

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

When calling please ask for:
Georgina Hall, Democratic Services Officer
Policy and Governance
E-mail: georgina.hall@waverley.gov.uk
Direct line: 01483 523224
Date: 12 November 2021

Membership of the Licensing Sub-Committee A

Cllr Jerome Davidson
Cllr Patricia Ellis

Cllr Anna James

Dear Councillors

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

DATE: THURSDAY, 25 NOVEMBER 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.

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**

Committee to agree a Chairman for the purposes of this meeting.

2. **DISCLOSURE OF INTERESTS**

To receive from Members declarations of personal and prejudicial interests in relation to any items included on the agenda for this meeting, in accordance with the Waverley Code of Local Government Conduct.

3. **LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - MAISON RESTAURANT, WRECCLESHAM HOUSE, WRECCLESHAM ROAD, WRECCLESHAM, FARNHAM, SURREY, GU10 4PS (Pages 5 - 40)**

Purpose and Summary

Application for a new Premises Licence for Maison Restaurant, Wrecclesham House, Wrecclesham Road, Wrecclesham, Farnham, Surrey GU10 4PS under section 17 of the Licensing Act 2003. Two 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 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.

4. LEGAL ADVICE

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

**For further information or assistance, please telephone
Georgina Hall, Democratic Services Officer, on 01483 523224 or by
email at georgina.hall@waverley.gov.uk**

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Waverley Borough Council

LICENSING SUB-COMMITTEE A

25TH NOVEMBER 2021

Title:

**LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE-
MAISON RESTAURANT, WRECCLESHAM HOUSE, WRECCLESHAM ROAD,
WRECCLESHAM, FARNHAM,
SURREY GU10 4PS.**

[Wards Affected: All Farnham Wards]

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

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 Maison Restaurant, Wrecclesham House, Wrecclesham Road, Wrecclesham, Farnham, Surrey GU10 4PS under section 17 of the Licensing Act 2003. Two relevant representations have been received from 'other persons'.

2. Background

- 2.1. An application has been received for a new premises licence from Maison Restaurant Ltd, in respect of a 15th century Grade II listed house occupying 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 01 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 (live & recorded music), Late Night Refreshment 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 (Live Music & anything similar– indoors)**

Monday to Saturday 1100 to 0000

Sunday 1100 to 2300

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

Monday to Sunday 1100 to 0030

- **Late Night Refreshment- indoors**

Monday to Sunday 2300 to 0030

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

Monday to Sunday 1100 to 0000

Opening hours

Monday to Sunday 1100 to 0000

- **Non Standard timings/Seasonal Variations**

Christmas Eve 1100 to 0100

New Year's Eve 1100 to 0100

Private/Special Events 1100 to 0100

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, two 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 two (2) 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

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 – Copy of the representations received from 'Other Persons'

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



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 LORETTA VALENTINI & BENJAMIN PIETRO
(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 MAYSEN RESTAURANT WRECCLEHAM HOUSE WRECCLEHAM ROAD	
Post town	FARNHAM
Postcode	GU14 4PS
Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 34,000

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 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 residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

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)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <i>Yar</i>			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

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	MAISON RESTAURANT
Address	WRECCLESHAM HOUSE WRECCLESHAM ROAD WRECCLESHAM FARNHAM GU10 4PS
Registered number (where applicable)	13115429
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY

Telephone number (if any)
E-mail address (optional)

OK

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
29	10	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)

FINE DINING RESTAURANT SEATING APPROX 18-20 COVERS, OPERATING A SINGLE SITTING SERVICE

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take <u>place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	11:00	00:00			
Tue	11:00	00:00	ONE OFF EVENTS. SOLO SINGERS OR TWO PIECE BANDS		
Wed	11:00	00:00			
Thur	11:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Fri	11:00	00:00			
Sat	11:00	00:00	<u>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</u> (please read guidance note 6)		
Sun	11:00	23:00			

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	00:30	Please give further details here (please read guidance note 4) MUSIC TO ACCOMPANY DINERS & CREATE AN AMBIENCE		
Tue	11:00	00:30			
Wed	11:00	00:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	11:00	00:30			
Fri	11:00	00:30	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)		
Sat	11:00	00:30			
Sun	11:00	00:30			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing COCKTAIL MASTERCLASSES COOKING MASTERCLASSES WHICH WOULD INCLUDE WINE TASTING.		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	00:00	Please give further details here (please read guidance note 4)		
Wed	11:00	00:00	SMALL PRIVATE FUNCTIONS / PARTIES OF 8-12 PEOPLE.		
Thur	11:00	00:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	11:00	00:00			
Sat	11:00	00:00	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 6)		
Sun	11:00	00:00			

Paul Hughes

From: .>
Sent: 09 November 2021 10:57
To: Paul Hughes
Cc: Licensing Policy; Kate Halsall
Subject: Re: License application at Maison Restaurant

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

RESENT

Dear Paul

>

> With regards to our conversation, just to clarify, the section for music 'anything similar', can you please make that the same as LIVE music.

>

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

>

> Rgds

>

>

> Sent from my iPhone

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) PUBLIC HOLIDAYS: CHRISTMAS EVE, NEW YEARS EVE, CHRISTMAS DAY, NEW YEARS DAY SMALL PRIVATE FUNCTIONS		
Mon	23:00	00:30			
Tue	23:00	00:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Wed	23:00	00:30			
Thur	23:00	00:30	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri	23:00	00:30			
Sat	23:00	00:30			
Sun	23:00	00:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption</u> – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) CHRISTMAS EVE 11:00 - 01:00 NEW YEARS EVE 11:00 - 01:00 PRIVATE FUNCTIONS & SPECIAL EVENTS 11:00 - 01:00 THE NEXT DAY.		
Mon	11:00	00:00			
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00			
Fri	11:00	00:00			
Sat	11:00	00:00			
Sun	11:00	00:00			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

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	LORNETTE VALENTINE
Date of birth	5-11
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	WOLING BOROUGH COUNCIL

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 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	11:00	00:00	CHRISTMAS EVE 11:00 - 01:00 CHRISTMAS DAY. NEW YEARS EVE 11:00 - 01:00 NEW YEAR DAY.
Tue	11:00	00:00	
Wed	11:00	00:00	
Thur	11:00	00:00	
Fri	11:00	00:00	
Sat	11:00	00:00	
Sun	11:00	00:00	
			<u>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)</u> AS ABOVE SMALL PRIVATE FUNCTIONS (MAX 12 FOR YEAR). 11:00 - 01:00

PLEASE SEE ADDITIONAL FORM FROM PAB CARNIE, CHIEF OFFICER OF POLICE AS APPROVED BY THE POLICE AUTHORITY.

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)

THE RESTAURANT WILL ONLY HAVE A SMALL TEAM, WHICH WILL CONSIST OF THE OWNERS, WHO BOTH HOLD PERSONAL LICENCE AND ONE OTHER MEMBER, THIS MEMBER WILL HAVE INDUSTRY EXPERIENCE AND WILL ALSO RECEIVE REGULAR TRAINING.

b) The prevention of crime and disorder

- STOP THE SALE OF ALCOHOL TO PATRONS WE BELIEVE ARE OVER THE LIMIT
- TRAINING AND SUPERVISION OF STAFF
- MONITORING AND PROVISION OF CCTV
- EFFECTIVE & RESPONSIBLE MANAGEMENT OF PREMISES
- ADOPTION OF BEST PRACTISE GUIDANCE

c) Public safety

AS ABOVE
PROVISION OF FREE DRINKING WATER.
PROVISION & MONITORING OF CCTV WHICH WILL BE INSIDE & OUTSIDE OF THE PREMISES.

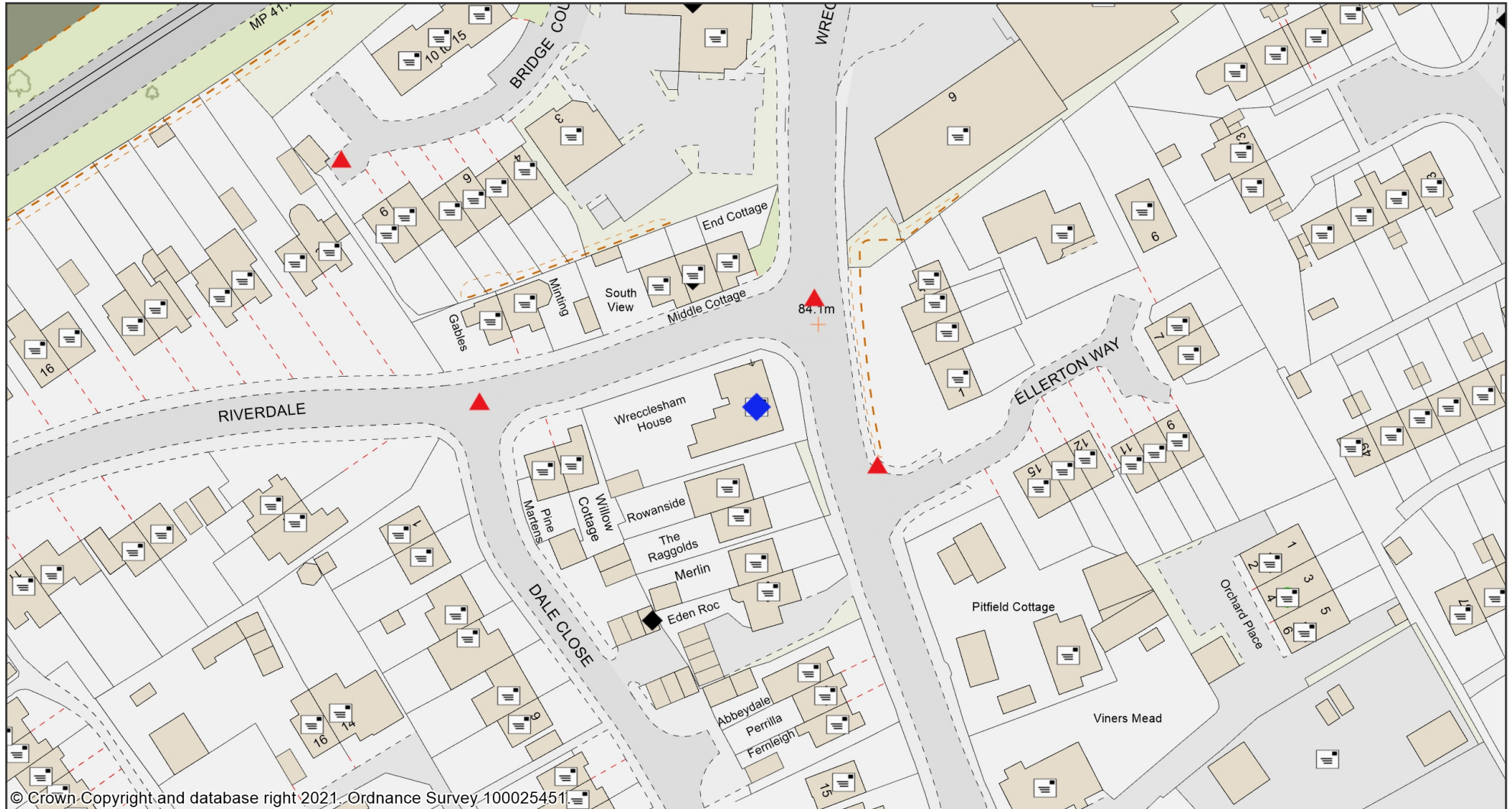
d) The prevention of public nuisance

AS ABOVE
PROMOTE ON OUR WEBSITE & BEER DRINKING SYSTEM THAT WE ARE IN A RESIDENTIAL AREA AND TO RESPECT THE NEIGHBOURS WHEN LEAVING

e) The protection of children from harm

- CHECK ID OF YOUNG DINERS
- DISPLAY SIGNAGE TO NOTIFY DINERS & PUBLIC THAT THE PREMISES OPERATES A PROOF OF AGE SCHEME
- USE OUR CCTV TO MONITOR THE OUTSIDE OF THE PREMISES! ALTHOUGH IT WILL BE RARE THAT ALCOHOL WILL BE PERMITTED TO LEAVE THE PREMISES. (ONLY UNWASHED BOTTLES OF WINE) WHICH WILL BE SEATED
- KEEP A REFUSALS REGISTER THAT ALL STAFF WILL BE TRAINED TO USE
- NO STAFF UNDER THE AGE OF 18 YRS TO SERVE ALCOHOL UNSUPERVISED
- ALL STAFF TO CHECK WITH SUPERVISOR BEFORE SALE OF ANY ALCOHOL TO ANY PERSONS WHO THEY DEEM TO BE UNDERAGE. (17+)

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



Printed: 09 November 2021 Scale at A4: 1:1000

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Annexe 4

From: Maison Restaurant
Sent: 04 October 2021 16:55
To:
Subject: Fwd: Wrecclesham House
Attachments: Wrecclesham House.docx

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

Dear '

Please accept this email as confirmation that I accept the Police conditions attached as outlined by Rab Carnie.

Rgds
Lornette

----- Forwarded message -----

From: l
Date: Thu, 30 Sept 2021 at 21:35
Subject: Fwd: Wrecclesham House
To: [k](#)>

Begin forwarded message:

From: "Carnie, Rab 11701"
Subject: Wrecclesham House
Date: 29 September 2021 12:13:46 GMT+01:00
To:
Cc:

Please find the Police proposed conditions attached. If you have any issues with them then please call me and we can discuss them.

If you are happy with the conditions then please email them to Kate Halsall at Waverley licensing informing her that you accept the Police conditions to replace the conditions in your application
I will call you next week regarding visiting the premises

Regards
Rab Carnie
Police Licensing Enforcement Officer
Surrey Police

Wrecclsham House

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

The manager/DPS fully understands his/her 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 manger/DPS of the premises shall ensure that all staff who work behind the bar have full knowledge of the challenge 25 rule. Challenge 25 posters will be displayed

PREVENTION OF CRIME AND DISORDER

1. Any person who shows signs of intoxication will be refused entry to the licensed premises.
- 2) Appropriate digital CCTV equipment and a sufficient number of cameras 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. The areas covered by the cameras will be all areas that the public have access and this will include the outside area
A camera will be positioned to obtain images of persons entering the building by the main entrance
- 3) No persons other than the Police, the licensing authority, the premise licensing holder or the managers/DPS shall have access to the CCTV recording equipment or the recordings made from such equipment. The CCTV system will be in operation and recording whenever the premises are open to the public.
- 4) Recordings made on the CCTV system shall be retained for a period of at least 31 days of recording
- 5) 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
- 6) There shall be a member of staff on duty at all times when the premises is open to the public who is able to operate the CCTV system. If an incident occurs at the premises then the footage on the CCTV system shall be made available to view by Police officers on request. If a copy is requested then it must be available within 48 hours of the request.
- 7) An incident book shall be kept on the premises and all incidents no matter how minor will be recorded

PUBLIC SAFETY

1 The management shall have a "Challenge 25" policy and bar staff are instructed not to serve anyone who fails to prove that they have reached 18 years of age.

PREVENTION OF PUBLIC NUISANCE

1. The management will control the escape of noise from the licensed premises by ensuring that the windows and doors are kept shut during any live indoor music events after 23:00 hours
- 2 Entry to the licensed premises will not be permitted to anyone who appears intoxicated.
- 3 The management fully understands that it is their duty to prevent their business 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

PROTECTION OF CHILDREN FROM HARM

1. Only children accompanied by an adult will be allowed into the licensed premises the children will be supervised by an adult at all times
2. The management shall adopted the “Challenge 25” policy. Any person who appears to look under the age of 25 years shall be challenged and asked for identification to prove that they are over the age of 18 in accordance with the ‘Challenge 25’ policy.
- 3 The ‘Challenge 25’ policy shall be brought to the attention of customers at the point of sale by the display of notices
- 4 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.
- 5 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 or authorised person
- 6 All staff who serve alcohol shall receive suitable training including refresher training in relation to challenge 25 proof of age policy which shall be applied to the premises. This training shall be carried out every 6 months and a written record of the training shall be kept. Every person who completes the training shall sign and date the written record and this record shall be countersigned by the designated premises supervisor or by a person who holds a personal licence who works at the premises

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From:
Sent: Thursday 14 October 2021 13:10
To:
Cc:
Subject: Re: Premises licence application

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

Thank you for your call earlier and email. As discussed, I agree with and can confirm I am happy with all the attached conditions that have been put in place.

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

Rgds

Sent from my iPhone

On 14 Oct 2021, at 11:55, , wrote:

Dear Lornette,

Re: Maison Restaurant, Wrecclesham House, Wrecclesham Road, Wrecclesham, Farnham, Surrey, GU10 4PS

I am emailing you further to our conversation this morning. As discussed, to mitigate concerns surrounding possible disturbance to neighbouring residents from music from the restaurant I would like to agree the following conditions.

- 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. No amplified music or speech shall be relayed via external loudspeakers.
4. The licensee or other nominated representative should monitor noise levels outside nearby dwellings during entertainment involving amplified music or speech. If, as a result of this monitoring, it is considered that the noise levels are excessive, immediate action should be taken to cause the volume of the entertainment to be reduced to suitable levels. The licensee's attention is drawn in particular to the effect of the low frequency bass notes which readily pass through doors and windows and

are most often the principal reason for people complaining of entertainment noise. After 23:00 hours the licensee should aim to ensure that noise from entrainment is not audible outside any dwelling in the vicinity. A record of these checks and of any action taken as a result shall be maintained in a log book or diary. The log book or diary shall be made available for inspection by an authorised officer of the licensing authority on request.

5. 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.

6. If the Council receives justified complaints about noise that cannot otherwise be resolved a noise limiting device(s) must be installed at the premise and maintained in such a manner as to control all sources of amplified music and speech at the premises. The device must be:

- Used at all times during the entertainment;
- Set at a level agreed in writing with the Council; and
- Sealed in a manner, which is tamper proof

Please consider these conditions carefully and if you are happy to agree to them please let me know as soon as possible and I will then contact licensing. If you wish to discuss them further, please do not hesitate to contact me.

Kind regards,

Regards,

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

If I am not available and you need assistance before my return, please contact our customer and technical services team on 01483 523393 or email environmentalhealth@waverley.gov.uk

For free information and support for local businesses, including the latest Covid and Brexit guidance please visit www.businesswaverley.co.uk

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Please visit our website at <http://www.waverley.gov.uk>

35 Maison Restaurant Wrecclesham House, Wrecclesham Road, Wrecclesham, Farnham, Surrey, GU10 4PS.

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

Representations / Consultations

ANNEX 3
NEIG ▾ Neighbour Attend Hearing

press

more consultation with an agency:

1 Sent 04/10/2021 ... Return Target 01/11/2021 ...

1 Received 09/10/2021 ... Response [OBJ3 ▾] Obj - Public nuisance

I wish to object to closing hours, I think that 23.00h is late enough, due to the close proximity of the neighbouring houses. We have to endure high levels of noise pollution from traffic and pedestrians from early morning till late at night, so any additional noise which will be created by people and cars arriving and departing at the proposed closing times would be most objectionable, and interfere with local residents sleeping requirements.

Completed ... Decision ▾

OK Cancel

WMP Remarks Related Addresses Linked Worksheets OK Cancel

From: Planning <Planning@farnham.gov.uk>
Sent: 03 November 2021 09:45
To: Licensing Policy
Subject: RE: Licensing Act 2003 - Application



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

Dear

Thank you for following up on Farnham Town Council's comments on the licensing application for Maison Restaurant.

The concerns raised are the late night refreshments until 00.30, 7 days a week, as stated and the potential for this to cause public nuisance – patrons leaving the premises, vehicle movements from the car park directly opposite cottages, etc. The closest establishment, the Bengal Lounge, is until 23.30 and not within such close proximity to residential properties.

Although the restaurant will make a positive contribution to Wrecclesham, its location is very residential. The objection is to the hours of 00.30, 7 days a week. Is this something that can be raised with the applicant?

Have you received any other objections as local residents have been in touch with a ward councillor?

Kind regards
Jenny



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
Facebook: www.facebook.com/farnhamofficial
Twitter: www.twitter.com/farnhamofficial

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From: Licensing Policy <Licensing.Policy@waverley.gov.uk>
Sent: 02 November 2021 15:30
To: Planning <Planning@farnham.gov.uk>
Subject: RE: Licensing Act 2003 - Application

Good afternoon

Please could you let us know if you are objecting to this application and on what grounds if you are. Many thanks.

Regards

Licensing Administrator, Environmental and Regulatory Services

Waverley Borough Council, The Burys, Godalming, Surrey, GU7 1HR
01483 523219 (ext 3219)
www.waverley.gov.uk/licensing

www.businesswaverley.co.uk

From: Planning <Planning@farnham.gov.uk>
Sent: 29 October 2021 09:13
To: Licensing Policy <Licensing.Policy@waverley.gov.uk>
Subject: RE: Licensing Act 2003 - Application

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

Dear I

Please see below Farnham Town Council's comments on the application for a new premises licence for Maison Restaurant.

Kind regards
Jenny

New
Maison Restaurant, Wrecclesham House, Wrecclesham Road, Wrecclesham, Farnham, GU10 4PS
Maison Restaurant Ltd

An application has been received for a new premises licence. The application is for Live music 11:00-00:00 Monday to Saturday and 11:00-23:00 Sunday; Recorded music 11:00-00:30 Monday to Sunday; Late night refreshment 23:00-00:30 Monday to Sunday (Public holidays, Christmas Eve, New Year's Eve, Christmas Day, New Year's day and small private functions until 01:00); On and off sales of alcohol 11:00-00:00 Monday to Sunday (Christmas Eve, New Year's Eve, private functions and special events 11:00- 01:00); and Opening hours 11:00-00:30 Monday to Sunday (Christmas Eve and New Year's Eve 11:00-01:00. Private functions and special events (maximum of 12 per year) 11:00-01:00).

Farnham Town Council notes that the opening hours and light night refreshments are requested until 00.30, 7 days a week, and asks that this be reviewed. This is a residential area with no other facilities in the area operating until 00.30. The premises has previously been an office with daytime use only.

Patrons must use the car park to the rear of the premises and must not park on the residential road of Riverdale. This road has issues with excessive on-street parking and is particularly congested in the evening.



Farnham Town Council, Council Offices, South Street, Farnham, Surrey, GU9 7RN
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