

AGENDA

Meeting: Southern Area Licensing Sub Committee

Place: [Online meeting](#)

Date: Monday 11 October 2021

Time: 10.30 am

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

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

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

Membership:

Cllr Trevor Carbin
Cllr Ernie Clark

Cllr Robert Yuill

Substitutes:

Cllr George Jeans

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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 - 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 made by Damiee Ltd in respect of 4a and 4b Endless Street, Salisbury. The report of the Public Protection Officer – Licensing is attached.

6a **Appendix 1 - Premises Licence Application** (*Pages 19 - 44*)

6b **Appendix 2 - Relevant Representations** (*Pages 45 - 68*)

6c **Appendix 3 - Location Map** (*Pages 69 - 70*)

6d **Appendix 3a - Pictures of Premises** (*Pages 71 - 72*)

6e **Appendix 4 - Correspondence** (*Pages 73 - 76*)

6f **Appendix 5 - Environmental Health Report** (*Pages 77 - 78*)

6g **Appendix 5a - Noise Management Plan of Premises** (*Pages 79 - 82*)

6h **Appendix 6 - Live Music Act 2012** (*Pages 83 - 94*)

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LICENSING COMMITTEE

PROCEDURAL RULES FOR THE HEARING OF LICENSING ACT 2003 APPLICATIONS

1 Purpose

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

2 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 Key Principles

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

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

4 The Hearing

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

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

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

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

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

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

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

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

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

5 Presentation of Submissions

5.1 The Chairperson will introduce the Application.

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

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

6 Questioning of Submissions

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

7 Documentation

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

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

8 Intervention

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

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

9 Failure of Parties to Attend Hearing

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

10 Closing Submissions

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

11 Decision

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

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

Hearing Procedure Summary

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

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WILTSHIRE COUNCIL

SOUTHERN AREA LICENSING SUB COMMITTEE

11th OCTOBER 2021

Application for a Premises Licence;
Damiee Ltd
4a and 4b Endless Street, Salisbury SP1 1DL

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of Damiee Ltd, Tinga, 4a and 4b, Endless Street, Salisbury SP1 1DL made by three members of the public and one on behalf of a Residents Association.

2. Background Information

- 2.1 An application for a Premises Licence in respect of 4a and 4b, Endless Street has been made by Damiee Ltd for which four 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 17th August 2021 an application for a new premises licence was received and accepted as a valid application. The application hours were amended during the consultation period from 10:00 – 02:00hrs Sunday – Saturday to mirror those on the planning consent for the premises.

2.6 The application as applied for is as follows:

Licensable Activity	Timings	Days
<u>Provision of regulated entertainment</u>		
Recorded music	12:00hrs – 00:00hrs	Sunday - Saturday
Sale by retail of alcohol ON and OFF Sales	12:00hrs – 00:00hrs	Sunday – Saturday

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

Details of other licenced premises in the vicinity of the area are as follows:

Licensable Activity	Timings	Days
<i>Licence at same address</i> Koh Thai Tapas , 4A Endless Street, Salisbury, Wiltshire, SP1 1DL. - Licence suspended 11/01/2019		
Sale of Alcohol ON and OFF Sales	11:00hrs – 23:00hrs	Sunday – Saturday
Late Night Refreshment	23:00hrs – 00:00hrs	Sunday – Saturday
Live Music (Indoors)	11:00hrs – 00:00hrs	Tuesday – Thursday
Recorded Music (Indoors)	11:00hrs – 00:00hrs	Sunday – Saturday
Saray Kebab and Pizza 5 Endless Street, Salisbury SP1 1DL		
Late Night Refreshment	23:00hrs – 02:00hrs 23:00hrs – 03:30hrs	Sunday – Friday Saturday
Nuggs 1268, 51 Blue Boar Row, Salisbury, SP1 1DA		
Sale of Alcohol ON Sales	10:00hrs – 23:00hrs	Sunday – Saturday

<p>Royal British Legion Club, 9-11 Endless Street, Salisbury, Wiltshire, SP1 1DL.</p> <p>Sale of Alcohol ON and OFF Sales</p> <p>Late Night Refreshment</p> <p>Live Music, Performance of dance (Indoors)</p> <p>Recorded Music (Indoors)</p>	<p>08:00hrs – 00:00hrs 08:00hrs – 02:00hrs</p> <p>23:00hrs – 00:00hrs 00:00hrs – 02:00hrs</p> <p>12:00hrs – 23:30 12:00hrs – 01:30hrs</p> <p>08:00hrs – 00:00hrs 08:00hrs – 01:30hrs</p>	<p>Sunday – Wednesday Thursday – Saturday</p> <p>Sunday – Wednesday Thursday – Saturday</p> <p>Sunday – Wednesday Thursday – Saturday</p> <p>Sunday – Wednesday Thursday – Saturday</p>
<p>Current Tinga Premises Licence Tinga, Salt Lane, Salisbury</p>	<p>12:00hrs -22:30hrs 10:00 – 23:59 10:00 – 02:00</p>	<p>Sunday Monday – Wednesday Saturday</p>

2.7 This is a new application, so no relevant background information needs to be borne in mind. However, the premises was previously a restaurant, with the licensable hours listed above.

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

Live music: no licence permission is required for:

- A performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- A performance of amplified live music between 08.00 and 23.00 on any day provided that the audience does not exceed 500 on premises authorised to sell alcohol for consumption on those premises,

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

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

The Live Music Act 2012 is attached as **Appendix 6**.

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. The application was advertised, with the Blue notice and website advert changed during the consultation period with the amended times stated.

3.2 During the consultation period four relevant representations have been received from three local residents and one on behalf of a Residents Association. None were received from Responsible Authorities. Additional conditions have been discussed and added to the application by Wiltshire Councils Environmental Control and Protection with the agreement of the applicant. These are –

- A Noise Management Plan (NMP) shall be agreed between the premises license holder and the Environmental Control and Protection Team within 30 days of the commencement of the license. The NMP shall include details of how all noise related issues will be managed. Any changes to the NMP must be agreed in writing by the Licensing Authority.
- The agreed Noise Management Plan must be adhered to at all times.
- Doors and windows will remain closed, except for access and egress to and from the premises.

A report from Wiltshire Council Environmental Control and Protection is attached as **Appendix 5** with the Noise Management Plan attached at **Appendix 5a**.

3.3 Representations Received

- Representation 1 Sarum Lodge
- Representation 2 Sarum Lodge
- Representation 3 Sarum Lodge
- Representation 4 St Francis Road

3.4 Responsible Authorities

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

3.4A summary of the representations made is detailed in the table below:

Representation	Licensing Objective
Representation 1	The Prevention of a Public Nuisance
Representation 2	The Prevention of a Public Nuisance
Representation 3	The Prevention of a Public Nuisance
Representation 4	The Prevention of a Public Nuisance

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 3a** shows pictures of the premises from the outside.

4. Legal Implications

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

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

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

5. Officer Recommendations

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

6. Right of Appeal

6.1 It should be noted that the Applicant and those persons who have made representations may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.

6.2 In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision made by the Magistrates Court.

6.3 A Responsible Authority or any person may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by a person other than a Responsible Authority it will not normally be granted within the first 12 months except for the most compelling circumstances.

Report Author: Katherine Edge
Public Protection Officer (licensing) 01225 713559
Date of report: 29th September 2021

Background Papers Used in the Preparation of this Report

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

Appendices

- 1 Premises Licence Application**
- 2 Representations 1- 4**
- 3 Location Map**
- 3a Pictures of premises**
- 4 Correspondence**
- 5 Environmental Health Report**
- 5a Noise Management Plan of Premises**
- 6 Live Music Act 2012**



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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Daimee Limited

(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			
4a-4b Endless Street			
Post town	Salisbury	Postcode	SP1 1DL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ ████████

Part 2 - Applicant details

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over	<input type="checkbox"/>	Please tick yes
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name	Daimee Limited
Address	PO BOX 2427 Salisbury SP2 2QZ
Registered number (where applicable)	10913794

Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
2 0 0 9 2 0 2 1

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

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

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) | <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 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 type="checkbox"/> |

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<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 6)
Fri			
Sat			
Sun			

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<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 4)		
Mon	12:00	00:00	Music playing through speakers for restaurant diners.		
Tue	12:00	00:00			
Wed	12:00	00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	12:00	00:00			
Fri	12:00	00:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	12:00	00:00			
Sun	12:00	00:00			

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input 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 5)		
Mon	12:00	00:00			
Tue	12:00	00:00			
Wed	12:00	00:00			
Thur	12:00	00:00			
Fri	12:00	00:00			
Sat	12:00	00:00			
Sun	12:00	00:00			
			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)		

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	David Hancock
Date of birth	██████████
Address	C/O PO BOX 2427 Salisbury
Postcode	SP2 2QZ
Personal licence number (if known)	LN/0042195
Issuing licensing authority (if known)	Wiltshire

K

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

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	12:00	00:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	12:00	00:00	
Wed	12:00	00:00	
Thur	12:00	00:00	
Fri	12:00	00:00	
Sat	12:00	00:00	
Sun	12:00	00:00	

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)

Daimee Limited has a proven track record in running safe and professional licensed venues and events. Professional risk assessments and health and safety documents are available and constantly reviewed. The management team are regularly trained on licensing law and the venue will be an active Pubwatch member. Daimee Limited will endeavor to work closely with all relevant authorities to run a safe venue.

b) The prevention of crime and disorder

The premises will be an active Pubwatch member and will work closely with all authorities. CCTV will be installed and have 30 day recording. Management will be regularly trained on licensing law and key managers will have their personal licence. There will be no irresponsible drinks promotions. No open containers will be allowed to leave the premises. Proof of age scheme in place - Customers who look under 25 will be ID'd. Only passport or driving licence accepted.

c) Public safety

Professional risk assessments including fire risk assessments will be completed and available to view. Regular maintenance of fire alarm and building will be completed by management. Adequate first aid will be available. The company has and will continue to provide this training. Emergency lighting installed professionally and maintained by management via regular testing.

d) The prevention of public nuisance

Doors and windows will remain closed. The front door area has a 'porch' entrance to capture noise. Air Con is installed in the premises so windows do not have to be open. Signage will be provided requesting customers leave quietly. Staff will be trained to avoid making unnecessary noise. Waste collections will be between daytime sociable hours.

e) The protection of children from harm

The premises will operate a challenge 25 scheme. All staff will be regularly trained on this scheme and staff won't be allowed to work until this induction has been signed off. Children aged 18 or under will not be allowed on the premises after 9pm unless accompanied by a responsible adult. Only passports or driving licences will be accepted as ID.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. Please call me on 07877281389 for payment
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).


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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office
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	online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	14/08/2021
Capacity	Director

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority

concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

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

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

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and

- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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

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

Home Office online right to work checking service

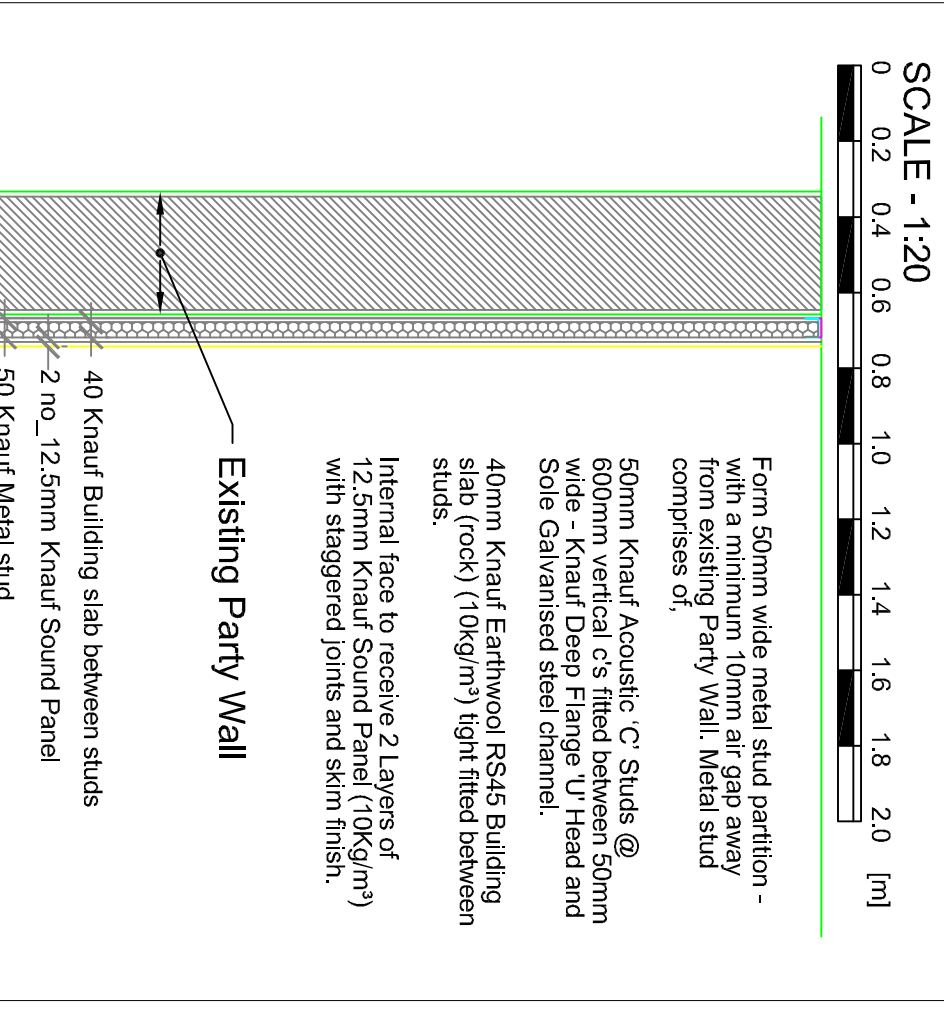
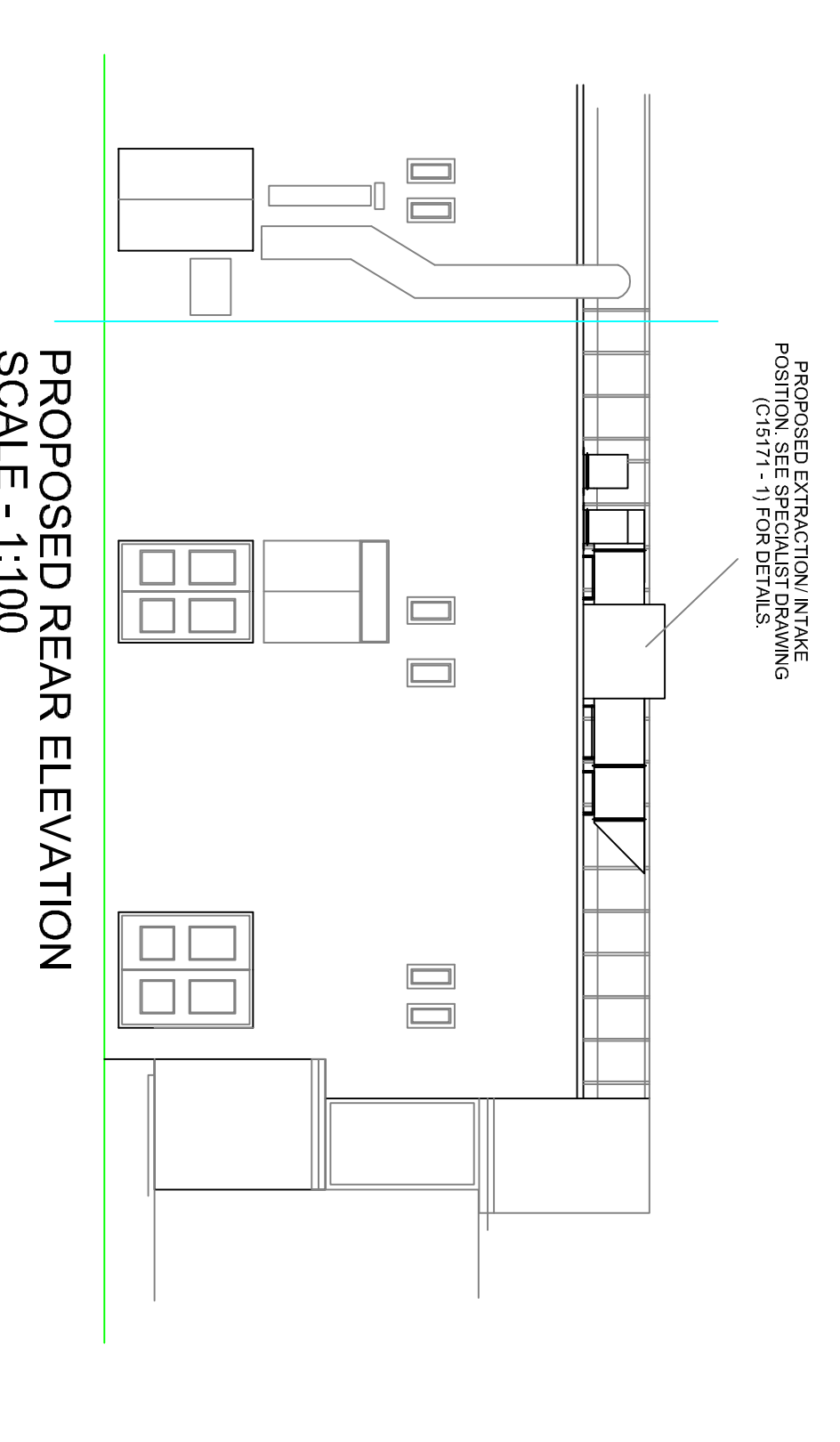
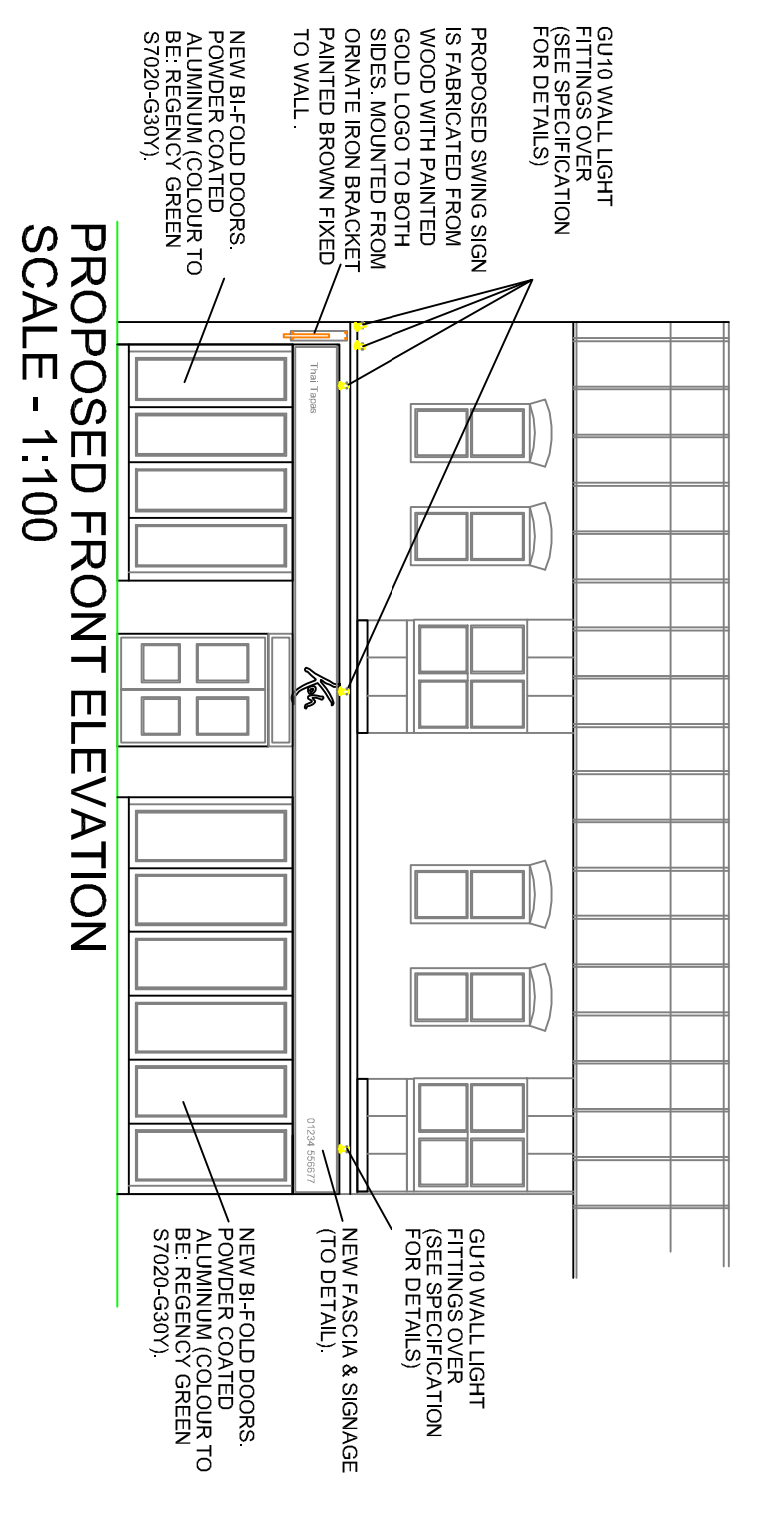
As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

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

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

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

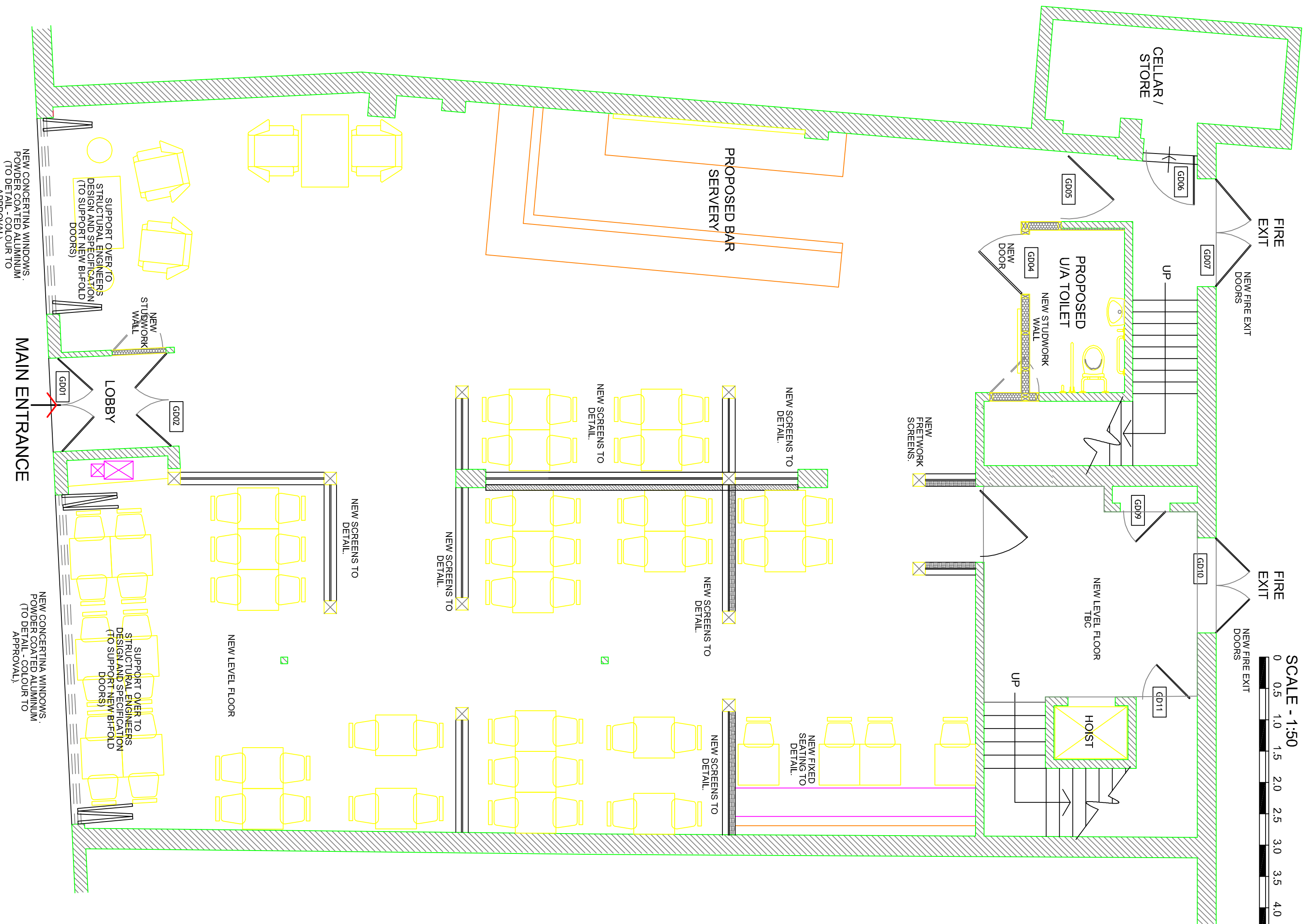
SCALE - 1:100
 0 1.0 2.0 3.0 4.0 5.0 6.0 7.0 8.0 9.0 10.0 [m]



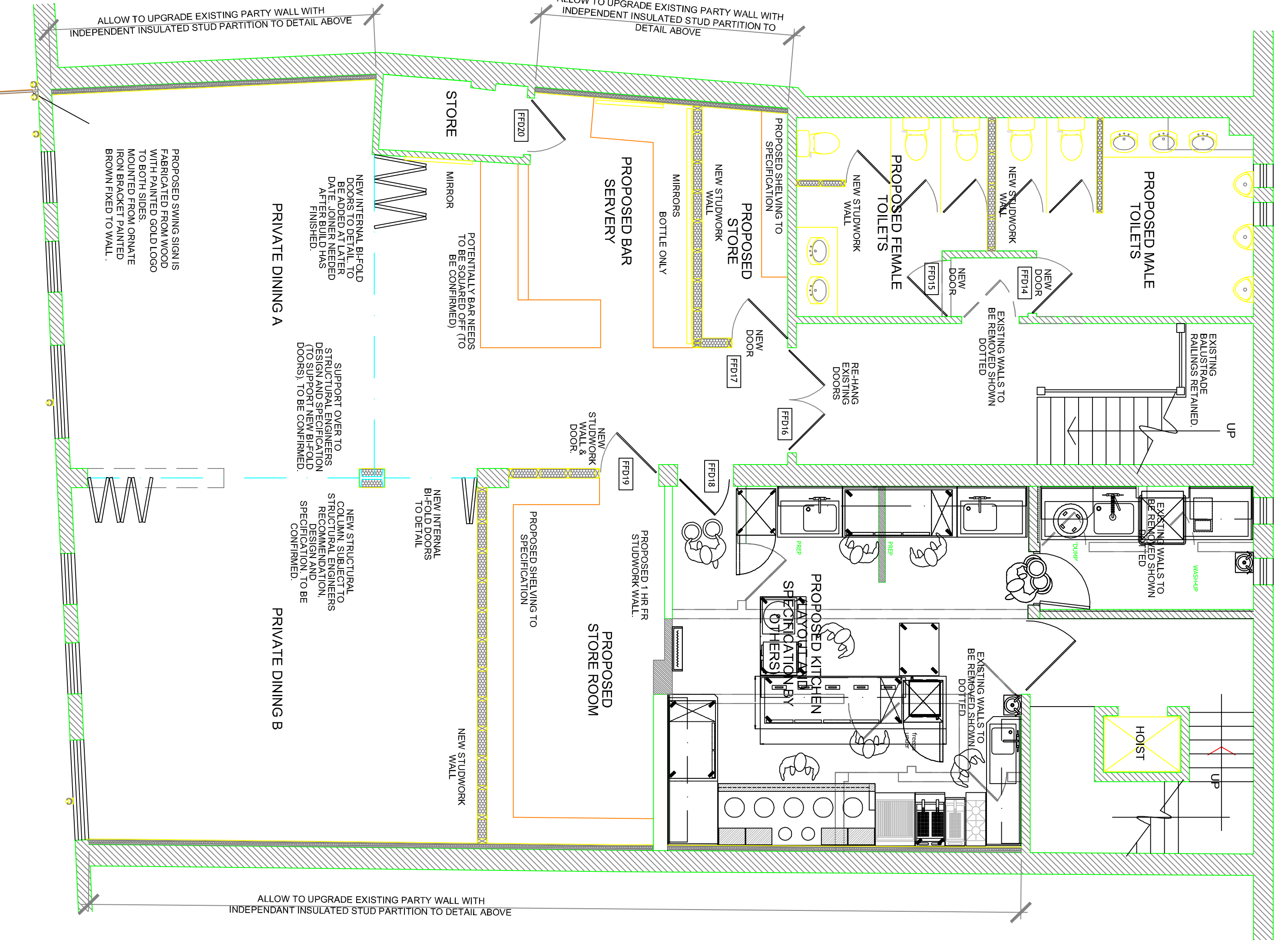
NOTE: ALL PROPOSALS SUBJECT TO STRUCTURAL ENGINEERS REPORT

NOTE:
 The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts. This drawing must be read with and checked against any structural or other specialist drawings provided.
 It is the Contractor's responsibility to ensure that all proposed building regulations exemptions or not specifically stated on these drawings. This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.

SCALE - 1:50
 0 0.5 1.0 1.5 2.0 2.5 3.0 3.5 4.0 4.5 5.0 5.5 6.0 6.5 7.0 7.5 8.0 8.5 9.0 9.5 10.0 [m]



GROUND FLOOR PLAN - SCALE 1:50



FIRST FLOOR PLAN - SCALE 1:50

Arch/Des	HADT	Scale	AS NOTED @ 1:50	Date	JULY 15
Project Manager/Checked	AC	Scale	AS NOTED @ 1:50	Date	JULY 15
<p>PLANS AND ELEVATIONS</p>					
<p>KOH THAI</p>					
<p>4A/ 4B ENDLESS STREET, SALISBURY</p>					
<p>PROPOSED</p>					
<p>PLANS AND ELEVATIONS</p>					
Site	<p>4A/ 4B ENDLESS STREET, SALISBURY</p>				
Architect	<p>HADT</p>				
Architect and Design Team Ltd	<p>151 Alma Road, Bournemouth, Dorset, BH9 4AG Email: office@hadt.co.uk Tel: 01202 237777</p>				
Rev.	A	Client Meeting Following	BH	18.09.15	
	B	Amendments Following	BH	28.09.15	
	C	Notes Added	BH	30.09.15	
	D	Rear Elevation Added & Extract Position	BH	14.10.15	
	E	Lights Added	BH	20.10.15	
	F	Party Walls	BH	17.11.15	
	G	Upgrade Details Added to Party Walls	BH	25.11.15	
	H	Wash-Up Area Amended	BH	26.11.15	
	J	Wash-Up Area Amended	BH	08.12.15	

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Wiltshire Council

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REPRESENTATION FORM

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Premises about which representation is being made	10/16 ENDLESS ST, SALISBURY, SP1 1LW
Your Name	[REDACTED]
Postal Address	THREE SWANS CHURCH, SALISBURY SP1 1LW
Contact Telephone Number and Email address	[REDACTED]
Are you (please tick): <ul style="list-style-type: none"> <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)? 	
If you are representing residents or businesses who have asked you to represent them?	[REDACTED]

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	[REDACTED]

<p>The prevention of public nuisance</p>	<p>PLEASE SEE ATTACHED SHEET. REPRESENTATION IS MADE UNDER THIS CATEGORY</p>
<p>The prevention of crime and disorder</p>	<p>/</p>
<p>Public safety</p>	<p>/</p>

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

1. LICENSING HOURS. Hours of 10 a.m to 2 a.m on every day of the week should be reduced to a more reasonable 11 p.m or midnight and not every day of the week. The present application suggests "nightclub" hours which the building does not have planning permission for.
2. Music. Base beat on the system in the building should be kept to a minimum which would cut audibility outside.
3. SMOKERS. This gathering of smokers will happen - reducing the opening/licensing hours will ameliorate the problem.

REPRESENTATION MADE UNDER PREVENTION OF PUBLIC

NUISANCE

This representation is presented in the light of the following:-

a) my flat, in a retirement block is approximately 19 yards from the applicant building.

b) I was resident in my flat when the premises were open as a restaurant/cocktail bar with more restricted opening hours than presently proposed, in 2015.

1. Intermittently smokers will gather in groups on the pavement outside the premises to smoke. As experienced in the past this created a lot of noise, often raucous. This has caused me much anxiety and loss of sleep. Extending this experience to the early hours of the morning fills me with dread, especially if it is to be every night of the week.

The original experience in 2015 was not reported to environmental authorities because clientele waned and the restaurant closed.

2. Music. Despite the applicant's assertion that the recorded music noise will be contained within the premises. in 2015 a persistent, low base beat could be heard emanating from the premises.

This invaded my flat, through closed double glazed windows. It was audible over the TV and disturbed my sleep. Eventually it affected my health and certainly my well being.

3. At closure of the restaurant clients gathered in the street making a lot of noise often remaining there for some time. Again sleep was disturbed. At 2 a.m. this would be unacceptable, especially nightly.

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

13th August, 2021

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

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

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

All other areas please send to the address below:

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

[REDACTED]

The Licensing Officer,
Public Protection + Licensing.
Bourne Hill,
Salisbury.
SP1 3UZ.

RE: 4a/b. KENDRICK ST., SALISBURY.

Attached is a further representation, my original points still being relevant, made as result of amended hours submitted by the appellant. The representation is made under the Public Nuisance objective.

I request both submissions should be considered.

[REDACTED]

LICENSING APPLICATION - 4a/b ENDLESS ST., SALISBURY

In the light of the alteration in the hours requested by the appellant for an alcohol/music licence I make further representation, my previous points being still relevant. The following points are made under the "Public Nuisance" objective.

1. NOISE

The following relevant point was made in a Planning Inspectorate Appeal decision - APP/13940/10/15/3124783 - APPEAL - BUS STATION, SALISBURY (now Salem Lodge), 2015.

"Two properties adjoining the site, 4 & 6 Endless St - the acoustic properties of these buildings would allow the escape of significant noise levels which will not be adequately attenuated by the insulation of the new flats with resultant loss of residential amenity."

Since I am now resident in a flat 19 yards from 4a/b it clearly explains why I could hear music coming from the restaurant that was there in 2014.

2. OPENING/LICENSING HOURS

As an ameliorating measure to the above the licence could be restricted to 11 p.m. on fewer nights of the week, which would bring it more into line with the present Tinga opening hours.

Noise, both from the premises, from street smokers and those leaving at close of business, will be limited in a street, the lower half of which is becoming increasingly residential

Wiltshire Council

Where everybody matters

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Premises about which representation is being made	4a-4b Endless Street, Salisbury, SPIIDL. License: 7 days 10.00-02.00.
Your Name	[REDACTED]
Postal Address	[REDACTED] Chequer, Salisbury. SPI. IAK.
Contact Telephone Number and Email address	[REDACTED]
Are you (please tick): <ul style="list-style-type: none"> <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)? 	
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>Music that invades other people's property.</p>	<p>music, what kind: if a continuous repetitive beat as I experienced recently from a near neighbour (evidence*) that entered all parts of my flat, it became akin to abuse. Then, I fear more of this.</p>
<p>The prevention of crime and disorder</p> <p>Patrons leaving at late hours seven days a week after alcohol.</p>	<p>Common experience, voices become louder and excitable. Depending on the maturity of the clientele foul language + fighting can take place. The hours and days of the week should be reduced preventing late disturbance.</p>
<p>Public safety</p> <p>Application to remain open till 2am 7 days a week.</p>	<p>This sounds more like provision for a night club. Should the applicant submit a different submission? Public safety may vary at different times of day. Eg: hardened criminals may operate later with less security is available.</p>

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

Generally, contain noise levels, deal with unruly behaviour and be aware that nearby are people's homes. My home is some 19 yards away and at aged 56 I expect some consideration from my local authority and other citizens as I show to others.

Noise for business or pleasure belongs to those who produce it, require it and should be contained by them.

The hours and days of the week should be reduced.

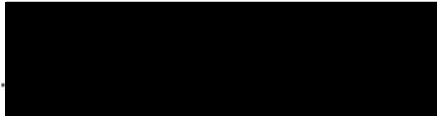
* I have evidence with logs, emails and reports to/ communication with Wiltshire Police.

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 24th Aug 21.

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

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

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

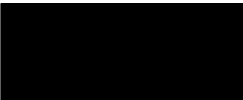
All other areas please send to the address below:

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



licensing application 4a-4b Endless St.

messages

 Thank you for your recent Email . I feel that the opening hours of midnight are too late and will keep noise on the streets till late as clients leave for home. Eleven pm would be more appropriate. May I draw your attention to The Planning Inspectorate Appeal Ref App/Y3940/W/15/3124783 of 15 Oct 2015 (Former Bus Station.) Quote, Section 5 Noise . Two properties adjoining the site, 4 and 6 Endless Street, have planning permission for a night club usethe acoustic properties of the buildings would allow the escape of significant noise levels which could not be adequately attenuated by insulation of the new flats.....The new flats refer to Sarum Lodge. The application of Damiee Ltd would need to be aware of the report of The Planning Inspectorate so as to address any escape of noise.

Regards, 

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Wiltshire Council

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REPRESENTATION FORM

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Premises about which representation is being made	4a / 4b Endless Street Salisbury SP1 1DL
Your Name	[REDACTED]
Postal Address	[REDACTED] Salisbury SP1 1AL
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? <input checked="" type="checkbox"/> A person representing residents • 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?	See attached sheet

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	

The prevention of public nuisance	<p>This is the Objective under which representation is being made</p> <p>See separate sheets</p>
The prevention of crime and disorder	
Public safety	

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

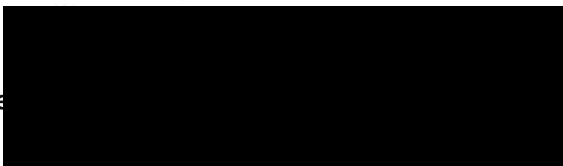
See separate sheets

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Signature



Date... 31/08/2021

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Wiltshire, SP1 3UZ

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

Sarum Lodge Residents Association

Salisbury SP1 1AL

Wiltshire Council REPRESENTATION FORM

Premises about which representation is being made:

4a/4b Endless Street, Salisbury SP1 1DL

REPRESENTATION

The Management Committee, at its meeting on 28 August 2021, has asked me as Chairman of the Association to represent the elderly residents of Sarum Lodge (a block of retirement properties) where 44 residents currently occupy 38 apartments. In particular I have been asked to represent 6 of those residents who occupy apartments facing Endless Street and 17 residents of 15 apartments which overlook the land at the rear of 4a/4b Endless Street which is currently used as a private car park and on to which two fire exits from 4a/4b Endless Street provide pedestrian access. There are a further 2 apartments facing Endless Street and 3 overlooking land at the rear which are currently unoccupied.

LICENSING OBJECTIVE

The prevention of public nuisance

EVIDENCE

I am aware of representations having been made separately by and on behalf of other residents of Sarum Lodge, and therefore I am aware that the applicant has amended the application, with revised hours for ON and Off Sales for Supply of alcohol and Recorded Music indoors, both from midday to midnight every day of the week.

Off Sales: the applicant specifically promises that alcohol will not be sold in open containers but once alcohol is taken off the premises even in closed containers the applicant would then have no control on whether purchasers of such alcohol might consume it on the adjacent street (despite that being in strict contravention of the law) with the potential public nuisance that would create. We therefore object to the licence being granted for Off Sales.

Hours of opening - Noise: We recognise that as residents of Sarum Lodge we benefit from the advantages of living in a city centre, and we support the use of city centre premises for economic activity. However, we are concerned that customers - and staff - gathering outside the premises to smoke and when leaving the premises would create undesirable levels of noise. We understand that the applicant could request customers to be quiet at such times but would not actually be able to control the noise level. This would be a particular nuisance late at night, which would be exacerbated if there was little or no noise from other nearby premises. The narrow street, relatively tall buildings back and front and lack of any

noise absorbing material such as trees would increase the nuisance as noise reverberates more widely around the built-up area. This is noticeable, for example, from the noise of staff when they gather in a small group outside the rear of the adjacent Papa John's (no. 2 Endless street), but the opening hours there are much more restricted than those proposed by the applicant for 4a/4b Endless Street.

The playing of recorded music for restaurant diners could be at an unacceptable volume which would reverberate through the walls and doors of the building so as to be heard and felt by residents in adjoining or nearby properties, particularly the lower bass registers which can transmit a disturbing 'thumping' sound.

I would draw your attention to the comment made by the planning inspector in his appeal decision to allow the construction of Sarum Lodge (Appeal Reference of the Planning Inspectorate: APP/Y3940/W/15/3124783, dated 15 October 2015) in reference to numbers 4 and 6 Endless Street adjacent to Sarum Lodge, that **"...the acoustic properties of these buildings [4 and 6 Endless Street] would allow the escape of significant noise levels, which could not be adequately attenuated by insulation of the fabric of the new flats, with the resultant loss of residential amenity for the occupants"**. Whilst this related to the previous use as a nightclub, the transmission of sound made by music and people is the same, whether coming from a nightclub or a restaurant.

Suggested actions that the applicant could take to address our concerns

The main action that the applicant could take to address our concerns would be to limit closing times to those which operate at Tinga restaurant in Salt Lane, and in any case no later than 11.00 pm. Eight apartments at Sarum Lodge overlook the rear of Tinga in Salt Lane and, as far as I am aware, no complaint has been made about noise from those premises disturbing Sarum Lodge residents in their own apartments. Apart from customers causing a nuisance by loud / raucous behaviour on the street when outside smoking, the main nuisance is during the period after closing. With an 11.00 pm closing time there is still the potential for noise nuisance outside the premises for a further period of time, but this would be more acceptable than a midnight closing time. Just having a notice in the restaurant asking customers to leave quietly is likely to be ineffective on its own. A resident has reported that when 4a / 4b Endless Street was used as a Thai restaurant the management there was unable to control the noisy behaviour of customers when leaving the premises.

Further, the management should be rigorous in enforcing the rule that no customers should take alcohol outside the premises when outside smoking and monitor that that rule is being observed. A resident of Sarum Lodge has reported that on one occasion she witnessed customers of Tinga in Salt Lane blocking the road late one evening with drinks in hand and with loud music blaring from the open doors of the restaurant. During opening hours this is behaviour which management can and should control .

Further action which could be taken would be to ensure that music is always at a volume which does not permit it to be heard outside the building, that windows be

kept shut during opening hours and that external doors be open only to permit entry and exit.

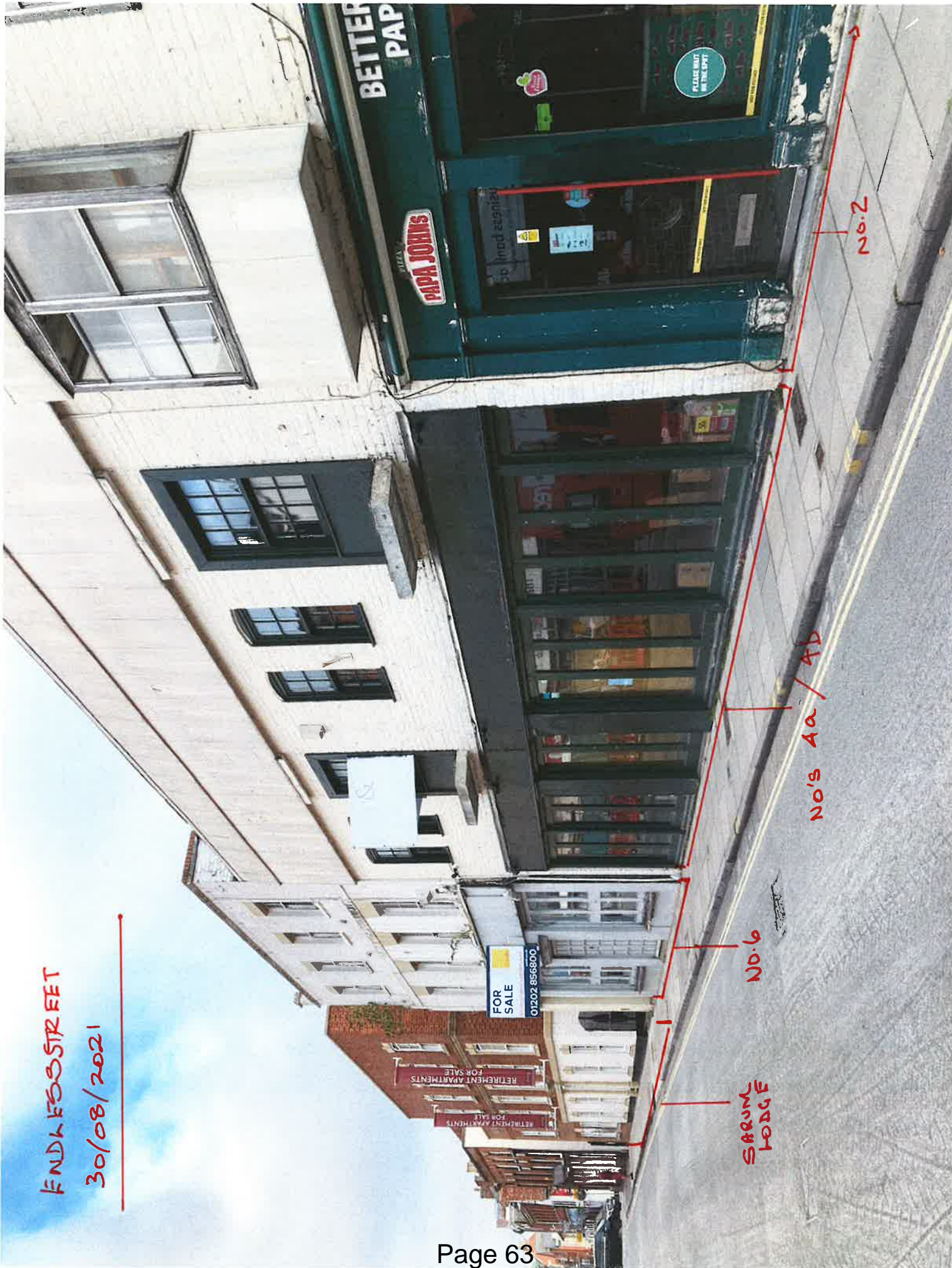
It should also be noted that the buildings at this 'lower' end of Endless Street between Salt Lane and Winchester Street are becoming increasingly residential in use and it behoves operators of nearby businesses to act in a neighbourly manner.

A reduction in proposed licensed closing time and strict management control where it is in a position to exert it - over volume of music and any unruly behaviour of people whilst still customers - would be evidence of the applicant's intention to be a good neighbour.

31 August 2021

FINDLEESS STREET

30/08/2021



No. 2

No's Aa / Ab

No. 6

SARUM LODGE

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Wiltshire Council

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Premises about which representation is being made	TINGA 4A94B ENDESS STREET SALISBURY
Your Name	[REDACTED]
Postal Address	[REDACTED] ST FRANCIS ROAD SALISBURY WILTS
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	

The prevention of public nuisance 	PLEASE SEE ATTACHED
The prevention of crime and disorder	
Public safety	

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

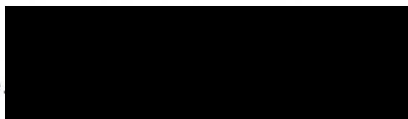
PLEASE SEE ATTACHED .

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Signature



Date... 31. 8. 2021

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Salisbury
Wiltshire, SP1 3UZ

All other areas please send to the address below:

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

REPRESENTATION FORM: TINGA 4a-4b Endless Street Salisbury

Subheading: The prevention of public nuisance

The above application is for a restaurant and bar licence between 10am to 2am daily with recorded music playing throughout. This will cause both a noise and public nuisance to the residents of this street and most particularly those in the adjacent retirement homes, which are merely feet away. Many of these residents are elderly and vulnerable and should be protected from the opening of such an establishment directly on their doorstep.

***I understand that the applicant, partway through this representation period, has amended his application to 12 am closing on some days of the week, however this is still outside of normal social hours and wholly inappropriate for a narrow residential street.*

Regardless of any noise management plan that may be submitted by the applicant in support of the licence, the applicant can have no jurisdiction over the general public's behaviour whilst outside the premises.

If granted, this licence will allow for extended drinking hours in this street and there will be a public nuisance from the noise created from people leaving and entering the premises (both on foot and by car) and from the public congregating outside to smoke and talk.

All of this will undoubtedly happen, as is the case with the current Tinga and in fact with all other drinking establishments in the city. Control of the outside noise will be beyond the jurisdiction of the license owner, regardless of any plans they make.

It is also apparent in the amended application that there is the intention for 'off sales' of alcohol, this could encourage on-street consumption of alcohol in the street, which is prohibited within the city centre limits.

The previous restaurant that was situated at this premises caused the above described noise disruption, and it is to be noted that there was a planning appeal in 2015, at the time the retirement flats were built, as it was identified that there would be escape of 'significant' noise levels from number 4 Endless Street, which would not be stopped by the fabric of the insulation. The applicant will not therefore be able to prevent the noise that his establishment makes from being heard in the adjacent building.

Subheading: Any other suggested actions

The licence applicant should look to open the venue at alternative premises, where there are no adjacent residences which will be affected by the public nuisance that will be caused by this proposed venue, which is wholly unsuited to a residential street.

**Appendix 3
Location Map**

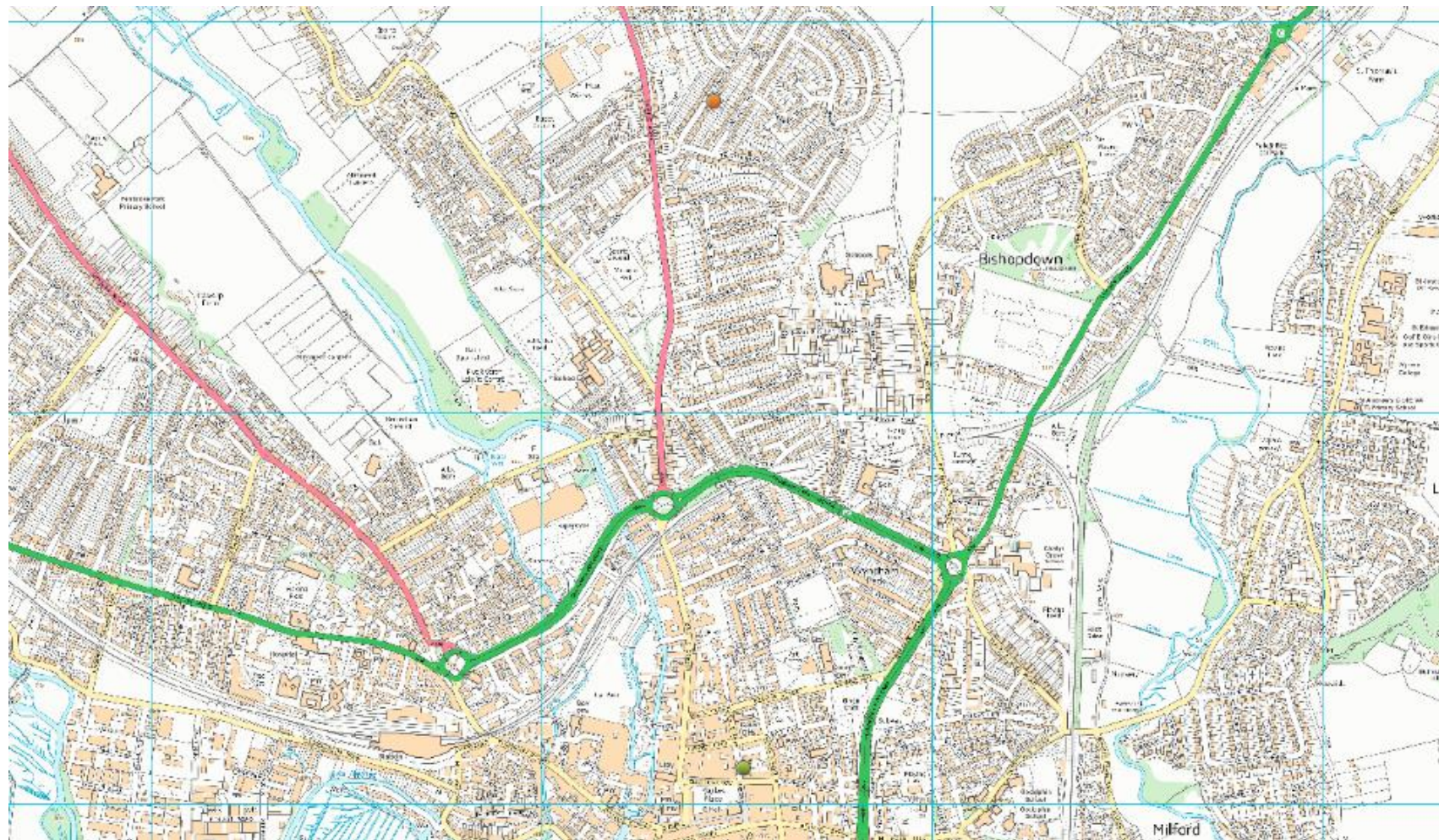


Applicant – Damiee Ltd 4a and 4b Endless Street

Rep 1 - Sarum Lodge

Rep 2 - Sarum Lodge

Rep 3 - Sarum Lodge

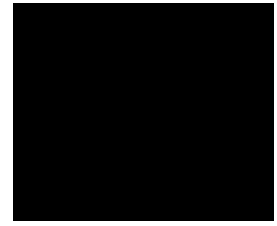


Applicant – Damiee Ltd, 4a and 4b Endless Street
Rep 4 - St Francis Road





★ 4a and 4b



Dear Resident,

I write concerning your representation, submitted in relation to my company's premises licence application for 4a – 4b Endless Street.

Daimee Limited is a hospitality company that my wife, Aimee, and I operate and have done for a number of years in Salisbury. I was born in Salisbury, schooled in Salisbury and now very proud that we run a successful hospitality business employing 40 local people and contributing to the local economy. We currently operate three licensed venues in the city centre, all within residential spaces and have always worked in harmony with local residents. To date, we have never received a noise complaint about any venue, which can be evidenced by Wiltshire Council. We do not intend for this to be the case with our proposed application.

Tinga is a Mexican restaurant currently operating at 2-4 Salt Lane. We have been very popular since we opened in 2018 and now in a position to hopefully move to a larger venue.

I have read your concerns regarding noise in relation to the close location to Sarum Lodge. As a business we are committed to an operational plan that will not have an adverse effect on our neighbours.

We have a detailed noise management plan in place which has been submitted to Wiltshire Council's environmental health team and this plan has been agreed as robust and adequate. It has also been agreed as a condition on the premises licence that this plan will be adhered to at all times. All of our trading times are in line with planning consent granted back in 2015 during the construction of Sarum Lodge, which the developers agreed to. It is important that a balance is struck between city centre living and a thriving hospitality economy.

Some key notes from the noise management plan;

- Internal music will usually be background level
- Speakers will not be located facing external doors, partying walls or in the stairwell
- A limit to the number of smokers outside the venue will be 6 at one time. Supervisors will also monitor the volume coming from these customers
- Noise will be monitored via decibel readers and also 'noise heard' by trained staff. These points will be at Sarum lodge on Endless Street and also the rear of the building
- Taxis called after 20:00 will have to be from Blue Boar Row only
- Doors and windows will remain closed except for ingress and access
- No alcohol will be consumed outside the venue

The above notes are some of the key points of the noise management plan and should give all residents confidence that the premises will not cause public nuisance.

I can be contacted further on [REDACTED] to discuss any concerns in more detail.

Kind Regards.

[REDACTED]

David Hancock
Director

REP 1 – Response to applicant email

Thank you for your email and the information from Mr. Hancock. I do not wish to withdraw my representation. My reasons are:-

I question the ability of busy staff to distinguish between those leaving the restaurant and simply going outside to smoke and return. I cannot see how his staff can monitor and prevent loud behaviour outside -their authority outside the building will be negligible. I myself witnessed noisy numbers of his Tinga clients spread all over Salt Lane at 9.30 one night last summer- the car I was in had to stop for them to clear the road. Many had drinks in hand and the restaurant doors were wide open with music emanating from the restaurant.

With regard to the building, even with doors and windows closed the single glazed nature of the pavement to first floor windows across the double front of 4a and 4b will mean noise will escape. The lobby type door only represents a small area of the frontage. Will the management limit music in the rooms for parties to background music?

Limiting the licensing and opening hours of the restaurant both in time and frequency will alleviate some of this. I wish my representation to go forward.

REP 2 – Response to applicant email

Thank you for your Email of 15 Sept.21.and for including the reassuring comments of Mr Hancock but he does not mention that he wishes to use the first floor for parties and other gatherings and I will not withdraw my objection. Clients who hire his premises for a party will require electronically produced disco music that is invasive of others premises the effect of which I set out in my objection of 24 August 21.

REP 3 - Response to applicant

Thank you for your email and the attached letter from the applicant addressing the concerns of local residents. I am pleased to see the measures he is prepared to take to reduce any negative impact of his proposed venture, but I regret that does not fully address my concerns and I wish to continue with my representations on behalf of the residents of Sarum Lodge for the following reasons.

- The applicant states that “internal music will usually be background level”. He does not indicate under what circumstances it will NOT be at background level.
- He also states that “A limit to the number of smokers outside the venue will be limited to 6 at one time”. A laudable intention but I doubt he has either the legal right to prevent anyone leaving his premises at any time, for whatever reason, nor will he have the staff available at all times “to monitor the volume coming from these customers”.
- I am also concerned that his letter makes no mention of the use of the upper rooms (marked on his plan for “private dining”) for group event or parties when the noise level of any music is likely to be higher. If there are to be events when recorded ‘disco’ type music will be played by a DJ upstairs there is the potential for reverberating bass sounds to be transmitted to nearby buildings - this is the type of noise which is most disturbing.
- Customers attending group events are also more likely to generate larger numbers leaving together at the close of business. A major concern is therefore one over which the applicant will have no control: once customers leave the premises there is the potential for noisy and rowdy behaviour. Just having a notice asking customers to leave quietly will be unnecessary for customers who are always respectful of the neighbours when leaving and will be ignored by those who are likely to leave noisily. Late at night the impact of such noise will be much greater when the ambient noise levels are low.

I reiterate my suggestion that a closing time of midnight 7 days a week would be unacceptable. An earlier closing time (no later than 11 pm) would reduce the impact of any such late night disturbance.

I would like to add that residents of Sarum Lodge appreciate the benefits of city-centre living and understand the consequential noise that that entails but we believe that the proposed licensing times applied for in this case are excessive. We are not ‘fuddy-duddies’ who believe there should be no noise at all and we enjoy socialising and parties ourselves, but not in a way that impacts negatively on our neighbours.

Environmental Control and Protection - Consultation Response

To: Katherine Edge

From: Vicky Brown
Senior Environmental Health Officer - Environmental Protection

Date: 21st September 2021

Licence application	Tinga, Nos 4a And 4b, Endless Street, Salisbury, Wiltshire
Environmental Health Reference:	WK/202117204
Description of Proposal:	Application for alcohol sales and recorded music 10:00 – 00:00 Monday - Sunday
Site Visited:	Yes

This memo sets out how this department has considered the new licence application for Tinga at 4a And 4b, Endless Street and why we did not make a representation against the application.

The application is for a restaurant business in a building that has planning use class for a restaurant. The impact of the restaurant use on residential amenity was considered in detail during the planning consultation for change of use from nightclub to bar/restaurant (15/09805/FUL). Due to the proximity of residential properties a number of conditions were attached to the planning permission to control noise associated with a restaurant business. The licence application reflects these conditions.

Koh Thai Tapas operated from the building as a restaurant between 2016 and 2019. Our records indicate we did not receive any noise complaints about Koh Thai doing this time. The Tinga licence application reflects the licence that Koh Thai operated under.

It is appreciated that some residents living nearby are concerned about the potential impact of noise from music inside the premises and from customers that may congregate on Endless Street. In a city centre location, sometimes hearing noise from commercial businesses, is to be expected, though of course, it is important to ensure the impact on residents is not unreasonable.

It is understood from conversations with the applicant that it would be the first floor that would have more flexible use and occasionally cater for birthday and Christmas parties etc. The first floor upstairs windows at the front of the building are double glazed and sealed closed. The back of the building is a stair well which effectively provides a 'lobby' between the restaurant rooms and the outside wall.

I have been in communication with the applicant during the consultation period and some additional conditions have been attached to the application. A draft noise management plan (NMP) has been submitted. The measures set out in the draft NMP

are considered reasonable for a business of this nature. Should the licence be granted the NMP will need to be formally agreed within 30 days of the licence being granted.

If the licence is granted, should complaints about noise emanating from the restaurant be made to the Council in the future we would have a duty to investigate them. If evidence indicated a statutory nuisance was in existence, we would take action under the provisions of the Environmental Protection Act 1990. We may also call the licence in for review. However, based on the information supplied by the applicant, and the controls put in place through conditions on the operating schedule, it is unlikely there would be an unreasonable impact on residents that cannot be controlled. We have therefore not made representations against this application.

Please contact the Environmental Control and Protection Officer should you wish to discuss these comments.

Noise Management Plan / September 2021 / 4a - 4b Endless Street, Salisbury

Summary of Premises

The premises are known as the former 'Koh Thai' restaurant of 4a-4b Endless Street, Salisbury. The property fronts onto the pavement of Endless Street and has, for the last 20 years plus, served the hospitality industry in Salisbury. The premises have residential neighbours directly next door at 6 Endless Street, as well as Sarum Lodge which is a collection of 47 retirement homes. These neighbours are considered the most at risk of noise disturbance from operations of the premises.

Intended use of premises

It is intended that the premises will be operated as a restaurant and will be licensed to sell alcohol. The restaurant concept is called Tinga, and has for the last 3 years, run successfully just around the corner at 2-4 Salt Lane. The proposed operators, Daimee Limited, are known to local authorities and operate 4 premises licences in Salisbury City centre, all with permission for alcohol. The Directors have a proven track record of working with local council, licensing, police, public and other local businesses.

Operating Times

Daimee Limited propose to operate the premises in line with full planning permission granted by Wiltshire Council on 15th December 2015. This planning permission was agreed with the developers of Sarum Lodge when planning status was changed from nightclub to restaurant with takeaway.

- Operating Times: 12:00 – 24:00 Monday – Sunday
- Ventilation and Extraction use: 07:00 – 23:00 Monday – Sunday
- Delivery and dispatch of goods: 08:00 – 20:00 Monday – Sunday

Statement of intent

The directors of Daimee Limited are committed to operating this premises in harmony with neighbours and local authorities whilst bringing economic growth to the City Centre. The purpose of this Noise Management Plan (NMP) is to identify noise sources/acceptable noise levels and demonstrate reasonable steps to manage and control the noise. The NMP will also define a program to monitor noise and describe the policy of receiving and responding to complaints.

Noise sources and proposed controls

<u>Noise Source</u>	<u>Possible effects on impact</u>	<u>Controls and Mitigation</u>
Internal Music	Hours	Music will only be played between 12:00 and 24:00
	Doors and Windows	All windows are fixed shut. There is a front porch area with two sets of double doors. This provides protection of noise reaching street level
	Bass Control	Low frequency and bass can travel. Levels will be agreed with EHO
	Location of speakers	Speakers will not be located facing external doors and partying walls will be avoided. No speakers in stair well.
	Volume	Should Wiltshire Council request a noise limiter be installed for all regulated entertainment then this will be done. This should be the action taken after an investigation into noise volume rather than as a general condition of operation. Music will only be

		played on background music. Music constituting regulated music will only be considered for special occasions.
	Style of music	Music style will be a mix of traditional and modern southern American
	Source of music	Music will be via recorded music and speakers. NO Live music (in line with current planning consent)

Noise Source	Possible effects on impact	Controls and Mitigation
Smoking	Location	Smokers will be asked to smoke at the front of the building. The rear will have no access for customers. Customers will be asked to smoke to the side of the building closest to 8 Endless Street. This is the furthest point away from our high risk neighbours
	Times of use	Smokers will be allowed to smoke between 12:00 and 24:00
	Number of persons	Number of persons allowed to smoke outside at one time will be capped at 6. This will represent a minute % of the total capacity
	Management	Supervisors will be trained to monitor the number of persons smoking and monitor noise from smokers

Noise Source	Possible effects on impact	Controls and Mitigation
Dispersal of customers	Group Sizes	Noise from dispersal is common with events and customers leaving at one time. In a restaurant context, tables leave when they have finished dining and this is staggered
	Events	We do not plan any events which could lead to large numbers of customers dispersing together
	Times of use	Customers will only be permitted on the premises between 12:00 and 24:00
	Management	Supervisors will be trained to request customers leave quietly. They will also ask people not to gather outside the premises. Signage will also very visible for customers requesting them to keep noise levels down when leaving
	Location	The premises is not next to any other licensed establishment, nor a taxi rank, so there are no reasons to congregate. Taxis called post 20:00 will be called to Blue Boar Row.

Noise Source	Possible effects on impact	Controls and Mitigation

Waste Management	Location	Bins will be stored at the rear of the premises
	Times of use	Collection of waste from contractors will be between 08:00 and 20:00. Staff will be permitted to empty waste between 08:00 and 23:00
	Management	Supervisors will be trained to monitor staff and adhere to the above usage times

<u>Noise Source</u>	<u>Possible effects on impact</u>	<u>Controls and Mitigation</u>
Kitchen Extraction and Aircon	Location	All exterior vents are mounted on the rear of the building
	Times of use	As per planning consent, use will be between 07:00 and 23:00
	Additional features	Ant vibration mounts have been fitted to avoid noise transfer through the fabric of the building

Noise monitoring

Noise monitoring will be completed by trained Supervisors and Managers. Noise monitoring will be done using electronic mobile noise monitors and results logged in the company Dropbox file. Levels will be monitored from positions agreed with EHO and checked daily. Daimee Limited has operated a number of high-profile events on public space in the City Centre and experienced in decibel recording and monitoring. Locations would be on Endless Street near the closest residential property and also the rear of the building. Notes will be made on what the supervisor can hear as well as the noise monitor.

Complaints procedure

Daimee Limited will always have an 'open door' policy with members of the public concerned about noise resulting in operations from the premises. Complaints can be made via email to info@tingasalisbury.com or by phone to 01722 504416. These contact points are monitored during operational times only. Staff members will be trained to pass the information to a trained manager who will contact one of the company directors. The director assigned to the complaint will do everything reasonably possible to carry out an investigation into the complaint and work with the member of public and, if necessary, the relevant local authorities.

Staff training and NMP updates

Noise management training will be a regular feature in all staff training and inductions. The NMP will be reviewed every 6 months by a director or if a new piece of equipment is purchased. This can be requested by relevant authorities.

We the undersigned commit to ensuring the noise management is implemented and maintained at all times.

Name

Position

David Hancock
Aimee Hancock
Matthew Thorne

Director
Director
Area Manager



Live Music Act 2012

CHAPTER 2

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

£5.75



Live Music Act 2012

CHAPTER 2

CONTENTS

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



Live Music Act 2012

2012 CHAPTER 2

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

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

1 Licence review for live music entertainment

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

“177A Licence review for live music

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

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

2 Removal of requirement to license the provision of entertainment facilities

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

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

3 Exemptions for live music entertainment

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

“Live music in licensed venues

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

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

“Live music in workplaces

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

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

“Live unamplified music

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

4 Short title, commencement and extent

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

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