

From: [REDACTED]
Sent: 06 June 2021 10:47
To: [PublicprotectionNorth](#); [Adkins, Carla](#)
Subject: 20210606 - Representation - WK / 202109006 – Prestbury Sports Bar
Attachments: 20210606 - Representation - WK 202109006 – Prestbury Sports Bar.pdf; 20210606 - Representation Form Wiltshire Council - Prestbury Sports Bar.pdf

Categories: Vikki

Please find attached our representation regarding the proposed licence variation for the Prestbury Sports Bar (WK / 202109006).

Yours sincerely

Angus and Kett McAfee

Wiltshire Council

Where everybody matters

REPRESENTATION FORM

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

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

Premises about which representation is being made	Prestbury Sports Bar (WK/202109006)
Your Name	Angus and Kett McAfee
Postal Address	16 The Close Warminster BA12 9AL
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 representation and map)
The prevention of crime and disorder	
Public safety	

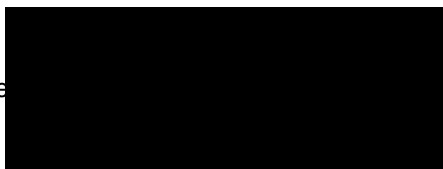
Please list below any suggested actions that you feel the applicant could take to address your concerns:

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..... 24 May 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

**Representation to Wiltshire Council
WK / 202109006 – Prestbury Sports Bar**

Preventing a Public Nuisance

We are objecting to this licence variation on the grounds of preventing a public nuisance. This application to extend the licenced area to include the car park will allow excessive and disruptively loud live music and sporting events that will be heard several streets away including The Close, Chantry Mews, Portway and North Row.

We believe the following factors are relevant to our representation:

Residential Area

Despite being on the edge of the town centre, the Prestbury Sports Bar is in an area surrounded by residential buildings, which includes Kyngeston Court that provides sheltered housing for elderly residents. The aerial photograph below (Figure 1) illustrates how close the bar sits to the surrounding properties. For clarity it does not highlight all the residential buildings on Portway, North Row or the High Street.

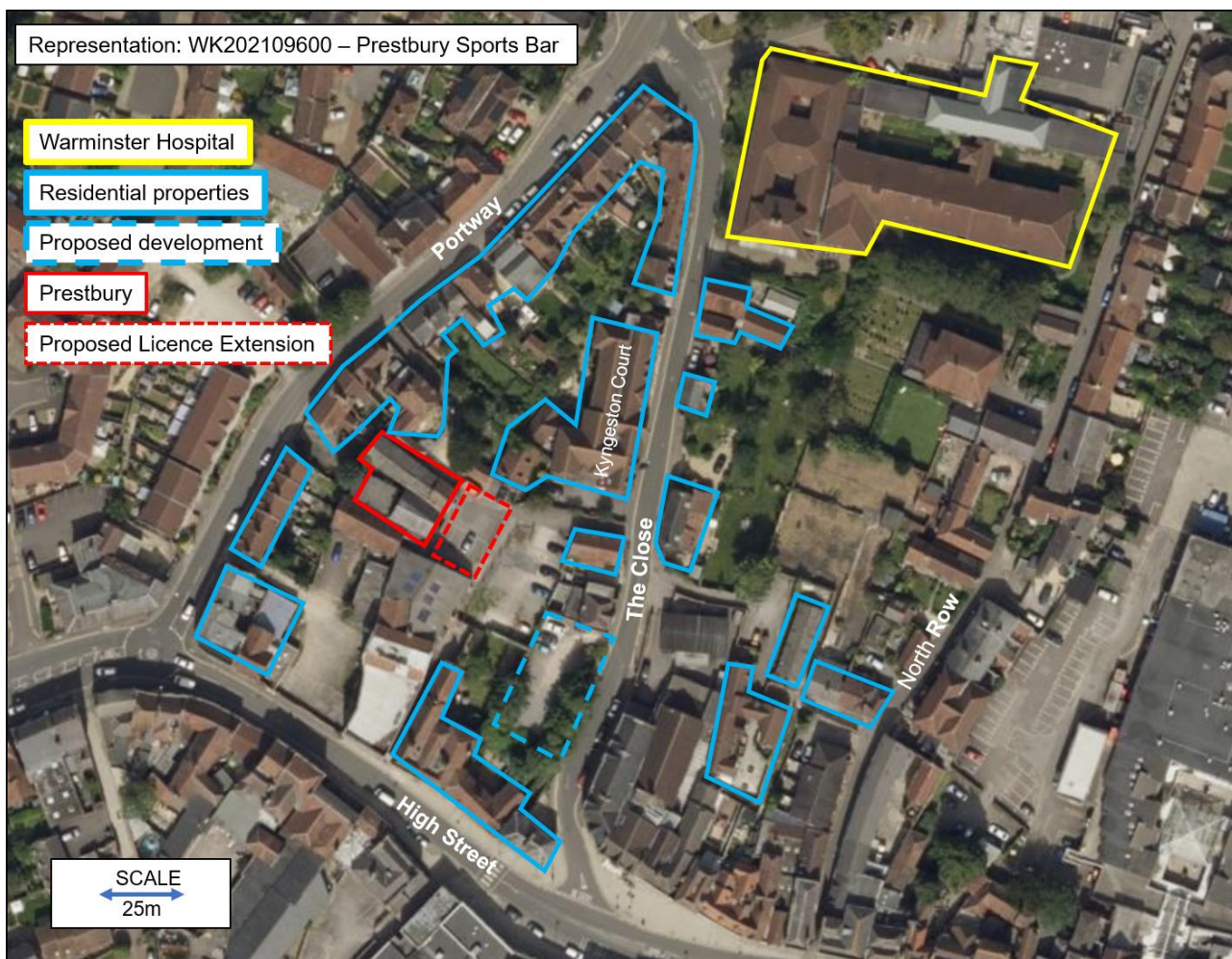


Figure 1

Complaints and Breach of Licence.

The Prestbury Sports Bar has already been in breach of the temporary COVID exemption regulations by regularly playing amplified music outside in their car park. As an example, this was

particularly disruptive during the sunny weekend 17-18 April that saw numerous complaints from neighbours, including us, to Public Protection North and resulted in a Licensing Officer having to visit the premises.

COVID Restrictions Easing.

Since Monday 17 May members of the public have been allowed back inside bars, cafes and restaurants and the government continues to indicate that England is on track for the further lifting of COVID restrictions. There is no requirement or justification for a permanent variation that extends the licenced area into the car park.

The application to extend their licence will allow them to broadcast non-amplified music and live sporting events to a crowd that will be significantly larger once the COVID social distancing restrictions are eased. The noise generated by singing or cheering football fans outside is equally disruptive to residents as music.

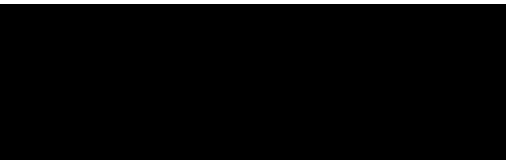
Inadequate Mitigation Measures

The mitigation measures that the owners propose are inadequate.

- 'Low volume entertainment checked with decibel reader - for example 70db same as cars in road'. This is a residential area where the noise from a passing car is only a momentary intrusion. Live outdoor music or a sporting event with a crowd is not the same as a passing car. The application does not specify whether their proposal is for non-amplified or amplified music. The amplified music that has been played in the Prestbury car park could be heard across half the town centre.
- 'Special events (the 'odd weekend')'. Last autumn these were regular, amplified music events taking place outside almost every weekend unless they were cancelled due to bad weather. They started up again as soon as the third lockdown was lifted and only stopped when the Licencing Officer called and visited after complaints from residents.

Summary

We would ask the Licencing Authority to consider whether this variation is necessary, justified and proportionate given the significant impact it will have on large numbers of residents every weekend. The Prestbury Sports Bar is surrounded by residential buildings and already has a licence to serve alcohol and play live music indoors. We believe that the easing of COVID restrictions means that there are no grounds to warrant a permanent variation to allow the sort of disruptive events that have taken place at times during the pandemic.



Angus and Kett McAfee
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