

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

When calling please ask for:

Ema Dearsley, Democratic Services Officer
Policy and Governance

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Direct line: 01483 523224

Calls may be recorded for training or monitoring

Date: 11 August 2017

Membership of the Licensing Sub-Committee C

Cllr Michael Goodridge
Cllr Simon Inchbald

Cllr Carole King

Dear Councillors

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

DATE: MONDAY, 21 AUGUST 2017

TIME: 10.00 AM

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

The Agenda for the meeting is set out below.

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**

2. **MINUTES**

To confirm the minutes of the meeting which took place on 21 January 2017.

3. **LICENSING ACT 2003 - APPLICATION FOR VARIATION TO AN EXISTING PREMISES LICENCE - LYTHER HILL HOTEL & SPA, PETWORTH ROAD, HASLEMERE, SURREY GU27 3BQ. (Pages 5 - 54)**

The purpose of this report is to enable the Sub-Committee to consider an application for a variation to the Premises Licence of The Lyther Hill Hotel & Spa, Petworth Road, Haslemere, Surrey, GU27 3BQ, from Mr Williams, the Group Manager. The application has received 2 representations from 'other persons'.

Recommendation

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

Section 35(3) Licensing Act 2003 provides that the Sub-Committee, having regard to the relevant representations made, must take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives:

- To modify the conditions of the premises licence, whether by alteration or omission of conditions or the addition of new conditions. Any conditions must be appropriate for the promotion of the licensing objectives, proportionate and should address the matters raised in the representations**
- To reject the application in whole or part.**

4. **LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - NEWFANGLED, 15 JUNCTION PLACE, HASLEMERE, SURREY, GU27 1LE (Pages 55 - 74)**

The purpose of the report is to enable the Sub-Committee to consider an application from Miss Carrie Marie Nickson for a new premises licence for Newfangled, 15 Junction Place, Haslemere, Surrey GU27 1LE, where 2 valid representations have been received.

Recommendation

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

Section 35(3) Licensing Act 2003 provides that the Sub-Committee, having regard to the relevant representations made, must take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives:

- 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.

5. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation of 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.

6. LEGAL ADVICE

To receive any legal advice.

For further information or assistance, please telephone
Ema Dearsley, Democratic Services Officer, on 01483 523224 or by
email at ema.dearsley@waverley.gov.uk

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WAVERLEY BOROUGH COUNCIL

LICENSING SUB-COMMITTEE C – 21 AUGUST 2017

LICENSING ACT 2003 - APPLICATION FOR VARIATION TO AN EXISTING PREMISES LICENCE – LYTHE HILL HOTEL & SPA, PETWORTH ROAD, HASLEMERE, SURREY GU27 3BQ.

[Ward Affected: Haslemere Wards]

Summary and Purpose

1. The purpose of this report is to enable the Sub-Committee to consider an application for a variation to the Premises Licence of The Lythe Hill Hotel & Spa, Petworth Road, Haslemere, Surrey, GU27 3BQ, from Mr Williams, the Group Manager. The application has received 2 representations from 'other persons'.

Background

2. The Lythe Hill Hotel, Haslemere was granted a Premises Licence in 2005.
3. A copy of the latest Premises Licence is attached at Annexe 1 and summarised below:

- Regulated Entertainment (Plays)

Sunday	1800 to 2200
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- Regulated Entertainment (Live Music)

Monday to Saturday	1100 to 0030
Sunday	1100 to 0000
- Regulated Entertainment (Recorded Music)

Monday to Saturday	1800 to 0030
Sunday	1800 to 0000
- Sale of Alcohol (On the premises only)

Sunday to Tuesday	1000 to 2300
Wednesday to Saturday	1000 to 0100
- Opening hours

Opening hours as for the sale of alcohol, closing 30 minutes after the sale of alcohol ceases.

Activities Sought under this Licence Application

4. In brief summary, the applicant seeks to amend the plans of the premises by the addition of a Marquee on the hotel grounds for licensable activity.

All other licensable activities, times and days are to remain the same.

A copy of the application form is attached at Annexe 2.

A copy of the old plans of the premises is attached at Annexe 3.

A copy of the new plans of the premises is attached at Annexe 4.

5. Attached at Annexe 5 is a plan showing the area of the premises and surrounding properties.

Licensing Objectives

6. 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 interested parties and/or from the responsible authorities under this legislation.

1. Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. Protection of Children from Harm

Representations received

Responsible Authorities

7. There have been no representations from any of the Responsible Authorities.

Other Persons

8. There have been 2 representations from 'Other Persons', which are reproduced at Annexe 6.

Human Rights

9. Under Article 8, European Convention on Human Rights, everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others. In Licensing Act 2003 cases this means that the Sub-Committee must have regard to the effect of its decisions on local residents, and balance their interests against those of the public at large (e.g. the customers of the premises under consideration) and the people operating the business from the premises.

What the Sub-Committee may do

10. The Sub-Committee, after hearing from the applicant and having considered the representations, must take such 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 person making representations to appeal to the Magistrates' Court against the Licensing Sub-Committee decision. The steps are:

- To modify the conditions of the licence;
- To reject the whole or part of the application.

11. Revised Guidance issued under Section 182 of the Licensing Act 2003, available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/607237/182Guidance_05_04_17.pdf will be available for reference purposes at the meeting.* Particular attention is drawn to:

- Hearings - paragraphs 9.31 to 9.44
- Conditions – paragraphs 1.16-1.17 and 10.1 to 10.66
- The Licensing Objectives – paragraphs 2.1–2.31

Recommendation

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

Section 35(3) Licensing Act 2003 provides that the Sub-Committee, having regard to the relevant representations made, must take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives:

- To modify the conditions of the premises licence, whether by alteration or omission of conditions or the addition of new conditions. Any conditions must be appropriate for the promotion of the licensing objectives, proportionate and should address the matters raised in the representations
- To reject the application in whole or part.

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

*Those without access to the Internet should contact Paul Hughes in order to access the Guidance.

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Licensing Act 2003
Premises Licence - Summary

Lythe Hill Hotel and Spa Petworth Road Haslemere Surrey GU27 3BQ	Licence number:	LN/000002400	
	Valid from:	11th April 2016	
	Valid until:		
	Telephone:	01428 651251	
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
Provision of regulated entertainment:-			
Plays	Monday - Sunday	18:00	22:00
Live Music and Facilities for dancing	Monday - Saturday Sunday	11:00 11:00	00:30 00:00
Recorded Music	Monday - Saturday Sunday	18:00 18:00	00:30 00:00
Making music	Monday - Saturday Sunday	11:00 11:00	00:00 23:00
Sale by Retail of Alcohol	Sunday - Tuesday Wednesday - Saturday	10:00 10:00	23:00 01:00
Non-standard Timings:	New Year's Eve 11:00-01:30. During special events such a Valentines on Monday-Tuesday (10:00-01:00) no more than 12 times per year.		

The opening hours of the premises: 10:00-23:30 Sunday to Tuesday
10:00-01:30 Wednesday to Saturday

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

Name & (registered) address of holder of premises licence: Lythe Hill Ltd
Old Thorns Manor Hotel
Longmoor Road
Liphook
Hampshire
GU30 7PE

Registered number of holder, for example company number, charity number (where applicable): 09771417

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

Mr Gregory John Knights Shaw

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

No restrictions

Licensing Act 2003
Premises Licence - Detail

Lythe Hill Hotel and Spa Petworth Road Haslemere Surrey GU27 3BQ	Licence number:	LN/000002400	
	Valid from:	11th April 2016	
	Valid until:		
	Telephone:	01428 651251	
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
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Registered number of holder, for example company number, charity number (where applicable): 09771417

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

Mr Gregory John Knights Shaw

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) 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

Plays	Monday	18:00 hours to 22:00 hours
	Tuesday	18:00 hours to 22:00 hours
	Wednesday	18:00 hours to 22:00 hours
	Thursday	18:00 hours to 22:00 hours
	Friday	18:00 hours to 22:00 hours
	Saturday	18:00 hours to 22:00 hours
	Sunday	18:00 hours to 22:00 hours

Further Detail

One-two performances per year for approximately 100 people.

Non-Standard Timing

N/A

Location of activity : Indoors and outdoors

Live Music	Monday	11:00 hours to 00:30 hours
	Tuesday	11:00 hours to 00:30 hours
	Wednesday	11:00 hours to 00:30 hours
	Thursday	11:00 hours to 00:30 hours
	Friday	11:00 hours to 00:30 hours
	Saturday	11:00 hours to 00:30 hours
	Sunday	11:00 hours to 00:00 hours

Further Detail

Restaurant pianist, bands playing at weddings, bands playing at a public or private function, harpists, quartets, trios, saxophonists, etc. at functions and weddings.

Non-Standard Timing

Bands playing at New Year's Eve 11:00-01:30.

Location of activity : Indoors

Recorded Music	Monday	18:00 hours to 00:30 hours
	Tuesday	18:00 hours to 00:30 hours
	Wednesday	18:00 hours to 00:30 hours
	Thursday	18:00 hours to 00:30 hours
	Friday	18:00 hours to 00:30 hours
	Saturday	18:00 hours to 00:30 hours
	Sunday	18:00 hours to 00:00 hours

Further Detail

Disc jockey (DJ) for Christmas parties/weddings/private and public functions.

Non-Standard Timing

New Years Eve 18:00-01:30.

Location of activity : Indoors

Making music	Monday	11:00 hours to 00:00 hours
	Tuesday	11:00 hours to 00:00 hours
	Wednesday	11:00 hours to 00:00 hours
	Thursday	11:00 hours to 00:00 hours
	Friday	11:00 hours to 00:00 hours
	Saturday	11:00 hours to 00:00 hours
	Sunday	11:00 hours to 23:00 hours

Further Detail

Piano in the restaurant
Guests may want to play the piano.

Non-Standard Timing

New Year's Eve 11:00-01:00.

Location of activity : Indoors

Facilities for dancing	Monday	11:00 hours to 00:30 hours
	Tuesday	11:00 hours to 00:30 hours
	Wednesday	11:00 hours to 00:30 hours
	Thursday	11:00 hours to 00:30 hours
	Friday	11:00 hours to 00:30 hours
	Saturday	11:00 hours to 00:30 hours
	Sunday	11:00 hours to 00:00 hours

Further Detail

In a banqueting room at the hotel.

Non-Standard Timing

New Year's Eve 11:00-01:30.

Location of activity : Indoors

Alcohol ON sale only	Monday	10:00 hours to 23:00 hours
	Tuesday	10:00 hours to 23:00 hours
	Wednesday	10:00 hours to 01:00 hours
	Thursday	10:00 hours to 01:00 hours
	Friday	10:00 hours to 01:00 hours
	Saturday	10:00 hours to 01:00 hours
	Sunday	10:00 hours to 23:00 hours

Further Detail

When band playing for entertainment such as DJ during special events such a Valentines (10:00-01:00) no more than 12 times per year Monday-Tuesday.

Non-Standard Timing

New Year's Eve 10:00-01:30.

Sale of alcohol to be for consumption : On the premises

Designated Premises Supervisor

Name: Mr Gregory John Knights Shaw

Address: Old Thorns Manor Hotel
Longmoor Road
Liphook
Hampshire
GU30 7PE

Personal Licence Number (If known): PA 0291

Issuing Licence authority (If known): Great Yarmouth Borough Council

Opening Hours	Monday	10:00 hours to 23:30 hours
	Tuesday	10:00 hours to 23:30 hours
	Wednesday	10:00 hours to 01:30 hours
	Thursday	10:00 hours to 01:30 hours
	Friday	10:00 hours to 01:30 hours
	Saturday	10:00 hours to 01:30 hours
	Sunday	10:00 hours to 23:30 hours

Further Detail

When band playing or DJ entertaining during a special event such as Valentine's on a Monday-Tuesday (10:00-01:30) [see also Live/Recorded Music hours] no more than 12 times per year.

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.

Cigarette machine in sight of bar.

ELEMENTS OF OPERATING SCHEDULE TO ADDRESS LICENSING OBJECTIVES:

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

General management of all public areas and aiding and assisting people shall be undertaken. Awareness of health and safety hazards and reporting them in the necessary ways shall be undertaken.

Managing guests so that they are not a nuisance to others, and also staff.

b) The prevention of crime and disorder

Management and staff shall patrol the premises inside and out 24 hours a day.

Incidences of any suspicious behaviour shall be reported.

Training shall be given to all staff regarding customer behaviour.

c) Public Safety

Health and Safety issues shall be reported and repairs shall be undertaken by the maintenance department.

Support of guest's livelihoods by aiding them with information shall be undertaken.
Insurance documents shall be provided where necessary and insurance shall be maintained.
All services, such as electrical, boiler and fire training shall be kept up to date.

d) The prevention of public nuisance

Guest's activities shall be monitored and managed accordingly.
Alcohol consumption levels and noise levels shall be managed so as not to cause public nuisance.

e) The protection of children from harm

Strict rules regarding prevention of underage drinking shall be in place and staff shall be made aware of these.
Children attending functions, etc. shall be protected from harm.
Staff training shall be ongoing regarding underage drinking and the Licensing Act 2003.

Annexe 3 – Conditions attached after a hearing by the Licensing Authority

N/A

Annexe 4 – Plans

Attached

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WLC/201703361
24/7/17

ANNEXE 2



WAVERLEY BOROUGH COUNCIL

Licensing Team, Waverley Borough Council, The Bury, Godalming, Surrey GU7 1HR

**Application to vary a premises licence
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 Lythe Hill Hotel & Spa (insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises licence number

LN1000002400

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Retworth Road

Post town

Haslemere

Post code

GU27 3BQ

Telephone number at premises (if any)

01428 651 251

Non domestic rateable value of premises

£125,001 and above.

Part 2 – Applicant Details

Daytime contact telephone number

07500 707 141

Email address (optional)

deanwilliams@lythehill.com

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

Surname

First names

Williams

Dean

Current postal address if different from premises address

Post Town

Postcode

Part 3 - Variation

Please tick

Do you want the proposed variation to have effect as soon as possible?

✓

If not do when do you want the variation to take effect from?

Day	Month	Year

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To have a marquee on the hotel grounds to be used to hold weddings, functions, meetings at the Hotel instead of our function Room. It would be as an alternative to our function Room. So would be used in the same manner and as our only event at the Hotel. This will also mean no additional noise pollution.

If your proposed variation would mean that 5000 or more people are expected attend the premises at any one time please state the number expected to attend

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if the application to vary is successful.

Provision of regulated entertainment

Please tick ✓

- 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)

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
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						

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5)
Sat			
Sun			

D

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

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		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri				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						
Sun						

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		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur						
Fri				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)		
Sat						
Sun						

G

Performances 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		
Day	Start	Finish		Outdoors		
Mon				Both		
Tue				Please give further details here (please read guidance note 3)		
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur						
Fri				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)		
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)			Please give a description of the type of entertainment you will be providing	Indoors		
Day	Start	Finish		Outdoors		
Mon				Both		
Tue				Please give further details here (please read guidance note 3)		
Wed				State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur						
Fri				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)		
Sat						
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			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur						
Fri				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						
Sun						

J

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		
Day	Start	Finish		Off the premises		
Mon			State any seasonal variations for the sale of alcohol (please read guidance note 4) The location would be changed from our function room to the marquee all times would be the same	Both		
Tue						
Wed				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)		
Thur						
Fri						
Sat						
Sun						

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)

- alcohol sales
- Disco / Bands

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	<p>The hours would be the same as our current licence for our function room</p> <p>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)</p>
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick ✓

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence.

As the current licence would not be changed, just an additional room.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

- We use a radio system at the hotel for constant communication and to ensure we can prevent any guests from an accident as well as a quick response for an emergency.
- Risk assessments for marquee area, additional life rings around lake.
- Additional verbal training for all staff for our drinking policy of think 25 in addition to our company flow training scheme.

b) The prevention of crime and disorder

- Restricted drinking areas
- Safe capacity limits
- recognised & approved proof of age identifications eg driving license, passports, PASS cards.
- Secured the services of SIA door contractors
- additional CCTV

c) Public safety

- * Additional CCTV cameras displayed at reception & monitored 24/7, to prevent and monitor public safety, which is cloud based.
- * Extra exterior lighting to help improve vision for cameras and public safety in the grounds.
- * We have hired SIA certified door contractors to help staff with functions and monitoring.

d) The prevention of public nuisance

Supply of free drinking water in the bar.
All events to finish at mid-night and staff will ensure this has happened to reduce noise pollution, as well as set closure time for last orders and close of premises. As well as the contracted door staff to help reduce any public nuisance.

e) The protection of children from harm

We have trained all staff to accept requested forms of approved forms of ID's eg passport, driving license PASS. required all children to be accompanied to the bar by an adult for the sake of any drink.

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

Please tick ✓

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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) 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 24/5/17

Capacity GRAB MANAGER

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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)	
Lythe Hill Hotel Petworth Road	
Post town <u>Haslemere</u>	Post code <u>GU27 3BQ</u>
Telephone number (if any) <u>01428 744 815</u>	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

LICENSING ACT 2003
SECTION 13 (4) - RELEVANT LICENSING AUTHORITIES

RESPONSIBLE AUTHORITY

- (a) **Police Authority**
Chief Officer of Police, c/o Waverley Licensing Officer, Surrey Police, P O
Box 101, GU1 9PE
Tel: 01483 639512
 - (b) **Fire Authority**
Surrey Fire and Rescue Service, Headquarters, Croydon Road, Reigate,
Surrey, RH2 0EJ
Tel: 01737 733733
 - (c) **Trading Standards**
Surrey County Council Trading Standards, Consort House, 5-7 Queensway,
Redhill, Surrey, RH1 1YB
Tel: 01372 371700
 - (d) **Health and Safety at Work**
Head of Environment, Waverley Borough Council, The Burys, Godalming,
Surrey, GU7 1HR.
Tel: 01483 523333
 - (e) **Local Planning Authority**
Head of Planning, Waverley Borough Council, The Burys, Godalming, Surrey,
GU7 1HR.
Tel: 014873 523333
 - (f) **Local Authority – Prevention of Pollution (to environment or harm to
human health)**
Head of Environment, Waverley Borough Council, The Burys, Godalming,
Surrey, GU7 1HR.
Tel: 01483 523333
 - (g) **Protection of Children from Harm**
County Child Employment Enforcement and Strategy Manager, Quadrant
Court, 35 Guildford Road, Woking, Surrey. GU22 7QQ.
Tel: 01483 517839
 - (h) **Licensing Authority (Other than the relevant licensing authority) in
whose area part of the premises is situated**
 - (i) **Primary Care Trust**
Room G55, County Hall, Penrhyn Road, Kingston Upon Thames, KT1 2DN
Tel: 01737 733746
- To be advised on individual cases
- (j) **In relation to a vessel - Navigation Authority**
Navigation Manager, National Trust, River Wey Navigations, Dapdune Wharf,
Wharf Road, Guildford, Surrey, GU1 4RR.
Tel: 01483 561389

Notes for guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would 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 is and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include 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 the 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 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 intended 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 gambling 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.

Licensing Act 2003 –Advertisement of applications extract from Regulations

25. In the case of an application for a premises licence under section 17, for a provisional statement under section 29, to vary a premises licence under section 34, for a club premises certificate under section 71 or to vary a club premises certificate under section 84, the person making the application shall advertise the application, in both cases containing the appropriate information set out in regulation 26—

- (a) for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority, by displaying a notice,
 - (i) which is—
 - (aa) of a size equal or larger than A4,
 - (bb) of a pale blue colour,
 - (cc) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;
 - (ii) in all cases, prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises and in the case of a premises covering an area of more than fifty metres square, a further notice in the same form and subject to the same requirements every fifty metres along the external perimeter of the premises abutting any highway; and
- (b) by publishing a notice—
 - (i) in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;
 - (ii) on at least one occasion during the period of ten working days starting on the day after the day on which the application was given to the relevant licensing authority.

26.—(1) In the case of an application for a premises licence or a club premises certificate, the notices referred to in regulation 25 shall contain a statement of the relevant licensable activities or relevant qualifying club activities as the case may require which it is proposed will be carried on on or from the premises.

(2) In the case of an application for a provisional statement, the notices referred to in regulation 25— (a) shall state that representations are restricted after the issue of a provisional statement; and

- (b) where known, may state the relevant licensable activities which it is proposed will be carried on on or from the premises.

(3) In the case of an application to vary a premises licence or a club premises certificate, the notices referred to in regulation 25 shall briefly describe the proposed variation.

(4) In all cases, the notices referred to in regulation 25 shall state—

- (a) the name of the applicant or club;
- (b) the postal address of the premises or club premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises or club premises to be identified;
- (c) the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected;
- (d) the date by which a responsible authority or any other person may make representations to the relevant licensing authority;
- (e) that representations shall be made in writing; and
- (f) that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

Licensing Act 2003 – extract from Regulations – premises plans

23. – (1) An application for a premises licence under section 17, or a club premises certificate under section 71, shall be accompanied by a plan of the premises to which the application relates and which shall comply with the following paragraphs of this regulation.

(2) Unless the relevant licensing authority has previously agreed in writing with the applicant following a request by the applicant that an alternative scale plan is acceptable to it, in which case the plan shall be drawn in that alternative scale, the plan shall be drawn in the standard scale (1:100).

(3) The plan shall show –

- (a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- (b) the location of points of access to and egress from the premises;
- (c) if different from sub-paragraph (3)(b), the location of escape routes from the premises;
- (d) in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
- (e) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- (f) in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- (g) in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- (h) in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- (i) the location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment; and
- (j) the location of a kitchen, if any, on the premises.

(4) The plan may include a legend through which the matters mentioned or referred to in paragraph (3) are sufficiently illustrated by the use of symbols on the plan.

**OFFICIAL USE ONLY
DO NOT DETACH**

NAME OF APPLICANT.....

LICENSING ACT 2003 – Vary a Premise Licence

(code 02852)

*Band E
£635*

Please make cheques payable to Waverley Borough Council

IF APPLICABLE FINANCE OFFICIAL RECEIPT BELOW

LICENCE FEE - LICENSING ACT 2003

PREMISES LICENCE

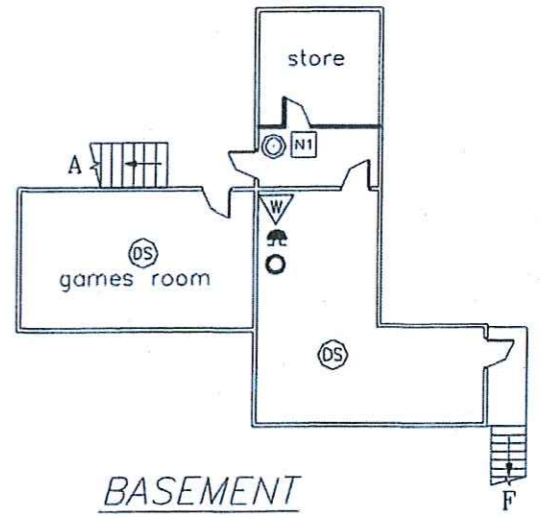
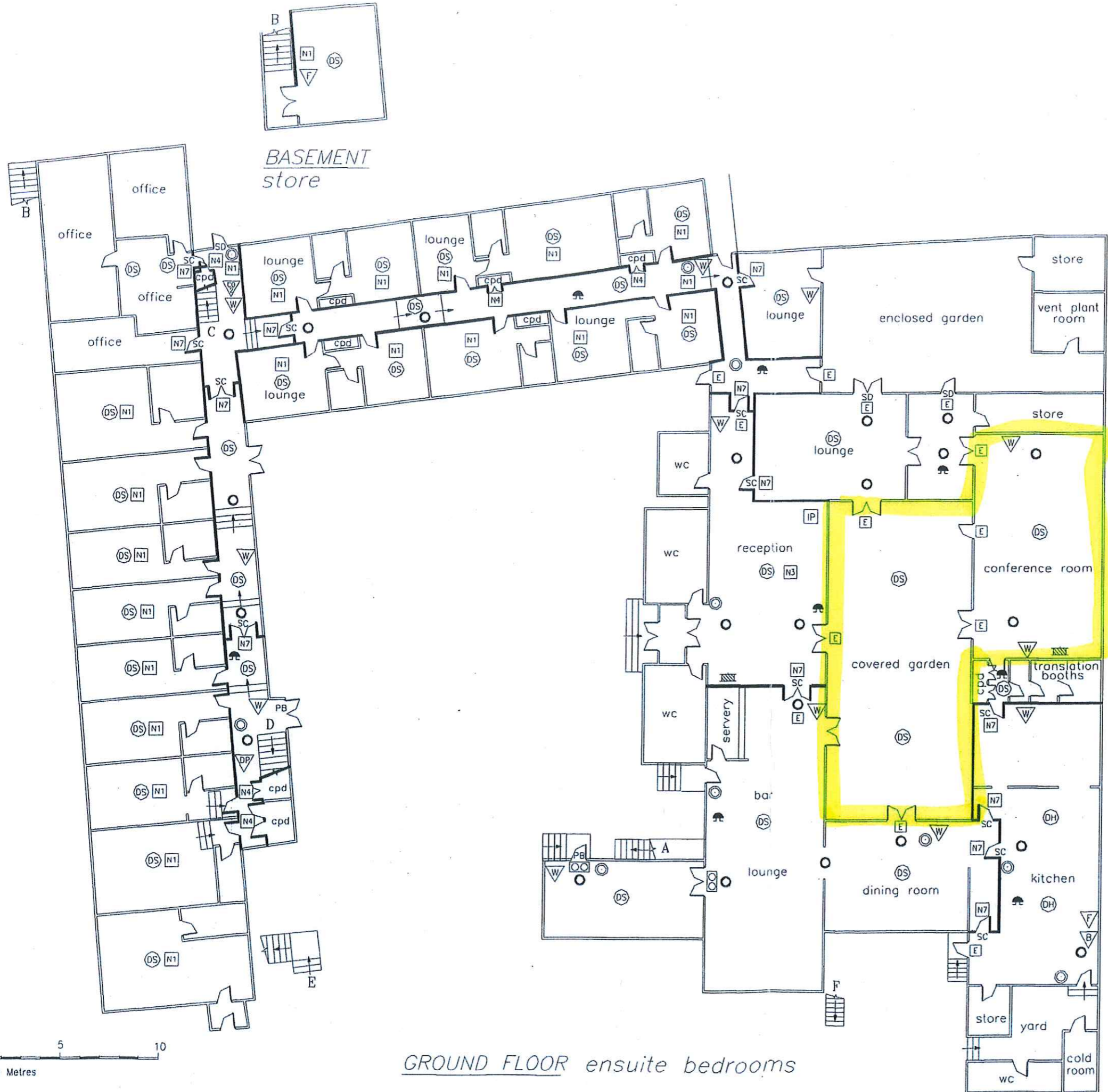
RATEABLE VALUE (see note 1)	BAND	FEE (new applications and variations) (see note 2)	FEE (annual) (see note 3)
Nil to £4,300	A	£100	£70
£4,301 to £33,000	B	£190	£180
£33,001 to £87,000	C	£315	£295
£87,001 to £125,000	D	£450	£320
£125,001 and above	E	£635	£350

Notes:

1. Club application and annual fees – each premises that is licensable will be allocated to a fee band according to rateable value.
2. Each band attracts a fee for the application, a further fee for variation and a subsequent annual fee.
3. Each band attracts a different level of annual fee – payable one year after the grant of the licence.
4. Cheques should be made payable to Waverley Borough Council. Please do not send cash in the post.

PREMISES NAME

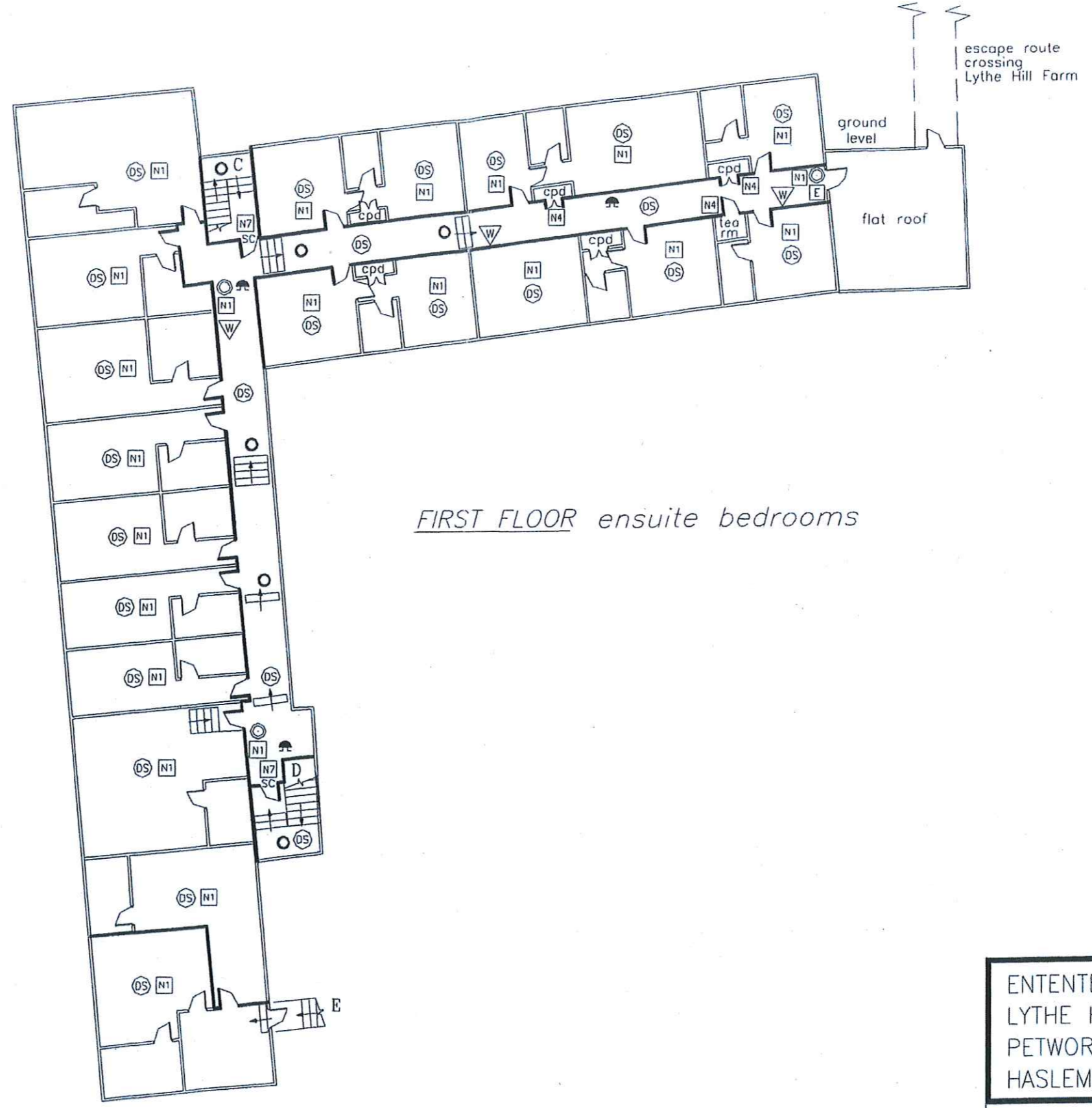
Lytne Hill Hotel & Spa



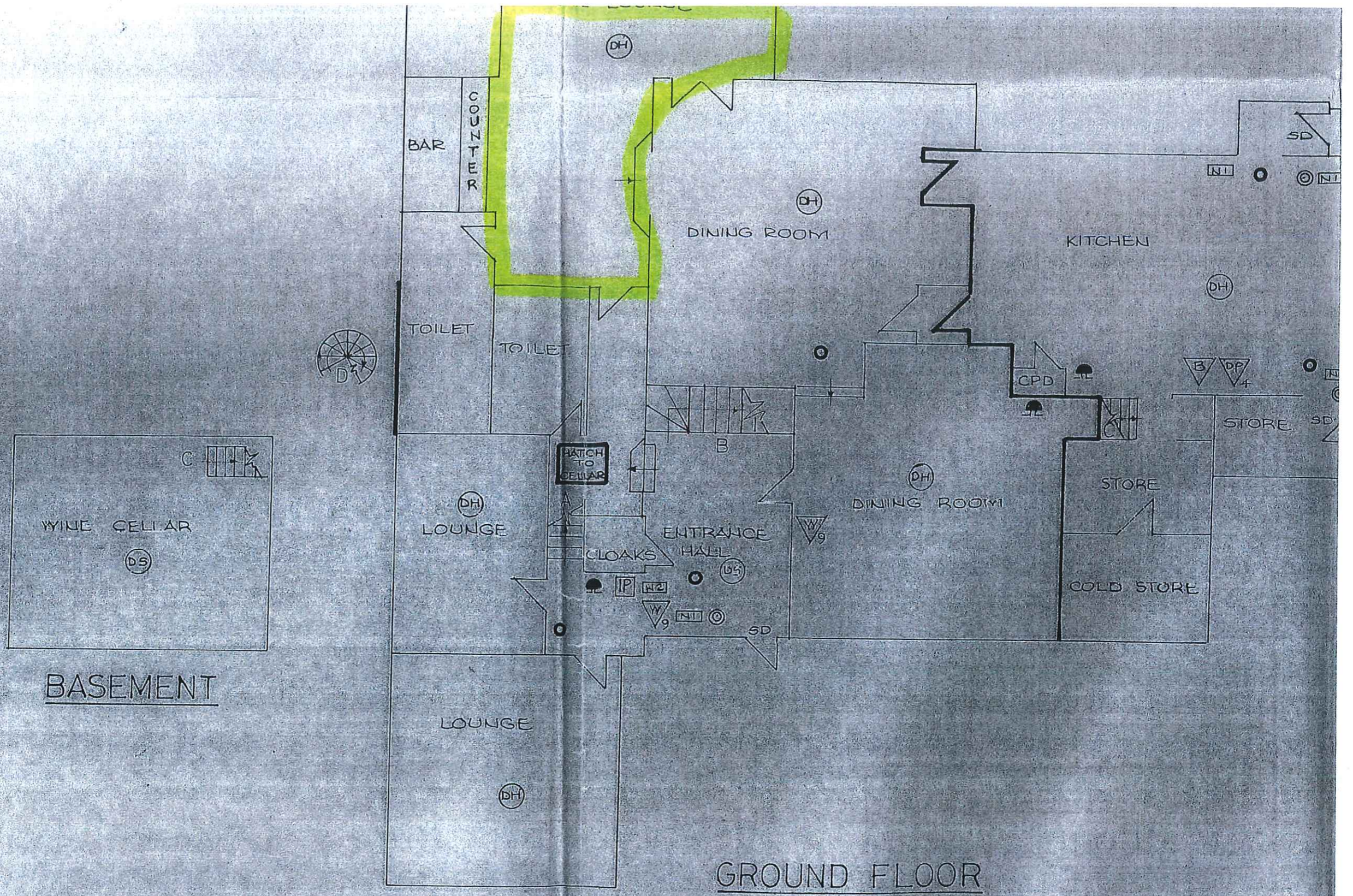
GROUND FLOOR ensuite bedrooms

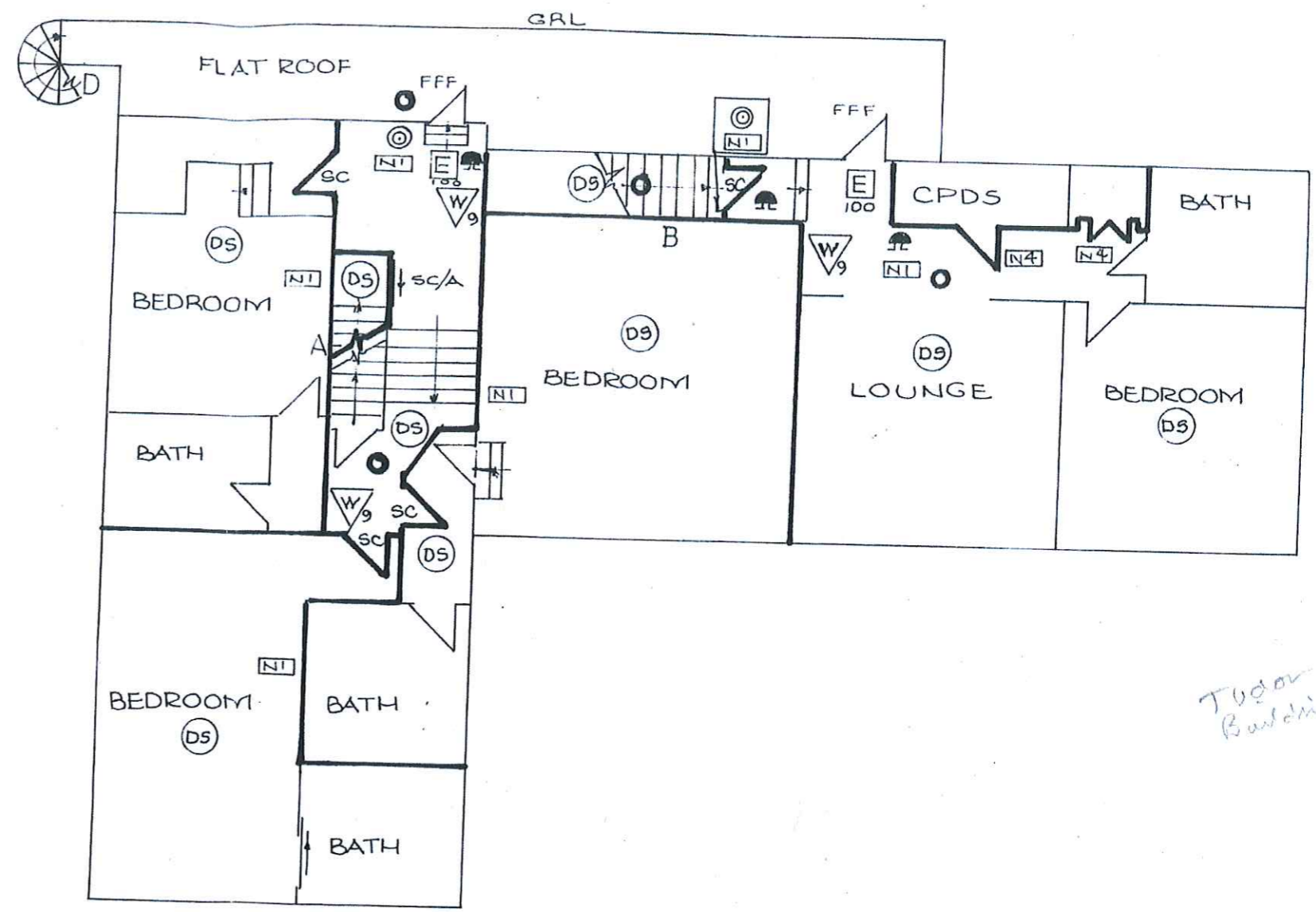
ENTENTE CORDIALE
 LYTHE HILL HOTEL
 PETWORTH ROAD
 HASLEMERE GU27 1JB

Floor levels <i>BASEMENT & GROUND</i>		
Plan No. 1 of 2	Scale approx 1:200	
SWV/00471	Sheet XX1	10/07/01



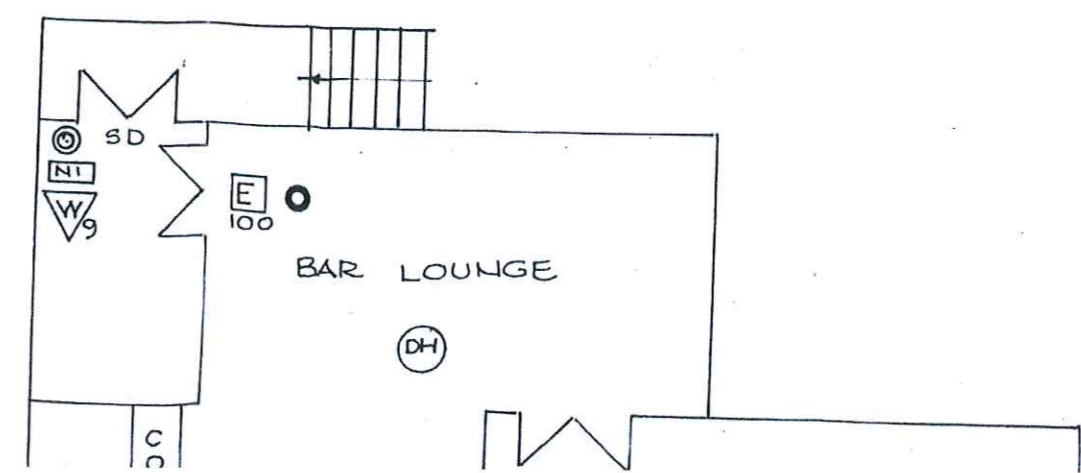
ENTENTE CORDIALE LYTHE HILL HOTEL PETWORTH ROAD HASLEMERE GU27 1JB		
Floor levels	<i>FIRST FLOOR</i>	
Plan No. 2 of 2	Scale approx 1:200	
SWV/00471	Sheet XX2	10/07/01





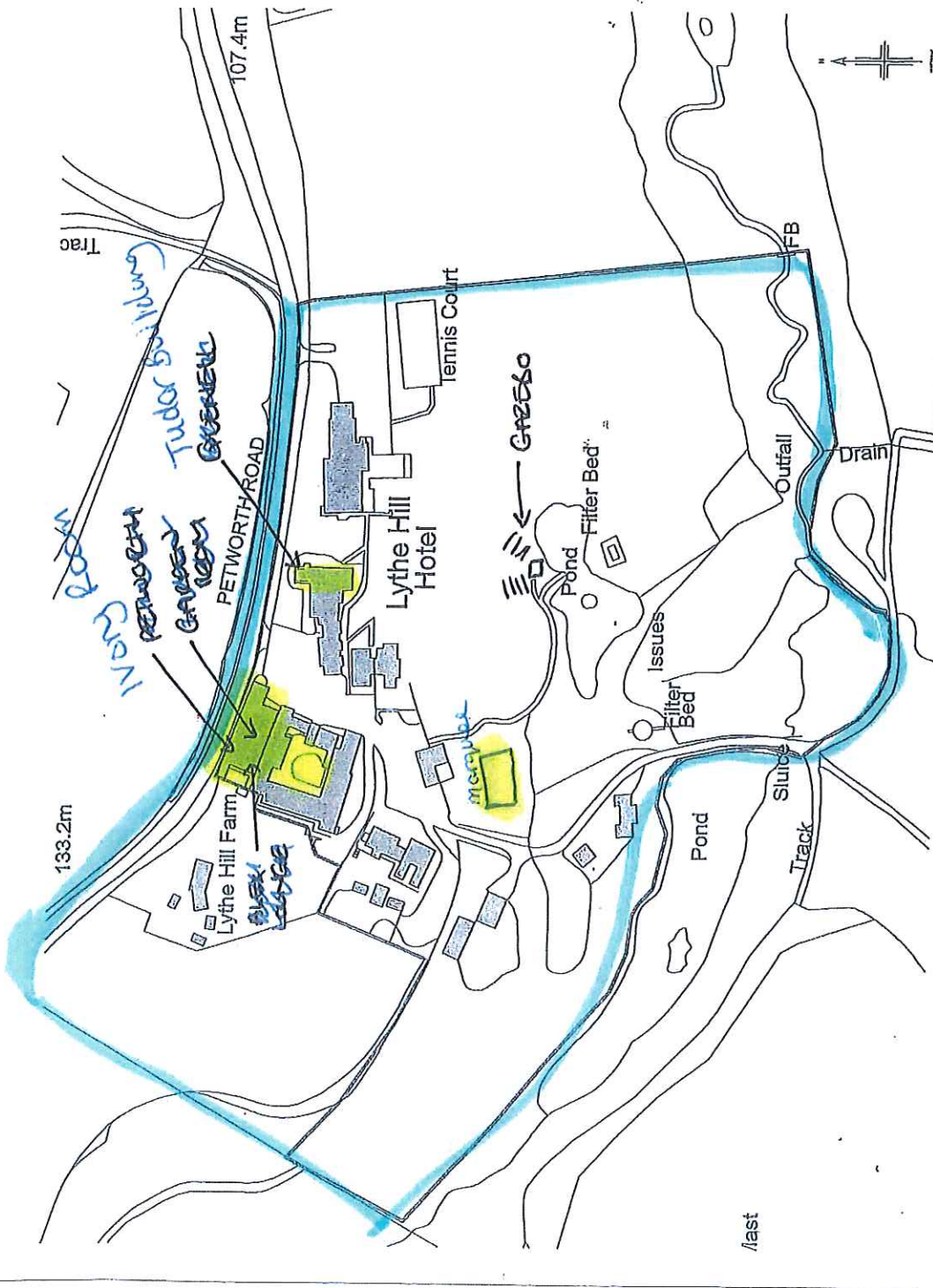
Tudor Building 5

FIRST FLOOR



SITE PLAN

ANNEXE 4



— fire exits

— licensed areas

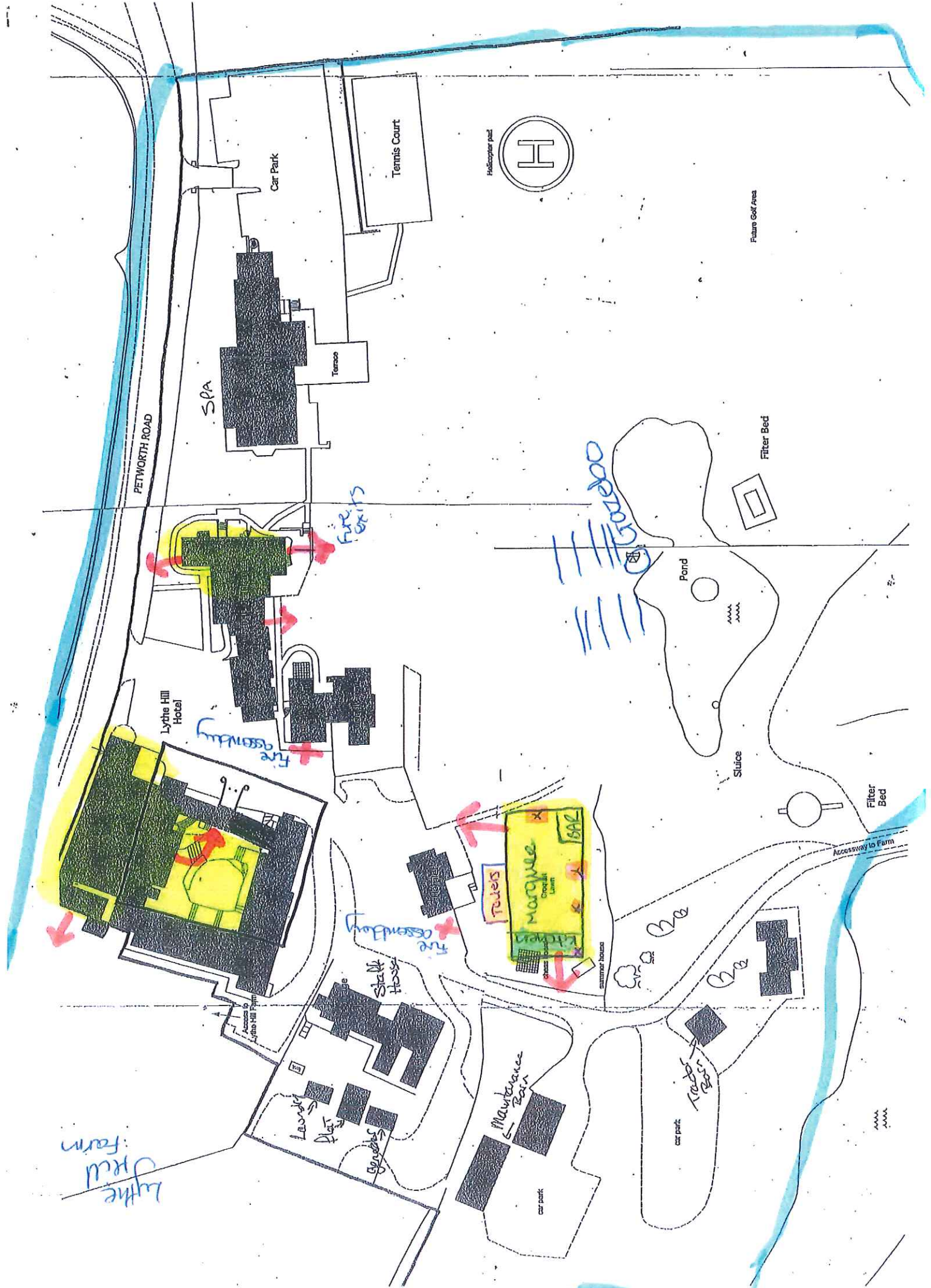
— boundary

X — fire assembly points

— kitchen

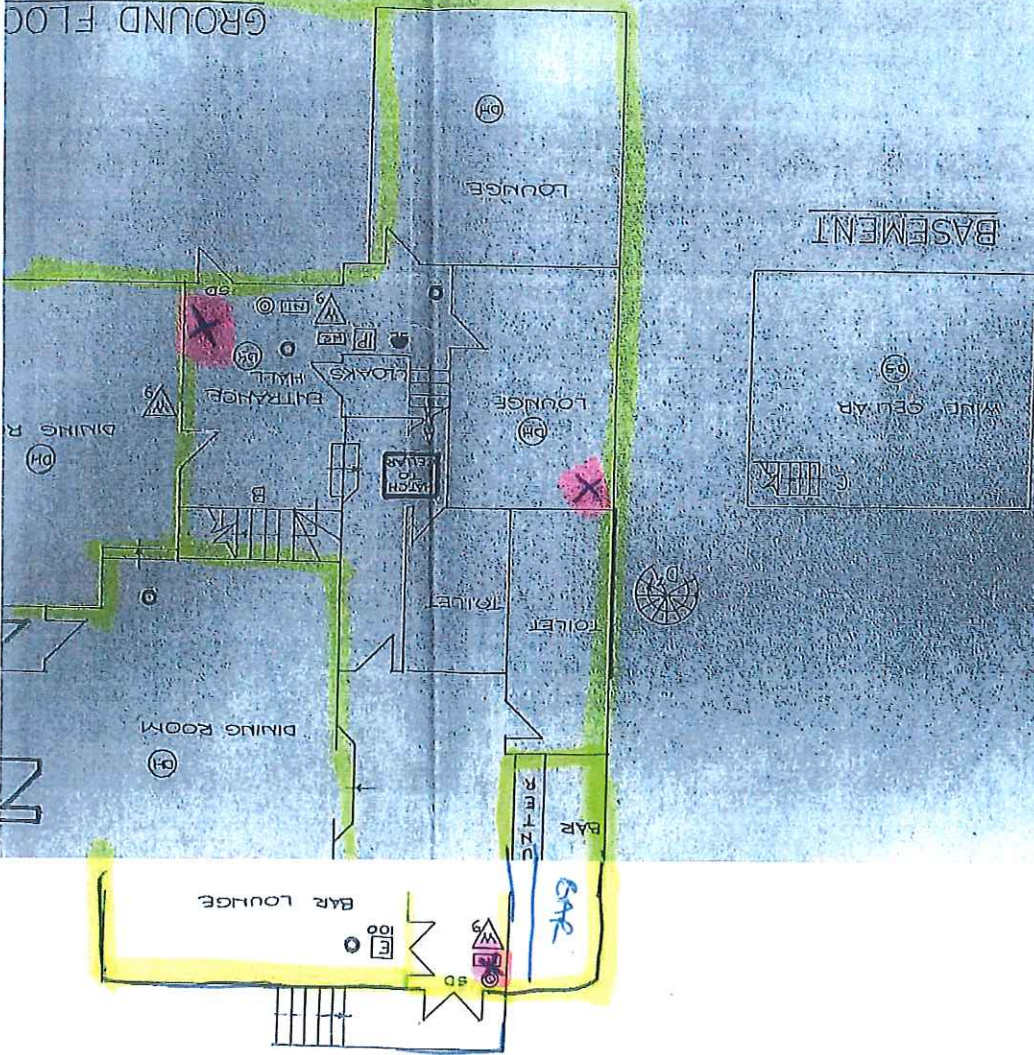
— fire extinguishers

— toilets

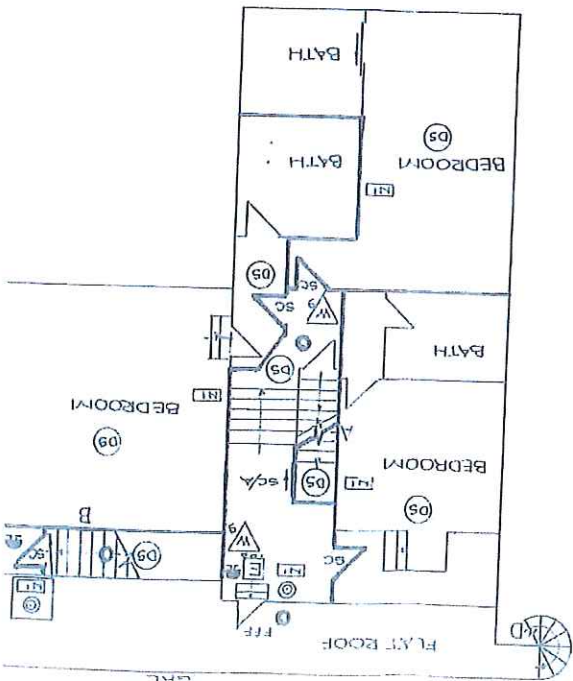


Tudor Building

GROUND FLOOR



FIRST FLOOR





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Waverley Borough Council
 The Bury
 Godalming
 Surrey
 GU7 1HR
 Telephone: 01483 523333
 Fax No: 01483 426337



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Kate Halsall

From: Ian Ellis <Ian@southernplanning.co.uk>
Sent: Thursday 20 July 2017 08:50
To: Licensing Policy
Subject: Variation of premises licence - Lythe Hill Hotel, Petworth Road, Haslemere
Attachments: Objection letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged



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I attach a letter on behalf of the Cortium Incorporated and Cortium Sports Ltd who are owners and managers respectively of Barfold Farm that adjoins the hotel site. This letter sets out my clients' objections to the grant of a variation to the premises licence.

I would be grateful if you would kindly acknowledge this objection and keep me informed of the progress of the application and when it will be considered by the Licencing Committee.

Best regards

Ian Ellis BA MRTPI
Director

Southern Planning Practice Ltd

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Ms R Kellas
Corporate Services & Planning Department
Waverley Borough Council
Council Offices
The Burys
Godalming
Surrey
GU7 1HR

Our Ref: WAV/253/IE
Your Ref: WA/2017/0277
Email: ian@southernplanning.co.uk
Date: 20 April 2017

Dear Ms Kellas,

**APPLICATION WA/2017/0277 - EXTENSIONS AND DEVELOPMENT
LYTHE HILL HOTEL, PETWORTH ROAD, HASLEMERE GU27 3BQ**

I act for Cortium Incorporated and Cortium Sports Ltd who are owners and managers respectively of Barfold Farm that adjoins the hotel site. Ordinarily my clients would be supportive of the applicant's proposals to re-invigorate and develop the hotel site. However, in the case of the proposed development, I am instructed to **object to the proposals** for the reasons explained below.

My clients own and operate the equestrian facilities at Barfold Farm which constitute a training base for a high goal polo team where 40 high value polo horses are based throughout the year. High goal polo is the pinnacle of the sport and is played at the very highest national and international level. The Cortium team compete in all the major UK competitions and are past winners of the British Open Polo Championships (Jaeger-LeCoultre Gold Cup). They have established a training base at Barfold with a polo playing field and club house and first class facilities for the team. They make a major contribution to the equestrian economy of this part of southern England directly through employment and indirectly via many providers of goods and services.

Furthermore the Polo establishment is affiliated with the Hurlingham Polo Association and is required to operate best practise concerning welfare and health and safety for both its employees and operatives and the polo horses. Any development of adjacent land and premises that has implications for the polo establishment is a matter of grave concern.

Stabling for these high value horses is located some 130m from the shared boundary with the hotel. Discussions have been held with the applicant and development team at which my clients' concerns have been explained and these centre on the location of the wedding barn and marquee and the implications they have for the welfare of the horses stabled at Barfold. That in turn has implications for the lawful planning use of the site and the investment made in the polo facilities at Barfold. It should be noted that the Hotel has not recently objected to any planning applications concerning these new uses at Barfold.



The siting of the wedding barn and marquee would bring activity, noise and disturbance to the eastern boundary of the site, shared with Barfold Farm, which would be exacerbated by amplified music spilling out from both structures. In addition, associated pyrotechnic and firework displays would bring additional noise and disturbance not just to Barfold but also over a wide area in the valley below Blackdown, Lythe and Haste Hills.

The location of the stables was a matter settled on appeal by Public Inquiry after a number of locations were discussed at pre-application stage and then followed up by planning applications. The stables are in full use in preparation for and throughout the polo season. Typically the stables are occupied by polo horses from late February to September thereafter the horses are turned out to graze but will, when the weather dictates, be brought into the stables at other times. Full occupancy of the stables therefore occurs for some seven months of the year. In that time horses are confined to loose boxes except when being exercised, trained, practising and being ridden in competition. Their welfare is crucial to both the welfare of the horses and the competitiveness of the team.

Currently when horses are in loose boxes they enjoy the peace and tranquillity of their rural surroundings and at the end of their working day have the benefit of undisturbed rest and sleep in the evening and through the night. The welfare of the polo horses would be put at grave risk by noise and disturbance emanating from the close proximity of the wedding barn and marquee and associated activities. It is possible that any such activity would potentially cause fire risk, and endanger Cortium's staff.

High value competition horses need to be rested and to sleep. Repetitive amplified music or human noise will interrupt the horses' sleep patterns to an unacceptable degree and adversely affect their condition for training, practice and competitions. It would only take one disturbed horse to upset the ambience in the close confines of the stable barn and yard and put the well-being of the other 39 horses at risk. The addition of pyrotechnic displays with associated loud explosions of sound and bangs coupled with frequent illumination of the night sky compounds the problem of noise and disturbance. Disturbance to the horses will make them restless and prone to injury if they become anxious and agitated and kick out in the confines of a loose box.

Stables and loose boxes are not a natural environment for a horse. It is therefore essential that they are kept healthy and happy in what is otherwise not their natural environment. Underlying my clients' concerns is the fact that horses originally roamed the land and being cooped up for long periods can be frustrating for them. Being cooped up and frequently and unnecessarily disturbed when they would otherwise be at rest is not conducive to their welfare and even more so if they are competition horses with higher expectations of their performance and fitness than domestic horses and ponies kept for recreation and pleasure.

The well-being of horses must be a material planning consideration no less than would be the case for human beings taking part in competitive sport. High goal polo horses are 'athletes' in their own right and are subject to the Animal Welfare Act 2006 and the general duty under section 4 to



prevent harm and unnecessary suffering. It is therefore a material consideration that harm and unnecessary suffering is prevented and avoided.

The proposed siting of the wedding barn and marquee are therefore unacceptable in the context of my clients' lawful planning use and will undoubtedly affect the successful operation of the polo training centre. The risk from amplified music might be less from a well-insulated wedding barn with strict controls over noise emissions and hours of use but the large balcony accessed from within the venue would make those difficult to manage and achieve with guests able to freely access the balcony and thus spill noise beyond the confines of the room itself. On the other hand the lightweight nature of the marquee would be no impediment to the spread of amplified music and is simply inadequate and inappropriate.

My clients have suggested to the applicant that the wedding barn and marquee be relocated to the northern part of the site and for there to be no pyrotechnic displays of any kind. This would put the quieter elements of the development - restaurant, guest accommodation, spa etc between the wedding barn/ marquee and Barfold Farm's stables. The distance being some 400m with built form in between. This should allow for reasonable separation between the stables and the noisy elements of the applicant's proposals. In planning terms this should be achievable.

My clients are also concerned that the expansion and intensification of the hotel will bring with it inherent security risks and potential trespass onto Barfold Farm. This would be undesirable given that there is no on-site accommodation at the stables and any nefarious activities could go unnoticed and not be stopped before the welfare of horses has been affected. The same would also be the case with guests and visitors wandering off public rights of way attracted by the polo activity on the playing field and horses in fields. The use of the polo playing field is subject to conditions of planning permission limiting the number of spectators and could lead to breaches of the said condition(s). More worrying would be the potential disturbance to and interference with high value horses turned out to graze out of the polo season. These issues have been raised with the applicant and satisfactory and appropriate security assurances have not yet been agreed.

The planning authority will be well aware that the totality of the proposals amounts to a very significant intensification of development and use in this Green Belt and Area of Outstanding Natural Beauty location. For example guest accommodation is to increase by almost 200%, the restaurant by some 600% and the spa and wellness centre by some 85%. Whether or not the scale of expansion and intensification is considered acceptable in planning terms is a matter for the planning authority to decide but within the overall scale of development there must be scope to relocate the wedding barn. Furthermore if the proposals were to be scaled back for planning reasons this would increase the opportunity to relocate the elements to which my clients strongly object.

In conclusion I re-affirm my clients' support for the re-invigoration and expansion of the hotel but not for the wedding barn and marquee elements in the locations proposed and for any associated



pyrotechnics or firework displays. These would have a completely unacceptable impact on the lawful use of Barfold Farm and the health and well-being of the horses stabled very close by.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Ian Ellis".

Ian Ellis
Director

Kate Halsall

From:
Sent: Thursday 20 July 2017 13:27
To: Licensing Policy
Subject: Objections Lythe Hill Hotel and Spa, Petworth Road, Haslemere, Surrey - Licensing Application

②

Dear Sir/Madam

We would like to register our objection to the above on the following grounds:-

1. Our home, and others in the area known as Anstead Brook are some 400 m from the hotel and noise emanating is already clearly audible and causes annoyance. The proposal to play outside music well into the night will cause undue nuisance and disturbance. As far as we have been able to ascertain, many local properties in the Anstead Brook area, will be affected but are currently unaware of these unreasonable proposals
2. That the venue is in an area of outstanding natural beauty and to extend the activities of the Hotel to holding such events is unreasonable and unsuited to a quiet semi-rural location with a lack of sound proofing.

Regards

Sent from my iPad

WAVERLEY BOROUGH COUNCIL

LICENSING SUB-COMMITTEE C – 21 AUGUST 2017

Title:

LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE – NEWFANGLED, 15 JUNCTION PLACE, HASLEMERE, SURREY, GU27 1LE

[Wards Affected: Haslemere Wards]

Summary and Purpose

1. The purpose of the report is to enable the Sub-Committee to consider an application from Miss Carrie Marie Nickson for a new premises licence for Newfangled, 15 Junction Place, Haslemere, Surrey GU27 1LE, where 2 valid representations have been received.

Background

2. An application has been received for a new premises licence for the ground floor of this previously converted 2-storey house, with accommodation on the first floor. A retail fine arts gallery, Ardquin, had previously occupied the ground floor and change of use to planning permission would be required to operate as a café/bistro.

In brief the application proposes that the licence will authorise the premises, operating as a Café/Bistro, for the provision of regulated entertainment (indoors only) and to sell alcohol for consumption on the premises only.

Activities Sought under this Licence Application

3. The applicant seeks to license the premises as shown below. An extract of the relevant pages from the application form is attached at Annexe 1. Also attached to this document at Annexe 2 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.

- Regulated Entertainment (Recorded Music):
1000 to 2200 Monday to Sunday

Note: No licence is required for recorded music where it takes place on premises authorised by a premises licence for the supply of alcohol on the premises where the music played will be between the hours 0800 and 2300 and to an audience of less than 500 people.

- Sale of Alcohol: (On the premises only)
1130 to 2200 Monday to Sunday

- Opening hours:
0800 to 2200 Monday to Sunday

Note: No allowance has been requested for drinking up time.

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 has been one representation from Surrey Police acting as a responsible authority. The representation is attached at Annexe 3.

Other Persons

6. Besides Responsible Authorities, “other persons” may make representations. There has been one valid representation from “other persons”. The representation is 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/607237/182Guidance_05_04_17.pdf

It will be available for reference purposes at the meeting.* Particular attention is drawn to:

- Hearings - paragraphs 9.31 to 9.44
- Conditions – paragraphs 1.16-1.17 and 10.1 to 10.66
- The Licensing Objectives – paragraphs 2.1–2.31

Recommendation

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

Section 35(3) Licensing Act 2003 provides that the Sub-Committee, having regard to the relevant representations made, must take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives:

- 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

*Those without access to the Internet should contact Paul Hughes in order to access the Guidance

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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.

I/We CARRIE MARIE NICKSON
(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			
NEWFANGLED - 15 JUNCTION PLACE HASLEMERE SURREY			
Post town	HASLEMERE	Postcode	GU27 1LE

Telephone number at premises (if any)	01428 642881
Non-domestic rateable value of premises	£ 7000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick as

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- 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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname		First names		
NICKSON		CARLIE MARIE		
Date of birth over	25/8/88	I am 18 years old or	<input checked="" type="checkbox"/> Please tick yes	
Nationality ENGLISH				
Current residential address if different from premises address		69 MIDHURST ROAD LIPHOOK HAMPSHIRE		
Post town	LIPHOOK	Postcode	GU30 7UP	
Daytime contact telephone number		07713958709		
E-mail address (optional)	NEWFANGLED-@OUTLOOK.COM			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/> Please tick yes	
Nationality					
Current postal address if different from premises address		N/A			
Post town		Postcode			
Daytime contact telephone 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 the 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
N/A
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?

DD	MM	YYYY
01	10	2017

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

DD	MM	YYYY

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

NEWFANGLED - CAFE/BISTRO
 SERVING HOT/COLD MORNING/AFTERNOON
 & EVENING MEALS - MAIN ROOM 7-5M
 KITCHEN/BATHROOM AND A BACK GARDEN
 SERVING BOTTLED BEER AND WINE FROM LUNCH
 TILL 10PM

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- 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

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10 AM	10 PM	Please give further details here (please read guidance note 4) RADIO OR CD WILL BE PLAYED THROUGH STEREO DEPENDING ON TIME OF DAY	Both	<input type="checkbox"/>
Tue	10 AM	10 PM			
Wed	10 AM	10 PM	State any seasonal variations for the playing of recorded music (please read guidance note 5) N/A		
Thur	10 AM	10 PM			
Fri	10 AM	10 PM	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 6) N/A		
Sat	10 AM	10 PM			
Sun	10 AM	10 PM			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:30 AM	10 PM	N/A		
Tue	11-30 AM	10 PM			
Wed	11-30 AM	10 PM			
Thur	11-30 AM	10 PM	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 the left, please list (please read guidance note 6)		
Fri	11-30 AM	10 PM	N/A		
Sat	11-30 AM	10 PM			
Sun	11-30 AM	10 PM			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	MISS CARRIE MARIE NICKSON		
Date of birth	25/8/88		
Address	69 MIDHURST Rd WIPHOOK		
Postcode	GU30 7UP		
Personal licence number (if known)	WAITING TO RECEIVE		
Issuing licensing authority (if known)	EAST HANTS DISTRICT 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 9).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	8 AM	10 PM	CHRISTMAS EVE WILL SHUT EARLIER
Tue	8 AM	10 PM	
Wed	8	10	
Thur	8	10	
Fri	8	10	
Sat	8	10	
Sun	8	10	
			Non standard timings. Where you intend 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 6)
			N/A

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

ALL LICENSING OBJECTIVE WILL BE CONTROLLED BY THE BISTRO BEING RUN TO A HIGH STANDARD

b) The prevention of crime and disorder

ANYBODY DISPLAYING A DRUNKEN STATE WILL BE REFUSED ALCOHOL AND OFFERED ALTERNATIVE OPTIONS ANY MIS BEHAVIOUR WILL RESULT IN BEING ASKED TO LEAVE AND AUTHORITIES CALLED IF NEEDS

c) Public safety

A STRICT ALCOHOL POLICY WILL BE IN PLACE AND STAFF WILL BE FULLY TRAINED TO HANDLE MOST SITUATIONS INCLUDING FIRST AID

d) The prevention of public nuisance

MISS USE OF ALCOHOL POSTERS MAY BE DISPLAYED AND STRICT SALES OF ALCOHOL TO THOSE WHO SEEM INTOXICATED NO BOTTLES WILL BE SOLD FOR CONSUMPTION OFF THE PREMISES, VOLUME LEVELS OF MUSIC WILL BE MONITORED ALSO

e) The protection of children from harm

DURING OPENING HOUR PARENTS WITH CHILD WILL BE MONITORED FOR ALCOHOL CONSUMPTION CERTAIN AREAS AROUND THE GARDEN WILL ALLOW FOR CHILD TO SAFELY PLAY SIGNS AND HAZZARD POSTERS WILL BE DISPLAYED -

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
-


[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	22/6/17

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Waverley Borough Council
 The Burs
 Godalming
 Surrey
 GU7 1HR
 Telephone: 01483 523333
 Fax No: 01483 426337



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Kate Halsall

From: Crowley, Geanine 12674 <Geanine.Crowley@surrey.pnn.police.uk>
Sent: Wednesday 05 July 2017 16:23
To: Licensing Policy; 'newfangled-@outlook.com'
Subject: Objection to Premises Licence Newfangled
Attachments: Objection to Newfangled.doc

Good Afternoon,

Please find attached the objection letter for the above premises. If agreements are made regarding the conditions we will withdraw our objection.

If you have any questions please do not hesitate to contact me.

Kind Regards

Geanine Crowley 12674
Licensing Enforcement Officer
Western Community Safety Team
Surrey Police
PO Box 101
Guildford
Surrey GU1 9PE
Tel: 01483 638167

Our Ref:
Your Ref:

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



Wednesday 5th July 2017

Dear Sir/Madam,

Surrey Police as a Responsible Authority wish to make formal representation against the application for a Premises Licence for Newfangled, 15, Junction Place, Haslemere, Surrey, GU27 1LE.

The grounds for objection concern the prevention of crime and disorder. The application has not evidenced fully how it will prevent crime and disorder, further consultation will need to be taken between the applicant and Police. Below are some of the conditions we would like to see added to the licence.

- CCTV to be in operation whilst any licensable activity takes place and shall record for over 31 days. CCTV shall be able to be downloaded onto a removal storage system (either DVD or USB Stick).
- CCTV shall be made available within 24 hours of a request by Police or responsible authority.
- There should be at least one member of staff on site who is able to operate the CCTV system and download if required whenever licensable activity takes place.
- CCTV should cover all areas of the Bar area and entrance enabling clear facial images of those entering the premises.
- Challenge 25 Age Verification Policy will be adopted at all times.
- No Glass containers shall be taken outside of the premises at any time.
- No drugs policy shall be in place.
- A Refusal Log shall be kept at the premises and maintained, logging any refusal of Alcohol. This shall be made available for inspection by Police and any other Responsible Authority.
- An Incident Log shall be kept at the premises and maintained, logging any incidents that occur at the premises as well as any that have required police to be call. This shall be made available for inspection by Police or any other Responsible Authority.

Yours Sincerely

Inspector Mark Bridge

Waverley Safer Neighbourhood Team

Kate Halsall

From:
Sent: Wednesday 19 July 2017 17:53
To: Licensing Policy
Subject: New Fangled 15 Junction Place Haslemere.

Follow Up Flag: Follow up
Flag Status: Flagged



Dear sir With reference the application 'New Fangled' 15 Junction Place Haslemere for an alcohol licence. I feel this is wholly out of place to an area historically small retail shops and businesses, some like mine owner occupied, operating with one exception, at normal business hours. 8am to 10pm opening, seven days a week is totally out of keeping with the area, and will in my opinion, impact unfavourably on all properties in the locality. I would like to remind you of the historical aspect of alcohol related incidents in and around Junction Place. Always an area with a problem, in the worst recent period 2007-2009 for example, for a three month period from February to April 2008, there were five serious incidents [Police Nos c/08/2832, c/08/3554, wv/08/25 , wv/08/137 and wv/08/904. Resulting in criminal damage and theft, totalling thousands of pounds and considerable stress for those affected. Only a new police Inspector with zero tolerance to alcohol related crime and public order offences brought about an end to this low point in the lives of local residents and businesses . I for one do not wish to see a return those times and feel the issue of the said licence would undoubtedly cause this to happen. Yours faithfully

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