

AGENDA

Meeting: Northern Area Licensing Sub Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham, SN15 1ER
Date: Tuesday 5 April 2022
Time: 10.15 am
Matter: Application for a Premises Licence - The Hop Gardens, Broadtown Brewery, 29 Broad Town Road, Broad Town, Wilts, SN4 7RB

Please direct any enquiries on this Agenda to , of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line or email

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

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

Membership:

Cllr Kevin Daley
Cllr Tim Trimble

Cllr Pip Ridout

Substitutes:

Cllr Steve Bucknell

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The nearest car parks to our Monkton Park Offices are Bath Road, Emery Gate and Sadlers Mead multi storey. However, all Chippenham car parks are detailed here for your information. [Chippenham - Wiltshire Council](#)

AGENDA

1 **Election of Chairman**

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

2 **Apologies for Absence/Substitutions**

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

3 **Procedure for the Meeting** (*Pages 5 - 10*)

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

4 **Chairman's Announcements**

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

5 **Declarations of Interest**

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

6 **Licensing Application** (*Pages 11 - 14*)

To consider and determine an Application for a Premises Licence made by Jason Bayliffe in respect of The Hop Gardens, Broadtown Brewery, 29 Broad Town Road, Broad Town, Wilts, SN4 7RB. The report of the Public Protection Officer (Licensing) is attached).

6a **Appendix 1 - Premises Licence application** (*Pages 15 - 34*)

6b **Appendix 2 - Current Premises Licence and Plan** (*Pages 35 - 44*)

6c **Appendix 3 - Relevant Representations** (*Pages 45 - 58*)

6d **Appendix 4 - Plan of Representation** (*Pages 59 - 60*)

6e **Appendix 5 - Plan of Area** (*Pages 61 - 62*)

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LICENSING COMMITTEE

PROCEDURAL RULES FOR THE HEARING OF LICENSING ACT 2003 APPLICATIONS

1 Purpose

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

2 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 Key Principles

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

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

4 The Hearing

- 4.1 The Hearing shall take place in public.
- 4.1.1 The Committee may exclude the public from all or part of the Hearing where it considers it to be in the public interest to do so and, in accordance with the Local Government (Access to Information) Act 1985, as amended. Public includes a party and any person assisting or representing a party.
- 4.1.2 The Committee may require any person attending the Hearing who, in its opinion, is behaving in a disruptive manner, to leave the Hearing and may:
- A refuse to permit them to return;
 - B permit them to return only on such conditions as the Committee may specify;
 - C in the event that a person is required to leave a Hearing that person may, before the end of the Hearing, submit to the Committee in writing any information which they would have given orally.
- 4.2 Prior to the Hearing commencing, the Chairperson shall advise the parties of the procedure it proposes to follow at the Hearing.
- 4.3 Where a party has previously requested permission for a person(s), other than their representative, to appear at the Hearing then the Committee shall consider whether to permit that request.
- 4.4 The Committee will allow the parties an equal maximum period of time in which to exercise their rights.
- 4.5 This equal maximum time may have been notified in advance of the Hearing;
- 4.6 Where there are a number of people who have attended the Hearing to make the same representation then the Committee would normally require that a spokesperson be appointed by them to make the representations on behalf of all of those who have made Relevant Representations .

5 Presentation of Submissions

- 5.1 The Chairperson will introduce the Application.
- 5.2 In the event that the Licensing Authority has given notice to a party requiring clarification on a point(s) then that party shall respond to the points raised by the Licensing Authority.
- 5.3 Submissions shall be made in the following order unless the Chairperson directs otherwise:

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

6 Questioning of Submissions

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

7 Documentation

- 7.1 No party shall present new documentation to the Committee at the Hearing other than with the consent of all of the other parties. This does not preclude the Licensing Officer from correcting errors, providing updated information or an extract from a local map showing the Applicant's Premises in the context of the surrounding premises and any person/s who have made a Relevant Representation . If any party is granted permission to present supplementary papers at the Hearing they shall provide at least 10 copies at the start of their submission.

8 Intervention

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

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

9 Failure of Parties to Attend Hearing

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

10 Closing Submissions

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

11 Decision

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

Hearing Procedure Summary

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

WILTSHIRE COUNCIL

NORTHERN AREA LICENSING SUB COMMITTEE

5 April 2022

Application for a Premises Licence; The Hop Gardens, Broadtown Brewery, 29 Broad Town Road, Broad Town, Wiltshire, SN4 7RB

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of The Hop Gardens, Broadtown Brewery, 29 Broad Town Road, Broad Town, Wiltshire, SN4 7RB by Mr Jason Bayliffe.

2. Background Information

- 2.1 An application for a Premises Licence in respect of The Hop Gardens, Broadtown Brewery, 29 Broad Town Road, Broad Town, Wiltshire, SN4 7RB has been made by Mr Jason Bayliffe for which two 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 17 February 2022 an application for a The Hop Gardens, Broadtown Brewery was received and accepted as a valid application.

2.6 The application as applied for is as follows:

Licensable Activity	Timings	Days
Sale by retail of alcohol for consumption ON and OFF the premises	11:00hrs to 23:00hrs	Thursday to Sunday (to include Bank Holiday Mondays)

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

2.7 The premises currently holds a Premises Licence (LN/000018080) for the area, the current licence and plan are attached as **Appendix 2**.

2.8 The Hop Gardens as applied for with this application are within existing Licence (A); however, this application has been made owing to the fact that The Hop Garden is a new timber framed structure subject to a separate Planning Application (in progress/consultation: PL/2021/08484 refers). In the Licensing Act 'Premises' is defined as 'any place and includes a vehicle, vessel or moveable structure'. An application can be made to the licensing authority for the area where the premises is located for any premises to be used for licensable activities. More than one premises licence may be granted for the whole or for different areas of a premises, which may be held by the same or different individuals or organisations. Every premises licence application must be accompanied by a premises plan. It is an accepted principle that significant changes to an existing licence plan may be dealt with by a variation to the existing licence or a new application. In this case, the applicant has elected to make this a new application.

2.9 There have been a number of prior applications from Broadtown Brewery: Licence (A) initial application 21/07/2020 – which remains current and in use; Variation to Licence (A) to include Sundays 16/06/2021; Further variation to Licence (A) submitted 15/10/2021 – withdrawn 19/10/2021; Further variation to Licence (A) submitted 03/11/2021 – withdrawn 14/12/2021 prior to a hearing. The prior applications are not relevant to this application.

2.10 Other premises licence in the area

Premises Location	Activities	Days
Broad Town Social Club Village Hall Broad Town Road Broad Town SN4 7RL	The supply of alcohol to a member of the club	19:00hrs to 23:00hrs Sunday 19:30hrs to 23:00hrs Monday to Thursday 19:30hrs to 01:00hrs Friday 13:00hrs to 00:00hrs Saturday

3. Consultation and Representations

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

3.2 During the consultation period two relevant representations have been received from one local resident and one from a Responsible Authority.

3.3 Representations Received

1. Rep 1 – Redhills, Broad Town SN4 7RD

3.4 Responsible Authorities

1. Brett Warren, (Senior EHO - Noise) Wiltshire Council

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

Representation	Licensing Objective
(1)	Protection of Children from Harm Public Nuisance Prevention of Crime & Disorder Public Safety
(2)	Public Nuisance

3.6 The relevant representations are attached as **Appendix 3**. Attached as **Appendix 4** is a plan which shows the locations from where representations have been made. **Appendix 5** shows a detailed plan of the area.

4. Legal Implications

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

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

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

5. Officer Recommendations

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

6. Right of Appeal

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

Report Author: Jemma Price

Monkton Park, Chippenham, Wiltshire, SN15 1ER

23 March 2022

Background Papers Used in the Preparation of this Report

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

Appendices

- 1 New Premises Licence Application**
- 2 Current Premises Licence and Plan**
- 3 Relevant Representations**
- 4 Plan of Representation**
- 5 Plan of area**

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 Jason Bayliffe

(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 Broadtown Brewery, 29 Broad Town Road, Broad Town, Royal Wootton Bassett			
Post town	Swindon	Postcode	SN47RB

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£ 0

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 checked="" type="checkbox"/>	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname Bayliffe			First names Jason		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick yes			
Nationality [REDACTED]					
Current residential address if different from premises address		29 Broad Town Road, Broad Town, Royal Wootton Bassett			
Post town	Swindon			Postcode	SN47RB
Daytime contact telephone number			[REDACTED]		
E-mail address (optional)		jason@broadtownbrewery.co.uk			
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	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick 'yes'	
Nationality					
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

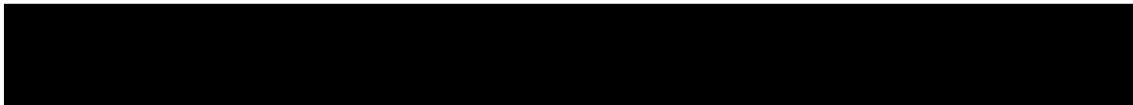
Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)

Telephone number (if any)

E-mail address (optional)

Part 3 Operating Schedule



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

The Hop Gardens is a beer garden that is within the licensed area currently held under license number 18080.

The Hop Gardens will have a bar to serve Alcohol, Hot and Cold Drinks all within the Beer Garden area as per the attached plan.

Max number of customers at any one time = 150.

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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



In all cases complete boxes K, L and M

A

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

G

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

H

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

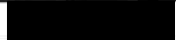
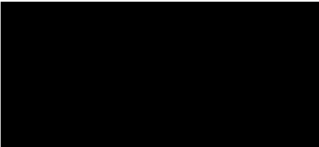

I

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	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed			<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)		
Thur					
Fri					
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	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon			Bank Holiday Mondays to be included.		
Tue					
Wed					
Thur	11:00	23:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00	23:00	None		
Sat	11:00	23:00			
Sun	11:00	23:00			

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

Name	Jason Bayliffe
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	Wiltshire Council

K

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

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p><u>State any seasonal variations</u> (please read guidance note 5)</p> <p>Bank Holiday Mondays to be included.</p>		
Day	Start	Finish	<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> <p>None</p>		
Mon					
Tue					
Wed					
Thur	09:00	23:30			
Fri	09:00	23:30			
Sat	09:00	23:30			
Sun	09:00	23:30			

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)

To not promote any events that might cause conflict of opinions or debate and to respect our neighbours and local villages needs at all times.

b) The prevention of crime and disorder

We have a written dispersal policy. Signs are displayed to respect our neighbours at all times. Taxi operators telephone numbers will be displayed and artificial lighting will be provided in the car park area.

c) Public safety

All bar staff will be trained in the legal requirement level 1. We will adhere to the Portman code of practice.

d) The prevention of public nuisance

We will provide an incident log onsite . We will not allow open containers of alcohol to leave the premises. We will carry out premises checks as regular intervals.

e) The protection of children from harm

We have a rigid challenge 25 policy, with a displayed poster at all alcohol sale points. Age verification with adults. No Children under 18 will be allowed on the premises after 21:00.

Checklist:

Please tick to indicate agreement

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


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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
--------------------	---

	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	17/02/2022
Capacity	Owner

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.

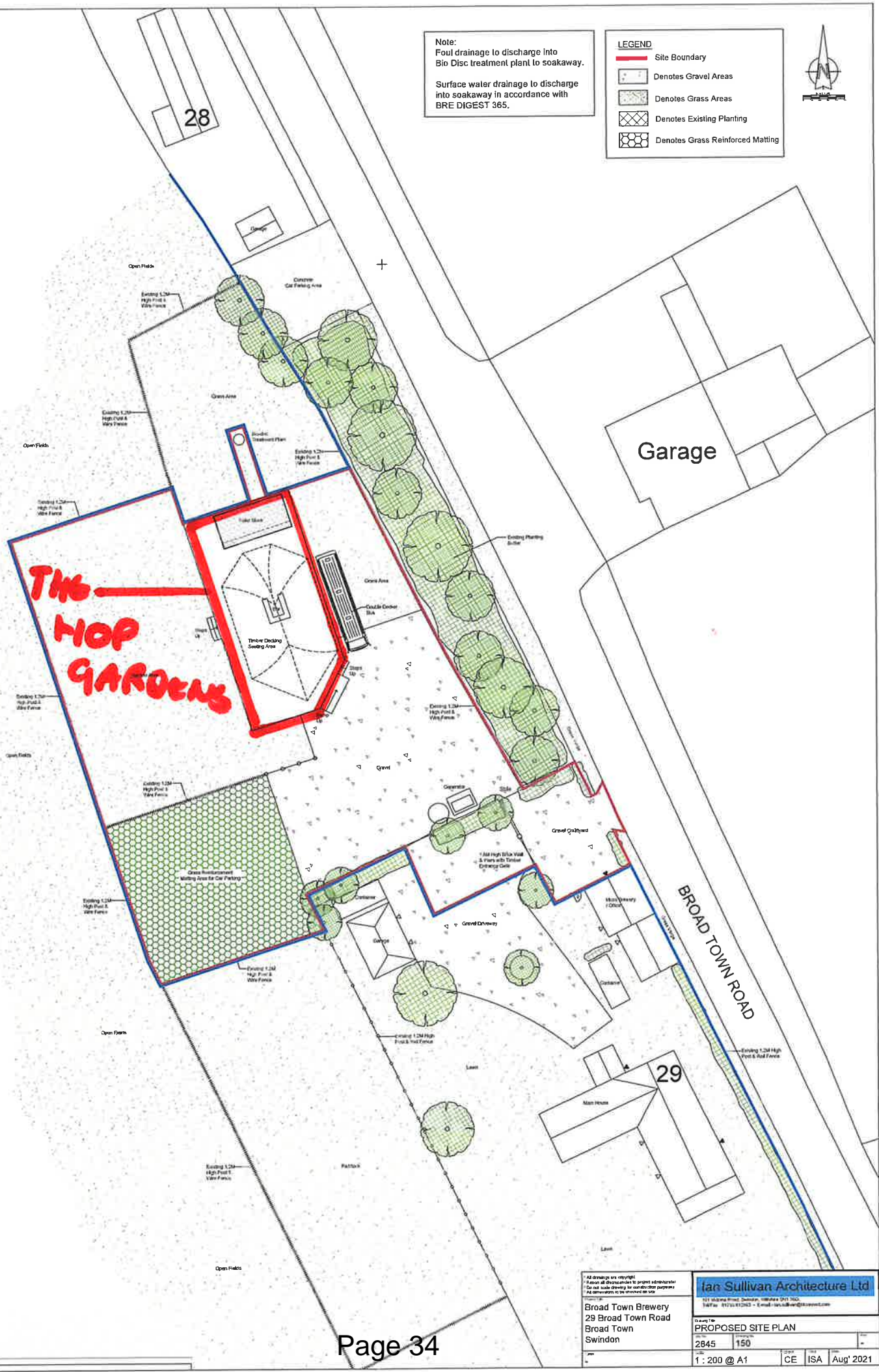
Signature	
Date	
Capacity	

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)			

Note:
Foul drainage to discharge into Bio Disc treatment plant to soakaway.
Surface water drainage to discharge into soakaway in accordance with BRE DIGEST 365.

LEGEND

- Site Boundary
- Denotes Gravel Areas
- Denotes Grass Areas
- Denotes Existing Planting
- Denotes Grass Reinforced Matting



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author. All dimensions are to be checked on site.

Ian Sullivan Architecture Ltd
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Tel: 01753 812923 - Email: ian.sullivan@isa-arch.co.uk

29 Broad Town Brewery
29 Broad Town Road
Broad Town
Swindon

Scale: 1:200 @ A1

CE ISA Aug' 2021

Licensing Act 2003
Premises Licence Summary

LN/000018080

ISSUING LOCAL AUTHORITY

Wiltshire Council



PART 1 – PREMISES LICENCE SUMMARY & LICENCE HOLDER DETAILS

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

Broadtown Brewery, 29 Broad Town Road, Broad Town, Swindon, Wiltshire, SN4 7RB

NAME, (REGISTERED) ADDRESS AND CONTACT DETAILS OF HOLDER OF PREMISES LICENCE

Broadtown Brewery Limited
Suite 22, 2nd Floor , Whitefriars Avenue, Harrow, HA3 5RN

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER

11479960

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Jason Lee Bayliffe

ISSUING AUTHORITY AND PERSONAL LICENCE NUMBER HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Wiltshire Council LN/16870

WHERE THE LICENCE IS TIME LIMITED - THE DATES AND TIMES

Not Applicable

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

ON and OFF Sales

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Where applicable the provisions of Section 145 of the Licensing Act 2003 apply

PART 2 – LICENSABLE ACTIVITIES & TIMINGS

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE						
Licensable activities	Location	Day	Time From	Time To	Time From	Time To
Alcohol Sales	ON and OFF Sales	Sunday	11:00	22:30		
		Monday	11:00	23:00		
		Tuesday	11:00	23:00		
		Wednesday	11:00	23:00		
		Thursday	11:00	23:00		
		Friday	11:00	23:00		
		Saturday	11:00	23:00		
Non-Standard Timings & Seasonal Variations						
Hrs premises open to public	.	Sunday	09:00	23:00		
		Monday	09:00	23:30		
		Tuesday	09:00	23:30		
		Wednesday	09:00	23:30		
		Thursday	09:00	23:30		
		Friday	09:00	23:30		
		Saturday	09:00	23:30		
Non-Standard Timings & Seasonal Variations						

Licence Commencement Date
21st July 2020



Licensing Officer

Last Amendment Date
4th June 2021



Licensing Officer

ANNEX 1 - MANDATORY CONDITIONS

Supply of Alcohol

1. Where this Licence authorises the supply of alcohol:

No supply of alcohol may be made under this licence:

- (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence.
- (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a Personal Licence.

Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where:-
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question; admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

Irresponsible Promotions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or,
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

Free Tap Water

1. The responsible person must ensure that free potable tap water is provided on request to customers where it is reasonably available. (This means that responsible persons at all premises must ensure customers are provided with potable (drinking) water for free if they ask for it.)

Age Verification Policy

- (a) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - i. a holographic mark, or.
 - ii. an ultraviolet feature.

Drink Volume Measures

1. The responsible person shall ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i. beer or cider: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml.
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Permitted Price

1.
 - (a) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (b) For the purposes of the condition set out in paragraph 1—
 - A. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - B. “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$
 where—
 - i. P is the permitted price,

- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

C. "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

- i. the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

D. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

E. "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

2. Where the permitted price given by Paragraph B of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

3.

(1) Sub-paragraph (2) applies where the permitted price given by Paragraph B of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervision (except theatres, cinemas, bingo halls and casinos)

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- (b) in respect of premises in relation to:
 - i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - ii. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

ANNEX 2A – CONVERTED CONDITIONS

Not Applicable

ANNEX 2B – OPERATING SCHEDULE

PREVENTION OF PUBLIC NUISANCE

- A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours in the surrounding vicinity.
- Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.
- No deliveries (in relation to licensable activities) to the premises shall take place between 18:00 hours and 07:00 hours. No collections of waste or recycling materials (including bottles) from the premises shall take place between 18:00 hours and 07:00 hours on the following day.
- All waste shall be properly presented and placed out for collection. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 22:00 hours and 07:00 hours on the following day.
- A sufficient number of suitable receptacles will be located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter by customers. All staff will monitor external areas to keep the area litter free.
- A telephone number shall be made available for neighbours and local residents to contact in the case of noise- nuisance or anti-social behaviour by persons or activities associated with the premises. The telephone number will be a direct number to David Ernest Sprigg. A record will be kept by management of all calls received, including the time, date and information of the caller, including action taken following the call. Records will be made available for inspection and copying by an authorised officer of a responsible authority throughout the trading hours of the premises.
- Taxi operator's telephone numbers will be advertised to customers. The operators will be advised that drivers should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines idling unnecessarily.
- No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated. Ventilation equipment will be regularly cleaned and maintained to control the levels of odour generated by the premises.
- We will ensure all staff leave the premises quietly at the end of their shifts and so as to avoid causing disturbance or nuisance to local residents.
- In the absence of adequate daylight, artificial lighting in any area accessible to the public shall be fully operational whilst the public are present. All exits/entrances will be kept clear at all times.
- The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises.
- All internal and external doors, fixtures and fittings, lighting and emergency lighting will be kept in good working order and regular checks made.

PUBLIC SAFETY

- All bar staff, supervisors and managers will be trained in the legality and procedure of alcohol sales to Level 1 Responsible Alcohol Retailing Training or similar. All training shall be signed and documented. Training records will be kept on the premises and be made available for inspection.
- The documentation relating to training will extend back to a period of three years and will specify the time, date and details of the persons both providing the training and receiving the training.

- All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 1. The Challenge 25 Policy including the forms of identification that are acceptable;
 2. The hours and activities and conditions permitted in the premises licence,
 3. How to complete and maintain the refusal register in operation at the premises,
 4. Recognising the signs of drunkenness,
 5. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or
 6. appears to be making a proxy purchase,
 7. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
- Training shall be recorded in documentary form and shall be regularly refreshed every year. Training records shall be made available for inspection.
- We will adhere to the Portman Group Code of Practice for the promotion of alcoholic drinks and follow the Home Office guidance on selling alcohol responsibly. A drink, its packaging and any promotional material or activity will not in any direct or indirect way appeal to under 18s or incorporate images of people who are or look as if they are under 25 years of age where there is any suggestion that they are drinking alcohol.
- There shall be a responsible trained person on duty at the premises at all times when the premises are open and selling alcohol.

PROTECTION OF CHILDREN FROM HARM

- There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 policy. The poster will be on display. All staff working at the premises will ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:
 - A photo driving licence
 - A passport
 - An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol will be refused.

- The age verification policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18 (proxy sales).
- An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include the date and time and reason for refusal, details of the person refusing the sale and description of the customer. The refusals register will be made available for inspection.
- Children over 16 years of age will be allowed unaccompanied on the premises, under 16's will be accompanied by an adult over 18 years of age.
- No children under the age of 18 years of age will be allowed on the premises after 21:00 hours.

PREVENTION OF CRIME AND DISORDER

- An incident log shall be kept and maintained at the premises which will include the time and date of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection.
- Premises checks will occur at regular intervals throughout opening hours.
- Open containers of alcohol shall not be removed from the premises.

- All alcohol on display will be in such a position so as not to be obscured from the constant view of staff.
- A written drugs policy shall be in place and operated at the premises. It will detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy will be made available for inspection. We will all read the Drugs and Pubs publication produced by the BBPA and the Governments' Drug Strategy 2010. A copy of both are on site and available to view.
- The CCTV system is monitored and operated by Jason Bayliffe. We have two cameras, one will be situated at the point of sale and the second camera will be located at the entrance/exit. The system has a 31-day recording facility. The system is registered with the ICO and we have a CCTV GDPR policy. This policy will be made available for inspection. The CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document. Clear signage stating that CCTV is in place will be displayed.

ANNEX 3 – CONDITIONS ATTACHED AFTER HEARING

- None

ANNEX 4 – PLANS

Attached Separately

Dated: January 2020

- General Notes:
1. This drawing is for design purposes only, reading from this drawing should not be used for construction purposes. As further drawings may be required, refer to www.benwilliams.co.uk/help-and-advice
 2. All dimensions should be checked on site.
 3. Ben Williams shall be notified in writing of any discrepancies.
 4. This drawing is to be read in conjunction with all other drawings, specifications and schedule of works.

Rev	Date	Reason for Issue	Checked

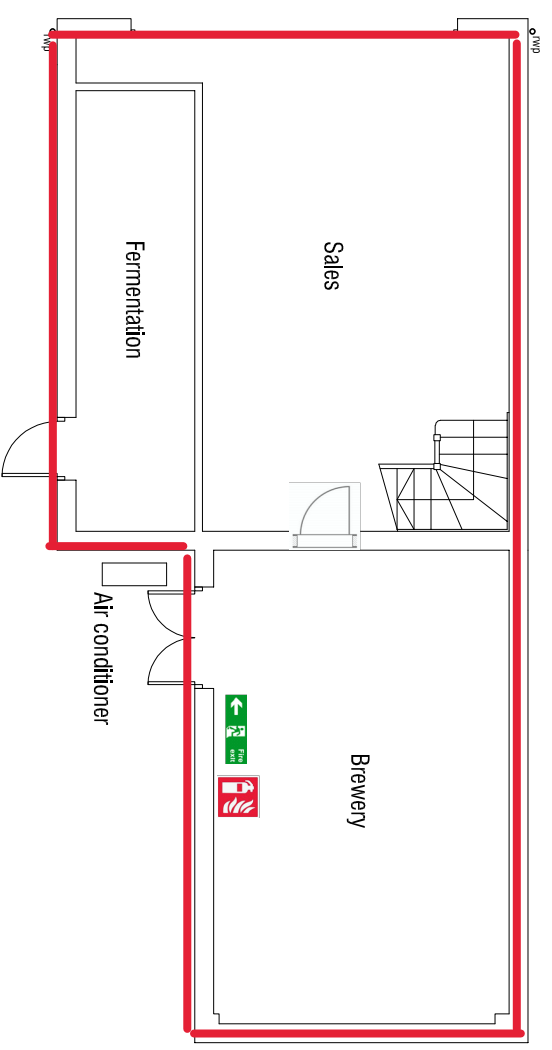


Fire Exit

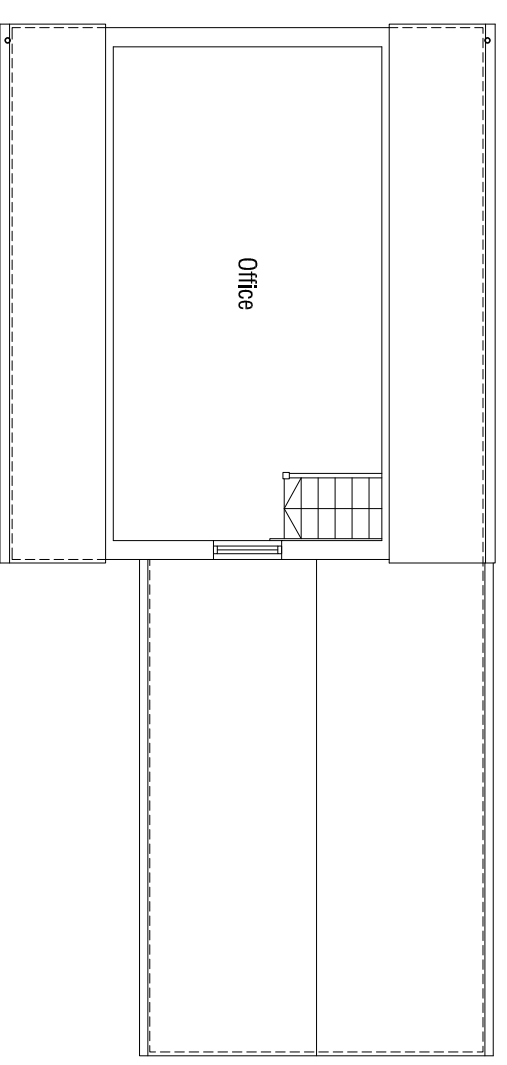
Fire extinguisher

Sale of alcohol by retail

N ↑



GROUND FLOOR PLAN



FIRST FLOOR PLAN

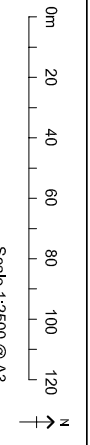
BEN WILLIAMS
 HOME DESIGN AND ARCHITECTURAL SERVICES
 Address: 20 The Marlstones, Old Town, Swindon, Wiltshire, SN1 4NA
 Tel: 01793202085 / 07944488178
 Web: www.benwilliams.co.uk
 Email: help@benwilliams.co.uk

Client:
Mr Bayliffe

Project:
Thorncroft House
Broad Town Road
Broad Town

Title:
Proposed
Floor Plans

Scale @ A3:	Date:	Drawn/Checked:
1:100	Jan '20	BW
Drawing No:		Rev:
550/100		-



Appendix 3 – Representations

From: Warren, Brett <brett.warren@wiltshire.gov.uk>

Sent: 17 March 2022 19:45

To: Price, Jemma <Jemma.Price@wiltshire.gov.uk>

Subject: Land known as the Hop Garden, Broad Town Brewery, 29 Broad Town Road, Broad Town, SN4 7RB

Dear Jemma

Re: New Premises Licence Application

Land known as the Hop Garden, Broad Town Brewery, 29 Broad Town Road, Broad Town, SN4 7RB

Our Ref: PL/2021/08484

I wish to raise an objection to this application on grounds of public nuisance.

My concerns relate specifically to noise from patrons using the proposed hop garden. Table 16 of the noise assessment ref 08394/3/1/3 by LCP Acoustics confirms that at the nearest noise sensitive premises (MP2), noise from loud speech from patrons will result in a level of 53 dB(A). This is 22dB above the measured background level according to background noise data in table 2* of the noise assessment. This difference in background over patron noise is considered significant in that residents would have to change their behaviour in the evenings – for example not being able to have a conversation at a normal volume level whilst eating their dinner outside because of the noise. This impact would be considered as a Significant Observed Adverse Effect Level (SOAEL) according to the Noise Policy Statement for England (NPSE) – this is the level above which significant adverse effects on health and quality of life occur. I accept that there is no British Standard or Good Practice Document that clearly outlines a definitive process to establish the acceptability of patron noise within external areas, however based on my experience, a level of 22dB in excess of the background noise level would cause a significant adverse impact on the quality of life of residents and this is sufficient to be considered a public nuisance. Furthermore, the British Standard known as BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound, although a standard that is not intended to be applied to the rating and assessment of people noise, does nonetheless provides some guidance/context on the impact of noise levels above background levels. Section 11 of BS4142:2019 states the following:

“The significance of sound of an industrial and/or commercial nature depends upon both the margin by which the rating level of the specific sound source exceeds the background sound level and the context in which the sound occurs”

“a) Typically, the greater this difference, the greater the magnitude of the impact. b) A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context. c) A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context. d) The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.”

The noise assessment ref 08394/3/1/3 by LCP Acoustics provided by the applicant states that there is no detrimental effect from hop garden activity and states that the maximum recommended level for hop garden activity at which moderate annoyance will occur is 50dB(A). This statement is based

on World Health Organisation (WHO) Guidelines for Community Noise (1999), however it should be noted that section 6 of these WHO guidelines state that this standard is only applicable to “steady, continuous noise” that is relatively anonymous, such as road transport noise and not sporadic impulsive sounds associated with noise from 150 people drinking in a garden 40 metres from a residential premises. It is not therefore appropriate in my view to use this standard to assess people noise in this context.

**It should be noted that the background levels measured on Saturday 5th February and Sunday 6th February are not considered representative as the monitoring occurred at a time when winds were in excess of 50km/h with showery bursts of rain.*

Best wishes

Brett Warren MSc CEnvH
Senior Environmental Health Officer

Wiltshire Council

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Wiltshire Council

Where everybody matters

REPRESENTATION FORM

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

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

Premises about which representation is being made	The Hop Gardens, Broad Town Brewery (WK/202203740)
Your Name	████████████████████
Postal Address	<input type="checkbox"/> Redhills Broad Town Wiltshire SN4 7RD
Contact Telephone Number and Email address	██
Are you (please tick): <ul style="list-style-type: none"> <input type="checkbox"/> An individual? <input checked="" type="checkbox"/> <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	Provided on page 3 with images on separate page.

The prevention of public nuisance	Provided on page 3/4 with images on separate page.
The prevention of crime and disorder	Provided on page 4 with images on separate page.
Public safety	Provided on page 4/5 with images on separate page.

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

Provided on page 5 with images on separate pages.

Licensing objective: The protection of children from harm

- **Granting the premises licence will make the Broad Town Road more dangerous, specifically to children.**
- **Granting the premises licence endangers children on horseback on Broad Town Road and especially passing the Brewery and Hop Gardens.**
- **Granting the premises licence will endanger children at the Brewery and Hop Gardens.**

Evidence: Broad Town Church of England Primary School is only 0.4 miles up Broad Town Road from the Broad Town Brewery. The playground and sports field are across the road on Redhills. There is no safe crossing and children cross the road daily. Drop off and collection times represent times of particular vulnerability. We can state this as we are witnesses to the careless behaviour of these children and have amended the way we drive in the area surrounding the school as to reduce risk to children. Granting the licence for the proposed Hop Gardens for 150 people **will increased road traffic to and from the venue**, and increase danger to children crossing the road especially where the driver does not know the area and has **diminished capacity under the influence of alcohol**.

Broad Town Road is also a route used by children on horses that pass directly by the Brewery daily. We have seen this many times when driving. The licence should not be granted as **children on horseback, passing a noisy venue, with increase traffic entering and leaving the site, are at risk of harm from a panicked horse**. An increase in alcohol-compromised drivers, who do not know that a horse is potentially around the next turn, may result in a tragic accident causing harm to the child.

Many local Broad Town children attend the school. It is a quiet town. They play in the street at Redhills, bicycle, kick balls and play other games in the road. **This licence would rob them of their safety as the increased road traffic will prevent them safely playing in their street**. Their parents will have to choose between their freedom or the potential harm to them.

The Hop Gardens, Brewery and surrounding lands present a risk to children. The Hop Gardens has no real fence or wall between it and surrounding parking areas. The site is wholly unsuited to this expansion along with questionable choices regarding the care of children onsite evidenced by the page of images provided below.

Licensing objective: The prevention of public nuisance

- **Granting the premises licence will cause a public nuisance from crowds of 150 people, traffic and potentially loud private parties and special events or even potentially temporary licenses granted with loud music then attended by 150 people.**

Evidence:

We bought our home in Broad Town as there was no light pollution from street lights and no noise pollution. We could not hear the M4 as a constant background noise as you can in Wroughton. We are not alone in our love of this town or in our right to the fair use of public spaces: our village is a unique space which we can all enjoy. It is neither fair nor right to grant this licence as one individual or company will profit solely from the destruction of the peace and quiet by allowing Broad Town Brewery to create a public nuisance.

The nearest resident is a mere 150ft from the proposed Hop Gardens **and they are trying to sell their property as shown in the images provided**. These are images showing the property for sale and the tunnel erected next to the Hop Gardens, adjacent to this property. Spectacular arrogance is the only way to describe the fact that the Hop Gardens and tunnel have been located closer to the neighbour's property than to the Pub Director's own living premises. This tunnel is the location of a sound system and where live acts perform. This licence may not include live acts or make mention of this sound system, but it equally does not preclude its usage for private parties or special event temporary licence usage as was inflicted on us last summer and autumn. Who will check that only 150 people attend, or is the fox to guard the hen house in this regard? The fact that a tunnel remains suggests its usage is intended and licencing for 150 people will make its use certain. We have already heard it being tested again in February. We are not so close as the property in the images, but we have already experienced many instances of the Brewery's sound system. **Granting this licence will cause a public nuisance, especially when private parties are held, or as was the case last year, when temporary events are licenced**. We can state this with certainty as on the occasions that we have already experienced the noise nuisance caused by the Brewery, we have needed to wear headphones to work and ear plugs to sleep. This would negatively impact everyone within a radius of 0.6 miles at least. Granting the licence would force us to do this again, and subject us to intolerable levels of stress, damaging both our health and productivity. Furthermore, by granting this license our productivity would be curtailed as we have to now make complaint about the noise disturbance each and every time it occurs, so as to undo what might now be prevented.

Granting this licence is at the expense of the health and well-being of the entire village and does not deliver value to the community overall. Harm from noise nuisance comes in many forms and includes the devaluing of a home, often one's primary asset, through decreased resale value. **Granting this licence would redefine and devalue the very character and nature of the place we all live by creating a constant public nuisance that is both mentally and materially harmful to our community.**

Licensing objective: The prevention of crime and disorder

- **Granting the premises licence will significantly increase the risk of anti-social behaviour and violent crime in our community.**

Evidence: The link to alcohol abuse and violent crime, public disorder and anti-social behaviour is well documented. There is a 39% correlation in England according to published statistics. The crime statistics in Broad Town compared with Royal Wootton Bassett and Wroughton are extremely low. We have researched these, and this is an obvious drawcard to living in Broad Town. When assessing the crime in Broad Town we were advised by the Police in 2015 that in 2010 the Redhills playground had become a hangout for drunken youths. We also spoke to the previous owner of our property about this. He had a constant issue with broken bottles being thrown at the property and anti-social behaviour related to alcohol. He was particularly concerned because of the threat this posed to his daughters. It caused an ongoing issue for both the Council and the Police and took too long to resolve. So when the Brewery closes at 11pm, the Director of the Brewery cannot guarantee that those who wish to continue to drink and socialise will disperse to their homes or even out of Broad Town. The application refers to restricted sale of open containers pretending a bottle cap is a preventative to anti-social behaviour. **We do not wish, by extension, more anti-social behaviour be granted a licence as we have direct knowledge of how difficult it is to eradicate once it starts.**

Licensing objective: Public safety

- **Granting this licence is a public safety hazard due to Broad Town Brewery's rural location and the lack of supporting infrastructure, services, sufficient parking and safe collection area.**
- **Granting this licence is a public safety hazard due to the blind bend less than 400 ft toward Broad Town preventing safe exit.**
- **Granting this licence is a public safety hazard due to gravel spillage from the driveway onto the road.**
- **Granting this licence is a risk to public safety due to Covid infectivity.**

Evidence:

Across and outside Broad Town Brewery there are no sidewalks on either side of the Broad Town Road. There is no public transport, no bus service. The brewery has already repurposed the fields behind/ beside the brewery and house for parking. A huge pile of logs indicates the second entrance, **a public footpath**, to the Alpaca Car park. Images provided below. This parking area is not indicated on the application map. So the NFU advises that there are strict rules associated with farm land use. Rule infringement under Environmental schemes, Basic Payment Schemes, Insurance liabilities and Tenancies (pre or post 1986)/ Mortgage (contract and asset value change) may occur each with potential illegality and public hazard. Thus before granting this premises license, the council should know that the relevant planning regulations for the associated parking are complied with and the environmental stewardship impact of the associated parking for so many visitors. Has the Rural Payments Agency granted permission and the BPS claim been removed?

The population of Broad Town is 574. The Hop Gardens proposes to support 150. The reality is that the vast majority of customers are travelling by car. It is even more dangerous to walk drunk. With no sidewalk and no street lights on Broad Town Road, and a speed limit of 50 miles an hour, the results of walking home may be more tragic than driving. It is pure pretence that taxis will be used. Invoking an 'imaginary Uber or taxi' while maintaining an extra, undisclosed farm field parking (Alpaca Car Park) for brewery-goers is a deliberate omission. We have seen the field parking in use many times as we pass by.

Further, the Hop Chapel and the Hop Gardens is separated by the main vehicle entrance and driveway where the parking and collection point is. This is very dangerous and a public safety hazard that will be made significantly worse by the granting of this application.

We have also first-hand experience of the danger posed by the Brewery as a few weeks ago, we had to brake to avoid a collision with a vehicle leaving the brewery, and in late 2021, experienced an erratic and dangerous driver by the Brewery. Fortunately, a collision was avoided. We are already made shocked witness to the dangers of the brewery; we do not wish to be made victims to a tenfold increase in drunk driving. **The Brewery's rural location therefore presents an immediate threat to public safety and therefore the premises licence should not be granted.**

It is on a quiet road, but coming out of Broad Town cars pick up speed and the bend in the road makes stopping in time difficult. This blind bend is about 350ft up the road which is adequate stopping distance in good weather. (50mph requires 198ft to stop, but this distance doubles in the wet and add a zero for snow or ice.)

There is a damaging amount of gravel that kicks up as you drive past the Brewery due to abnormal traffic in and out of the property. This licence would increase this

And then there is Covid which we must plan for and find ways to live with, whichever highly-infectious new strain we are facing. Crowds of people in a small cramped space, drinking and shouting at each other to be heard; we do not wish Broad Town to be the centre of a new outbreak to further burden the NHS.

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

Noise, control and enforcement: While the licence is for 150 people maximum, how is this to be monitored and policed when the previous, withdrawn license variation was for 500 and that was the intention? The Brewery is located in a rural village and a rural pub would be appropriate. However, the scale of this application for 150 people clashes with what is reasonable for the site and location.

Stroud Brewery and Taproom Model: Here provided below are images of Stroud Brewery and Taproom. Located on a small industrial estate, they overlook a green hillside and a river. This offers itself as an event venue and regularly hosts 150 people. Its parking area for approximately 80 cars is full at weekends. It is deafeningly noisy, but contained appropriately on the industrial estate, it is located where an industrial scale venture should be. It has sufficient indoor space, indoor food preparation, safe fenced outdoor space for children, adequate designated parking, plentiful toilets and does not nuisance a rural village.

Other pubs and restaurants: So there is now a luminous green double decker bus that may serve food located permanently next to the Hop Garden tent (when erect). Is it licenced to serve food or is this a way of avoiding food premise's approval? It may be a bus, but it doesn't go anywhere. How are pubs and restaurants within a three-mile radius affected by this? What analysis has been done on the impact this will have on their turnover especially the Bassett High Street?

Property price impact study: How are properties within 0.6 miles of a loud Hop Gardens and potential event venue devalued? The adjacent property remains unsold through winter.

Infrastructure issues: As it stands, the site is wholly unsuitable due to lack of street lights, side paths, public transport and safe designated collection area. Attention needs to be paid to aspects of road safety first so that turning out of the pub is limited to one direction only. However, this would do nothing to deal with the parking on farm land and the dangerous gravel caused by gravel grids not being laid and clean up not being done.

Covid impact and other dangers: Again, where is density analysis in this application? The Hop Garden deck is 20m by 10m. The central area is occupied by a bar. Therefore, 150 people will each have slightly more than 1m². Omnicron has a 67% lower risk of death than Delta. However, at the time of this representation we now have the new issue of Omnicron variants and Deltacron which anecdotally from French infections, has increased death rates amongst the elderly again. Let us not forget that 6.7% of all deaths are Covid related still. Experts are warning that the pandemic isn't over and sensibly no venue should be granted a licence if it could not safely comply with safe distancing of 2m² per person. As the farm land with seating and land behind is not part of the application this would optimally mean 60-80 people only in the Hop Gardens. As the farm land (if legally used as parking) represents parking for 50-60 cars, this too is a more realistic number.

Infrastructure issues: Where are the additional toilets? Pub requirements Males: 2 per 40; Females 1 per 25. Are there 2 men's and 3 lady's toilets as required for 150 people assuming equal numbers of each sex? Where are they located? Must 150 people cross the parking entrance to get to them? That's not safe. The Hop Chapel entrance is next to the gate where cars and deliveries turn in and out, how is this to be managed safely?

This application shows a lack of planning and forethought by the Director of Broad Town Brewery. Our concerns are focused on the haphazard and dangerous attempts to scale the Brewery and Gardens. A luminous green bus, a motley array of tents, make shift seating and eating, inadequate fencing, field car parks and a blatant disregard for safety – a description more suited to a carnival. This licence should be refused as it will create issues of safety and nuisance that may have no means of resolution as the proposed location is wholly unsuitable for what the Director is proposing in the application.

Potential risks to children at The Hop Gardens and Brewery - Images from Facebook.



Unfenced bonfire



Children being given and playing with flaming swords.



Above: Children near alpacas with only rope separation, no fence.



Children pretending to drink alcohol.

Right: View from The Hop Gardens as children play on drive entrance to major parking areas. There is no proper fencing off of the area so children have access to multiple dangerous areas.



Material cost to community.



Last year, Broad Town Brewery hosted live music events. These images from Rightmove and Facebook show the Live Act tunnel and how close it is to the neighbour who is now selling. Below left, is my photo of a more discrete tunnel that has replaced the red and black one. Why is it there and what, if not the noise nuisance sound system, does it house?



Dangerous gravel and blind bend.



No plastic permeable gravel grids used on driveway so dangerous gravel has spilled over the edge and down the street. Second image from 7m down the road.

Blind bend, wall and hedge obstruct line of sight.

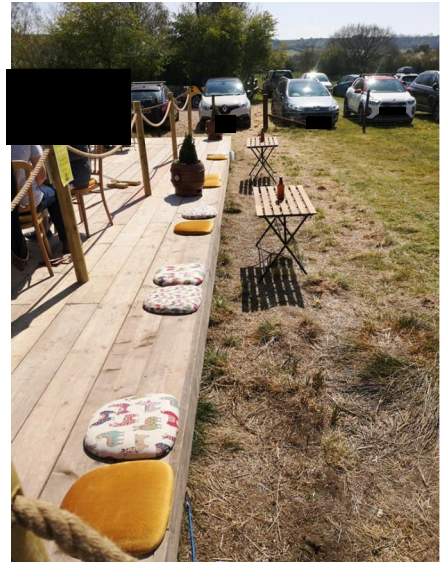


Access to this overflow carpark used all last summer for dog mess for path. Images from Google and above, Facebook.



This image from Google shows the Broad Town Brewery entrance. The Hop Chapel door is to the left behind the hedge; gravelled area in front is we presume the taxi collection area and the small, single car entrance between the brick wall is where all the cars must pass though for 150 people.

Misrepresentation of Hop Gardens supporting 150 visitors.



Aerial view (Google Maps) of The Hop Garden, benches in adjacent field and land behind.

Additional irregular seating



Presently, The Hop Gardens has regular seating for 50; additional irregular seating for 20 and a further 20-30 seated in the adjacent field to The Hop Gardens. Even if seating pads are placed all along the rim, the application is for 150, and that is only accomplished with temporary bale seating in the land behind as in image below. These images off Facebook suggest that The Hop Gardens is not where 150 people will be seated, but rather on the land behind and that this application is actually about being able to host noisy special events.



Model of how this should be done. All images below of Stroud Brewery and Taproom from their website and Google Earth.



Aerial view of the safe, designated parking area.



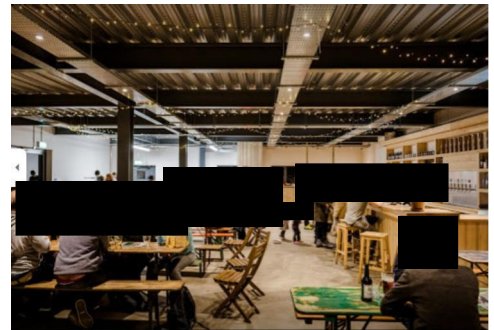
View of the beer garden, closed off from the parking and not near to residential area.



Events and party venue inside.



Commercial setting for commercial venture.

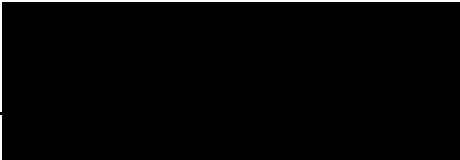


Tap room and pizza restaurant inside.

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..... **15/03/2022**

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

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

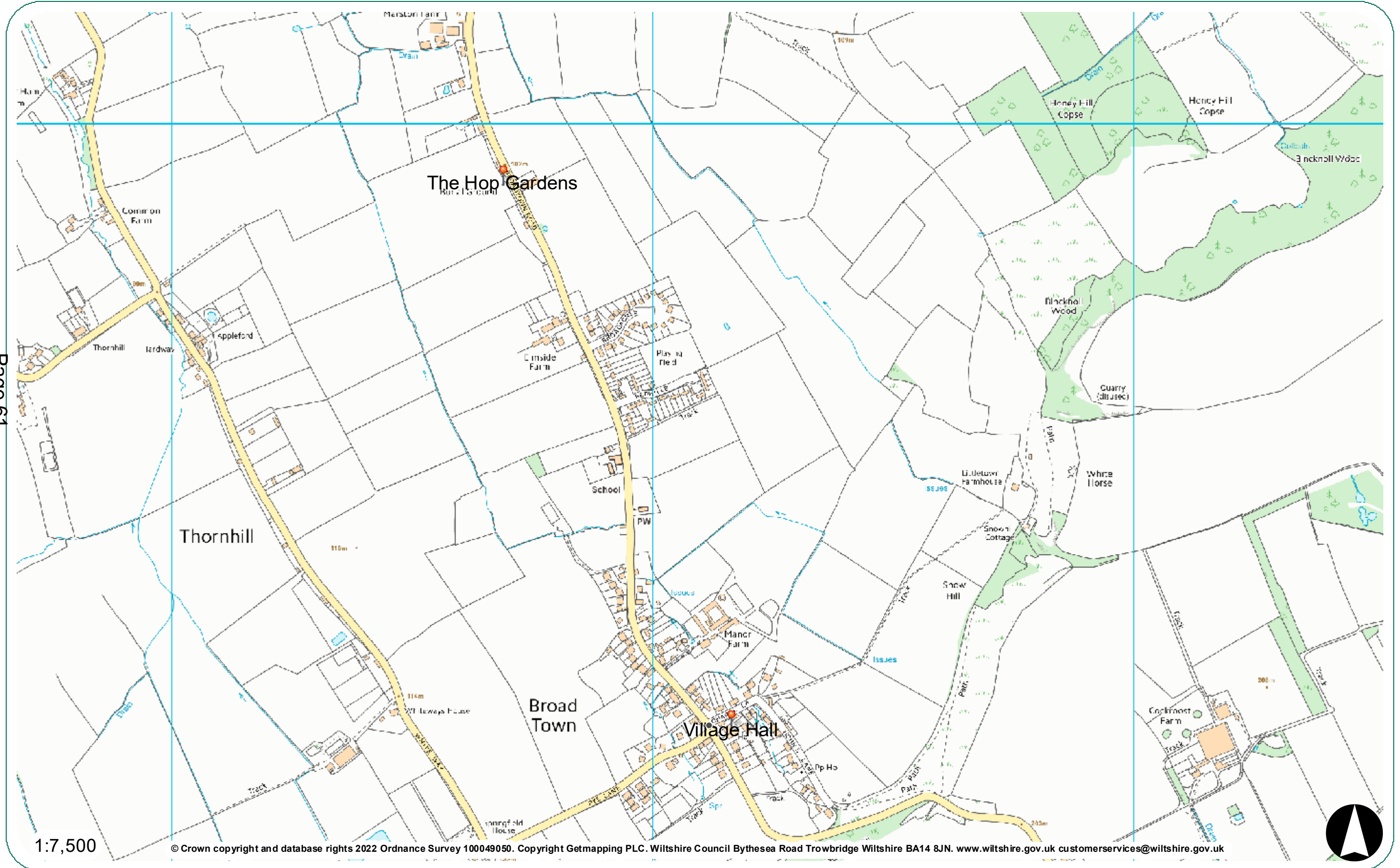
The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Bourne Hill
Salisbury
Wiltshire, SP1 3UZ

All other areas please send to the address below:

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



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