

# AGENDA

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**Meeting:** Western Area Licensing Sub Committee

**Place:** Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN

**Date:** Wednesday 17 January 2024

**Time:** 10.00 am

**Matter:** Application for a Premises Licence, 8 Westbury Mall, Edward Street, Westbury, Wiltshire, BA13 3DR

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

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

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## **Membership:**

Cllr Allison Bucknell  
Cllr Trevor Carbin

Cllr Andrew Davis

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## **Substitutes:**

Cllr Stewart Palmen

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# AGENDA

1 **Election of Chairman**

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

2 **Apologies for Absence/Substitutions**

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

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

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

4 **Chairman's Announcements**

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

5 **Declarations of Interest**

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

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

To consider and determine an Application for a Premises Licence by Westbury Pizza Ltd (Caprinos) in respect of 8 Westbury Mall, Edward Street, Westbury, BA13 3DR. The report of the Public Protection Officer (Licensing) is attached.

6a **Appendix 1 - Application and Plan** (*Pages 15 - 40*)

6b **Appendix 2 - Conditions offered by Applicant** (*Pages 41 - 42*)

6c **Appendix 2a - Email from Applicant confirming use of premises after 11pm** (*Pages 43 - 44*)

6d **Appendix 3a - Representation from Westbury Town Council** (*Pages 45 - 46*)

6e **Appendix 3b - Representation - Councillor Matthew Dean - Wiltshire Council and Westbury Town Council** (*Pages 47 - 48*)

6f **Appendix 3c - Representation - Sandoes Chartered Surveyors on behalf of Harford Properties Ltd** (*Pages 49 - 50*)

6g **Appendix 4 - Location Map of Premises** (*Pages 51 - 52*)

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## LICENSING COMMITTEE

### PROCEDURAL RULES FOR THE HEARING OF LICENSING ACT 2003 APPLICATIONS

#### 1 Purpose

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

#### 2 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 3 Key Principles

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

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

## **4 The Hearing**

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

## **5 Presentation of Submissions**

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

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

## **6 Questioning of Submissions**

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

## **7 Documentation**

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

## **8 Intervention**

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



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

## **9 Failure of Parties to Attend Hearing**

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

## **10 Closing Submissions**

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

## **11 Decision**

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

## Hearing Procedure Summary

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

## WILTSHIRE COUNCIL

### WESTERN AREA LICENSING SUB COMMITTEE

17 JANUARY 2024

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**Application for a Premises Licence;**  
**Westbury Pizza Ltd (Caprinos) 8 Westbury Mall, Edward Street, Westbury,**  
**BA13 3DR**

#### 1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of Westbury Pizza Ltd (Caprinos) 8 Westbury Mall, Edward Street, Westbury, BA13 3DR made by Westbury Pizza Ltd.

#### 2. Background Information

- 2.1 An application for a Premises Licence in respect of Westbury Pizza Ltd (Caprinos) 8 Westbury Mall, Edward Street, Westbury, BA13 3DR has been made by Westbury Pizza Ltd for which three 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 9 November 2023 an application for a New Premises Licence was received and accepted as a valid application.

2.6 The application as applied for is as follows:

<b>Licensable Activity</b>	<b>Timings</b>	<b>Days</b>
Late Night Refreshment	23:00 – 00:00	Mon-Wed
	23:00 – 01:00	Thur
	23:00 – 03:00	Fri-Sat
	23:00 – 02:00	Sun
	Non-Standard timings – An additional hour on public holidays, bank holidays and national sporting events.	

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

2.7 There are currently no take-aways in Westbury with a licence for late night refreshment.

### **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 Due to not having advertised, the 28 day consultation period was extended until 19 December 2023.

3.3 During the consultation period four relevant representations have been received from a local resident, a local property management company, a local Councillor and from the Westbury Town Council.

3.4 In response to the representation received by the local resident regarding public nuisance caused by light from the premises, Mr Sancolcar, director of Westbury Pizza Ltd, offered up a number of conditions to be added to the licence if it were to be granted. These can be found in **Appendix 2**. The resident was satisfied that this resolved their concerns and subsequently withdrew their representation.

3.5 During the consultation period Mr Sancolcar also confirmed that customers would not be permitted to sit inside the premises after 11pm as it would be a collection only service after this time. **Appendix 2a**.

#### **3.6 Representations Received**

- Rep 1, Julie Dyer on behalf of Westbury Town Council

- Rep 2, Councillor Matthew Dean, Wiltshire Councillor and Westbury Town Council
- Rep 3, Sandoes Chartered Surveyor, Edward Street, Westbury (on behalf of Harford Properties Ltd)

### 3.7 Responsible Authorities

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

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

Representation	Licensing Objective	Comments
Representation 1	Crime and disorder Public nuisance	Longer opening hours may provide a place for social gatherings after local pubs have closed. Increasing the chance of people who may be intoxicated and cause nuisance or other social problems. Increase of traffic, noise and disturbance in densely populated area
Representation 2	Public nuisance	Noise from customers and drivers. Increase in litter in the area.
Representation 3	Public nuisance	Light disturbance from the premises. The surrounding flats are lit up by the premises. Use of car park by delivery drivers. Increase in litter.

3.9 The relevant representations are attached as **Appendices 3a-c**.

3.10 Attached as **Appendix 4** is a plan showing the location of the premises.

## 4. Legal Implications

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

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

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

## **5. Officer Recommendations**

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

## **6. Right of Appeal**

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

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

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

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Report Author: Carla Adkins

Public Protection (Licensing)

Date of Report: 22 December 2023

### **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**
- **The Legislative Reform (Entertainment Licensing) Order 2014**

### **Appendices**

- 1 Application and Plan**
- 2 Conditions offered by applicant**
- 2a Email from applicant confirming use after 11pm**
- 3a Rep 1 - Westbury Town Council**
- 3b Rep 2 - Councillor Matthew Dean, Wiltshire Council and Westbury Town Council**
- 3c Rep 3 – Sandoes Chartered Surveyors on behalf of Harford Properties Ltd**
- 4 Location map of premises**

# Wiltshire Council

Filed  
Paid  
9/11/2023

## 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 WESTBURY PIZZA LIMITED  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
9-10 The Mall Edward Street Westbury			
Post town	WESTBURY	Postcode	BA133DR

Telephone number at premises (if any)	01373 864302
Non-domestic rateable value of premises	£ 4300

### Part 2 - Applicant details

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

a)	an individual or individuals *	<input type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
i	as a limited company/limited liability partnership	<input checked="" type="checkbox"/>	please complete section (B)
ii	as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
iii	as an unincorporated association or	<input type="checkbox"/>	please complete section (B)

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

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

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

**(A) Individual applicants** (fill in as applicable)

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



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

**(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	WESTBURY PIZZA LIMITED
Address	9-10 The Mall Edward Street Westbury BA133DR
Registered number (where applicable)	13595790
Description of applicant (for example, partnership, company, unincorporated association etc.)	Director
Telephone number (if any)	01373 864302
E-mail address (optional)	Westbury@Caprinospizza.co.uk

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
<del>15</del>	<del>07</del>	<del>2023</del>

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

DD	MM	YYYY

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

Pizza shop, takeaway & eat in

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

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

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

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

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

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b>Please give further details here</b> (please read guidance note 4)	Both
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**C**

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					



F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take <u>place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
				Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed					
Thur			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun			<b><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></b> (please read guidance note 6)		

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed					
Thur			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (please read guidance note 6)		
Sun					

H

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

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) <i>Collection + DELIVERY ONLY</i>	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	24:00	<u>Please give further details here</u> (please read guidance note 4)		
Tue	23:00	24:00			
Wed	23:00	24:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	08:00	<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) <i>Plus an extra hour for public holidays, Bank holidays or National Sturtean event</i>		
Sat	23:00	03:00			
Sun	23:00	02:00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b>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</b> (please read guidance note 6)		

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

<b>Name</b>	
<b>Date of birth</b>	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	

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

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	24:00	<p><b>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</b> (please read guidance note 6)</p> <p>opening to mirror <del>the</del> Non Standard timings of LNR during sporting, public, + bank holidays</p>
Tue	11:00	24:00	
Wed	11:00	24:00	
Thur	11:00	01:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	02:00	

## M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

Takeaway or by delivery only  
after 23:00 hrs

b) The prevention of crime and disorder

CCTV System instore record for 28  
days available to view by police and  
licensing.  
people who are drunk will be refuse  
service & ask to leave

c) Public safety

enter to premision is well let  
staff recieve induction training  
on food safety and manual  
handling

d) The prevention of public nuisance

Rubbish bin outside the premises  
No customer eating in the shop  
after 23:00 hrs.  
Delivery & takeaway only

**e) The protection of children from harm**

**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.	X
•	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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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).</li> <li>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)</li> </ul>
Signature	
Date	09/11/23
Capacity	Director

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)			
AS over			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

## Notes for Guidance

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

- Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to

- consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.
  15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

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

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

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

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Home Office online right to work checking service.**

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

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

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

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

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

**Data Protection:** *Wiltshire Council will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. Further information can be found at <http://www.wiltshire.gov.uk/community-safety-privacy-notice>*

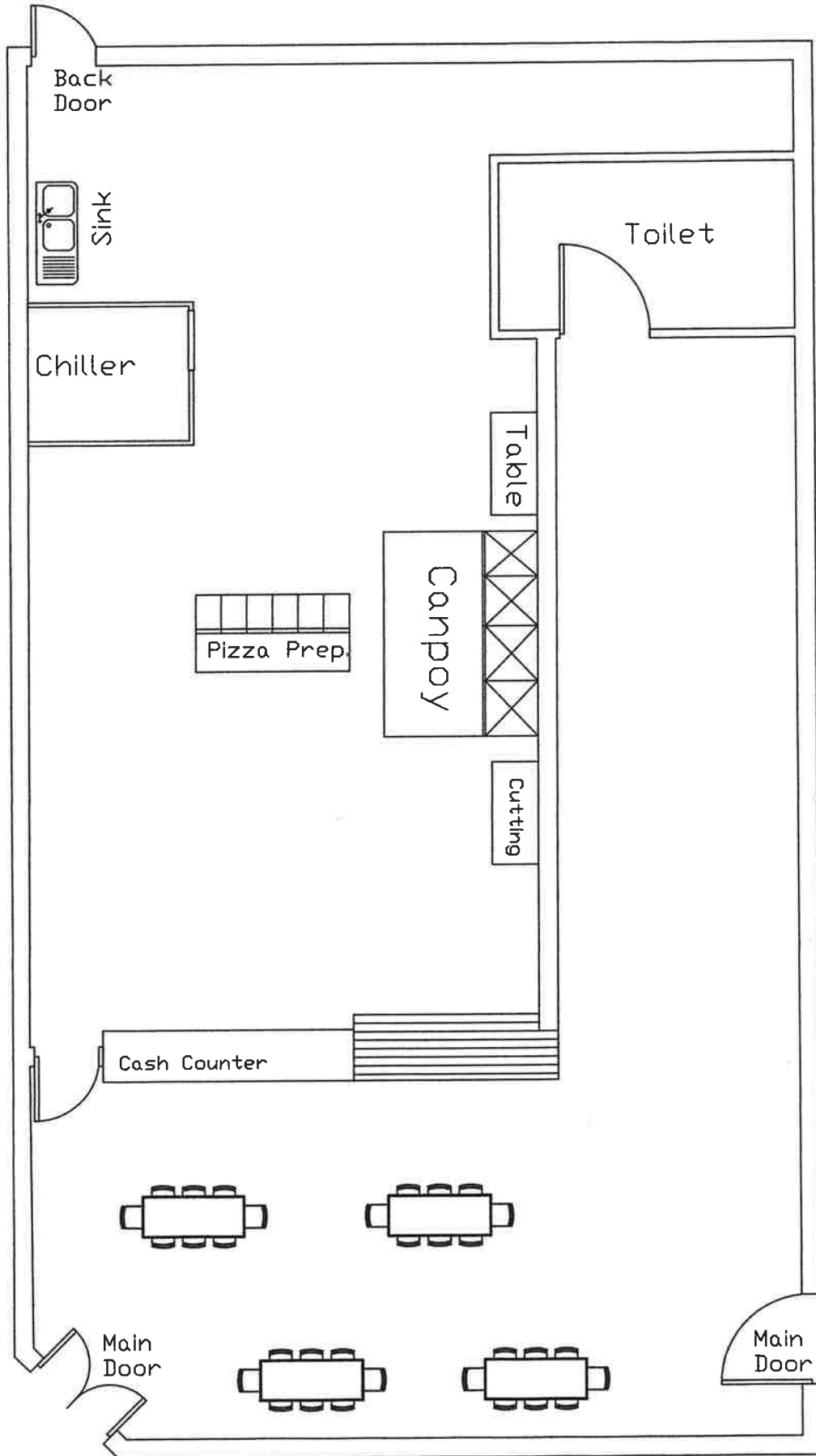
*You are providing your information to Wiltshire Council, contact details [publicprotectionnorth@wiltshire.gov.uk](mailto:publicprotectionnorth@wiltshire.gov.uk). The Council's Data Protection Officer can be contacted via [InformationGovernance@wiltshire.gov.uk](mailto:InformationGovernance@wiltshire.gov.uk). Your information is collected for the purpose of processing your licence application as required to fulfil the council's duties under the legislation, statutory or contractual requirement or obligation.*

**Legislation Context**

*Licensing Act 2003 for the processing of licensing applications and the prevention of fraud. The information may be shared with police, fire service and teams within Wiltshire Council, as statutory consultees, the Home Office to ascertain the right to work and HM Revenue and Customs, at their request, to identify potential fraud.*



9-10 THE MALL EDWARD STREET  
WESTBURY.



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**From:** Caprinos Westbury <westbury@caprinospizza.co.uk>  
**Sent:** Tuesday, December 12, 2023 11:25 AM  
**To:** Adkins, Carla <carla.adkins@wiltshire.gov.uk>  
**Subject:** Re: Westbury Pizza

You don't often get email from [westbury@caprinospizza.co.uk](mailto:westbury@caprinospizza.co.uk). [Learn why this is important](#)

Hi Carla

Yes that's all right

Regards

snehal sancolcar

On 12/12/2023 03:02 PST Adkins, Carla <[carla.adkins@wiltshire.gov.uk](mailto:carla.adkins@wiltshire.gov.uk)> wrote:

Good Morning Mr Sancolcar,

Thank you for your email. Please can you confirm that you are happy with the following points being added as conditions to a licence if it were granted:

- The outside lights and lit signage will be turned off from 11pm.
- The windows of the premises will be tinted to prevent light from inside being a nuisance
- From 11pm, the entrance to the premises which faces the nearest resident will be locked.
- From 11pm all staff, including delivery drivers, will use the rear entrance to the premises

Kind regards,

Carla

**Carla Adkins**

**Public Protection Officer (Licensing)**

**Wiltshire Council**

DDI: 01249 706438

Internal: 21438

Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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**From:** Caprinos Westbury <[westbury@caprinospizza.co.uk](mailto:westbury@caprinospizza.co.uk)>

**Sent:** Monday, December 11, 2023 11:53 AM

**To:** Adkins, Carla <[carla.adkins@wiltshire.gov.uk](mailto:carla.adkins@wiltshire.gov.uk)>

**Subject:** Re: Licensing Act 2003 - Representation received

You don't often get email from [westbury@caprinospizza.co.uk](mailto:westbury@caprinospizza.co.uk). [Learn why this is important](#)

Hi Carla

As per our conversation today I have already spoken to [REDACTED] on saterday morning regrading their concerns I have told her that after 11pm my shop light which is coming to her window will be off and I will put some tinted window film so in future no light will come onher window as well as we will close our door which is facing her flat at 11pm and all my staff will use back door to come in an out of store and other issuse please fill free to contact me

Regards

snehal sancolcar

**From:** Caprinos Westbury <westbury@caprinospizza.co.uk>

**Sent:** Monday, December 11, 2023 10:55 PM

**To:** Adkins, Carla <carla.adkins@wiltshire.gov.uk>

**Subject:** RE: Licensing Act 2003 - Representation received

You don't often get email from [westbury@caprinospizza.co.uk](mailto:westbury@caprinospizza.co.uk). [Learn why this is important](#)

Hi Carla

after 11 pm collection is open but only collect on sit in only order online and collect

reagrds

snehal sancolcar

On 11/12/2023 04:53 PST Adkins, Carla <[carla.adkins@wiltshire.gov.uk](mailto:carla.adkins@wiltshire.gov.uk)> wrote:

Good Afternoon Mr Sancolcar

Thank you for emailing this across.

Please could you clarify... after 11pm will it be delivery only, or will customers be able to collect/enter the premises?

If you could let me know, it would be much appreciated.

Kind regards,

Carla

**Carla Adkins**

**Public Protection Officer (Licensing)**

**Wiltshire Council**

DDI: 01249 706438

Internal: 21438

Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## Adkins, Carla

---

**From:** Julie Dyer <Julie.Dyer@westburycouncil.gov.uk>  
**Sent:** 19 December 2023 16:43  
**To:** Adkins, Carla  
**Cc:** Deborah Urch  
**Subject:** RE: Application for a new premises licence - Westbury Pizza Ltd (Caprinos) 8-10 Westbury Mall, Edward Street, Westbury, BA13 3DR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Carla

As per our original objection below, we would not support any application to extend opening hours beyond midnight which is in line with other similar establishments in the town centre.

1. Protection of youth from harm – longer hours will increase access to unhealthy food, will not encourage healthy eating and have a detrimental impact on long term health.
2. Prevention of crime and disorder and public safety – longer opening hours will provide a place for social gatherings after local pubs have closed. Increasing the chance of people who may be intoxicated and cause nuisance or other social problems.
3. Prevention of public nuisance - longer hours will produce increased traffic, noise and disturbance in a densely populated area.
4. We would not support an application to extend opening hours beyond midnight in line with other takeaway outlets in the town centre.

Many thanks.

Kind regards

*Julie Dyer*



**Julie Dyer – Support Services Team  
Leader**  
[Julie.dyer@westburycouncil.gov.uk](mailto:Julie.dyer@westburycouncil.gov.uk)  
Phone: 01373 822232 | DDI: 01373 480913  
Mobile : 07391 580 959  
The Laverton, Bratton Road, Westbury  
Wiltshire, BA13 3EN  
[www.westburycouncil.gov.uk](http://www.westburycouncil.gov.uk)

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*Please consider the environment. Do not print this email unless you really need to.*

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-----Original Message-----

From: Matthew Dean [REDACTED]

Sent: Tuesday, December 19, 2023 3:21 PM

To: PublicprotectionNorth <[PublicprotectionNorth@wiltshire.gov.uk](mailto:PublicprotectionNorth@wiltshire.gov.uk)>

Subject: Westbury Pizza Limited - application to extend opening hours ; email objection

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Sir / Madam

RE: Caprinos Pizza Westbury BA13 Application for variation of a premises licence

I am writing in my capacity as both a Westbury Councillor and Westbury Town Councillor to object to the above application.

Caprinos already trades over long opening hours to the detriment of local residents. The business is situated in what, prior to their occupation, was the edge of a quiet residential area. While the pizza takeaway is open, it generates quite a lot of noise from customers picking up pizzas and from service vehicles that the take away business use to deliver pizzas. Inevitably there is disruption to neighbouring households as the business generates noise as drivers leave their lights on, bang doors, idle engines and park illegally on the road. Groups of pedestrian visitors often eat their pizzas outside while drivers often consume their pizzas in their cars with their lights on and motors running. All this creates noise which is clearly audible in the flats and houses situated near the takeaway.

Both car users and pedestrian visitors on occasion discard their pizza boxes and other detritus on the street and in the communal courtyard of the adjacent residential property which has resulted in a much increased litter problem in the vicinity of the existing pizza take away.

To some extent this has been tolerated by local residents as the quid pro quo of having the amenity of a take away in the area but everyone that has spoken to me is strongly against the proposals to extend opening hours of the premises further as the impact on local residents would be unacceptable.

There is realistically no prospect of parking or litter enforcement in the early hours so effectively there is nothing to be done that will alleviate what inevitably will be an increase antisocial behaviour from late night/ early morning visitors to Caprinos.

It is unacceptable for local residents to have to tolerate late night and early morning disturbance on a regular basis over a whole week and the proposal to extend opening hours beyond the existing provision will clearly do this.

The management of Sandoes, the Angel Public House and Morrisons are all providing additional cleaning both on street and within the curtilage of their properties which is evidence of existing anti social behaviour. Further opening will only exacerbate this problem and an unreasonable burden.

I therefore would object to the application and request the business trades strictly to its existing permitted hours which I would ask Wiltshire Council do not extend further.

Yours sincerely,

Matthew Dean

Westbury Town Councillor  
Wiltshire Councillor for Westbury West.



The Licensing Authority  
Wiltshire Council  
Public Protection  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

19<sup>th</sup> December 2023

Dear Sirs

**Re: Westbury Pizza Limited (T/a Caprinos), 9-11 The Mall (aka 9-11 Westbury Mall), Edward Street, Westbury, Wiltshire BA13 3DR**

I write on behalf of clients Harford Properties Limited to object to the proposed new licensing hours set out in Westbury Pizza Limited's (Caprinos) application of 10<sup>th</sup> November 2023.

Harford Properties Limited is the freeholders of the adjoining Angel Mill complex, of which the subject property physically forms part. The complex includes The Old Mill House, Laverton Mill and The Church Street Apartments. This is a 60 flat complex and we are their appointed managing agents, and we have also been asked by many of the residents to ensure that we object to these proposals too.

The Old Mill House contains 6 ground floor flats which share a courtyard with Caprinos, and there are a further 18 flats arranged on the three floors above these. All 24 flats will be directly affected by any increased noise which will be magnified by the enclosed nature of the courtyard.

There are also 10 flats within the adjacent Church Street Apartments section of the development, as well as a further 26 flats within the adjoining Laverton Mill section of Angel Mill. These remaining 36 flats are currently affected by the comings and goings of Caprinos delivery drivers and their customers, who are currently apt to use, without consent, the residents main car parking area.

Caprinos presence already results in discarded pizzas and pizza boxes within the complex and smeared pizza on the walls to the walkways which we have to arrange to have cleared up and I fear that increasing their trading hours will result in more of the same.

There is also the matter of light pollution to the courtyard as the east elevation to Caprinos is almost entirely glazed and lights the courtyard (which is otherwise unlit

bar PIR activated floodlights) during Caprinos opening hours and causing more disturbance by lighting flat bedrooms.

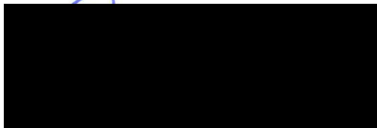
The extensions proposed are considered unnecessary, and seem largely designed in such circumstance to allow Caprinos home delivery trade, but may create a focal point for unruly behavior in circumstances where most other fast food businesses have long since closed.

We currently receive frequent complaints about Caprinos drivers using residents allocated car parking spaces without consent and this proposal, if allowed it will likely result in our having to install costly barrier systems to the development to exclude Caprinos drivers and their customers.

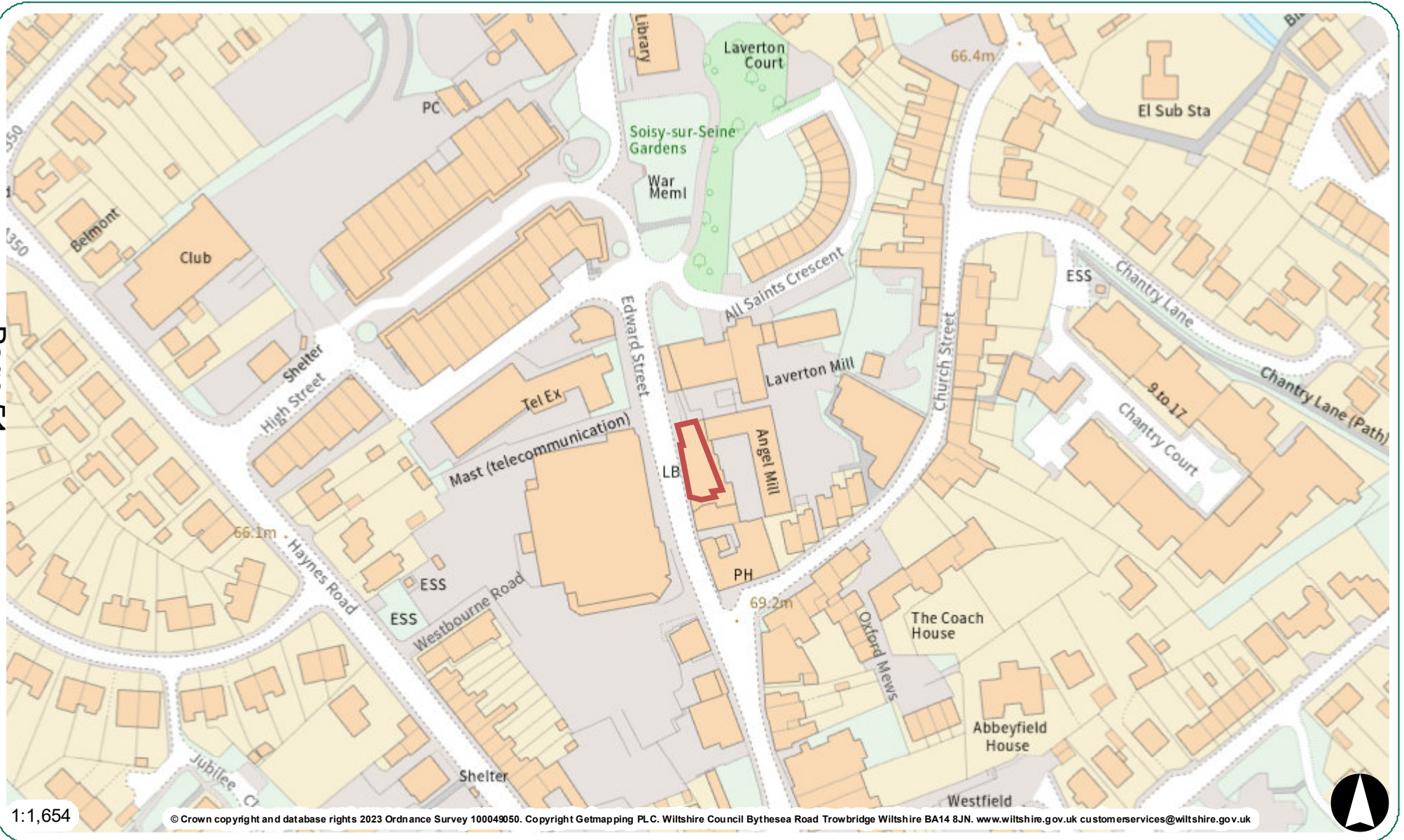
In short, Caprinos proposals will result in unreasonable intrusion, disturbance and nuisance to the residents of The Old Mill House, Laverton Mill and The Church Street Apartments, as well as likely additional cost, and we ask you to consider these matters when making your decision as to whether to allow their proposals. Caprinos existing hours are considered entirely reasonable, and it does not seem fair to burden the residents of the densely populated Angel Mill complex, and The Old Mill residents in particular with the extended nuisance that allowing this proposal will cause.

Thank you in anticipation of your consideration of these representations.

Yours faithfully

A black rectangular redaction box covering the signature of Julian Sandoe.

Julian Sandoe BSc MRICS



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