

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

When calling please ask for:
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E-mail: georgina.hall@waverley.gov.uk
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Calls may be recorded for training or monitoring
Date: Date Not Specified

Membership of the Licensing Sub-Committee C

Cllr Robert Knowles
Cllr Ruth Reed

Cllr Martin D'Arcy

Dear Councillors

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

DATE: MONDAY, 28 FEBRUARY 2022
TIME: 10.00 AM
PLACE: COUNCIL CHAMBER

The Agenda for the meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

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NOTE FOR MEMBERS

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

AGENDA

1. **ELECTION OF CHAIRMAN**

To elect a Chairman for the purposes of the meeting.

2. **LICENSING ACT 2003 - APPLICATION FOR A STREET TRADING LICENCE- MILFORD & WITLEY LTD, CHURCH ROAD, MILFORD, GODALMING, GU8 5JA** (Pages 5 - 20)

Purpose

To determine an application for a license to trade in a designated consent street.

Recommendation

That the Licensing Committee reviews consultation feedback and determines the application of Milford & Witley Ltd for a consent to trade at Church Road, Milford, GU8 5JA.

3. **LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - HILLTOP KITCHEN, COMBE FARM BUILDINGS, ALLDENS LANE, GODALMING, SURREY, GU8 4AP** (Pages 21 - 68)

Purpose

The purpose of the report is to enable the Sub-Committee to consider an application for a new Premises Licence for Hilltop Kitchen, Combe Farm Buildings, Alldens Lane, Godalming, Surrey, GU8 4AP under section 17 of the Licensing Act 2003. Fifteen relevant representations have been received from 'other persons', 2 in support and 13 in opposition.

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

**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 COMMITTEE

28TH FEBRUARY 2022

Title:

Application for Street Trading Consent – MILFORD & WITLEY LTD, Church Road, Milford, Godalming, GU8 5JA.

Portfolio Holder: Cllr. Andy MacLeod Portfolio Holder for Operational and Enforcement Services

Head of Service: Richard Homewood, Head of Environmental & Regulatory Services

Key decision: No

Access: Public

1. Purpose and summary

1.1 To determine an application for a licence to trade in a designated consent street.

2. Recommendation

2.1 The Licensing Committee reviews consultation feedback and determines the application of Milford and Witley Ltd for a consent to trade at Church Road, Milford, GU8 5JA.

3. Reason for the recommendation

3.1 Under the Local Government Miscellaneous Provisions Act 1982, a street trading consent is required by any person wishing to sell goods on streets designated as a 'consent street'. On the 29th November 2021 Milford and Witley Ltd applied for street trading consent to trade in Church Street, Milford. Following consultation there has been an objection to the application. Licensing Committee is required to determine the application in line with the Council's Street Trading Policy 2021.

4. Background

4.1 The Act governing street trading within the Waverley area is the Local Government (Miscellaneous Provisions) Act 1982, Schedule 4. Further detail on the legislation is provided in Annexe A. Streets can be designated prohibited streets or consent streets.

A 'Prohibited' street means a street in which street trading is prohibited

A 'Consent' street means a street in which street trading is prohibited unless the Council has given consent. This means that anyone who wishes to trade on a consent street (which includes a road, footway or other area to which the public have access without payment) must hold a street trading consent.

- 4.2 The current [Street Trading Policy](#) came into force on 5 April 2021, along with the Council's resolution to make all streets in Waverley consent streets other than designated [prohibited streets](#). There are some circumstances in which street trading consent will not be required, as detailed in the Policy and on the Council's website, [Will I need street trading consent – Frequently asked Questions](#).
- 4.3 The aim of the Policy is to prevent obstruction of streets, ensure public safety, recognise the importance of the local economy and community events, and prevent nuisance or annoyance to people within the area.
- 4.4 The Policy requires local stakeholders and the public to be consulted on an application, with a normal 28 day consultation period.
- 4.5 Paragraph 2.3 and 2.5 of the Policy details that in considering any application for the grant or renewal of a street trading consent the following issues will be taken into account before determination:

Public order

Whether the street trading activity or activities represent, or are likely to represent, a substantial risk to public order

Public nuisance

Whether the street trading activity or activities represent, or are likely to represent, a substantial risk of nuisance to the public from noise or misbehaviour. Particular regard to this will be had in respect of consents in predominantly residential areas and due regard will be had to the character of the neighbourhood.

Public safety

Whether the location of the street trading activity or activities represent, or are likely to represent, a substantial risk to the public from the point of view of obstruction, fire hazards, unhygienic conditions, danger that may occur when a trader is accessing the site, and overcrowding of the site/area. Overcrowding includes the capacity of the street trading area having regard to the potential maximum attendance on the site by the public, and the consequent risk of over congestion impacting adjacent roads to the site.

Needs of the area

The sufficiency of other trading outlets to serve the needs of an area will always be considered. A new consent is unlikely to be granted where it is considered that adequate like provision already exists. For special events falling under Schedule 2 of this policy (Community and similar events) the needs test may be exempted where appropriate.

- 4.6 Officers determine applications for street trading consent where there has been no relevant objections. If any relevant objections arise applications are referred to the Licensing Committee for determination as detailed in paragraph 2.1 of the Policy. A relevant objection is one made by a person, business or body that is likely to be directly affected by a successful application. In addition, the objection must not be vexatious or frivolous and should concern itself only with matters likely to be affected by a successful application. Note the Council is under no duty to grant consent to trade on a street that has been designated as a Consent Street. There is no right of appeal against the refusal of consent, or the application of conditions attached to a Consent, contained in the 1982 Act.
- 4.7 Street trading consents are normally issued for a set date or dates, or a period of one year, for specific locations and times when street trading can take place. All consents issued carry the Standard Consent Conditions detailed in the Street Trading Policy in order to promote public safety and avoid obstructions, nuisance and annoyance etc., and are shown in Annexe B. Other conditions may be attached to a Consent and will be relevant to the category of Consent issued and the nature of the local environment. The pool of typical conditions that can be added is detailed in the Street Trading Policy and are shown in Annexe C. A Consent may also attract conditions in addition to or instead of those found in the pool of conditions according to their individual merits.
- 4.8 On the 29th November 2021 Milford and Witley Ltd applied for street trading consent to trade at Church Road, Milford on the following days/times (application included as Annexe D);
- Monday to Sunday, 5pm-11pm
- They wish to sell burgers, kebabs, chips etc. A location map of the proposed site is attached as Annexe E.
- 4.9 When an application for a street trading consent is received, the following stakeholders are consulted: the police, the fire authority, the highways authority, local ward councillors, local Chambers of Commerce, local Town/Parish Council, Portfolio Holder for Operational and Enforcement Services, and the Licensing Committee Chairman and Vice Chairman. They were emailed on the 3rd December 2021, along with The Head of Environmental and Regulatory Services, Environmental Health Manager (Environmental Protection) and Environmental Health Manager (Food and Safety) about the application. Additionally:
- A notice advising on the application was placed on a lamp post by the proposed trading location, advising people to contact Environmental Health if they had any concerns about the application.
 - The public were also notified of the application via the Council's social media platforms.

The deadline for consultation responses was the 3rd January 2022, 31 days after the start of the consultation period.

- 4.10 In response to the consultation, one objection from Surrey Police was received and one response in support from the Parish Council. No other responses were

received. Please see Annexe F for a copy of the responses (redacted as appropriate).

- 4.11 The representation from Surrey Police is on public order grounds. This representation raises concerns about Anti Social Behaviour (ASB) in the nearby Jubilee Fields recreation ground, which is adjacent to the trading location. The police have been called to the area about loud noise, music, under age drinking, drug use, criminal damage and assault. The Police consider that the presence of the food trader may be attracting people to the area and nearby park where ASB is occurring. The police also note litter in the park.
- 4.12 The representation in support of the application from Witley Parish Council notes that they have not received any complaints about the business.
- 4.13 The proposed trading location has been used by the applicant for some time, since approximately 2019. Prior to trading at the Church Road location the business traded in Milford Heath Road and the business has been registered with Waverley Borough Council as a food business since April 2014. During this time the following complaints/concerns have been raised with the Environmental Health department of Waverley Borough Council;

Date	Complaint/concern	Outcome
16 th November 2021	Concern raised with WBC by Police about the food van attracting ASB to the area	Advice given about Street trading policy and business given advice on how to apply for consent.
24 th December 2019	Concern about chewing gum around and in the vicinity of the kebab van	Visits conducted to the area and no direct link to the kebab van seen. Operator spoken to also.
17 th April 2014	Concern raised about a new burger/kebab van trading opposite the pavilion in Milford Heath Road and is not licensed to trade here	Advice given that this area did not fall under the street trading requirements in place at this time.

- 4.14 In addition to a street trading consent mobile food businesses are required to have a minimum FSA Food Hygiene Rating Score of level 3 or above. Operation of a stall between the hours of 23:00 and 05:00 hours to sell hot food and drink also requires a Premises licence under the Licensing Act 2003 ('late night refreshment'). The trader is not seeking to trade past 11pm. The food business has received a 5 food hygiene rating score from Waverley Borough Council, awarded on 17th November 2021.
- 4.15 The Licensing Committee needs to consider feedback from the consultation and determine the application having regard to the matters that can be considered for

the grant or renewal of a street trading consent as detailed in paragraph 4.5 above. There are three options for consideration:

Option 1 – Grant a street trading consent as applied for

Option 2 – Grant a street trading consent but with conditions relating to hours or trading or goods allowed to be sold etc.

Option 3 – Refuse the application for a street trading consent.

5. Relationship to the Corporate Strategy and Service Plan

5.1 Effective control of street trading will contribute to the strategic priorities of supporting a strong local economy and improving the health and wellbeing of our residents and communities.

6. Implications of decision

6.1 Resource (Finance, procurement, staffing, IT)

If any consent is refused, under our policy, a full refund of the application fee for each refused location would need to be issued, this is currently £365 per location.

6.2 Risk management

The Street Trading consent area allows street traders with a consent, to trade, supplying goods and/or food on a regulated site approved by the Committee. This offers safeguards to the public who can recognise legitimate traders. It should help prevent the sale of illegal or unsafe goods or food. It also helps to prevent illegal obstruction of the highway. If street trading is not regulated it is likely to give rise to complaints about the adverse impact of street trading in some locations, potentially placing additional demands on the service.

6.3 Legal

6.3.1 Details of the process and legal procedures are set out within the body of the report in line with arrangements under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

6.3.2 The Committee may grant an application (in part or full), apply any reasonable conditions, time restrictions, restrictions on the type of goods sold etc. The Council may also refuse the application.

6.3.3 The grounds for refusal are considered in Paragraph 7 of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

6.4 Equality, diversity and inclusion

There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary across the Council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

6.5 Climate emergency declaration

Where consents are granted conditions can be added to a consent to prevent an impact on noise, odour and air pollution. Effective control of street trading activities will assist in mitigating their impact on the local environment and the community.

7. Consultation and engagement

7.1 Consultation undertaken is detailed within the body of the report.

8. Other options considered

8.1 Not applicable

9. Governance journey

9.1 Licensing Committee

Annexes:

Annexe A – Street Trading Legislation
Annexe B – Standard Consent Conditions
Annexe C - Pool of Conditions
Annexe D – Application by Milford and Witley Ltd
Annexe E – Location map of proposed site
Annexe F – Consultation Responses

Background Papers

Street Trading Policy 2021

CONTACT OFFICER:

Name: Richard Homewood / Jeanette Guy
Position: Head of Environmental and Regulatory Services / Environmental Health
Manager (Environmental Protection)
Telephone: 01483 523411 / 01483 523005
Email: richard.homewood@waverley.gov.uk / jeanette.guy@waverley.gov.uk

Agreed and signed off by:
Legal Services: 21/01/2022
Head of Finance: date
Strategic Director: date
Portfolio Holder: date

Street Trading Legislation

The Act governing street trading within the Waverley area is the Local Government (Miscellaneous Provisions) Act 1982 (LG(MP)A 1982)

Street trading is defined as 'Selling or exposing or offering for sale of any articles (including a living thing) in a street' – para 1(1) of Schedule 4 of the Act. Street has an extended definition to include any road footway beach or other area to which the public have access without payment and a service area.

Certain activities are specifically excluded from the definition of street trading – by virtue of para 1(2) of Schedule 4, some of which are:

- Trading by a pedlar under a pedlar's certificate
- Trading by some news vendors
- Trading on a street adjoining a shop and as part of the business of the shop
- Trading at a petrol filling station

Paragraph 2 of Schedule 4 LG (MP)A 1982 states that a district council may by resolution designate any street in their district as—

- (a) a prohibited street; which means a street in which street trading is prohibited.
- (b) a licence street; which means a street in which street trading is prohibited without a licence granted by the district council.
- (c) a consent street; means a street in which street trading is prohibited without the consent of the district council.

Standard Consent Conditions

(to be used on all Consents issued)

1. 'Consent Street' means a street in which street trading is prohibited without a Consent from Waverley Borough Council
2. 'Prohibited Street' means a street in which street trading is prohibited at all times
3. 'Street' includes any road, footway, lay-by or other open area to which the public have access without payment
4. 'Street Trading' means (generally) the selling, or exposing or offering for sale, any article in a street
5. The trader shall not cause any obstruction of the street or any danger to any persons or vehicles using the street
6. The trader shall not cause any nuisance or annoyance to any other person, whether that person is using the street or otherwise, or to the occupier of any building in proximity to the consent site
7. Mobile food traders shall have a minimum FSA Food Hygiene Rating Score of level 3 or above.
8. The council may at any time vary the conditions of a street trading consent or revoke the consent at any time
9. Public liability insurance providing cover to a minimum amount of 5 million pounds must be in place for the consent site and a certificate of this must be produced on request of an officer of Waverley Borough Council. The person applying for street trading consent is responsible for providing this insurance, and applies to individual applicants (Schedule 1 event), or the organiser (Schedule 2 event).
10. An individual trader shall conspicuously display the council issued Consent at all times whilst trading; for special events, the Consent will be displayed in at least two conspicuous places – typically these shall be attached to the first and last stalls
11. The Consent holder must provide facilities for use by him/herself and customers to collect any waste, refuse or litter. The refuse storage must be of a substantial construction, waterproof and animal-proof. All must be removed from the trading location at the end of each day's trading and properly disposed of, or if the amount of waste and refuse warrants it, when the container is full – whichever is the sooner.
12. The Consent holder shall ensure that all adjacent areas (except the carriageway if open for vehicular use) to a distance of 10 metres be kept free of litter and refuse at all times whilst on site.

13. Authorised vehicles must be roadworthy, have current relevant documentation and internal and external appearance of vehicles &/or stalls shall be maintained in a clean, neat and tidy condition.
14. Any stall or vehicle used for street trading must be immediately removable at all times in the event of an emergency, or at any other time, be removed at the request of any officers of the emergency services or officer of the Council.
15. The name and address of the operator and other address at which the stall or authorised vehicle is normally kept or garaged must be conspicuously and legibly displayed upon it in a place where the public may readily view it.
16. No stall or vehicle shall remain situated for longer than one hour after the authorised trading time(s).
17. No Consent holder shall trade at his / her authorised location on dates when road closure directives are in place for special events otherwise than with the permission of the organisation applying for same.
18. The Consent is non-transferable.
19. Where a structure or vehicle is not removed at the end of trading, no additional permanent or semi-permanent additions or paving shall be erected or constructed adjacent to the structure or vehicle.
20. Failure to comply with any conditions attached to the Consent may result in the revocation of such consent.

INFORMATIVE

21. Informative- The Consent holder is encouraged to use sustainable packaging and adopt an environmental friendly approach throughout the operation of the business to minimise the impact on the environment.

Pool of Conditions

Conditions applicable to special Events / Markets, etc.

The Consent holder shall keep records of each stallholder present, to include the stall's site, name (and company name), address, vehicle registration and contact telephone number. This must be produced on the request of an officer from the Council

Other Conditions

There shall be no available means of attracting attention for the purposes of trading or any stands or signs away from the consent site

The consent holder must not permit the sale of offensive weapons including imitation firearms, firearms, airguns, swords and crossbows

The consent holder must not sell a knife to anyone under 18.

The Consent does not imply or give any other permission, consent, licence or authorisation to trade in any other products other than those granted on application or renewal

The trader shall not exhibit on the site any advertising signs, posters or such like except as may be approved by the Council

No animal shall be present on any stall or vehicle save assistance dogs in accordance with the Equality Act 2010

The trader is not permitted to hold any auction or like sale

The trader shall reimburse the Council's costs in repairing all damaged caused by the trader's occupation and use of the consent site

There shall be no discharge of wastewater or other liquid waste onto the consent site or surrounding areas

No form of amplified music shall be permitted

Application by Milford & Witley Ltd



If you find the text in this form difficult to read we can supply it in a format better suited to your needs

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

APPLICATION FOR STREET TRADING CONSENT

To: Head of Environmental Health and Community Safety, Waverley Borough Council,
The Burys, Godalming, Surrey, GU7 1HR

I hereby make application under the provisions of section 3 and schedule 4 of the above Act for consent to sell or offer or expose for sale the articles stated below, in the open air within the area of Waverley Borough Council.

This application is for (please tick)	New Application	<input checked="" type="checkbox"/>	Renewal	<input type="checkbox"/>
if a renewal application please provide the number on the current consent				
The type of consent being applied for (please tick)	Sole Trader	<input checked="" type="checkbox"/>	Special/Community Events	<input type="checkbox"/>
if special/community events please state the number of stalls/traders to be present				

I submit the following particulars for consideration:

1.	Applicant Full name	MERHET ALIF DENGIZ	Date of Birth	
2.	Trading as	MILFORD AND WITLEY LTD		
3.	Home Address (inc. postcode) (for sole traders)			
4.	Address of organiser (if a community/ special event)			
5.	Daytime telephone number			
6.	E-mail			
7.	Address where articles are stored (if applicable)	SAME ADDRESS		
8.	Proposed trading location/address*	CHURCH ROAD MILFORD		

* For special community event applications please provide the details of all of the traders separately as part of your application.		
9.	Type of vehicle(s) to be used. If a sole trader please also give accurate dimensions of each vehicle (in metres)	BURGER AND KEBAB VAN 6.40 X 2.20
10.	Registration no. or identification mark	PY19 GJV
11.	Full details of articles to be sold. Also include size of any receptacles to be used, e.g. baskets, kiosk, tables, etc.	BURGERS, KEBABS, CHIPS, ETC
12.	Proposed times of trading (please include frequency, times of day, days per week, months of the year)	MONDAY to SUNDAY 17:00 Hours to 23:00 Hours
13.	Insurance Company and Policy No.	
14.	If a food business please provide the name of the local authority you are registered with	WAVELEY BOROUGH COUNCIL

Location Map of Proposed Site



Consultation Responses

Response 1- Received 4th December 2021

Respondent: Surrey Police

Response Type: Objection

Received via: email

Hi

I have tried to submit an objection to the above application but the website isn't working.

Local officers have received several reports of ASB at and around Jubilee Fields which is adjacent to the requested location.

Reports include loud noise and music, under age drinking and drug use, criminal damage and assault.

The concern is that the presence of this vehicle is contributing to the ASB by providing a ready source of food/drink for youths who make their purchases then go into the park to eat and drink – they then stay in the park, drinking alcohol and causes distress to local residents.

There is also a significant amount of litter left by users of the van left in the park.

Regards

Response 2- Received 13th December 2021
Respondent: Witley Parish Council

Response Type: Support
Received via: email

Dear Ms Bance

With regards to the above the Parish Council wish to comment as follows:

The Parish Council would like to support the application and have not received any complaints about the business. The business is fulfilling a useful service with the owner operating responsibly.

Unfortunately, I was unable to submit this online due to repeated error messages.

Kind regards

Waverley Borough Council

LICENSING SUB-COMMITTEE C

28TH FEBRUARY 2022

Title:

**LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE-
HILLTOP KITCHEN, COMBE FARM BUILDINGS, ALLDENS LANE,
GODALMING, SURREY GU8 4AP.
[Wards Affected: All Godalming Wards]**

Portfolio Holder: Cllr MacLeod Portfolio Holder for Enforcement, Operations and Brightwells

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 Hilltop Kitchen, Combe Farm Buildings, Alldens Lane, Godalming, Surrey GU8 4AP under section 17 of the Licensing Act 2003. Fifteen relevant representations have been received from 'other persons', 2 in support and 13 in opposition.

2. Background

- 2.1. An application has been received for a new premises licence from Pickle & Winch Ltd, in respect of a single storey building (no indoor seating) with an outdoor fenced garden and covered area for patrons.
- 2.2 Hilltop Kitchen currently has a premises licence in place for the sale of alcohol Thursday to Sunday 12noon till 18.00 (opening from 09.am) but wish to extend the hours and days for licensable activity. It is envisaged that, if successful, the existing licence will be relinquished.
- 2.3 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 07 February 2022.

3. Activities sought under this licence application

3.1 In brief, the applicant seeks to licence the premises for 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.

- **Sale of Alcohol (Consumption On the Premises Only)**

Monday to Wednesday 1200 to 1800

Thursday to Sunday 1200 to 2300

Opening hours

Monday to Wednesday 0900 to 1800

Thursday to Sunday 0900 to 2300

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, 15 relevant representations have been received from 'other persons', 2 in support and 13 in opposition.

5. Responsible Authorities

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

Waverley's planning enforcement team have advised that there is a current planning enforcement case investigation open for Hilltop Kitchen.

6. Other Persons

6.1 There have been fifteen (15) relevant representations from "other persons", 2 in support and 13 in opposition. A copy of the representations is attached at Annexe 5.

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

12. Implications of decision

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 newspaper 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 applicants agreed conditions with Surrey Police
- Annexe 5 – 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

.

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

WKC/202108491

7/2/22



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 **Pickle & Winch Ltd**

(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			
Hilltop Kitchen, Coombe Farm Buildings, Alldens Lane			
Post town	Godalming	Postcode	GU8 4AP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ Nil

Part 2 - Applicant details

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

Please tick as

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input 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 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)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/> Please tick yes	
Nationality					
Current postal address if different from premises address					
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	Pickle & Winch Ltd
Address	Coombe Farm Buildings, Alldens Lane, Godalming, Surrey, GU8 4AP
Registered number (where applicable)	13302946
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
08	02	2022

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)
 Pickle & Winch will be re-opening Hilltop Kitchen, a venue serving coffee, snacks and a short lunch menu outside of Godalming. The premise has no in-door seating, all guests will be seated in an outdoor garden and covered area directly in front and surrounding the building. The outside space is fenced for security and safety with a quiet road at the front. Consumption of alcohol will all be carried out on premise with no take-away sales. Orders will be taken via the counter and table service. The premise will be serving a limited alcoholic offering.
 Normal operating hours will be 09:00 - 18:00. Small 20-40 guest pop-up evening events will be hosted at the venue occasionally which will be ticketed or private.
 Guests will order from a short drinks list via table 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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) Opening hours will be reduced in the winter months of November, December and February. The venue is likely to be closed for the whole of January along with Christmas day.		
Mon	12:00	18:00			
Tue	12:00	18:00			
Wed	12:00	18:00			
Thur	12:00	23:00			
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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	Alexander Richard Winch
Date of birth	
Address	
Postcode	
Personal licence number (if known)	LN/1
Issuing licensing authority (if known)	WAVERLEY

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).

None

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) Opening hours will be reduced in the winter months of November, December and February. The venue is likely to be closed for the whole of January along with Christmas Day.
Day	Start	Finish	
Mon	09:00	18:00	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)
Tue	09:00	18:00	
Wed	09:00	18:00	
Thur	09:00	23:00	
Fri	09:00	23:00	
Sat	09:00	23:00	
Sun	09:00	23:00	

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)

Staff training in the safe sale of alcohol, using clear signage throughout the venue, ensuring policies are in place to safeguard all four licensing objectives. To work closely with the local authority and police.

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

Ensure the property is secure when left overnight and install anti-theft devices. Employ management and train staff to enforce the safe consumption of alcohol on site and ensure guests do not carry out any disorder. Provide over night car parking area and train staff to look out for signs of potential DUI issues to reduce risk of guests driving under the influence. Provide low or non-alcoholic drink alternatives to drivers.

c) **Public safety**

Carry out a health and safety report of the site prior to opening. Ensure the public stay within the venue and safe garden area. Provide adequate signage throughout the premise. Designate and promote clear car parking area which is designed to separate traffic from public spaces. Train a staff-member in health and safety and first aid. Provide adequate PPE for staff members. Monitor any public safety issues.

d) **The prevention of public nuisance**

Design opening times to only serve alcohol during afternoon hours to reduce late night public disturbance to the local community. Request pop-up dinner guests leave quietly without causing disturbance. Advertise premise as a location for walkers and cyclists to reduce car traffic. The site will not be playing loud music in order to keep noise to a minimum. Provide signage and train staff to requests guests do not cause a public nuisance. Work closely with local community to reduce risk of public nuisance.

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

Provide a safe space for children. Ensure fencing is installed to keep children from traffic or other high risk areas. Train staff in child health and safety and first aid. Make sure guests are responsible for children.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> ◦ [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). ◦ The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	_____
Date	04.01.22

Note:
 This drawing and any design thereon is the copyright of Wickenden Hulley and should not be reproduced without written permission.
 All dimensions and levels are subject to a thorough and accurate on-site check by the contractor prior to the commencement of any construction work. Do not scale from this drawing for construction or design purposes.

Rev	Date	Description
A	00/00/00	00/00/00

- █ Licensed Area
- █ Alcohol Storage Area
- █ Alcohol Service Area

- HD - Heat Detector
- FB - Fire Blanket
- FE - Foam Extinguisher
- CE - CO2 Extinguisher
- FIRE EXIT - Fire Exit Sign
- WC - Toilet
- HWB - Hand Wash Basin
- DS - Dish Wash Sink
- F - Alcohol Fridge
- PF - Perimeter Fence

PICKLE & WINCH

client
Pickle & Winch

project

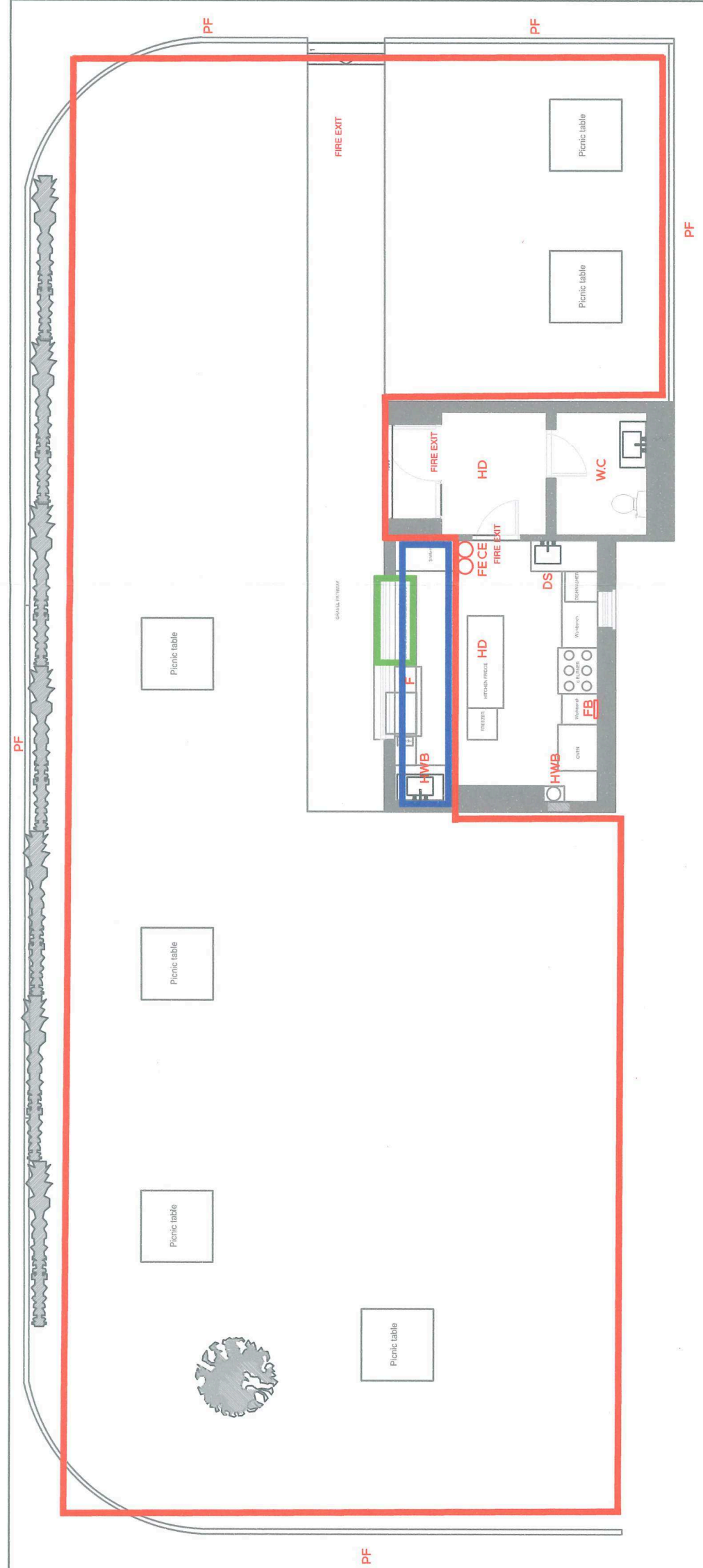
drawing title
Floor Plan

date	scale	dim
-	1:100@A3	-

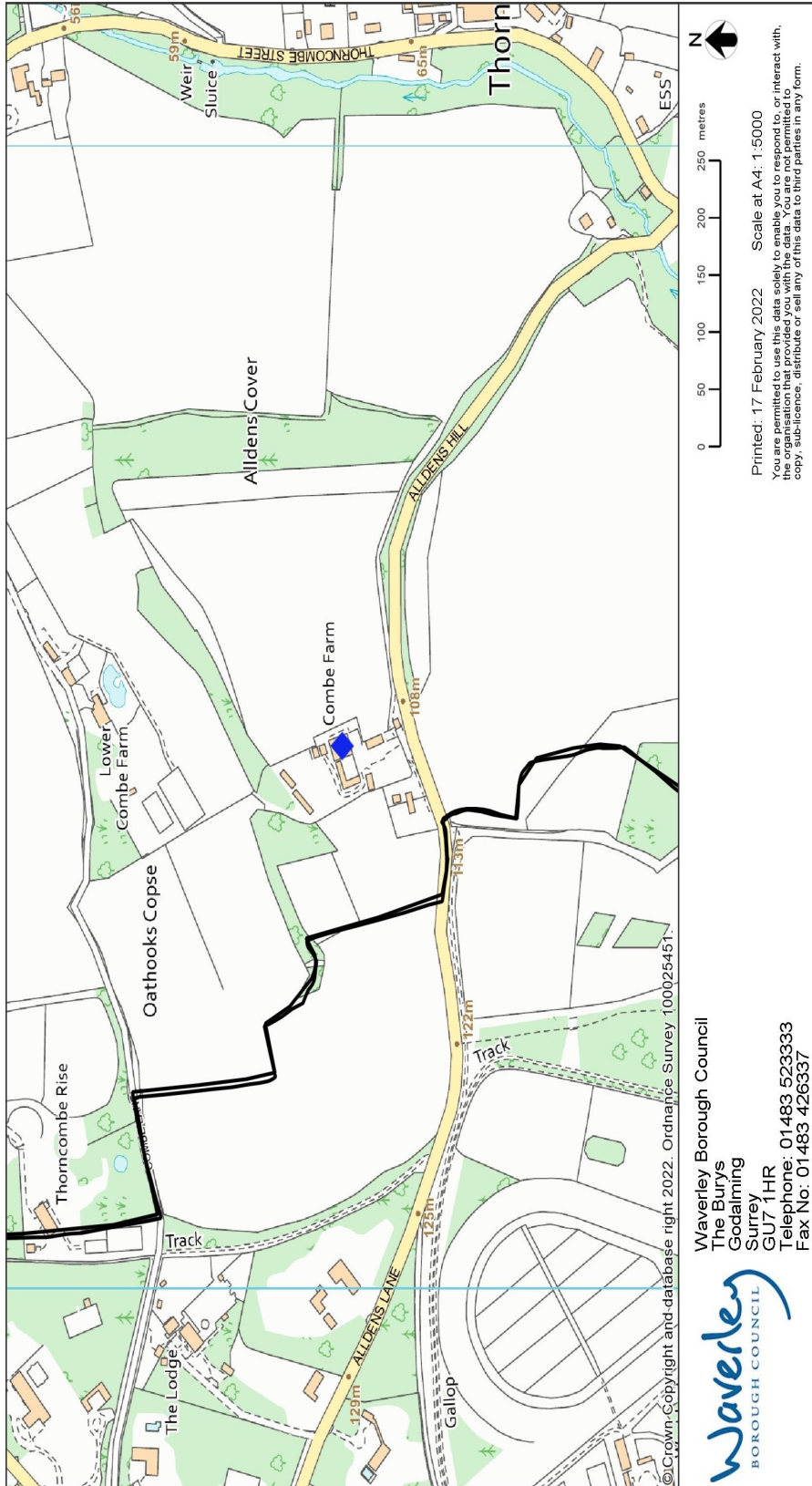
drawing number	rev
-	-

ROAD

PARKING



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From: [redacted]@surrey.pnn.police.uk>
Sent: Thursday 06 January 2022 12:13
To: [redacted]
Cc:
Subject: Hilltop Kitchen
Attachments: HILLTOP KITCHEN.doc

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

Please find the attached Police proposed conditions to replace the conditions on your application. If you are happy then please email [redacted] at the council and let her know. I have cc her into this email so she will be aware
Regards

Licensing Enforcement Officer
Surrey Police

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) 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.
- 2) 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

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 every 6 months 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
- 4) All children must be supervised at all times while in the premises

From: >
Sent: Monday 10 January 2022 11:37
To:
Cc:
Subject: Re: Hilltop Kitchen

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

Dear

Thank you for your call last week and appologies for the slow response. To confirm I agree to the conditions you have provided and these will be added to our application. Thank you for your help on this matter. We will also be updating the licence hours on the application as you suggested.

Many thanks,

IN SUPPORT (1)

From: [REDACTED]
Sent: Sunday 16 January 2022 12:35
To: Licensing Policy
Subject: Regarding Licence for Hilltop Kitchen, Combe Farm Buildings, Combe Farm, Alldens Lane, Godalming, Surrey, GU8 4AP

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

I noticed that there is a current application for a Licence for Hilltop Kitchen, Combe Farm Buildings, Combe Farm, Alldens Lane, Godalming, Surrey, GU8 4AP.

I am a local to the area and I wish to add that I think this license is a great idea. It will support a venue providing much appreciated services in the area.

[REDACTED]

IN SUPPORT (2)

From: [REDACTED]
Sent: Monday 17 January 2022 17:22
To: Licensing Policy
Subject: Hilltop kitchen

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

To whom it may concern,

We are fully in support of this application. The Hilltop kitchen is an enormous asset to Alldens Lane and all the local residents of Godalming. It is set in a beautiful area, far enough away from residents that it causes very little noise pollution. If there is any noise it is simply the sound of people relaxing, laughing and chatting which is delightful, there is no music. A majority of people walk to the venue through the fields for coffee and lunch so traffic build up is minimal. It is run by Alex and Sam both of whom we feel are inspirational young men. The standard of food and drink is outstanding. They are keen to involve young people in the community, employing local teenagers and teaching them, thus creating a community feel for all ages in the wonderful setting. They strive to provide somewhere to sit and relax and also to run special events to enable people to get together, which after covid could not be more important. We are completely in support of their application to extend their license, enabling them to run their special evening events.

We are aware there may be some noise and some extra traffic, both of these issues are far outweighed by the positives that the Hilltop Kitchen brings to our community. Alex and Sam are excellent at communicating with the residents on Alldens Lane to explain their plans and couldn't be more welcoming to us when we visit Hilltop Kitchen.

We wish them every success.

LICENSING ACT 2003
NOTICE OF APPLICATION FOR A NEW PREMISES
LICENCE

Pickle & Winch Ltd are applying for a new premises licence at:-

*Hilltop Kitchen, Coombe Farm Buildings, Aldens Lane,
Godalming, GU8 4AP*

NOTICE IS HEREBY GIVEN that an application has been made to the Licensing Authority of WAVERLEY BOROUGH COUNCIL under the Licensing Act 2003. Details of the application are as follows:

A Premises Licence for the Supply of Alcohol at Hilltop Kitchen.

A premises licence for the on sale of alcohol 12:00-18:00 Monday to Wednesday and 12:00-23:00 Thursday to Sunday.
Opening hours 09:00-18:00 Monday to Wednesday and 09:00-23:00 Thursday to Sunday.

A copy of the application may be inspected during normal office hours at the address shown below or at www.waverley.gov.uk/publicregister

A Responsible Authority or any other person wishing to make representations on this matter must submit those representations in writing to Licensing Section, Waverley Borough Council, Council Offices, The Bury, Godalming, Surrey, GU7 1HR by not later than 07/02/2022 stating the grounds on which the representation is made. Written representations may also be made by e-mail to: licensing@waverley.gov.uk.

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

Kind regards,

OPPOSE ①

From: [REDACTED]
Sent: Monday 24 January 2022 12:10
To: Licensing Policy
Cc: Paul Hughes
Subject: Application for an extension of liquor licensing

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

Dear Waverley licensers,

Re: Hilltop Kitchen, Alldens Lane, Godalming GU8 4AP application for an extension of licensing hours

I live at a neighbouring property to Hilltop Kitchen. I wish to object to the above application. Hilltop Kitchen is located on a quiet, narrow country lane in an area of outstanding natural beauty. Alldens Lane is primarily used by walkers, cyclists and horses. It is unsuitable for any increase in traffic, especially during the evenings, which would naturally occur if the premises were open later. Further, there would be an inevitable increase in noise levels which would be inimical to the tranquility of the area which is presently enjoyed and valued by neighbouring properties. If granted, the application could also pave the way for even further expansion of this commercial enterprise in an essentially rural and residential area.

Yours faithfully,

[REDACTED]

OPPOSE ②

From:
Sent: Tuesday 25 January 2022 20:03
To: Licensing Policy
Subject: Hill top Kitchen application

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

Dear Sir/Madam,

BPC objects to the licence application as presented. We agree with providing an alcohol licence but the hours proposed will expose nearby residents to an unacceptable change to their enjoyment of this quiet, rural location. The applicant is encouraged to limit their licence application to a late closing of 22:00 on any night of the week. The Council would like clarity as to whether the location's permitted use matches that of licenced premises as it is understood currently to be a farm.

Kind regards,

Clerk to Busbridge Parish Council
www.busbridgeparishcouncil.org.uk
busbridgepc@gmail.com

OPPOSE

(3)

From: [REDACTED]
Sent: Thursday 27 January 2022 22:40
To: Licensing Policy
Cc: [REDACTED]
Importance: High

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

From: [REDACTED] Alldens Lane, Godalming,
Surrey GU8 4AP

Dear Sir / Madam,

We write with respect to the application by the owners/operators of Hilltop Kitchen for a new premises licence. By the application, we understand that Hilltop Kitchen is seeking:

- (1) a licence to supply alcohol on Monday-Wednesday 12:00 – 23:00 hours, and Thursday-Sunday 12:00 – 23:00 hours, and
- (2) a licence to extend its opening hours to Monday-Wednesday 09:00 – 18:00 hours and Thursday-Sunday 09:00 – 23:00 hours.

We object to both aspects of the application.

First, we should start by recording our surprise that Hilltop Kitchen was allowed in the first place to open and operate a café on Alldens Lane. We do not recall receiving any notice from the Waverley licensing authority at the relevant time that Hilltop Kitchen was applying to turn what was previously being used for residential purposes into commercial premises. By contrast, we have received notice of a number of other planning applications from Waverley Borough Council, relating to other properties, to which we have duly responded. Had we been notified of Hilltop Kitchen's original application to open commercial premises (even if part-time) on Alldens Lane, we would have objected.

The latest application however takes matters very much further. It effectively seeks:

- (1) to extend Hilltop Kitchen's opening hours to **7 days a week**,
- (2) permission to operate the premises **every day from at least 09:00 to 18:00 hours**,
- (3) permission to supply alcohol **every day from at least 12:00 to 18:00 hours**, and

(4) permission to supply alcohol **four days a week** (Thursday to Sunday) between the **additional hours of 18:00 to 23:00 hours**.

Such extended hours of opening and supply of alcohol are akin to pub opening hours.

It would be wholly inappropriate in our respectful view for such a development to occur on Alldens Lane:

- (a) The lane is a quiet residential lane with few houses and modest traffic on it. The grant of the application, however, will substantially expand the amount of traffic experienced on the lane, as well as practically cement the status of Hilltop Kitchen as a full-time pub.
- (b) Alldens Lane is also a narrow lane, with bottlenecks even on the wider part of the lane closest to Munstead Heath Road. The lane beyond Hilltop Kitchen (going towards Thorncombe street) is even narrower, allowing only a single car at a time. Consequently, it is to be expected that the vast majority of the public going to and from Hilltop Kitchen will be doing so on the part of the lane accessed via Munstead Heath Road, where the residents live.
- (c) The substantial increase in traffic will not only cause more noise, but also present additional danger to the many walkers and horse riders who regularly use the lane to access the surrounding bridle paths.
- (d) The size of the Hilltop Kitchen building is such that all of its seating is outdoor, meaning significantly more noise than usual, especially in the summer months. Moreover, the noise carries very far around the valley and on to the lane.
- (e) It is also a reasonable inference that Hilltop Kitchen is unlikely to stop its expansion plans as it becomes more established, continues to exploit the great view that it has of the surrounding countryside, and does more and more business. With the space that it has, it is not difficult to predict that it will next seek to extend its opening and alcohol-serving hours to full pub hours 7 days a week, as well expand the size of its premises.
- (f) Since there is no shortage of pubs, café or other public eating and drinking establishments in Godalming and surrounding areas, it does not seem justifiable to allow another such commercial establishment to operate and expand on a quiet and rural residential lane such as Alldens Lane.

We thank you for taking account of our views in your consideration of whether or not to grant the application.

We would be very grateful for your brief acknowledgment of receipt of this email.

OPPOSE (4)

From: [REDACTED]
Sent: Saturday 05 February 2022 14:18
To: Licensing Policy
Subject: Alcohol License Application Objection

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

Dear sirs

Ref: Hilltop Kitchen Coombe Farm Buildings Alldens Lane GU8 4AP

Please accept this email as formal objection to the issue of an Alcohol License at the above-named premises.

After careful consideration my decision to object is based on the following reasons:

1. The premises is currently under investigation by your planning department (Case number [REDACTED]) as no planning application was made or granted for the extended construction for these premises.
- 2.
- 3.
4. The issue of an Alcohol license would inevitably turn a simple tea café into a party venue given the licensing times applied for.
- 5.
6. Since opening as a café some months ago, the rural lanes to and from the venue has seen a significant increase in traffic volumes so much so it has already become extremely dangerous for dog walkers, pedestrians and horse riders. In addition, the dropping of litter, discarded packaging and cans etc has majorly increased to a level that is beginning endangering the wildlife and surrounding environment. This I foresee would worsen with extended licensed trading hours.
- 4.
5. Clearly the single-track access lanes are far too narrow to cope with the increase of cars, delivery lorries or vans. Any increase in traffic would not only lead to more pollution but would further destroy the already suffering grass verges, plant animal life.
- 5.
6. Since learning of this application, it has been suggested through local media that should this license be granted, the offer to extend to private parties and functions are planned.

In conclusion, and whilst I support local enterprise, I fail to see what benefits the issue of an alcohol license would bring to the local area and residents and more so this area of outstanding natural beauty.

OPPOSE

5

From: [REDACTED]
Sent: Saturday 05 February 2022 19:19
To: Licensing Policy
Subject: Pickles and Winch Hill Top Cafe

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

It has come to our attention that an alcohol licence has been applied for by Pickles and Winch at Hill Top Cafe, Alldens Lane,

We must object to this in the strongest terms for the reasons listed below

1. I have already contacted planning enforcement as there has been no planning permission applied for or granted on this cafe. It was a 'studio / home ' that has just been converted and is operating without permission. How can a licence be granted on these grounds?
2. This licence will mean late night noise (possibly accompanied by music?) in a quiet Area of Outstanding Natural Beauty. Last summer we were already subjected to noisy weekend afternoons, with music. Why should local neighbours be expected to tolerate such a disturbance?
3. The additional traffic created will cause congestion and safety concerns on the very narrow lanes and steep hill which are unlit.
4. Pedestrians walking about late at night in this area will also be a safety concern, especially if they have been consuming large amounts of alcohol.
5. There will no doubt be litter

This site within an AONB is just not suitable for a licensed premise and it does very much concern us that this is being sought on a premise with no planning permission.
I hope you will address these concerns with some serious thought.

Kind regards

[REDACTED]

5 Additional

From: [REDACTED]
Sent: Sunday 13 February 2022 15:06
To: Planning Enforcement; William Gibb; sarahcarroll@waverley.gov.uk
Cc: Licensing Policy
Subject: : COMBE FARM, ALLDENS LANE, GODALMING GU8 4AP

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

In September of last year I submitted a breach of planning control in relation to the above property. I have received no communication as to the outcome of this investigation.

I am now writing to once again make the point that this business is operating with no valid planning permission, having converted an office type building into a cafe. I also want to add that the owners 'Pickles and Winch' have now applied for a licence to serve alcohol. How can this even be considered when the premise is operating without permission?

The cafe is ill suited to the position in which it sits - the lane is narrow and steep and cannot cope with the extra traffic, already having been blocked by delivery vehicles to the premises. Adding alcohol into the equation will further cause problems with people walking, cycling - even driving after consuming alcohol. The noise level will rise, as they have applied for music along with the alcohol licence, . We have already experienced noise last summer; being in a valley the noise carries.

I must insist that these concerns are taken seriously and that something is done to enforce some planning control and prevent further inevitable expansion - and that an alcohol licence must not be granted.

Kind regards

[REDACTED]

OPPOSE

Additional

Sent: Sunday 13 February 2022 15:18

To: Licensing Policy <Licensing.Policy@waverley.gov.uk>

Subject: Re: NOTICE OF HEARING - LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE FOR HILLTOP KITCHEN, COMBE FARM BUILDINGS, COMBE FARM, ALLDENS LANE, GODALMING, SURREY, GU8 4AP

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

Dear Paul

Thank you for your email

In response to your questions:

1. Please confirm your home address and postcode.

REDACTED

2. Where a notice of hearing is given to an applicant, the Licensing Authority is required to provide the applicant with copies of the relevant representations that have been made.

If you have a genuine fear of intimidation and do not want your name and address disclosed to the applicants, please state your reasons below or email licensing@waverley.gov.uk

-

-

3. Can you tie your comments to this particular premises, or is your comment a more general one?

Yes these comments are directly linked to Hill Top Kitchen, Alldens Hill

4. Applications are considered having regard to the four Licensing Objectives (listed below) set out in the legislation. May I ask you please to confirm which of the four objectives you feel applies to your representation/covers your concerns:-

Both Item 2 and 3...and potentially item 1

Licensing Objectives:

1. Prevention of crime and disorder	2. Public Safety
3. Prevention of public nuisance	4. Protection of children from harm

5. Will you be available to appear on 28th February 2022 if the application requires a hearing before a Licensing Sub-Committee, as seems likely?

Unfortunately I am _____ and will not be able to attend. However, I must stress that I wish my concerns to be taken seriously. In light of the fact that this cafe/kitchen has been extended and is operating without any planning permission being applied for or granted, this licence must not be approved. ...it can only have a detrimental impact on those living nearby. The additional noise from music will be intolerable - noise carries in this valley.

The narrow, steep lane is not suitable for extra traffic and adding alcohol into the equation can only exacerbate any potential hazard.

OPPOSE

6

From: [REDACTED]
Sent: Saturday 05 February 2022 22:22
To: Licensing Policy
Subject: Hilltop Kitchen, Alldens Lane

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

I note that Hilltop kitchen has applied for a license to sell alcohol until 11pm on 4 nights a week.

I wrote to planning enforcement last year about this property that appears to have been doubled in size without planning permission and converted from a domestic dwelling into a restaurant/ cafe. I have not had a reply to my complaint/ observations

It appears that a license to sell alcohol from 12 until 6 each day was granted last summer. The operators are now seeking to extend into the evening. I live at the bottom of the valley in the trees that can be seen from Hilltop Kitchen.

I am concerned about the operation of this premises on 2 particular counts :

1 Noise. This valley is an exceptionally peaceful part of the Surrey Hills AONB . With its outdoor seating area I am concerned that alcohol consumption into the evening/ night will lead to noise and noise levels that at present is rarely heard in our neighbourhood. When there is noise the valley acts as an amplifier and noise travels clearly and at greater distance than in normal circumstances.

2 Traffic . Alldens lane and the hill that begins right outside hilltop kitchen are extremely narrow single lane roads with blind turns and few passing spaces. I use the road regularly to get to Godalming and often have to reverse significant distances when encountering on coming traffic including on the hill itself. Any increase in the level of traffic is unwelcome and by adding alcohol to the mix (even within legal limits) without making the road safer is I think dangerous.

I also mentioned in my complaint to planning last year that the kitchen is trying to attract cyclists and walkers . They have signage in Alldens lane on a public footpath that is (according to the sign) 300 yards from the kitchen. This is encouraging walkers down this very narrow lane that really is not safe for walkers as there is really no escape from the road that is only the width of a vehicle.

I would therefore suggest the extension to the license should be refused. And I request again that planning consider the apparent breaches to planning regulations.

[REDACTED]

[REDACTED]

[REDACTED]

OPPOSE

(7)

From: [REDACTED]
Sent: Sunday 06 February 2022 17:31
To: Licensing Policy
Subject: pickle and winch ltd. application

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

We were made aware, only on 5.2.22, of an application for a license for alcohol at the Hilltop Kitchen, Aldens Lane.

We strongly object to this application for the following reasons:

- 1, I have been informed there was no planning application for the premises
2. Traffic - these are narrow country lanes with few passing places and there is no place for additional traffic from outside the area.
Also cyclists and pedestrians with dogs etc.
3. Noise - as with the above, we have already had problems last season and with this being an area of outstanding natural beauty more noise, music etc. is not at all acceptable by any residents here.
4. Quite simply, this is not a suitable location for such a licensed premise

Yours sincerely"

[REDACTED]

OPPOSE

8

From: [REDACTED]
Sent: Sunday 06 February 2022 17:39
To: Licensing Policy
Subject: Pickles and Winch Hill Top Cafe

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

Dear Sir/Madam

It has been brought to my attention that The Hill Top Cafe, Alldens Lane has applied for a license to provide alcohol. Firstly, does the cafe itself even have a license to trade at all? I have seen no planning application for this business.

This cafe is situated along a very narrow, single track, windy road with few passing places and steep banks on either side giving pedestrians nowhere to go when vehicles approach. At night there is no street lighting, the road is pitch black. I have lived here 11 years now and am shocked and troubled by the sudden increase of people on this road coming to and from the cafe, many with children, pushchairs and wheelchairs. Adding potentially inebriated people to this mix on an already dangerous road is quite literally an accident waiting to happen.

The addition of alcohol will also no doubt increase the noise levels in the area which is disturbing to both residents and wildlife. In my opinion this is not a good place for a licensed established.

Kind regards

[REDACTED]

OPPOSE (9)

From: [REDACTED]
Sent: Sunday 06 February 2022 18:05
To: Licensing Policy
Cc: [REDACTED]
Subject: Fwd: Premises Licence for Supply of Alcohol to Hilltop Kitchen (Pickle & Winch Ltd)

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

Kindly see below attachment

[REDACTED]

[REDACTED]

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Begin forwarded message:

[REDACTED]

Date: 6 February 2022 at 11:34:04 GMT
To: licencing@waverley.go.uk
Subject: Premises Licence for Supply of Alcohol to Hilltop Kitchen (Pickle & Winch Ltd)

Licensing Section
Waverley Borough Council
The Bury
Godalming
Surrey GU7 1HR
06/02/2022

To the Licensing Officer

Re the above application for a new premise licence in the peaceful and narrow Alldens Lane @ Hilltop Kitchen, Coombe Farm Buildings, Alldens Lane, Godalming GU8 4AP

I am hoping that a thorough consideration is given to the consequences of allowing even more hours and days of opening in this tiny rural position. This is after all a "Farm" and whilst most residences appear to have accepted the original concept/application, I certainly believe there will be a huge intrusion into our quiet rural area of outstanding natural beauty and since the first application, it now appears that more & more the locals considerations are not taken into account.

Whilst change is inevitable in life, the potential danger with additional traffic to this small narrow country lane and Now the possibilities of extended hours (and days) will mean noise and disruption is inevitable and means that if the licence is given until 23.00 pm then of course means traffic will continue into the early hours.

Alldens Lane already has issues with passing vehicles and is used by many walkers, horse riders and cyclists and having lived here for nearly 40 years feel there are good grounds for NOT issuing an extended licence.

Hoping that ALL considerations are considered as once permission is given highly unlikely to be withdrawn.

Yours sincerely,

[Redacted signature]

[Redacted header]

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OPPOSE

10

From: [REDACTED]
Sent: Sunday 06 February 2022 20:24
To: Licensing Policy
Cc: [REDACTED]
Subject: Hilltop Kitchens Aldens Lane

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

I live in the valley below these premises and wish to express my concerns with the continued expansion of this restaurant and object to this application for a license to sell and serve alcohol.

I have three major concerns:-

1. As far as I can determine these premises have never been granted a class E designation to operate as a restaurant/ cafe. In tracking back to the original planning consent R8204 in 1955 till now I can find no trace of any relevant change of use.
 2. The increased use of these premises as a cafe and the further increase of footfall and traffic as a result of alcohol being served will propose a significant safety risk on the surrounding roads which are single track. This past Friday Alden's lane became blocked partly as a result, I assume, of the event taking place at the premises in question. In fact the 2004 application to change the use to a Farm Shop was refused for many reasons including the concerns of increased traffic and the danger that presented.
 3. This is an area of outstanding natural beauty and part of a natural tranquil valley through which sound travels very easily. I note on a recent temporary license application that the operator has also applied to play music, which in the summer with an open sided building will carry throughout the whole valley. Again it should be noted the 2004 application was also rejected due the being inconsistent with an area of outstanding natural beauty.
- I would request you take these points into consideration as you review this application and refuse this license application on these premises.

Regards

[REDACTED]

OPPOSE

10A

Sent: Sunday 13 February 2022 16:32

To: Licensing Policy <Licensing.Policy@waverley.gov.uk>

Subject: RE: NOTICE OF HEARING - LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE FOR HILLTOP KITCHEN, COMBE FARM BUILDINGS, COMBE FARM, ALDENS LANE, GODALMING, SURREY, GU8 4AP

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

As requested I am responding to your e mail of Feb.9th.

1. My address is T Bramley Surrey
2. -
3. Yes my concerns relate to this specific premise which is unsuitable for the proposed purpose as is its location. The building does not appear to have been subject to an appropriate change of use and does not hold a class E designation. For this very reason I am unclear how the application is even being considered and would appreciate your clarification on this point.
4. My concerns relate to:-

Public Safety

The premises are located at the brow of a 1:6 steep single track hill with very limited passing places. The increased pedestrian and motorised traffic from guests and delivery vehicles presents an already significant risk, adding to the mix alcohol consumption only serves to increase that risk. The use of advertising signs on the adjacent footpaths to attract walkers to walk along the road to the café put these walkers and other road users at increased risk and seems irresponsible. The 2004 application to change the use of this building to a Farm Shop was refused for many reasons including the concerns of increased traffic and the danger that presented.

Prevention of a public nuisance

This is an area of outstanding natural beauty and part of a natural tranquil valley through which sound travels very easily. With alcohol consumption general noise levels tend to increase if music is then added as in recent events at the café then this noise will travel through the whole valley. Again it should be noted the 2004 application was also rejected due the being inconsistent with an area of outstanding natural beauty.

5. I am unable to attend the meeting on the proposed date as I am already committed to business meetings in the north of England.

I confirm my objections to the this license being granted for the above reasons.

Regards

OPPOSE

(11)

From: [REDACTED]
Sent: Sunday 06 February 2022 21:05
To: Licensing Policy
Subject: Pickle and Winch, Hilltop Kitchen. OBJECTION to LICENCE APPLICATION

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

Dear Sir or Madam

I am a local resident and I am writing to object against the application for a license to sell alcohol.

The Hilltop Kitchen as a local lunchtime cafe is OK, albeit there has still been no effort to think about the impact on local residents - traffic, walking down the road, noise across the valley etc.

While it is a Thursday to Sunday lunch/afternoon tea it is a limited impact. Starting to open up the cafe into the evening at the weekend will completely change the character of the area. The idea of pub/restaurant which is part outside serving alcohol will turn Hilltop into a huge destination with hoards of parties. The owners have clearly started small and incrementally want to increase the Hilltop into a full scale bar/restaurant for which they dont have planning, The roads will be busier and there are no safe paths for people to walk down. It is both unpleasant for locals and has clear health and safety issues.

Please reject this application and refer the owners to a proper consultation with local residents/representatives

I would also like to object about the process here where no council information came to us and yet we live at the bottom of the hill. How is this a fair / appropriate process? I was only informed about this by a neighbour. What disclosures were made to local residents?

Yours sincerely

[REDACTED]

[REDACTED]

Sent from my iPad

OPPOSE (12)

From: [REDACTED]
Sent: Monday 07 February 2022 13:34
To: Licensing Policy
Subject: Hilltop Kitchen, Alldens Lane

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

Dear Staff

I refer to an application to supply and sell alcohol at:
Hilltop Kitchen, Coombe Farm Buildings, Alldens Lane, Godalming, GU8 4AP

The kitchen has been successful but there has been an increase in traffic on Alldens Lane and Alldens Hill. These roads are very narrow with few passing areas especially at the top of Alldens Hill. They are access roads only and unsuitable for this increased traffic.

Opening everyday and including late evenings will increase the traffic further and be a potential cause of accident. In particular the bottom of Alldens Hill is often flooded and requires a new drainage system. Mud and silt piles up on the road making it slippery and dangerous. The bridge at the bottom of the hill is now unstable having been smashed into by vehicles coming down the hill.

I'm not against alcohol being served early evening but I am against attracting more traffic with greatly extended opening hours.

As a neighbour, I have not been made aware of an application for all these extra hours. What process must I use to make this known.

Kind regards

[REDACTED]
[REDACTED]

Sent from Mail for Windows

OPPOSE

(13)

From: [REDACTED]
Sent: Monday 07 February 2022 21:09
To: Licensing Policy
Subject: Anonymous objection - Hilltop Kitchen

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

Dear Sir or Madam,

I would like to lodge this objection but anonymously as this is a very small local community and I do not wish to be judged or cause friction.

But I would like to make an objection to the proposed premises license for Hilltop Kitchen, Alldens Lane, GU8 4AP.

At present the premises is a 'Cafe and lunch stop' with occasional evening dining via a supper club. The core operating hours are Thursday to Sunday 9am to 6pm.

Already, even with these relatively limited hours, the increase in traffic flow in the local neighbourhood from the cafe has been very noticeable. The roads near the cafe are tiny, one track roads, without many passing places. The 'passing' places that do exist have become completely churned up, deeply grooved and virtually impassable due to an increase in traffic volume. Traffic is noticeably heavier during operating times and getting up and down local roads has become really difficult during these times - endless reversing and squeezing into too small sections of only barely passable road. In general, traffic flow seems to have increased - more people now know about cut throughs and points of local interest and the number of cars zooming down these tiny roads has gone up and up. There are no speed limits on nearby roads and people drive fast and without care through small local communities - near misses with young children, dogs and pedestrians are frequent and frightening.

The roads are also taking a battering - the verges around the area have been churned to mud and deep grooves are forming to the sides of the road from cars too frequently driving up and over the sides of the road to try and squeeze past. Litter is also at an all time high from people driving through and chucking stuff out of the window. Obviously this can't all be attributed to the Hilltop Cafe, but more and more and more traffic volume, as is inevitable through these proposals, will lead to more and more wear and tear on roads, especially as the volume of big delivery trucks increases (barrels of beer, bottles of wine, higher volume of food stock, equipment), traffic congestion, traffic accidents and general depletion of this AONB as well as local quality of life from traffic intrusion and noise.

The roads around the cafe are inappropriate for a site that would be hosting alcohol sales, and therefore it is assumed operating at capacity, from Monday to Wednesday 12 - 6pm, and on through Thursday to Sunday 9am til 11pm. Especially if the cafe is setting itself up to host events such as 40th Birthday parties, which we have heard that it is. There will be a constant and heavy stream of traffic for events such as these, as well as music, fireworks, and all the accompanying trade traffic - big delivery trucks on tiny roads - that would be required to keep the cafe stocked and support this.

This is completely against the model that the proprietors told locals about when they did their initial walkaround before opening. It would mean Hilltop running all day and evening seven days a week.

The local community has generally been supportive of the cafe. 'Cafe and a lunch stop' with occasional evening dining is a good model and in keeping with the site in which the cafe sits and with the initial assurances that were made.

The success of the cafe has been good to see, and down to the hard work of the team. But to now start exploiting this at the expense of the local environment and community goes against everything we were reassured about.

Hopefully the planning department will consider the condition of local roads, the safety of local residents, the quality of this precious local environment, and the negative impact on the local area of increasing operating hours in this way, and will act with those factors weighing heavily against a commercial wish for expansion.

