



Notice of Meeting

Licensing Sub-Committee

Date: Tuesday, 10 March 2015

Time: 09:30

Venue: Conference Room 1, (Beech Hurst), Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ

For further information or enquiries please contact:

Christine Hastings - **01264 368007**
email chastings@testvalley.gov.uk

Legal and Democratic Service

Test Valley Borough Council,
Beech Hurst, Weyhill Road,

Andover, Hampshire,

SP10 3AJ

www.testvalley.gov.uk

The recommendations contained in the Agenda are made by the Officers and these recommendations may or may not be accepted by the Committee.

Membership of Licensing Sub-Committee

MEMBER

Councillor A Hope
Councillor N Long
Councillor J Whiteley

WARD

Over Wallop
St Mary's
Alamein

Licensing Sub-Committee

Tuesday, 10 March 2015

AGENDA

**The order of these items may change as a result of members
of the public wishing to speak**

- 1 **Apologies**
- 2 **Declarations of Interest**
- 3 **Appointment of Chairman**
- 4 **Minutes of the meeting held on 30 January 2015**
- 5 **Licensing Procedure Rules - Licensing Sub-Committee** 4 - 6
Procedure Rules for Licensing Sub-Committee
- 6 **Application for a new Premises Licence - Coopers Barn,
Hurstbourne Tarrant, Andover** 7 - 50
To determine an application for a new Premises Licence for
Cooopers Barn, Hurstbourne Tarrant, Andover

ITEM 5

Licensing Procedure Rules - Licensing Sub-Committee

Application

These Procedure Rules shall apply to all hearings of applications and other matters pursuant to the Licensing Act 2003 and subordinate legislation and any amendments thereto and the Gambling Act 2005 and subordinate legislation and any amendments thereto.

Terms of Reference of the Licensing Sub-Committee:

1. Ward Councillors will have no involvement in the decision making process.

Procedure for hearing licensing applications:

1. The Council's scheme of public participation will not apply.
2. At the commencement of the hearing the Chairman will explain the procedure to all those present.
3. The Hearing shall take place in public. The Sub-Committee may exclude the public from all or part of the hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing, taking place in public.
4. A party to whom notice has been given may attend the hearing and may be assisted or represented by a person whether or not that person is legally qualified.
5. The hearing shall take the form of a discussion led by the Sub-Committee.
6. Cross-examination will not be permitted unless the Sub-Committee considers it is required for it to consider the representations, application or notice as the case may require.
7. The Sub-Committee may impose a maximum period of time for each party to address the Sub-Committee in hearings pursuant to the Licensing Act 2003.
8. To facilitate the discussion the following procedure will be followed in all cases except for reviews when 8(b) shall apply and interim steps hearings for expedited summary reviews when 8(c) shall apply:
 - (a) (i) The Licensing Manager of the Council or his representative will present the facts of the application and action taken, to the Sub-Committee.

- (ii) The Applicant or his representative may address the Sub-Committee.
 - (iii) Other parties may address the Sub-Committee in the following order:
 - Responsible authorities
 - Interested parties
- (b) (i) The Licensing Manager of the Council or his representative will present the facts of the review and action taken, to the Sub-Committee.
- (ii) The person requesting the review may address the Sub-Committee.
- (iii) The licence holder may address the Sub-Committee.
- (iv) Other parties may address the Sub-Committee in the following order:
 - Responsible authorities
 - Interested parties
- (c) (i) The Licensing Manager of the Council or his representative will present the facts giving rise to the review, and will outline any action taken, to the Sub-Committee.
- (ii) The Police officer requesting the review or his representative may address the Sub-Committee.
- (iii) The licence holder or his representative may address the Sub-Committee.
9. The Sub-Committee may permit the applicant or any party to question any other party subject to Rule 6.
10. The Members of the Sub-Committee may ask any questions of the Licensing Manager or his representative, or of any party or other person appearing at the hearing.
11. Documentary or other evidence may be produced at the hearing with the consent of all the parties.
12. Where a party fails to attend or be represented and the Sub-Committee considers it necessary in the public interest it may adjourn the hearing to a specified date or hold the hearing in a party's absence, unless it is a hearing to determine interim steps under an expedited summary review in which case the meeting may proceed in a party's absence.

13. The Sub-Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and refuse to permit that person to return or permit him to return only on such conditions as the Sub-Committee may specify. Any such person may submit to the Sub-Committee in writing before the end of the hearing any information which he would have been entitled to give orally had he not been required to leave.
14. The Sub-Committee may ask questions of its legal adviser.
15. The Sub-Committee will deliberate in private.
16. The Sub-Committee may request advice in private of its legal adviser regarding the drafting of reasons.
17. In the case of a hearing under the sections and circumstances set out in Regulation 26(1) of the Licensing Act 2003 (Hearings) Regulations 2005 (or any amending legislation) or an interim steps hearing, the Sub-Committee will make its determination at the conclusion of the hearing.
In any other case the Sub-Committee will make its determination either at the conclusion of the hearing or within the period of five working days beginning with the day or the last day on which the hearing was held.
18. A record of the hearing will be taken in a permanent and intelligible form.

ITEM 6 Application for a Premises Licence – Coopers Barn, The Dene, Hurstbourne Tarrant, Andover SP11 0AG

1 The application

- 1.1 The application is by Mr Mark Betteridge trading as Betteridge's Brewing Company for a new premises for Coopers Barn, The Dene, Hurstbourne Tarrant, Andover SP11 0AG. The premises do not currently hold any form of licence under the terms of the Licensing Act 2003. The applicant has applied for a Premises Licence for the sale by retail of alcohol for consumption both on and off the premises from 1100 to 2300 hours Monday to Saturday and 1100 to 1400 hours Sunday. This application has attracted representations necessitating the application to be determined at a hearing. A copy of the application is attached as Annex 1 to this report.

2 Background

- 2.1 The premises is a large cob barn roughly 50 feet by 22 feet in size located behind residential premises and currently used as a small microbrewery and a business. There is one floor with a mezzanine level not available to the public and an area in the barn for socialising which is discreet from the brewing area. The applicant intends to enhance the business by enabling brewery interest tours, beer tasting and appreciation, to provide off sales in bottles and to support the community with fund raising functions and the occasional social function.

3 Promotion of the Licensing Objectives

- 3.1 The applicant makes the following comments in relation to the steps taken to promote the four licensing objectives:
- a) General – Sales of alcohol will be limited to those over 18 (ID required where in doubt). Attendance will normally be by invitation or by appointment. Excessive drinking will not be tolerated nor the purchase of alcohol by or for minors. Consideration for neighbours as regards noise levels on departure will be strictly enforced. Warning of the proximity to the road on departure will be briefed.
 - b) The prevention of crime and disorder – No crime or disorder is envisaged as numbers will be low, attendees will be by prior arrangement, invited, or people attending an organised event. This is a small microbrewery with the facility for beer tasting, a meal with beer, a brewery tour, on and off sales.
 - c) Public safety – No public safety issues are envisaged. Hurstbourne Tarrant is a quiet country village. The road is seen as the only real risk, and other than the prevention of excessive drinking, a warning will be given to all on the potential dangers on departure. There is a well maintained pavement outside the premises.

- d) The prevention of public nuisance – All persons attending will be warned and advised of the need to preserve the tranquil environment of the village, with particular reference to leaving the premises out of consideration for close neighbours.
- e) The protection of children from harm – No minors will be allowed to attend unless supervised by a parent prior to 2000 hours. After this time no minors will be allowed in the brewery.

The measures to promote the licensing objectives are of relevance when considering the representations received.

4 Relevant Representations – Responsible Authorities

- 4.1 **TVBC Housing and Environmental Health Service** – The Environmental Protection Team raises no objection to the application.
- 4.2 **Hampshire County Council Trading Standards Service** – The Trading Standards Service has no representations to make.
- 4.3 **Hampshire County Council Safeguarding Unit** – Does not have any conditions or representations for this application.
- 4.4 **TVBC Planning & Building Service** – Having examined the application the Service has no objection but has commented that planning permission would most likely be required as there is no history of a change of use having been applied for.
- 4.5 **Hampshire Fire and Rescue Service** – Having examined the resubmitted plans of the premises, the Fire and Rescue Service does not wish to make representations at this time.

5 Relevant Representations – Other Persons

- 5.1 J & E Risso-Gill – Objection to the application on the grounds that the licensing objectives of public safety and prevention of public nuisance will not be achieved. See Annex 2 to this report.
- 5.2 W & C Loden – Objection to the application on the grounds that the licensing objectives of public safety and prevention of public nuisance will not be achieved. The first part of the representation regarding the correct submission and advertising of the application can be disregarded as that query was resolved. See Annex 3 to this report.
- 5.3 J Smith – Objection to the application on the grounds that the licensing objectives of public safety and prevention of public nuisance will not be achieved. See Annex 4 to this report.
- 5.4 T & M Coates – Objection to the application on the grounds that the licensing objectives of public safety and prevention of public nuisance will not be achieved. See Annex 5 to this report.

- 5.5 N, R & B White – Objection to the application on the grounds that the licensing objective of public safety will not be achieved. See Annex 6 to this report.
- 5.6 Strutt & Parker LLP on behalf of Mr and Mrs Antelme – Objection to the application on the grounds that the licensing objectives of public safety and prevention of public nuisance will not be achieved. See Annex 7 to this report.
- 5.7 It should also be noted that 14 representations in support of the application were received from Rev D Keighley, S Hoare, R Baker, T Sharpe, A Ramsay, J Underwood, R Saunders, R Conder, S Williams, M Wright, T Hamnett, P Ponting, D Murdoch, and N Willis. See Annex 8 to this report.
- 5.8 A further representation in support of the application has been disregarded as it was received outside of the 28 day period for submission of representations.

6 Policy Considerations

- 6.1 It is considered that the following extracts from the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 (October 2014 edition) are relevant.

2.8-2.12 – Public safety
2.18-2.24 – Public nuisance
8.33-8.41 – Steps to promote the licensing objectives
9.1, 9.3, 9.30-9.44 – Determining applications
10.1-10.15 – Conditions (including hours of trading)

A copy of the Secretary of State's Guidance will be provided at the meeting for Members of the Sub Committee. Additional copies can be obtained from the GOV.UK website.

- 6.2 It is considered that the following extracts from the Licensing Authority's own Statement of Licensing Policy are relevant to this application:

Section B Public Safety

Section C Prevention of Public Nuisance

The Statement of Licensing Policy has either previously been provided for Members of the Sub Committee or will be provided at the hearing. Copies can also be obtained from the Licensing Section of the Legal and Democratic Service or downloaded from the Council's website.

7 Observations

- 7.1 The Committee is obliged to determine this application with a view to promoting the four licensing objectives of prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm. In making its decision, the Committee is also obliged to have regard to the national Guidance and the Council's own Statement of Licensing Policy.

7.2 The Committee must also have regard to all of the representations made and the evidence it hears. The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- a) Grant the application as requested
- b) Modify the conditions of the licence, by altering or omitting or adding to them. (The Committee may where appropriate attach different conditions to different parts of the premises concerned and/or to different licensable activities).
- c) Reject the whole or part of the application (in the case of the latter for example by only allowing some of the licensable activities or permitting them to take place at times other than those requested).

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote one or more of the four licensing objectives:

- a. Prevention of crime and disorder
- b. Public safety
- c. Prevention of public nuisance
- d. Protection of children from harm

Background Papers (Local Government Act 1972 Section 100D)

Premises Licence application reference PREM/15/ for Coopers Barn, Hurstbourne Tarrant, Andover.

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	8		
Author:	Michael White	Ext:	8013
File Ref:	PREM/15/0483		
Report to:	Licensing Sub-Committee	Date:	10 March 2015

ANNEX 1



Test Valley
Application for a premises licence
Licensing Act 2003

For help contact
licensing@testvalley.gov.uk
Telephone: 01264 368013

* required information

Section 1 of 19

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

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Betteridge's Brewery Premises License

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes

No

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

Applicant Details

* First name

Mark

* Family name

Betteridge

* E-mail

[redacted]

Main telephone number

[redacted]

Include country code.

Other telephone number

[redacted]

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

Are you:

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

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

Applicant Business

* Is your business registered in the UK with Companies House?

Yes No

* Is your business registered outside the UK?

Yes No

* Business name

Betteridge's Brewing Company

If your business is registered, use its registered name.

* VAT number

GB

188 8715 43

Put "none" if you are not registered for VAT.

* Legal status

Sole Trader

Continued from previous page...

* Your position in the business	Owner	
Home country	United Kingdom	The country where the headquarters of your business is located.
Business Address		
* Building number or name	Coopers Barn	If you have one, this should be your official address - that is an address required of you by law for receiving communications.
* Street	The Dene	
District	Hurstbourne Tarrant	
* City or town	ANDOVER	
County or administrative area	Hampshire	
* Postcode	SP110AG	
* Country	United Kingdom	

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	Coopers Barn
Street	The Dene
District	Hurstbourne Tarrant
City or town	ANDOVER
County or administrative area	Hampshire
Postcode	SP110AG
Country	United Kingdom

Further Details

Telephone number	_____
Non-domestic rateable value of premises (£)	0

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Mark

Family name

Betteridge

Is the applicant 18 years of age or older?

Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Coopers Barn

Street

The Dene

District

Hurstbourne Tarrant

City or town

ANDOVER

County or administrative area

Hampshire

Postcode

SP110AG

Country

United Kingdom

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

[redacted]

Telephone number

[redacted]

Other telephone number

[redacted]

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?

22 / 12 / 2014
dd mm yyyy

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

[redacted] / [redacted] / [redacted]
dd mm yyyy

Provide a general description of 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.

The premises is a large cob barn roughly 50ft x 22ft in size located behind my residence and currently used as a small microbrewery and a business. There is one floor with a mezzanine level not available to the public, and an area in the barn for socialising which is discreet from the brewing area. I intend to enhance the business by enabling brewery interest tours, beer tasting and appreciation, to provide off sales in bottle and to support the community with fund raising functions and the occasional social function.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

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

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

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.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

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

Nil

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

Nil

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Mark

Family name

Betteridge

Enter the contact's address

Building number or name

Coopers Barn

Street

The Dene

District

Hurstbourne Tarrant

City or town

ANDOVER

County or administrative area

Hampshire

Postcode

SP110AG

Country

United Kingdom

Personal Licence number
(if known)

PEL00107

Issuing licensing authority
(if known)

MENDIP (MDCBA4)

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PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known) []

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

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

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 etc gambling machines etc.

Nil

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start [11:00]

End [23:00]

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.

Start []

End []

TUESDAY

Start [11:00]

End [23:00]

Start []

End []

WEDNESDAY

Start [11:00]

End [23:00]

Start []

End []

THURSDAY

Start [11:00]

End [23:00]

Start []

End []

FRIDAY

Start [11:00]

End [23:00]

Start []

End []

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

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

Nil

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

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

Nil

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LICENSING OBJECTIVES

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

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

List here steps you will take to promote all four licensing objectives together.

Sales of alcohol will be limited to those over 18 (ID required where in doubt).
Attendance will normally be by invitation or by appointment. Excessive drinking will not be tolerated nor the purchase of alcohol for or by minors.
Consideration for neighbours as regards noise levels on departure will be strictly enforced.
Warning of the proximity to the road on departure will be briefed.

b) The prevention of crime and disorder

No crime or disorder is envisaged as numbers will be low, attendees will be by prior arrangement, invited, or people attending an organised event.
This is a small microbrewery with the facility for beer tasting, a meal with beer, a brewery tour, on and off-sales.

c) Public safety

No public safety issues are envisaged. Hurstbourne Tarrant is a quiet country village.
The road is seen as the only real risk, and other than prevention of excessive drinking,

Continued from previous page...

a warning will be given to all on the potential dangers on departure. There is a well maintained pavement outside the premises.

d) The prevention of public nuisance

All people attending will be warned and advised of the need to preserve the tranquil environment of the village, with particular reference to leaving the premises out of consideration for close neighbours.

e) The protection of children from harm

No minors will be allowed to attend unless supervised by a parent prior to 2000 hrs.
After this time no minors will be allowed in the brewery.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm. You can make payments to Test Valley Borough Council online using a debit card only. You will need your debit card details to complete an online payment.

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

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

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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

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

Continued from previous page...

Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

100.00

DECLARATION

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

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

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

* Full name

* Capacity

Owner of Betteridge's Brewery

* Date

24 / 11 / 2014

dd mm yyyy

[Add another signatory](#)

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

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

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

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

ANNEX 2

Dear Mr White

We write in relation to the Premises Licence Application pending for Mr Betteridge of Cooper's Barn to which we would like to object.

In November 2014, it was brought to our attention that Mr Betteridge was applying for a Premises License. We live next to Cooper's Barn at The Old Forge, Hurstbourne Tarrant, Nr Andover, Hampshire SP11 0AG and have real concerns about the impact that the granting of a Premises Licence will have. We would therefore like to register our objection to this application on the following grounds:

- Mr Betteridge is already operating a "micro-brewery" in breach of planning control and granting a license to an operation lacking the required planning consent of the Local Planning Authority would be in contravention of the licensing objectives of ensuring public safety and the prevention of public nuisance.
- The lack of planning permission ensures that Test Valley Borough Council have not had an opportunity to make an assessment of whether the "micro-brewery's" current operations are acceptable in land-use planning terms and whether or not they may represent a threat to public safety and a creation of public nuisance.
- We have concerns relating to the noise and odour emissions created by the likely increased production of beer resulting from a grant of a Premises Licence to enable beer tastings, tours and on-site sales.
- We have concerns about the increased traffic that will result from brewery tours, potential for seven days a week sales (including until 11pm up to six days a week) and the probable increased commercial production. The brewery premises lack sufficient parking provision to cope safely with increased traffic volumes.
- We have concerns about the impact of a licensed premises on our doorstep with the implications for increased traffic, noise and the potential for public consumption of alcohol right next door to where our children (we have two and are expecting a third) play and on the road they use to walk to school.

For these reasons, we request that the Licensing Authority refuses Mr Betteridge's application for a premises licence.

We look forward to hearing from you in due course.

Best regards

James and Emma Risso-Gill

ANNEX 3

Maple Ridge
The Dene
Hurstbourne Tarrant
Hants
SP11 0AG

21st December 2014

Dear Mr White

Further to my email of 17th December we are writing to register our objection to the application for a premises license by Mark Betteridge for Betteridge's Brewery, Coopers Barn, The Dene, Hurstbourne Tarrant, Hants, SP11 0AG.

In addition to our objection, we would also like to confirm whether Mr Betteridge has satisfactorily completed the necessary advertising process.

- Although there is a blue notice advertised at the property it is not very prominent – it is on a side window as opposed to one facing directly to the pavement and is therefore not easily seen by passers by.
- Mr Betteridge has advertised a copy of the notice in the local parish magazine but we do not believe he has done so in the local newspaper, namely the Andover Advertiser as there is nothing on the Andover Advertiser website. A website search does, however, list other license applications around the same date. I have checked by searching here - <http://www.andoveradvertiser.co.uk/search/?search=license>

I am concerned that this does not constitute the appropriate advertising as it has come to our attention that many villagers remain unaware of this application.

Coopers Barn is located in the midst of a residential area within the Hurstbourne Tarrant conservation area and we object to the license application on the basis that enabling the premises to sell alcohol would be detrimental to public safety, potentially to children, and would undoubtedly create a public nuisance to neighboring properties.

Granting a Premises license to Coopers Barn would be detrimental to public safety due to the impact it would have on highway safety. A Premises license would lead to increased traffic flow to Coopers Barn, which does not have the necessary space for commercial parking. This will potentially impact in two ways:

- Firstly, there is the likelihood of people leaving the cars outside the property on the main road.
- Secondly, for vehicles that do enter the property, it is very unlikely that Coopers Barn has the maneuvering space to allow vehicles to leave the property in a forward gear.

For both of these reasons the granting of a license would have a negative impact on highway safety and, therefore, public safety. The pavement outside Coopers Barn is

the main pedestrian thoroughfare through the village and is particularly busy during the school drop off and collection times of day. Therefore, the addition of commercial traffic will increase the risk that children will come to harm.

As an immediate neighbor with young children we are very concerned about the prospect of having a fully licensed premises at such close proximity in a quiet part of the village. We are concerned that this poses a risk to my children. Firstly our children will be exposed to the noise and behavior of a fully licensed establishment, which they will be able to hear from our garden. Secondly, there is an isolated public footpath that runs behind Coopers Barn and adjacent to my garden. We are concerned about the likelihood of people using this path after they have consumed alcohol at Cooper's Barn. This may lead to inappropriate behavior towards our children.

As an immediate neighbour to Cooper's Barn we are already suffering noise nuisance and odour issues at all hours of the day and night due to brewing activities that are currently being undertaken without planning permission. Granting a Premises license will lead to an increase in brewing activity and increased public nuisance due to the sale of alcohol in a small residential community. Mr Betteridge recently held an evening event for the Conservative Party candidate and, despite it being winter and the event being held inside the barn, the noise could be clearly heard from neighbouring gardens. I have no doubt that such an event in the summer would entail outdoor activity thus creating a greater disturbance in a quiet residential area of the village.

I ask you to consider these concerns, along with the fact that Mr Betteridge does not have planning permission for what is clearly a commercial venture. If the council planning department has yet to consider whether his barn can be converted to commercial use then I do not believe a license application should be even considered.

In view of the above, we would urge the Licensing Authority to refuse the application.

Yours sincerely

William Loden & Caroline Loden

ANNEX 4

Dear Mr White,

My name is Mr Jeff Smith and I live at the Squirrels, The Dene, Hurstbourne Tarrant, Andover, Hampshire, SP11 0AG, which is situated only 35 meters from the Coopers Barn Micro-Brewery. I would like to take this opportunity to lodge an Objection against Betterage Brewery's obtaining a Licence to sell any alcohol or hold guided brewery tours from his premises.

The owner informed me back in April 2014, he wanted to start brewing in his barn as a hobby, which he stated didn't require planning permission, due to the low level activities etc. Since then he has changed his approach to a full commercial operation, brewing for six local pubs with a large commercial van for deliveries. This operation now requires a full time brewing cycle, with suppliers coming and going to his property and is a nuisance to his neighbours.

The Brewery at Coopers Barn is presently in breach of planning control, which has been investigated by the Enforcement Office at Test Valley Borough Council, who have informed the owner to stop brewing beer until he has achieved planning permission. Since this was enforced by the council, the owner has disregarded their request to stop brewing, with me complaining again to the council to stop him from breaching their enforcement. This has resulted in further discussions with the Council and the owner. This is a clear breach of the law with the owner showing total disregard to his neighbours and the laws of the land.

We presently have a new refurbished pub (The George) approximately 80 meters from the Brewery at Coopers Barn, we also have a garage at the end of the road who sell beers and spirits, in addition, we have a Royal British Legion 200 meters from his premises. Therefore, we already have three venues already supplying social requirements and various selections of alcohol to the community within a very small village. There is no further requirement for another office licence or to do brewery tours/pub in the village, which is a cover for his own private drinking den in an old stable block at the back on his garden.

The owner is man not to be trusted, who has not followed the appropriate planning permission, who has not obeyed the Enforcement officer to stop brewing and told his neighbours a pack of lies. Therefore, I must plead with you not to authorise a licence to Brewery at Coopers Barn, as it will be a nuisance to our small quiet hamlet of Hurstbourne Tarrant.

Their property entrance opens straight onto the main road, which is very busy and can be dangerous for children walking to and from school and church. There is no parking area for visitors to the front of property, again, developing into a dangerous situation for people walking along the pavement and car trying to pass parked cars on a dangerous part of the main road.

The noise of cars coming and going with the addition of loading and unloading kegs of beer, brewing supplies and not forgetting the smell it generates during the brewing phase, will be a total nuisance for the local neighbours. There is also the matter of potential drunks coming from his property at all hours causing a nuisance, through noise and behaviour. Last but not least, where is the health and Safety for an operation of this sizes and what about the trading standards of the product, who is testing it to ensure it is fit to drink?

Therefore I request that the Licensing Authority refuses Mr Betteridge's application for a premises licence.

Please Acknowledge Receipt of this Objection

Kind regards,

Jeff Smith

ANNEX 5

Blindon Studio
Hurstbourne Tarrant
Hampshire SP11 0AH

Premises License Application Tel: 01264 777777
Bettewidges Brewery

Dec 19th 2014

To whom it may concern

We would like to object to the above application. This was started as a hobby but it is obvious it is now to become a business concern.

The location for a brewery is totally unsuitable, this is a residential area, the barn is positioned with near neighbours including a shared wall which is part of the barn.

There is already huge problems with the flow of heavy traffic through our village, there would be no parking facilities and there could be more difficulties for access to the Post Office.

There are already two licensed premises in our village, a very successful newly established pub The George and Dragon and the British Legion.

We would like to make it clear we support small enterprises but in the right place and under the right conditions.

Tom and Mary Coates

ANNEX 6

Field End
The Dene
Hurstbourne Tarrant
Andover
Hampshire
SP11 0AG

Licensing Manager
Legal and Democratic Service
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover
Hampshire
SP10 3AJ

29 November 2014

Dear Sir/Madam

Re: Premises License Application for Coopers Barn, The Dene, Hurstbourne Tarrant, Andover, Hampshire, SP11 0AG

We are writing to strongly object to granting Mr Mark Betteridge a Premises License to sell alcohol in casks and bottles, conduct brewery tours, beer tastings and events from his home premises of Cooper's Barn, The Dene, Hurstbourne Tarrant, Andover, Hampshire, SP11 0AG.

The reason for this objection is that the premises are wholly inappropriate for additional visitors at any time of day or night, being located directly on the A343, in the heart of the village and amongst residential homes, including ours that is opposite (Field End). This creates a huge safety issue whereby the road is not wide enough to allow for any parking along it, which would inevitably happen at times when the restricted parking facilities at the premises would be inadequate. If cars were to be temporarily parked along the road (where parking is not allowed anyway due to the road, A343, being marked with a white line), then traffic would need to overtake by using the oncoming carriageway. This would cause extreme danger for us and others exiting our drives as visibility along the road is difficult and one needs to pull out a little first to see if it is safe to exit. The A343 has already been identified by Hampshire County Council as part of the "Safe Routes to School" scheme and by the "Action Against Speeding" group in the village as having safety issues in the vicinity of where Mr Betteridge's drive exits. This is almost opposite our drive and public footpath (number 11). People use this as a crossing point at any time of the day or night. Mr Betteridge's driveway is also just before the 'S' bend where people cross the road at any time of the day or night to access the village school, church, Post Office, shop, pub and recreation ground along with residential homes and footpaths. The increase in traffic coming and going at the premises along with the additional numbers of people buying bottles and casks may also have an adverse impact on noise levels.

There are more appropriate premises in the village for this type of commercial activity such as the commercial units located behind the garage at the end of the village. Here there is more room for parking and there is already commercial activity that these premises are appropriately set up for.

Whilst we wish Mr Betteridge well with his commercial endeavours, the residential location of such a business (selling alcohol in the heart of the village in the middle of residential properties and the resulting safety issues on the road along with increased noise levels) is wholly inappropriate and alternative premises for such activity should be used.

Many thanks for your attention.

Kind regards

ANNEX 7

Oxford – Development & Planning

269 Banbury Road
Oxford
OX2 7LL
Telephone 01865 366660
Facsimile 01865 554059

oxford@struttandparker.com
www.struttandparker.com

- 8 DEC 2014

STRUTT
PARKER

Licensing Manager
Legal and Democratic Service
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover
Hampshire
SP10 3AJ

Direct dial: +44 (0) 1264 700000

Mobile: +44 (0) 7775 000000

Email:

Our ref: OMJT/184499

04 December 2014

By email only –

Dear Sir / Madam

OBJECTION TO PREMISES LICENSE APPLICATION AT BETTERIDGE'S BREWERY, COOPERS BARN, HURSTBOURNE TARRANT, HAMPSHIRE, SP11 0AG

I act on behalf of Mr and Mrs Leopold Antelme, the owners of Bramble Bank, Hurstbourne Tarrant, SP11 0AG. Their property neighbours the Betteridge's Brewery at Coopers Barn, subject of a current Premises Licence application made by the owner, Mark Betteridge.

Relevant Background

On 7 August 2013, Mr Betteridge corresponded with my clients by letter, a copy of which is enclosed. In summary, this letter outlines his intention to run a "micro-brewery" from an ancillary outbuilding at his property. The "micro-brewery" was intended to provide Mr Betteridge with an occupation and enable him to produce and supply beer to the local community. His activities were described at this time as being of a 'hobby' nature, and as such planning permission was not required.

In October 2013, my clients met with Mr Betteridge to discuss his proposals. There have since been two more exchanges of correspondences between the two parties which I enclose for your reference.

I understand that the "micro-brewery" has been operational since April 2014. I further understand that Mr Betteridge has a commercial vehicle which he uses to supply local Public Houses and at present the Betteridge Brewery website (<http://www.betteridgesbrewery.co.uk/stockists/>) lists six local Public Houses as stockists.

In November 2014, I was instructed by my clients to report a breach of planning control to the Planning Enforcement Manager at Test Valley Borough Council relating to the current scale and nature of operations taking place at Betteridge's Brewery; I have enclosed a copy of this correspondence for your reference. In summary I submitted that the current scale and nature of the "micro-brewery's" operations have led to the creation of a separate planning unit and a material change of use has occurred for which Mr Betteridge has not sought planning permission. Furthermore I submitted that the activities currently taking place at Betteridge's Brewery constitute it being classified as a Class B2 (General Industrial) land-use, which is not appropriate in a residential environment.

The breach of planning control has been investigated by Samantha Francis, Enforcement Officer at Test Valley Borough Council. Mrs Francis agrees with my submission that a material change of use has occurred at the property. Accordingly, Mr Betteridge has been instructed to cease his current activities and either source alternative premises or submit a planning application to the Local Planning Authority for their consideration.

Premises License Application

In October 2014, my client received a notice – a copy of which is enclosed – informing them that Mr Betteridge was applying for a Premises License. The stated purpose for the license is to “enable tastings at brewery tours, off sales and the sale of beer at functions”. The application seeks sale of alcohol for consumption both on and off the premises from 1100 to 2300 hours Monday to Saturday and 1100 to 1400 hours Sunday.

Given my submission that Mr Betteridge is currently operating the “micro-brewery” in breach of planning control, my clients wish to raise an objection to the application for a Premises Licence on the grounds that granting a licence to an operation lacking the required planning consent of the Local Planning Authority would be in contravention of the licencing objectives of ensuring public safety and the prevention of public nuisance.

Firstly the present lack of planning permission ensures that Test Valley Borough Council have not had an opportunity to make an assessment of whether the “micro-brewery’s” current operations are acceptable in land-use planning terms and whether or not they may represent a threat to public safety and a creation of a public nuisance. Secondly my clients have concerns relating to the increased noise and odour emissions created by the likely increased production of beer resulting from a grant of a Premises Licence to enable beer tastings, tours and on-site sales. Thirdly the brewery tours, potential for seven days a week sales (including until 11pm up to six days a week) and probable increased commercial production resulting from the grant of a Premises Licence would result in increased traffic to and from Betteridge’s Brewery. The brewery premises lack sufficient parking provision to cope safely with increased traffic volumes and my client’s residential amenity is already being harmed by vehicles parking in the private lay-by outside of their property, preventing safe and convenient access for themselves and visitors to their property.

Therefore I request that the Licensing Authority refuses Mr Betteridge’s application for a premises licence.

Yours sincerely

**Oliver Taylor, MSc (Dev.Plan) MRICS MRTPI
Senior Planner
On behalf of Strutt & Parker LLP**

Cc. Mr & Mrs Antelme



Regulated by RICS

Enc. Correspondence dated

- 7th August 2013
- 10th October 2013 (Bramble Bank)
- 10th October 2013 (Coopers Barn)
- 13th November 2014 (Strutt & Parker to TVDC Planning Enforcement Manager)

Public Notice

Coopers Barn
Hurstbourne Tarrant
Hampshire
SP11 0AG

 COPY

All immediate neighbours

Brewery Project

Dear local residents,

1 Dec 2013

You will by now have gathered, either directly or otherwise that I was unsuccessful in my bid to buy the Church Hall at auction. Having left the Army 4 months ago I had hoped to set up a very small microbrewery there in order to provide me with an occupation and the village with their own beer source. Sadly the Hall was bought by a couple of people who had sold up in business and wanted to create a pension plan out of buying up properties for commercial rent. Their aims and my appetite for costs and lease conditions were not compatible and so I have to move on to Plan B.

It may seem an obvious choice to some but Plan B is best offered in Coopers Barn. My Barn is in the midst of a dwelling area (including my own) and offers the size and facilities needed for brewing on a small scale, and therefore would naturally raise questions as to suitability for what is classified as "light industry". It is important to me that anything I propose, is met with acceptance and approval by my neighbours. To this end, I have enclosed some information for you to understand the scale of what I propose to do and some factors which mitigate against any activities which could otherwise have been intrusive in any way.

I have been through the planning process once before during my application for the Church Hall, which is also 15 yards from a dwelling (Kim) and very close to others; (Bex Riley and the Physio). I would therefore be very keen to talk to you and to explain the size of the project (which is classified by brewers as not much more than home-brewing), what is involved and how I intend to keep any potential problems to an acceptable and minimum level. Please give this some thought and feel free to ask whatever you like and we can arrange for an individual two-way discussion, which I hope will allay your fears. Common questions are listed on the attached sheet and I have answered these as best I can in this letter but I am happy to expand to any degree to ensure you are content with the idea based on knowledge rather than supposition.

I look forward to talking to you at your convenience either here or with you at home. I will do everything I can to maintain good neighbourly relations and peace in our part of HBT and hopefully even bring some added benefits.

With kind Regards,

MJ Betteridge

From MJ Betteridge

Proposal for Microbrewery in Coopers barn

7th August 2013

To all immediate neighbours to Coopers Barn

The questions below follow the normal sequence of subject requiring explanation and verification by Test Valley Borough Council (TVBC), of which we are part, and to whom I have to answer in order to abide by their planning regulations.

Prior to going through some anticipated questions I would like to make it quite clear that I intend to make this a completely honest and open process and to try to take any mystique or misinterpretation out of what I am trying to achieve. Brewing on a small scale can be done in the barn now. It involves turning ingredients (water, malted barley, hops and yeast) into beer for putting into vessels and selling them locally. Much like a bakery baking bread, it shares the same ingredients except it is wet and flour is from unmalted grains. It is a traditional rural activity lost to this village with the demise of pubs, other small scale agriculture and labour intensive activity. Hurstbourne Tarrant once had five pubs and a number of maltings – even Ibthorpe had four maltings in the square at one time. My intent is to brew honest real ale for the village and locality on a small scale without upsetting anyone.

Is there any intent to build any other buildings? – No

Are there any changes to construction and if so what materials are to be used? - There are none.

What work is required in order to bring the barn to a standard required for brewing? – The Barn was previously a brewery, a maltings and a coopers (all courtesy of the HBT Historical Society and census material from 1871 – 1891). It was last used as a stable when the Pond family lived here (the last owners). The concrete floor was put in by the Ponds - and Bryn Evans helped lay it with others currently living in the village.

There is no need to do anything else to the fabric of the building but to waterproof and angle the floor with screed to enable water to drain to mains drainage. Three phase electricity will need connecting but this is simply a connection to existing supplies across the road along existing lines.

Are there any emissions caused and caused from the brewing process?

The brewing process involves soaking malt and other adjuncts in brewing liquor for 1 – 1 ½ hours and then boiling the wort (malt and hops), for an hour. This would normally happen once a week to begin with and then increase to twice a week based on demand and fermentation capacity. I have taken mitigating action to prevent the boiling process causing any steam emission (the source of any smells) by having a condenser fitted to the proposed brew house and therefore this will condense and drain to mains. There is therefore no requirement for any steam outlet and hence there is no smell. The boiling process would normally take place between 9 – 11am.

Noise will be limited to the running of water and cleaning. There is no noise involved in the mashing or boiling process. I am living close to the barn too and have had experience of working in much bigger breweries. To that extent I am confident of not making any disturbance. I will take every step possible to ensure that I mitigate against any unacceptable levels of noise as you would expect of a good neighbour. I rely on your goodwill for the reputation of the business and that of a neighbour!

What would be the effect on traffic and deliveries?

I intend to get a small van (possibly white!), and my suppliers are local in the main as I intend to get malt from Warminster. I will therefore deliver and to collect using my own vehicle. Initially there will be delivery of the equipment which would arrive on a small truck and occasionally (once per month or less) there may be deliveries of bottles or other dispensable items. Hops will arrive by postal services and otherwise it is me, the van and the dog. My car park is bigger than that available at the Church Hall which required parking for 2 cars and a van to comply with parking regulations.

What about the rats, hedgehogs, rabbits, rats mice voles deer etc?

There is no requirement or desire to disturb any small or rare animals and if there are any in there I would be very surprised. Rats and mice are my enemy and all grain will be stored securely above ground level.

We have driven past Fishers in Chelwick and seen other microbreweries which are large and situated in industrial units in business parks. How big is a microbrewery?

Mine has a brew-length of 2 ½ bbl (Brewers barrel). This means that I can produce 410 litres per brew. A barrel holds 164 litres of fluid and each cask contains 40 litres of real ale and so I will produce the equivalent (in bottle, cask or bag in a box) of 10 casks per brew. This is in comparison to the Hopback brewery in Salisbury (classified as a microbrewery), which produces 50 bbl per day! I am not in fact doing anything more than large scale homebrew for HBT and the local area, and could do this without planning permission if I wished to remain non-commercial. The brewing equipment is enclosed on a stainless steel frame and is insulated with wood, and looks fantastic. I will initially have two fermenters but would hope to afford more later. It is a very small operation.

What are my work hours?

I do not want the brewery to take up all of my time. I am hoping to make this a pleasure and a passion and not a chore. At 55 years of age I would like to work 3 – 4 days a week. Certainly the size of the operation for one man would require this but actual brewing would be for two mornings each week. I also love travel and entertaining my friends and family, so should demand end up on the scale of Sharpe's or SAB Miller I promise you I will employ many more people and will not want to do this in my back garden! This size of brewing is fun and pocket money. The planning requirement is for the purposes of being commercial albeit on a very small scale.

Summary

I am sure you will have many more questions but I wanted you all, as immediate neighbours to be the first to know of Plan B for the brewery, and to have the opportunity of gaining confidence in my plan. Realistically I cannot, nor do I want to do it without you and your support so please get back to me with your thoughts and questions and I will answer them in as much detail as you require. Please let me know if you wish to speak about this on a one to one basis at your home or mine. Having spent 10 months working on this plan for the Church Hall and going through a similar process for the immediate neighbours there, it is important that I have your support too. I also hope that you like real ale, and even if you do not – you are all welcome to try it with me at any time and learn to appreciate the old art.

With Regards,

Mark Betteridge

Coopers Barn
Hurstbourne Tarrant
Hampshire
SP11 0AG

Mr L Antelme
Bramblebank
Hurstbourne Tarrant
Hampshire
SP11 0AG

 COPY

10th October 2013

Dear Leopold,

Thank you for your card dated 10th October and the enclosed response to SSE regarding your refusal of wayleave consent. I have to say I was surprised not to have been informed prior to your sending it. I am afraid you have misunderstood, and as I said in my initial letter to you, I intend to apply for planning permission should I decide that my hobby is viable commercially. If this should be the case, I expect you to object as you have previously stated in person. I fully realize the requirement for change of use should I commercially make beer, but I do not know if I wish to until I have proven a product, and prior experimentation and non-commercial activity (my passion and pastime) is required to see if it is indeed viable.

I regret your decision to be obstructive without prior dialogue, and would ask that you consider changing your mind on that basis. No planning permission is required for making beer in my barn, and I would kindly ask that you reconsider. If you wish to talk with me about this then I am very happy to do so as I value our ongoing good relations and I would hope to maintain the status quo. The upgrade to the supply involves use of the same electricity post as the current supply to the barn, but needs a 3-phase supply. The equipment has been ordered at some expense and partially paid for. I am sure you will understand the predicament you put me in. Perhaps we could talk about this. I look forward to hearing from you.

With best wishes,

Mark Betteridge

BRAMBLE BANK
HURSTBOURNE TARRANT
HAMPSHIRE SP11 0AG

Mrs F Walsh-Kay
Scottish and Southern Electricity
Reading Depot
Arrowhead Road
Theale
Reading
Berkshire RG7 4AH

 COPY

10 October 2013

Dear Mrs Walsh-Kay

Barn at Coopers Barn
Ref: Dyf633

Thank you for your letter of 8 October and the enclosed wayleave consent, which you have asked me to sign

The increased electricity supply requested by Mr Betteridge is for the purposes of a microbrewery, which he is installing in his barn adjoining my property.

I understood that he would be applying for planning permission for this project and he is aware that I intended to oppose it. However, for some weeks, preparatory works have been progressing on a daily basis and no planning application has yet been made. I am, therefore, led to assume that he means to proceed without planning consent, which he believes he is entitled to do.

In the circumstances you will appreciate that this is a delicate situation and I cannot enter into any wayleave agreement with your company to enable you to supply extra power for a development to which I object.

Yours sincerely

Leopold J Antelme

BETTERIDGE'S



BREWERY

UPDATE AND NEWS



COPY

In order to give a better service to the local area and the village in particular, I would like to be able to sell beer from the Brewery at specific times during the day, and to conduct brewery tours, beer tastings and the odd event throughout the year. In order to do this I require a Premises License through the TVBC.

The license application will involve publication of broad hours of opening to cater for all events, but will not of course be the actual opening hours. All events will be for small numbers and I am most aware of the need for there not to be any form of noise nuisance to the village in general and my immediate neighbours in particular. The details are required be published in a local newspaper and I will put them on the village website.

The purpose of this short update is to ask for your support for the license and to ensure the village understand that this is not intended to compete with the George and Dragon or the British Legion, but to provide a sales outlet for bottles and casks from the Brewery, and an additional string of business and interest for the convenience of local people. Patrick Vaughan-Fowler has been consulted and approves of the idea.

I would ask that if anyone has any misgivings or worries concerning my intent, then they should in the first instance contact me and I will explain anything which is either misunderstood, or address any concerns about the idea. They will of course be able to subsequently make objections to the application through the Borough Council if they still have concerns. Details will also be made available on the HBT website.

Contact details: Mark Betteridge,
email
or the website contact page on
www.betteridgesbrewery.co.uk

What two ideas are more inseparable than Beer and Britannia
H. Pearson "The Smith of Smiths" (1934)



Planning Enforcement Manager
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover
Hampshire
SP10 3AJ

Direct dial: +44 1264 703 500
Mobile:

Email:

Our ref: OMJT/184499

05 December 2014

Dear Sir / Madam

UNAUTHORISED ACTIVITIES AT BETTERIDGE'S BREWERY, COOPERS BARN, HURSTBOURNE TARRANT, HAMPSHIRE, SP11 0AG

I act on behalf of Mr and Mrs Leopold Antelme, the owners of Bramble Bank, Hurstbourne Tarrant, SP11 0AG. Their property neighbours the Betteridge's Brewery at Coopers Barn.

Relevant Background

In August 2013, Mr Betteridge – the owner of Coopers Barn – corresponded with my clients. I enclose a copy of the letter dated 7 August. In summary, this letter outlines his intention to run a “micro-brewery” from an ancillary outbuilding at his property. The “micro-brewery” was intended to provide Mr Betteridge with an occupation and enable him to produce and supply beer to the local community. His activities were described at this time as being of a ‘hobby’ nature, and as such planning permission was not required.

In October 2013, my clients meet with Mr Betteridge to discuss his proposals. There have since been two more exchanges of correspondences between the two parties which I enclose for your reference.

I understand that the “micro-brewery” has been operational since April 2014. I further understand that Mr Betteridge has a commercial vehicle which he uses to supply local Public Houses.

In October 2014, my client received a notice – a copy of which is enclosed – informing them that Mr Betteridge was applying to Test Valley Borough Council (“TVBC”) for a Premises License. The stated purpose for the license is to enable Mr Betteridge to sell beer from the Brewery at specific times of the day, and to brewery tours and beer tastings, to include the odd event through the year.

Breach of planning control

Planning statute allows for any building or other land within the curtilage of a dwellinghouse to be used for purposes incidental to the enjoyment of the dwellinghouse without the need to seek the express consent of the Local Planning Authority. Planning permission is, however, required where there has been a material change in the use of any building or other land.

In considering whether a material change of use has taken place, I would ask you to consider – as a starting point – the planning unit. It is clear to me that 12 months ago, Mr Betteridge’s proposals may reasonably have been considered “incidental” however since becoming operational it is apparent that his activities extend beyond those of a ‘hobby’. I consider there is now a functional and physical separation between the existing dwellinghouse and the “micro-brewery”. Accordingly, I submit that Mr Betteridge’s activities have led to the creation of a separate planning unit and a material change of use has occurred. A

breach of planning control has thus occurred and to my client's knowledge no planning application has been submitted or approved by your Authority.

It seems to me also that an important planning consideration going forward is the Use Class within which a "micro-brewery" falls. Mr Betteridge's letter dated 7 August 2013 alleges that a micro-brewery is a "light industrial" process.

The Town and Country Planning (Use Classes) Order 1987 ("the 1987 Order") states that a "light industrial" use can be carried out in any residential area without detriment to the amenity of that area. Whilst this may be so it does not negate his requirement to seek planning consent from the Local Planning Authority in the first instance. Nevertheless, I submit that Mr Betteridge is incorrect in his assessment that his activities fall within Class B1(c) (Light Industrial) of the 1987 Order.

An "industrial process" is defined as a process for or incidental to any of the following purposes: -

- (a) "*the making of any article or part of any article...*"

The term "article" is synonymous with an object or item. In this context, the product of the "micro-brewery" can reasonably be considered an "article" and as such a "micro-brewery" falls within Class B2 (General Industrial) of the 1987 Order. Moreover, according to the '*Land Use Gazetteer: The Comprehensive Guide to Land Uses and Their Use Classes*' a brewery or a mild beer brewing place are both considered to fall within Class B2 of the Order 1987.

By reason of the activity taking place at Betteridge's Brewery, a use falling within Class B2 is not appropriate within a residential environment. To this end, I would request that you investigate the breach of planning control that has occurred with immediate effect, serve a Planning Contravention Notice, inform Mr Betteridge that his activities are unlikely to be supported by the Local Planning Authority should an application be forthcoming, and liaise with the relevant department within the Council responsible for the handling of Premises Licenses and advise them that such a license should be refused.

Lastly, Mr Betteridge states in his letter dated 10 October 2013 that it was his intention to apply for planning permission should he decide that his hobby was viable commercially (my emphasis). In my respectful submission, this declaration confirms that it has always been his intention to run the brewery as a commercial enterprise. As such and in the first instances, I submit that Mr Betteridge should have applied for a temporary grant of planning permission to 'test' the viability of his business.

Yours sincerely

Oliver Taylor, MSc (Dev.Plan) MRICS MRTPI
Senior Planner
On behalf of Strutt & Parker LLP

Cc. Mr & Mrs Antelme

Enc. Correspondence dated

- 7th August 2013
- 10th October 2013 (Bramble Bank)
- 10th October 2013 (Coopers Barn)

Public Notice

ANNEX 8

Dear sirs,

I wish to record my full approval for the granting of a new Premises Licence in respect of the brewery mentioned below.

Yours truly,

David Keighley (Revd)

Revd David Keighley
The Vicarage
The Dene
Hurstbourne Tarrant
Andover
Hampshire
SP11 0AH



Dear Sirs,

As a resident of Hurstbourne Tarrant, I fully support the application from Mr Mark Betteridge for a new Premises Licence in respect of Coopers Barn, The Dene, Hurstbourne Tarrant, Andover SP11 0AG.

In my view, the granting of a new Licence will enable this micro-business to make an important contribution to local community facilities in this rural village and its surrounding areas, and in turn, to play an important role in helping the village to thrive and prosper.

Having reviewed TVBC's licencing principles, I can see no grounds whatsoever for objection to this application.

Yours sincerely,

Susie Hoare

Mrs S C D Hoare

Swift House,

Church Street, Hurstbourne Tarrant, Andover, Hampshire, SP11 0AX



Dear Sirs

I was pleased to see this licencing application on your website.

Please use this email as my endorsement for this licensing application for Coopers Barn. I live locally within the village catchment and I am fully supportive of this application.

I have seen the fabulous set up at coopers Barn. The effort and professionalism shown by Mr Betteridge is commendable for a small business operating in a village location where the infrastructure is more than sufficient to support this application.

Kind regards
Mr Richard Baker
Maltings
Ibthorpe
SP11 0BJ



I am a resident of Hurstbourne Tarrant and live at Hurstbourne House, Church Street. I have read Mr Betteridge's application for a premises licence and have no doubt this will be a welcome addition to village life and will be conducted properly and be operated sensitive to neighbours' interests. More specifically, Mr Betteridge's personal credentials are exemplary and there is no question of any risk of crime and disorder. The premises are set back from the road and there is ample parking if it is needed, so no issue of public safety would seem to be involved. The prospective use is likely to be in small groups or even individuals, at irregular intervals, so no issue of public nuisance is likely to arise. As for children, this is unlikely to be an issue. There are two gates before entrance to the brewery, the local school is half a mile away, and Mr Betteridge is well able to deter children if they should prove inquisitive. I cannot believe this is an issue in this case. The application has popular support locally and should not be blocked.
Thomas Sharpe



Dear sir,
LICENSING ACT 2003 - Public Notice
Coopers Barn, The Dene, Hurstbourne Tarrant, Andover SP11 0AG
I have read the notice posted by Mr Betteridge at Coopers Barn and favour
his application.
Yours sincerely
Angus Ramsay,
Dene House
Hurstbourne Tarrant



To whom it may concern.

I would very much like to support the application for a premises license for the above.

I believe that the ability to not only collect the beer but also have the opportunity to taste the beers is doing a great service to the village and those such as myself who very much enjoy the beer rather than always having to go to a public house.

Kind regards

Jeremy Underwood
The Cottage
Upton
Hampshire SP11 0JP



Dear Sirs & Madams

Licensing Application - Coopers Barn, The Dene, Hurstbourne Tarrant, Andover SP11 0AG

I fully support this application and would advise that it is incredibly important to our village that this application is approved, given its massive contribution to the village economy and given time, the employment opportunities it could provide.

Yours Faithfully,

Rupert Saunders
Locks Meadow
The Dene
Hurstbourne Tarrant
SP11 0AH



Dear Sir or Madam,

I fully support Mr Mark Betteridge's application for a premises licence for Cooper's Barn. I have known Mr Betteridge for a number of years and have always found him trustworthy and responsible. I have no doubt that he will strictly observe the licensing conditions and minimise any disturbance occasioned by this welcome but small expansion of his local business.

Yours faithfully,

Rupert Conder
A resident of Hurstbourne Tarrant



Coopers Barn

My name is Suzie Williams and I live in Ibthorpe.
I wish to confirm my complete support for the above application.
Thank you

White Hart House
Ibthorpe
Andover
SP11 0BW



TEST VALLEY BOROUGH COUNCIL
LICENSING ACT 2003 - Public Notice
Coopers Barn, The Dene, Hurstbourne Tarrant, Andover SP11 0AG

I am writing to support the above application. Mr Betteridge has worked hard to build his small business with care and consideration for the environment and his neighbours.
It is an additional service for the whole village and by working closely with the local hostelries he is reducing the carbon footprint in the area including The George & Dragon, Hurstbourne Tarrant.
I often walk around Coopers Barn whilst exercising my dog and without prior knowledge I would not be aware that there was a small brewery at the property.
I do hope you will support this licence application and support a local business.

yours sincerely,

Maria Wright
7 Dines Close, Hurstbourne Tarrant.



Good evening,

I am Toby Hamnett and live at The Old Bakery, Church Street, Hurstbourne Tarrant. My property is approximately 200m from Betteridge's Brewery. I have had the opportunity to read the licensing application and speak to Mark Betteridge.

I fully support the application. Within the last two years Hurstbourne Tarrant has begun to realise the potential of rural business and bring life and trade back to an area which was at risk of becoming commuter belt. The opportunity for Betteridge's Brewery to be able to draw customers who are able to enjoy a full experience at a brewery tour enables other businesses to benefit. More people will stop and look around the village. In particular, Londis, the Post Office, The Tea Cosy and The George and Dragon will be able to share the custom without encroaching on each other's trade. The plan does not envisage crowds of tourists but enables increase in revenue across these businesses from the small groups that Betteridge's Brewery plans to support.

In addition, a capability for Betteridge's Brewery to sell within the village (off sales) will enable the brewery to branch out and further succeed and develop with a local client base.

I do not foresee an increase in crime or disorder. With two licensed premises already catering for different groups within the village, there is no significant disturbance through crime or public nuisance. There is no evidence to suggest that this would change with Betteridge's Brewery being able to sell its own beer in the circumstances outlined in the application. With the brewery set back from the road in a courtyard and successful brewery tours already taking place, albeit without the opportunity to buy a sample at the end, there is no evidence to suggest that this licence would adversely affect public, including children's, safety.

If you would like to discuss this representation further, please call me.

Yours

Toby Hamnett



I would like to support Mark Betteridge's application for a brewery in Hurstbourne Tarrant.

I have a small business in the village and feel another would be a great asset. It would certainly compliment the very successful newly opened pub.



To Whom it May concern

I am in full support of Mr Mark Betteridge's application for a micro brewery at Coopers Barn. If successful this will be a welcome addition to the village of Hurstbourne Tarrant and will provide more community links with tastings and some openings for members of the public.

Mrs Dinah Murdoch
Parsonage Farm
Hurstbourne Tarrant
Andover SP11 0AX



Dear Sir / Madam

I am writing in **support** of the Licensing Application currently under consideration for the Betteridge Brewery in Hurstbourne Tarrant.

The brewery has only recently started operations and I have been immensely impressed by the quiet, sensible, constructive and innovative way in which Mr Mark Betteridge has approached the entire business. He has sought out and acted sensitively to the views and concerns of local villagers and neighbours from the outset. The brewery produces a truly excellent range of distinctive and delicious beers which have quickly become hugely popular. I also believe that the Betteridge beers have played a major part in the successful re-launch of the local pub, 'The George and Dragon' - another new venture which the village badly needed and which is proving to be a huge success. Taken together, I have seen that both the pub and the brewery have done nothing but improve our small village community since they opened, with absolutely no negative impact. I believe that the construction of our much needed new Village Community Centre this year will further improve local life and the brewery can only help that venture to succeed as well.

As far as I am aware, the brewery produces absolutely zero extraneous smells, or remotely excessive noise, even though I understand that it is now running to full capacity to keep up with high demand. Marketing and advertising has been carried out in a very understated and sensible way. The brewery is a very small operation that provides a terrific product and, as a small ‘cottage industry’, it has already added immensely to the character and personality of our village and community.

While I understand that there may be a concern that the brewery’s success could get out of hand and change the current extent of the business, I believe that the limitations of the brewery’s size and capacity mean that it simply could not expand into a larger enterprise than it already is. I also fully understand that Test Valley must consider the possible implications with regard to under-age drinking, safety, public disorder and crime. Given the small size of both the brewery and our village community, and the highly responsible way in which the business is already operating, I believe that the licensing of this brewery would be very unlikely to have any negative impact on any of these issues.

I cannot see that a few people (it would never be more than ‘a few’) dropping round for the occasional tour, or to buy the brewery’s products, would have any negative impact on the environmental or social well-being of Hurstbourne Tarrant. On the contrary, I believe that it would greatly assist to further improve our village and, combined with the pub and new Community Centre, only contribute further to the re-generation of what was, until recently a sadly dysfunctional and divided community.

Hurstbourne Tarrant is now becoming the ideal rural village community that we always hoped it would be. The Betteridge Brewery has already helped hugely in this process and my family and I would certainly support its continued success. I would therefore urge you to grant this Licensing Application

Yours faithfully
Nicholas Willis

Highfield House
The Dene
Hurstbourne Tarrant
Andover
SP11 0AH