

AGENDA

Meeting: Eastern Area Licensing Sub Committee
Place: Council Chamber - Council Offices, Browfort, Devizes
Date: Monday 12 December 2011
Time: 10.30 am
Matter: Application for a Premises Licence: Five Lanes Farm, Potterne,
Devizes SN10 5PT

Please direct any enquiries on this Agenda to Pam Denton 01225 718371 or pam.denton@wiltshire.gov.uk, of Democratic Services, County Hall, Trowbridge, BA14 8JN.

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 Liz Bryant
Cllr Ernie Clark

Cllr Bill Moss

AGENDA

1. **Election of Chairman**

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

2. **Declarations of Interest**

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

3. **Chairman's Announcements**

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

4. **Procedure for the Meeting** (*Pages 1 - 8*)

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

5. **Licensing Application** (*Pages 9 - 42*)

To consider and determine an Application for a Premises Licence in respect of Five Lanes Farm, Potterne, Devizes

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 an Interested Party 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.

“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.

“Interested Party” means a person who is present at a Hearing to make representations in respect of an Application in their capacity as an Interested Party, and includes any person who is present to assist or make representations on behalf of the Interested Party 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 an Interested Party/Parties;
 - 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 an Interested Party/Parties.
- 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 is a multiple of Interested Parties 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 Interested Parties.

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 Review 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).
- A Responsible Authority/Authorities and/or an Interested Party/Parties 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 an Interested Party/Parties would be happy to have the Application granted subject to which would cause the representation to be withdrawn.

The Premises Licence Holder and/or their representative will orally present their representations which shall include;

- A The response to the representations made by the Review Applicant, a Responsible Authority/Authorities and/or an Interested Party/Parties; and
- B Whether they would be happy to accept any modifications to the Licence as suggested by the Review Applicant, a Responsible Authority/Authorities and/or an Interested Party/Parties.

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 an Interested Party/Parties 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 Interested Party's premises. 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 the Interested Party/Parties to make a closing oral submission(s) and secondly invite the Applicant or the Applicant's Representative an opportunity to make an oral closing submission in support of the Application.

11 Decision

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

Hearing Procedure Summary

1. The Chairperson welcomes all those present and introduces the Application.
2. The Chairperson introduces the Applicant, Responsible Authority/Authorities and/or Interested Party/Parties.
3. The Chairperson outlines the Hearing Procedure.
4. The Licensing Officer presents the Committee Report.
5. The Applicant addresses the Committee.
6. Questions to the Applicant by Responsible Authority/Authorities and/or Interested Party/Parties.
7. Questions to the Applicant by Members of the Committee.
8. Comments by Responsible Authority/Authorities and/or Interested Party/Parties.
9. Questions by Applicant.
10. Questions to Responsible Authority/Authorities and/or Interested Party/Parties by Members of the Committee.
11. Summing up by Parties who have made representations.
12. Summing up by Applicant.
13. Committee retires with the Committee Lawyer and Committee Manager to consider its decision.
14. Committee returns and the Lawyer gives a summary of any legal advice that may have been given to the Committee, and invites the parties present to make any comments on that advice.
15. The Chairperson either gives the decision with reasons, or advises that it will be released in writing with reasons within the statutory time limits.

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Wiltshire Council

East Area Licensing Sub Committee

12 December 2011

**Application for a Premises Licence:
Five Lanes Farm, Potterne, Devizes SN10 5PT**

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of Five Lanes farm, Potterne, Devizes SN10 5PT made by Mrs T Chandler

2. Background Information

- 2.1 An application for a Premises Licence in respect of Five Lanes farm, Potterne, has been made by Mrs T Chandler for which one relevant representation has been received. The application relates to a temporary marquee to be sited at Five Lanes farm, Potterne, Devizes SN10 5PT.

The applicant, Mrs T Chandler has previously held two Medieval Fairs on the same site which were authorised by a Temporary Event Notice. No complaints relating to these events were 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 necessary 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 necessary 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 28th October 2011 an application for a Premises Licence was received and accepted as a valid application.

2.6 The application as applied for is as follows:

Licensable Activity	Timings	Days
<u>Provision of regulated entertainment</u> Plays (Both) Films (Both) Indoor sporting events Boxing or wrestling entertainment Live music (Both)	11:00 – 23:00 11:00 – Midnight 11:00 – 01:00 (next day) Extend Terminal hour until 01:00 11:00 – 23:00 11:00 – Midnight 11:00 – 01:00 Extend Terminal hour until 01:00 11:00 – 23:00 11:00 – Midnight 11:00 – 01:00 Extend Terminal hour until 01:00 11:00 – 23:00 11:00 – 23:00 11:00 – Midnight 11:00 – 01:00 Extend Terminal hour until 02:00	Sunday – Wednesday Thursday Friday & Saturday Bank Holiday Mondays, Christmas Eve & New Years Eve Sunday – Wednesday Thursday Friday & Saturday Bank Holiday Mondays, Christmas Eve & New Years Eve Sunday – Wednesday Thursday Friday & Saturday Bank Holiday Mondays, Christmas Eve & New Years Eve Monday - Sunday Sunday – Wednesday Thursday Friday & Saturday Bank Holiday Mondays, Christmas Eve & New Years Eve

<p>Recorded music (Both)</p> <p>Performance of dance (Both)</p> <p>Anything of a similar description (Both)</p>	<p>11:00 – 23:00 11:00 – Midnight 11:00 – 01:00</p> <p>Extend Terminal hour until 02:00</p> <p>11:00 – 23:00 11:00 – Midnight 11:00 – 01:00</p> <p>Extend Terminal hour until 01:00</p> <p>11:00 – 23:00 11:00 – Midnight 11:00 – 01:00</p> <p>Extend Terminal hour until 02:00</p>	<p>Sunday – Wednesday Thursday Friday & Saturday</p> <p>Bank Holiday Mondays, Christmas Eve & New Years Eve</p> <p>Sunday – Wednesday Thursday Friday & Saturday</p> <p>Bank Holiday Mondays, Christmas Eve & New Years Eve</p> <p>Sunday – Wednesday Thursday Friday & Saturday</p> <p>Bank Holiday Mondays, Christmas Eve & New Years Eve</p>
<p><u>Provision of entertainment facilities</u></p> <p>Making music (Both)</p> <p>Dancing (Both)</p> <p>Entertainment of a similar description (Both)</p>	<p>11:00 – 23:00 11:00 – Midnight 11:00 – 01:00</p> <p>Extend Terminal hour until 02:00</p> <p>11:00 – 23:00 11:00 – Midnight 11:00 – 01:00</p> <p>Extend Terminal hour until 02:00</p> <p>11:00 – 23:00 11:00 – Midnight 11:00 – 01:00</p> <p>Extend Terminal hour until 02:00</p>	<p>Sunday – Wednesday Thursday Friday & Saturday</p> <p>Bank Holiday Mondays, Christmas Eve & New Years Eve</p> <p>Sunday – Wednesday Thursday Friday & Saturday</p> <p>Bank Holiday Mondays, Christmas Eve & New Years Eve</p> <p>Sunday – Wednesday Thursday Friday & Saturday</p> <p>Bank Holiday Mondays, Christmas Eve & New Years Eve</p>

Provision of late night refreshment (Both)	23:00 - Midnight 23:00 – 01:00 Extend Terminal hour until 02:00	Sunday – Thursday Friday & Saturday Bank Holiday Mondays, Christmas Eve & New Years Eve
Sale by retail of alcohol (on site and off)	11:00 – 23:00 11:00 – Midnight 11:00 – 01:00 Extend Terminal hour until 02:00	Sunday – Wednesday Thursday Friday & Saturday Bank Holiday Mondays, Christmas Eve & New Years Eve

A copy of the application form is attached as **Appendix 1. A copy of a site map is attached at Appendix 2.**

3. Consultation and Representations

3.1 Responsible Authorities

Representation has been received from Mrs V Brown Public Protection Officer (Environmental Control & Protection) (S & E). **Attached as Appendix 3**

During the consultation period Mr F Nutley, Public Protection Officer, Health & Safety discussed the application with applicant, Mrs T Chandler, who then volunteered an amendment to her original application.

- We will give written notice and include an Event Management Plan (EMP) 30 days prior to any event taking place when numbers are between 499-3000 and 60 days notice prior to any event taking place when numbers will be 3000-5000. To include Licensing, Health & Safety and the Police.

A copy of the amendment is attached at **Appendix 4**. This was circulated to all Responsible Authorities.

3.3 Interested Parties

- No representations were received from Interested Parties..

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

Representation	Licensing Objective	Accepted	Comments
Public Protection	Public Nuisance	Yes	

3.5 The relevant representations are attached as **Appendix 3**.

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, all Responsible Authorities and Interested Parties 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 Responsible Authorities and Interested Parties 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, the Responsible Authority(ies) and Interested Parties 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 an Interested Party 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 an Interested Party will not normally be granted within the first 12 months except for the most compelling circumstances.

Report Author: Jane Cowley - Public Protection Officer – Licensing East.

Date of report: 29th November 2011

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 Application Form**
- 2 Site Map**
- 3 Relevant Representations**
- 4 Amendment to application following mediation with Health & Safety**

**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 TERESA CHANDLER
(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			
FIVE LANES FARM. POTTERNE DEVIZES WILTSHIRE			
Post town		Post code	SN10 5PT
Telephone number at premises (if any)		01530 25415	
Non-domestic rateable value of premises		£ nil	

Part 2 - Applicant Details

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

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


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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname CHANDLER			First names TERESA ROSEMARY.		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		SAME.			
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

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

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	1	2 2 0 1 1

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

Day	Month	Year

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

TEMP MARGUER ON ~~F~~ FIELD OF FIVE LAKES FARM
 POTTSANE
 DEVIZES
 WILTSHIRE
 SN10 5PT

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

in all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	23.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	11.00	24.00			
Fri	11.00	01.00	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 (please read guidance note 5) BANK Holiday's Monday's CHRISTMAS EVE NEW YEARS EVE TERMINAL HRS TO BE EXTENDED UNTILL 01.00		
Sat	11.00	01.00			
Sun	11.00	23.00			

E

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	23.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	11.00	24.00			
Fri	11.00	01.00	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 (please read guidance note 5)		
Sat	11.00	01.00			
Sun	11.00	23.00			

BANK HOLIDAYS MONDAYS
CHRISTMAS EVE.
NEW YEARS EVE
TERMINAL HRS TO BE EXTENDED UNTILL 0100

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon	11.00	23.00	
Tue	11.00	23.00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	11.00	23.00	
Thur	11.00	24.00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	11.00	01.00	
Sat	11.00	01.00	
Sun	11.00	23.00	

BANK Holiday's Monday's

CHRISTMAS EVE

NEW YEARS EVE

TERMINAL HRS
TO BE EXTENDED
UNTILL 0100

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	23.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur	11.00	23.00			
Fri	11.00	23.00	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 (please read guidance note 5)		
Sat	11.00	23.00			
Sun	11.00	23.00			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	23.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	11.00	24.00			
Fri	11.00	01.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) BANK HOLIDAYS Monday's CHRISTMAS EVE TERMINAL HAS NEW YEAR'S EVE TO BE EXTENDED WITH 0200		
Sat	11.00	01.00			
Sun	11.00	23.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	23.00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	11.00	24.00			
Fri	11.00	01.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11.00	01.00			
Sun	11.00	23.00			

AM Monday } EXTENDED TERMINAL HRS
 CHRISTMAS EVE }
 NY EVE } 0100

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	11.00	23.00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	11.00	23.00	Please give further details here (please read guidance note 3)		
Wed	11.00	23.00			
Thur	11.00	24.00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	11.00	01.00			
Sat	11.00	01.00	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 (please read guidance note 5)		
Sun	11.00	23.00	BH Monday CHRISTMAS EVE NEW YEARS EVE		
			} EXTENDED TERMINAL HRS 02.00.		

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	11.00	23.00		
Tue	11.00	23.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Wed	11.00	23.00		
Thur	11.00	24.00	Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri	11.00	01.00		
Sat	11.00	01.00	BANK HOLIDAYS Monday } EXTENDED TERMINAL CHRISTMAS EVE NEW YEAR'S EVE } HRS 0200	
Sun	11.00	23.00		

✓

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)</u>	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give a description of the facilities for dancing you will be providing</u>	
Mon	11.00	23.00	<u>Please give further details here (please read guidance note 3)</u>	
Tue	11.00	23.00		
Wed	11.00	23.00	<u>State any seasonal variations for providing dancing facilities (please read guidance note 4)</u>	
Thur	11.00	24.00		
Fri	11.00	01.00	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u> BANK Holiday's Mondays CHRISTMAS EVE NEW YEAR'S EVE } EXTENDED TERMINAL WKS 02.00	
Sat	11.00	01.00		
Sun	11.00	23.00		

✓

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon	11.00	23.00		Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Tue	11.00	23.00	Please give further details here (please read guidance note 3)	
Wed	11.00	23.00		
Thur	11.00	24.00		
			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)	
Fri	11.00	01.00	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	11.00	01.00		
Sun	11.00	23.00	BANK Holiday's } EXTENDED Monday } TERMINAL CHRISTMAS EVE } HAS 0200 NEW YEAR'S EVE }	

✓

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11.00	24.00			
Tue	11.00	24.00			
Wed	11.00	24.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	11.00	24.00			
Fri	11.00	01.00			
Sat	11.00	01.00	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 (please read guidance note 5)		
Sun	11.00	24.00			
			BANK Holiday's Monday's CHRISTMAS EVE NEW YEAR'S EVE		
			} EXTENDED. TERMINAL HRS 0200		

✓

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	11.00	23.00			
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	24.00			
Fri	11.00	01.00			
Sat	11.00	01.00			
			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 5)		
Sun	11.00	23.00	BANK HOLIDAYS } EXTENDED CHRISTMAS Eve } TERMINAL NEW YEAR'S EVE } HRS 0200		

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

Name	Stephanie chandler
Address	Five Lanes Farm, Potterne, Devizes, Wiltshire
Postcode	SN10 5PT
Personal Licence number (if known)	KK/PA0641
Issuing licensing authority (if known)	Wiltshire Council

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10.30	23.30	
Tue	10.30	23.30	
Wed	10.30	23.30	
Thur	10.30	00.30	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>BANK Holiday's Monday CHRISTMAS EVE } EXTENDED. NEW YEAR'S EVE } TERMINAL HRS 0230</p>
Fri	10.30	01.30	
Sat	10.30	01.30	
Sun	10.30	23.30	

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

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

b) The prevention of crime and disorder

INTRODUCE A PROOF OF ID SCHEME – 'CHALLENGE 21'

c) Public safety

Fully compliance WITH H.O.S. AND FIRE Reg's
INSURE CAPACITY LIMITS NOT EXCEEDED IN Marquee

d) The prevention of public nuisance

- SIGNAGE DISPLAYED REMINDING TO LEAVE SIGHT QUIETLY.
- Litter Patrols.

e) The protection of children from harm

Any Film's SHOWN will BE AGE RELATED TO THE
AUDIENCE.
- APPLICANT C.R.B checked;
INTRODUCE A PROOF OF ID SCHEME – 'CHALLENGE 21'


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	
Date	28 oct 2011
Capacity	APPLICANT

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives.
Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Notes:-

Five lane
Farm
Pottery.

Key:-

Overhead Electricity
Line (CC)

Confidential. The drawing may not be copied and
reproduced wholly or in part except with the written
consent of the Controller of H.M. Stationery

THE CONTROLLER OF H.M. STATIONERY



1:5000

at A3

Scheme Name:-

CC Line Referencing



10023/CHAONP/1

SSE10023

ST 9757 5841

Scale:- 1:5000

Drawn by:- DW

Date:- 14.07.2011

App. No.:- 50

Drawing Name:-

Notice Plan

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Cowley, Jane

From: Brown, Victoria J
Sent: 23 November 2011 16:03
To: Cowley, Jane
Subject: Premises Licence Application for Five Lanes Farm, Potterne

Dear Jane,

Re: Premises Licence Application for Five Lanes Farm, Potterne

I write on behalf of the Environmental Health department to object to the granting of this premises licence application. We recommend this application be refused because we are of the opinion that it is likely to lead to public nuisance for people living nearby. The application is therefore not in accordance with the "prevention of public nuisance" licensing objective.

Five Lanes Farm is in a quiet rural location where background noise levels, especially at night are likely to be very low. The area marked on the plan of the premises submitted with the application is very large. An area this size suggests that large scale events with large numbers of people may take place. The larger scale the event the more substantial the sound system or systems will be required to provide regulated entertainment and the wider the impact of the event is likely to be. There are residential properties in close proximity of the premises boundary which are likely to be affected by noise during regulated entertainment. Careful management will be required to make sure that any noise does not result in a nuisance being caused. As it is currently written, the operating schedule does not contain any detail as to how the applicant will prevent noise from their premises from causing a nuisance to nearby residents.

The access road to the site is a single track with residential properties at the entrance on to the main road. We feel that there is the potential that vehicles and pedestrians arriving and leaving from potentially large scale events may also cause local residents to make complaint regarding noise disturbance. The large area of land also gives rise to concerns that part of it may be made available for people to camp over night. These people may create noise that could cause a disturbance past the licence hours and further into the early morning.

We have also taken into account the days and times which have been applied for in the licence application. The applicant has applied for hours of operation which extend to the late evening and early hours of the morning when music noise is most likely to cause a nuisance for people living nearby. The applicant has applied for a licence to allow licensable activities to take place seven days a week with no limit on the number of events that could take place at the premises. This leads to serious concerns that the premises could be used on a very frequent or continuous basis as opposed to infrequently.

It is also relevant to highlight that unfortunately this department regularly deals with nuisance and complaints of nuisance arising from activities taking place outside or in other lightweight or temporary structures such as tents or marquees. Unfortunately activities of the kind applied for here are likely to have a widespread noise impact which is difficult to control.

We intend to discuss these issues further with the applicant and establish if satisfactory amendments to the application can be agreed so that we can be confident the granting of a licence for these premises is unlikely to cause a public nuisance.

Due to officer availability it would be preferable to arrange the hearing for 12th December. If that date is not possible another date during that week would be preferable to another week within the required period.

Regards

Vicky Brown

Public Protection Officer (Environmental Control & Protection) (S&E)

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Cowley, Jane

From: Nutley, Fred
Sent: 25 November 2011 10:58
To: Cowley, Jane
Subject: FW: Health and Safety

From: [REDACTED]
Sent: 24 November 2011 13:27
To: Nutley, Fred
Subject: Health and Safety

Dear Mr Fred Nutley

We will give written notice and include an Event Management Plan (EMP) 30 days prior to any event taking place when the numbers are between 499-3000 and 60 days notice prior to any event taking place when numbers will be 3000-5000. To include, Licensing, Health & Safety, Pollution and the Police.

I have forward an email to Mrs Jane Cowley

Mrs Teresa Chandler

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

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