

AGENDA

Meeting: Western Area Licensing Sub Committee
Place: Kennet Room - County Hall, Bythesea Road, Trowbridge, BA14 8JN
Date: Wednesday 25 September 2024
Time: 10.30 am
Matter: Application for a Premises Licence - Fig, 5 The Shambles, Bradford on Avon

Please direct any enquiries on this Agenda to Lisa Pullin of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713015 or email lisa.pullin@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 Trevor Carbin

Cllr Kevin Daley

Substitutes:

Cllr Sam Charleston

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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 - 10*)

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

4 **Chairman's Announcements**

The Chairman will give details of the exits to be used in the event of an emergency.

5 **Declarations of Interest**

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

6 **Licensing Application** (*Pages 11 - 16*)

To consider and determine an Application for a Premises Licence by Kayra Collection Ltd in respect of Fig, 5 The Shambles, Bradford-on-Avon, Wiltshire. The report of the Public Protection Officer (Licensing) is attached.

6a **Appendix 1 - Application form and photos of site** (*Pages 17 - 30*)

6b **Appendix 2 - Location of other Licensed Premises within vicinity**
(*Pages 31 - 32*)

6c **Appendix 3 - Relevant Representations** (*Pages 33 - 66*)

6d **Appendix 4 - Letters of Support** (*Pages 67 - 68*)

6e **Appendix 5 - Response to Objectors from Applicant** (*Pages 69 - 70*)

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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.

“**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 in public.
- 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 the Hearing who, in its opinion, is behaving in a disruptive manner, to leave the Hearing and may:
- A refuse to permit them to return;
 - B permit them to return 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 in writing 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 at least 10 copies at the start of their submission.

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 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 so that the decision may be considered in private, and to consider any legal issues raised by the Members.
- 11.2 The decision, and brief reasons for the decision, of the Committee shall be communicated orally by the Chairperson to the parties after the Committee has deliberated in private on the Application.
- 11.3 Written reasons shall be provided soon after the deliberations of the Application and in any event within the statutory time limits.

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).

WILTSHIRE COUNCIL

WESTERN AREA LICENSING SUB COMMITTEE

25 SEPTEMBER 2024

Application for a Premises Licence; Fig, 5 The Shambles, Bradford On Avon, Wiltshire, BA15 1JS

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of Fig, 5 The Shambles, Bradford On Avon, BA15 1JS made by Kayra Collection LTD.

2. Background Information

- 2.1 An application for a Premises Licence in respect of Fig, 5 The Shambles, Bradford On Avon, BA15 1JS has been made by Kayra Collection LTD for which eleven relevant representations have 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 26 July 2024 an application for a new premise licence was received and accepted as a valid application.

2.6 The application as applied for is as follows:

Licensable Activity	Timings	Days
Sale by retail of alcohol ON and OFF Sales	08:00 – 23:00	Monday – Sunday
	08:00 – 00:00	New Year's Eve (non-standard timing)

A copy of the application from Kayra Collection LTD is attached as **Appendix 1**. Photos of the site are attached as **Appendix 1A**.

2.7 For reference, other premises which are licensed for ON and OFF Sales, in the vicinity are detailed as follows:

Premises	Licensed Hours for ON and OFF Sales of Alcohol
The Bolthole, 4 The Shambles, Bradford On Avon, Wiltshire, BA15 1JS.	Monday – Sunday 08:00 – 23:00
The Bear Inn, Silver Street, Bradford On Avon, Wiltshire, BA15 1JY	ON Sales: Sunday 10:00 – 23:30 Monday – Saturday 10:00 – 01:00 OFF Sales: Sunday 10:00 – 23:30 Monday – Saturday 10:00 – 00:00
The Dandy Lion, Market Street, Bradford On Avon, Wiltshire, BA15 1LL	Monday – Sunday 10:30 – 00:00
The Bunch Of Grapes, Silver Street, Bradford On Avon, Wiltshire, BA15 1JY	Sunday 10:00 – 23:30 Monday – Thursday 10:00 – 00:00 Friday – Saturday 10:00 – 01:00
Swan Hotel & Thai Chilli, Swan Hotel, Church Street, Bradford On Avon, Wiltshire, BA15 1LN	Ground Floor Monday – Saturday 10:30 – 23:00 Sunday 11:00 – 22:30 Basement Bar Monday – Saturday 10:30 – 01:00 Sunday 11:00 – 00:00
The Stumble Inn, 29 Market Street, Bradford On Avon, Wiltshire, BA15 1LL	Sunday 12:00 – 23:00 Monday – Saturday 10:00 – 23:00

2.8 A map showing the proximity of the premises is attached as **Appendix 2**.

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 Consultation was extended by a period of eleven days due to a delay in the Blue Notice being displayed. This was displayed on 7 August 2024

3.3 During the consultation period eleven relevant representations have been received from local residents and two letters of support received.

3.4 Representations Received

- Representation 1 – Coppice Hill
- Representation 2 – Coppice Hill
- Representation 3 – Coppice Hill
- Representation 4 – Coppice Hill
- Representation 5 – Coppice Hill
- Representation 6 – Coppice Hill
- Representation 7 – Coppice Hill
- Representation 8 - Coppice Hill
- Representation 9 - Coppice Hill
- Representation 10 – Kingston Road
- Representation 11 – Coppice Hill

Letters of Support

- Letter 1 – Market Street
- Letter 2 – Greenland Mills

3.5 Responsible Authorities

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

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

Representation	Licensing Objective
1	The Prevention of Public Nuisance, The protection of Children from Harm, The Prevention of Crime and Disorder, Public Safety
2	The Prevention of Public Nuisance, The protection of Children from Harm, The Prevention of Crime and Disorder, Public Safety
3	The Prevention of Public Nuisance, Public Safety
4	The Prevention of Public Nuisance, Public Safety
5	The Prevention of Public Nuisance, Public Safety
6	The Prevention of Public Nuisance, Public Safety
7	The Prevention of Public Nuisance, Public Safety
8	The Prevention of Public Nuisance, Public Safety
9	The Prevention of Public Nuisance, The Prevention of Crime and Disorder
10	The Prevention of Public Nuisance
11	The Prevention of Public Nuisance, Public Safety

3.7 The relevant representations are attached as **Appendix 3A - K**. The letters of support are attached as **Appendix 4**.

3.8 During the consultation period the applicant submitted a response to the objectors, this was shared with all parties. This is shown as **Appendix 5**.

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.
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Report Author:

Emma Hyde, Public Protection Officer – Licencing

Date of report: 11 September 2024

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 Licencing Policy**

Appendices

- 1 Application form**
- 1A Photos of site**
- 2 Location of Licensed Premises within vicinity**
- 3 A – K Representations received**
- 4 Letters of support**
- 5 Response to Objectors from Applicant**

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Wiltshire Council

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 KAYRA COLLECTION 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			
FIG 5 THE SHAMBLES BRADFORD ON AVON WILTSHIRE BA15 1JS			
Post town	BRADFORD ON AVON	Postcode	BA15 1JS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 13,250

Part 2 - Applicant details

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

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

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

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

(A) Individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(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	KAYRA COLLECTION LTD
Address	[REDACTED]
Registered number (where applicable)	15157047
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	07	2024

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

DD	MM	YYYY

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

RETAIL OUTLET ON THE GROUND FLOOR, WITH SEATING ON THE FIRST FLOOR IN TWO ROOMS, FURTHER SEATING AREAS LOCATED ON THE GROUND FLOOR AND EXTERNALLY TO THE FRONT AND SIDE OF THE PROPERTY. THE PREMISES IS IN A TERRACE ON A PEDESTRIANISED WALK THROUGH STAIRS OVER TWO FLOORS.

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)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	✓

In all cases complete boxes K, L and M

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)

NOTHING BEYOND EXISTING HEALTH AND SAFETY / FIRE SAFETY REQUIREMENTS.

b) The prevention of crime and disorder

NOTHING BEYOND EXISTING HEALTH AND SAFETY / FIRE SAFETY REQUIREMENTS.

c) Public safety

NOTHING BEYOND EXISTING HEALTH AND SAFETY / FIRE SAFETY REQUIREMENTS

d) The prevention of public nuisance

NOTHING BEYOND EXISTING HEALTH AND SAFETY / FIRE SAFETY REQUIREMENTS.

e) The protection of children from harm

NOTHING BEYOND EXISTING HEALTH AND SAFETY / FIRE SAFETY REQUIREMENTS.

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.

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for <u>consumption – please tick</u> (please read guidance note 8)	On the premises		
Day	Start	Finis h		Off the premises		
Mon	8.00	23.00		State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input checked="" type="checkbox"/>
Tue	8.00	23.00				
Wed	8.00	23.00				
Thur	8.00	23.00	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)			
Fri	8.00	23.00				
Sat	8.00	23.00				
Sun	8.00	23.00				

NEW YEAR'S EVE 8:00 - 24:00

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	MAYLEE SPELLER
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	LN/0014902
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).

NOISE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	7.00	23.00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p>NEW YEAR'S EVE 7.00-24.00</p>
Tue	7.00	23.00	
Wed	7.00	23.00	
Thur	7.00	23.00	
Fri	7.00	23.00	
Sat	7.00	23.00	
Sun	9.00	23.00	

Part 4 – Signatures (please read guidance note 11)

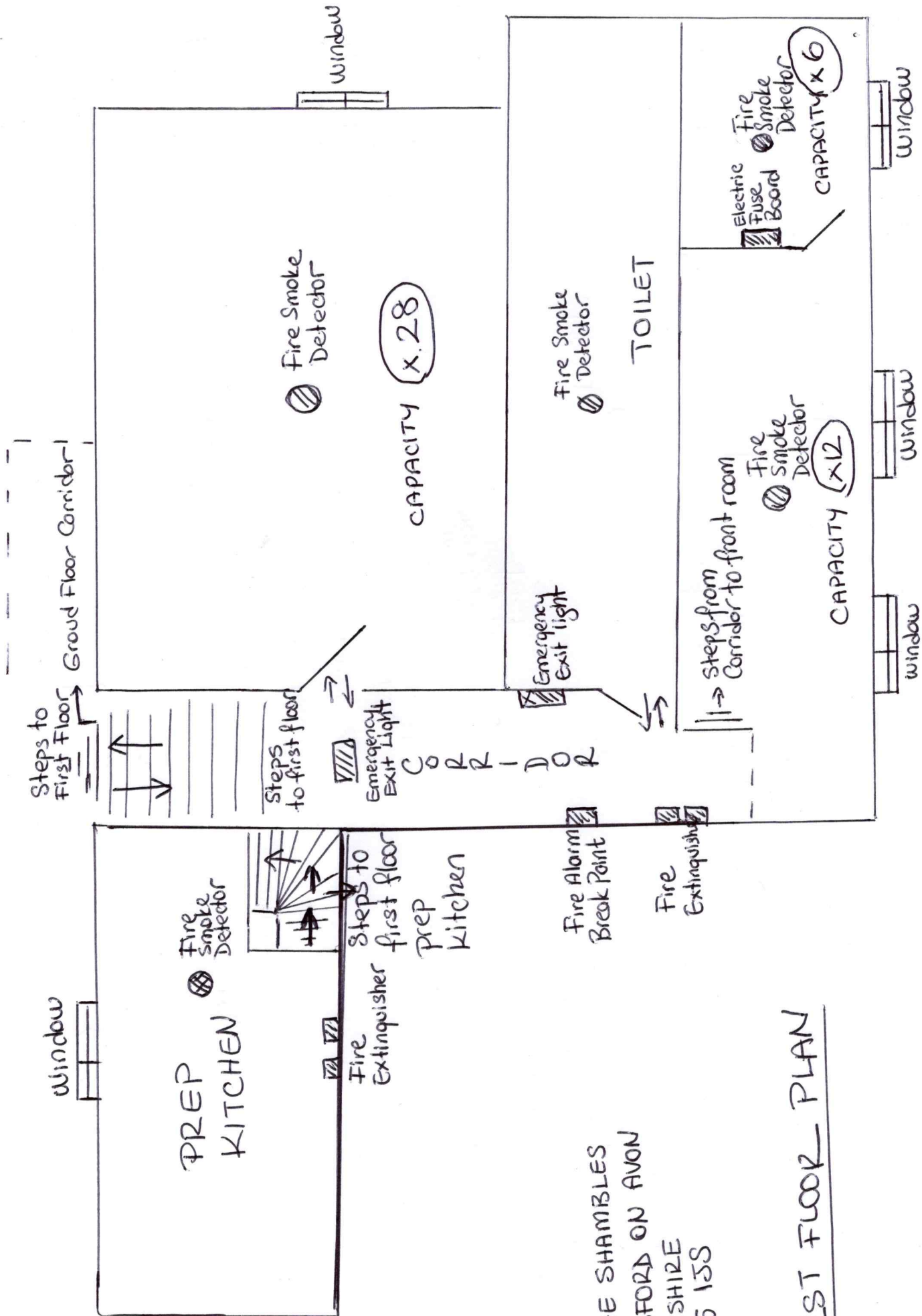
Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	[REDACTED]
Date	01/07/2024
Capacity	COMPANY 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)			
MAYLEE SPELLER 5 THE SHAMBLES BRADFORD ON AVON			
Post town	WILTSHIRE	Postcode	BA5 1JS
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

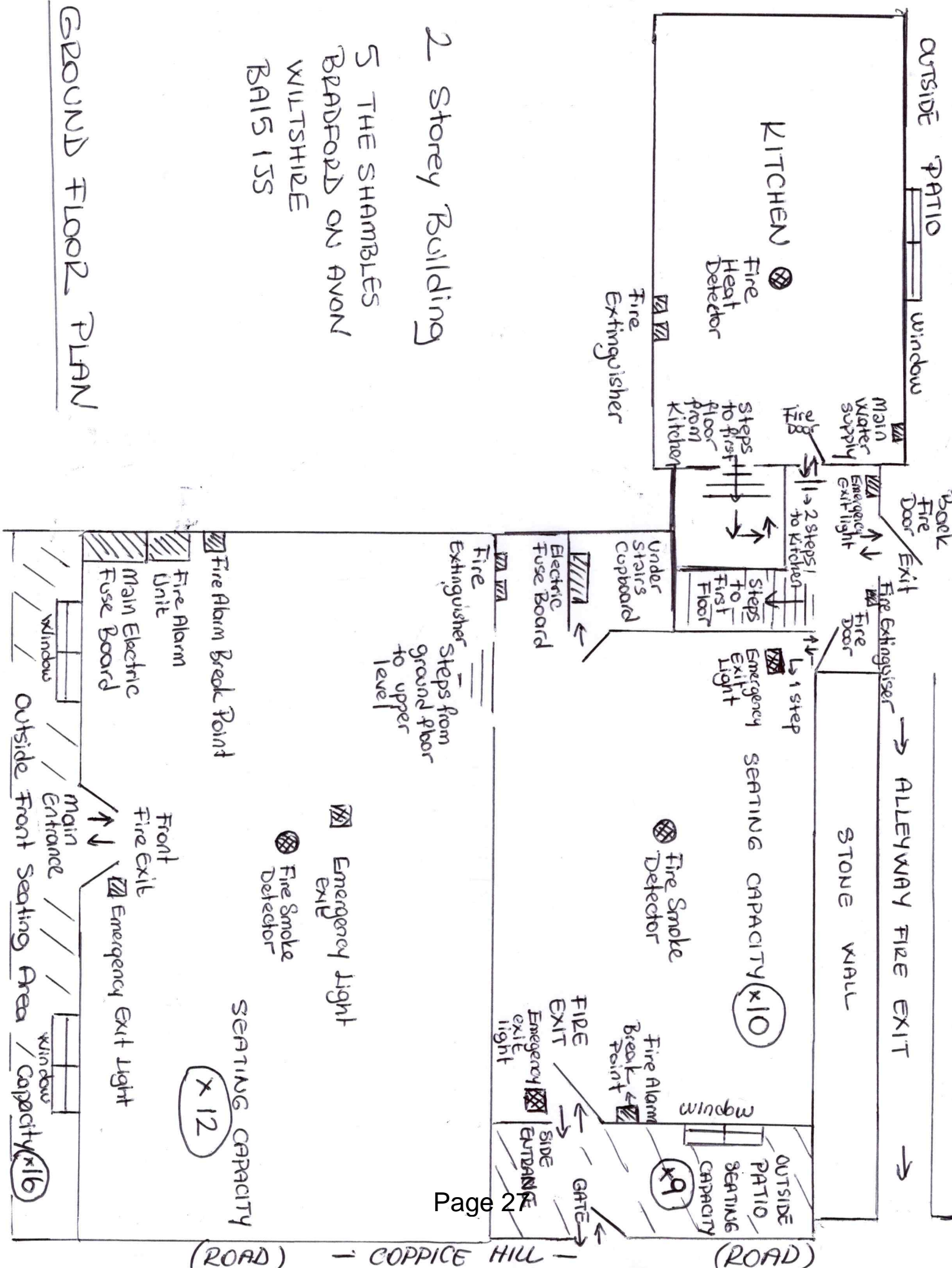


5 THE SHAMBLES
BRADFORD ON AVON
WILTSHIRE
BA15 1SS

FIRST FLOOR PLAN

2 Storey Building
 5 THE SHAMBLES
 BRADFORD ON AVON
 WILTSHIRE
 BA15 1SS

GROUND FLOOR PLAN



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APPENDIX 1A – PHOTOS OF SITE



Front of site from The Shambles



Side courtyard from Coppice Hill

Location of courtyard on
Coppice Hill



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Appendix 2



Location of licensed premises

- 1 – Fig, 5 The Shambles, Bradford On Avon, BA15 1JS
- 2 – The Bolthole, 4 The Shambles, Bradford On Avon, Wiltshire, BA15 1JS.
- 3 – Swan Hotel & Thai Chilli, Swan Hotel, Church Street, Bradford On Avon, Wiltshire, BA15 1LN
- 4 – The Bear, Silver Street, Bradford On Avon, Wiltshire, BA15 1JY
- 5 – The Bunch Of Grapes, Silver Street, Bradford On Avon, Wiltshire, BA15 1JY
- 6 – The Dandy Lion, Market Street, Bradford On Avon, Wiltshire, BA15 1LL
- 7 - The Stumble Inn, 29 Market Street, Bradford On Avon, Wiltshire, BA15 1LL

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Wiltshire Council

REPRESENTATION FORM

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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	FIG, 5 THE SHAMBLES, BAADFORD-ON-AVON, WILTS. BA15 1IS
Your Name	[REDACTED]
Postal Address	[REDACTED] (ILL,
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?	

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	Where children accompany adults onto patio area, it is extremely dangerous as access is straight onto road with no pavement and passing vehicles on what is already a very narrow road! Children also likely to climb on low wall that borders road!

<p>The prevention of public nuisance</p>	<p>With a proposed capacity of 93 people inside & out & windows & doors opening onto The Shambles & Coppice Hill it is certain to cause a noise nuisance to the residents of Coppice Hill, a historical part of Bradford-on-Avon.</p>
<p>The prevention of crime and disorder</p>	<p>With the potential for 93 people to be consuming alcohol is likely to lead to disorder!</p>
<p>Public safety</p>	<p>The patio area should definitely not be allowed as people will sit on wall and spill onto Coppice Hill where there is no pavement on that side of road and vehicles pass within inches of that boundary wall EXTREMELY DANGEROUS!</p>

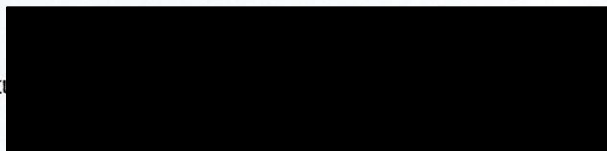
Please list below any suggested actions that you feel the applicant could take to address your concerns:

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Signature



Date... 18/8/24

Please return this form along with any additional sheets, by email to publicprotectionnorth@wiltshire.gov.uk

Alternatively, if sending by mail, please return to:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
County Hall
Bythesea Road
Trowbridge
BA14 8JN

Any representations received after the consultation period has ended will not be considered.

Wiltshire Council

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Premises about which representation is being made	Fig, BAIS IJS 5 THE SHAMBLES BRADFORD-ON, AVON
Your Name	[REDACTED]
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)? 	
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LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	If children accompany adults and are allowed onto patio area, it is extremely dangerous as gate access is straight onto road with no pavement with passing vehicles!

<p>The prevention of public nuisance</p>	<p>With a proposed capacity of 93 people inside & out this is certain to cause a noise nuisance to the residents of Coppice Hill, a historical part of Bradford-on-Avon</p>
<p>The prevention of crime and disorder</p>	<p>With the potential for 93 people to be consuming alcohol is likely to lead to disorder!</p>
<p>Public safety</p>	<p>The patio area should definitely not be allowed as people will sit on wall and spill onto Coppice Hill where there is no pavement on that side of road and vehicles pass within inches of that boundary wall - EXTREMELY DANGEROUS!!</p>

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Premises about which representation is being made	PR202407 - 509613 Fig 5 The Shambles, Bradford-on-Aven BA15 1JT
Your Name	[REDACTED]
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)? 	
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LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	/

<p>The prevention of public nuisance</p>	<p>Coppice Hill (CH) historical houses are built onto the road, only some have a narrow pavement. Houses are single skin and single glazed with poor sound insulation. The narrow road amplifies and funnels sound. This activity will cause a noise nuisance. Some dwellings are only 5 metres away from the tables and will be unable to open windows because of the noise...</p>
<p>The prevention of crime and disorder</p>	<p>—</p>
<p>Public safety</p>	<p>CH is a narrow road with no pavement outside these premises. The high bar tables that have been fixed to the boundary walls will encourage people to stand in the road so "both sides" can be used. There will be increased pedestrian activity from the CH side entrance gate straight onto the road.</p>

continued on attached paper

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

CH is not a suitable road/site for external drinking, eating and smoking.

The premises ie The Shambles main entrance should not have any outside catering after normal "Shambles" trading hours.

The prevention of public nuisance objection continuation sheet

and smoking.

late evening noise (including cleaning up) will come out of the windows and doors on CH and the back alley.

There is a public documented history of public nuisance caused when there was a pub (with NO outside seating) at the bottom of CH.

Display of notice

I do not believe the full consultation period has been observed.

I only saw the notice on 7 August on The Shambles and I walk that route every day.

A copy of the notice has not been displayed on Coppice Hill.

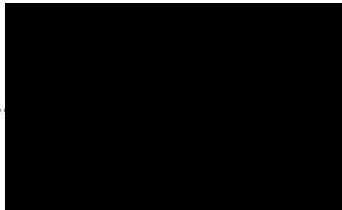
Two weeks is insufficient time to comment particularly when immediate neighbours are away during this holiday period.

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.

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Signature.....



Date.....

16/8/2024

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Premises about which representation is being made	S THE SITAMURLED R O, A
Your Name	[REDACTED]
Postal Address	[REDACTED]
Contact Telephone Number and Email address	[REDACTED]
Are you (please tick):	
<ul style="list-style-type: none"> • An individual? • 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)? 	
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LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	See attached

The prevention of public nuisance	See attached
The prevention of crime and disorder	See attached
Public safety	See attached

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

Site visit essential.

WILTSHIRE COUNCIL LICENSING APPLICATION 5 THE SHAMBLES BRADFORD ON AVON

Please refer to attached submission -

We have the following observations regarding this application :-

Children's safety - no concern

Public nuisance - any outside gatherings cause noise, adding consumption of alcohol increases the volume.

Mainly for this reason, we consider this site is unsuitable for any outside licensed catering after normal shop trading hours.

In this area of Coppice Hill this would almost certainly cause noise nuisance to much of this narrow residential street.

Many residents are elderly, some live alone, and for years enjoyed a peaceful retreat in the town centre.

The more recent development of holiday lets will be affected by evening noise, however well mannered the customers. Those premises and their occupants will be exposed to noise, as many of their windows (often single glazed) are very close to the site.

Crime & Disorder - No serious concerns anticipated

Public Safety - Coppice Hill is narrow & will be easily affected by any extra pedestrian activity as there is no continuous pavement.

Suggested Action -

Respect the heritage of this special conservation area with its listed buildings and the interests of the residents & many visitors who choose to stay here.

Restrict the alcohol licensing hours to avoid the likely noise nuisance.

A site visit would be useful to substantiate the concern of nearby residents.

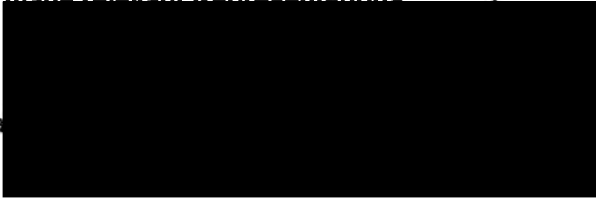


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Signature



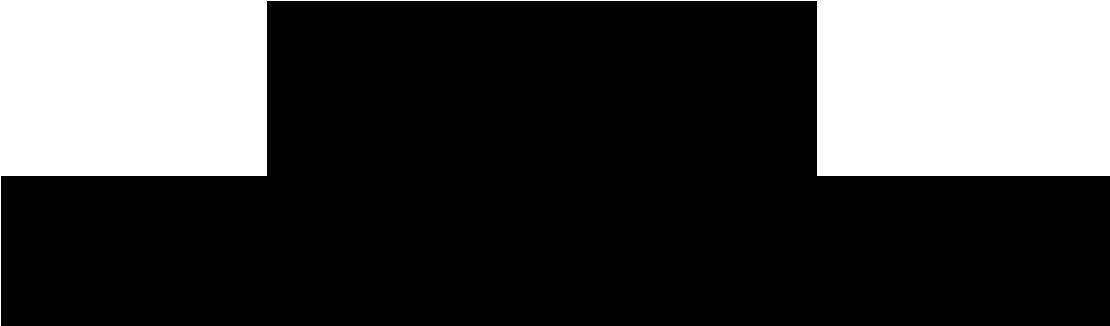
Date 17.8.2024

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Public Protection Services and Licensing
County Hall
Bythesea Road
Trowbridge
BA14 8JN

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The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
County Hall
Bythesea Road
Trowbridge
BA14 8JN

Dear Sirs

PR202407-509613 5 The Shambles, Bradford on Avon. BA15 1JS

I wish to make the following comments regarding the above License application

Historical

Coppice Hill is a narrow 17th century street. Having resided here since 1971, I am very familiar with the problems arising from licenced premises affecting all residents of the street. From the former Kings Arms, immediately opposite this application premises, we have endured an infringement on our privacy and peace with excessive noise, drunken abuse, urination on the street and vehicles, and even customers laying in the street blocking vehicular access (I have much correspondence confirming this). I would not wish this to ever happen again. What measures would the applicant take to prevent a re-occurrence of this situation should an alcohol licence be awarded?

The prevention of public nuisance

The centre of Bradford on Avon is unique in that it acts as an amphitheatre. All noises and conversations at the bottom of Coppice Hill funnel up its entire length sounding even louder at the top and are clearly heard at all properties on it. This is exacerbated by the fact that most properties are listed and part of a conservation area, having single glazed windows.

On Monday night an external alarm went off at the application premises. Three residents went out separately in their nightclothes to ascertain from where the noise was emanating. One new resident commented that it sounded even louder at the top of Coppice Hill than at the actual premises!

The applicant is quoting a maximum capacity of 93 customers at any one time. With windows open and an outside patio area on Coppice Hill, any noise or conversations would be unbearable to all residents at the proposed prolonged hours. No amount of insulation will stop noise from funnelling through the tall buildings up Coppice Hill.

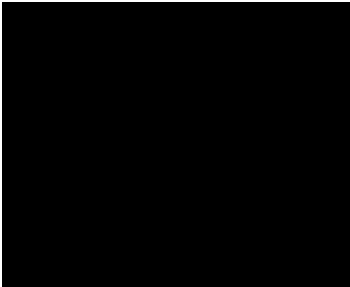
Application alcohol licence is for 8 am 'til 11 pm. I consider this to be both too early a start and too late a finish for alcohol consumption in a property so close to affected residents.

The applicants floor plans show only one toilet on the first floor. Can this be sufficient for a capacity of 93 customers at any one time, or will we as residents, be subjected to urination in the street once again?

Additionally, the floor plan shows outside seating for up to 16 in the Shambles. How can these be accommodated without blocking the Shambles? Additionally, this should be restricted to the normal opening hours of the other Shambles shops.

Public safety

The floor plans illustrate additional customer access and egress via a side access gate in Coppice Hill, next to an outside seating area (capacity 9). Coppice Hill is very narrow at this point, with no pavement on this side. In my 53 years' residency this gate has never been used other than for a few deliveries. This poses a safety hazard to anyone using it from the large number of vehicles continually accessing Coppice Hill. Additionally, what is to stop customers from standing in the street to drink and smoke?



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Premises about which representation is being made	Fig, 5, The Shambles, Bradford-on-Avon, BA15 1JS
Your Name	[REDACTED]
Postal Address	[REDACTED]
Contact Telephone Number and Email address	[REDACTED]
Are you (please tick): <input checked="" type="checkbox"/> An individual? ✓ <input type="checkbox"/> A person who operates a business? <input type="checkbox"/> A person representing residents or businesses? <input type="checkbox"/> A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)?	
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LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	Applying for an alcohol licence from 8:00 am until 11:00 pm increases the risk of drunk and disorderly behaviour. There are several young children living on the street who will have to walk past and witness this. This is intimidating for adults, let alone children, as it used to be when there was a pub at the bottom of the street.

<p>The prevention of public nuisance</p>	<p>Sound naturally funnels up the hill and is clearly heard in the neighbouring houses as many of the houses are listed (as it is a conservation area) and have single glazing. When there was a pub at the bottom of the street, the noise was a constant nuisance and the pub did not even have outside seating.</p>
<p>The prevention of crime and disorder</p>	<p>Applying for an alcohol licence from 8:00 am until 11:00 pm is not encouraging responsible drinking. When there was a pub at the bottom of the street, there was often disorderly behaviour.</p>
<p>Public safety</p>	<p>There is no pavement at the bottom of Coppice Hill and the gate from the seated area opens directly onto the road. When there was a pub at the bottom of the street, enebriated people regularly blocked the street stopping cars from passing.</p>

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

Limit outside seating to daytime, stopping at 6pm

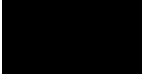
Stop customers from standing in the road and blocking the way for traffic/ pedestrians

Limit the hours that alcohol is served to lunchtimes and evenings

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Signature  Date 26.08.24

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Your Name	[REDACTED]
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Are you (please tick): <ul style="list-style-type: none"> <input checked="" type="radio"/> An individual? ✓ <input type="radio"/> A person who operates a business? <input type="radio"/> A person representing residents or businesses? <input type="radio"/> A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)? 	
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<p>The prevention of public nuisance</p>	<p>Sound naturally funnels up the hill and is clearly heard in the neighbouring houses as many of the houses are listed (as it is a conservation area) and have single glazing. When there was a pub at the bottom of the street, the noise was a constant nuisance and the pub did not even have outside seating.</p>
<p>The prevention of crime and disorder</p>	<p>Applying for an alcohol licence from 8:00 am until 11:00 pm is not encouraging responsible drinking. When there was a pub at the bottom of the street, there was often disorderly behaviour.</p>
<p>Public safety</p>	<p>There is no pavement at the bottom of Coppice Hill and the gate from the seated area opens directly onto the road. When there was a pub at the bottom of the street, enebriated people regularly blocked the street stopping cars from passing.</p>

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

Limit outside seating to daytime, stopping at 6pm

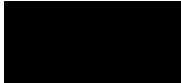
Stop customers from standing in the road and blocking the way for traffic/ pedestrians

Limit the hours that alcohol is served to lunchtimes and evenings

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 26.08.24

Please return this form along with any additional sheets, by email to publicprotectionnorth@wiltshire.gov.uk

Alternatively, if sending by mail, please return to:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
County Hall
Bythesea Road
Trowbridge
BA14 8JN

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The Licensing Officer
Public Protection Service and Licensing
Wiltshire Council
County Hall
Bythesea Road
Trowbridge Wiltshire BA14 8JN

28 August 2024

Re 5 The Shambles Bradford on Avon BA15 1JS

Before I move on to my specific Representation, may I draw attention to the plans submitted in support of the Application for a Licence. With reference to the Ground Floor Plan, there is no reference to the Greengrocer currently on the corner of Coppice Hill and the Shambles and it appears as though that premises has been subsumed into No 5 The Shambles.

REPRESENTATION made as a private individual,

Public Safety

The plan includes an entry/exit off Coppice Hill, also to be used as a Fire Exit. This leads directly onto the Hill at a point where there is no pavement on the Shambles side of the road, and a very narrow pavement opposite. This would be very dangerous in the event of having to evacuate all customers through this door because of a fire elsewhere in the premises.

In the last 2 years there has been a sharp increase in the volume of traffic up and down the Hill because of deliveries by online suppliers of groceries and other goods. In addition, quite often residents are held up at the foot of Coppice Hill because of deliveries to the Shambles and Silver Street. Customers going in and out of the cafe/shop by this door would add to the problems.

The Prevention of Public Nuisance

What provision is being made for the additional rubbish removal for a licensed cafe/shop which would seat more than 80 people at any one time? There have already been rats in the alleys off Coppice Hill, there is additional rubbish being collected from the Coppice Hill end of the Shambles and the rubbish bin at the Coppice end of the Shambles often overflows.

The granting of a Licence for Alcohol for 7 days a week from 8.00 a.m. to 11.00 p.m. with outside seating is likely to cause excess disturbance to local residents, particularly the proposed patio area on Coppice Hill. This area is presumably particularly attractive for smokers and vapers, and will probably attract more customers standing in the street. Noise already rises up the hill, illustrated by the building's alarm going off during the night earlier this week and three of us wandering out to see whether there was indeed a fire or burglary. Because this is a conservation area, even modest buildings are listed and there

is no chance of mitigating the noise by doubleglazing windows.

The Shambles is a pedestrian area and while it is very welcome and attractive to see people sitting outside in good weather, it is becoming increasingly difficult for families with pushchairs and, frankly, even local residents to walk through particularly at lunchtime. It would be impossible for disability scooters.

I notice that seating for 16 people in the Shambles itself spreads over the current Greengrocers' frontage. This would appear to make it impossible for him to display his wares or for customers to be served by him. Seating for an extra 16 people in the Shambles would also make walking through and access to other shops much more difficult. I do not think this is in the public interest.



REPRESENTATION FORM

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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	FIG 5 The Shambles, Bradford on Avon BA15 1JS
Your Name	[REDACTED]
Postal Address	[REDACTED]
Contact Telephone Number and Email address	[REDACTED]
Are you (please tick):	
<ul style="list-style-type: none"> • An individual? • 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?	An individual

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	

<p>The prevention of public nuisance</p>	<p>High levels of noise We have single glazing as the buildings are listed so the noise will travel. Increased flow of traffic on such a narrow road with visitors looking for parking. Road being blocked for people with disabilities being offloaded</p>
<p>The prevention of crime and disorder</p>	<p>Hours are too long for a residential area. We have no front gardens and could be placed in situations with people having too much to drink and becoming a nuisance</p>
<p>Public safety</p>	

People will exit thru Gate spilling onto a very narrow road with no pavement. This could lead to accidents as it's a sharp turning into Coppice Hill and with and it might be difficult to see someone stumbling onto the road

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

I have no objection to the licence but it should be restricted to the Shambles And not Coppice Hill. This area should be kept for deliveries as previous But maybe I am unaware Of new rules. And as a fire exit.

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Signature.....



.....

Date. 30.August 2024 ..

Please return this form along with any additional sheets, by email to publicprotectionnorth@wiltshire.gov.uk

Alternatively, if sending by mail, please return to:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
County Hall
Bythesea Road
Trowbridge
BA14 8JN

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Premises about which representation is being made	5 The Shambles Bradford-on-Avon - BA15 1JS
Your Name	[REDACTED]
Postal Address	[REDACTED]
Contact Telephone Number and Email address	[REDACTED]
Are you (please tick): <input checked="" type="checkbox"/> <ul style="list-style-type: none"> • An individual? • 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?	

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	

<p>The prevention of public nuisance</p>	<p>The Licence makes no provision to 'Condition' the evening consumption of 'on-sales' and 'off-sales' alcohol at the proposed frontage external tables + seating (16 covers) and contiguous 'standing only' (19ppl) patio area of the Premises.</p> <p>- The need for a Condition is particularly applicable in this area where there is residential accommodation in the immediate proximity of the premises – and which, itself, is located in a 'narrow street canyon' of listed buildings in a Conservation Area where noise is considerably echoed and amplified.</p> <p>Prior to the closure of The Bear Public House (50 metres away), the local area had suffered a great deal of anti-social behaviour that resulted from consumption of alcohol outside, within the courtyard and nearby to the premises. The anti-social behaviour was having an adverse effect upon nearby residents due to increased level of noise, disturbance and littering. Communal and secluded areas (courtyard entrances, alley ways and doorways) were being used as a gathering point for people to drink, deal, urinate and engage in noisy anti-social behaviour.</p> <p>Serious concerns regarding the Application in its present form are raised as to how a Licence to feature external seating would not contribute to ASB in the area.</p>
<p>The prevention of crime and disorder</p> <hr/> <p>Public safety</p>	

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

Consideration should be given to the potential steps which could be taken to reduce the risk of external noise nuisance occurring after 8pm.

This would involve the closure of the outside frontage area seating/tables by 8pm. These would necessitate alcohol consumption and dining to be entertained within the Premises, internally, only.

[Please note:

it is also noted that the Applicant/s trade experience is as both a day-time Café proprietor – (in a 'pastoral' non urban locale - where noise management is not an issue) ...

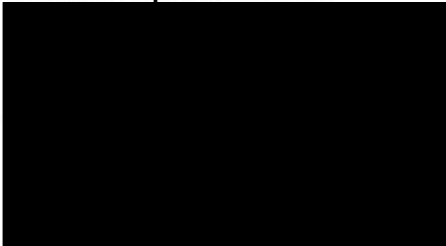
... and also as a 'select' Restaurant /Bar proprietor (where no external seating is provided - but where noise from smokers and departing patrons has had, historically, an adverse effect on nearby residents in a similar 'narrow street canyon')].

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.

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Signature.....



01.09.2024
Date.....

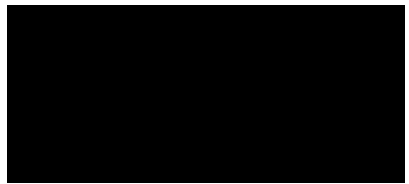
Please return this form along with any additional sheets, by email to publicprotectionnorth@wiltshire.gov.uk

Alternatively, if sending by mail, please return to:

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Public Protection Services and Licensing
County Hall
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Wiltshire Council
Public Protection Services and Licensing
County Hall
Bythesea Road
Trowbridge
BA14 8JN



1st September 2024

Dear Sir/Madam

PR202407-509613 Premise Licence Application - Fig, 5 The Shambles, Bradford on Avon, BA15 1JS

I am a resident in the locale.

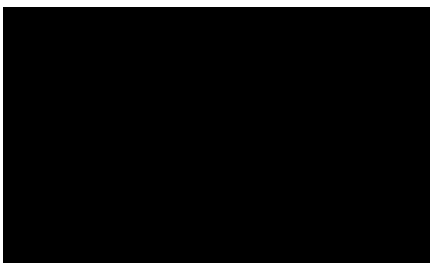
I would like to make representation to suggest modifications to the proposed operating plan - in short, to make recommendation for Conditions to be attached to the Licence to make the Application acceptable in the eyes of local residents.

Whilst the Premises deserves commercial success, local resident experience has shown that some of the proposed aspects of the premises are at issue - and consideration for the residential dwellings adjacent and within the immediate locale has been overlooked.

At that location – fundamentally a ‘narrow street canyon’ – and one profoundly subject to sound reflection from the building facades which echo with unwanted sound - it is difficult to envisage external (evening) hospitality being provided without the neighbouring residential dwellings experiencing some impact - and it is appropriate that the licensing authority take steps and apply Conditions (*e.g. pavement licence and conditions prohibiting use after 8pm*) to prevent public nuisance from occurring.

I am attaching, herewith, the pro-forma, as requested by Wiltshire Council.

Yours Faithfully,





REPRESENTATION FORM

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Premises about which representation is being made	FIG, 5 THE SHAMBLES, BAIS IJS
Your Name	[REDACTED]
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?	<input type="checkbox"/>

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	<input type="checkbox"/>

<p>The prevention of public nuisance</p>	<p>Re: OUTSIDE SEATING IN COPPICE HILL. PREVIOUS EXPERIENCE OF KINGS ARMS / SPRAT + CARROT IS THAT NOISE AMPLIFIES GREATLY UPSTREET (Acoustic tunnel effect) + can be EXTREMELY DISRUPTIVE</p>
<p>The prevention of crime and disorder</p>	<p>/</p>
<p>Public safety</p>	<p>EXTERIOR SEATING / DRINKING IN COPPICE HILL: PEOPLE DRINKING (+ SMOKING) IN THE STREET MAY BE POTENTIALLY DANGEROUS</p>

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

We have no problem with interior drinking within licensing hours, only with the potential rowdiness late at night. (Noise.)

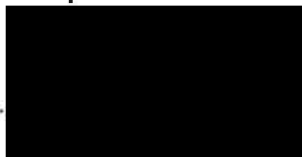
9 covers in coppice hill would seem to be inviting standing drinking. Even regular voices carry and amplify in this setting. Previous pubs that encouraged exterior drinking caused a disturbance that necessitated police involvement in the past.

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.

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Signature.....



Date.....

21/8/24

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Wiltshire Council
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Representation Form

Premises: Fig, 5 The Shambles, Bradford On Avon BA15 1JS

Name: [REDACTED]

Address [REDACTED]

Contact tel: [REDACTED]

An Individual

Licensing Objectives Pertains to all

Evidence

I write in support of the application. Children are in danger, public nuisance is likely to occur with opportunity for crime, and the public are unsafe if nightlife is stifled in small towns like Bradford on Avon. Anyone currently who feels vulnerable and walks down the Shambles after dusk will know this part of town is dead and if anything happened they would be completely alone. A vibrant evening economy as of the sort proposed by Fig will help ensure that BoA is populated after dark which is the best medicine against anti-social behaviour etc. The premise is in the very centre of town and is therefore well-placed for such an establishment which is by its nature unlikely to become a haven for bad behaviour; indeed it is most likely to have the opposite effect and make this part of BoA more safe.

Signature [REDACTED] 31.8.24

Please note it would be helpful if the form on your website is modified so it allows competition online.

Subject: PR202407-509613 Premise Licence Application - Fig, 5 The Shambles, Bradford on Avon BS25 1JS

You don't often get email from [REDACTED] [Learn why this is important](#)

I write in support of the above application which I believe will add to the diversity of eating and drinking options in Bradford on Avon. The opportunity to purchase deli items will be welcomed as will a wine bar to contrast with public houses. There is no other business here offering this combination.

Over recent years the central Deli and Wine Bar have closed and they are very much missed. Their location was a few yards away from the Shambles. This new business will be covering aspects of both businesses and I believe this meets the needs of the town's residents and visitors and will be a successful, viable, business, run by people with the appropriate skills to ensure that public nuisance potential is eliminated.

PUBLIC SAFETY

I believe that there is a positive impact to having a business open in the Shambles in the evenings. When I walk home at night I sometimes walk down the main road to ensure there are others/vehicles around, instead of going through the Shambles which is generally empty on the evenings. Having people present there would make me feel safer going through the Shambles.

I am told that it is NOT the intention to have the business open EVERY night but that the licence to cover every day is required in order to be able to open for special events on requested days.

The neighbouring businesses which have alcohol licences (DandyLion, Stumble Inn, Pablo's and Bunch of Grapes) have far more residential accommodation nearby and in closer proximity and these do not seem to present public nuisance problems. In addition, loud and late events held in Lambs Yard are permitted. A possible mitigation may be to close one evening a week eg Sunday.

In a tourist town, bringing considerable sums of money into the area, we need a variety of options for eating and drinking and this business is clearly a different and attractive idea.

Having a vacant premise on the main shopping area in town, as is now the case, is detrimental to the appeal to tourists.

A local person, already contributing greatly to catering for visitors and residents, in their current business near the Tithe Barn, who wants to bring more employment opportunities, having returned to her home town, should not be discouraged from attempting to meet a local need.

Kind regards

[REDACTED]

Sent from [Outlook for Android](#)

From: [Maylee Speller](#)
To: [Hyde, Emma](#)
Subject: Re: Representation received [REDACTED] - Fig, 5 The Shambles, Bradford on Avon
Attachments: [IMG_0097.jpeg;image001.png](#);
Sent: 20/08/2024 17:50:34

Good afternoon Emma,

Thank you for sending over the valid representation for us to address any concerns.

Please find our response to this below. The blue notice has also been updated this morning and replaced in the window.

Thank you for notifying us of your concerns regarding the application of a premises licence. The capacity has been calculated at the premises by square footage.

Current health and safety guidelines is 2 to 4 people by square footage. Bearing in mind the property is over two floors. We are happy to reduce the capacity to 75 at one time. This number is more than adequate reference to square footage of the property.

We are aware that the side patio gate is leading to Coppice Hill and there is no footpath on our side. The footpath is located opposite. This road is currently in use on foot by families with prams and residents who live on Coppice Hill and they are using this road on a daily basis to commute to their houses. There are also a couple of self catering accommodations on Coppice Hill with families and people renting these accommodations who are using this area also. There is already a high volume of visitors walking up and down this road on daily basis as it is a historical attraction. Having been a resident on Coppice Hill for a few years I am aware that this is a no through road accessed by residents and delivery drivers so traffic is minimal. However we are fully aware of any health and safety issues regarding this. The outside patio area has been designed to allow for a maximum of 9 covers in this area only with bar style seating up against the wall to mitigate any problems of people sitting on the wall. The seating faces onto the road against the wall with bar style stools. So customers would sit side by side. We have installed trellis at the side in order to grow planting to help create a sound barrier. Small long planters are to be attached to the top of the wall to stop anyone from sitting there whilst creating an inviting space to be in. Clear signage will be displayed on the gate notifying customers of the danger an example of that is attached below. A child safety latch will be installed on the gate also. The side access will not be the main access route. Customers will be encouraged to use the front entrance into the premises using signage on the front of the gate (Please use entrance located on The shambles).

The operating hours on the patio area will be during sociable hours only and customers will be expected to be seated whether inside or outside whilst using the premises. We are not operating a bar where customers can freely wander around drinking. This is a cafe, deli and shop open into the evening where table service is required.

We are always welcome to improving our health and safety measures, because as a company we strongly believe in safety first and have great respect for our neighbours and residents of this area as we hope to be able to provide a service that they will enjoy and benefit from.

I hope all these additional informations and adjustments will give assurance to yourself and objector that as a company we are taking health and safety seriously.

We thank you for taking the time to raise these concerns and hope this will help alleviate any worries you may have. If you would like to speak to us in person we would be happy to arrange to do this.

Kind regards

Maylee Speller (On behalf of Kayra Collection Ltd)

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