

**NOTICE OF HEARING  
BY THE LICENSING SUB-COMMITTEE  
under the  
LICENSING ACT 2003**

**APPLICATION FOR A NEW PREMISES LICENCE – THE YARD  
CAFÉ, ST THOMAS STREET, LYMINGTON**

**Date and Time:** WEDNESDAY, 10 OCTOBER 2018, AT 10.00 AM

**Place:** COUNCIL CHAMBER, TOWN HALL, LYMINGTON

**Telephone enquiries to:** Lyndhurst (023) 8028 5000  
023 8028 5588 - ask for Karen Wardle  
E-mail: karen.wardle@nfdc.gov.uk

*These papers are also available on audio tape, in Braille, large print and digital format*

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1. **APPLICATION FOR A NEW PREMISES LICENCE - THE YARD CAFE, ST THOMAS STREET, LYMINGTON (Pages 1 - 88)**

**THE RELEVANT PAPERS ARE ATTACHED**

**A large scale map of the premises will be available at the hearing**

**To: Members of the Sub-Committee:**

Cllr G Beck  
Cllr S Clarke

Cllr S Davies  
Cllr Mrs C Ford (Substitute)

**Parties to the Hearing:**

Applicant - Mr S J Knowles  
Objectors – Mrs J McCain  
Ms F Perks  
Lymington & Pennington Town Council  
Ms E Marsden  
Mr G Harrington  
Ms W Rock  
Mr N House  
Ms T Toms  
Mr J Harrington  
Mr P Griffiths  
Mr J Bull

**Copies for Information:**

Cllrs – Penson and Mrs Rostand - Local Members

Licensing – C Ferguson

Legal Services – Miss G O'Rourke/Mrs A Wilson/Mrs R Rutins

Hampshire Constabulary

## LICENSING SUB COMMITTEE – 10 OCTOBER 2018

### APPLICATION FOR A NEW PREMISES LICENCE – THE YARD CAFÉ, THOMAS STREET, LYMINGTON, SO41 9NA

#### 1. INTRODUCTION

- 1.1 The purpose of the report is to provide Members with information relevant to the hearing to determine an application for a premises licence made under section 17 of the Licensing Act 2003. The premises being The Yard Café, 11 St Thomas Street, Lymington, SO41 9NA.

#### 2. BACKGROUND INFORMATION

- 2.1 The Yard Café is situated to the rear of a commercial property in Lymington on St Thomas Street. The front half of the property is the Guy Kremer hair salon which opened in August this year. The rear of the property and outdoor courtyard form the proposed licensed premises. A location plan of the premises is provided at **Appendix 1**.
- 2.2 Prior to the property being split the premises had been licensed as a whole and operated as a licensed café. However, the premises were empty prior to the refit and the introduction of the hair salon to the front half of the property.
- 2.3 The applicant, Mr Knowles, has experience in the licensed trade and is the Designated Premises Supervisor at the White Lion in Gillingham, Dorset. He has also consented to be the Designated Premises Supervisor of The Yard Café initially.
- 2.4 Photographs of the property, the frontage and the side passage entrance which is intended to be used by customers are presented as **Appendix 2**. These photographs also reference the properties next to and above the premises. The photographs are described as follows:-

Photo 1 - Hair salon at the front of property showing the lighting shop next door and the shared gate entrance to the passageway.

Photo 2 - Sliding door between the salon and the café to the rear.

Photo 3 - View from the sliding door through the café. Courtyard to the right.

Photo 4 - View of the patio at flat 12a taken from the café courtyard.

Photo 5 - Steps up to flat 12a to the right, steps up to flat 11a. Gate to café courtyard in the centre. The open door to the left of the picture will be the entrance/exit to the premises when the salon is closed. The gate to the centre of the picture will not be used by customers.

Photo 6 - View of the passageway taken from the street entrance also showing steps up to flat 12a.

Photo 7 - View taken from the café door of the rear entrance to the lighting shop to the right and stockroom to the left.

Photo 8 - View of the passage taken from the café door. Upstairs flat windows can also be seen.

#### 3. THE APPLICATION

- 3.1 On 17 August 2018 New Forest District Council received an application from Mr Stuart J Knowles for The Yard Café. The application is attached as **Appendix 3** (blank pages removed).
- 3.2 The premises are described by the applicant as *“an all-day café serving breakfast, brunch, lunches-to serve alcohol alongside menu within the confines of the café*

*premises only.*

*The lock up café which seats a maximum of 24 customers, sits among other retail outlets and is located to the end of St Thomas street to the rear of the new guy Kremer salon and also has its own self-contained side entrance accessed from the street.”*

- 3.3 The application as received seeks to sell alcohol for consumption on the premises during the following times;

Monday to Sunday 10:00 to 23:00

The proposed opening times of the premises are;

Monday to Sunday 09:00 to 23:00

However, the proposed times have been amended as set out in paragraph 6.5.

- 3.4 The application has been correctly advertised both on the premises and in the local newspaper as required by the Licensing Act 2003.

#### **4. REQUIREMENTS FOR A HEARING**

- 4.1 The Licensing Authority must hold a hearing to determine the application where relevant representations addressing the licensing objectives are made. These being:

- 1) The prevention of Crime and Disorder;
- 2) Public safety;
- 3) The prevention of public nuisance;
- 4) The protection of children from harm.

- 4.2 Guidance about the licensing objectives has been issued by the Home Office under section 182 of the Licensing Act 2003.

- 4.3 In determining the application the Licensing Sub-Committee must give appropriate weight to:

- 1) The steps that are appropriate to promote the licensing objectives;
- 2) The relevant representations presented by all the parties;
- 3) The Home Office guidance;
- 4) The Council's own Statement of Licensing Policy.

#### **5. REPRESENTATIONS RECEIVED**

- 5.1 During the 28 day representation period the Licensing Authority received eleven representations from other persons, in the main, these being from residents and landlords of neighbouring properties. Representations have also been received from the owner of a neighbouring business and two community organisations. These are attached as **Appendix 4**.

- 5.2. The representations highlight concerns about the location of the premises to neighbouring properties, access to the premises via the side passageway, security, noise, disturbance from customers, storage of refuse from the premises, safety of customers and resulting bad behaviour from customers who have consumed alcohol.

## 6. AGREED CHANGES TO THE APPLICATION

- 6.1 In line with the requirement to make all Responsible Authorities aware of the application copies were served during the application process.
- 6.2 No representations were received from any of the Responsible Authorities, however conditions requested by the Environmental Health Officer (EHO) and the Police have been agreed by the applicant. These would be attached to any licence should it be granted in addition to the conditions volunteered by the applicant in the application.

The conditions requested by the Environmental Health Officer are presented at **Appendix 5**.

- 6.3 The Licensing Police officer also requested that a number of conditions be applied to any licence granted for the premises and the applicant agreed and these are presented as **Appendix 6**.
- 6.4 There is also a planning restriction for the hours that the premises may operate and the planning department has made the applicant aware of these.
- 6.5 Following the joint visit to the premises with the EHO and the Licensing Manager the applicant also agreed to amend the operating hours to provide:-

The sale of alcohol from Monday to Sunday- 10:00 to 22:00 and the opening times of premises- 09:00 to 22.30 Monday to Sunday. These hours would replicate the restricted planning hours.

- 6.6 During the meeting various options were discussed to try and mitigate some of the concerns raised in the representations. Confirmation of these measures can be found at **Appendix 7**. These include adding signage, possible measures to prevent unauthorised access to the upstairs flats, ensuring there is adequate lighting in the passage for customers and also having the main access and egress for customers through the hair salon during the hours the salon is open.

## 7. LEGAL IMPLICATIONS

- 7.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations 2003. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.
- 7.2 The Applicant and those parties making representations have been invited to this hearing and have been provided with this report and the procedures to be followed at the hearing.
- 7.3 The Applicant and those who have made relevant representations are entitled to address the Licensing Sub Committee and to ask questions of the other party, with the consent of the Licensing Sub Committee.

## 8. RIGHT OF APPEAL

- 8.1 It should be noted that the applicant and those who have made relevant representations may appeal the decision made by the Licensing Sub Committee to the Magistrates' Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.

- 8.2 In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision made by the Magistrates' Court.
- 8.3 A Responsible Authority or any person may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by a person other than a Responsible Authority will not normally be granted within the first 12 months except for the most compelling circumstances.

## **9. CONCLUSION**

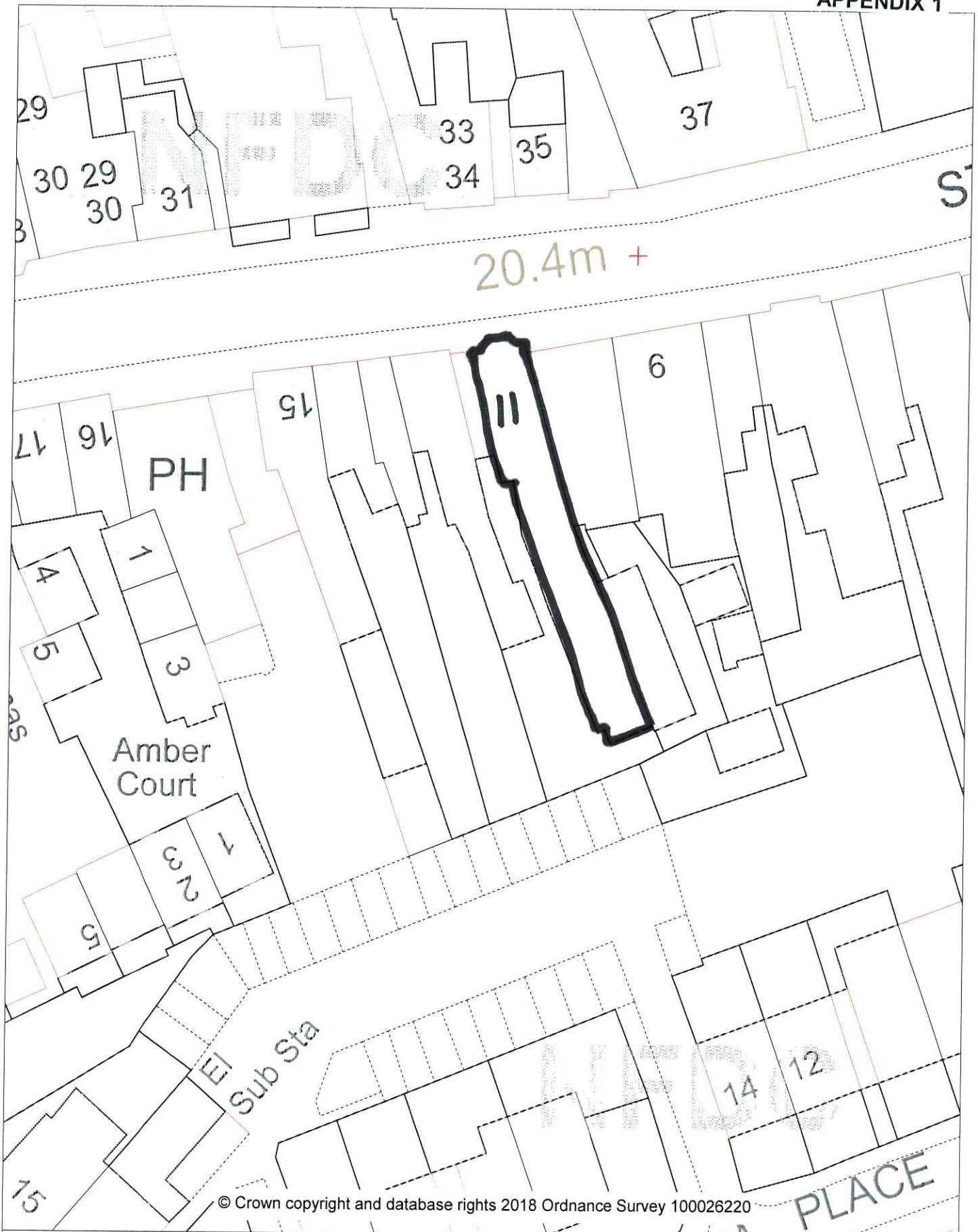
- 9.1 The Licensing Sub-Committee must, having regard to the application and any relevant representations, consider which of the following measures are appropriate for the promotion of the licensing objectives:
- 1) Grant the Licence – as applied for in the application, with the agreed amended timings.
  - 2) Grant the Licence - but modify the conditions and/or hours with the addition of the conditions requested by the police and the EHO, as appropriate.
  - 3) Reject the application.

## **10. RECOMMENDATION**

- 10.1 That the Licensing Sub-Committee determines the application.

### **Further Information:**

Christa Ferguson  
Licensing Manager  
Tel: 023 8028 5505  
Email: [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk)



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**New Forest**  
DISTRICT COUNCIL

Tel: 023 8028 5000 www.newforest.gov.uk

**Title** *The Yard Cafe*

**Date**  
12/09/18

**Scale**  
1:441

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**Photograph 1**



HAVE AN  
**AFFAIR**  
— WITH YOUR —  
**HAIR**



TAKE YOUR EXPERT HOME WITH YOU!  
ASK FOR YOUR MATCH TODAY #MYEXPERT

**L'OREAL**  
PROFESSIONNEL  
PARIS

**Photograph 2**



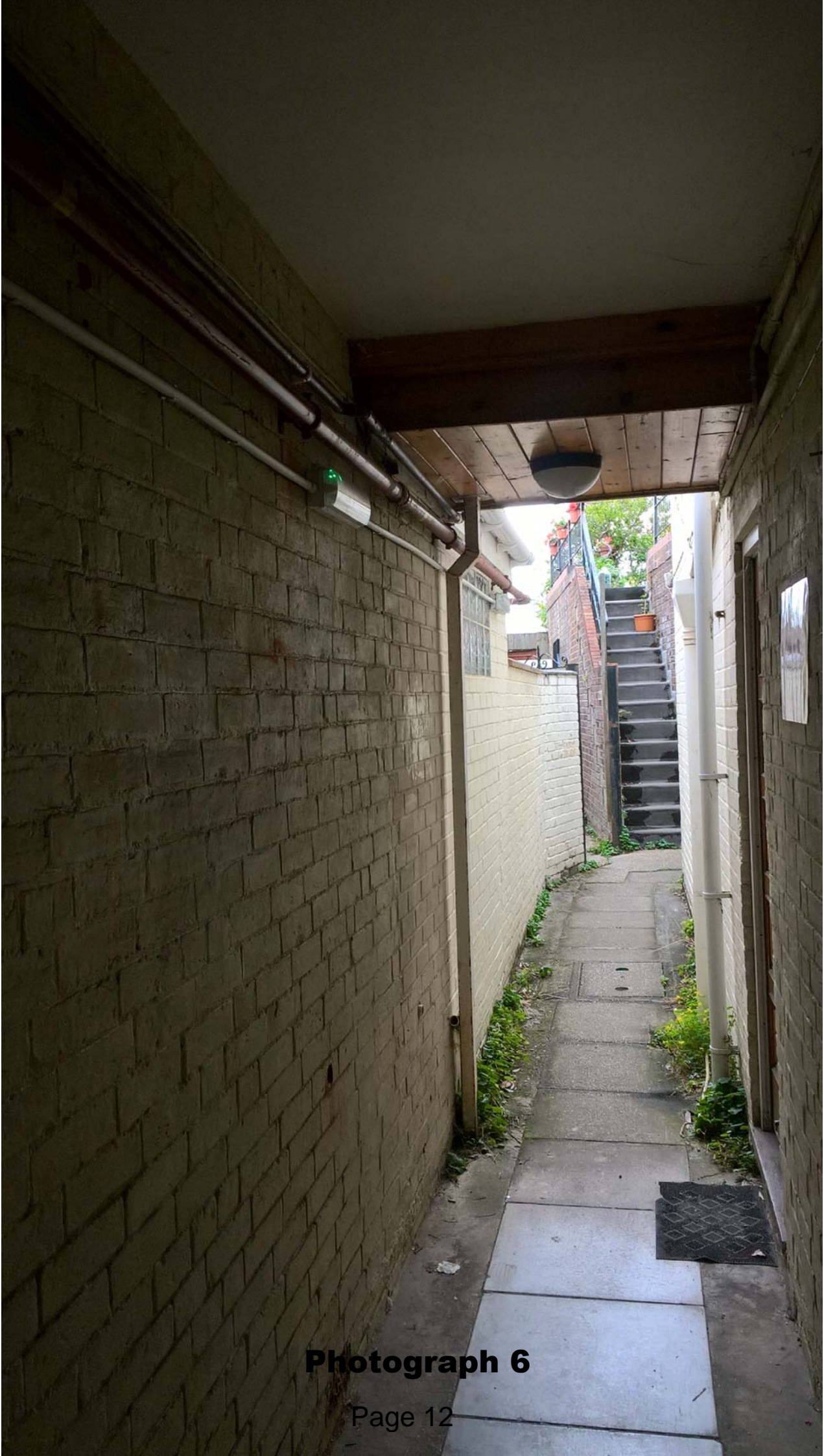
**Photograph 3**



**Photograph 4**



**Photograph 5**



**Photograph 6**



**Photograph 7**



**Photograph 8**



Lic PR / 18 / OS 279

Recrd: 17/8/18



Application for a premises licence to be granted  
under the Licensing Act 2003

Last Day  
14/9/18

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 Stuart James Knowles

*(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			
The Yard Café at Guy Kremer 11 St Thomas Street			
Post town	Lymington	Postcode	SO41 9NA
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£14,750	

Part 2 - Applicant details

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

Please tick

a) an individual or individuals \*

please complete section (A)

- b) a person other than an individual \*
- i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)
  - iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Knowles			First names Stuart James		
Date of birth over		I am 18 years old or		<input checked="" type="checkbox"/> Please tick yes	
Nationality British					

Current residential address if different from premises address		The White Lion Inn High Street Bourton	
Post town	Nr Gillingham	Postcode	SP8 5AT
Daytime contact telephone number			
E-mail address (optional)	ail.co.uk		

**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
------

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10am	11pm			
Tue	10am	11pm			
Wed	10am	11pm			
Thur	10am	11pm			
Fri	10am	11pm			
Sat	10am	11pm			
Sun	10am	11pm			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

**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	Stuart James Knowles		
Date of birth			
Address	The White Lion Inn High Street Bourton Nr Gillingham		
Postcode	SP8 5AT		
Personal licence number (if known)	PA0814		
Issuing licensing authority (if known)	North Dorset District Council		

15  
21092017

Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	2	09 20 18

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)

All day café serving breakfast, brunch, lunches - to serve alcohol alongside menu within the confines of the café premises only.

The lock up café which seats a maximum of 24 customers, sits among other retail outlets and is located to the end of St Thomas Street to the rear of the new Guy Kremer Salon and also has its own self-contained side entrance accessed from the street.

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

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)
Day	Start	Finish	
Mon	9am	11pm	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	9am	11pm	
Wed	9am	11pm	
Thur	9am	11pm	
Fri	9am	11pm	
Sat	9am	11pm	
Sun	9am	11pm	

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)

Risk assessments and fire risk assessments will be undertaken to identify hazards to general public and staff.  
Evaluate risk, record findings and take action/precautions.  
Staff training undertaken to ensure all rules and guidelines are strictly adhered to and relevant action taken.  
Periodic assessments and updated accordingly.

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

Ensure licensing regulations are not breached. No supply of alcohol to under 18's.  
Relevant signs to be displayed.  
Refusal of alcohol to intoxicated people.  
A refusal book will be maintained to record details of anyone refused alcohol.  
Intolerance of anti-social behaviour – details recorded.  
CCTV cameras installed and data will be made available to the police when required.  
Report criminal activity to police.

c) **Public safety**

CCTV cameras installed.  
Compliance with food safety and fire regulations.  
Staff health & safety – and designated first aider.  
No overcrowding in café.  
All glassware kept to the premises.  
Housekeeping notebook on alcohol will be maintained.  
Glass breakages will be cleared up immediately.  
Ensure emergency exits are clear at all times.

d) **The prevention of public nuisance**

No amplified music will be played and any background music kept to a minimum (note café seats 24).  
Ensure smoking regulations strictly adhered to and signs displayed.  
Zero intolerance to anti-social behaviour.  
No supply of alcohol to very drunk people.  
Ensure no loitering about premises and customers and staff enter and leave premises quietly.  
Ensure litter is cleared and bins are kept away from public areas.  
Deliveries to the business will be carried out at such a time to minimise disturbance.



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

Alcohol will be kept in a safe place.

Clear and visible signs regarding underage drinking will be on display at the premises.

Staff will undertake training in checking customer's ages to ensure alcohol is not accessible to children and that no alcohol is supplied to under 18's.

Anti-social behaviour, bad language, violence etc. will not be tolerated and details recorded in a log book.

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	
Date	07/08/18
Capacity	

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

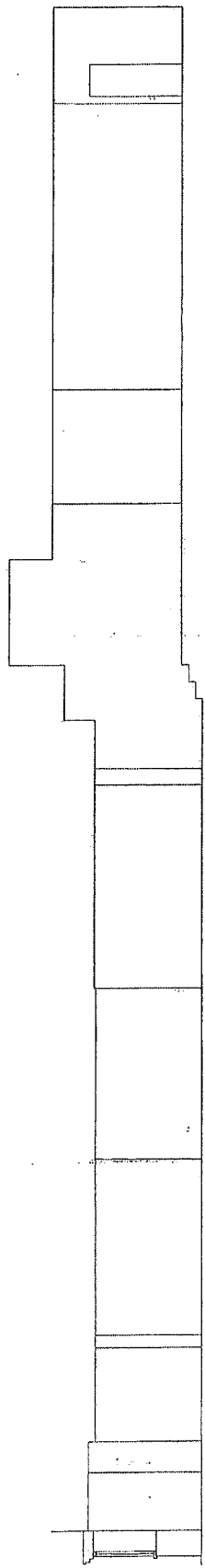
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	

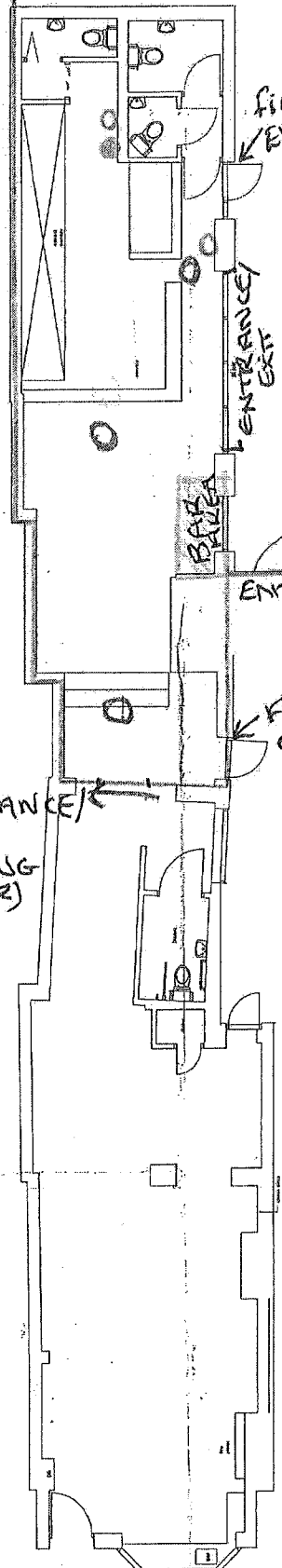
PLAN - 1 OF 2

THE YARD CAFE

DO NOT SCALE

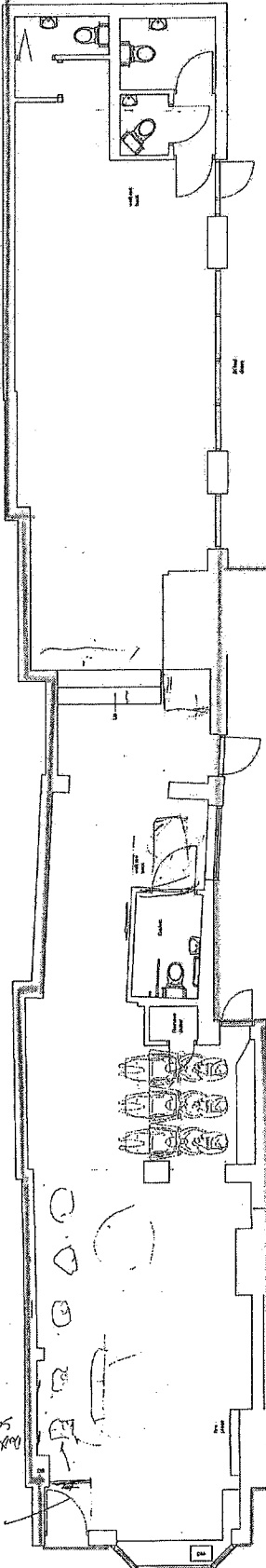


Existing side elevation



Existing ground floor plan layout

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Proposed ground floor plan layout

SIDE ALLEYWAY  
← TO STREET

(ENCLOSED COURTYARD AREA)  
see plan 2 of 2  
for further  
DETAILS

KEY

THE YARD CAFE  
BOUNDARY  
(AREA TO BE  
LICENSED)

BOUNDARY  
OF THE BUILDING.

BAR AREA

- FIRE BLANKET
- LOCATION OF FIRE EXTINGUISHERS
- SMOKE ALARMS (CEILING)

REV. NO.	DATE	COMMENTS

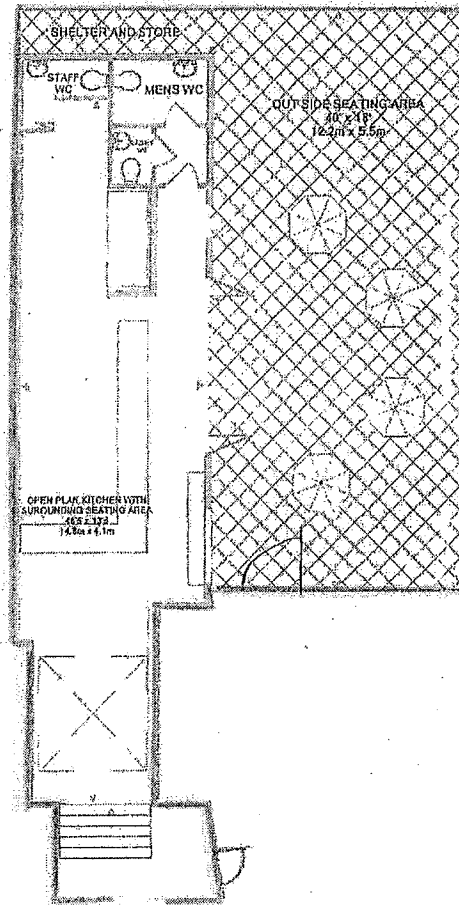
**SIGNATURE**  
UNDERSTANDING SALONS  
SALON DESIGN & SHOPFIT

100-10, South Parkside Blvd., Suite 100  
Darien, Conn. 06424  
Tel: 203-253-7777  
Fax: 203-253-7778

Title  
PROPOSED  
Shopfit for  
Guy Kremer  
Lymington

DATE	1.00	DATE	1.00	DATE	1.00
PROJECT NUMBER	154	PROJECT NUMBER	154	PROJECT NUMBER	154

THE YARD CAFE  
PLAN 2 OF 2  
(COURTYARD  
DETAILS)



**Sarah Herringshaw**

---

**From:** Stuart Knowles  
**Sent:** 15 August 2018 18:14  
**To:** Licensing e-mail address  
**Subject:** Premises License Application – James Stuart Knowles, The Yard Café, 11 St Thomas Street, Lymington SO41 9NA  
**Attachments:** Premises Licence Application - Stuart James Knowles, The Yard Cafe, 11 St Thomas Street, Lymington SO41 9NA.pdf

**Please find attached herewith my application form (pdf) duly signed and completed with all the appropriate attachments as required, for a Premises License for The Yard Café at Guy Kremer, 11 St Thomas Street, Lymington, SO41 9NA. I confirm the appropriate notice will be prominently displayed in the window of the premises as from tomorrow (16 August) and duly advertised as required within 10 days.**

**Please do not hesitate to contact me if you have any queries.**

**Stuart James Knowles**

Sent from [Outlook](#)

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## APPENDIX 4

## Representation form for other persons

Full name	JILL K. MCCAIN	Title	MRS
Home address	12 ST THOMAS ST, LYMINGTON, SOUTH GNA		
Email address	@outlook.com		
Phone number			

Name of premises you wish to make a representation about	the Yard Cafe
Address of premises you wish to make a representation about	11 St Thomas St Lymington

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder	✓	My stockroom is left open at present. It would have to be locked and sometimes staff are on their own and this would take longer to get key, unlock, find stock, relock and return. Meanwhile the shop would be left unattended. Back door to shop left unlocked - staff purses and bags in kitchen would be vulnerable
Public safety	✓	The Alleyway by which the proposed Cafe expect to access the site is not wide enough for wheelchairs. What if there was a fire - how would people exit from the garden, through the Cafe, through the back door, through the wrought iron gate and down the narrow alleyway in single file.

3  
v01LICENSING  
SERVICES

22 AUG 2018

RECEIVED

<p><b>Prevention of public nuisance</b></p>	<p>✓</p>	<p>The noise nuisance would be greatly increased with people constantly buying the side gate and walking past our bins and rear access.</p>
<p><b>Protection of children from harm</b></p>		

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  
If yes – please give details below**

Yes.  
By accessing the site through the front entrance of No.11. as the building is owned by the same person.



If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

Will you be prepared to attending a hearing?	<input checked="" type="radio"/> Yes <input type="radio"/> No Please circle
I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)	Please initial
Signature	date
	21/8/18

Please return this form along with any additional sheets / supporting information to: [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk) or post to

Licensing Manager  
 Licensing Services  
 Appletree Court  
 Beaulieu Road  
 Lyndhurst  
 SO43 7PA

Phone: 023 8028 5505

**PUBLIC NOTICE FOR LICENSING  
APPLICATIONS  
Licensing Act 2003  
(Premises & Club Premises Certificates)  
Regulations 2005**

**NOTICE IS HEREBY GIVEN THAT** Stuart James Knowles of The Yard Café at Guy Kremer, 11 St Thomas Street, Lymington SO41 9NA has applied to New Forest District Council for a Premises Licence

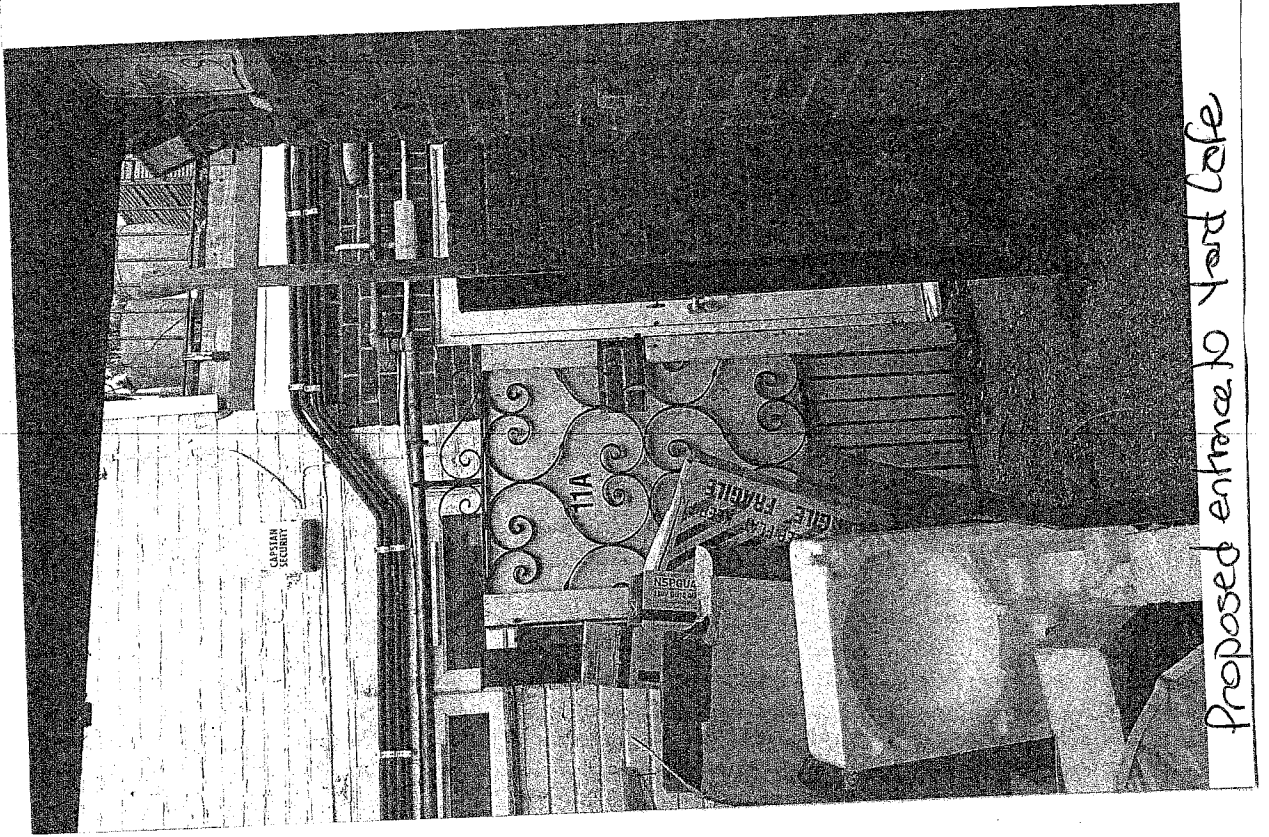
The licensable activities proposed to be carried on or from the premises are set out as follows:

Sale of alcohol on the premises  
10:00 hrs to 23:00 hrs – Monday to Sunday

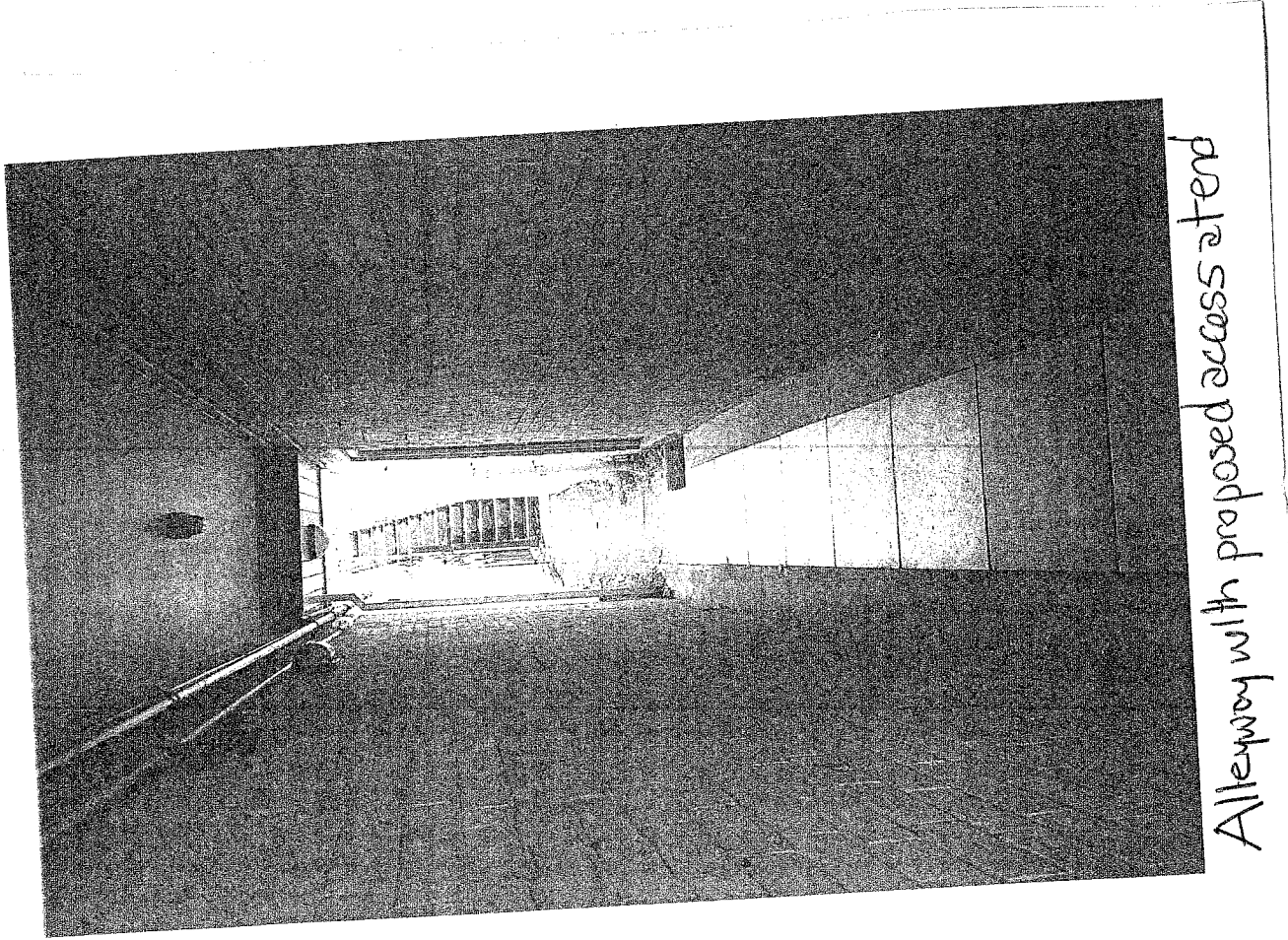
This application can be inspected in person at the below postal address (weekdays 09.00 to 16.00 by appointment) or on New Forest District Council's Website at [www.newforest.gov.uk](http://www.newforest.gov.uk)

Any representations to the application shall be in writing and should be lodged with the Licensing Authority, New Forest District Council, Applied Court, Lyndhurst SO43 7PA, stating the terms of the grounds of the said representation not later than 12 September 2015.

It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is £5000.



Proposed entrance to yard cafe

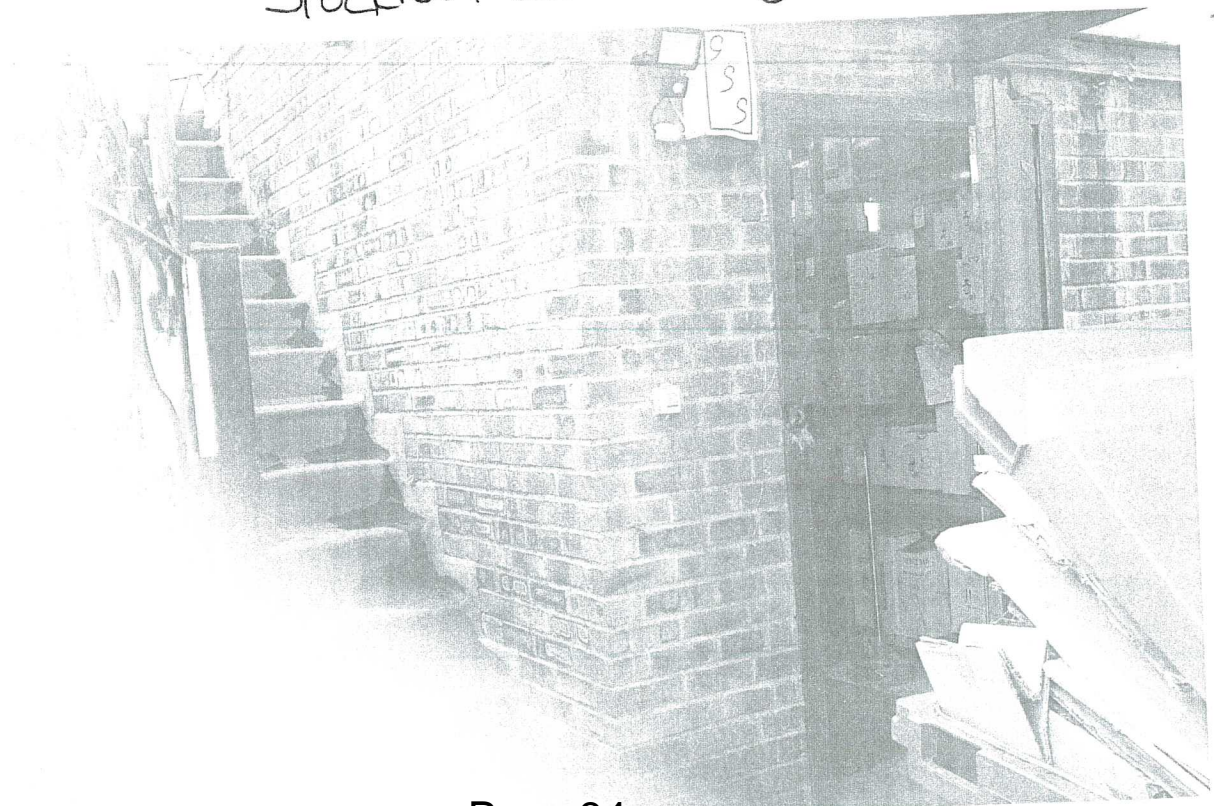


Alleyway with proposed access attend

Binstore adjacent to proposed access



Stockroom back door adjacent to proposed access



## Representation form for other persons

Full name	FRANCES PERKS	Title	MRS
Home address	12A St Thomas Street, Lymington, Hampshire SO41 9NA		
Email address	[redacted]		
Phone number	[redacted]		

Name of premises you wish to make a representation about	The Yard Cafe
Address of premises you wish to make a representation about	11 St Thomas Street, Lymington, Hants, SO41 9NA

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder	Y	People would constantly walk past my front door which may be unlocked at times. People would have access to my private roof terrace and therefore to my back door.
Public safety	Y	There would be a serious risk to life if there was a fire as exit from café garden is very long and difficult through an extremely narrow alleyway.
Prevention of public nuisance	Y	The proposed café garden is directly behind my private roof terrace and would greatly impact on my privacy and peace and quiet.
Protection of children from harm	Y	I often have my grandchildren to stay who use the roof terrace. They would be exposed to anyone drinking and smoking in the café garden.

Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  
If yes – please give details below

See additional sheet attached.

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<b>Will you be prepared to attending a hearing?</b>	<b>(Yes) No</b>
	Please circle
<b>I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)</b>	<b>Please initial F P</b>
<b>Signature</b>	<b>Date</b>
F Perks	22 August 2018

**Please return this form along with any additional sheets / supporting information to: [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk) or post to**

Licensing Manager  
Licensing Services  
Appletree Court  
Beaulieu Road  
Lyndhurst  
SO43 7PA

Phone: 023 8028 5505

**(Originals sent by mail with supporting photographs)**

## **Representation form for other persons – Additional sheet**

From Frances Perks (Mrs)

12a St Thomas Street, Lymington, Hants SO41 9NA

In addition to my statements above, I have the following concerns:-

As the application by The Yard is from 09.00-23.00 for Monday to Sunday, it means that for every day of the year there will be people occupying The Yard and using an access which to my knowledge is for private access only, not public access.

There will be little respite from general noise, which would be normal at a public café / restaurant, especially out of doors. Under these circumstances I feel that these trading hours will be a breach or infringement of my rights as a citizen and a resident in a private dwelling.

My understanding is that access to the Yard will be through the emergency exit of the hair dressing salon, Guy Kremer's, which I believe could be a liability in terms of an emergency, disposal of rubbish and delivery of goods/supplies.

It may be that daily rubbish, bottles, food packaging, tins, and cardboard packing cases will probably be stacked or stored in the only access route, until disposed of. This could be a liability in terms of S.51 and S.6.4 of the Licensing Act 2003.

Delivery of supplies will also be difficult in terms of access to The Yard, and again will have to use private access to private dwellings.

At this stage, I do not believe there are any security measures taken by either Guy Kremer or The Yard to control anti-social behaviour or crime. Access to or from The Yard if required in any emergency would be difficult and could be delayed.

In terms of these additional concerns, I feel that both my neighbour and I would be under constant and unnecessary risk from crime and anti-social behaviour.

Representation form for other persons

Full name	FRANCES PERKS	Title	MRS
Home address	12a ST THOMAS STREET, LYMINGTON, HANTS, SO41 9NA		
Email address	^		
Phone number	10M		

Name of premises you wish to make a representation about	Yard Cafe
Address of premises you wish to make a representation about	11 St Thomas Street Lymington Hants,

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder	✓	People would constantly walk past my front door which is left unlocked. People would have unrestricted access to my private roof terrace and therefore to my back door.
Public safety	✓	There would be a serious risk to life if there was a fire as exit from cafe garden is very long and difficult through an extremely narrow alleyway.

LICENSING SERVICES  
24 AUG 2018  
RECEIVED

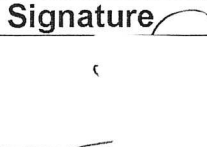
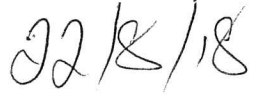


<p><b>Prevention of public nuisance</b></p>	<p>✓</p>	<p>The proposed cafe garden is directly behind my private roof terrace and would greatly impact on my privacy and peace and quiet.</p>
<p><b>Protection of children from harm</b></p>	<p>✓</p>	<p>I often have my grandchildren to stay who use the roof terrace. They would be exposed to anyone drinking and smoking in the cafe garden.</p>

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  
If yes – please give details below**

See additional sheet attached.

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

Will you be prepared to attending a hearing?	<input checked="" type="radio"/> Yes <input type="radio"/> No Please circle
I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)	Please initial
Signature	date
	

Please return this form along with any additional sheets / supporting information to: [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk) or post to

Licensing Manager  
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**Representation form for other persons – Additional sheet**

From Frances Perks (Mrs)

12a St Thomas Street, Lymington, Hants SO41 9NA

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My understanding is that access to the Yard will be through the emergency exit of the hair dressing salon, Guy Kremer's, which I believe could be a liability in terms of an emergency, disposal of rubbish and delivery of goods/supplies.

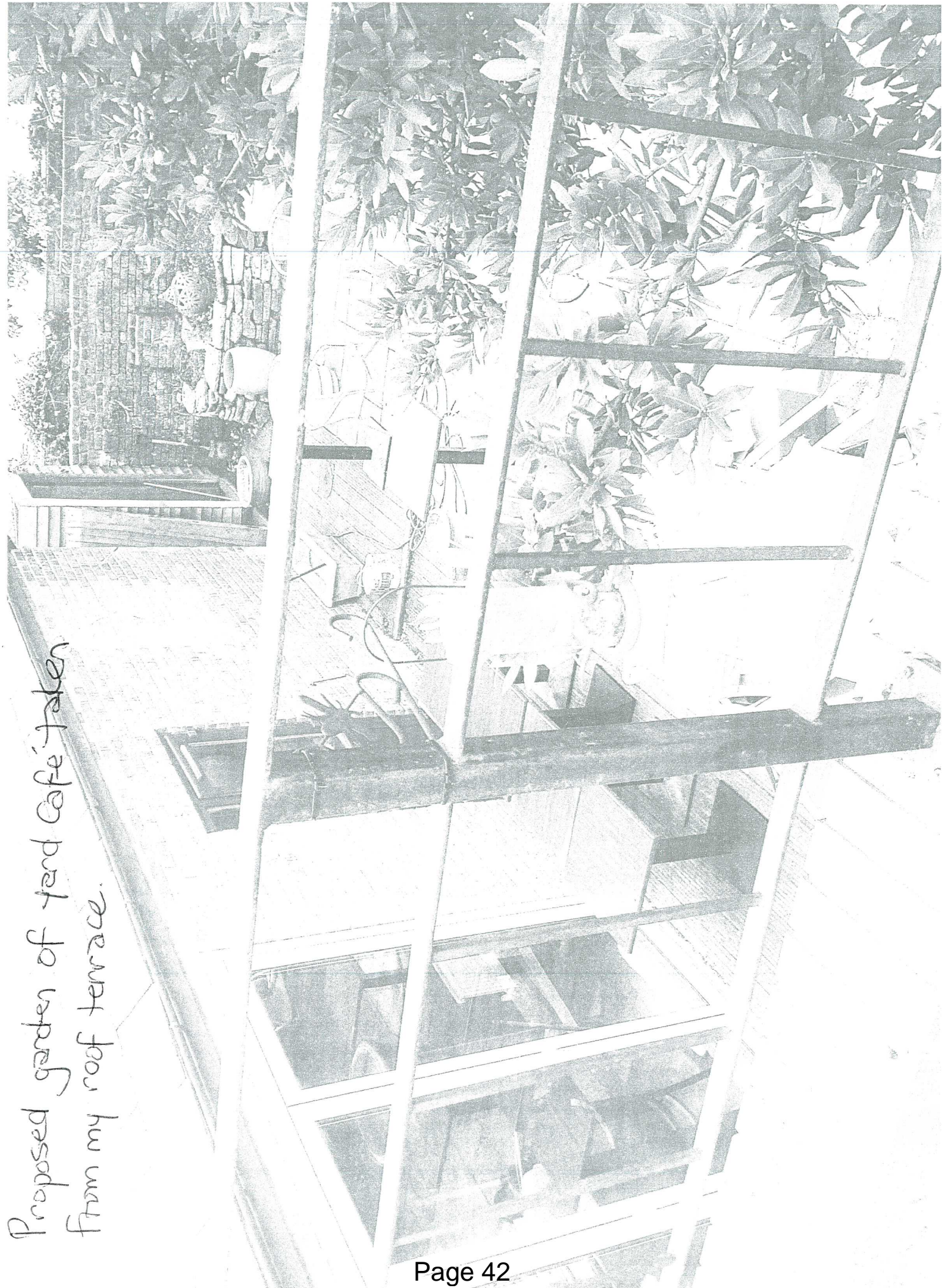
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Delivery of supplies will also be difficult in terms of access to The Yard, and again will have to use private access to private dwellings.

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In terms of these additional concerns, I feel that both my neighbour and I would be under constant and unnecessary risk from crime and anti-social behaviour.

Proposed garden of yard café taken  
from my roof terrace.





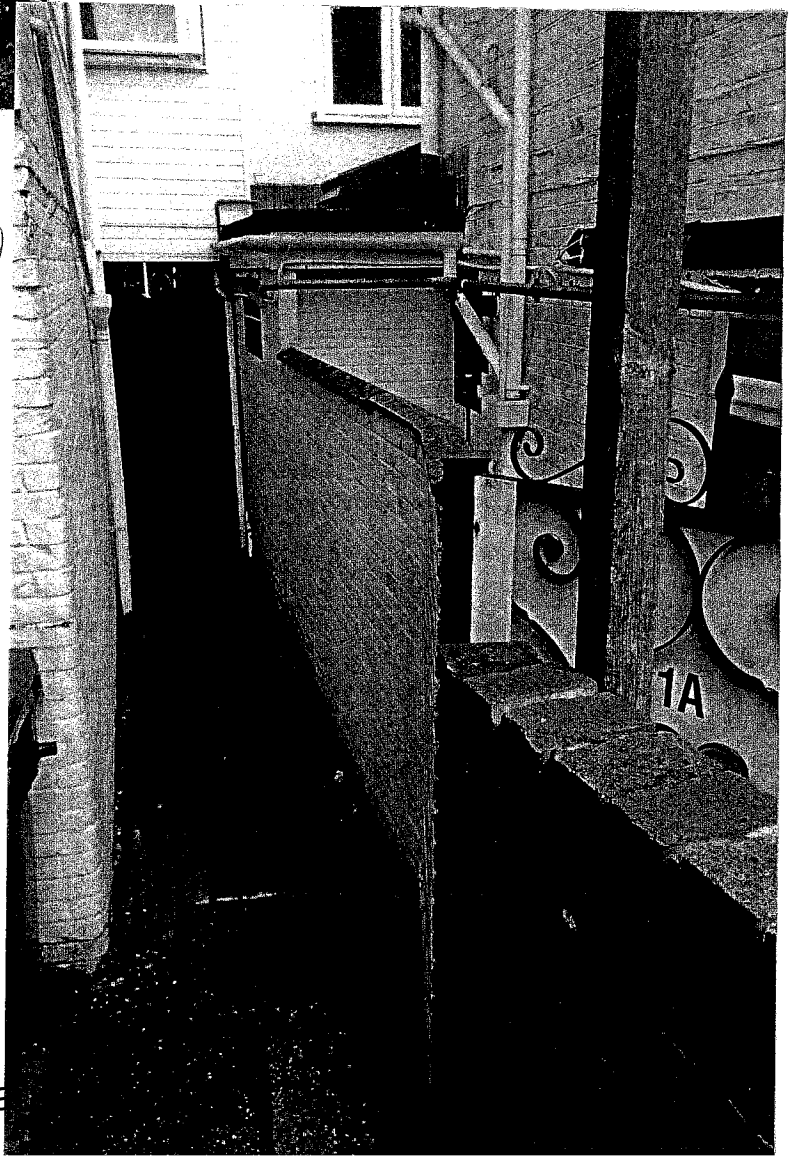
Fire exit from hair salon  
Civil Kremer at foot  
of my roof terrace  
stairs.  
Proposed entrance for  
the Yard Cafe.

①

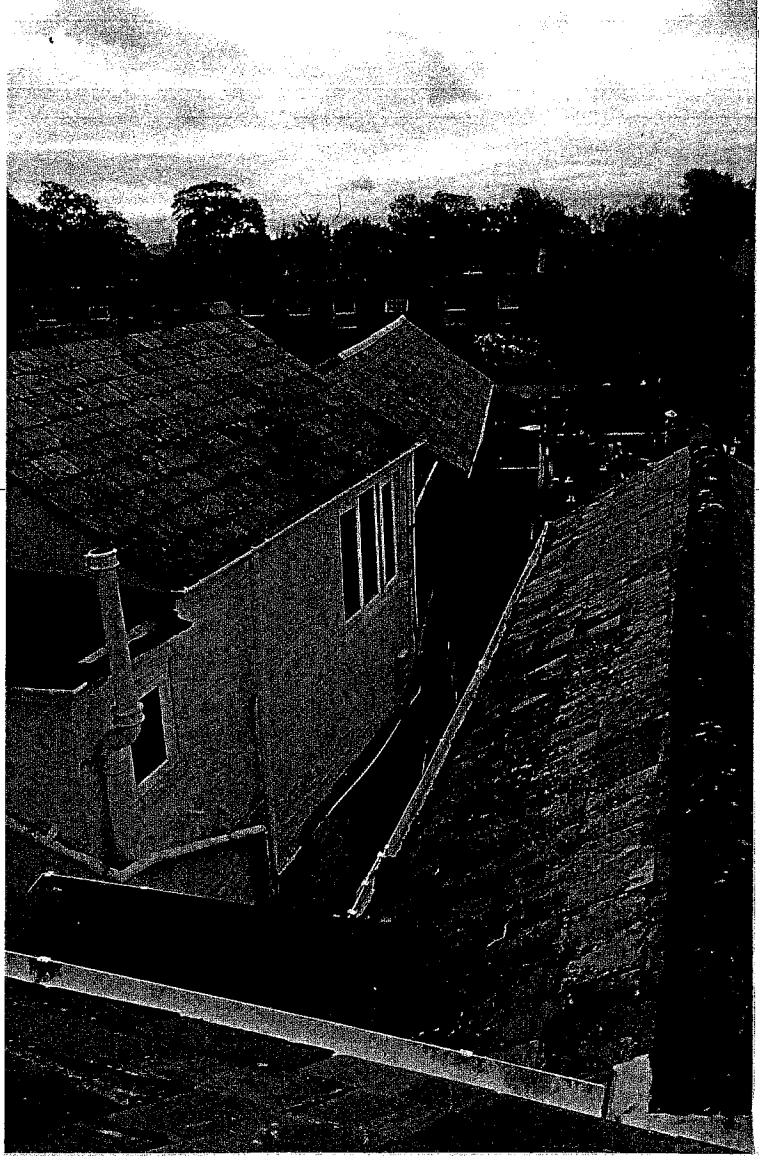
View from base of  
my roof terrace stairs  
showing exit through  
passageway to street  
exit / entrance.

②

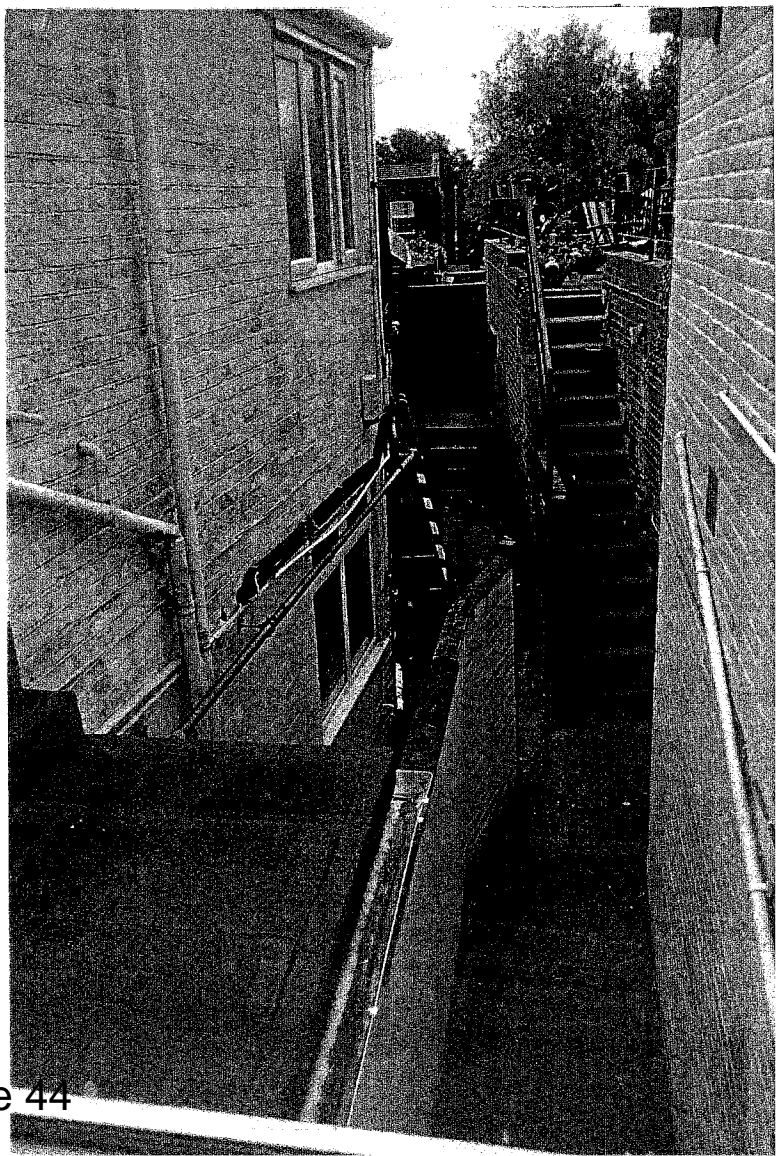
The emergency exit  
door to salon is on  
the right of the picture  
behind the wrought  
iron gate.

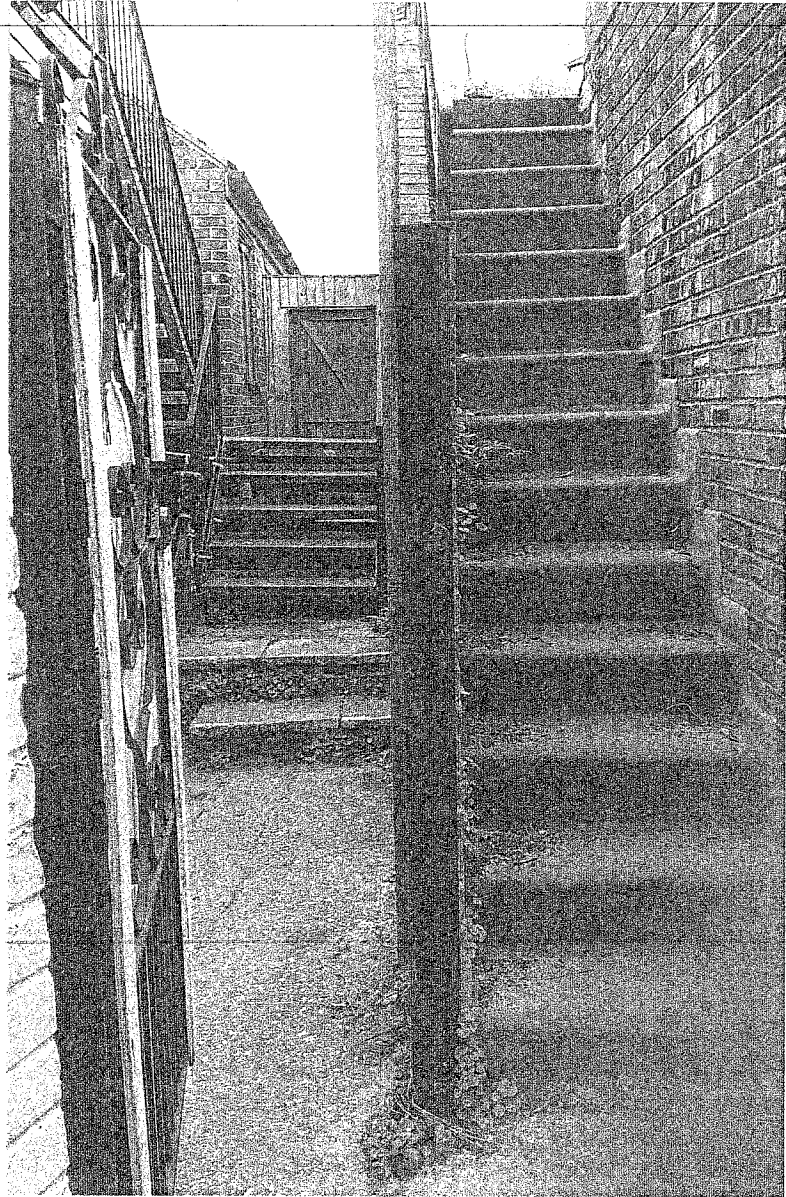


③ View of entrance to the yard Cafe from my second floor window.



④ View of the entrance/exit which is proposed being opened to the public, from my first floor. My roof terrace steps are on the right, the entrance to the yard is on the left, immediately at the base of the stairs.





Steps to roof terrace adjacent to proposed entrance.

03



Lymington &  
Pennington  
Town Council

www.LymingtonandPennington-tc.gov.uk  
t: 02380 285893 e: [info@lymandpentc.org.uk](mailto:info@lymandpentc.org.uk)

Your Ref: LICPR/18/05279

**LICENSING ACT 2003 – Grant of Premises License (S17)**  
**Premises: THE YARD AT GUY KREMER. Ref: LICPR/18/05279**

Dear Christina Ferguson,

The above license request was discussed at the recent Lymington and Pennington Town Council meeting held on the 22<sup>nd</sup> August 2018.

Members of the committee all agreed that the application is of concern and not one that the Town Council would support.

There are concerns around the safety and impact on amenity of neighbours. The licensing hours requested are concerning and could lead to an increase in crime, disorder and public nuisance.

Yours sincerely

*Louise Young*

Projects and Committee Manager  
Lymington and Pennington Town Council

LICENSING  
SERVICES  
23 AUG 2018  
**RECEIVED**



**Sarah Herringshaw**

---

**From:** Lymington and Pennington Town Council <info@lymandpentc.org.uk>  
**Sent:** 23 August 2018 10:49  
**To:** Licensing e-mail address  
**Subject:** RE: Application: Grant of Premises Licence (S17) Ref: LICPR/18/05279 - The Yard at Guy Kremer  
**Attachments:** Licensing Act - Guy Kremer Yard Cafe.pdf

Dear Sirs,

Please find attached the Town Council representation for this license application.

Kind Regards,

Louise Young

Projects and Committee Manager  
Lymington & Pennington Town Council  
Tel: 02380 285893  
[www.LymingtonandPennington-tc.gov.uk](http://www.LymingtonandPennington-tc.gov.uk)

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Review our [Privacy Notice](#).  
Registered office: Town Council Office, Town Hall, Lymington, SO41 9ZG

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**From:** [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk) [<mailto:licensing@nfdc.gov.uk>]  
**Sent:** 17 August 2018 11:31  
**To:** Lymington and Pennington Town Council <info@lymandpentc.org.uk>  
**Subject:** Application: Grant of Premises Licence (S17) Ref: LICPR/18/05279 - The Yard at Guy Kremer

Please see attached for your kind attention.

Licensing Services

New Forest District Council

\*\*\*\*\*

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Our privacy notice can be read here: <http://www.newforest.gov.uk/article/4549/Privacy-Notice>

04

**Sarah Herringshaw**

---

**From:**  
**Sent:** 28 August 2018 14:27  
**To:** Licensing e-mail address  
**Subject:** Yard Cafe at Guy Kremer, 11 St Thomas Street, Lymington  
**Attachments:** Scan-to-Me from 172.24.30.16 2018-08-28 135542.pdf

Please find attached a representation form in respect of the license application at the above site.

---

Regards,

Liz Marsden

---

This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

---

Representation form for other persons

Full name	Elizabeth Marsden	Title	Ms
Home address	11a St Thomas Street, Lymington, SO41 9NA		
Email address	uk		
Phone number			

Name of premises you wish to make a representation about	Yard Café at Guy Kremer
Address of premises you wish to make a representation about	11 St Thomas Street, Lymington, SO41 9NA

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder	✓	The premises are to be accessed via a narrow passageway leading from the street and through a gate to the rear of the hairdressers, which occupies the ground floor of the two-storey part of No.11. From this gate it is understood that the access to the single storey part of the building containing the restaurant is either via a door opposite the gate or over the external staircase leading to a gate into the courtyard garden of the café/restaurant.  Either of these options will result in considerable noise and disturbance from the use of the passageway and in close proximity to the access to my flat, which is above the hairdressers. The external stairs are the private access to my flat and the terrace serving it and, from previous experience, prior to the linking of the front and rear building, when the café was located in the rear building, a number of people found their way up to my flat. This was during the day time only and the former café had no alcohol license.  The hours that the licence is for, until 11pm every night could result in people leaving the premises

		some time after that hour and the effect of alcohol would be likely to result in rowdy behaviour and people accessing my terrace, or that of my neighbour, by accident or design with consequent loss of security.
<b>Public safety</b>	✓	The use of a fire exit as a primary access or the lower part of the stairs leading to my terrace would result in a hazard to public safety. The passageway is poorly lit and the stairs, whilst adequate for access to a single residence would not be appropriate for any number of people, particularly if impaired by alcohol.
<b>Prevention of public nuisance</b>	✓	As specified above, the license would potentially result in considerable noise and disturbance, which whilst not necessarily affecting the wider public, would have a significant impact on the residents of properties in the area.
<b>Protection of children from harm</b>		

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  
If yes – please give details below**

The applicant should use the internal access from the street through the hairdressing salon, avoiding any necessity to use the passageway.

**Representation form for other persons**

<b>Full name</b>	Graham Harrington	<b>Title</b>	Mr
<b>Home address</b>	34 Monro Drive, Guildford GU2 9PS		
<b>Email address</b>	( )		
<b>Phone number</b>			

<b>Name of premises you wish to make a representation about</b>	The Yard Cafe
<b>Address of premises you wish to make a representation about</b>	11 St Thomas Street, Lymington, Hants, SO41 9NA

<b>Which of the four licensing objectives does your representation relate to?</b>	(✓) Tick	<b>Please add full details of your concerns regarding the application and include any evidence to support your representation.</b>  <b>Please use separate sheets if necessary</b>
<b>Prevention of crime and disorder</b>		
<b>Public safety</b>		
<b>Prevention of public nuisance</b>	✓	This is actually a quiet residential zone and not suitable for the noise, smells and risks that accompany a licenced establishment. At the least it would be an intrusion on the privacy of the present residents, and at worst it could be a nightmare.
<b>Protection of children from harm</b>		

<b>Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?</b> <b>If yes – please give details below</b>
See additional sheet attached.

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<b>Will you be prepared to attending a hearing?</b>	<b>Yes No</b>
Sorry it is unlikely I would be available	Please circle
<b>I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)</b>	<b>Please initial</b>
<b>Signature</b>	<b>Date</b>
	7 Sept 2018

**Please return this form along with any additional sheets / supporting information to: [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk) or post to**

Licensing Manager  
Licensing Services  
Appletree Court  
Beaulieu Road  
Lyndhurst  
SO43 7PA

Phone: 023 8028 5505

## Christa Ferguson

---

**From:** Sarah Herringshaw on behalf of Licensing e-mail address  
**Sent:** 11 September 2018 15:47  
**To:** 'Graham'  
**Cc:** Christa Ferguson  
**Subject:** RE: 11 St Thomas Street, Lymington

Many thanks for providing this additional information.

Kind regards,

Sarah Herringshaw  
Licensing Services  
Environmental Health  
New Forest District Council  
Tel: **023 8028 5505**  
Email [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk)  
[newforest.gov.uk](http://newforest.gov.uk)



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**New Forest In Touch**



**From:** Graham [mailto:[Graham@nfdc.gov.uk](mailto:Graham@nfdc.gov.uk)]  
**Sent:** 11 September 2018 15:45  
**To:** Licensing e-mail address  
**Subject:** Re: 11 St Thomas Street, Lymington

I am part owner of no 8, and my mother is owner of no 12.  
We are concerned about the effect of the proposed licence on present and future tenancies.  
Regards,  
Graham

On Tue, Sep 11, 2018 at 8:40 PM Licensing e-mail address <[Licensing@nfdc.gov.uk](mailto:Licensing@nfdc.gov.uk)> wrote:

Good afternoon,

Thank you for your email Graham.

I notice your correspondence address is in Guildford. Could you please clarify your connection with this proposed application for the above site for our records.

Kind regards,

Sarah Herringshaw  
Licensing Services  
Environmental Health  
New Forest District Council  
Tel: 023 8028 5505

Email [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk)

[newforest.gov.uk](http://newforest.gov.uk)

Error! Filename not specified.Error! Filename not specified.Error! Filename not specified.

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Error! Filename not specified.

**From:** Graham [mailto:  
**Sent:** 11 September 2018 14:30  
**To:** Licensing e-mail address  
**Subject:** Re: 11 St Thomas Street, Lymington

Sarah,

No, there was no attachment.

Sorry, my editing error.

Regards,

Graham Harrington

On Tue, Sep 11, 2018 at 5:09 PM Licensing e-mail address <[Licensing@nfdc.gov.uk](mailto:Licensing@nfdc.gov.uk)> wrote:

Good morning Graham

We notice in your representation to this Authority, you make mention to an additional sheet being attached but there wasn't one?



Please could you advise.

Kind regards,

Sarah Herringshaw

Licensing Services

Environmental Health

New Forest District Council

Tel: 023 8028 5505

Email [licensing@nfdc.gov.uk](mailto:licensing@nfdc.gov.uk)

[newforest.gov.uk](http://newforest.gov.uk)

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[New Forest In Touch](#)

Error! Filename not specified.

**From:** Graham [mailto:  
**Sent:** 07 September 2018 03:50  
**To:** Licensing e-mail address  
**Subject:** 11 St Thomas Street, Lymington

Please find attached a representation regarding the licence application at the above address.

Regards,

Graham Harrington

\*\*\*\*\*

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[www.newforest.gov.uk/emaildisclaimer](http://www.newforest.gov.uk/emaildisclaimer)

Representation form for other persons

Full name	WENDY D ROCK	Title	MRS
Home address	CUTLERS, WATERFORD CLOSE LYMINGTON SO41 3PU		
Email address	v _____ n		
Phone number			

Name of premises you wish to make a representation about	The Yard at Guy Kremer
Address of premises you wish to make a representation about	11 St Thomas St, Lymington SO41 9NA

Which of the four licensing objectives does your representation relate to?	(✓) Tick 4	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder	TICK	A.  By opening up this vulnerable behind the shops area to all comers, as suggested in the application any persons found loitering suspiciously on the premises could make out that they were genuine 'customer' of The Guy Kremer cafe. Whereas they might be knaves or thieves.  Therefor continual watch would ideally have to be kept, on the comings and goings through the street passageway and door.  However The Lighting Centre is a small retail shop, it does not have the capacity to keep the surrounding area under surveillance.

		<p>If fuelled by alcohol, drunken lewd behaviour could occur.</p> <p><u>Breakages and theft</u> could readily occur within easy distance of the pathway down to the proposed Licenced Cafe.</p> <p><u>Trespass</u> up the residents private steps onto the flats properties could also occur.</p> <p><u>Urination</u> along the long (dark) alleyway, or elsewhere may follow a drinking session.</p>
		<p>B</p> <p>It invites free public access towards the private entrances of flats and the backs of the St Thomas St shops.</p> <p>Therefor there is a greater <u>risk of breaking and entering</u>, especially to the backs of the shops, Lighting Centre and their store.</p> <p>C</p> <p>Alcohol fuelled people are more likely to be uninhibited, commit petty crimes or break the Law generally.</p>

	<p><b>Prevention of public nuisance</b></p> <p>TICK</p>	<p>The steps accessing the 'the Yard' are dangerous.</p> <p>The 'Cafe' will create rubbish</p> <p>The resultant full 'black bags' would be left for disposal piled in the No 11 passageway and would have to be negotiated by all normal users of their premises, resident flat dwellers as well as perhaps drunken customers from The Cafe.</p>
		<p>Refuse attracts vermin, I have myself seen mice exploring around outside the buildings, when I visited No 11 some years ago.</p> <p>A garden cafe attracts vermin &amp; foxes, causing disease.</p> <p>Careless smoking is hazardous and could start a fire.</p> <p>It could be dangerous to walk along the existing paths from the new facilities, returning to the flats, or shop re falling over garbage accumulations, and on unlit paths and steps,</p> <p>There is no appropriate Fire Exit.</p> <p>There is only very limited access for the emergency Public Services, Fire, Ambulance etc.</p> <p>The outside pathway through to the back of No 11 premises is long and irregular with unlit steps.</p> <p>The walkways are hazardous, are at present Private but would need to be refurbished if they are to be open for general public use if this application was approved.</p> <p>If 'Cafe' customers left the premises inebriated, they could make their presence felt by shouting and singing and do harm on the premises and in the public street.</p> <p>They could also could be dangerous afterwards, driving their cars.</p>

	Tick	
<b>Protection of children from harm</b>	TICK	<p>Children can be frightened and must be spared from any risk of harm.</p> <p>An alcoholics' behaviour is erratic and is at times unpredictable and there are not always responsible adults nearby who can cope with an out of hand situation involving a drunk person and children can be drawn into situations.</p> <p>Residents, their children, their families when visiting and their friends must surely have a right to live in a safe and peaceful environment.</p> <p>Drunken behaviour is scary, for children especially, and I have no doubt seeing it must have a long reaching effect on children</p>

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?**

**If yes – please give details below**

**No. Only to withdraw this Application as it is submitted and arrange for all his customers at all times to come and go to his cafe behind his shop, Only through his own premises, not through my St Thomas St accessway.**

--

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<b>Will you be prepared to attending a hearing?</b>	<b>(Yes) No</b>
	Please circle
<b>I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)</b>	<b>Please initial</b>
<b>Signature</b>	<b>date</b>
	8 September 18

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Licensing Manager  
 Licensing Services  
 Appletree Court  
 Beaulieu Road  
 Lyndhurst  
 SO43 7PA

Phone: 023 8028 5505

Representation form for other persons

Full name	NIGEL GRAHAM HOUSE	Title	MR
Home address	Garfield Cottage, Spring Road, Lymington SO41 3SP		
Email address			
Phone number			

Name of premises you wish to make a representation about	GUY KREMER Hair Salon / Yard cafe.
Address of premises you wish to make a representation about	11 St. Thomas' Street, Lymington (REAR)

Which of the four licensing objectives does your representation relate to?	( <input checked="" type="checkbox"/> ) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder	<input checked="" type="checkbox"/>	There are already alcohol-inspired instances of nuisance from the plethora of establishments providing liquor, particularly during the evenings. With our Police Force already overstretched, an additional licensed premises would only add to their problems.
Public safety	<input checked="" type="checkbox"/>	Access is proposed through a side door, down a shared passageway. Drinkers exiting the premises are likely to disturb and frighten pedestrians using the pavement after dark.

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Prevention of public nuisance	✓	<p>Unless an alternative entry point is found, it is quite likely that late night revellers will relieve themselves in the passageway, as well as adding to the current high number of glasses left on the pavement/windowills.</p>
Protection of children from harm		N/A.

Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  
 If yes – please give details below

*Retract the licensing application!*



If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<b>Will you be prepared to attending a hearing?</b>	<input checked="" type="radio"/> <b>Yes</b> <input type="radio"/> <b>No</b> Please circle
<b>I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)</b>	<b>Please initial</b> 
<b>Signature</b>	<b>date</b>
	7.9.18.

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 Beaulieu Road  
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 SO43 7PA

Phone: 023 8028 5505

## Representation form for other persons

Full name	TRACEY TOMS	Title	MRS
Home address	c/o Lighting Shop		
Email address	12 St Thomas Street, Lymington SO41 9NA		
Phone number			

Name of premises you wish to make a representation about	YARD CAFE
Address of premises you wish to make a representation about	11 ST THOMAS STREET LYMINGTON HANTS

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder	✓	OUR HANDBARS ARE LEFT IN THE BACK KITCHEN AREA PREVIOUSLY WE HAD PROBLEMS WITH PEOPLE WALKING DOWN THE SIDE ALLEYWAY AND OPENING OUR BACK DOOR AND TRYING TO WALK INTO OUR STOCKROOM.
Public safety	✓	THE SIDE ALLEY IS VERY NARROW AND NOT WIDE ENOUGH FOR WHEELCHAIRS BIKES, DELIVERED TRUCKS AND WHEELIE BINS SO IF THERE WAS AN EMERGENCY IT WOULD BE EXTREMELY HAZARDOUS FOR PEOPLE TO ESCAPE

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I WOULD ALSO FEEL MOST UNCOMFORTABLE LEAVING THE SHOP AT NIGHT ESPECIALLY IN THE WINTER POSSIBLY HAVING TO PASS STRANGERS IN THE ALLEYWAY

Prevention of public nuisance		PEOPLE WOULD CONSTANTLY BE WALKING PAST OUR BACKDOOR, STOCKROOM AND BIN STORE NOT KNOWING WHICH ENTRANCE TO USE FOR THE BAR.
	✓	
Protection of children from harm		

Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  
 If yes – please give details below

It is recommended that representations are made on the following form.

Representation form for other persons

Full name	JOHN HARRINGTON	Title	MR
Home address	26 COPSE CLOSE LANE, CRANBROOK, EXETER.		
Email address			
Phone number			

Name of premises you wish to make a representation about	11 ST THOMAS ST
Address of premises you wish to make a representation about	11 ST THOMAS ST, LYMINGTON SO41 9NA

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder		

<p><b>Public safety</b></p>	<p>✓</p>	<p>INADEQUATE PROVISION OF ESCAPE ROUTES IN CASE OF FIRE</p>
<p><b>Prevention of public nuisance</b></p>	<p>✓</p>	<p>PRIVACY ISSUES FOR THE FLAT AND SHOP AT #1 ST THOMAS ST.</p> <p>NOISE POLLUTION, PARTICULARLY AFFECTING THE FLAT AT 11 ST THOMAS ST</p>
<p><b>Protection of children from harm</b></p>		

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?**

If yes – please give details below

--

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<b>Will you be prepared to attending a hearing?</b>	Yes <input type="radio"/> <b>No</b> <input checked="" type="radio"/>
	Please circle
<b>I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)</b>	<b>Please initial</b>
<b>Signature</b> /	<b>date</b>
	12/9/2018

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 Licensing Services  
 Appletree Court  
 Beaulieu Road

5  
 v01

**Sarah Herringshaw**

---

**From:** Peter Griffiths <...@...uk>  
**Sent:** 13 September 2018 16:29  
**To:** Licensing e-mail address  
**Subject:** 11 St Thomas Street, Lymington  
**Attachments:** CCF13092018\_0001.pdf

Dear Sirs,

I would like to make representations regarding a licensing application by No 11 St Thomas Street, Lymington. Please find my form of representation attached herewith.

Yours faithfully,

Peter Griffiths  
PGA Management

Representation form for other persons

Full name	PETER TREVOR GRIFFITHS	Title	MR
Home address	107 HIGH STREET, EVESHAM, WORCESTERSHIRE WR11 4EB		
Email address			
Phone number			

Name of premises you wish to make a representation about	11 St Thomas Street, Lymington
Address of premises you wish to make a representation about	11 St Thomas Street, Lymington

Which of the four licensing objectives does your representation relate to?	(✓) Tick	Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary
Prevention of crime and disorder	(✓)	The application site is approached via a narrow passageway behind a closed door. This passageway is not on the ownership of the applicant, but the applicant does have a private Right of way to use the passageway. The concern is that this narrow and dark passageway as the prime late night access to a licensed premises will become a crime hotspot and jeopardise the security of the two residential properties accessed from it as well as the lighting store at No 12.
Public safety	(✓)	Entry and exit from a licensed premises along a narrow and unlit passage could present a hazard



<b>Prevention of public nuisance</b>	(✓)	The issues still relate to the prime access along a narrow unlit passage which is unsupervised, and could become a magnet for persons intent on creating a public nuisance
<b>Protection of children from harm</b>	(✓)	The two private residences which enjoy the use of this passage for their main and indeed only entrance have children regularly visiting and the prospect of having to use this passageway when potential undesirable activities could be taking place should not be permitted.

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?  
If yes – please give details below**

Yes

The previous applications relating to these premises originally relied upon using the frontage premises as the main and only access (apart from fire escape along the passageway). The Applicant could revise his intentions and use the frontage property as the primary access. The trading hours should also respect the two residential properties.

This application effectively seeks to create a separate demise, which is contrary to the original planning intentions. The whole of the ground floor of no 11 St Thomas street should remain as one demise with the passage only used as a route for escape and servicing.

If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

Will you be prepared to attending a hearing?	<input checked="" type="radio"/> Yes <input type="radio"/> No Please circle
I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)	Please initial
Signature	date
	13/02/18

Representation form for other persons

<b>Full name</b>	Mr James Bull....The Lymington Society	<b>Title</b>	
<b>Home address</b>	Gardenhouse Private Road Lymington SO41 9EW Gardenhouse		
<b>Email address</b>			
<b>Phone number</b>			

<b>Name of premises you wish to make a representation about</b>	Application 18/05279 11 St Thomas St
<b>Address of premises you wish to make a representation about</b>	Application 18/05279 11 St Thomas St

<b>Which of the four licensing objectives does your representation relate to?</b>	<b>(✓) Tick</b>	<b>Please add full details of your concerns regarding the application and include any evidence to support your representation.  Please use separate sheets if necessary</b>
<b>Prevention of crime and disorder</b>		
<b>Public safety</b>	(✓)	Access ideally should at all times be through the shop. Access or egress through the side passage would mean that clients would have to negotiate up and down a staircase. This the Lymington Society does not consider to be safe and adequate from the point of fire safety and people leaving when they have been drinking

<b>Prevention of public nuisance</b>	(✓)	The Lymington Society wishes to point out that the nuisance that will be quite definite, is the issue of noise from the use of the courtyard and its side access after a certain time at night, which has the potential to be quite bad for the people who will be living right on top of this premises. With this in mind the opening hours of any bar should be restricted
<b>Protection of children from harm</b>		

**Are there any steps or conditions which the applicant could take or add to the application which would alleviate your concerns?**

**If yes – please give details below**

**Limiting noise could be helped by restricting opening hours to say 8pm**

**With regard to fire access and public safety access through the side access should be avoided.**


If you do make a representation you will be invited to attend a Licensing Sub-Committee meeting where the application will be considered, together with any subsequent appeal proceedings.

<b>Will you be prepared to attending a hearing?</b>	<b>No</b>
	Please circle
<b>I acknowledge that my representation will form part of a public document at a hearing, (personal details will be redacted)</b>	<b>Please initial</b>
<b>Signature</b>	<b>date</b>
	14 September 2018

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 Licensing Services  
 Appletree Court  
 Beaulieu Road  
 Lyndhurst  
 SO43 7PA

Phone: 023 8028 5505

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Sarah Herringshaw




**From:** Arran Harmer  
**Sent:** 31 August 2018 10:22  
**To:** Licensing e-mail address  
**Subject:** RE: Premises licence application- The Yard Cafe at Guy Kremer, Lymington

Dear Licensing

Subject to the agreed conditions highlighted below being attached to any licence that is granted, I do not wish to object to this application.

Regards

**Arran Harmer**  
Environmental Health Officer  
Environmental Protection | Environmental & Regulation  
New Forest District Council  
Tel: **023 8028 5588** | Admin: **023 8028 5411 (option 2)**  
[arran.harmer@nfdc.gov.uk](mailto:arran.harmer@nfdc.gov.uk)  
[newforest.gov.uk](http://newforest.gov.uk)

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**From:** Arran Harmer  
**Sent:** 31 August 2018 10:15  
**To:** 'Stuart Knowles'  
**Cc:** Licensing e-mail address  
**Subject:** RE: Premises licence application- The Yard Cafe at Guy Kremer, Lymington

Thank you Stuart- I will ask for the conditions below to be added to the operating schedule.

**Arran Harmer**  
Environmental Health Officer  
Environmental Protection | Environmental & Regulation  
New Forest District Council  
Tel: **023 8028 5588** | Admin: **023 8028 5411 (option 2)**  
[ic.gov.uk](mailto:ic.gov.uk)  
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**From:** Stuart Knowles [mailto:  
**Sent:** 31 August 2018 10:13  
**To:** Arran Harmer  
**Subject:** Re: Premises licence application- The Yard Cafe at Guy Kremer, Lymington

Dear Arran,  
Thank you for your email, I am happy to confirm that I agree to the suggested changes and thank you for your help.

Please let me know if I need to do anything else to add with the paper work?

Your sincerely

Stuart James Knowles  
The Yard Cafe

Sent from Outlook

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**From:** Arran Harmer <[redacted]@newforest.gov.uk>  
**Sent:** 30 August 2018 13:17:01  
**To:** 'Stuart James Knowles' <[redacted]@newforest.gov.uk>  
**Cc:** Christa Ferguson; Licensing e-mail address  
**Subject:** RE: Premises licence application- The Yard Cafe at Guy Kremer, Lymington

Dear Mr Knowles

Thank you for your time yesterday to go through your premises licence application for the Yard Café.

As we discussed, I have concerns with the sale of alcohol within the outside terrace area until 23:00hrs given the close proximity to a number of residential properties and the potential for the licensing objective 'Prevention of Public Nuisance' to be undermined. I also note that there have been a number of public representations made in this respect, amongst other issues.

In order to address my concerns we discussed amending the application to include several conditions, namely:

- **The use of the outside terrace area shall not be permitted after 21:00hrs; and**
- **All external doors and windows shall be kept closed after 21:00hrs except for access and egress.**

If the above conditions are acceptable to you, then by return I would be grateful if you could confirm that you are happy for them to be attached to the operating schedule of any licence which is subsequently granted.

Yours sincerely

**Arran Harmer**  
Environmental Health Officer  
Environmental Protection | Environmental & Regulation  
New Forest District Council  
Tel: **023 8028 5588** | Admin: **023 8028 5411 (option 2)**  
[\[redacted\]@newforest.gov.uk](mailto:[redacted]@newforest.gov.uk)  
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**From:** Arran Harmer  
**Sent:** 21 August 2018 14:09  
**To:** 'Stuart James Knowles' <[redacted]@newforest.gov.uk>  
**Subject:** Premises licence application- The Yard Cafe at Guy Kremer, Lymington

Dear Mr Knowles



**Premises licence application: The Yard Café at Guy Kremer**

I refer to the above application which has been passed to Environmental Health for comment.

I just wanted to make contact with you to see if it would be possible to arrange a time to visit and discuss the application with you, particularly as concerns have been raised in relation to the use of the outside area until 23:00hrs.

Ideally it would be good to meet early next week- would you be free either next Tuesday or Wednesday at all?

I look forward to hearing from you.

Regards

**Arran Harmer**

Environmental Health Officer  
Environmental Protection | Environmental & Regulation  
New Forest District Council  
Tel: **023 8028 5588** | Admin: **023 8028 5411 (option 2)**  
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**From:** Conway, Sharon  
**Sent:** 11 September 2018 08:27  
**To:** Licensing e-mail address  
**Subject:** FW: New premises licence application - Yard Cafe at Guy Kremer, Lymington SO419NA

Dear Licensing

Re new premises licence for Yard Café, Lymington SO41 9NA

With the below conditions being added to the premises licence as conditions, police have no objections.

Sharon

**PC 22237 Sharon Conway**  
Licensing & Alcohol Harm Reduction Team  
Southampton Central Neighbourhood Police Office  
Southampton City Council  
Civic Centre  
Southampton  
SO14 7LY



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---

**From:** Stuart Knowles [mailto:stuart.knowles@hampshire.pnn.police.uk]  
**Sent:** 10 September 2018 16:40  
**To:** Conway, Sharon  
**Subject:** Re: New premises licence application - Yard Cafe at Guy Kremer, Lymington SO419NA

Dear Sharon,

Yes I'm in complete agreement.

Yours Sincerely

Stuart James Knowles

---

**From:** Stuart Knowles [mailto:stuart.knowles@hampshire.pnn.police.uk]  
**Sent:** 10 September 2018 09:38:06  
**To:** Conway, Sharon  
**Subject:** RE: New premises licence application - Yard Cafe at Guy Kremer, Lymington SO419NA

Hello Stuart

Many thanks for your reply. Hopefully when you are up and running I may pay a visit.

I just need to clarify – are you in agreement for the below wordings in relation to CCTV, Training, incident / refusals recording and age verification to be added to the premises licence as conditions?

Many thanks

Sharon

**PC 22237 Sharon Conway**  
Licensing & Alcohol Harm Reduction Team  
Southampton Central Neighbourhood Police Office  
Southampton City Council  
Civic Centre  
Southampton  
SO14 7LY



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[www.hampshire.police.uk](http://www.hampshire.police.uk)

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**From:** Stuart Knowles [<mailto:>]

**Sent:** 31 August 2018 11:09

**To:** Conway, Sharon

**Subject:** Re: New premises licence application - Yard Cafe at Guy Kremer, Lymington SO419NA

Dear Sharon,

Thank you so much for your time and email. Already you have been more helpful than the Dorset police. And your email is very constructive and I look forward to working with you.

I do not intend to remain as the DPS, as soon as my partner has qualified he will become the DPS, but I will also remain in contact with the business. As with my pub it's best to have as many people as possible with the knowledge and experience to uphold the law in the premises.

We have already installed CCTV for inside and out and agree to your comments how it should be run and the incident book.

We have already reduced our hours from our first request and are working with our neighbours and the council to maintain a health relationship. Which from my experience adds the business no end.

We are sadly yet to open or to attain the correct paperwork but are working hard to achieve. We will be a food lead cafe with posh toast, coffee and a up market wine list, open for late breakfast and lunches and if we do feel the cafe would be successful in the evening then an early evening chilled out dinner menu. Not a drinking hole.

If you would like to visit The Yard to meet myself or Tai Stanly please do call in or arrange a time to visit. The property is closed Sunday's and Monday's but if they would best suit then we can be there for you.

Yours sincerely

Stuart James Knowles

Sent from Outlook

---

**From:**

**Sent:** 31 August 2018 10:08:25

**To:**

**Subject:** New premises licence application - Yard Cafe at Guy Kremer, Lymington SO419NA

Dear Mr Knowles

I am the police licensing officer that is dealing with the application for a premises licence for The Yard Café at Guy Kramer, Lymington.

I have read your application and the steps outlined to promote the licensing objectives.

I note from the public register that you are currently named as the DPS for The White Lion Inn. The preference in Hampshire is for each premises to have a separate DPS. As you are aware, part of the role of the DPS is to be in day to day control of the premises, which becomes more difficult to achieve with multiple premises some distance apart. Will it be your intention to remain the DPS for The Yard Café?

I would like to take this opportunity to expand on the steps mentioned in the application with conditions to be added to the premises licence, should one be granted. From experience, residents of Lymington can become concerned about evening operations, even from small café / restaurant type premises. Conditions will support your commitment towards to promote the licensing objectives given the flexibility of hours you are requesting.

Proposed conditions:

**CCTV**

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity.

The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.

The system shall be serviced at twelve monthly intervals and maintained to a standard that is acceptable to the police licensing department responsible for the area.

The system clock shall be checked regularly for accuracy taking account of GMT and BST.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

A competent trained person in the use of and operation of the CCTV, nominated by the data controller, must be in attendance at the premises at all times that licensable activities take place. This person must be able to fully operate the CCTV system in order to download at the times of the visit onto a CD/DVD/USB stick any information lawfully requested by any Responsible Authority.

Any images recovered must be in a format that can be viewed on readily available equipment without the need for specialist software.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Police Licensing Unit within 24 hours, and arrangements made to repair the fault without delay.

### **Incident book**

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

This record will be retained for 12 months.

### **Refusals book**

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the store manager/manageress.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

The record of refusals will be retained for 12 months.

### **Training-**

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

### **Challenge 25**

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the persons date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

If you are in agreement for the above wordings to be added to the premises licence as conditions, please can you confirm this in writing.

I look forward to hearing from you.

Sharon  
PC 22237 Sharon Conway  
Licensing & Alcohol Harm Reduction Team  
Southampton Central Neighbourhood Police Office  
Southampton City Council  
Civic Centre  
Southampton

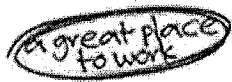
**From:** Christa Ferguson  
**Sent:** 05 September 2018 14:10  
**To:** Sarah Herringshaw  
**Subject:** FW: The yard cafe

Christa Ferguson  
Licensing Manager  
New Forest District Council  
Tel: 023 8028 5588

[Christa.Ferguson@nfdc.gov.uk](mailto:Christa.Ferguson@nfdc.gov.uk)  
[newforest.gov.uk](http://newforest.gov.uk)



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**From:** Stuart Knowles [mailto:stuart.knowles@nfdc.gov.uk]  
**Sent:** 05 September 2018 13:42  
**To:** Christa Ferguson  
**Subject:** Re: The yard cafe

Dear Christa,

Thank you for your email,

I am pleased to confirm that we are very happy with the new hours and that the planning notice which sadly fell down is now proudly back up in the window.

Yours Sincerely  
Stuart James Knowles  
For The Yard

Sent from [Outlook](#)

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**From:** Christa Ferguson <[Christa.Ferguson@nfdc.gov.uk](mailto:Christa.Ferguson@nfdc.gov.uk)>  
**Sent:** 05 September 2018 12:09:32  
**To:** 'Stuart Knowles'  
**Subject:** RE: The yard cafe

Hi Stuart

In addition to the following agreed with Arran

- The use of the outside terrace area shall not be permitted after 21:00hrs; and
- All external doors and windows shall be kept closed after 21:00hrs except for access and egress.

Could you confirm that you are happy to limit the hours as follows:-

Monday to Sunday - Sale of alcohol 10.00 to 22.00hrs  
Monday to Sunday 09.00 to 22.30hrs

Regards  
christa

**Christa Ferguson**  
Licensing Manager  
New Forest District Council  
Tel: 023 8028 5588

[Christa.Ferguson@nfdc.gov.uk](mailto:Christa.Ferguson@nfdc.gov.uk)  
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**From:** Stuart Knowles [<mailto:stuart.knowles@nfdc.gov.uk>]  
**Sent:** 31 August 2018 10:34  
**To:** Christa Ferguson  
**Subject:** Re: The yard cafe

Dear Christa,

Thank you for your visit. I've already had an email from Arron and have agreed the changes in opening times and the process of doors and window closers, alone side keeping music and crowd noise to a immual.

Tai and I have chatted with the neighbour from 12A and she has turned down the offer of a gate and asked for signage instead and has agreed at this stage of investment for Tai and I that the cafe should open as soon as possible and we should keep chatting about how the passage is use. As in we may still put up a gate at a later stage if needed.

Sadly Liz the other neighbour is hard to tract down as she works long hours, but attempts will be made by us and the helpful neighbor of 12A, to make the same offer.

I assume that having confirmed the amended opening hours with Arron, I do not need to take further steps but if you feel I've missed something that I should do I'll be grateful for your advice!

Yours sincerely

Stuart James Knowles  
The Yard Cafe

Sent from Outlook

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**From:** Christa Ferguson [[FDC.GOV.UK](mailto:Christa.Ferguson@nfdc.gov.uk)]  
**Sent:** 30 August 2018 14:38:33  
**To:** 'stuarthorse@hotmail.co.uk'  
**Subject:** FW: The yard cafe



Apologies Stuart  
That line should say passage and not pages  
Regards  
Christa

**Christa Ferguson**  
Licensing Manager  
New Forest District Council  
Tel: **023 8028 5588**

[newforest.gov.uk](http://newforest.gov.uk) [fdc.gov.uk](http://fdc.gov.uk)



New Forest InTouch app



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**From:** Christa Ferguson  
**Sent:** 30 August 2018 14:33  
**To:** '  
**Cc:** Sarah Herringshaw  
**Subject:** FW: The yard cafe

Good afternoon Stuart

Further to our meeting yesterday I have provided a brief summary of our discussions. Obviously the final decision rests with yourself as the applicant, so you may wish to discuss this further with your partners.

As you are aware we have received representations against the application and they have referred to a number of potential issues that they are concerned about. However you may wish to discuss these issues with your neighbours to see if the measures we discussed yesterday may alleviate some of their concerns. Namely:-

- Access to the café via the side passage and gate (concerns around lighting shop stock room and security)- Arrange to have customer access through the salon during salon opening hours, therefore the side passage access will only be used when the salon is closed.
- Reduce hours on application to the following. (This will take into account current planning restrictions and previous arrangements for outside area-to mitigate noise nuisance to neighbours as discussed with EHO)  
Outside area 21.00hrs  
Doors and windows to be kept closed after 21:00hrs except for access and egress  
Sale of alcohol 22.00hrs  
Closing time 22.30
- Access security to steps up to flats 11a and 12a- Fit gates with "private" signage to the bottom of steps for roof access to both flats. Gates need to be able to open to provide emergency access for residents of the flats
- Ensure that the passage can accommodate wheelchair access/egress
- Ensure that adequate lighting is provided in the **passage** for customers using it

Should you wish to reduce the hours as above please confirm this by email and I can inform those that have made representations, however if representations still stand at the end of the Representation period (14/9/2018) a hearing will be arranged within 20 working days of the end of the rep period.

Arran will be in touch separately re the noise prevention conditions discussed yesterday and I believe a planning enforcement officer has been on site today and will contact you with regard to the planning changes needed for the premises.

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