



GUILDFORD  
B O R O U G H

**Satish Mistry**  
Executive Head of Governance

**[www.guildford.gov.uk](http://www.guildford.gov.uk)**

Contact Officer:

Sophie Butcher

01483 444056

26 March 2015

Dear Councillor

Your attendance is requested at a meeting of the **LICENSING SUB COMMITTEE** to be held in the Council Chamber - Millmead House on **THURSDAY, 2 APRIL 2015** at 9.30 am.

Yours faithfully

Satish Mistry  
Executive Head of Governance

**MEMBERS OF THE LICENSING SUB COMMITTEE**

Councillor Graham Ellwood (Chairman)  
Councillor Jenny Jordan  
Councillor Terence Patrick

**QUORUM 3**



INVESTOR IN PEOPLE



**Guildford Borough Council**

Millmead House, Millmead, Guildford, Surrey GU2 4BB

## THE COUNCIL'S STRATEGIC FRAMEWORK

### Vision – for the borough

For Guildford to be a town and borough:

- with strong infrastructure
- world-class businesses with capacity to expand and deliver growth
- an evolving and vibrant economy which creates a progressive and sustainable environment
- for people today and future generations living in an ever improving society.

### Five fundamental themes that support the achievement of our vision

- **Infrastructure** – working effectively with partners to drive development and business growth that will expand our economy
- **Economy** – to grow a sustainable economy that will support all aspects of life in our borough.
- **Development** – to ensure that there is appropriate infrastructure, commercial space and a range of homes, built sensitively, without damaging our heritage or countryside.
- **Sustainability** – to ensure the services we provide and the borough develops and grows, in the most sustainable way.
- **Society** – to evolve a self-reliant and sustaining community, while supporting our most vulnerable residents.

### Values for our residents

- We will strive to be the best Council.
- We will deliver quality and value for money services.
- We will help the vulnerable members of our community.
- We will be open and accountable.
- We will deliver improvements and enable change across the borough.

### Mission – for the Council

A forward looking, efficiently run Council, working in partnership with others and providing first class services that give the community value for money, now and in the future.

### Developing our Council

To be a well led, collaborative organisation that has customer care and top quality at its heart. To have highly trained and proficient staff and councillors who challenge and learn.

## AGENDA

**ITEM  
NO.**

**LOCAL CODE OF CONDUCT – DISCLOSABLE PECUNIARY INTERESTS**

In accordance with the revised local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and that they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, you must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

- 1 89777 - GUPLA0436 - FAHRENHEIT 55 (VARIATION) - COMMITTEE REPORT (Pages 1 - 32)**

**Please contact us to request this document in an  
alternative format**

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**LICENSING SUB-COMMITTEE**

**2 APRIL 2015**

<b>Application. Type:</b>	Application for the variation of a Premises Licence, number GUPLA0436	
<b>Ward:</b>	Holy Trinity	<b>Ward Councillors:</b> Cllr Melanie Bright Cllr Sarah Creedy Cllr Philip Hooper
<b>Applicant:</b>	Jonathan Croxford, 6 Weyview Close, Guildford, Surrey, GU1 1HN	
<b>Premises:</b>	Fahrenheit 55 / Tudor Lounge, 3 Milkhouse Gate, Guildford, Surrey, GU1 3EX	
<b>Proposal:</b>	The premises is a public house located in the town centre. The application is to vary the authorised plans attached to the licence All licensable activities and authorised hours to remain unaltered.	

**1. SITE LOCATION**

1.1 The premises is a public house situated in the town centre. There are mainly commercial properties in the vicinity but there are some residential properties. A site location map is attached as **Appendix 1**. The dots on the map indicate residential properties.

**2. LICENCE HISTORY**

2.1 The current premises licence GUPLA0436 and the authorised plans are attached as **Appendix 2**.

2.2 The licence commenced on 7 September 2009, and was transferred to the current licence holder on 1 August 2013.

2.3 The designated premises supervisor (DPS) has been varied once since the licence was first granted. The current DPS has been named on the licence since 1 August 2013.

2.4 An application to vary the licence was made in 2013 to update the authorised plans, and this variation was granted without representations on 3 January 2014.

**3. APPLICATION**

The application form, a copy of which is attached as **Appendix 3**, gives the following information in relation to the variation proposal.

**3.1 Proposed hours:**

There is no change to the proposed hours.

### **3.2 Conditions**

3.2.1 The applicant has proposed steps to promote the licensing objectives in section 16 of the application form. We have tried to convert these into appropriate, enforceable conditions.

1. The licence holder shall ensure that the smoking area marked in red on the accompanying plan number 07/33 of the premises:
  - a. is roped off after 20:00 hours to contain smokers
  - b. is cleared of customers by 23:30 hours Sunday to Thursday, and 02:00 hours Friday and Saturday
  - c. is monitored by a SIA registered door supervisor from 22:30 hours until the area is cleared, and the door supervisor shall ensure patrons in the smoking area keep the noise down to prevent disturbance to local residents
  - d. is limited to a maximum of 20 customers at any one time
  - e. is cleaned and reset after the area is cleared
2. The licence holder shall ensure that patrons use the smoking area on the first floor after 23:30 hours Sunday to Thursday and after 02:00 hours Friday and Saturday. This area shall be monitored by a SIA registered door supervisor and limited to 20 patrons.

### **3.3 Authorised Plan**

The proposal is to allow patrons to take beverages into the small paved area outlined in red on the attached plan (number 07/33), which is to be roped off to contain smokers during the evening after 8 pm, with the area being closed to patrons from 11.30 pm Sunday to Thursday and 2.00 am on Friday and Saturday. There have also been some minor internal changes to the building, including the reduction of the bar area in the Tudor Lounge end of the premises allowing patrons to access the bay window.

## **4. CONSULTATIONS**

### **(i) Consultation period**

The application was originally in consultation from 27<sup>th</sup> November to 24 December 2014. The application was not advertised in accordance with the regulations, and as a result, the consultation period was restarted, following correspondence with the applicant, on 9 February 2015, ending on 8 March 2015. Any representations received after 27<sup>th</sup> November 2014 and before 9 February 2015 were carried forward.

### **(ii) Representations from Responsible Authorities**

**None. A representation was received from Environmental Health (Pollution Control) however the representation was withdrawn following mediation.**

The environmental health officer stated:

Mr Croxford has installed and set a tamperproof Formula Sound AVC2 noise controller, to regulate amplified music and speech on the premise. Tests indicate the noise controller is functioning and regulating noise breakout from the venue to a level that will not cause noise nuisance to residents in the locality.

The applicant has also acknowledged and included measures for the management of clientele to control any excess patron noise outside the bar. Therefore my concerns on the proposed variation on noise grounds have been addressed.

**(iii) Representations from other persons**

Two representations received from the Holy Trinity Amenity Group and a local resident, mainly on the grounds of prevention of public nuisance, although the former refers to all four licensing objectives. A copy of these representations are attached as **Appendix 4.**

**5. LICENSING POLICY**

The following sections of the Council's Licensing Policy are relevant:

- Section 5: (Fundamental Principles)
- Section 9: 9.1 – 9.8 (Prevention of Crime and Disorder)
- Section 10:10.1 – 10.8 (Public Safety)
- Section 11:11.1 – 11.6 (Prevention of Public Nuisance)
- Section 12:12.1 – 12.20 (Protection of Children From Harm)

**6. NATIONAL GUIDANCE**

The following sections of the Guidance issued in October 2014 by the Secretary of State under Section 182 of the Licensing Act 2003 are relevant:

Paragraphs 2.1 – 2.7 – Crime and disorder

Paragraphs 2.8 – 2.17 – Public Safety

Paragraphs 2.18 – 2.24 – Public Nuisance

Paragraphs 2.25 – 2.35 – Protection of Children from Harm

Paragraphs 9.30 – 9.40 – Hearings

Paragraphs 9.41 – 9.43 – Determining actions that are appropriate for the promotion of the licensing objectives

Paragraphs 10.1 to 10.69 – Conditions attached to premises licences

**7. CONCLUSION:**

- (I) The Sub-Committee is requested to consider the application for the variation of the premises licence on its merits.
- (II) Subject to paragraph (III) below, Section 35(2) of the Licensing Act 2003 provides that the Sub-Committee must grant the application.
- (III) Having regard to the relevant representations received, the Sub-Committee must take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps are:
  - To modify the conditions of the licence, whether by alteration or omission of conditions or the addition of new conditions. Any additional or altered conditions must be appropriate for the promotion of the licensing objectives, proportionate and should address the matters raised in the representations.
  - To reject the application in whole or in part.

Agenda item number: 1

Originator:

Peter Muir, Licensing Compliance Officer

Tel: (01483) 444110

E-mail: [peter.muir@guildford.gov.uk](mailto:peter.muir@guildford.gov.uk)





Licensing Act 2003

**GUPLA0436**

**Premises Licence**

Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**

**Fahrenheit 55/Tudor Lounge**

3 Milkhouse Gate leading to 144 High Street, Guildford, Surrey, GU1 3EZ.

Telephone 01483 300999

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the sale by retail of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	Noon	Midnight
	Friday to Saturday	Noon	1:00am
	Sunday	Noon	Midnight
E. Performance of live music (Indoors)	Monday to Sunday	Noon	Midnight
F. Playing of recorded music (Indoors)	Monday to Saturday	8:00am	3:00am
	Sunday	8:00am	2:00am
L. Late night refreshment (Indoors)	Monday to Saturday	11:00pm	3:00am
	Sunday	11:00pm	2:00am
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Sunday	10:00am	3:00am

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Saturday	7:30am	3:30am
Sunday	8:30am	2:30am

**Justine Fuller**  
Environmental Health Manager  
Guildford Borough Council





Licensing Act 2003

# Premises Licence

# GUPLA0436

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

## Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Jonathan Charles Croxford

6 Weyview Close, Guildford, Surrey, GU1 1HN.  
Telephone 01483579111 or 01483575417

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Jonathan Charles CROXFORD

6 Weyview Close, Guildford, Surrey, GU1 1HN.  
Telephone 01483579111 or 01483575417

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. GUPA0103

Issued by Guildford

**Justine Fuller**  
**Environmental Health Manager**  
**Guildford Borough Council**





Licensing Act 2003

# GUPLA0436

## Premises Licence

### ANNEXES

#### MANDATORY CONDITIONS

##### A: Sales of alcohol

1. No supply of alcohol may be made under the premises licence -
  - a. at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b. at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

##### Mandatory Licensing Conditions (Alcohol Sales)

- 1.1 The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 1.2 In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children
  - a. games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
  - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - d. provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
    - i. the outcome of a race, competition or other event or process, or
    - ii. the likelihood of anything occurring or not occurring;
  - e. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises, which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 4.1 The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- 4.2 The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

**Justine Fuller**

**Environmental Health Manager  
Guildford Borough Council**





**Premises Licence**

**ANNEXES continued ...**

5. The responsible person shall ensure that-
- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
    - i. beer or cider: ½ pint;
    - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - iii. still wine in a glass: 125 ml; and
  - b. customers are made aware of the availability of these measures.

**B: Film exhibitions**

- a) Subject to subsection (b) below, the admission of children to the exhibition of films on the premises shall be restricted in accordance with any recommendation made by the British Board of Film Classification (BBFC)
- b) If the licensing authority does not agree with the category of any film as recommended by the BBFC, it may alter the category of the film. On notice of alteration of category being given by the licensing authority to the holder of the licence, the film shall thereafter be treated as being in the altered category and admission of children to the exhibition of the film shall be restricted accordingly

**C: Door supervision**

Where at specified times one or more individuals must be at the premises to carry out a security activity, all such individuals must be licensed by the Security Industry Authority (SIA)

**D: Permitted hours**

**As displayed on the Premises Licence**

Variations from these times:

10 events a year till 04:30 with 14 days notice to the Police and the Licensing Authority.

On all Bank Holiday Sundays all licensable activities shall continue until 3am the following morning.

New Years Eve: 10:00am till 06:00am the next day (All Licensable Activities except Hours premises are open to the public which will be 06:30am the next day)

**E: Further conditions agreed with Environmental Health 01 September 2009**

- 1. A tamper proof noise-limiting device shall be installed and permanently maintained in good working order within the premises. The device shall automatically control the volume of all amplified live and recorded entertainment at the venue at all times, such that noise will not cause disturbance to the locality or any adjacent noise sensitive premises. The maximum volume played shall be set in arrangement with officers of the Environmental Health & Licensing Division, which shall not be exceeded. If necessary, the licensee shall arrange to reset this level upon request from officers of the Division.
- 2. All regulated entertainment, to which the licence applies, shall be restricted to within the buildings of the premises. No loudspeakers providing amplified music shall be installed or allowed to be broadcast to any external part of the building.
- 3. External entry and exit doors and windows serving the licensed area shall be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people, but must be shut immediately thereafter to prevent breakout of speech and amplified music. To provide an unrestricted thoroughfare, the connecting doors serving the external dining and drinking area linking the two parts of the venue (currently known as Fahrenheit 55 and the Tudor Lounge) are exempt from this requirement. Noise from the closing of doors shall not be audible beyond the site boundary.

**Justine Fuller**  
**Environmental Health Manager**  
**Guildford Borough Council**





Licensing Act 2003

# GUPLA0436

## Premises Licence

ANNEXES continued ...

### F: Additional conditions as laid out in the application operating schedule dated 15 July 2009

1. All glasses to be used on the premises shall be made of toughened glass and no glass bottles will be permitted to be taken off the premises at any time.
2. No timed drinks promotions shall be used as this could promote binge drinking.
3. The DPS of the premise shall be active member of Pubwatch.
4. The seating capacity of this premise shall not be reduced in the evening.
5. Staff training shall include how to spot and resolve potential incidents, including an awareness of the signs of illegal activities.
6. 24 hr digital CCTV system comprising 6 cameras, 4 interior and 2 exterior minimum.
7. Use of door staff to restrict customer numbers to a safe level.
8. Staff are trained to be vigilant towards drug related use within the premises including "Date-Rape" drugs.
9. Staff shall be trained in the emergency evacuation procedures.
10. Recommendations from Surrey fire and rescue will be adhered to.
11. The front door of the premises shall be kept closed to minimise noise pollution.
12. No music shall be playing during drinking up time, so patron's volume of speech shall hopefully be reset to normal level.
13. Taxis available upon request.
14. Children must be accompanied by adults during the day.
15. Only patrons over the age of 18 shall be permitted in the bar area.
16. The only forms of I.D which shall be accepted as proof of age are either a DVLA driver licence or a passport.
17. No under 18's to be allowed in the venue after 20:00
18. Signs shall be displayed requesting customers to leave quietly to help prevent public nuisance.
19. The cigarette machine shall be located in a part of the premises not open during the day.
20. All staff shall be trained to operate a challenge 21 policy.
21. No external advertising shall be used which could cause offence or could encourage under 18's to drink alcohol.
22. SIA registered door staff shall monitor internal and external areas of the premises to curtail any behaviour which would cause a public nuisance, this is to include the High Street at closing time as patrons leave the premises.
23. At the end of each evening a member of staff shall sweep the passage way leading to the High Street to ensure any rubbish is cleared away.

**Justine Fuller**

**Environmental Health Manager  
Guildford Borough Council**





Licensing Act 2003

**GUPLA0436**

**Premises Licence Summary**

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**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
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Sunday	8:30am	2:30am

**WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- M. The sale by retail of alcohol for consumption ON the premises only

**Justine Fuller**  
**Environmental Health Manager**  
**Guildford Borough Council**





Licensing Act 2003

**GUPLA0436**

**Premises Licence Summary**

**NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE**

Jonathan Charles Croxford

6 Weyview Close, Guildford, Surrey, GU1 1HN.  
Telephone 01483579111 or 01483575417

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

**NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Jonathan Charles CROXFORD

**STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED**

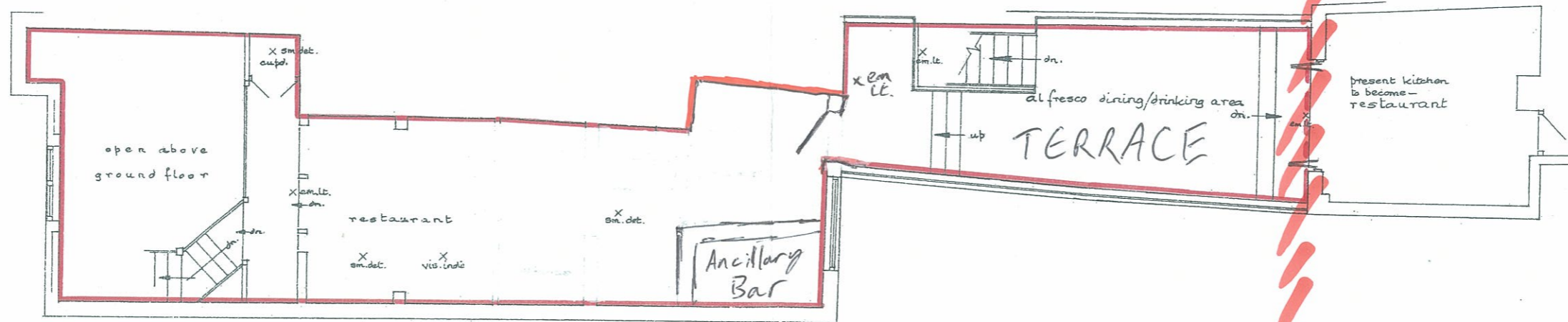
Not applicable

**Justine Fuller**  
**Environmental Health Manager**  
**Guildford Borough Council**



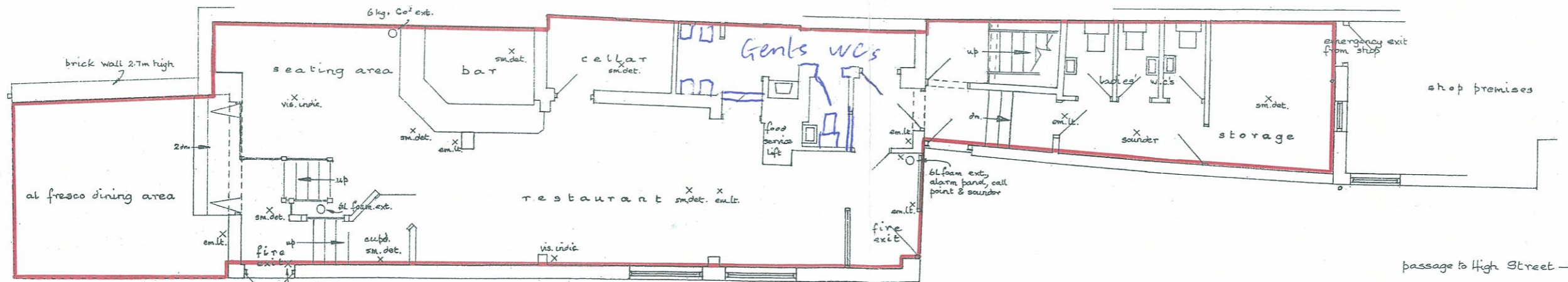
# Fahrenheit End

Continues  
on  
Page 2.



First Floor

work not complete, but will be compliant with Building Regulations and LI fire detection system



Ground Floor

Notes:  
All dimensions must be checked on site and not scaled from this drawing.

A	Date	Revisions

© copyright

Client  
Globelease Ltd.

Job Title  
Tudor Rose Restaurant, 144 High Street (near part only) & 3 Milkhouse Gate, Guildford

September 2008

Drawing Title  
Ground and First Floor Plans as proposed

Scale 1:100

Plan No: 08/22 Rev: Jon

**LANGRIDGE PLANNING SERVICES**

30 Holly Lea, Jacobs Well, Guildford, Surrey GU4 7PG  
Tel. & Fax: (01483) 450410



- Fire Protection**
- Installation of an Automatic fire detection system to be fitted throughout in accordance with BS5839 Part 1 1980
  - Emergency Push pad with sign
  - Wall mounted Fire blanket in container
  - 2kg wall mounted Carbon Dioxide Fire Extinguisher
  - 9 litre wall mounted water fire extinguisher
  - Manual Fire alarm call point location
  - Maintained Emergency light
  - Illuminated exit sign over door
  - Ceiling Mounted Smoke Detector
  - Ceiling mounted Heat Detector
  - Fire Door keep clear sign located on direction of opening side door
  - Keep Door Locked Sign located on direction of opening side door
  - Half hour fire door including intumescent smoke seal strips and positive overhead door closures, fire stops and sign

**Means of Escape Capacity**  
Occupancy rates are based upon BS 5388 part 2 1985 Table 2

Area	Total
Whole premises in total including second floor	170m sq
Restaurant and public toilet area	127.5m sq
Staff and kitchen area	40.5m sq
Exterior seating area	2.3m sq

**OCCUPANCY LEVELS**

RESTAURANT SEATED AND STANDING CUSTOMERS (Minimum)

TOTAL NUMBER OF OCCUPANCY + 5 STAFF	60
Exterior Seating + Standing	25
Clear Means of escape width required for 60 persons internal	750mm

Disabled customers:  
Due to the first floor location and narrow and steep access restrictions due to the heritage of the site a disabled wc cannot be accommodated.

Toilet accommodation  
The toilet accommodation is based upon BS 6465 Part 1 1994, Sanitary Installations Table 10 - Full on license. Ratio of male to female being 50% each. This applies to the restaurant area only

	Urinals	WC's	WCB's
Males	2	1	2
Females	N/A	3	3

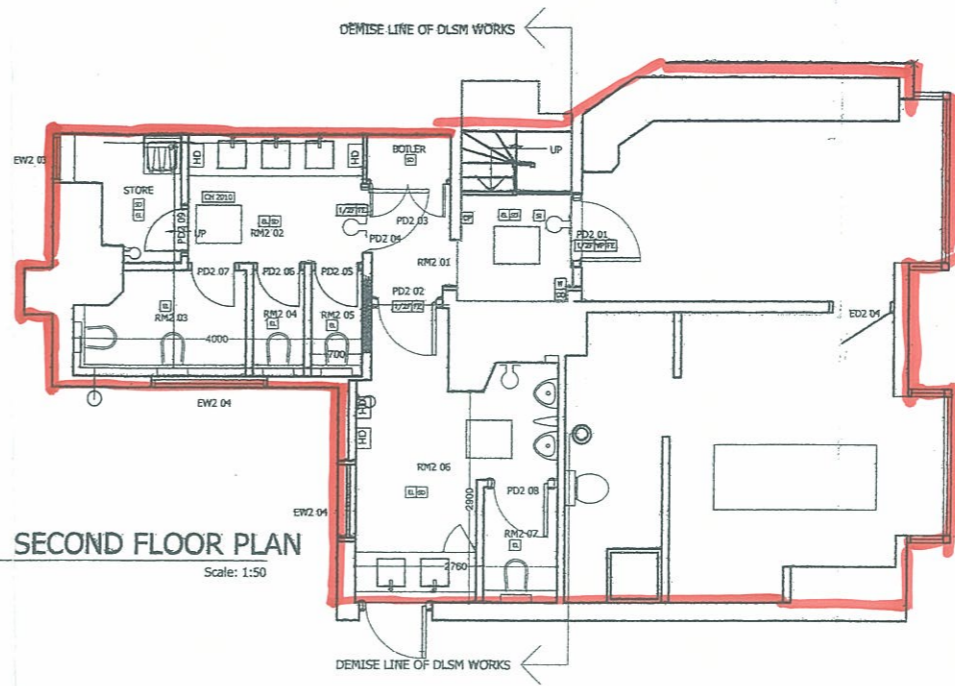
**COLOURING KEY:**

**RED OUTLINE**  
Area of the sites of intended liquor and provision of late night refreshment.

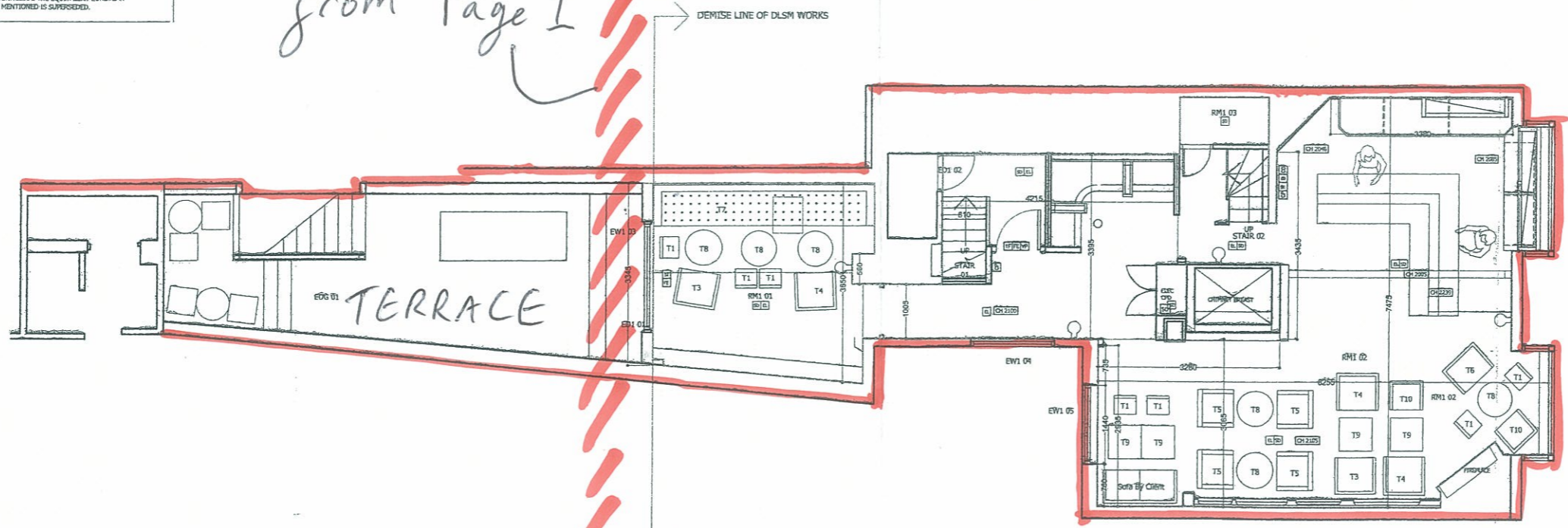
- STANDARDS REQUIRED TO BE ACHIEVED IN RESPECT OF FIRE & SAFETY MATTERS.**
- DOORS AND PARTITIONS REQUIRED TO BE FIRE RESISTING ARE TO BE IN ACCORDANCE WITH BRITISH STANDARD BS 476 1972 AS AMENDED.
  - FIRE RESISTING DOORS REQUIRED TO RESIST THE PASSAGE OF SMOKE AT AMBIENT TEMPERATURE CONDITIONS SHOULD, UNLESS TESTED IN ACCORDANCE WITH BS 476 SECTION 3.1.1 1983, BE FITTED WITH SMOKE SEAL.
  - THE FIRE ALARM SYSTEM TO COMPLY WITH BRITISH STANDARDS BS 5839 PART 1 2002. THE ATTENTION OF THE DESIGN INSTALLING ENGINEER SHOULD BE DRAWN TO PARAGRAPH 4.3 (CONSULTATION RECORDS) OF BS 5839 PART 1 2002 WHICH REQUIRES CONSULTATION WITH THE FIRE AUTHORITY.
  - THE EMERGENCY LIGHTING INSTALLATION IS TO COMPLY WITH BRITISH STANDARD BS 5266 PART 1 1999 THE ATTENTION OF THE DESIGN INSTALLING ENGINEER SHOULD BE DRAWN TO PARAGRAPH 3.1 (CONSULTATION AND RECORDS) OF BS 5266 PART 1 1999, WHICH REQUIRES CONSULTATION WITH THE FIRE AUTHORITY.
  - FIRE SAFETY RELATED SIGNS AND NOTICES ARE TO CONFORM TO CURRENT BRITISH STANDARDS.
  - ILLUMINATED "EXIT" SIGNS ARE TO CONFORM TO BS 5499 PARTS 1&2.
  - FIRE FIGHTING EQUIPMENT IS TO COMPLY WITH BS EN3 1-6, BS 2863 (1996), BS 7267 (1997) AND BS 5306 (2000).
  - UPHOLSTERED SEATING FURNITURE MUST SATISFY, AS A MINIMUM STANDARD, IGNITION SOURCE 0 (CIGARETTE TEST) AND EXIB IGNITION SOURCE 5 AS SPECIFIED IN BS 5852 1996. METHODS OF TEST FOR ASSESSMENT OF THE INSTABILITY OF UPHOLSTERED SEATING BY SMOKING AND FLAMING IGNITION SOURCES. IF IN ORDER TO SECURE COMPLIANCE WITH THE ABOVE STANDARDS WITH THE FABRIC SUBMITTED FOR TEST HAS BEEN TREATED PREVIOUSLY WITH A FIRE RETARDANT PRODUCT, THE TESTING LABORATORY MUST BE INSTRUCTED TO SUBJECT THE SAMPLES TO BE TREATED TO A WATER SOAK TEST. IN ACCORDANCE WITH BS 5852 1999 PARAGRAPH 3, BEFORE THE BS 5852 TESTS ARE CARRIED OUT. A COPY OF THE LABORATORY TEST REPORT FROM AN ACCREDITED TESTING LABORATORY IDENTIFYING COMPLIANCE OF THE FURNISHING COMPOSITE WITH THE ABOVE MENTIONED BRITISH STANDARDS MUST BE FORWARDED TO THE LOCAL AUTHORITY BEFORE INSTALLATION AND CONFIRMATION THAT THE FURNISHING SPECIFIED IN THIS CERTIFICATE HAVE BEEN INSTALLED IN THE PREMISES.
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*Tudor End*

*Continuing from Page 1*



1 SECOND FLOOR PLAN Scale: 1:50



2 FIRST FLOOR PLAN Scale: 1:50

- GENERAL NOTES**
- ALL FINISHES ARE TO CONFORM TO THE REQUIRED CURRENT BUILDING REGULATIONS IN THE APPLICABLE COUNTRY (IN A UK RESTAURANT ALL FINISHES ARE TO BE CLASS 1 OR EQUIVALENT).
  - CONTRACTOR MUST VERIFY ALL SITE DIMENSIONS, DRAWINGS, DETAILS AND SPECIFICATIONS AND REPORT ANY DISCREPANCIES TO DESIGN LSM LTD BEFORE PROCEEDING WITH ANY WORK.
  - ALL REQUESTED DRAWINGS SHOWING FIXINGS AND CONSTRUCTION DETAILS ARE REQUIRED TO BE APPROVED BY DESIGN LSM LTD. PRIOR TO COMMENCEMENT OF WORK.
  - ALL SPECIFIED ITEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS.
  - CONTRACTOR TO PROVIDE A WORKING ENVIRONMENT WHICH CONFORMS TO THE CURRENT HEALTH AND SAFETY AT WORK CONDITIONS AND LOCAL AUTHORITY REGULATIONS.
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REVISION	DATE	ITEM
B	13.05.09	WC layout revised, entrance lobby revised on first floor
A	03.04.09	External area omitted from licensing boundary

- INFORMATION ONLY
- APPLICATION FOR LOCAL AUTHORITY
- TENDER
- CONSTRUCTION

PROJECT TUDOR ROSE GUILDFORD

TITLE LICENSING PLAN

DRAWN	DATE	SCALE	CHECKED
KM	03/09	1:50	
PROJECT	NUMBER	REVISION	
L09 1668	07-01	B 501	

**designLSM**  
designLSM Interior Designers & Architecture Consultants  
The Both House  
58 Livingstone Road  
Hove  
East Sussex  
BN3 3WL  
t: +44 (0) 1273 820033  
f: +44 (0) 1273 820058  
mail@designlsm.com  
www.designlsm.com

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**Guildford**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@guildford.gov.uk](mailto:licensing@guildford.gov.uk)  
Telephone: 01483 444371

\* required information

**Section 1 of 17**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="Fahrenheit 55 LTD"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes       No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

* First name	<input type="text" value="Jonathan"/>
* Family name	<input type="text" value="Croxford"/>
* E-mail	<input type="text" value="[REDACTED]"/>
Main telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text"/>

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

*Continued from previous page...*

**Your Address**

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="6"/>
* Street	<input type="text" value="Weyview Close"/>
District	<input type="text"/>
* City or town	<input type="text" value="Guildford"/>
County or administrative area	<input type="text" value="Surrey"/>
* Postcode	<input type="text" value="GU1 1HN"/>
* Country	<input type="text" value="United Kingdom"/>

**Section 2 of 17**

**APPLICATION DETAILS**

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

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number	<input type="text" value="GUPLA0436"/>
---------------------------	--

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name	<input type="text" value="3"/>
Street	<input type="text" value="Milkhouse Gate"/>
District	<input type="text"/>
City or town	<input type="text" value="Guildford"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="GU1 3EZ"/>
Country	<input type="text" value="United Kingdom"/>

**Premises Contact Details**

Telephone number	<input type="text" value="01483 300999"/>
Non-domestic rateable value of premises (£)	<input type="text" value="15,750"/>

**Section 3 of 17**

**VARIATION**

*Continued from previous page...*

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

Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To allow patrons to take beverages into the smoking area in the interests of safety/prevention of crime as a result of drinks left unguarded. A small paved area (outlined in red on the attached plan) to the rear of the building is roped off to contain smokers during evenings only post 8pm when adjacent shops are shut. No changes to licensable activities or hours. This area will close 11.30pm Sunday-Thursday and 2am Friday and Saturday. Also to include a small reduction of bar service area enabling customers to make use of a bay window.

**Section 4 of 17**

**PROVISION OF PLAYS**

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

**Section 5 of 17**

**PROVISION OF FILMS**

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

**Section 6 of 17**

**PROVISION OF INDOOR SPORTING EVENTS**

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes  No

*Continued from previous page...*

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

**Section 10 of 17**

**PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 11 of 17**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

*Continued from previous page...*

**Section 14 of 17**

**ADULT ENTERTAINMENT**

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

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Gaming Machines in sight of bar staff

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

**Continued from previous page...**

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NYE

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

None

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

Do not have a digital copy of premises licence GUPLA0436 to enclose

**Section 16 of 17**

**LICENSING OBJECTIVES**

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

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

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

No changes to activities or hours. Existing conditions will remain.

b) The prevention of crime and disorder

Currently patrons are asked to leave drinks inside when stepping out to smoke. This has resulted in theft, accidental spillage and the potential to spike drinks. We have run a trial of this application and found it mitigates all possible negative outcomes of leaving drinks unattended. There have been no incidents to the contrary. We rope off the area to contain



**Continued from previous page...**

smokers to also prevent potential situations of disorder arising, and we can therefore clean the area and reset it for the shops and public by morning.

c) Public safety

No changes to activities or hours. Existing conditions will remain. Containing the smokers will enable passers by to avoid the second hand smoke improving public safety.

d) The prevention of public nuisance

No changes to activities or hours. Existing conditions will remain. In order to mitigate the potential noise we limit the area to 20 smokers at a time and a security supervisor is present from 10.30pm to control the area and send loud patrons back inside. The area will be cleared by 11.30pm Sunday-Thursday and 2am Friday and Saturday. Patrons wishing to smoke after this area is shut will be directed to the small outside area on the first floor to the front of the building, again patrolled by a security supervisor and limited to 20 people.

e) The protection of children from harm

No changes to activities or hours. Existing conditions will remain. By containing the smokers in one area children passing by are more likely to be able to avoid coming into contact with second hand smoke.

**Section 17 of 17**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Variation Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00

**Continued from previous page...**

Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

One you're finished you need to do the following:

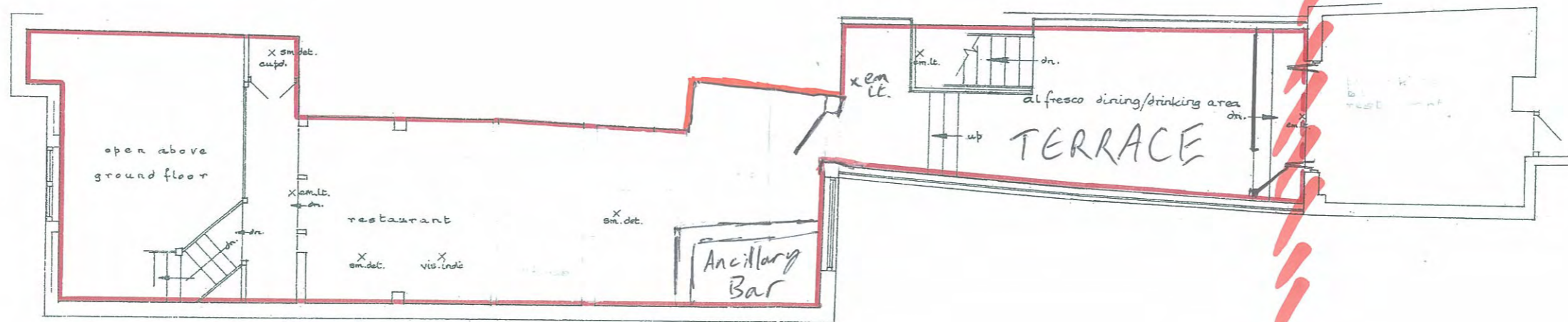
1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/guildford/change-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

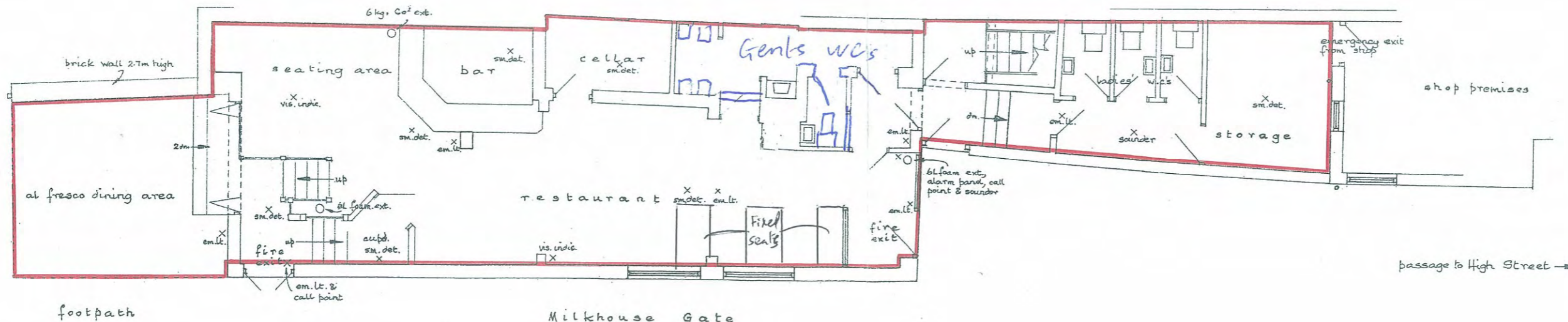
# Fahrenheit End

Continues  
on  
Page 2.



First Floor

Work not complete, but will be compliant with Building Regulations and I.I fire detection system



Ground Floor

Notes  
All dimensions must be checked on site and not scaled from this drawing.

A	Date	Revisions

© copyright

Client  
Globelease Ltd.

Job Title  
Tudor Rose Restaurant, 144 High Street (near part only) & 3 Milkhouse Gate, Guildford

September 2008

Drawing Title  
Ground and First Floor Plans as proposed

Scale 1:100

Plan No: 08/22 Rev: Jon

**LANGRIDGE PLANNING SERVICES**

30 Holly Lea,  
Jacobs Well,  
Guildford,  
Surrey GU4 7PG  
Tel. & Fax: (01483) 450410

- Fire Protection**
- Installation of an Automatic fire detection system to be fitted throughout in accordance with BS5839 Part 1 1998
  - Emergency Push pad with sign
  - Wall mounted Fire blanket in container
  - 2kg wall mounted Carbon Dioxide Fire Extinguisher
  - 9 litre wall mounted water fire extinguisher
  - Manual Fire alarm call point location
  - Maintained Emergency light
  - Illuminated exit sign over door
  - Ceiling Mounted Smoke Detector
  - Ceiling mounted Heat Detector
  - Fire Door keep clear sign located on direction of opening side door
  - Keep Door Locked Sign located on direction of opening side door
  - Half hour fire door including intumescent smoke seal strips and positive overhauled door closures, fire stops and sign

**Means of Escape Capacity**  
Occupancy rates are based upon BS 5388 part 2 1985 Table2

Arts	Total
Whole demise in total including second floor	170m sq
Restaurant and public toilet area	127.5m sq
Staff and kitchen area	40.5m sq
Exterior seating area	2.3m sq

**OCCUPANCY LEVELS**

Restaurant seated area standing customers (Maximum)	55
TOTAL NUMBER OF OCCUPANCY + 5 STAFF	60
Exterior Seating + Standing	25
Clear Width of escape width required for 60 persons internal	750mm

**Disabled customers:**  
Due to the first floor location and narrow and steep access restrictions due to the heritage of the site a disabled wc cannot be accommodated.

**Toilet accommodation**  
The toilet accommodation is based upon BS 6463 Part 1 1994, Sanitary Installations Table 10 - Full on Access. Ratio of male to female being 50% each. This applies to the restaurant area only

	Urinals	WCs	WHBs
Males	2	1	2
Females	N/A	3	3

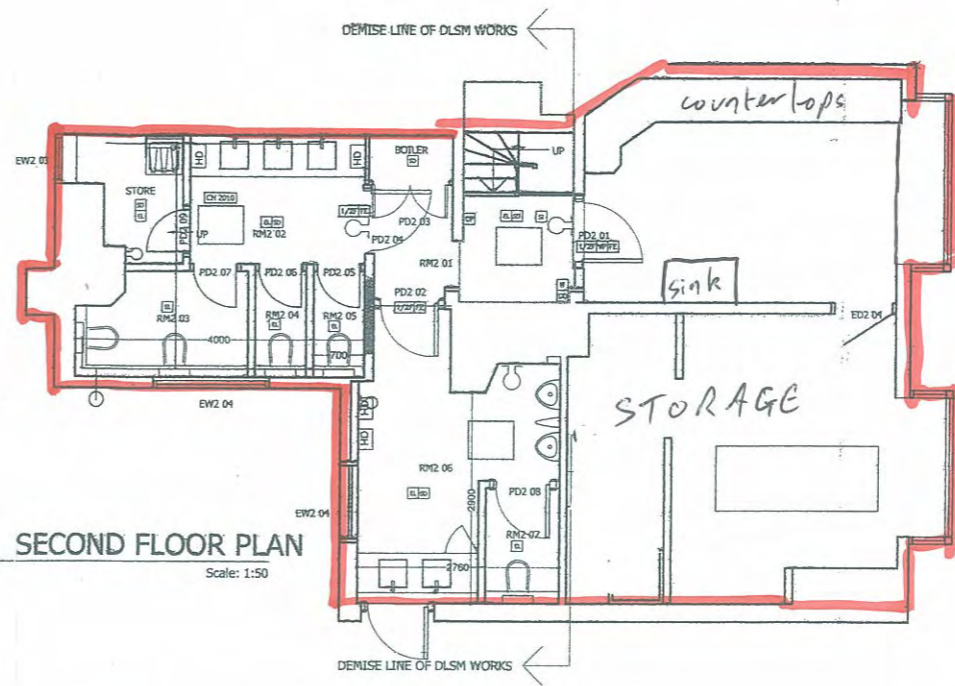
**COLOURING KEY:**

RED OUTLINE  
Area of the scope of brief/working liquor and provision of late night refreshment.

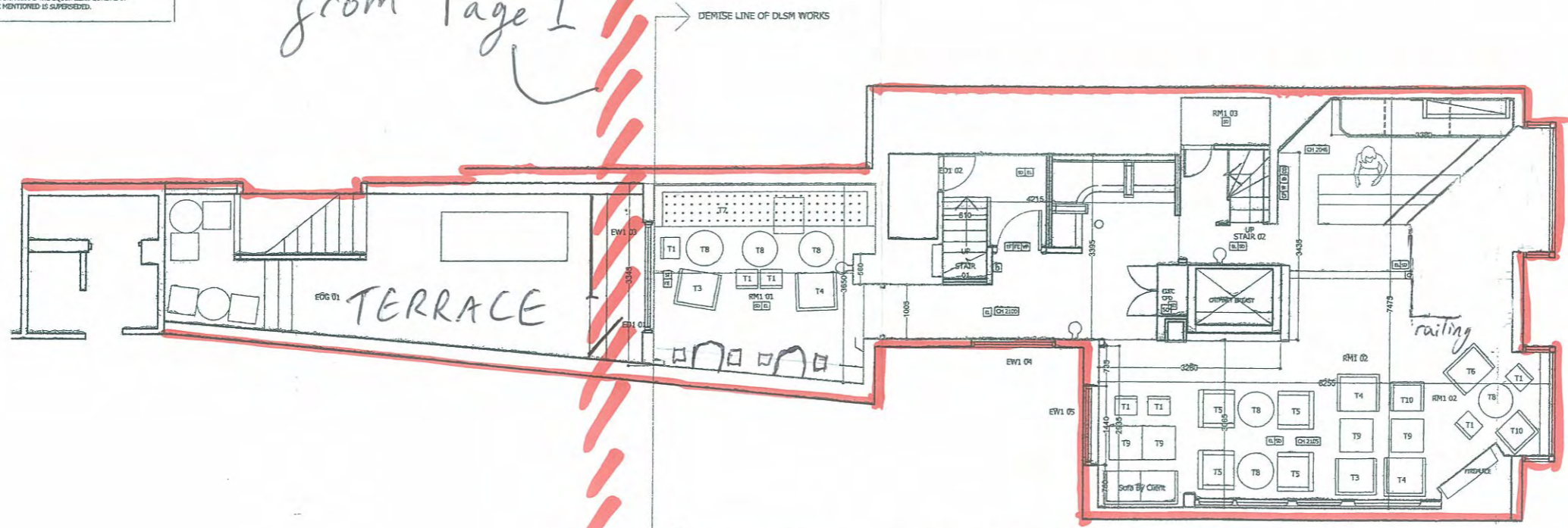
- STANDARDS REQUIRED TO BE ACHIEVED IN RESPECT OF FIRE & SAFETY MATTERS.**
- DOORS AND PARTITIONS REQUIRED TO BE FIRE RESISTING ARE TO BE IN ACCORDANCE WITH BRITISH STANDARD BS 476 1972 AS AMENDED.
  - FIRE RESISTING DOORS REQUIRED TO RESIST THE PASSAGE OF SMOKE AT AMBIENT TEMPERATURE CONDITIONS SHOULD, UNLESS TESTED IN ACCORDANCE WITH BS 476 SECTION 3.1.1 1983, BE FITTED WITH SMOKE SEAL.
  - THE FIRE ALARM SYSTEM TO COMPLY WITH BRITISH STANDARDS BS 5839 PART 1 2002. THE ATTENTION OF THE DESIGN INSTALLING ENGINEER SHOULD BE DRAWN TO PARAGRAPH 4.3 (CONSULTATION RECORDS) OF BS 5839 PART 1 2002 WHICH REQUIRES CONSULTATION WITH THE FIRE AUTHORITY.
  - THE EMERGENCY LIGHTING INSTALLATION IS TO COMPLY WITH BRITISH STANDARD BS 5266 PART 1 1999. THE ATTENTION OF THE DESIGN INSTALLING ENGINEER SHOULD BE DRAWN TO PARAGRAPH 3.1 (CONSULTATION AND RECORDS) OF BS 5266 PART 1 1999, WHICH REQUIRES CONSULTATION WITH THE FIRE AUTHORITY.
  - FIRE SAFETY RELATED SIGNS AND NOTICES ARE TO CONFORM TO CURRENT BRITISH STANDARDS.
  - ILLUMINATED 'EXIT' SIGNS ARE TO CONFORM TO BS 5499 PARTS 1&2.
  - FIRE FIGHTING EQUIPMENT IS TO COMPLY WITH BS ENX 1-4, BS 7863 (1996), BS 7867 (1997) AND BS 5306 (2006).
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*Tudor End*

*Continuing from Page 1*



1 SECOND FLOOR PLAN Scale: 1:50



2 FIRST FLOOR PLAN Scale: 1:50

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  - COPYRIGHT OF DESIGN LSM LIMITED. NOT TO BE REPRODUCED.

B	13.05.09	WC layout revised, entrance lobby revised on first floor
A	03.04.09	External area omitted from licensing boundary

- REVISION DATE ITEM
- INFORMATION ONLY
  - APPLICATION FOR LOCAL AUTHORITY
  - TENDER
  - CONSTRUCTION

PROJECT TUDOR ROSE GUILDFORD

TITLE LICENSING PLAN

DRAWN	DATE	SCALE	CHECKED
KM	03/09	1:50	
PROJECT	NUMBER	REVISION	
L09 1668	07-01	B	Jon

designLSM  
Interior Designers & Architecture Consultants

The Bath House  
58 Livingstone Road  
Hove  
East Sussex  
BN3 3WL

t: +44 (0) 1273 820033  
f: +44 (0) 1273 820058  
mail@designlsm.com  
www.designlsm.com

Note:  
All dimensions must be checked on site  
and not scaled from this drawing.

A		
	Date	Revision

© copyright

Client  
Fahrenheit 55 Ltd.

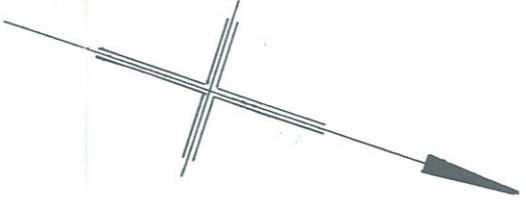
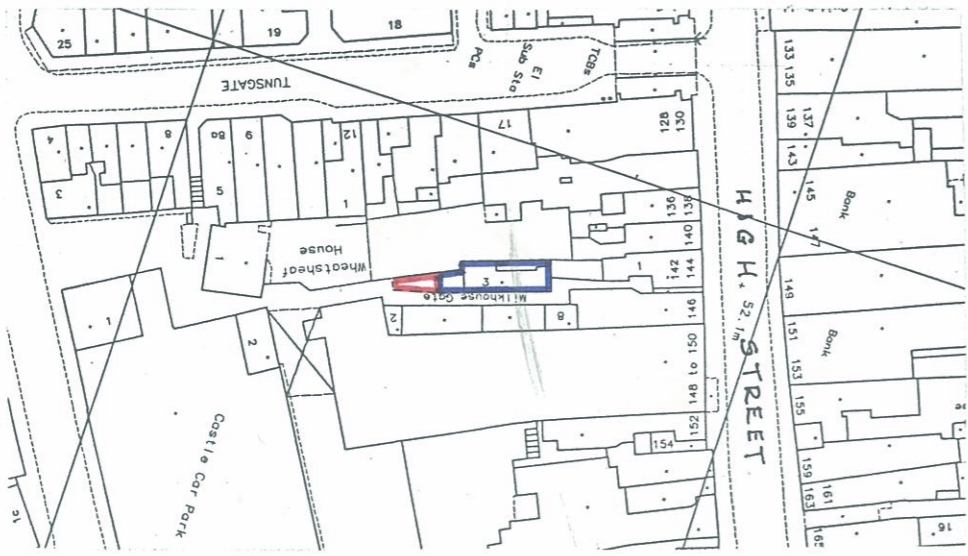
Job Title  
Land in Milkhouse Gate  
Guildford (adjoining  
Fahrenheit 55) prop.  
change of use  
August 2007

Drawing Title  
Site Plan and  
Location Plan

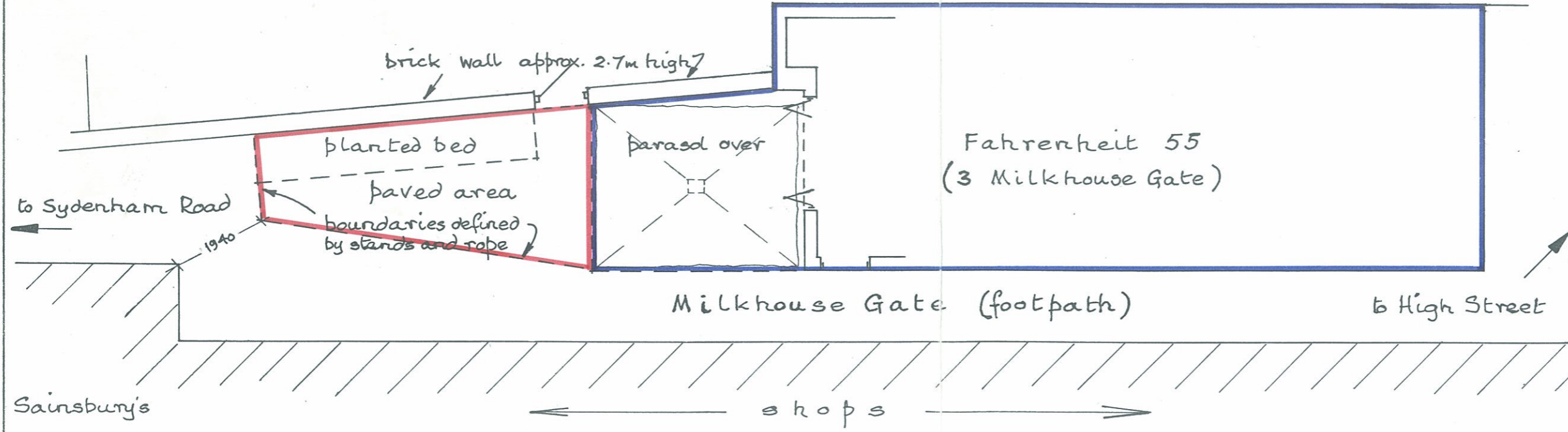
Scales as noted  
Plan No: -07/33 Rev:-

**LANGRIDGE  
PLANNING  
SERVICES**

30 Holly Lea,  
Jacobs Well,  
Guildford,  
Surrey GU4 7PG  
Tel. & Fax: (01483) 450410



Location Plan - scale 1:1250  
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Site Plan - scale 1:100 @ A3 size.

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From: Kayleigh Atkinson  
Sent: 27 January 2015 19:46  
To: Gary Durrant  
Subject: Fahrenheit

Dear Gary,

I understand that Fahrenheit have recently submitted an application to amend their licence to allow their patrons to consume drinks outside of the venue. This raises a massive concern to us as their residential neighbours. We are already hugely disturbed during the early hours of the morning by the noise levels coming from the outside smoking area of Fahrenheit caused by people talking and shouting loudly, if people are allowed to take their drinks outside then this will only result in more people out there for much longer periods getting further more rowdy. The noise levels are bound to worsen causing even more disturbance to us during the night. We are already having trouble sleeping through the noise levels currently coming from Fahrenheit.

I hope our comments are taken in to consideration when this application is being reviewed and would appreciate your kind consideration towards our situation here.

Many thanks,

Kind regards,

Kayleigh and phil  
The Flat, Milkhouse Gate

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## HOLY TRINITY AMENITY GROUP

Licensing Team  
Guildford Borough Council,  
Millmead House,  
Millmead,  
Guildford,  
Surrey, GU2 4BB.

8, Pewley Bank,  
Guildford,  
Surrey, GUI 3PU.  
Tel..  
e-mail:

11<sup>th</sup> Dec. 2014.

Dear Licensing Team,

**Objection to Premises License Variation Application 158567**  
**Fahrenheit 55, 3 Milkhouse Gate, Guildford GU1 3EZ**

The application is:

*“To allow patrons to take beverages into the smoking area in the interests of safety/prevention of crime as a result of drinks left unguarded. A small paved area .....to the rear of the building is roped off to contain smokers during evenings only post 8pm when adjacent shops are shut. No changes to licensable activities or hours. This area will close 11.30pm Sunday-Thursday and 2am Friday and Saturday.”*

**We object to this application.**

**Context.**

The premises are situated in the middle of the shopping area, on the narrow Milkhouse Gate, just off the High Street. Milkhouse Gate contains various shops, and also the busy rear entrance to Sainsbury. This part of the Gate is designated a secondary shopping area, and is not suitable for activities associated with the night-time economy; it is also close to residential areas. It is an important and much used pedestrian route, being a designated footpath, FP74, and also a Town Path, T7041. Milkhouse Gate is one of the listed town centre streets where neither drinking, nor street trading are allowed.

The applicant does not own the land on which this enclosure is proposed, nor that which has been previously annexed and on which a permanent structure now sits. No records have been found to legally establish ownership. However these areas have been open to the public for a very long time, and probably formed part of the original “Gate”. The whole street surface has also been maintained and renewed jointly by our two councils; work on it has included environmental improvements, such as the planter that would be within the proposed enclosure. Both areas must be considered as part of the Milkhouse Gate street. Even if there are no records to prove this, the areas in question have become part of the street by virtue of public use over many years. This is confirmed in the letter of 5<sup>th</sup> March 2008 from James Taylor of SCC to Ms Williams of GBC.

It remains our view that planning approval for the existing covered enclosure was wrongly given, and also that it should not be operating without a Highways License.

Agenda item number: 1

Appendix 4

We are uncertain whether the premises license (for drinking ON the premises only) was ever varied to allow for the addition of this area.

The applicant already closes off the proposed extra area, without permission, and people have been observed drinking in it. This was the subject of a complaint to the police.

There is no need for this smoking facility. The establishment already have one on the first floor, and if necessary the existing outdoor extension could be opened up more to meet the regulations and to serve as a smoking area.

Considering the specific criteria to be considered:

**1. The prevention of crime and disorder.**

This area is part of a street in which drinking is not allowed. It would therefore be illegal to encourage this to happen. The barriers being used both for the approved extension and for the additional unapproved one, are only about a metre high and it is easy to step over them. At times when the Club is busy this will just encourage clients to step over, and perhaps take their drinks to the comparatively close streets where drinking is not prohibited. This will severely compromise the security of the operation, as persons can enter or leave the establishment without being checked. It is also easy for items to be passed either way over the barriers to anyone outside, in particular there would be nothing to stop drinks being passed over the barriers to somebody excluded from entry.

This might seem a small area to be of any concern, but if annexation of public street space is allowed here for drinking, then the whole strategy of constraining street drinking in Guildford, and preventing associated crime and disorder, would be undermined. A dangerous precedent would be set.

**2. Public safety.**

The pedestrian route can be busy, even in the evening especially when events are happening in the town centre. By considerably narrowing the route and causing congestion there is the risk of falls, and of thefts. The street must also be open enough to function as a fire escape route from a number of premises in the Gate.

By being forced into such close proximity to smokers, in a small enclosed area, there is the risk of passers by inhaling smoke.

There is a real risk of glasses falling outside of the barrier onto the pedestrian route.

The annexation of a further part of the public area would represent another expansion of the active business area, which is already too large in relation to its cramped access provision.

**3. The prevention of public nuisance.**

The narrow part of the pedestrian route is already sometimes blocked by clients and security staff standing outside the entrance. Noise would be a nuisance to passersby, and to some nearby residents. The operation would generally degrade the environment of this area.

**4. The protection of children from harm.**

There could be increased risk to passing children from the hazards outlined above.

Yours sincerely,  
R.J. Bromham. (Secretary, HTAG Planning Group)

Copies to: Councillors Sarah Creedy, Melanie Bright, Philip Hooper.  
John Baylis (Guildford Society). HTAG Chairman.

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