for a new premises licence for this ground floor retail store with food hall and customer café. The premises has an existing premises licence which was transferred to M&S from the previous occupants of the building, Co-Operative Group. M&S have stated on the application that on the grant of the new premises licence, the existing one will be surrendered. A copy of the existing premises licence is attached at Annexe 1.

Activities Sought under this Licence Application

3. The applicant seeks approval of the refurbishment of the premises and to license the premises as shown below. An extract of the relevant pages from the application form is attached at Annexe 2. Also attached to this document at Annexe 3 is a plan showing the area of the premises and surrounding properties. In brief summary, the applicant seeks the following activities in the new licence, if granted. Please see application for activities in full.
 - ❑ **Sale of Alcohol:**
0600 to 0000 Monday to Sunday (Box J)
(Existing 0600 to 2300 Monday to Saturday & 1000 to 2230 Sunday)
 - ❑ **Opening hours:**
0600 to 0000 Monday to Sunday (Box L)
(Existing 0600 to 2300 Monday to Saturday & 1000 to 2230 Sunday)
 - ❑ Box M to address the four licensing objectives is also reproduced.

Licensing Objectives

4. The four Licensing Objectives of the Licensing Act 2003 are set out below. Any representations for consideration must relate to one or more of these objectives, and representations must be from the responsible authorities under this legislation and/or any other persons.
 1. the prevention of crime and disorder
 2. public safety

3. the prevention of public nuisance
4. the protection of children from harm

Representations received

Responsible Authorities

5. There have been no representations from any of the responsible authorities.

Other Persons

6. Besides Responsible Authorities, “other persons” may make representations. There have been two representations from “other persons”. The representations are attached at Annexe 4.

What the Sub-Committee may do

7. The Sub-Committee, after hearing from the applicant and those making representations, must take one or more of the steps listed below (if any) as it considers appropriate for the promotion of the Licensing Objectives. Reasons must be given by the Sub-Committee for any decision made, since there is an opportunity for any applicant or any objector to appeal to the Magistrates’ Court against the Licensing Sub-Committee’s decision. The steps are:
 - Grant the licence subject to such conditions as are consistent with the operating schedule, modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions;
 - Exclude from the scope of the licence any of the licensable activities to which the application relates;
 - Refuse to specify a person as the premises supervisor;
 - Reject the application.
8. Revised Guidance issued under Section 182 of the Licensing Act 2003, available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418114/182-Guidance2015.pdf will be available for reference purposes at the meeting. Contact the Licensing Manager on 01483 523189 or paul.hughes@waverley.gov.uk if the link cannot be accessed.
*Particular attention is drawn to:
 - Hearings – paragraphs 9.30 to 9.43
 - Conditions – paragraphs 1.16 to 1.17 and 10.1 to 10.68
 - The Licensing Objectives – paragraphs 2.1 to 2.31

Recommendation

The Sub-Committee is requested to consider the application for the grant of a premises licence on its merits.

Having regard to the representations made, the Sub-Committee must take such of the steps outlined below (if any) as it considers appropriate for the promotion of the Licensing Objectives. Those steps are:

- To grant the licence subject to such conditions as are consistent with the operating schedule modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives, and any mandatory conditions;
- To exclude from the scope of the licence any of the licensable activities to which the application relates;
- To refuse to specify a person as the premises supervisor;
- To reject the application.

Background Papers

Application referred to above, representations referred to above.

CONTACT OFFICER:

Name: Paul Hughes

Telephone: 01483 523189

E-mail: paul.hughes@waverley.gov.uk

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Licensing Act 2003
 Premises Licence - Summary

Marks and Spencer Simply Food Lion Lane Haslemere Surrey GU27 1LD	Licence number:	LN/000000162	
	Valid from:	29th July 2015	
	Valid until:		
	Telephone:		
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
Sale by Retail of Alcohol	Monday - Saturday Sunday	06:00 10:00	23:00 22:30
Non-standard Timings:	N/A		

The opening hours of the premises:

Opening hours as for the sale of alcohol

Where the licence authorises supplies of alcohol, whether this alcohol is to be consumed on and/ or off the premises:

Off the premises

Name & (registered) address of holder of premises licence:

Marks and Spencer Plc
 Waterside House
 35 North Wharf Road
 London
 W2 1W

Registered number of holder, for example company number, charity number (where applicable):

04739922

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mr Michael Edward Fear

Whether access to the premises by children is restricted or prohibited:

No restrictions

Licensing Act 2003
Premises Licence - Detail

Marks and Spencer Simply Food Lion Lane Haslemere Surrey GU27 1LD	Licence number:	LN/000000162	
	Valid from:	29th July 2015	
	Valid until:		
	Telephone:		
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
Sale by Retail of Alcohol	Monday - Saturday Sunday	06:00 10:00	23:00 22:30
Non-standard Timings:	N/A		

The opening hours of the premises: Opening hours as for the sale of alcohol

Where the licence authorises supplies of alcohol, whether this alcohol is to be consumed on and/ or off the premises: Off the premises

Name & (registered) address of holder of premises licence: Marks and Spencer Plc
Waterside House
35 North Wharf Road
London
W2 1W

Registered number of holder, for example company number, charity number (where applicable): 04739922

Name of designated premises supervisor where the premises licence authorises the supply of alcohol: Mr Michael Edward Fear

Whether access to the premises by children is restricted or prohibited: No restrictions

Annexe 1 – Mandatory Conditions

Alcohol

No supply of alcohol may be made under the premises licence:

- At a time when there is no designated premises supervisor in respect of the premises licence.
- At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

1. (1) 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.
(2) 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).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) 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.
(2) 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.
(3) 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. 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.”
5. 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.

6. For the purposes of the condition set out in paragraph 5—
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
- (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(b).
7. Where the permitted price given by Paragraph (b) of paragraph 6 would (apart from this 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.
8. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 6 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.
- (2) 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.

Annexe 2 – Conditions consistent with the operating schedule

Alcohol OFF sales only	Monday	06:00 hours to 23:00 hours
	Tuesday	06:00 hours to 23:00 hours
	Wednesday	06:00 hours to 23:00 hours
	Thursday	06:00 hours to 23:00 hours
	Friday	06:00 hours to 23:00 hours
	Saturday	06:00 hours to 23:00 hours
	Sunday	10:00 hours to 22:30 hours

Further Detail

N/A

Non-Standard Timing

N/A

Sale of alcohol to be for consumption : Off the premises

Designated Premises Supervisor

Name: Mr Michael Edward Fear
Address: 11 Longpoles Road
Cranleigh
Surrey
GU6 7JZ
Personal Licence Number (If known): WAV2005PER/0296
Issuing Licence authority (If known): Waverley Borough Council

Opening Hours	Monday	06:00 hours to 23:00 hours
	Tuesday	06:00 hours to 23:00 hours
	Wednesday	06:00 hours to 23:00 hours
	Thursday	06:00 hours to 23:00 hours
	Friday	06:00 hours to 23:00 hours
	Saturday	06:00 hours to 23:00 hours
	Sunday	10:00 hours to 22:30 hours

Further Detail

N/A

Non-Standard Timing

N/A

Any adult entertainment or services, activities, other entertainments or matters ancillary to the use of premises that may give rise to concern in respect of children

None.

ELEMENTS OF OPERATING SCHEDULE TO ADDRESS LICENSING OBJECTIVES:

a) General - all four licensing objectives (b,c,d,e)

A CCTV monitoring system shall be installed and maintained.
The CCTV images shall be recorded and retained for at least 21 days and shall be handed to the Police/Local Authority upon request.

b) The prevention of crime and disorder

Signage shall be displayed in store stating that it is an offence for people aged under 18 to purchase alcohol.
The premises shall be fitted with a panic button for staff to press in the cases of emergency.
The premises shall be fitted with a burglar alarm.

c) Public Safety

The premises shall meet the requirements of the Fire Safety Order 2005.

d) The prevention of public nuisance

No deliveries shall take place between the hours of 23:00 and 06:00 the following day.

e) The protection of children from harm

All staff shall be trained in relation to underage related sales of alcohol and a proof of age scheme shall be in place.

A "Challenge 25" policy shall be in place and notices shall be prominently displayed within the store.

An electronic till prompt shall be in operation when alcohol is scanned to remind staff to check the age of the purchaser.

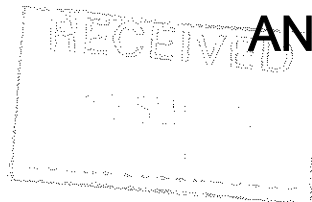
An "Age Refusals Register" refusals book shall be kept to record where sales of alcohol are challenged or refused.

Annexe 3 – Conditions attached after a hearing by the Licensing Authority after agreement with Surrey Police

1. A comprehensive digital colour CCTV system shall be installed at the premises. The system shall be maintained and operational at all times the premises are open for business. Video recordings shall be available for a minimum of 21 days and shall be made available to an authorised officer or police officer together with facilities for viewing. There shall be a capability to download to CD/DVD.
2. Staff shall be trained in the law relating to the sale/supply of alcohol and written records will be kept for inspection. This shall 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 shall be an ongoing training regime with refresher/reinforcement training at intervals of no more than six months.
3. The premises shall operate an age verification scheme such as "Challenge 25" policy and shall only accept passport, photo driving licence or ID cards bearing the PASS hologram as forms of identification.
4. A refusal book or equivalent electronic equipment shall be maintained and shall be available for inspection by an authorised officer.
5. Notices shall be prominently displayed at point of sale displaying the age verification policy.

Annexe 4 – Plans

Attached



ANNEXE 2

MK201505698
date 20-10-15
24-9 informed
KJ
all bills
591920/000001/SJL/LDR LIC
Kawman T.C.

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 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.

We, Marks & Spencer Simply Foods Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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

Marks And Spencer, Lion Lane, Haslemere, Surrey	
Post town	Post code GU27 1LD

Telephone number at premises (if any)	Not known at present closed as a Coop and due to open as a M&S mid-January 2016
Non-domestic rateable value of premises	The NDRV for the premises is unknown so we have paid the fee for Under Construction. If a further fee is required, please advise as we can pay this via credit card

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

- | | |
|---|-------------------------------------|
| | Please tick ✓ yes |
| a) An individual or individuals | <input type="checkbox"/> |
| b) A person other than an individual | <input type="checkbox"/> |
| i. as a limited company | <input checked="" type="checkbox"/> |
| ii. as a partnership | <input type="checkbox"/> |
| iii. as an unincorporated association or | <input type="checkbox"/> |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> |
| c) a recognised club | <input type="checkbox"/> |
| d) a charity | <input type="checkbox"/> |
| e) the proprietor of an educational establishment | <input type="checkbox"/> |
| f) Health Service Body | <input type="checkbox"/> |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | <input type="checkbox"/> |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> |
| h) The Chief Officer of police of a police force in England & Wales | <input type="checkbox"/> |

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

- | | |
|---|-------------------------------------|
| | Please tick yes |
| I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or | <input checked="" type="checkbox"/> |
| I am making the application pursuant to a | |

a statutory function or
 a function discharged by virtue of Her Majesty's prerogative



(A) INDIVIDUAL APPLICANTS (fill in as applicable)

If an individual or 1 of 2 applicants is applying ie, Area manager, Manager, Assistant Manager, details in the box

Mr/Mrs/Miss/Miss or other Surname	First Names
I am 18 years old or over	<input type="checkbox"/>
Current address if different from premises address	
Post Town	
Daytime contact number	
E-mail address (optional)	

Second applicants details ie Area manager, Manager, Assistant Manager, details in the box

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr/Mrs/Miss/Miss or other Surname	First Names
I am 18 years old or over	<input type="checkbox"/> Yes
Current address if different from premises address	
Post Town	Post Code
Daytime contact number	
E-mail 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 nature (other than a body corporate), please give the name and address of each party concerned.

Name Marks & Spencer Simply Foods Limited
Address 35 North Wharf Road, Paddington, London, W2 1NW
Company registered number 04739922
Description of applicant (for example partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
Email address (optional)

PART A3 - Operating Schedule

When do you want the premises licence to start?

Day Month Year

as soon as possible

Day Month Year

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

--	--	--	--	--	--	--	--	--	--

If 5,000 or more people attend the premises at any one time, please state the number expected to attend.

Not Applicable

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

Store over one floor (ground floor) with Food Hall and customer café.

There is already a Premises Licence in force for this store which has been transferred from the Co-Operative Group to M&S. The new Licence is sought to approve the refurbishment of the premises by M&S. On the grant of the new Licence, the existing Premises Licence Co-op to M&S (Licence number LN/000000162) will be surrendered.

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 Yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

--

Supply of alcohol (if ticking yes, fill in box J)

✓

In all cases complete boxes K, L and M.

A

Plays			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors		
Standard days and timings (please read guidance note 6)				Outdoors		
Day	Start	Finish	Please give further details here (please read guidance note 3)	Both		
Mon						
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

H

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

I

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)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		
Tue			<u>Please give further details</u> (please read guidance note 3)		
Wed			<u>State any seasonal variations for provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	06:00	00:00	Both	✓	
Tue	06:00	00:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Wed	06:00	00:00			
Thur	06:00	00:00	<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on</u>		

Fri	06:00	00:00	the left, please list (please read guidance note 5) Off sales throughout the retail area (0600 to 0000 hours) and to include on sales in the customer café (0800 to 2300 hours)
Sat	06:00	00:00	
Sun	06:00	00:00	

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Sarah Wallsgrove

Address 1 Ellachie Gardens
Gosport

Postcode

Personal Licence Number (if known) 06/00223/LAPER

Issuing licensing authority (if known) Gosport Borough Council

K

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)

Na

L

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	The store is entitled to open without restriction as to hours (subject to any planning or other restrictions) and reserves the right to open for longer than standard, by way of example only, at peak trading times during November and December.
Mon	06:00	00:00	
Tue	06:00	00:00	Opening hours on Sunday will be subject to any relevant legislation e.g. Sunday Trading Act 1994
Wed	06:00	00:00	Non standard timings. Where you intend the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur	06:00	00:00	
Fri	06:00	00:00	The store is entitled to open without restriction as to hours (subject to any planning or other restrictions) and reserves the right to open for longer than standard, by way of example only, at peak trading times during November and December.
Sat	06:00	00:00	
Sun	06:00	00:00	Opening hours on Sunday will be subject to any relevant legislation e.g. Sunday Trading Act 1994

M

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

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

The company maintains comprehensive regulatory compliance procedures and all aspects of the four licensing objectives are covered by these procedures.

These measures will be in place when this new store opens and include the matters set out in boxes below.

Our Client Support Manager is named as the DPS but this will be varied to the M&S DPS as the store opens.

The prevention of crime and disorder

Digital CCTV will be installed. Data will be retained for a minimum period of 31 days and will be made available to the Police for evidential purposes.

Public safety

No additional steps required to promote the licensing objectives identified beyond existing statutory duties.

The prevention of public nuisance

No additional steps required to promote the licensing objectives identified beyond existing statutory duties.

The protection of children from harm

Staff training to ensure that in case of any doubt whether a purchaser is over the age of 18 to refuse sales of alcohol unless valid identification is produced.


Till prompts remind staff at point of sale of alcohol to ensure the purchaser is over 18 and record refusals.
Challenge 25 Scheme

- | | |
|--|-------------------------------------|
| | Please tick yes |
| I have made or enclosed payment of the fee | <input checked="" type="checkbox"/> |
| I have enclosed the plan of the premises | <input checked="" type="checkbox"/> |
| I have sent copies of this application and the plan to responsible authorities and others where applicable | <input checked="" type="checkbox"/> |
| I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable | <input checked="" type="checkbox"/> |
| I understand that I must now advertise my application | <input checked="" type="checkbox"/> |
| I understand that if I do not comply with the above requirements my application will be rejected. | <input checked="" type="checkbox"/> |

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's Solicitor or other duly authorised agent (see guidance note 11) If signing on behalf of the applicant please state in what capacity

Signature	
Date	21/09/2015
Capacity	Solicitors and agents for the applicant

For joint applicants signature of 2nd applicant or 2nd applicant's Solicitor or other authorised agent (please read guidance note 12) If signing on behalf of the applicant please state in what capacity

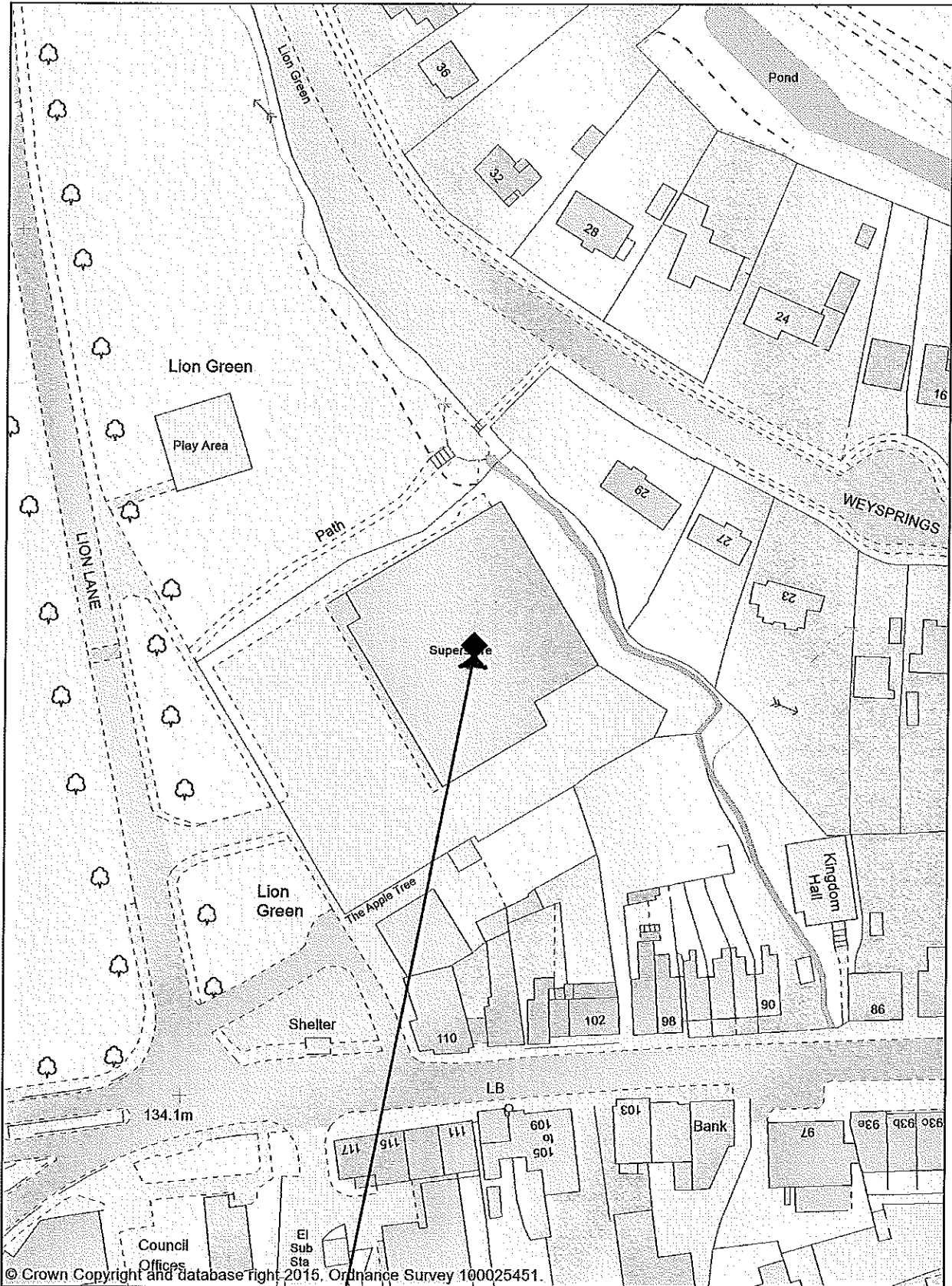
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Blake Morgan LLP New Kings Court, Tollgate, Chandler's Ford 591920/000001/SJL/LDR LIC			
Post town	Eastleigh	Postcode	SO53 3LG
Telephone number (if any)		Tel: 02380 908090	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises
2. Where taking place in a building or other structure please tick as appropriate. Indoors may be in a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for days of the week when you intend the premises to be used for the activity
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

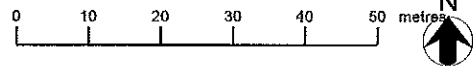
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Waverley
BOROUGH COUNCIL

Marks & Spencer



Waverley Borough Council
The Bury, Godalming
Surrey, GU7 1HR
Telephone: 01483 5233330
Fax No: 01483 426337

Lion Lane, Haslemere

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Kate Halsall

From:
Sent: Tuesday 20 October 2015 20:44
To: Licensing Policy
Subject: GU27 1LD / Marks and Spencer /application

To whom it may concern

①

Given that the deadline for comment is midnight tonight, I realise my email is quite late. However, I honestly did not see the notice where it was placed on the occasions I've walked to the Post Office.

I would like to say that I have reservations about the option the M&S new store may be given to open from 6am until midnight, under this application. My belief is that opening until 10pm latest is sufficient Mon-Sat and until 4pm on Sunday. Their application should be restricted to this, with perhaps the possibility of extended hours for a fixed number of days per year. I appreciate they may want to capitalise on Christmas or Easter trading.

From experience and by comparison to living in several other areas, it is clear there is a constant anti social element that gathers on Lion Green and Weyhill. It is stating the obvious to say there is minimal police presence in Haslemere, now with no police station, and this will only get worse given Mr. Osborne's further intended cuts to policing. If this store is given the choice to open until midnight, it gives further excuse to 'hang around' even later on Lion Green, the result of which is further disruption in the area. I would also question the requirement of the hours kept by 'the kebab van' but that's another issue entirely.

Having also had the time to further read the application, I would also like to comment on the request for M&S store to have a Sunday delivery option. Why would a company of M&S's size be unable to arrange their logistics for Monday to Saturday delivery. There is no need for this whatsoever. We already have an overload of lorry deliveries Monday to Saturday, with builders merchants, school caterers and gardeners constantly in motion - around what is accepted as a very high density residential area. I believe given the current absence of larger vehicles on a Sunday, introduction would be detrimental to child safety. It is a given that Lion Green is one of the main play areas and I believe Sunday is the one day when we can all relax a bit as regards traffic. Sunday is also the day that a number of cycle and fitness clubs gather exactly because there is less traffic in the vicinity. Introduction of large vehicles entering Lion Green on a Sunday when there is no need if M&S organises themselves properly, will be a safety hazard. We have already had one death at Lion Green in the last couple of weeks and any action possible should be taken to prevent further incidents.

I am neither against commerce or convenience, but feel we are already provided for by the supermarket which currently opens long hours and contributes to a large amount of traffic at the junction of Lion Lane and Weyhill. There is no requirement to further add to this and a balance needs to be achieved for the benefit of everyone and not just commerce. M&S are welcome to trade but not at cost to residents.

Thanks

Kate Halsall

From:
Sent: Tuesday 20 October 2015 21:17
To: Licensing Policy
Subject: Proposed M&S open till midnight complaint

②

I understand that the new M&S store replacing Co-op on Lion Green would like the option to open until midnight 7 days a week, as well as have deliveries on a Sunday.

There is already an issue with anti social behaviour on Lion Green, and alcohol available until midnight, will only make this worse.

There is also the issue of safety of lorries on a Sunday with small children playing directly adjacent to the store in their playground; residents will not be expecting heavy traffic.

Please take this into account. Thank you.

Regards