

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

When calling please ask for:  
Georgina Hall, Democratic Services officer  
**Policy and Governance**  
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Direct line: 01483 523224  
Date: 3 December 2021

### **Membership of the Licensing Sub-Committee B**

Cllr Michael Goodridge  
Cllr Anna James

Cllr Jacquie Keen

Dear Councillors

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

DATE: MONDAY, 13 DECEMBER 2021  
TIME: 10.00 AM  
PLACE: COMMITTEE ROOM 1

The Agenda for the meeting is set out below.

Please note that due to current Covid restrictions, seating in the public gallery is extremely limited. This meeting will be webcast and can be viewed on [Waverley Borough Council's YouTube channel](#) or by visiting [www.waverley.gov.uk/webcast](http://www.waverley.gov.uk/webcast).

Yours sincerely

ROBIN TAYLOR  
Head of Policy and Governance

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### **NOTE FOR MEMBERS**

Members are reminded that Contact Officers are shown in 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. **LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - 8 DOWNING STREET, FARNHAM, SURREY, GU9 7PB (Pages 5 - 42)**

**Purpose**

To consider an application for a new Premises Licence for 8 Downing Street, Farnham, Surrey. GU9 7PB, under section 17 of the Licensing Act 2003. Seven relevant representations have been received from 'other persons'.

**Recommendation**

It is recommended that the Sub-Committee considers the application and evidence of all parties involved at the hearing and then determine the application.

Members must determine the application in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Sub-Committee should take such steps (as described at paragraph 8.11 of the report) as it considers appropriate for the promotion of the licensing objectives.

3. **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  
Georgina Hall, Democratic Services officer, on 01483 523224 or by  
email at [georgina.hall@waverley.gov.uk](mailto:georgina.hall@waverley.gov.uk)**

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## Waverley Borough Council

### LICENSING SUB-COMMITTEE B

13TH DECEMBER 2021

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**Title:**

**LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE-  
8 DOWNING STREET, FARNHAM, SURREY. GU9 7PB.  
[Wards Affected: All Farnham Wards]**

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**Portfolio Holder:** Cllr Palmer, Portfolio Holder for Operational & Enforcement

**Head of Service:** Richard Homewood Head of Environmental and Regulatory Services

Key decision: No

**Access:** Public

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**1. Purpose and summary**

- 1.1 The purpose of the report is to enable the Sub-Committee to consider an application for a new Premises Licence for 8 Downing Street, Farnham, Surrey. GU9 7PB, under section 17 of the Licensing Act 2003. Seven relevant representations have been received from 'other persons'.

**2. Background**

- 2.1. An application has been received for a new premises licence from Dominique Maxwell, in respect of a 1920's art deco designed café lounge across the ground floor only.
- 2.2 In accordance with the legislation, the applicant has sent copies of the application to responsible authorities and was advertised in accordance with the requirements of the Licensing Act 2003. The expiry date for making representations was 18<sup>th</sup> November 2021.

**3. Activities sought under this licence application**

- 3.1 In brief, the applicant seeks to licence the premises for the provision of Regulated Entertainment (recorded music) and the sale or supply of alcohol as shown below. An extract of the relevant pages from the new application form is attached at Annexe 1.

- **Regulated Entertainment (Recorded Music – indoors)**

Monday to Wednesday	1100 to 0000
Thursday to Saturday	1100 to 0100
Sunday	1100 to 2330

- **Sale of Alcohol (Consumption Both on & Off the Premises)**

Monday to Wednesday	1100 to 0000
Thursday to Saturday	1100 to 0100
Sunday	1100 to 2330

**Opening hours**

Monday to Wednesday	1100 to 0000
Thursday to Saturday	1100 to 0100
Sunday	1100 to 2330

3.2 Attached at Annexe 2 is a copy of the plans of the premises.

3.3 Attached at Annexe 3 is a plan showing the area of the premises and surrounding properties

**4. Representations received**

4.1. Within the consultation period, seven valid 'relevant representations' were received.

**5. Responsible Authorities**

5.1 There have been no representation(s) received from Responsible Authorities. The applicant has engaged with the Surrey Police representative and the Environmental Health representative during the process and agreed proposed conditions, attached at Annexe 4 and Annexe 5 respectively.

## **6. Other Persons**

- 6.1 There have been seven (7) relevant representations from “other persons”. A copy of the representations is attached at Annexe 6.

## **7. Recommendation**

- It is recommended that the Sub-Committee considers the application and evidence of all parties involved at the hearing and then determine the application.
- Members must determine the application in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- The Sub-Committee should take such steps (as described at paragraph 8.11 below) as it considers appropriate for the promotion of the licensing objectives.

Once determined, the licensing authority must provide notification of the decision including its reasons to the applicant, any person who has made relevant representations and the Chief Officer of Police for the area in which the premises is situated.

## **8. Reason for the recommendation**

- 3.1 The general principle is that an application for a new Premises Licence must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

- 8.2 Relevant representations are those which:

- Are about the effect of the granting of the application on the promotion of the licensing objectives
- Are made by a Responsible Authority or other persons
- Have not been withdrawn
- Are not, in the opinion of the relevant Licensing Authority, frivolous or vexatious.

8.3 Licensing authorities are required to carry out licensing functions under the Licensing Act 2003 with a view to promoting the four licensing objectives of:-

- Prevention of crime and disorder;
- Public safety;
- Prevention of nuisance; and
- Protection of children from harm.

8.4 Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

8.5 The Licensing Sub-Committee must also consider Waverley Borough Council's Statement of Licensing Policy when deciding whether or not to grant the application. The terms of the Statement of Licensing Policy are highly persuasive, but not binding, on the Licensing Sub-Committee. The Licensing Sub-Committee may depart from the guidance contained in the Statement of Licensing Policy if it considers there are clear and convincing reasons to do so.

8.6 Where there is a conflict between the Licensing Act 2003 and the Statement of Licensing Policy, the Licensing Act 2003 must prevail.

8.7 Members are required to have regard to the Home Office Guidance issued under section 182 of the Licensing Act 2003 in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case

8.8 The guidance will be available for reference purposes at the meeting.\* Particular attention is drawn to:

- Conditions – paragraphs 1.16-1.17 and 10.1 to 10.66
- The Licensing Objectives – paragraphs 2.1–2.32
- Hearings - paragraphs 9.31 to 9.44

The guidance can be found at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705588/Revised\\_guidance\\_issued\\_under\\_section\\_182\\_of\\_the\\_Licensing\\_Act\\_2003\\_April\\_2018\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf)

8.9 When relevant representations are received then the Sub-Committee must have regard to them.



8.10 The Licensing Sub-Committee can attach a “weight” to any relevant representations, such factors that could influence the “weight” to be placed on a representation could include:

- Whether the representation can be clearly related to any one of the four licensing objectives;
- Whether the representation concerns matters over which the applicant is able to exercise control;
- Whether the representation is based on “hearsay” evidence;
- Whether the representation is supported by firm evidence;
- Whether the person making the representation has attended the hearing in person.

8.11 The Sub-Committee must consider the application on its individual merits and take into account all relevant matters, then determine the application by taking the steps it considers appropriate and necessary / proportionate to promote the licensing objectives. Having considered all relevant representations, and having taken into account the promotion of the licensing objectives, a decision can be taken:

- To grant the licence, subject to the mandatory conditions and conditions consistent with the operating schedule;
- To impose additional relevant conditions to such an extent as is considered necessary for the promotion of the licensing objectives;
- To exclude any of the licensable activities to which the application relates
- To amend the times for all or some of the licensable activities;
- To refuse to specify a person on the licence as the designated premises supervisor
- To reject the application

## **9. Conditions**

9.1 Conditions will not be necessary if they duplicate a current statutory requirement and there is no duty to impose conditions consistent with the operating schedule – rather it is a power.

Conditions must relate to the representation(s) and any conditions imposed must be proportionate, clear, achievable and enforceable. Evident is required before conditions, restrictions or refusals can be imposed following representations – speculation is not sufficient but this does not prevent conditions being attached to a new premises on the basis of the history of the premises or the applicant (Daniel Thwaites PLC v Wirral Borough Magistrates’ Court [2008] EWHC 838 Admin).

9.2 Members are also referred to the Home Office guidance on conditions, specifically section 10 (para 10.10) which states that licensing conditions should be tailored to the size, type, location and characteristics and activities

taking place at the premises. Conditions should be determined on a case-by-case basis and standardised conditions, which ignore these individual aspects, should be avoided. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions.

9.3 Licensing authorities should therefore ensure that any conditions they impose, are only those which are appropriate for the promotion of the licensing objectives.

9.4 If the Sub-Committee determines that it is necessary to modify the conditions, or to refuse the application for a Premises Licence application, it must give reasons for its decision.

## 10. **The Role of the Licensing Sub-Committee**

10.1 Members should note that the Licensing Sub-Committee is meeting on this occasion solely to perform the role of licensing authority. The Sub-Committee sits in quasi-judicial capacity and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the Licensing Law, Guidance and the Council's Statement of Licensing Policy.

10.2 As a quasi-judicial body the Licensing Sub-Committee is required to consider the application on its merits. The Sub-Committee must take into account only relevant factors and ignore irrelevant factors. The decision must be based on material evidence, which tends logically to show the existence or non-existence of relevant facts, the occurrence of which would be relevant.

10.3 The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.

10.4 The Licensing Sub-Committee is entitled to consider events outside of the premises if they are relevant, i.e., are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working, or engaged in normal activity in the area concerned.

10.5 The Sub-Committee can only consider matters within the application that have been raised through representations from Responsible Authorities (none in this case) and other persons. This will be decided on a case-to-case basis.

## **11. Relationship to the Corporate Strategy and Service Plan**

11.1 Waverley promotes and sustains a thriving local economy.

## **12. Implications of decision**

12.1 Resource (Finance, procurement, staffing, IT)

Members should be aware that Environmental and Regulatory Services does not have a direct budget provision for costs, should the applicant be successful in appealing to the Magistrates Court against a decision of the Council.

12.2 Risk management

Not applicable

12.3 Legal

An appeal against the determination of this application may be made to the Magistrates' Court within 21 days of all parties being notified of the local authority's decision. The applicant or any party making representation may make an appeal.

12.4 Equality, diversity, and inclusion

Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the licensee and those making representations when making their decision. The Sub-Committee has a duty under section 17 of the Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the Waverley area.

12.5 Climate emergency declaration

There are no matters which directly impact upon the climate emergency declaration.

## **13. Consultation and engagement**

13.1 The application has been advertised at the premises and in a local paper in accordance with the requirements of the Licensing Act 2003

14. **Other options considered**

14.1 Not applicable

15. **Governance journey**

15.1 Not applicable

**Annexes:**

Annexe 1 – An extract of the relevant pages from the new application form

Annexe 2 – A copy of the plans of the premises

Annexe 3 – A plan showing the area of the premises and surrounding properties

Annexe 4 – Agreed proposed conditions with Surrey Police

Annexe 5 – Agreed proposed conditions with Environmental Health

Annexe 6 – Copy of the representations received from 'Other Persons'

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**Background Papers**

Background papers, as defined by Section 100D(5) of the Local Government Act 1972) are

The Licensing Act 2003

Guidance under 182 Licensing Act 2003

Waverley's Statement of Licensing Policy

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**CONTACT OFFICER:**

Name: Paul Hughes

Position: Licensing & Environmental Enforcement Manager

Telephone: 0148 3523189

Email: paul.hughes@waverley.gov.uk

**Agreed and signed off by**

Legal Services: date

Head of Finance: date

Strategic Director: date

Portfolio Holder: date

wk/202106604

ANNEXE 1  
18/10/21



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 DOMINIQUE MAXWELL  
(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 <u>8 DOWNING STREET, FARNHAM, GU9 7PB</u>			
Post town	<u>FARNHAM</u>	Postcode	<u>GU9 7PB</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<u>£ 21,500</u>

Part 2 - Applicant details

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

- |  |                                     |                             |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals *                    | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *               |                                     |                             |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/>            | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/>            | 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 checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
<b>Surname</b> MAXWELL		<b>First names</b> DOMINIQUE		
<b>Date of birth</b> over		I am 18 years old or <input checked="" type="checkbox"/> Please tick yes		
<b>Nationality</b> BRITISH				
Current residential address if different from premises address				
Post town		Postcode		
<b>Daytime contact telephone number</b>				
<b>E-mail address (optional)</b>				

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

NIA

**SECOND INDIVIDUAL APPLICANT** (if applicable) NIA

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					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS** NIA

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
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
05	11	2021

18/11/2021

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)

A 1920S art deco designed café lounge, serving ANTI PASTI, CHARCUTERIE BOARDS, ARTISAN CHEESES, DELI FOODS ALONGSIDE CLASSIC AND REINVENTED DRINKS + ALCOHOL WITH APPROX 50 COVERS ACROSS ONE FLOOR ALSO AVAILABE ON OCCASION FOR PRIVATE HIRE AND FUNCTIONS

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

NIA
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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**

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	1100	0000	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) NIA		
Tue	1100	0000			
Wed	1100	0000			
Thur	1100	0100	<b>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</b> (please read guidance note 6)		
Fri	1100	0100			
Sat	1100	0100			
Sun	1100	2330			

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	DOMINIQUE MAXWELL
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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).

NIA.

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	1100	0000	NIA
Tue	1100	0000	
Wed	1100	0000	
Thur	1100	<del>0000</del> 0100	
Fri	1100	0100	
Sat	1100	0100	
Sun	1100	2300	
			<p><b>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</b> (please read guidance note 6)</p> <p>NIA</p>

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)**

THIS WILL BE OUR SECOND LICENSED PREMISES IN FARNHAM, AND WILL BE OPERATED BY A HIGHLY EXPERIENCED HOSPITALITY TEAM. WE WILL OPERATE OUR BUSINESS WITH A PURPOSE OF PROMOTING ALL LICENSING OBJECTIVES WITH STRONG MANAGEMENT TEAM, REGULAR TRAINING SO ALL AWARE OF LICENSING REQUIREMENTS PARTICULARLY 1) NO ALCOHOL TO UNDERAGE OR INTOXICATED 2) NO HARM TO CHILDREN 3) VIGILANCE TO PREVENTION OF DRUG USE.

b) **The prevention of crime and disorder**

- DISPLAY LICENSE
- NO SALE OF ~~ANY~~ ALCOHOL TO ANYONE SEEMING INTOXICATED
- CLOAK ROOM AVAILABLE TO GUESTS
- LOGGING ANY LOST + FOUND PROPERTY
- ZERO DRUGS TOLERANCE
- FORMULATION OF DISPERSAL POLICY

c) **Public safety**

- INTERNAL + EXTERNAL LIGHTING
- STAFF TRAINING INC. COSHH, FIRE, FOOD HANDLING
- TRAINING ON ID CHECKS
- ALL FIXTURES + FITTINGS IN GOOD + SAFE WORKING ORDER
- NO PROMOTIONS THAT PROMOTE BINGE OR EXCESSIVE DRINKING
- FREE AVAILABILITY OF FREE DRINKING WATER
- FIRE SAFETY, EVACUATION, SIGNAGE + NOTICES

d) **The prevention of public nuisance**

- SIGNAGE FOR PATRONS TO LEAVE QUIETLY + RESPECT NEIGHBOUR'S
- MOVEMENT OF RUBBISH TO BE KEPT TO MINIMUM AFTER 23:00
- TO KEEP AREA IN IMMEDIATE SURROUNDS OF PREMISES CLEAR + CLEAN OF LITTER.
- DELIVERIES, WHERE POSSIBLE, TO PREVENT NUISANCE + DISTURBANCE

e) **The protection of children from harm**

- FOR THOSE BUYING ALCOHOL TO HAVE VALID ID PASS HOLOGRAM, PASSPORT OR DRIVING LICENSE WITH "CHALLENGE 25 POLICY"
- STAFF TRAINED ON ID CHECKS + AGE ESTABLISHMENT

**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 or my share code issued by the Home Office online right to work checking service (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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
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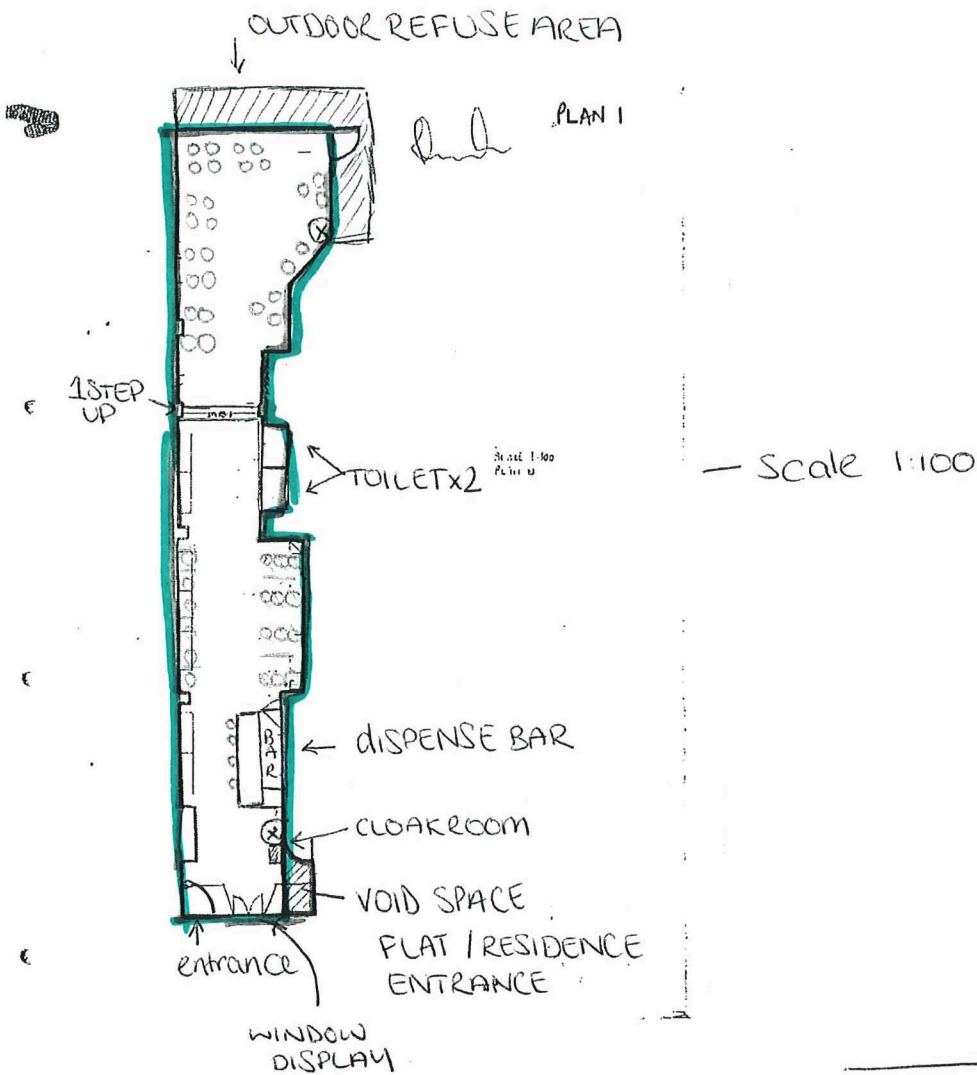
Signature	
Date	14/10/21
Capacity	DIRECTOR + DPS

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

N/A

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



o = one cover

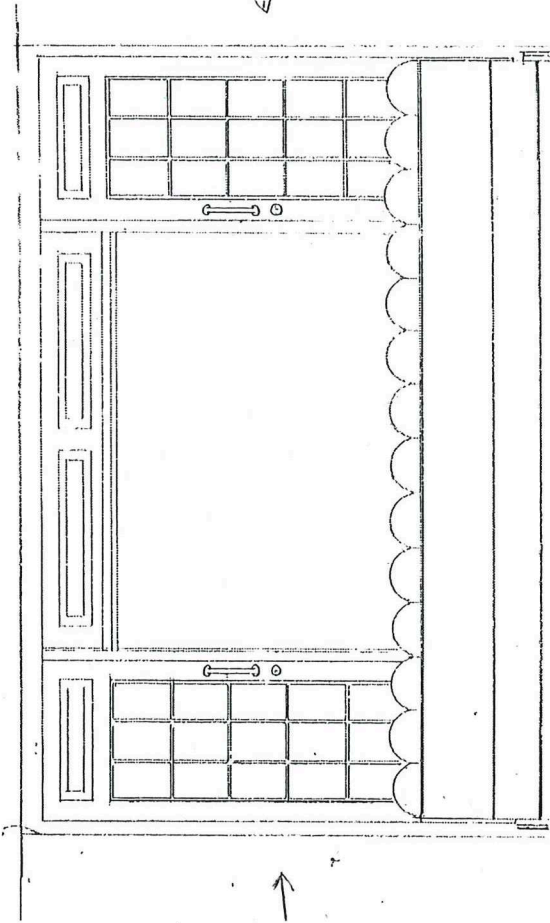
⊗ = EXTINGUISHER

LICENSABLE AREA + ACTIVITY

NO. 8 DOWNING ST. GU9 7PB
---------------------------------

~~Shopfront~~ New Shopfront

Plan 2



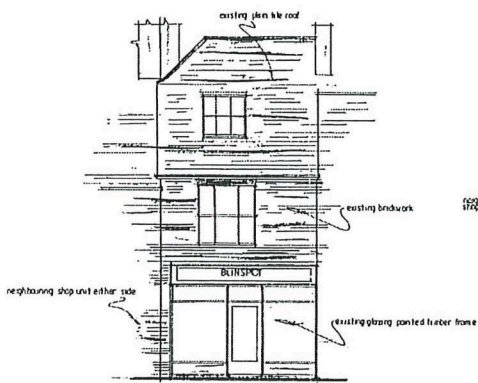
← PRIVATE RESIDENCE

ENTRANCE →

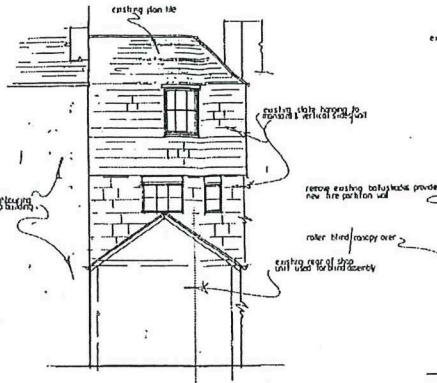


Plan 3

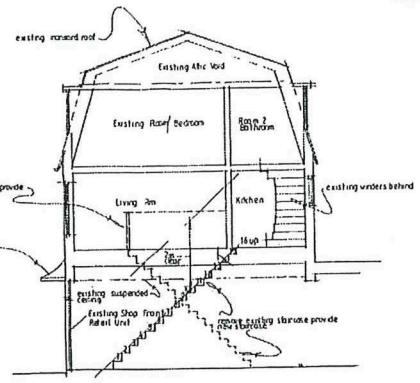
10/1389  
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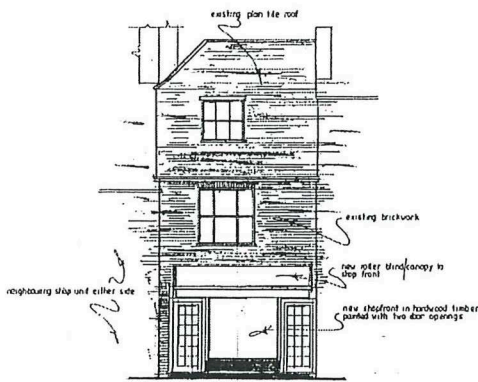
Existing Front Elevation 1:50 (facing East)



Existing Rear Elevation 1:50 (facing West)



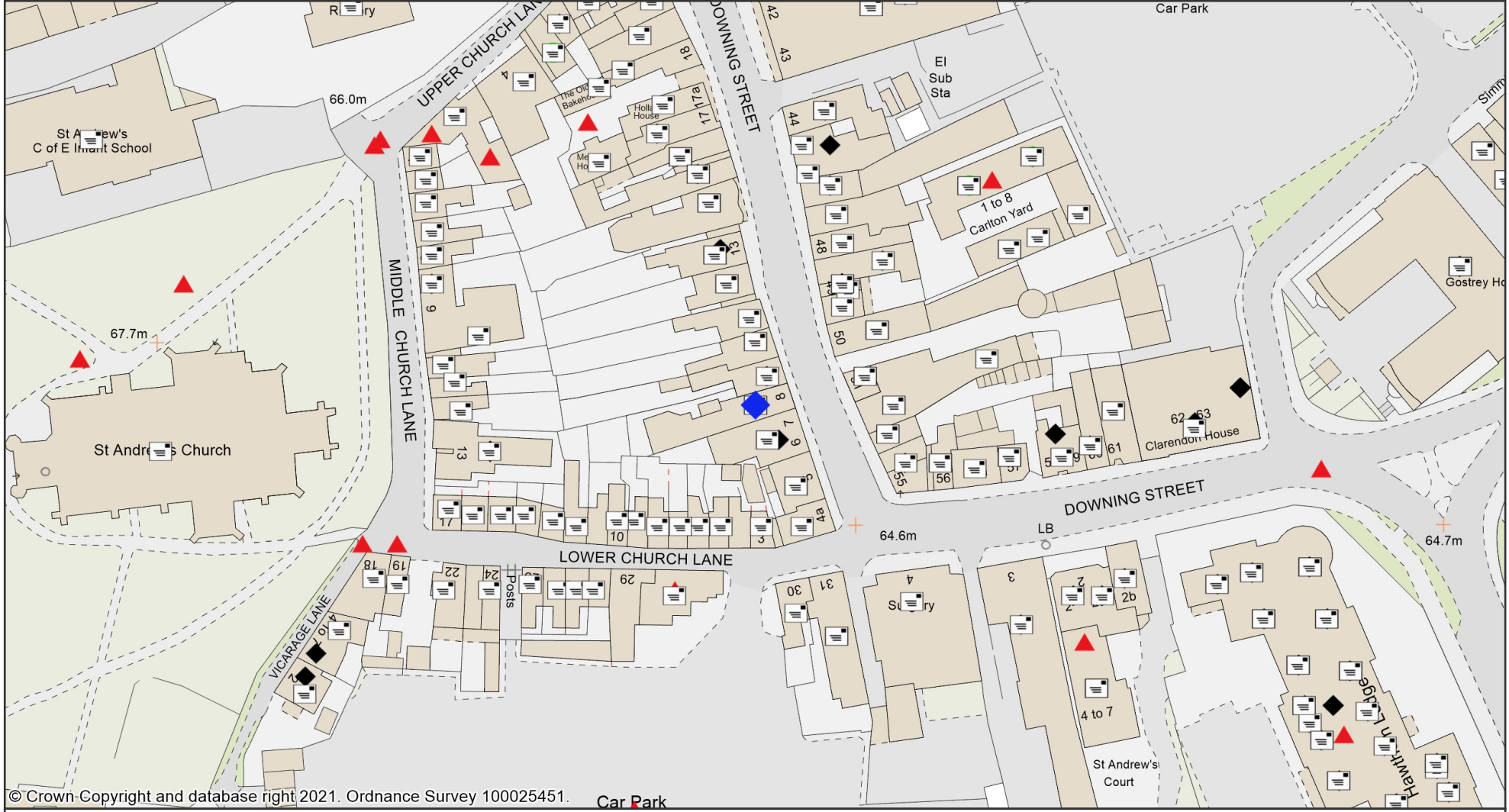
General Section Through A-A 1:50



Proposed Front Elevation 1:50 (facing East)

SITE NO 8 COLARINE ST	FRANKLIN	REV
SURVEY 50/9 1/98		
COUCHING HOLDINGS LTD	DATE	JUNE 07
PROJECT RECONSTRUCTION	SUBJECT	CLIFF
DRAWING NO	SCALE	DRAWN
FP03	1:50	K-FIELD

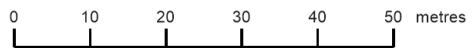
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Waverley Borough Council  
 The Bury  
 Godalming  
 Surrey  
 GU7 1HR  
 Telephone: 01483 523333  
 Fax No: 01483 426337



Printed: 25 November 2021 Scale at A4: 1:1000

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**From:**  
**Sent:** Wednesday 10 November 2021 23:09  
**To:**  
**Subject:** FW: conditions  
**Attachments:** Art Deco Cafe Lounge.doc

[\*\* This email originates from an external source \*\*]

Hi

Rab sent through the attached all agreeable!

Thanks



----- Original message -----

**From:** '  
**Date:** 10/11/2021 12:04 (GMT+00:00)  
**To:**  
**Subject:** conditions

Attached are the Police proposed conditions, if you are happy with them then please forward them to I at Waverley Council ! [!!@waverley.gov.uk](mailto:!!@waverley.gov.uk) informing her that you accept the Police conditions and you would like them to replace the conditions in your premises licence application

Regards

Rab

## ART DECO CAFÉ LOUNGE

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

The designated premises supervisor fully understands her/his role and responsibilities concerning the four licensing objectives obtained within the 2003 licensing act. A comprehensive breakdown of these objectives & how to ensure they are met are detailed below. The designated premises supervisor shall ensure that all staff who work at the premises have full knowledge of the challenge 25 rule. Challenge 25 posters will be displayed

#### The prevention of crime and disorder

- 1) Digital CCTV equipment shall be installed and maintained at the premises to record colour images that are clear enough to allow the Police to use them to investigate any crimes that are committed on the premises. A camera will be positioned to obtain images of persons entering the building by the main entrance
- 2) The CCTV system will be in operation and recording at all times while the premises are open to the public
- 3) Recordings made on the CCTV system shall be retained for a period of at least 31 days of recording.
- 4) If the Police are called to the premises to deal with an incident then the officers shall have access to view the CCTV footage on request. There must be a member of staff on duty at all times who has knowledge of how the CCTV system works. If the CCTV footage cannot be downloaded for the Police when requested then it must be available within 48 hours of the request
- 5) All staff shall receive suitable training including refresher training every 6 months in relation to challenge 25 proof of age policy which shall be applied to the premises. All training shall be recorded and then signed by the person completing the training. The DPS or a personal licence holder who is employed at the premises must also countersign the training record.

- 6) An incident book shall be kept on the premises and all incidents at the premises shall be recorded in the book. The incident book shall be checked by the DPS or a personal licence holder who works at the premises on a weekly basis and then signed and dated after the last entry
- 7) A bespoke dispersal policy shall be implemented and maintained at all times the premises is trading
- 8) A minimum of 2 notices stating that CCTV is in operation shall be displayed throughout the premises where the public have access. The notices shall be at least A4 size

#### Public Safety

- 1) The staff will not sell alcoholic beverages under any circumstances to any person who appears to be intoxicated or under the influence of drugs
- 2) . An appropriate first aid kit will be located on the premises and available for customers use.

#### Prevention of a public nuisance

- 1) Notices shall be displayed on the premises alerting people to leave the premises in a quiet and orderly manner
- 2) The management fully understands that it is their duty to prevent their premises causing any nuisance to any local residents or businesses they will monitor the external premises area in relation to any anti-social behaviour or public nuisance

#### The Protection of children from harm

- 1) All staff shall receive suitable training including refresher training in relation to challenge 25 proof of age policy which shall be applied to the premises
- 2) A Refusals book shall be kept on the premises and a record must be kept of all persons who are refused the sale of alcohol and this book shall be made available on request to the police
- 3) The premises will only accept valid forms of identification such as photo driving licence, passport and home office approved id cards displaying the national proof of age standard scheme ( PASS hologram). All customers who look under the age of 25 shall be challenged to prove their age and identity when purchasing alcohol

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**From:** .  
**Sent:** 28 October 2021 17:20  
**To:** Licensing Policy  
**Subject:** RE: Licensing Act 2003 - Application

**Switch-MessageId:** a4624ec302c644ae9a3452ee884ae79d

Dear ,

I have discussed the application with Dominique Maxwell, regarding 8 Downing Street, from an environmental health angle and would like to recommend the conditions below.

- 1.Noise from the Premises must not unreasonably disturb other people.
2. The volume of amplified music within the premises should be played at a level that is appropriate to the circumstances. Such as, the time of day and the degree of sound insulation afforded by the buildings in relation to the distance of the premises from dwellings or other noise sensitive premises.
3. Refuse, such as bottles, shall not be placed into receptacles outside the premises between 23:00 hours and 07:00 hours in order to minimise the disturbance to nearby properties.

If you require any further information, please do not hesitate to contact me.

Kind regards,

Regards,

Environmental Health Officer  
(working Wednesday and Thursday)  
*Extension*

If I am not available and you need assistance before my return, please contact our customer and technical services team on 3393 or email [environmentalhealth@waverley.gov.uk](mailto:environmentalhealth@waverley.gov.uk)

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Worksheet (Licensing) - WK/202106604

Address 8 Downing Street 8 Downing Street Farnham, Surrey, GU9 7PB.

Worksheet | Licensing | Premises | Operating Schedule | Representations | Hearing | Further Data | Schedule | Actions

Representations / Consultations

Type **NEIC** Neighbour Attend Hearing

Address [REDACTED]

Where consultation with an agency:

Date Sent	21/10/2021	Return Target	18/11/2021
Date Received	02/11/2021	Response	OBJ3

Obj - Public nuisance

Notes  
 I would like to object to this application on behalf of me and my under-18 son whose bedroom overlooks the side wall of this proposed 'nightclub'. I am assuming that it is effectively a nightclub judging by the extensive opening hours. Even after it shuts, customers will come out on to the street and chat loudly and wait for taxis, and then staff will come out and probably do the same. This will cause extensive noise. There are people living above most of the shops in Downing Street who will be disturbed. Already the many different companies start collecting rubbish from the early hours, so a late night disturbance beforehand is not welcome.

Completed  Decision

Officer  OK Cancel

Print W/P Remarks Related Addresses Linked Worksheets OK Cancel Help

## Objection 1a

My son is under 18 and I live with him in close proximity to 8 Downing Street, in fact the outside wall of the building is directly visible from his bedroom window. There have been considerable disturbances as a result of customers and staff leaving The Lost Boy pub late at night recently & 8 Downing Street is considerably closer to us. The late opening hours proposed in this application are definitely a problem. Many people live above the shops on Downing Street. There is also no safe place for taxi doors to be opened (on the street side of a taxi) and cars come round the 2 lane corner on Downing St at considerable speed late at night when the roads are empty. Indeed the front of the 8 Downing Street building was hit by a late night car only a couple of years ago! Regular taxi stops here would therefore represent an accident waiting to happen.

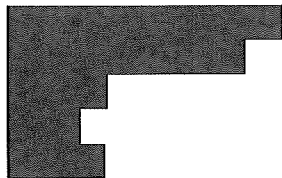
---

**From:** [REDACTED]  
**Sent:** 30 October 2021 17:09  
**To:** Licensing Policy  
**Cc:** [REDACTED]  
**Subject:** 8 DOWNING STREET, FARNHAM GU9 7PS



**[\*\* This email originates from an external source \*\*]**

We write to register our objection to the excessive licensing hours being requested in the above application. There are a significant number of residents in Downing Street, Lower, Middle and Upper Church Lane whose quiet enjoyment of their property will be compromised by the granting of this request. We are already regularly disturbed by rowdy and noisy behaviour arising from The Lost Boy and further disturbed by increased traffic movements from Waggon Yard Car Park at or shortly after closing time (12.00am) We would respectfully request that the licensing hours be reduced to no later than midnight Monday to Saturday and 11.00pm on Sundays to give the permanent residents of the area a chance of a reasonable night's sleep.



---

**From:** [REDACTED]  
**Sent:** 02 November 2021 18:33  
**To:** Licensing Policy  
**Subject:** 8 Downing Street Farnham

3

[\*\* This email originates from an external source \*\*]

Sirs,

From here in sunny Spain I have heard that the owner/tenants of the above property have applied for a Liquor Licence. I wish to strongly object to this proposal as it would be a public nuisance to have a pub so close to residential property.

Kind regards

[REDACTED] (part owner of 5 Downing Street)

---

**From:** [REDACTED]  
**Sent:** 08 November 2021 17:08  
**To:** Licensing Policy  
**Subject:** 8 Downing Street, Farnham GU9 7PS

4

[\*\* This email originates from an external source \*\*]

Dear Sirs

My wife and I retired to where we now live at [REDACTED] some 25 years ago.

My concern in writing to you is in regard to the Licensing Application notice posted on the above premises. which shows the licensing hours requested. Over the term of our occupation we have accepted the daily level of activity and noise created in what is a very busy retail area. The good aspect is that the business's along the entire street close down between 5/6 pm along with the reduced level of traffic activity.

What is under consideration with the above application is the potential to completely shatter the peace and quiet for the many local residents many of whom are elderly and in failing health.

Allowing the licensing hours requested threaten us having to suffer day and night a cacophony of music belting out halfway through the night along with rowdyism lightly to attend the serving alcohol throughout the opening hours,

We therefore wish to register our strong objection to the application on the grounds of the disturbance it would cause.

[REDACTED]

[REDACTED]

evening hours.

All other hospitality traders along Downing Street close their operations late afternoon and present no disturbance whatsoever, so the query is why would you allow this application to go ahead if as I know from our neighbours, it could cause unnecessary

---

**From:** Planning <Planning@farnham.gov.uk>  
**Sent:** 16 November 2021 06:48  
**To:** Licensing Policy  
**Cc:** Licensing Policy  
**Subject:** Objection to 8 Downing Street

5

[\*\* This email originates from an external source \*\*]

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Dear

Please see below Farnham Town Council's comments on the new premises licence application for 8 Downing Street.

Kind regards  
Jenny

**New Premises Licence**

8 Downing Street, Farnham, GU9 7PB  
Mrs D R Maxwell

An application has been received for a new premises licence. The application is for Recorded music, On sale of alcohol and Opening hours 11:00-00:00 Monday to Wednesday, 11:00-01:00 Thursday to Saturday and 11:00-23:30 Sunday.

**Farnham Town Council objects the potential for public nuisance with the late opening hours proposed in this application. The Borough, this location is more densely populated with residential dwellings both to the rear on Lower and Middle Church Lane's and above premises on Downing Street itself.**



Farnham Town Council, Council Offices, South Street, Farnham, Surrey, GU9 7RN  
Switchboard: 01252 712667 (Calls maybe recorded for monitoring or training purposes)  
Web: [www.farnham.gov.uk](http://www.farnham.gov.uk)  
Facebook: [www.facebook.com/farnhamofficial](https://www.facebook.com/farnhamofficial)  
Twitter: [www.twitter.com/farnhamofficial](https://www.twitter.com/farnhamofficial)

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**From:** Licensing Policy <Licensing.Policy@waverley.gov.uk>  
**Sent:** 22 October 2021 13:45  
**To:** All Councillors Email Group <AllCouncillorsEmailGroup@waverley.gov.uk>  
**Cc:** Planning <Planning@farnham.gov.uk>  
**Subject:** Licensing Act 2003 - Application

Dear Sir/Madam



---

**From:** [REDACTED]  
**Sent:** 16 November 2021 11:42  
**To:** Licensing Policy  
**Subject:** 8, Downing Street

6

[\*\* This email originates from an external source \*\*]

Dear Sirs,

It has just come to my notice, as I've been in hospital, that there has been an application for a drinks license plus very late opening hours at the above premises.

I strongly object to this as I live at [REDACTED] and I feel the late opening plus the drinks license will lead to a lot of noise for all the residents who live in the street.

We already have enough eateries in the street. Most of them shut at a reasonable time, even Barista Lounge which has a license has to close by ten three days a week and earlier on the others.

Thank you for your help in this matter.

Yours faithfully

[REDACTED]

[REDACTED]

7

---

**From:** George Hesse  
**Sent:** 17 November 2021 23:23  
**To:** Licensing Policy  
**Subject:** New Premises Licensing application 8 Downing Street, Farnham, GU97PB

Dear Licensing Manager,

With reference to the opening hours of the proposed new restaurant at No 8 Downing Street, due to the fact the premises is surrounded by residential properties, I believe the closing times applied for are too late and will impact on the peace and quiet of the immediate area late at night.

This would be unacceptable for people needing quiet for sleeping and particularly where there may be young children.

In addition to recorded music, there will be car doors banging as customers leave and the noise of bottles going into bins as the staff clear up after closing.

Accordingly I propose the closing time for the sale of alcohol :  
Monday to Thursday be 11.00pm  
Friday and Saturday be 00.00  
Sunday 11.00 pm

The plan indicates an outdoor refuse area at the rear of the property.

Can it please be ascertained this where bins will be kept and the premises has rear access for the emptying of the bins.

Yours sincerely,

Cllr George Hesse