

Licensing Sub-Committee

7 March 2022



Time and venue:

1.30 pm in the Ditchling and Telscombe Rooms - Southover House, Southover Road, Lewes, BN7 1AB

Membership:

Councillors: Liz Boorman, Isabelle Linington and Christine Robinson

Quorum: 3

Published: Friday, 25 February 2022

This meeting is open to the public to attend. Attendees are encouraged to wear masks when seated in the meeting and observe social distancing.

Agenda

- 1 Election of chair of the sub-committee for this meeting**
- 2 Apologies for absence/declaration of substitute members**
- 3 Declarations of interest**

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Application for a Premises Licence at The Paddock, The Old Motor Road, The Old Racecourse, Lewes (Pages 3 - 54)**

Information for the public

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Information for Councillors

Disclosure of interests:

Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

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Agenda Item 4

Report to: Licensing Sub-Committee

Date: 7 March 2022

Title: Application for a new Premises Licence. The Old Racecourse Ltd, The Paddock, The Old Motor Road, The Old Racecourse, Lewes, BN7 1UR

Report of: Director of Service Delivery

Ward(s): Kingston ward

Purpose of report: To consider representations made against the new Premises Licence application under the Licensing Act 2003 and make a decision on the application.

Officer recommendation(s): To consider representations made against the new Premises Licence application under the Licensing Act 2003 and make a decision on the application.

Reasons for recommendations: Relevant representations made within consultation period

Contact Officer(s): Name: Michael Davis
Post title: Specialist Advisor - Licensing
E-mail: Michael.Davis@lewes-eastbourne.gov.uk
Telephone number: 07766254089

1 Introduction

- 1.1 Lewes District Council received an application for a new Premises Licence under the Licensing Act 2003 for The Paddock, The Old Motor Road, The Old Racecourse, Lewes, BN7 1UR from Paul Thornton in the capacity of an Authorised Licensing Consultant on behalf of The Old Racecourse Ltd. **(Appendix 1)**
- 1.2 Mr. Thornton submitted a Plan of the premises with the Licensable area outlined in red. **(Appendix 2)**
- 1.3 The Paddock is a privately owned field on the site of the Old Racecourse in Lewes. The Paddock is situated west of Lewes Town and has Bridleways running alongside two sides of area that The Old Racecourse Ltd has applied for. TENS applications had previously been submitted and granted for the Paddock.

2 The Application

- 2.1 An application for the grant of a new premises licence under the Licensing Act 2003 for the following licensable activities:

Sale by Retail of Alcohol (on the premises)

Friday and Saturday 12:00- 21:30

Sunday 12:00-20:00

Between April 1st and 30th September

Non-Standard times:

Sunday before Bank Holiday Monday 12:00-21:30

Bank Holiday Monday 12:00-20:00

Opening Hours

Friday and Saturday 12:00 – 22:00

Sunday 12:00-20:30

Non-Standard Opening times:

Sunday before Bank Holiday Monday 12:00-22:00

Bank Holiday Monday 12:00-20:30

- 2.2 The Applicant originally applied for Supply of Alcohol between the first weekend in April and the last weekend in September, but this wording was changed to the 1st April to the 30th September to ensure that the dates were enforceable.

3 Licensing Objectives

- 3.1 When applying for a new premises licence under the Licensing Act 2003, the applicant is required to describe any steps they intend to take to promote the four Licensing Objectives as defined by the Licensing Act 2003. The Operating Schedule detailing these steps can be seen in the application form. This is included at (**Appendix 1**).

4 Consultation Process

- 4.1 The Licensing Act 2003 requires applicants to advertise both on the premises and in a local newspaper in order to inform the public of the application. The application details are also advertised on the council's website. Several "Responsible Authorities" have also been consulted as part of the process. There was a consultation period of 28 days, from 11 January 2022 to the 8 February 2022, for representations to be made. The applicant conformed with all the requirements as laid out within The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005.

4.2 During the consultation process five valid representation were submitted by members of the public and an MP (**Appendix 3**). A further five representations were received and four were rejected because they did not relate to a Licensing Objective and one was rejected due to it being received after the deadline

5 The Decision-Making Process - The Licensing Objectives

5.1 In their decision making, the Licensing Sub-Committee must act to promote the four Licensing Objectives. All carry equal weight as part of the process. The Licensing Objectives are:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of children from Harm

5.2 A representation is a 'relevant representation' if it is about the likely effect of the grant of the licence on the promotion of the licensing objectives. The objector must establish that such a consequence is a likely effect of a grant (i.e. more probable than not).

6 Lewes District Council's Statement of Licensing Policy and Section 182 Guidance

6.1 Copies of the Council's Statement of Licensing Policy have previously been circulated to Members. A copy is also retained in the Members' Room.

6.2 Whilst each application will be considered on its merits, the Licensing Sub-Committee will act to promote the four licensing objectives and have due regard to:

- Lewes District Council's Statement of Licensing Policy 2017-2022
- Section 182 Guidance issued by the Home Office.

6.3 Lewes District Council's Statement of Licensing Policy outlines the matters that the Authority will consider when determining matters under the Licensing Act 2003. An overview of the Licensing objectives referred in the relevant representations appears below.

6.4 The Prevention of Crime and Disorder

The Council's Statement of Licensing Policy states that the Operating Schedule should include steps to ensure the deterrence and prevention of crime and disorder on and in the vicinity of premises. The restriction of types of licensable activity, hours and imposition of conditions may be considered and applied as appropriate.

6.4 The Prevention of Crime and Disorder

The Council's Statement of Licensing Policy states that the Operating Schedule should include steps to ensure the deterrence and prevention of

crime and disorder on and in the vicinity of premises. The restriction of types of licensable activity, hours and imposition of conditions may be considered and applied as appropriate.

6.5 Public Safety

The Statement of Licensing Policy states that the Operating Schedule should include steps to ensure the physical safety of patrons. This might include the imposition of conditions regarding capacity and mechanisms to promote responsible drinking. The restriction of types of licensable activity, hours and imposition of conditions may be considered and applied as appropriate.

6.6 Prevention of Public Nuisance

The Statement of Licensing Policy states that within the Operating Schedule, applicants will be required to demonstrate how they intend to prevent nuisance arising, disturbance occurring and mechanisms to protect amenities. The restriction of types of licensable activity, hours and imposition of conditions may be considered and applied as appropriate.

7 Representations

7.1 A copy of the representations are included at **Appendix 3**, however a summary appears below:

‘Interested Parties’

Five representations have been received, these representations have made comments under Prevention of Crime & Disorder, Public Safety and Prevention of Public Nuisance.

Representations from Responsible Authorities:

The following summarises whether representations have been received from responsible authorities:

- **Sussex Police** – No representation.
- **Lewes District Council (Specialist Advisor) Environmental Health** – No representation
- **Lewes District Council (Specialist Advisor) Health and Safety** – No representation.
- **Lewes District Council (Specialist Advisor) Planning** – No representation.
- **Lewes District Council (Specialist Advisor) Licensing** – No representation
- **East Sussex Fire and Rescue Service** – No representation
- **Area Child Protection Team**– No representations
- **Trading Standards (East Sussex County Council)** – No representation.
- **Primary Care Trust**- No representation

8. Options open to the Sub-Committee

8.1 The Licensing Sub-Committee shall take the steps it considers appropriate for the promotion of the Licensing Objectives and may:

- Grant the Licence in the same terms as it was applied for.
- Grant the Licence but modify the conditions as appropriate for the promotion of the licensing objectives.
- Grant the Licence but modify the hours of licensable activity as appropriate for the promotion of the licensing objectives.
- Reject the application.

8.2 The Sub-Committee is asked to note the procedures relating to this hearing which are contained in The Licensing Act 2003 (Hearing) Regulations 2005, as amended.

8.3 In determining what, if any, conditions should be attached to a licence, these should only be imposed where it is considered appropriate and proportionate on a case-by-case basis. The applicant, any person or any Responsible Authorities may also suggest conditions to address concerns as a means to promote the Licensing Objectives. The Sub-Committee may not impose any condition unless its discretion has been exercised following receipt of a relevant representation and is satisfied that it is appropriate to promote one or more of the licensing objectives.

9 Financial appraisal

9.1 The cost of delivering the licensing function is fully covered by the Licensing fees.

9.2 A decision made by the Sub Committee may be appealed by any party to the proceedings to a Magistrates' Court. Costs associated with this matter and incurred by any party, may in certain circumstances be awarded against the Council. The impact of these additional costs (if any) will therefore need to be met from within existing revenue budgets.

10 Legal implications

10.1 Under section 18 Licensing Act 2003 (as amended), following receipt of an application for a premises licence if relevant representations are received, unless all parties agree that a hearing is unnecessary, the Licensing Authority must hold a hearing. At the hearing the Sub Committee shall, having regard to the representations, take such steps as it considers appropriate for the promotion of the licensing objectives. The relevant options are outlined in para. 8.1 of this Report.

10.2 The Licensing Sub Committee should be mindful of requirements and responsibilities placed on them by other legislation, in addition to those contained within the Licensing Act 2003. These include, but are not limited to, having due regard to the Equality Act 2020, the Human Rights Act 1998 and the Crime and Disorder Act 1998.

- 10.3 Under section 181 and Schedule 5 Licensing Act 2003 there is a right of appeal to the Magistrates' Court in respect of applications for new licences. This right of appeal is open both to the applicant and to any person who has made relevant representations. The appeal application must be made within 21 days of the written notification of the Sub Committees decision to the appellant.

The Legal section considered this Report on 23 February 2022 (Iken-10838-LDC-MW).

11 Risk management implications

- 11.1 There are no risks associated with the content of this report.

12 Equality analysis

- 12.1 An Equality Analysis is not constructive in this instance.

13 Environmental sustainability implications

- 13.1 There are no sustainability and/or carbon reduction implications associated with this report.

14 Appendices

- 14.1
- Appendix 1 - Application for a new premises licence under the Licensing Act 2003
 - Appendix 2- Application Plan submitted for Premises Licence Application.
 - Appendix 3 – Valid Representations made against the Application

15 Background papers

- 15.1 The background papers used in compiling this report were as follows:

- Section 182 Statutory Guidance to the Licensing Act 2003
- Lewes District Council Licensing Statement 2017-2022
- Human Rights Act 1998
- Equality Act 2010
- Crime and Disorder Act 1998

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We The Old Racecourse Ltd

(insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
The Paddock The Old Motor Road The Old Racecourse			
Post town	Lewes	Postcode	BN7 1UR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ N/A

Part 2 - Applicant details

Please state whether you are applying for a premises licence as	Please tick as appropriate
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 (s14) 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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev')	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential 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 The Old Racecourse Ltd
Address Amelia House Crescent Road Worthing BN11 1RL
Registered number (where applicable) 13146191
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

The Paddock is a privately owned 1 Acre field on the site of the Old Racecourse in Lewes.

The licence will enable alcohol to be sold from a converted horse box on site. The licence will be valid from April to September.

We have sold alcohol at the site during 2021 under the authority of TENs with no issues identified.

The site affords spectacular views over the South Downs and the intention is to allow socialising whilst having a drink. There will be no regulated entertainment.

Access to the site is by foot or cycle, no vehicles will be allowed. No unaccompanied children under 18 will be permitted. All drinks will be decanted into vessels that are washable and then compostable. No glass ware will be allowed with the exception of wine bottles, which along with all cups will be collected as customers leave the site.

Challenge 25 will apply. All Staff will be trained, a refusals register will be maintained. No drinks of any sort will be taken from the site.

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) **X**

In all cases complete boxes K, L, and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thu					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			State any seasonal variations for indoor sporting events (please read guidance note 5)
Thu			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon	<u>Please give further details here</u> (please read guidance note 4)		
Tue			
Wed	<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur			
Fri	<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat			
Sun			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	
Mon				Outdoors	
				Both	
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur					
Fri			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Sat					
Sun			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thu					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises	X
Day	Start	Finish		Off the premises	
				Both	
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5) The licence will only be valid between the first weekend in April and the last weekend in September		
Tue					
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6) Sunday before Bank Holiday Monday 1200-2130 Bank Holiday Monday 1200-2000		
Fri	1200	2130			
Sat	1200	2130			
Sun	1200	2000			

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	Claire Michelle Beard
Date of birth	10/06/1976
Address	Grooms Cottage County Stables The Motor Road The Old Racecourse Lewes
Postcode	BN7 1UR
Personal licence number (if known)	LN/202100191
Issuing licensing authority (if known)	Lewes District Council

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

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			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>Sunday before Bank Holiday Monday 1200-2200</p> <p>Bank Holiday Monday 1200-2030</p>
Tue			
Wed			
Thur			
Fri	1200	2200	
Sat	1200	2200	
Sun	1200	2030	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The Paddock is a privately owned field on the site of the Old Racecourse in Lewes. The licence will enable alcohol to be sold from a converted horse box on site. The licence will be valid from April to September.

We have sold alcohol at the site during 2021 under the authority of TENs with no issues identified.

The site affords spectacular views over the South Downs and the intention is to allow socialising whilst having a drink. There will be no regulated entertainment.

Access to the site is by foot or cycle, no vehicles will be allowed. No unaccompanied children under 18 will be permitted. All drinks will be decanted into vessels that are washable and then compostable. No glass ware will be allowed with the exception of wine bottles, which along with all cups will be collected as customers leave the site. Challenge 25 will apply. All Staff will be trained, a refusals register will be maintained. No drinks of any sort will be taken from the site

b) The prevention of crime and disorder

We believe that this operation and the proposed conditions will not compromise this licensing objective. The clientele, from our experience during TENs, are simply there to enjoy the summer evenings in the open air whilst enjoying a drink.

All staff will be trained.

All drinks will be decanted and served in plastic reusable cups which will be collected as customers leave. The exception to this will be wine sold in glass bottles.

No drinks of any sort will be taken off site.

Suggested conditions:

1. This licence will be valid from the first weekend in April until the last weekend in September.
2. Drinks, alcoholic and otherwise, must be served in recyclable/compostable cups supplied by the licence holder.
3. No glassware will be permitted on site with the exception of wine bottles.
4. Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise).
5. All cups used as drinking vessels and wine bottles will be collected from customers before they leave the site.
6. Customers will not be permitted to use their own drinking vessels to consume alcohol or other drinks on site.
7. Signage will be displayed prominently on site informing customers that no drinks may be taken off site and that no drinking vessels may be removed from the premises.
8. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than six months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to officers of a Responsible Authority.
9. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The DPS must review and sign the record at intervals of no more than eight weeks. The record must

be made immediately available upon request to officers of a Responsible Authority.

c) Public safety

Staff will monitor the premises.
All safety requirements will be complied with.

Suggested condition

10. Clear and legible notices must be prominently displayed on site requesting customers to respect the needs of local residents and leave the area quietly.

d) The prevention of public nuisance

We do not believe that this licensing objective will be compromised by the nature of the operation.

The premises is an open 1 Acre field at the top of the South Downs. The facility is purely to allow customers to sit in the open air enjoying the views of the Downs whilst having a drink.

There will be no regulated entertainment.

e) The protection of children from harm

Access to the site will be monitored by staff.
No unaccompanied children under the age of 18 will be allowed on site.
Challenge 25 will be employed
Staff will be appropriately trained.

Suggested conditions in support of this licensing objective.

11. No person under the age of 18 years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied, unless accompanied by someone aged 18 or over.
12. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under the specified age will be asked for photographic ID to prove their age.
13. Signage advertising the "Challenge" policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed, as a minimum.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

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

Date	11 th January 2022
Capacity	Authorised Licensing Consultant

For joint applications, signature of 2nd applicant or 2nd 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) Paul Thornton PT Licensing 40 Durlford Road			
Post town	Horsham	Postcode	RH12 5HZ
Telephone number (if any)	07586 798143		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) paul@ptlicensing.co.uk			

Notes for Guidance

1. 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.

2. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent)
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give 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 or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a

licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a

Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic

Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:

- evidence of the applicant's own identity – such as a passport,
- evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service.

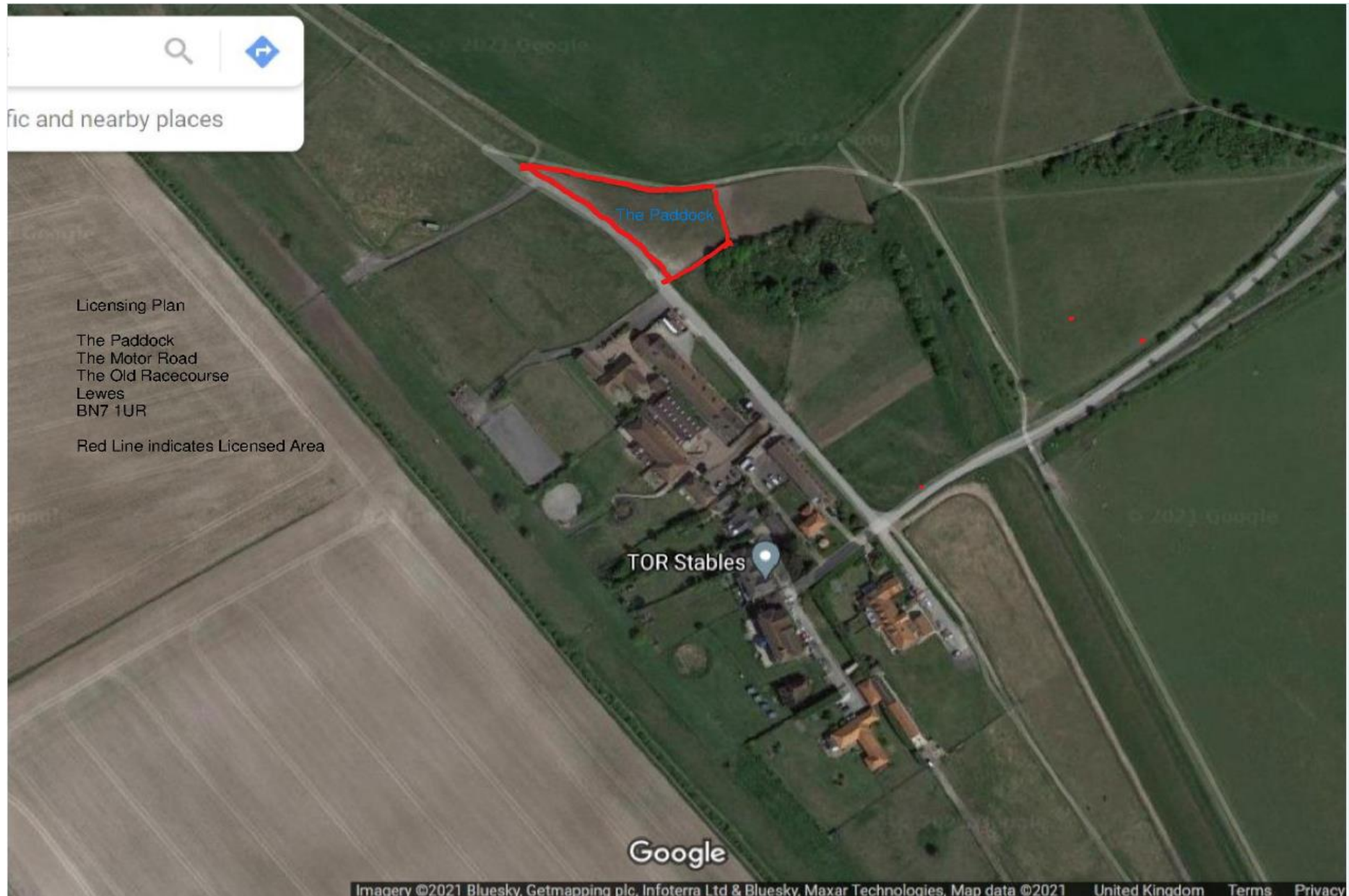
As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have

an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.



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THE LEWES OLD RACECOURSE RESIDENTS ASSOCIATION

The Licensing Officer
Lewes District Council
Southover House
Lewes BN7 1AB

February 4, 2022

Dear Sir/Madam

We, a group of residents on the Lewes Old Racecourse (LOR), are writing to express grave concern about an application for the establishment of a permanent weekend/bank holiday alcohol bar on the Racecourse for the period April to September, 2022. This follows the allocation of numerous TENs during 2021, allowing the regular presence of 'The Paddock Bar' to operate in close proximity to the residential properties on the racecourse. The bar became a continuous cause of conflict between residents and the officers of the Old Racecourse Ltd. due to concerns about noise, litter, wildlife and natural habitat disturbance, and excessive use of the private road by taxis.

We are aware that representations must relate to one or more of the four licensing objectives of crime prevention, public safety, public nuisance and child protection. Our comments below will reflect our deep misgivings on these matters. It is, however, initially imperative that the contextual setting of the application be fully appreciated. An application was made in early 2021 to the planning authorities at the South Down National Park (SDNP/21/01228/PRE) for a seasonal bar and café to be located on the Old Racecourse. The South Downs were categorical in their opposition. The following quote is taken from their written decision – “the proposed pop-up cafe and bar would conflict with the local development plan (SD25 of the SDLP) and as such would be unacceptable in principle with no material considerations that would justify a decision other than in accordance with the development plan.” In discussions with our local MP and other concerned citizens (e.g., Friends of Lewes; Friends of the South Downs), the point has been made repeatedly of the need for closer collaboration between the licensing authorities and South Down planners on matters, such as the pop-up bar, which have such a profound potential impact on the future integrity of this heritage site. Approving a license for the Paddock Bar would set a worrying precedent that would likely lead to the mushrooming of such alcohol driven venues across the supposedly protected domains of the National Park.

The prevention of crime and disorder

Whilst the licensee is not normally responsible for the acts of customers once they vacate a bar, we have a unique situation here at the Old Racecourse location. Drinkers must walk about 1.5KM over often darkened fields and paths to reach the nearest public road. Disorderly behavior can result in damage to both the natural fauna and flora as well as serious disruption to animal and bird life. An example would be gates to fields being left open, allowing sheep to stray disastrously beyond their enclosures. Similarly, access to and return from the bar is over land used by the endangered Skylark for nesting during the months of operation. Other endangered species potentially impacted include bats, hares, slowworms and adders. If customers choose to walk down the unlit private road after imbibing, a threat of anti-social behavior poses significant challenges (littering, endangering resident motorists, etc.).

Public safety

The bar consists of a converted horse box located in a paddock close to residential houses and horse stables. Dry bales of hay will, in part, be used for seating patrons. The license application contains no mention of first aid facilities (e.g., is there a defibrillator?) nor plans to deal with fire. Similarly, the application fails to discuss the provision of hot and cold water and permanent toilet facilities thus posing significant hygiene risks. Because the site is on a narrow private road that is a considerable distance from a main public thoroughfare, access for service vehicles will be difficult to manage and navigate. There are good reasons why we don't see public houses on the top of hills with no public road access.

Prevention of public nuisance

The Paddock Bar will be located directly in front of a small community of residential dwellings (approximately a dozen homes) and a number of active horse stables. Note that the paddock selected to house the bar is closer to the housing complex than the site used in 2021. Considerable noise can be expected from the generator and from groups of 30 to 40 patrons. This noise will carry easily through the open air to the houses and the stables, becoming highly disruptive and disturbing to home owners and horses alike. Despite the statement in the application that the bar can only be accessed on foot, experience from last year indicates that a steady stream of taxis will be used to ferry customers home. We have evidence of taxis parked frequently at the top of the Motor Road, generally next to the sign indicating "No Parking Permitted."

In conclusion, the question must be asked "is this an appropriate place for a bar?" The South Down planning authorities have been unequivocal in their view that a bar/café is antithetical to the development ethos of the Park. Moreover, Article 52 – an agreement signed by Lewes District Council – is clear that designated use at the Old Racecourse is confined to residential and equestrian activities. The Friends of Lewes put our view succinctly when they objected last year to the pop-up bar – they had serious concerns that the proposal could materially change the nature of areas adjacent to the Old Racecourse and risk turning a special area renowned for its peacefulness, nature and views into a hospitality venue. They felt that a pop-up bar was an inappropriate development in an area of very visible, quiet open land within an unspoilt natural environment. "It will encourage drinkers to congregate, resulting in noise and the risk of anti-social behaviour." We strongly concur and respectfully request that this license application be denied.

Sincerely,

REDACTED object to the application for a permanent seasonal licence which will materially change the nature of the area and cause nuisance to users of a special area renowned for its peacefulness. A licenced pop-up bar is an inappropriate development in an area of very visible, quiet open land within an unspoilt natural environment. It will encourage drinkers to congregate, resulting in noise, disturbance and nuisance to nearby residents, the risk of anti-social behaviour and activities likely to be to the detriment of the character of the area.

Dear Sir/Madam,

RE: The Old Racecourse Ltd, The Paddock, The Old Motor Road, The Old Racecourse, Lewes, BN7 1UR

I am writing to register my objections to the application for the abovemention Premesis Licence application.

The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, primarily the prevention of crime and disorder, public safety, and the prevention of public nuisance. My reasoning for objecting on this basis is outlined below.

The Prevention of Crime and Dissorder

The proposed premesis does not have toilet facilities, nor the required infrastructure or permission to construct some. The site is situated in a Small Civil Parish with no access to funds. The nearest Public Toilets are approximately 1.5 miles away in Western Road, which would have to be reached by walking down an unlit private road or via fields with grazing sheep in residence. Therefor it is highly likely that the patrons of the proposed premesis will have no choice but to commit the offense of urination or defication in a public place.

The proposed premesis is in a location in very close proximity to breeding pairs of Pedigrine Falcon's, the proposed times of operations fall within breeding season. It is my understanding that the proposed premesis will be powered by a generator, due to lack of infrastructure for mains power. The noise of the generator combined with the usual noise and comings and goings associated with a premises would no doubt cause a disturbance to the birds. It is illegal to disturb Pedigrine Falcon's during Nesting season. Furthermore the proposed premesis liscence is within a field where Skylarks nest, as they are ground nesting birds I would be concerned that bar would put their nests at undue risk of being destroyed by being trampled during nesting season, as they are not always visible in the long grass.

Due to the location of the proposed premesis and the lack of infrastructure to service the proposed premesis, I have serious concerns about dissorder caused by antisocial behaviour and disorder when Patrons are making their way to and from the proposed premesis. There are no litter bins in proximity to the bar, which may lead to littering. In the darkness of nightfall patrons may find it difficult to find their way back to the main road leading to possible trespass.

Public Safety

As well as the abovementioned concerns in respect of the offence of deficating and urinating in a public place above, I also have concerns surrounding the hygiene risks posed by the lack of toilet facilities, both to the Patrons of the bar, and also to visitors to the National Park.

Due to the premesis being accessible only through fields of grazing sheep, unlit bridleways, or a private road, I would be concerned for the safety of those leaving the bar on their way back to the public road. Furthermore mobile phone signal cam be problematic, and raises concern about how someone would raise the alarm should an incident occur.

The proposed premesis is in very close proximity to a well used Gallop. It is not entirely fenced and there are points where it could easily be accessed accidently by someone without knowledge of the area.

Horses can travel down the gallops at speeds of 40 miles an hour posing a serious safety risk. Whilst the gallops are not used in the evenings. It would not be uncommon for them to be used earlier in the day within the proposed opening times of the bar.

Prevention of Public Nuisance

The proposed premises is situated in countryside within South Downs National Park, the noise of the patrons, combined with the noise from the generator used to run the bar would interfere with the peace and tranquility of the countryside one expects to find in a National Park, and will have an adverse effect on other users.

REDACTED proposed premises is a small number of residential houses, active racing stables, and gallops. The increased footfall will undoubtedly cause a nuisance to them, especially as the area is unlit in line with the National Park dark skies policy. It would be very easy to trespass onto these properties accidentally as happened last year when the applicant had a TENS in place.

Although the application states that access will be on foot only for patrons, the bar will need vehicular access for deliveries such as stock. The traffic would cause a nuisance to both local residents, but would also affect the integrity of the public bridleway it would have to travel down, making it inaccessible for other users.

In view of the above, I would urge the Licensing Authority to refuse the Application.

Yours Faithfully,

Dear Sir/Madam

I am writing to concern about an application for the establishment of a permanent weekend/bank holiday alcohol bar on the Racecourse for the period April to September, 2022. This follows the allocation of numerous TENs during 2021, allowing the regular presence of 'The Paddock Bar' to operate in close proximity to the residential properties on the racecourse.

We were told that we could not object in the normal way as the licenses were unclear (being temporary) and now this permanent application enables members of the public and organizations to voice our concern.

An application was made in early 2021 to the planning authorities at the South Down National Park (SDNP/21/01228/PRE) for a seasonal bar and café to be located on the Old Racecourse. The South Downs were categorical in their opposition.

Approving a license for the Paddock Bar would set a worrying precedent that would likely lead to the mushrooming of such alcohol driven venues across the supposedly protected domains of the National Park. Indeed you are directly opposing their mandate with little to no consideration of the impacts.

It has been very unclear how to engage in the opaque process of the TEN, and I have noted that the letter requesting feedback for this permanent bar keeps 'disappearing' from the gate to the fields near where the bar will be centered. I have also noted on the planning portal that you yourselves have failed to engage adequately with the SDNP planners on this matter and I feel the engagement in general has been very poor.

The prevention of crime and disorder

Drinkers must walk about 1.5KM over often darkened fields and paths to reach the nearest public road. Disorderly behavior can result in damage to both the natural fauna and flora as well as serious disruption to animal and bird life.

An example would be gates to fields being left open, allowing sheep to stray disastrously beyond their enclosures. Similarly, access to and return from the bar is over land used by the endangered Skylark for nesting during the months of operation.

Public safety

The license application contains no mention of first aid facilities (e.g., is there a defibrillator?) nor plans to deal with fire. Because the site is on a narrow private road that is a considerable distance from a main public thoroughfare, access for service vehicles will be difficult to manage and navigate. There are good reasons why we don't see public houses on the top of hills with no public road access.

If customers choose to walk down the unlit private road this was a frequent issue over the period in which the TEN's were being issued. Does encouraging people to walk on unlit roads and paths seem a good idea? The applicant repeatedly states there is no vehicular access (although there is much evidence to the contrary)

Prevention of public nuisance

The Paddock Bar will be located directly in front of a small community of residential dwellings (approximately a dozen homes) and a number of active horse stables. Note that the paddock selected to house the bar is closer to the housing complex than the site used in 2021.

Considerable noise can be expected from the generator and from groups of 30 to 40 patrons. Indeed this noise was a feature late into the evening on the nights the bar was open. This noise will carry easily through the open air to the houses and the stables, becoming highly disruptive and disturbing to home owners and horses alike.

Despite the statement in the application that the bar can only be accessed on foot, experience from last year indicates that a steady stream of taxis will be used to ferry customers home. We have evidence of taxis parked frequently at the top of the Motor Road, generally next to the sign indicating "No Parking Permitted." Indeed a cursory call with the local Taxi offices will show you that there were repeated requests for drop offs and pick ups.

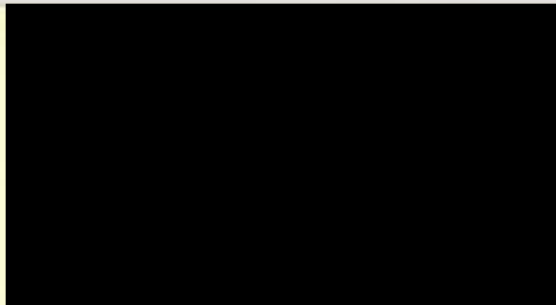
Either way we are confronted with people walking unlit roads and paths in the dark leaving gates open or taxi's parading up and down the private road.

This application should be rejected:

-
-
- It contravenes the permitted use laid out by the southdowns planning authority
-
-
-
- It contravenes the permitted use established with LDC as part of the sites development (Section 52)
-
-
-
- It contravenes the deed of covenant that bounds owners here to a set of community principles
-
-
- It contravenes many elements that need to be considered for the issuing of a license laid out in this letter
-

In the event you decide to grant this license in the face of such widespread concern and disruption I would like some clarity on how we as residents can monitor the behavior of the applicant with regards to the licenses restrictions.

Kind Regards



Trevor Beattie, Chief Executive
South Downs National Park Authority
South Downs Centre
North Street
Midhurst
GU29 9DH

28 January 2022

Dear Trevor,

RE Objection to Application SDNP/21/01228/PRE | Proposed seasonal camping use on existing undeveloped land. Proposed seasonal pop-up bar and café.

I am writing to object to the application for a permanent licence for a pop-up bar and café identified above, that is being considered for The Old Racecourse.

Firstly local residents have been contacting me throughout the last 18 months about the disruption and concerns from the pop up events that have happened from the temporary licensing of the pop up pub which has generated untold noise and environmental damage to one of the most habitat rich areas in the town of Lewes. In addition to the physical damage that is being caused to the area, the issue of noise and light pollution is of grave concern in an area which is renowned for its views, beauty, and its peacefulness. The South Downs National Park Authority have been heavily involved in this in terms of the environmental impact.

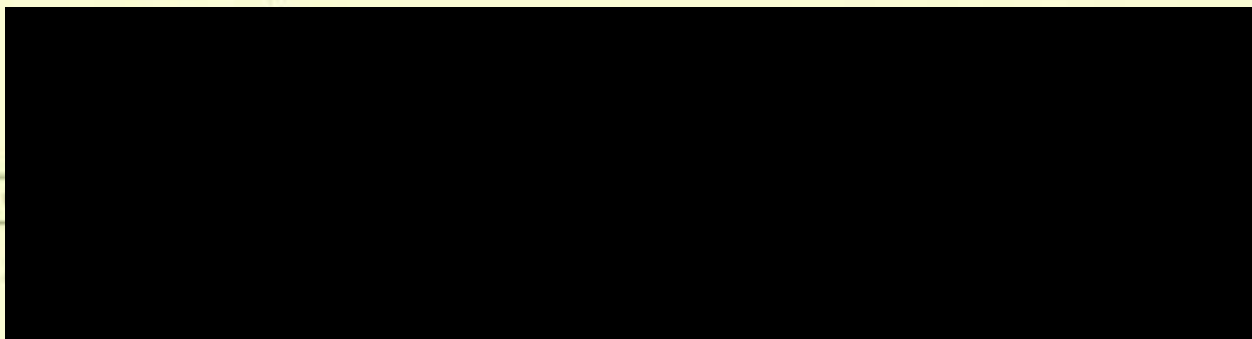
Applications of this type threaten the beautiful downland environment with noise that may raise issues of disturbance and/or reduce tranquility. The proposal of a pop-up pub/café attacks the character of the area, in a move away from nature. For this reason, it would not be an appropriate addition to the South Downs area, nor does it keep in tone with what visitors who venture to the South Downs expect.

Environment control also factors into the decision when discussing the issue of the downs we must also consider research into land contamination, currently this is inadequate for any approval.

In addition I have been contacted collectively by the local pubs in Lewes town about the impact that the proposal would have on them. The hospitality sector has been one of the hardest hit sectors by the pandemic. Our local pubs have already had a tough time during Covid, as you can imagine, and the introduction of competition in this manner (a pop-up with significantly less overheads) would further prolong their recovery at such a critical time and would bring into question the survival of many of them and they would be deeply concerned if the council allowed this permanent licence to go ahead.

With this in mind, I believe the application should not be permitted for a permanent pop-up pub located on the downs.

Yours sincerely



By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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