

AGENDA

Meeting: Eastern Area Licensing Sub Committee

Place: The West Wiltshire Room - County Hall, Trowbridge BA14 8JN

Date: Wednesday 12 October 2016

Time: 1.00 pm

Matter: Application for a Premises Licence in respect of Potterne Social Club, Ewarts Croft, Potterne, Devizes, SN10 5QY made by Potterne Social Club

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

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 Desna Allen
Cllr Ernie Clark

Cllr Sue Evans

Substitutes:

Cllr Peter Evans

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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**

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 13 - 18*)

To consider and determine an application for a Premises Licence in respect of Potterne Social Club, Ewarts Croft, Potterne, Devizes, SN10 5QY made by Potterne Social Club. The report of the Licensing Officer is attached.

6a **Appendix 1 - New Premises Licence Application Form** (*Pages 19 - 40*)

6b **Appendix 2 - Relevant Representation** (*Pages 41 - 42*)

6c **Appendix 3 - Relevant Representation** (*Pages 43 - 44*)

6d **Appendix 4 - Location of Representations** (*Pages 45 - 46*)

6e **Appendix 5 - Location of other Premises in Potterne** (*Pages 47 - 48*)

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 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).

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WILTSHIRE COUNCIL

EASTERN AREA LICENSING SUB COMMITTEE

12 OCTOBER 2016

**Application for a Premises Licence; Potterne Social Club, Ewarts Croft,
Potterne, Devizes, Wiltshire, SN10 5QY**

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of Potterne Social Club, Ewarts Croft, Potterne, Devizes, SN10 5QY made by Potterne Social Club.

2. Background Information

- 2.1 An application for a Premises Licence in respect of Potterne Social Club, Ewarts Croft has been made by Potterne Social Club for which two relevant representations have been received. One further representation was received and subsequently withdrawn, following correspondence with the applicant.

- 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 19 August 2016 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>		
Indoor sporting events	11:00hrs to 23:00hrs 11:00hrs to 00:00hrs 11:00hrs to 00:30hrs	Sunday to Thursday Friday Saturday
Live music, Recorded Music, Performance of Dance and Anything of a similar description - INDOORS	11:00hrs to 23:00hrs 11:00hrs to 00:00hrs 11:00hrs to 00:30hrs	Sunday to Thursday Friday Saturday
Provision of late night refreshment	23:00hrs to 23:30hrs 23:00hrs to 00:30hrs 23:00hrs to 01:00hrs	Sunday to Thursday Friday Saturday
Sale by retail of alcohol ON and OFF Sales	11:00hrs to 23:00hrs 11:00hrs to 00:00hrs 11:00hrs to 00:30hrs	Sunday to Thursday Friday Saturday
Non Standard Timings	New Years Eve up to 02:00hrs on 1 st January Bank Holidays and Christmas Eve up to 01:00hrs	

A copy of the application form is attached as **Appendix 1**.

2.7 The premises currently holds a Club Premises Certificate and has done under the new Licensing Act 2003 since the conversion on 24 November 2005. The current Club Premises Certificate permits the following licensable activities;

Licensable Activity	Timings	Days
<u>Provision of regulated entertainment</u>		
Indoor sporting events	11:00hrs to 23:00hrs 11:00hrs to 00:00hrs 11:00hrs to 00:30hrs	Sunday to Thursday Friday Saturday
Live music, Recorded Music and Anything of a similar description - INDOORS	11:00hrs to 23:00hrs 11:00hrs to 00:00hrs 11:00hrs to 00:30hrs	Sunday to Thursday Friday Saturday

Sale by retail of alcohol ON and OFF Sales	11:00hrs to 23:00hrs 11:00hrs to 00:00hrs 11:00hrs to 00:30hrs	Sunday to Thursday Friday Saturday
Non Standard Timings	New Years Eve up to 02:00hrs on 1 st January Bank Holidays and Christmas Eve up to 01:00hrs	

2.8 The purpose of the application is to permit the licensable activities without the requirement for patrons to be members or guests of members.

2.9 Wiltshire Council have not received any complaints for this premises.

2.10 Wiltshire Police have not received any complaints in relation to this premises.

2.11 Other premises in Potterne that are licensed to sell alcohol are below;

The George and Dragon, Potterne		
Licensable Activity	Timings	Days
Live music, Recorded Music and Anything of a similar description - INDOORS	10:00hrs to 23:00hrs	Daily
Late Night Refreshment	23:00hrs to 00:00hrs	Daily
Sale by retail of alcohol ON and OFF Sales	10:00hrs to 00:00hrs	Daily

Central Stores, Potterne		
Licensable Activity	Timings	Days
Sale by retail of alcohol OFF Sales	05:30hrs to 23:00hrs	Daily

Potterne Cricket Club, Cox Lane, Potterne		
Licensable Activity	Timings	Days
Live music and Recorded Music -	18:00hrs to 21:30hrs	Friday

INDOORS	18:00hrs to 23:00hrs	Saturday to Sunday
Sale by retail of alcohol ON and OFF Sales	18:00hrs to 22:00hrs 12:00hrs to 23:00hrs	Monday to Friday Saturday to Sunday

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 three relevant representations have been received from three local residents although one was subsequently withdrawn.

3.3 Representations Received

- Elaine Wakefield – 2 Ewarts Croft, Whistley Road, Potterne, Devizes, Wiltshire, SN10 5NE
- Ciara Murphy – 4 Ewarts Croft, Whistley Road, Potterne, Devizes, Wiltshire, SN10 5NE

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
Increase in frequency and length of time of noise nuisance	Prevention of Public Nuisance
Noise and Litter associated with the smoking area	Prevention of Public Nuisance
Low priced alcohol being promoted	Public Safety
Increased Traffic	Public Safety/ Prevention of Public Nuisance
Increase of anti social behaviour	Prevention of Public Nuisance/ Crime and Disorder

3.6 The relevant representations are attached as **Appendix 2**. Attached as **Appendix 3** is a plan which shows the locations from where representations have been made. **Appendix 4** shows a detailed plan of the area.

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: Jemma Price, Public Protection Officer - Licensing

Monkton Park, Chippenham, Wiltshire, SN15 1ER

Date of report: 3 October 2016

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 New Premises Licence Application Form**
- 2 Representation – Elaine Wakefield**
- 3 Representation – Ciara Murphy**
- 4 Location of Representations**
- 5 Location of other Premises in Potterne**

Agenda Item 6a

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 POTTERNE SOCIAL CLUB

(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 POTTERNE SOCIAL CLUB EWARTS CROFT POTTERNE			
Post town	DEVIZES	Post code	SN10

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£5375

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i. as a limited company please complete section (B)
- ii. as a partnership please complete section (B)
- iii. as an unincorporated association or please complete section (B)
- iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital 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:

Please tick yes

- 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		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

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		
I am 18 years old or over					<input type="checkbox"/> Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

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

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	1	1	0	2	0	1	6

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

Day		Month		Year			

Please give a general description of the premises (please read guidance note1)
SOCIAL CLUB WITH TWO BARS, SKITTLE ALLEY/FUNCTION ROOM ALL ON ONE FLOOR
SEE ATTACHED PLAN FOR DETAILS

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

0

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

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

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
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 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3) INDOOR SPORTS INCLUDING POOL, DARTS, SKITTLES, ETC.
Day	Start	Finish	
Mon	1100	2300	
Tue	1100	2300	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) NONE
Wed	1100	2300	
Thur	1100	2300	<u>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</u> (please read guidance note 5) NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0030
Fri	1100	0000	
Sat	1100	0030	
Sun	1100	2300	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) BANDS, DUOS PLAYING BOTH ACOUSTIC AND BACKING CD'S					
Mon	1100	2300						
Tue	1100	2300						
Wed	1100	2300				<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) NONE		
Thur	1100	2300						
Fri	1100	0000				<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) NEW YEARS EVE UP TO 0200 1 JANUARY BNK HOLIDAYS AND CHRISTMAS EVE TO 0030		
Sat	1100	0030						
Sun	1100	2300						

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) DISCOS, KARAOKES AND JUKE BOX CONTROLLED BY BAR STAFF					
Mon	1100	2300						
Tue	1100	2300						
Wed	1100	2300				<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) NONE		
Thur	1100	2300						
Fri	1100	0000				<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0030		
Sat	1100	0030						
Sun	1100	2300						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1100	2300	Please give further details here (please read guidance note 3) MORRISON DANCERS, ETC.		
Tue	1100	2300			
Wed	1100	2300	State any seasonal variations for the performance of dance (please read guidance note 4) NONE		
Thur	1100	2300			
Fri	1100	0000	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 (please read guidance note 5) NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0030		
Sat	1100	0030			
Sun	1100	2300			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u> QUIZ		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	1100	2300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1100	2300	<u>Please give further details here</u> (please read guidance note 3) AMPLIFIED VOICE		
Wed	1100	2300			
Thur	1100	2300	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) NONE		
Fri	1100	0000			
Sat	1100	0030	<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 5) NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0030		
Sun	1100	2300			

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			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 3)	
Mon				
Tue				
Wed				
Thur				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Fri				
Sat				
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) DANCING TO DISCOS, DUOS, ETC.			
Mon	1100	2300				
Tue	1100	2300				
Wed	1100	2300				
Thur	1100	2300				
Fri	1100	0000				
Sat	1100	0030				
Sun	1100	2300				
			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) NONE			
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0030			

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u> MUSIC, DISCOS, DUOS, QUIZ NIGHTS FOR PRIVATE FUNCTIONS AND SPECIAL EVENTS		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	1100	2300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1100	2300	<u>Please give further details here</u> (please read guidance note 3)		
Wed	1100	2300			
Thur	1100	2300	<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) NONE		
Fri	1100	0000			
Sat	1100	0030	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	1100	2300	NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0030		

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	2300	2330			
Tue	2300	2330			
Wed	2300	2300	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) NONE		
Thur	2300	2330			
Fri	2300	0030	<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 5) NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0030		
Sat	2300	0100			
Sun	2300	2330			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) NONE		
Mon	1100	2300			
Tue	1100	2300			
Wed	1100	2300			
Thur	1100	2300			
Fri	1100	0000			
Sat	1100	0030			
Sun	1100	2300			
			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 5) NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0030		

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

Name LEIGH WATSON	
Address BLACKBERRY LANE POTTERNE DEVIZES	
Postcode	SN10
Personal Licence number (if known)	
Issuing licensing authority (if known) WILTSHIRE COUNCIL	

N

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 8)
 NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) NONE
Day	Start	Finish	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 5) NEW YEARS EVE UP TO 0200 1 JANUARY BANK HOLIDAYS AND CHRISTMAS EVE TO 0100
Mon	1100	2330	
Tue	1100	2330	
Wed	1100	2330	
Thur	1100	2330	
Fri	1100	0030	
Sat	1100	0100	
Sun	1100	2330	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

THE CLUB WILL BE CONTROLLED AND SUPERVISED BY MEMBERS. WE DO NOT BELIEVE THAT THIS WILL HAVE ANY ADVERSE EFFECT ON THE LICENSING OBJECTIVES.

b) The prevention of crime and disorder

TRAIN AND ADVISE STAFF TO REPORT EVIDENCE OF CRIME TAKING PLACE ON THE PREMISES.

PROVIDE A 'WIND DOWN PERIOD' AFTER THE END OF ALCOHOL SALES TO ASSIST AN ORDERLY DEPARTURE FROM THE PREMISES.

c) Public safety

ENSURE THAT DRINKS ARE PACKAGED AND PROMOTED IN A SOCIALLY RESPONSIBLE MANNER AND ONLY TO THOSE WHO ARE OVER THE AGE OF 18 YEARS.

d) The prevention of public nuisance

ENSURE DETAILS OF LOCAL LICENSED TAXI COMPANIES ARE AVAILABLE IN THE PREMISES.

ERECT PROMINENT NOTICES REQUESTING CUSTOMERS TO LEAVE IN A QUIET MANNER.

BOTTLES WILL NOT BE DISPOSED OF OUTSIDE THE PREMISES UNTIL 0900 THE FOLLOWING DAY.

e) The protection of children from harm

TRAIN STAFF ON THE LAW AND PRACTICE RELATING TO AGE RESTRICTED SALES

SUPPORT PROOF OF AGE (ID) STANDARDS SCHEME

Please tick yes

- 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 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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **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 13)

Post town		Post code	
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. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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APPENDIX 2 – REPRESENTATION – ELAINE WAKEFIELD

Hello Ms Price,

I would like to raise my concerns as an interested party regarding the New premises Licence application from Potterne Social Club, Ewarts Croft, Potterne, SN10 5QY.

I live in one of 4 cottages (2 Ewarts croft, potterne. SN10 5NE) approximately 5 meters from the social club. Up until now the club has not caused me any undue concern, occasionally they have a late night event where the noise level increases which I accept as a 'one off, occasional event.'

The club advertises in the monthly parish magazine and has a special low cost membership called a Junior Membership (16+) £5.00 p.a where there are " friendly faces, social events and low prices meet."

The concerns I have with the following application are:

1. Increase in frequency and length of time that noise will be heard inside my house. This is the only 'business' in a compact residential area and the effect on both myself and neighbouring properties could cause a public nuisance.
2. Due to new smoking laws customers gather outside smoking and chatting in small numbers outside my bedroom window, which I accept. The concern I have is if they are trying to attract an increase in numbers to make the club viable (as written in the Parish magazine), this noise level will increase and be more prolonged affecting my sleep. With increases in customer numbers, would the club be able to sufficiently 'police' this level of noise and litter?
3. In addition to the point made above the barrier/boundary between our properties is a hedge where litter collects. The other side of this hedge is my bulk storage fuel tank, which could be vulnerable if there was less control over the clubs customers.
4. I notice the application mentions on/off site sales. This is particularly concerning when the club is promoting an under 16's 'Junior membership'. This would probably not protect children and young adults.
5. Promotion of selling 'low priced' alcohol could under cut existing businesses in the village, increased traffic to the club causing parking and possible increased antisocial behaviour. This also goes against government aims which is to increase cost of alcohol to prevent harm and antisocial behaviour.

I fully accept and support all businesses in the village, the club are generally good neighbours and I would like it kept this way.

Please can you consider my concerns when looking at this licence application.

If you require further information, or there is a hearing I/we could attend then please let me know so I can attend.

Kind regards

Elaine Wakefield

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APPENDIX 2A – REPRESENTATION – CIARA MURPHY

Dear Ms Price,

I would like to raise my concern as an interested party regarding the new Premises Licence application from Potterne Social Club, Ewart's Croft, Potterne, SN10 5QY.

I live in 4 Ewarts Croft, approximately 15 meters from the Social Club. I do have some concerns about existing behaviour and potential future behaviour should the extended licence be approved.

1. The club already abuses its existing licence. As the village is not policed there is no one to check that people are leaving on time. I fear this could mean later leaving hours should a later licence be approved.
2. People coming out late are often loud and fighting, and I regularly hear car doors slamming etc. Also once they have left the premises they often loiter in the lane outside my house making more noise.
3. With the smoking ban, people often stand outside and the more alcohol they consume the louder they are
4. I often find litter and cigarette butts etc in my hedge

I am happy with the Club to continue with its current licensing limitations, but are opposed to these being extended. The Club have been reasonable neighbours so far, and we would like it kept this way.

Please can you consider my concerns when looking at this licence application?

Thanks, Ciara Murphy

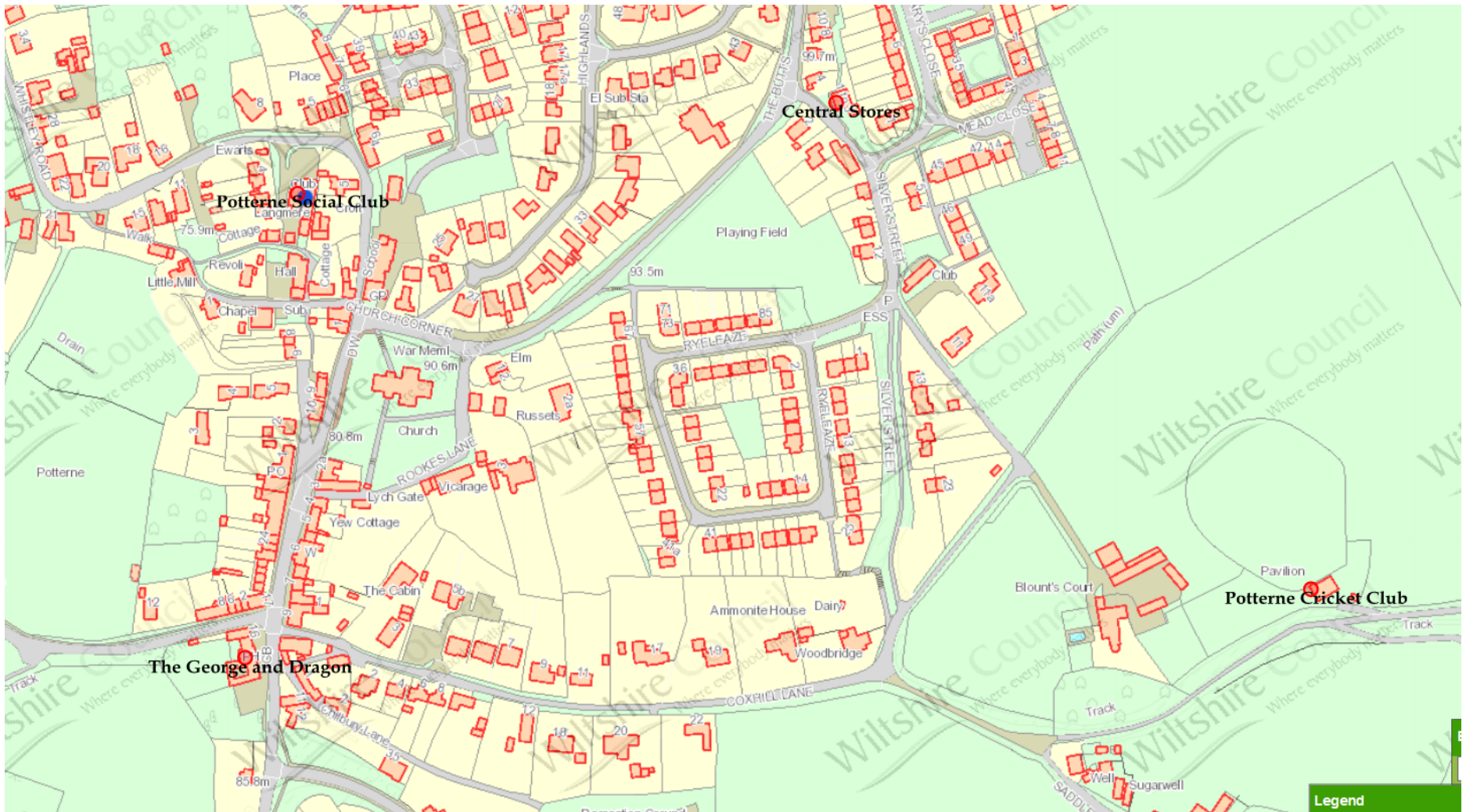
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Appendix 4 – Location of Representations



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Appendix 5 – Location of Licensed Premises in Potterne



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