

AGENDA

Meeting: Southern Area Licensing Sub Committee

Place: Online meeting

Date: Tuesday 24 August 2021

Time: 9.30 am

Please direct any enquiries on this Agenda to Lisa Moore, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01722 434560 or email lisa.moore@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Allison Bucknell
Cllr Ruth Hopkinson

Cllr Trevor Carbin

Note: Registered attendees, participating in the hearing online will be provided with a joining link by email. If you are registered to attend and have not received your link, please contact lisa.moore@wiltshire.gov.uk in advance of the hearing.

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

1 **Election of Chairman**

To elect a Chairman for the meeting of the Sub Committee.

2 **Apologies for Absence/Substitutions**

To receive any apologies for absence and to note any substitutions.

3 **Procedure for the Meeting** (*Pages 5 - 12*)

The Chairman will explain the attached procedure for the members of the public present.

4 **Chairman's Announcements**

5 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

6 **Licensing Application** (*Pages 13 - 16*)

To consider and determine an Application for a Premises Licence by Keystone Managements Ltd in respect of an event in Queen Elizabeth Gardens, Mill Road, Salisbury, as set out in the Officer Report attached.

6a **Appendix 1 - Premises Licence Application** (*Pages 17 - 42*)

6b **Appendix 1a - Revised Plan** (*Pages 43 - 44*)

6c **Appendix 2 - Representation** (*Pages 45 - 48*)

6d **Appendix 3 - Location Map** (*Pages 49 - 50*)

6e **Appendix 4 - Correspondence** (*Pages 51 - 54*)

6f **Appendix 5 - Live Music Act 2021** (*Pages 55 - 66*)

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LICENSING COMMITTEE

PROCEDURAL RULES FOR THE HEARING OF LICENSING ACT 2003 APPLICATIONS

1 Purpose

- 1.1 These rules have been prepared to facilitate proper consideration of licence applications, made under the Licensing Act 2003, by the Licensing Committee and its Sub Committees.
- 1.2 The rules set out a framework for how applications are to be heard and explain the role of the participants at the Hearing.

2 Definitions

- 2.1 The following definitions describe the participants at and the subject matter of a Hearing:

“Applicant” means the person who has submitted an Application for consideration by the Committee.

“Applicant’s Premises” means premises subject to the Application.

“Applicant’s Representative” means a person attending a Hearing to assist or represent an Applicant including a lawyer.

“Application” means an application for the Grant/Variation/Transfer/Review and any other decision to be made by the Committee/Sub-Committee in respect of a Licence.

“Chairperson” means the Member who is the Chairperson of the Committee for the particular Hearing.

“Committee” means the Council’s Licensing Committee and includes any Sub Committee of the Licensing Committee.

“Committee Lawyer” means the Council’s Lawyer (including an external Lawyer instructed by the Council’s Legal & Democratic Services Manager) who is present at a Hearing to advise the Chairperson and the Members.

“Committee Manager” means the Council’s Officer who is present at a Hearing to take minutes.

“Committee Report” means the Licensing Officer’s written report to the Committee concerning an Application, a copy of which has been previously made available to the Applicant or their Representative, a Responsible Authority or their Representative or any person who has made a Relevant Representation or their Representative.

“Hearing” means a meeting of the Committee at which an Application is considered and includes virtual hearings.

“**Licence**” means a Licence which the Committee has the power or duty inter alia to grant, transfer, suspend or revoke.

“**Licensing Officer**” means the Council’s Licensing Officer(s) who is/are present at a Hearing to present reports in respect of an Application and to give technical advice in respect of an Application to the Committee when requested.

“**Licensing Authority**” the Council in whose geographical area the subject matter of the Application relates to, and includes the Council’s Licensing Committee, any Sub Committee of the Licensing Committee and a Licensing Officer.

“**Member**” means a Member who is a Member of the Committee that is considering an Application.

“**Person making a Relevant Representation**” means a person who is present at a Hearing to make representations in respect of an Application and includes any person who is present to assist or make representations on behalf of that person including a Lawyer.

“**Responsible Authority**” means a person who is present at a Hearing to make representations in respect of an Application in their capacity as Responsible Authority and includes any person who is present to assist or make representations on behalf of the Responsible Authority including a Lawyer.

3 Key Principles

- 3.1 The principles of ‘natural justice’, and Article 6 ‘Right to a Fair Trial’, which is one of the Convention Rights in the Human Rights Act 1998, require that there is a fair Hearing of Applications.
- 3.2 Natural justice is an umbrella term for the legal standards of basic fairness. This will include that:
 - 3.2.1 the Applicant has an opportunity to make representations before a decision is made;
 - 3.2.2 those making representations have an opportunity to voice their representations before a decision is made;
 - 3.2.3 the Applicant has an adequate opportunity to consider and respond to any submissions made by a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation;
 - 3.2.4 the Committee does not exclude an Applicant from a Hearing in order to consider submissions from a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation.
- 3.3 It is also fundamental that there is an orderly presentation of submissions at a Hearing so that the relevant issues are properly understood, evidence is tested and that oral statements made at the Hearing are accurately recorded.

- 3.4 Ultimately the Chairperson determines the application of these rules, having regard to any submissions being made by those present and in particular the Committee Lawyer.

4 The Hearing

- 4.1 The Hearing shall take place as a virtual hearing via Microsoft Teams. Those who are a party to the hearing will be invited to attend the virtual hearing by an email link and members of the public will be able to watch the hearing as it takes place being streamed to the internet or watch the hearing at a later date.

4.1.1 The Committee may exclude the public from all or part of the Hearing where it considers it to be in the public interest to do so and, in accordance with the Local Government (Access to Information) Act 1985, as amended. Public includes a party and any person assisting or representing a party.

4.1.2 The Committee may require any person attending or taking part in the virtual Hearing who, in its opinion, is behaving in a disruptive manner, to leave the Hearing and may:

- A refuse to permit them to return to the virtual Hearing;
- B permit them to return to take part in the virtual Hearing only on such conditions as the Committee may specify;
- C in the event that a person is required to leave a Hearing that person may, before the end of the Hearing, submit to the Committee by email any information which they would have given orally.

4.2 Prior to the Hearing commencing, the Chairperson shall advise the parties of the procedure it proposes to follow at the Hearing.

4.3 Where a party has previously requested permission for a person(s), other than their representative, to appear at the Hearing then the Committee shall consider whether to permit that request.

4.4 The Committee will allow the parties an equal maximum period of time in which to exercise their rights.

4.5 This equal maximum time may have been notified in advance of the Hearing;

4.6 Where there are a number of people who have attended the Hearing to make the same representation then the Committee would normally require that a spokesperson be appointed by them to make the representations on behalf of all of those who have made Relevant Representations.

5 Presentation of Submissions

5.1 The Chairperson will introduce the Application.

5.2 In the event that the Licensing Authority has given notice to a party requiring clarification on a point(s) then that party shall respond to the points raised by the Licensing Authority.

- 5.3 Submissions shall be made in the following order unless the Chairperson directs otherwise:
- 5.3.1 The Licensing Officer will orally present the Committee Report and will in particular advise the Committee as to:
- A the options available to it;
 - B the considerations that are relevant in reaching its decision.
- 5.3.2 The Applicant (or the Applicant's Representative) will orally present its submission which may include:
- A presenting their case in accordance with the papers, which will have been circulated with Agenda papers;
 - B confirming key information and answer pertinent questions; and
 - C calling witnesses in support of the Application (see paragraph 4.3).
- 5.3.3 A Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation will orally present their representations in turn which shall include:
- A the grounds of the representation to the Application; and
 - B any condition(s) that the Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation would be happy to have the Application granted subject to which would cause the representation to be withdrawn.

6 Questioning of Submissions

- 6.1 The Chairperson will regulate the order in which questions are asked by Members.
- 6.2 The Chairperson and Members, voiced through the Chairperson, may question any party following the completion of their submission.
- 6.3 The Chairperson will normally permit the Applicant, a Responsible Authority/Authorities or any person/s who have made a Relevant Representation to ask questions through them of the other parties.
- 6.4 The Chairperson may direct that questions which are not relevant to the Application or one of the four Licensing Objectives are not formally put or answered.

7 Documentation

- 7.1 No party shall present new documentation to the Committee at the Hearing other than with the consent of all of the other parties. This does not preclude the Licensing Officer from correcting errors, providing updated information or an extract from a local map showing the Applicant's Premises in the context of the surrounding premises and any person/s who have made a Relevant Representation. If any party is granted permission

to present supplementary papers at the Hearing they shall provide this by email at the direction of the Chairperson.

8 Intervention

The Chairperson shall permit the following interventions at any point in the Hearing:

- 8.1 The Committee Lawyer to advise the Committee on issues of law, procedure and relevant considerations on decision making. If necessary, the Chairperson may require the Committee, the Committee Lawyer and the Committee Manager to leave the Hearing so that advice can be given.
- 8.2 The Committee Manager to advise the Committee on procedure generally, or to request that statements made are repeated for reasons of clarity and so that they can be properly recorded.
- 8.3 The Licensing Officer to seek to clarify statements that have been made in light of information held on their file.

9 Failure of Parties to Attend Hearing

- 9.1 If a party has informed the Licensing Authority that it does not intend to attend or be represented at a Hearing, the Hearing may proceed in its absence.
- 9.2 If a party has not indicated that it does not intend to attend or take part or be represented at a Hearing and fails to attend or be represented at the Hearing then the Licensing Authority may:
 - 9.2.1 where it considers it be necessary in the public interest, adjourn the Hearing to a specified date; or
 - 9.2.2 hold the Hearing in the party's absence.
- 9.3 Where the Licensing Authority holds a Hearing in the absence of a party, it shall consider at the Hearing the application, representations or notice made by that party.

10 Closing Submissions

- 10.1 The Chairperson shall allow first, the Responsible Authority/Authorities and any person/s who have made a Relevant Representation to make a closing oral submission(s) and secondly invite the Applicant or the Applicant's Representative an opportunity to make an oral closing submission in support of the Application.

11 Decision

- 11.1 The Committee, the Committee Lawyer and the Committee Manager, shall retire from the public meeting so that the decision may be considered in private, and to consider any legal issues raised by the Members. At this point the Chairperson will give an indication of the time that the meeting will resume for the announcement of the decision and all parties to the hearing will be asked to indicate if they intend to return for the announcement of the decision.

- 11.2 The decision, of the Committee shall be communicated orally by the Chairperson to the parties present at the virtual hearing after the Committee has deliberated in private on the Application.
- 11.3 The full decision notice shall be published on the Council's website within 5 working days of the hearing.

Hearing Procedure Summary

1. The Democratic Services Officer will request nominations for a Chairman for the Hearing.
2. The Chairperson welcomes all those present and introduces the Application.
3. The Chairperson introduces the members of the Sub Committee and invites all parties present (Applicant, Responsible Authority/Authorities, any person/s who have made a Relevant Representation and Council Officers) to introduce themselves.
4. The Chairperson outlines the Hearing Procedure as set out in the Agenda, makes any relevant announcements and asks for any declarations of interest.
5. The Licensing Officer is asked to present their Committee Report.
6. The Applicant/their representative is invited to address the Sub Committee in support of their application.
7. Questions to the Applicant by Members of the Sub Committee.
8. Questions to the Applicant by Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation which are to be directed through the Chairperson.
9. Any Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation are invited to address the Sub Committee in support of their representations.
10. Questions to the Responsible Authorities/those who have made a Relevant Representation by Members of the Sub Committee.
11. Questions to the Responsible Authorities/those who have made a Relevant Representation by the Applicant, which are to be directed through the Chairperson.
12. Closing submissions by those Parties who have made a Relevant Representation in reverse order.
13. Closing submissions by the Applicant.
14. Sub Committee retires with the Committee Lawyer and Committee Manager to consider its decision.
15. Sub Committee returns, and the Lawyer gives a summary of any legal advice that may have been given to the Sub Committee.
16. The Chairperson either gives the decision with reasons or advises that it will be released in writing with reasons within the statutory time limits (5 working days).

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WILTSHIRE COUNCIL

SOUTHERN AREA LICENSING SUB COMMITTEE

DATE 24th August 2021

Application for a Premises Licence;
Keystone Managements Ltd
Queen Elizabeth Gardens, Mill Road, Salisbury SP2 7RZ

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of Queen Elizabeth Gardens, Mill Road, Salisbury made by a member of public.

2. Background Information

- 2.1 An application for a Premises Licence in respect of Queen Elizabeth Gardens has been made by Keystone Managements Ltd for which one relevant representation has been received.

- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations. In accordance with Section 18 (3) of The Licensing Act 2003 the Licensing Sub Committee is required to take such of the steps listed in 2.4 below as it considers appropriate for the promotion of the licensing objectives. In considering the application and the relevant representations, the Sub Committee must also have regard to relevant Government guidance and the Council's Licensing Policy

- 2.3 The licensing objectives are:

- i) The Prevention of Crime and Disorder;
- ii) Public Safety;
- iii) The Prevention of Public Nuisance; and
- iv) The Protection of Children from Harm.

- 2.4 Such steps are:

- i) To grant the licence subject to such conditions as are consistent with those included in the operating schedule submitted with the application, modified to such extent as the Sub Committee considers appropriate for the promotion of the licensing objectives, together with any mandatory conditions required by the Licensing Act.
- ii) To exclude from the scope of the application any licensable activity.
- iii) To refuse to specify a person as the designated premises supervisor.
- iv) To reject the application.

2.5 On 30th July 2021 an application for a new premises licence was received and accepted as a valid application.

2.6 The application as applied for is as follows:

Licensable Activity		Timings	Days
<u>Provision of regulated entertainment</u>			
Live music	Outdoors	11:00hrs – 22:00hrs	Saturday
Recorded music			
Sale by retail of alcohol	ON Sales	11:00hrs – 22:00hrs	Saturday

A copy of the application from Keystone Managements Ltd is attached as **Appendix 1**.

2.7 This is a new application, so no relevant background information needs to be borne in mind.

2.8 Salisbury City Council currently have a premises licence for Queen Elizabeth Gardens. The licence is for Live Music, Recorded Music, Performance of Dance and Play and Facilities for Dancing. Friday – Saturday 09:00hrs – 22:00hrs, Sunday 11:00hrs – 20:00hrs. Regulated entertainment shall not take place on more than eight days in any twelve-month period. The licence was first issue in January 2011. The licence excludes the sale of alcohol.

2.9 The Live Music Act 2012 provides the following exemptions in relation to live music:

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 provided that the audience does not exceed 500 on premises authorised to sell alcohol for consumption on those premises,

Any existing licence conditions (or conditions added on a determination of an application for a premises licence or club premises certificate) which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 on the same day where the following conditions are met:

- At the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
- If the music is amplified, it takes place before an audience of no more than 500 people; and
- The music takes place between 08.00 and 23.00 on the same day.

The Live Music Act 2012 is attached as **Appendix 5**

3. Consultation and Representations

3.1 The application process requires the application to be advertised, by the Applicant, in a local news publication within 10 working days, starting on the day after the authority receives it and for a public notice (on pale blue paper) to be posted on the premises. In addition, the Licensing Authority advertises the application on its website, for a period of 28 consecutive days, starting the day after the authority receives the application.

3.2 During the consultation period one relevant representations have been received from one local resident. None were received from Responsible Authorities.

Additional conditions have been discussed and added to the application by the relevant authorities with the agreement of the applicant. These are –

- To provide at least 35 days' notice for a secondary date should the first date not be able to go ahead.
- Adherence to the Noise Management Plan

3.3 Representations Received

- Mr G Denvir

3.4 Responsible Authorities

No Responsible Authority has made a representation in connection with this application

3.5 A summary of the representations made is detailed in the table below:

Representation	Licensing Objective
Mr G Denvir	The Prevention of a Public Nuisance

3.6 The relevant representation is attached as **Appendix 2**. Attached as **Appendix 3** is a plan which shows the locations from where representations have been made.

4. Legal Implications

4.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

4.2 The Applicant, and all persons who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.

4.3 At the hearing all those who have made representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

5. Officer Recommendations

- 5.1 Officers are not permitted to make a recommendation – the decision is to be reached by the members of the Licensing Sub Committee.

6. Right of Appeal

- 6.1 It should be noted that the Applicant and those persons who have made representations may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.
- 6.2 In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision made by the Magistrates Court.
- 6.3 A Responsible Authority or any person may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by a person other than a Responsible Authority it will not normally be granted within the first 12 months except for the most compelling circumstances.
-

Report Author: Katherine Edge
Public Protection Officer (licensing) 01225 713559
Date of report: 9th August 2021

Background Papers Used in the Preparation of this Report

- **The Licensing Act 2003**
- **The Licensing Act (Hearings) Regulations 2005**
- **Guidance issued under Section 182 of the Licensing Act 2003**
- **Wiltshire Council Licensing Policy**

Appendices

- 1 Premises Licence Application**
- 1a Revised Plan**
- 2 Representation**
- 3 Location Map**
- 4 Email Correspondence**
- 5 Live Music Act 2012**



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 **KEYSTONE MANAGEMENT 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			
QUEEN ELIZABETH GARDENS			
Post town	SALISBURY	Postcode	SP2 7TD

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£

Part 2 - Applicant details

- | | |
|---|---|
| Please state whether you are applying for a premises licence as | Please tick as appropriate |
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	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	KEYSTONE MANAGEMENT LTD
Address	10 HIGH STREET AMESBURY WILTSHIRE SP4 7DL
Registered number (where applicable)	12115441

Description of applicant (for example, partnership, company, unincorporated association etc.)	
LIMITED COMPANY	
Telephone number (if any)	██████████
E-mail address (optional)	NATHAN@TIKIGROUP.CO.UK

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	4	0
9	2	0
2	1	

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

DD	MM	YYYY
0	4	0
9	2	0
2	1	

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

QUEEN ELIZABETH GARDENS IS A PARK OWNED AND OPERATED BY SALISBURY CITY COUNCIL. OUR PLAN SEES PART OF THE PARK (SEE SITE PLAN) TRANSFORMED INTO AN ENCLOSED ARENA WHICH WILL BE USED TO PROMOTE AND CELEBRATE DIVERSITY IN SALISBURY.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- Provision of regulated entertainment (please read guidance note 2)
- Please tick all that apply
- a) plays (if ticking yes, fill in box A)
 - b) films (if ticking yes, fill in box B)
 - c) indoor sporting events (if ticking yes, fill in box C)
 - d) boxing or wrestling entertainment (if ticking yes, fill in box D)
 - e) live music (if ticking yes, fill in box E)

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur								
Fri						<u>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</u> (please read guidance note 6)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

State any seasonal variations for indoor sporting events (please read guidance note 5)

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)

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon			LIVE SINGING PERFORMED ON STAGE THROUGHOUT THE AFTERNOON AND EVENING. ALL MUSIC WILL BE PERFORMED TO BACKING TRACKS. THERE WILL BE NO LIVE MUSIC INSTRUMENTS		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat	1100	2200			
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) BACKGROUND AMPLIFIED MUSIC AND BACKING TRACK MUSIC TO SUPPORT LIVE SINGERS. SEE NOISE MANAGEMENT PLAN FOR PROPOSED CONDITIONS ON NOISE LEVELS.		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur			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 (please read guidance note 6)		
Fri					
Sat	1100	2200			
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
Sat			<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)		
Sun					


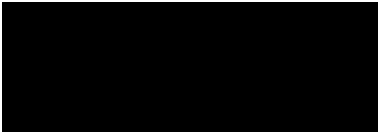
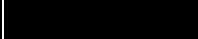
I

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	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur								
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 consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat	1100	2200			
Sun					
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name NATHAN MUIRHEAD	
Date of birth	
	
Postcode	
Personal licence number (if known)	LN/0014427
Issuing licensing authority (if known)	WILTSHIRE 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).

THERE WILL BE NO ADULT ENTERTAINMENT OR SERVICES, ACTIVITIES OR OTHER ENTERTAINMENT THAT GIVE RISE TO CONCERN IN RESPECT OF CHILDREN. THE EVENT WILL INCLUDE A NUMBER OF DRAG ARTISTS WHO WILL ENTERTAIN THE AUDIENCE WITH ROLE PLAY, SINGING AND CABERET STYLE ACTS. THE EVENT IS FAMILY FRIENDLY AND THEREFORE ALL MATERIAL WILL BE SUITABLE FOR ALL AGES.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat	1100	2200	
Sun			
<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)			

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)

SALISBURY PRIDE UK IS COMMITTED TO ENSURING THAT ITS EVENTS OPERATE IN LINE WITH THE FOUR LICENSING OBJECTIVES. OUR EVENT MANAGEMENT PLAN SETS OUT HOW WE WILL ENSURE THAT SALISBURY PRIDE 2021 IS DELIVERED SAFELY AND WITH MINIMUM DISRUPTION TO LOCAL RESIDENTS.

SALISBURY PRIDE MAY ATTRACT NEGATIVE FEEDBACK FROM THOSE WHO DO NOT WELCOME DIVERSITY. IT IS FOR THIS REASON THAT THE ARENA WILL BE FULLY ENCLOSED, SUFFICIENT SECURITY WILL BE IN PLACE AND REGULAR DIALOGUE WILL BE MAINTAINED WITH THE LOCAL POLICE.

b) The prevention of crime and disorder

ACCREDITED SECURITY WILL BE ON SITE AT ALL TIMES, INCLUDING BUILD AND BREAK. WE WILL ACTIVELY WORK WITH WILTSHIRE POLICE AND CONSIDER ANY ADDITIONAL MEASURES THEY CONSIDER APPROPRIATE TO REDUCE THE RISK OF CRIME AND DISORDER. ALL SECURITY STAFF WILL BE SIA ACCREDITED AND MARSHALS WILL BE TRAINED. THEY AND THE MANAGEMENT TEAM WILL MAINTAIN RADIO COMMUNICATIONS THROUGHOUT THE EVENT. A 100% SEARCH POLICY WILL BE IN PLACE TO MINIMISE THE RISK OF PROHIBITED ITEMS ENTERING THE ARENA. WE WILL EMPLOY STAFF WHOSE SOLE ROLE WILL BE TO MONITOR TICKET HOLDERS TO ENSURE THAT NO PERSON BECOMES INTOXICATED. WE WILL HAVE A ROBUST DISPERSAL POLICY TO MANAGE ANY ISSUES ARISING. WE WILL HAVE A STRUCTURED APPROACH IN SERVING ALCOHOL WHICH WILL INCLUDE IDENTIFICATION CHECKS, WRISTBANDS AND PHYSICAL MONITORING AT THE BAR. SEE OUR EVENT PLAN FOR MORE INFO.

c) Public safety

AS ABOVE, WE WILL EMPLOY ACCREDITED SECURITY STAFF TO ENSURE THE SAFETY OF TICKET HOLDERS. WE WILL OPERATE ON A RATIO OF 1 SECURITY TO 100 TICKET HOLDERS, PLUS EXTRA FOR THE MAIN ENTRANCE, BAR AREA AND ENTRY/EXIT POINTS TO THE ARENA. WE WILL EMPLOY TRAINED MARSHALS TO MONITOR THE PERIMETER. WE WILL MAINTAIN CONTACT WITH WILTSHIRE POLICE TO ENSURE THAT ANY SIGNIFICANT ISSUE IS DEALT WITH SWIFTLY. WE WILL MONITOR ALCOHOL CONSUMPTION TO ENSURE THAT NO PERSON BECOMES INTOXICATED. ONLY PERSONS OVER 18 AND WHO ARE WEARING A WRISTBAND WILL BE SERVED ALCOHOL. WE WILL ALSO APPLY CHALLENGE 25. WE WILL IMPLEMENT AND ADVERTISE THE ASK ANGELA CAMPAIGN SO THAT ANY PERSON AT RISK CAN MAKE THEMSELVES KNOWN TO ANY MEMBER OF STAFF, VOLUNTEER OR CONTRACTOR.

d) The prevention of public nuisance

OUR NOISE MANAGEMENT PLAN SETS OUT THE STEPS WE WILL TAKE TO REDUCE THE RISK OF PUBLIC NUISANCE CAUSED BY AMPLIFIED NOISE SOURCES AND AUDIENCE PARTICIPATION.

OUR EVENT MANAGEMENT PLAN AND DISPERSAL POLICY SETS OUT THE STEPS WE WILL TAKE TO REDUCE THE RISK OF PUBLIC NUISANCE CAUSED BY ANY PERSON WHO IS INTOXICATED.

OUR EVENT WILL CLOSE AT 2200, ALLOWING SUFFICIENT TIME FOR TICKET HOLDERS TO VACATE THE AREA IN A TIMEFRAME THAT CAUSES REDUCED IMPACT ON LOCAL RESIDENTS.

RECORDED AND LIVE MUSIC LEVELS WILL NOT EXCEED 15DB(A) ABOVE L90

e) The protection of children from harm

NO PERSON UNDER THE AGE OF 18 WILL BE PERMITTED ON SITE WITHOUT BEING ACCOMPANIED BY AN ADULT. TICKETS FOR THOSE UNDER 18 CAN ONLY BE ACQUIRED WHEN BOOKING AN ADULT TICKET. SECURITY STAFF WILL USE THEIR DISCRETION AND THEIR RIGHT TO REFUSE ENTRY IF THERE IS A DISPROPORTIONATE NUMBER OF CHILDREN TO ADULT RATIO. THE EVENT WILL INCLUDE A WELFARE TENT AND WELFARE MARSHALS WILL BE LOCATED THROUGHOUT THE ARENA SO THAT ANY PERSON WHO IS LOST OR IS AT RISK, CAN MAKE THEMSELVES KNOWN AND BE CONFIDENT OF THEIR SAFETY.

WE WILL WORK CLOSELY WITH THE POLICE TO IDENTIFY ANY PERSON WHO IS A RISK OR AT RISK FROM HARM

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).

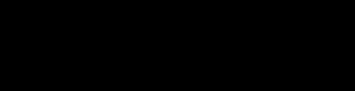
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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
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	online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	28 JUN 2021
Capacity	DIRECTOR

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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

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 or 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.

- Pedestrian Ingress/Egress
- 6ft Haras Fencing
- Blue Light Route
- 4ft Pedestrian Barrier



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Wiltshire Council

Where everybody matters

REPRESENTATION FORM

This form must be returned within the statutory period, which is 28 days from the date the notice was displayed on the premises or the date specified in the public notice in the newspaper. Please contact the Licensing team to confirm this date.

Any individual, body or business can make a Representation to the Licensing Authority in relation to an application, regardless of their geographic proximity to the premises. Any Representation must be relevant, in that the Representation relates to one or more of the Licensing Objectives.

Premises about which representation is being made	Queen Elizabeth Gardens, Salisbury SP2 7TD
Your Name	Gabriel Denvir
Postal Address	[REDACTED]
Contact Telephone Number and Email address	[REDACTED]
Are you (please tick): <ul style="list-style-type: none"> • An individual? <input checked="" type="checkbox"/> • A person who operates a business? • A person representing residents or businesses? • A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)? 	
If you are representing residents or businesses who have asked you to represent them?	No

Your Representation must relate to one of the four Licensing Objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your Representation. If necessary, separate sheets may be used.

LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	Not applicable

<p>The prevention of public nuisance</p>	<p>I have lived at this address since November 2016. My experience of previous events in recent years has demonstrated that the performance of live and recorded amplified music at the Queen Elizabeth Gardens creates an unacceptable level of invasive noise to houses on Mill Road, both directly and as the sound reverberates between the backs of Mill Road houses and those of houses in Mill Road and Rectory Road and Harcourt Terrace. Both the front and back rooms become unusable for normal living. Previous events may have respected noise guidelines for public performances of amplified music, but what these are is difficult to discern from an internet search; and hearing and the disturbance created by noise (particularly the rhythmic noise created by music, and particularly popular music which can depend heavily on accentuated rhythms) is inevitably subjective. These representations can therefore only be based on personal experience. But in addition to my own experience referred to above, I know from the experience of my late mother that loud music can be particularly distressing to persons with certain kinds of hearing disability that can affect the elderly. There are a number of elderly residents in Mill Road. To avoid the described nuisance to myself, I would have to leave my house for the day, but that is problematic for me as I have a health condition which requires me to self-isolate. The close proximity of residential housing makes the Queen Elizabeth Gardens an unsuitable venue for the performance of amplified music.</p>
<p>The prevention of crime and disorder</p>	
<p>Public safety</p>	

Please list below any suggested actions that you feel the applicant could take to address your concerns:

The event should be moved to an alternative venue so that it can be held at a more suitable distance from domestic housing; or it should be held without amplified music.

If a hearing needs to be held to determine the Premises Licence Application, the Licensing Sub-committee will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

All Representations in their entirety, including your name and address, will be disclosed to the Premises Licence applicant. A copy of Representations will be annexed to the Licensing Officer's report, which is a public document published on the Council's website and circulated to the Licensing Sub-Committee and to all those who have made relevant Representations.

Signature



.....

Date 8th July 2021

Please return this form, along with any additional sheets, to the relevant Wiltshire Council Office listed below or return by email to publicprotectionnorth@wiltshire.gov.uk:

Salisbury Area – (Salisbury, Amesbury, Downton, Mere, Hindon and Tilshead as well as the rest of the old Salisbury District Council Area), please send to:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Bourne Hill
Salisbury
Wiltshire, SP1 3UZ

All other areas please send to the address below:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Monkton Park
Chippenham
Wiltshire, SN15 1ER

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Appendix 3



Key: Purple 18 Mill Road, Salisbury

Green Queen Elizabeth Gardens

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26/07/2021 Email to Mr Denvir from Licensing Department

RE: Keystone Managements Ltd, Queen Elizabeth Gardens, Mill Road, Salisbury

The event organisers attended an Event Safety Advisory Group meeting which helps event organisers ensure that public events take place safely and successfully. It provides independent advice to event organisers who retain the legal responsibility for ensuring a safe event. The ESAG group is a multi-agency group, and includes the police, and various agencies from Wiltshire Council .

The event organisers are currently working with the Environmental Protection team in regards to a robust noise management plan which includes a monitoring programme to monitor noise levels off site to ensure they comply with the pre-agreed noise levels detailed in the Noise Management Plan. The maximum agreed noise levels at the boundary of the nearest noise sensitive properties is 65dB LAeq(15min) as recommended by the Noise Council's Code of Practice on Environmental Noise Control at Concerts (1995).

The event is a one of event with the music not starting till 12.00pm and finishing at 10.00pm

Your representation was shared with the applicant to allows them to address any concerns raised if required and avoid the need to go to a hearing if able. Please find below the response from the applicant.

.....

Dear Ms Denvir

Thank you for the comments raised in your representation. Throughout the consultation period we have been actively engaged with Wiltshire Council and other responsible authorities to ensure that our plans are robust, and that we have considered all aspects of crime and disorder, public nuisance, public safety and the protection of children from harm.

We are committed to doing everything we can to minimise impact on residents whilst also creating opportunity to celebrate and promote Salisbury Pride in a safe and well managed space. To demonstrate our commitment, we are:

- Restricting the overall limit of music to 65dB LAeq15 at the nearest noise sensitive locations.
- Ensuring our sound system faces away from residential properties.
- Operating within reasonable times; music will be finished by 10pm.
- Conducting regular noise level checks at the boundary of the nearest residential property.
- Providing a dedicated telephone number so we can quickly respond to any complaints.

If there is anything else we can do to ensure that Salisbury Pride does not negatively impact on you and your neighbours, please do let us know and we will give it due consideration.

.....

Please could you let me know if their response has addressed your concerns and would therefore negates the need of a Hearing. If you would like to proceed with your representation please note that relevant representations will form part of a public document which will include your name and address and will appear in the hearing report. This report will be available on Wiltshire Council's website and a recording of the hearing will be published.

27/07/2021 Email to Licensing Department from Mr Denvir

Dear Ms Edge,

1. Thank you for this response to my objections to this application.
2. To deal with a minor issue first, I note that Keystone Management have addressed their observations to Ms Gabriel Denvir. This should be Mr Gabriel Denvir.
3. I am afraid that, for the reasons set out below, Keystone Management's undertakings seem unlikely to address my concerns satisfactorily.

(1). Restricting the overall limit of music to 65dB LAeq15 at the nearest noise sensitive locations:

I do not know what the sound level describes means in practice, but hearing sensitivity varies from individual to individual, and a standard of this kind, while it might address safety issues, cannot satisfactorily address issues of comfort except in a very general way. I assume that all previous events featuring amplified music have been restricted to the same limit but my objection is based on my personal experience of previous events. Such a restriction would therefore be unlikely to be a satisfactory remedy.

(2). Ensuring our sound system faces away from residential properties.

I assume that the event would need to be held on the open area of grass area abutting Mill Road, as previous events have been. The amplifiers would need to be placed at the edge of this area so as to form an auditorium playing to those attending. If the amplifiers are to be faced away from the houses on Mill Road, that would mean that they would have to be placed on the north side of the area, nearer the houses. This would be likely to counter the effect of facing them away from the houses.

(3). Operating within reasonable times; music will be finished by 10p

10pm is not a reasonable time to finish the amplified music: in effect it will mean that amplified music will be permitted throughout the whole of the evening - the very period when residents will be wanting to use the rooms at the front of their houses, facing the Gardens, for relaxation. I know from previous experience that it will not be feasible to do this while amplified music is being played (and my previous experience has been that the effect is almost at bad at the back of the houses). If the organisers are allowed to include amplified music in the event, they should be permitted to do so until 5pm at the latest.

(4). Conducting regular noise level checks at the boundary of the nearest residential property.

Checks will only ensure that the amplified music complies with the 1995 code of practice, but see my comment at (1) above.

(5). Providing a dedicated telephone number so we can quickly respond to any complaints.

This would be helpful whatever the outcome of these objections.

4. I think that the only feasible answers to my objections are for Keystone Management to hold the event without amplified music, or for them to negotiate with Salisbury Council to hold the event at another location in the city more suitable for the performance of amplified music.

28/7/2021 Email to Mr Denvir from Licensing Department

Re: Keystone Management, Queen Elizabeth Gardens, Salisbury

Thank you for your response. I have passed this to the applicant, with his response being below.

I have no further comments to add. We are more than happy to consider adjustments to our plans so that we minimise impact on residents and I think that we have taken reasonable steps to demonstrate how we are promoting the four licensing objectives.

I have spoken further with Environmental Health, they are satisfied with the Noise Management Plan and will not be putting a representation in against the licence. They have supplied the following information. The applicant has complied with the POP Code, which is what sets noise levels for events of this nature and this sets the limit for 65db at the nearest noise sensitive location. Noise monitoring will be carried out at the start of each new act and if that act is longer than one hour, this will be monitored half way through that act. The speakers will be facing away from the residential properties, there will be a higher sound output in the forward direction of the speakers and lower sound output from the rear.

Please could you let me know which previous events you refer to and when these occurred. I can currently only find one event from 2020 that was held at Queen Elizabeth Gardens that had Live Music – No complaints were received in regards to that event.

Under The Live Music Act 2021 there are a number of exemptions, no licence is required for the following activities.

- A performance of unamplified music between 08:00 and 23:00 on any day on any premises.
- Amplified music is automatically permitted between 8am and 11pm on any day provided the premises has a licence for ON Sales of alcohol and that the audience does not exceed 500 people. *(The audience for this event is expected to be over 500)*

If you are not satisfied by the actions of the applicant in regards to your representation, this will go to Hearing. When the committee consider applications they will consider any previous complaints, which currently on our records we do not have any. I will contact Salisbury City Council to see if they have any recorded. The committee will consider if any concerns have been made by the relevant authorities, including Environmental Health, in which the applicant has been working in conjunction with. They will consider the frequency of the event, which is one day and the measures that the applicant has put in place to ensure the event will be run safely and without causing a public nuisance. They will also consider the timings of the event, which is to end at 10pm, before the Night Time Hours of 11pm – 7am.

Please could you let me know your final response for this premises application.

26/07/2021 Email to Mr Denvir from Licensing Department

I have been in touch with Salisbury City Council. They hold a premises licence for Queen Elizabeth Gardens, for music and performance.

They have informed me that they hold events in the park annually during July and August, with a complaint being received. Looking at the licence conditions for Keystone Managements they are more stringent than those of Salisbury City Council. Keystone Managements, Event Management Plan has been viewed and discussed at an Event Safety Advisory Meeting, a Noise Management Plan has been developed in collaboration with the Environmental Protection Team, with the objective of minimising impact on the neighbouring properties.

As a result of the organisational process with events and the objective being they take place safely and successfully, it would therefore be hoped that there would be less disruption due to the specific conditions that are defined in the premises licence for Keystone Managements.



Live Music Act 2012

CHAPTER 2

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately

£5.75

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Live Music Act 2012

CHAPTER 2

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- 1 Licence review for live music entertainment
- 2 Removal of requirement to license the provision of entertainment facilities
- 3 Exemptions for live music entertainment
- 4 Short title, commencement and extent



Live Music Act 2012

2012 CHAPTER 2

An Act to amend the Licensing Act 2003 with respect to the performance of live music entertainment; and for connected purposes. [8th March 2012]

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Licence review for live music entertainment

- (1) In section 177 of the Licensing Act 2003 (dancing and live music in certain small premises)—
 - (a) in subsections (1) and (2), for “the provision of music entertainment” in each place substitute “dancing”,
 - (b) in subsection (2) omit—
 - (i) paragraph (b) and “and” immediately before it, and
 - (ii) in the words following paragraph (b), the words “, in relation to the provision of that entertainment,”,
 - (c) omit subsections (3) and (4),
 - (d) in subsection (8)—
 - (i) for “music entertainment” substitute “dancing” and in paragraph (a) of that definition omit “(e) or”, and
 - (ii) omit paragraph (b) of that definition and “or” immediately before it, and
 - (e) in the heading omit “and live music”.
- (2) After that section insert—

“177A Licence review for live music

 - (1) Subsection (2) applies where live music takes place on premises authorised to be used for the supply of alcohol for consumption on the premises by a premises licence or club premises certificate, and—

- (a) at the time of the live music, the premises are open for the purposes of being used for the supply of alcohol for consumption on the premises,
 - (b) either –
 - (i) the live music is unamplified, or
 - (ii) the live music is amplified and takes place in the presence of an audience of no more than 200 persons, and
 - (c) the live music takes place between 8am and 11pm on the same day (or, where an order under section 172 has effect, between the hours specified in that order).
- (2) Any condition of the premises licence or club premises certificate which relates to live music does not have effect in relation to the live music, unless it falls within subsection (3) or is added to the licence in accordance with subsection (4).
- (3) A condition falls within this subsection if, on a review of the premises licence or club premises certificate it is altered so as to include a statement that this section does not apply to it.
- (4) On a review of a premises licence or club premises certificate a licensing authority may (without prejudice to any other steps available to it under this Act) add a condition relating to live music as if –
- (a) the live music were regulated entertainment, and
 - (b) the licence or certificate licensed the live music.
- (5) In this section –
- “condition” means a condition –
- (a) included in a premises licence by virtue of section 18(2)(a) or (3)(b), 35(3)(b), 52(3) or 167(5)(b),
 - (b) included in a club premises certificate by virtue of section 72(2)(a) or (3)(b), 85(3)(b) or 88(3),
 - (c) added to a premises licence by virtue of its inclusion in an application to vary the licence in accordance with section 34 or 41A which is granted under section 35(2) or 41B(3) (as the case may be), or
 - (d) added to a club premises certificate by virtue of its inclusion in an application to vary the certificate in accordance with section 84 or 86A which is granted under section 85(2) or 86B(3) (as the case may be);
- “live music” means entertainment of a description falling within, or of a similar description to that falling within, paragraph 2(1)(e) of Schedule 1;
- “supply of alcohol” means –
- (a) the sale by retail of alcohol, or
 - (b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.”

2 Removal of requirement to license the provision of entertainment facilities

- (1) Schedule 1 to the Licensing Act 2003 (c. 17) is amended as follows.

- (2) For paragraph 1(1) substitute –
- “(1) For the purposes of this Act, the “provision of regulated entertainment” means the provision of entertainment of a description falling within paragraph 2 where the conditions in sub-paragraphs (2) and (3) are satisfied.”
- (3) In paragraph 1(2) omit “, or entertainment facilities are,”.
- (4) For paragraph 1(3) substitute –
- “(3) The second condition is that the premises on which the entertainment is provided are made available for the purpose, or for purposes which include the purpose, of enabling the entertainment concerned to take place.”
- (5) For paragraph 1(4) substitute –
- “(4) For the purposes of sub-paragraph (2)(c), entertainment is to be regarded as provided for consideration only if any charge –
- (a) is made by or on behalf of any person concerned in the organisation or management of that entertainment, and
- (b) is paid by or on behalf of some or all of the persons for whom that entertainment is provided.”
- (6) In paragraph 1(6) omit paragraph (c).
- (7) Omit paragraph 3.
- (8) For paragraph 4 substitute –
- “4 The Secretary of State may by order amend this Schedule for the purposes of modifying the descriptions of entertainment specified in paragraph 2, and for this purpose “modify” includes adding, varying or removing any description.”
- (9) For paragraph 7 substitute –
- “7 The provision of entertainment consisting of the performance of live music or the playing of recorded music is not to be regarded as the provision of regulated entertainment for the purposes of this Act to the extent that it is incidental to some other activity which is not itself a description of entertainment falling within paragraph 2.”
- (10) In paragraph 8 omit “or entertainment facilities”.
- (11) In paragraph 9 omit “or entertainment facilities”.
- (12) In paragraph 10(1) omit “or entertainment facilities”.
- (13) In paragraph 11 –
- (a) omit “or entertainment facilities”, and
- (b) omit sub-paragraph (b).
- (14) In paragraph 11A omit sub-paragraph (4).
- (15) In paragraph 12 omit “or entertainment facilities”.

3 Exemptions for live music entertainment

- (1) Schedule 1 to the Licensing Act 2003 (c. 17) is amended as follows.
- (2) In paragraph 11(a) for “a performance of unamplified, live music as” substitute “the playing of live or recorded music that forms”.
- (3) After paragraph 12 insert –

“Live music in licensed venues

- 12A The provision of entertainment consisting of a performance of live music is not to be regarded as the provision of regulated entertainment for the purposes of this Act on premises authorised to be used for the supply of alcohol for consumption on the premises by a premises licence or club premises certificate, if –
- (a) the requirements of section 177A(1)(a) to (c) are satisfied, and
 - (b) conditions have not been included in the licence or certificate by virtue of section 177A(3) or (4).”

- (4) After paragraph 12A (as inserted by sub-paragraph (3)) insert –

“Live music in workplaces

- 12B The provision of entertainment consisting of a performance of live music is not to be regarded as the provision of regulated entertainment for the purposes of this Act, provided that –
- (a) the place where the performance is provided is not licensed under this Act (or is so licensed only for the provision of late night refreshment) but is a workplace as defined in regulation 2(1) of the Workplace (Health, Safety and Welfare) Regulations 1992,
 - (b) the performance takes place in the presence of an audience of no more than 200 persons, and
 - (c) the performance takes place between 8am and 11pm on the same day.”

- (5) After paragraph 12B (as inserted by sub-paragraph (4)) insert –

“Live unamplified music

- 12C The provision of entertainment consisting of a performance of live music is not (subject to section 177A(3) and (4)) to be regarded as the provision of regulated entertainment for the purposes of this Act provided that the music –
- (a) is unamplified; and
 - (b) takes place between 8am and 11pm on the same day.”

4 Short title, commencement and extent

- (1) This Act may be cited as the Live Music Act 2012.
- (2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) This Act extends to England and Wales only.

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