

AGENDA

Meeting: Southern Area Licensing Sub Committee
Place: Meeting Room - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Wednesday 27 April 2016
Time: 10.30 am

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

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

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

Membership:

Cllr Peter Evans
Cllr Sue Evans

Cllr Mike Hewitt

Substitutes:

Cllr Leo Randall

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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**

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 5 - 10)*

To consider and determine an Application for a Variation of a Premises Licence by The Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY, made by Mr A Sainsbury.

6a **Appendix 1 - Current License** *(Pages 11 - 22)*

6b **Appendix 2 - Variation Application** *(Pages 23 - 44)*

6c **Appendix 3 - Variation application continued** *(Pages 45 - 48)*

6d **Appendix 4 - Abatement Notice** *(Pages 49 - 50)*

6e **Appendix 5 - Map** *(Pages 51 - 52)*

- 6f **Appendix 6 - Letter** (*Pages 53 - 56*)

- 6g **Appendix 7 - Map** (*Pages 57 - 58*)

- 6h **Appendix 8 - Floorplan** (*Pages 59 - 60*)

- 6i **Appendix 9 - Email** (*Pages 61 - 62*)

WILTSHIRE COUNCIL

SOUTHERN AREA LICENSING SUB COMMITTEE

MEETING DATE 27th April 2016

Application for a variation to a Premises Licence; Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY

1. Purpose of Report

- 1.1 To determine an application for a variation to a Premises Licence at Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY made by NEP Investments Ltd

2. Background Information

- 2.1 An application for a variation to a Premises licence at Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY made by NEP Investments Ltd for which four relevant representations have been received.
- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations. In accordance with Section 35 (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 modify the conditions of the licence
 - ii) To reject the whole or part of the application.
- 2.5 On 4th March 2016 an application for a variation to 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
Change the licensed area internally	No change	No Change

A copy of the Premises Licence is attached as **Appendix 1**, application from The Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY is attached as **Appendix 2**.

2.7 During the Consultation Period amendments were made to both the application and the Plans as a result of the Statutory Noise Abatement Notice being in Place that had been served. **Appendix 2a** page 2 of the updated variation received 4th March sheet **Appendix 2b** is the updated plan received 4th March. **Appendix 2c** page 2 of the final updated variation received 15th March **Appendix 2d** is the final updated plan received 15th March.

2.8 Prior to the submission of the variation application as a result of a second week of excess noise caused by Live Bands playing in a Music Concert at the Premises in the Barn/Lounge area which was covered by the existing Premises Licence, the Environmental Health team from Wiltshire Council Issued a Statutory Noise Nuisance Abatement Notice on 27th February 2016 **Appendix 3**

2.9 The other premises which are licensed for sales of alcohol within the vicinity of the application address are detailed as follows:

Premises	Licensed Hours for On-sales of Alcohol	Days	No. On Plan
Le Rai Dor	0800 – 0000 0800 - 0200	Sunday – Wednesday Thursday - Saturday	1
Cloisters	0800 – 0000 0800 - 0100	Sunday - Thursday Friday & Saturday	2
Mercure White Hart Hotel	0800 – 0000 0800 - 0200	Sunday – Wednesday Thursday - Saturday	3
Wig & Quill	1000 – 0000 1000 - 0200	Sunday – Wednesday Thursday - Saturday	4
Kandi Lounge	1200 – 0000 1200 - 0300	Sunday – Wednesday Thursday - Saturday	5
Music Box	1200 – 0000 0800 - 0240	Sunday Monday - Saturday	6

2.10 A map showing the locations of the above premises is attached as **Appendix 4**.

3. Consultation and Representations

3.1 The application process requires the application to be advertised, by the Applicant, in a local news publication within 10 working days, starting on the

day after the authority receives it and for a public notice (on pale blue paper) to be posted on the premises. In addition the Licensing Authority advertises the application on its website, for a period of 28 consecutive days, starting the day after the authority receives the application.

3.2 During the consultation period four relevant representations have been accepted from interested parties.

3.3 Representations Received

- Ms. Dorothy Gurd
- Mr. David Kerley
- Mrs. Denise Kerley
- Ms. Lisa Rivers

3.4 During the consultation period the Statutory Noise Nuisance Order Abatement Notice was considered to be in place it has now been appealed and as a result is suspended until the hearing at Magistrates Court

3.5 Live Music is already part of the Licensable Activities on the Premises Licence and no request was included to vary these timings or locations permitted.

3.6 The representations have raised concerns following the Premises Customers using the exit into Brown Street which where it then became a smoking area where drinking was also taking place on the Street. As the Premises is Licensed for late Night Food that it may remain open until 0230 as shown on the Premises Licence. As the doors had not previously been used for access and egress this also caused an increase in noise in the Car Park at the side of Antelope Court which was described as excessive by the person making the representation. There also comments with regards to the problems the Live music caused when the concerts were held in the Barn/Lounge area.

3.7 Responsible Authorities

No Responsible Authority has made a representation in connection with this application. Although the Environmental Health team did not object due to the Statutory Noise Order Abatement Notice being in place it was only ascertained after the date of closure for representations that the Order had been appealed and was therefore suspended until a hearing at Magistrates Court

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

Representation	Licensing Objective	Accepted	Comments
Smoking and Drinking on the street, excess noise on leaving the Premises, Issues with Live Music	Prevention of Public Nuisance	Yes	All representations

3.9 The relevant representations are attached as **Appendix 5**.

- 3.10 **Appendix 6** shows a detailed plan of the area.
- 3.11 To allay resident's concerns the applicant has agreed to include the following conditions on the Premises Licence:-
- There is a dedicated smoking area for the premises which is the outside courtyard in the middle of the property. This area will also be used by people using the restaurant. **Appendix 7** is a plan showing the smoking area.
 - Access and egress to the restaurant area will be through the pub, there are no plans to use the barn entrance.
 - The restaurant intended closing time will be 23.00.
 - There are already steps in place to control noise levels after 23.00hrs by the DPS or nominee. These steps prevent anybody from smoking outside the premises after 23:00hrs and leaving via the front door in a quiet and orderly manner, internal noise is to a minimum level after 23:00hrs.(this is already a Condition on the Premises Licence)
 - that there would be no playing of live music at the rear of the property until such times as the Environmental Health Department are satisfied with the DPS operator that the rear has been sound proofed and sound tested to a standard set by the appropriate authority with confirmation to this effect and approved by the Environmental Health Department once works have been carried out.
- 3.12 At the time of writing the report the applicant has agreed to remove Live Music from the Barn/Lounge Area as above but not recorded music.
- 3.14 **Appendix 8** shows details of e-mails sent by PLH outlining the agreement to the conditions and that the Barn/Lounge area will be a Restaurant.
- 3.15 Those making the representations have been informed of what the Applicant has offered but they have not withdrawn their representations.
- 3.16 The first hearing for the appeal to the Statutory Noise Abatement Notice is due to be heard at Salisbury Magistrates Court on Monday 25th April 2016.

4. Legal Implications

- 4.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.
- 4.2 The Applicant and all persons who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.

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

5. Officer Recommendations

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

6. Right of Appeal

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

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

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

Report Author:

Ian Garrod, Licensing Enforcement Officer, Bourne Hill, Salisbury, SP1 3UZ
01722 432484

Date of report 19th April 2016

Background Papers Used in the Preparation of this Report

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

Appendices

- 1 Premises Licence**
- 2 Variation of Premises Licence Application form and Plan**
 - a) Updated variation 4th March 2016**
 - b) Updated Plan 4th March 2016,**
 - c) Final updated variation 15th March 2016,**
 - d) Final updated Plan 15th March 2016**
- 3 Statutory Noise Nuisance Order issued by Wiltshire Council**
- 4 Map showing locations of other On Sale Premises**
- 5 Relevant representations**
- 6 Detailed plan of the area**
- 7 Plan with location of Smoking area**
- 8**
 - a) E-mail dated 4th April**
 - b) E-mail dated 8th April**

Licensing Act 2003
Premises Licence

ISSUING LOCAL AUTHORITY

Wiltshire Council
Where everybody matters

PART 1 – PREMISES & LICENCE HOLDER DETAILS

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

The Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY

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

NEP Investments Ltd
Bell House, Lower Road, Charlton All Saints, Salisbury, Wiltshire, SP5 4HQ
Tel: 07880 777776 Email: nep@email.com

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

8736162

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Mr Adrian Frank Sainsbury
34 Linkway, Salisbury, Wiltshire, SP1 3EP
Tel: 01722 422004

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

Wiltshire LN/42585 (PER0557)

WHERE THE LICENCE IS TIME LIMITED - THE DATES AND TIMES

Not Applicable

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

ON and OFF Sales

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

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

PART 2 – LICENSABLE ACTIVITIES & TIMINGS

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE						
Licensable activities	Location	Day	Time From	Time To	Time From	Time To
Hrs premises open to public	The whole Premises	Sunday	07:00	00:30		
		Monday	07:00	00:30		
		Tuesday	07:00	00:30		
		Wednesday	07:00	00:30		
		Thursday	07:00	02:30		
		Friday	07:00	02:30		
		Saturday	07:00	02:30		
Non Standard Timings & Seasonal Variations	New Years Eve up to 0230 January 2					
Indoor Sports Event Live Music Recorded Music Similar to any Music or Dance Facilities for music Facilities for dancing	Indoors	Sunday	10:00	23:00		
		Monday	10:00	23:00		
		Tuesday	10:00	23:00		
		Wednesday	10:00	23:00		
		Thursday	10:00	23:00		
		Friday	10:00	23:00		
		Saturday	10:00	23:00		
Non Standard Timings & Seasonal Variations	UP to 0200 on 1 January					
Late Night Refresh	Indoors	Sunday	23:00	00:30		
		Monday	23:00	00:30		
		Tuesday	23:00	00:30		
		Wednesday	23:00	00:30		
		Thursday	23:00	02:30		
		Friday	23:00	02:30		
		Saturday	23:00	02:30		
Non Standard Timings & Seasonal Variations	New Years Eve up to 0230 January 2 These hours do not apply to the sale or supply of alcohol persons residing at the Premises or their private friends					

Alcohol Sales	ON and OFF Sales	Sunday	07:00	00:00		
		Monday	07:00	00:00		
		Tuesday	07:00	00:00		
		Wednesday	07:00	00:00		
		Thursday	07:00	02:00		
		Friday	07:00	02:00		
		Saturday	07:00	02:00		
Non Standard Timings & Seasonal Variations	New Years Eve up to 0200 January 2 These hours do not apply to the sale or supply of alcohol persons residing at the Premises or their private friends					

Licence Commencement Date

11th October 2005

Licensing Officer

Current Licence Date

4th January 2016

Licensing Officer



ANNEX 1 - MANDATORY CONDITIONS

Supply of Alcohol

1. Where this Licence authorises the supply of alcohol:

No supply of alcohol may be made under this licence:

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

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

Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where:-
- (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and

"film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

Irresponsible Promotions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or.
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);

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

Free Tap Water

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

Age Verification Policy

1.
 - (a) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - i. a holographic mark, or.
 - ii. an ultraviolet feature.

Drink Volume Measures

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

Permitted Price

1.
 - (a) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (b) For the purposes of the condition set out in paragraph 1—
 - A. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - B. “permitted price” is the price found by applying the formula—
$$P = D + (D \times V)$$
where—
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - C. “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - D. “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - E. “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
2. Where the permitted price given by Paragraph B of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
3. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph B of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

- i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- ii. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

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

ANNEX 2A – CONVERTED CONDITIONS

- None

ANNEX 2B – OPERATING SCHEDULE

PREVENTION OF PUBLIC NUISANCE

- Noise levels will be controlled by the Designated Premises Supervisor (or nominee) after 23:00hrs to prevent nuisance to neighbours.

PUBLIC SAFETY

- Indoor sporting events shall be limited to those normally described as pub games.

PROTECTION OF CHILDREN FROM HARM

- Approved photographic proof of age will be required to be shown by anyone seeking to purchase alcohol who appears to be under 21 years of age.

PREVENTION OF CRIME AND DISORDER

- Instruction, training and supervision on the Licensing Act 2003, drug awareness and related best practise will be provided to all staff during induction and on an ongoing basis. Records of which will be maintained.
- The DPS (or nominee) will be an active member of the local Pubwatch Scheme, so long as it exists.

ANNEX 3 – CONDITIONS ATTACHED AFTER HEARING

- None

ANNEX 4 – PLANS

Attached Separately
Dated: 17.07.2009

Licensing Act 2003
Premises Licence Summary

LN/000042241

ISSUING LOCAL AUTHORITY

Wiltshire Council
Where everybody matters

PART 1 – PREMISES LICENCE SUMMARY & LICENCE HOLDER DETAILS

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

The Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY

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

NEP Investments Ltd
Bell House, Lower Road, Charlton All Saints, Salisbury, Wiltshire, SP5 4HQ
Tel: 07880 777776 Email: nep@email.com

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

8736162

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

Mr Adrian Frank Sainsbury

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

Wiltshire LN/42585 (PER0557)

WHERE THE LICENCE IS TIME LIMITED - THE DATES AND TIMES

Not Applicable

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

ON and OFF the Premises

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

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

PART 2 – LICENSABLE ACTIVITIES & TIMINGS

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE						
Licensable activities	Location	Day	Time From	Time To	Time From	Time To
Hrs premises open to public	The whole Premises	Sunday	07:00	00:30		
		Monday	07:00	00:30		
		Tuesday	07:00	00:30		
		Wednesday	07:00	00:30		
		Thursday	07:00	02:30		
		Friday	07:00	02:30		
		Saturday	07:00	02:30		
Non Standard Timings & Seasonal Variations	New Years Eve up to 0230 January 2					
Indoor Sports Event Live Music Recorded Music Similar to any Music or Dance Facilities for music Facilities for dancing	Indoors	Sunday	10:00	23:00		
		Monday	10:00	23:00		
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		Thursday	10:00	23:00		
		Friday	10:00	23:00		
		Saturday	10:00	23:00		
Non Standard Timings & Seasonal Variations	UP to 0200 on 1 January					
Late Night Refresh	Indoors	Sunday	23:00	00:30		
		Monday	23:00	00:30		
		Tuesday	23:00	00:30		
		Wednesday	23:00	00:30		
		Thursday	23:00	02:30		
		Friday	23:00	02:30		
		Saturday	23:00	02:30		
Non Standard Timings & Seasonal Variations	New Years Eve up to 0230 January 2 These hours do not apply to the sale or supply of alcohol persons residing at the Premises or their private friends					

Alcohol Sales	ON and OFF Sales	Sunday	07:00	00:00		
		Monday	07:00	00:00		
		Tuesday	07:00	00:00		
		Wednesday	07:00	00:00		
		Thursday	07:00	02:00		
		Friday	07:00	02:00		
		Saturday	07:00	02:00		
Non Standard Timings & Seasonal Variations	New Years Eve up to 0200 January 2 These hours do not apply to the sale or supply of alcohol persons residing at the Premises or their private friends					

Licence Commencement Date

11th October 2005

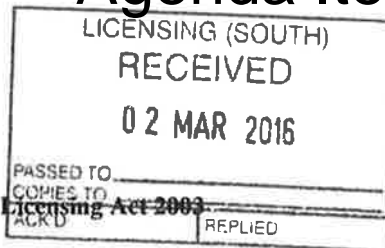
Licensing Officer

Current Licence Date

4th January 2016

Licensing Officer





Application to vary a premises licence 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.

We N&P INVESTMENTS LTD
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number	LN/000042241
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
THE Queen Arms Public House 9 Ivy Street SALISBURY WILTSHIRE			
Post town	SALISBURY	Postcode	SP1 3TH
Telephone number at premises (if any).	01722 341053		
Non-domestic rateable value of premises	£		

Part 2 – Applicant details



Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

To Allow Live Music To Take Place In
The Lounge Bar

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number

expected to attend:



Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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



C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	-----	-----		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	-----	-----	Please give further details here (please read guidance note 4)		
Wed	-----	-----			
Thur	-----	-----	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----	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 6)		
Sun	-----	-----			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)			
Thur						
Fri			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 6)			
Sat						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	-----	-----			
Tue	-----	-----			
Wed	-----	-----			
Thur	-----	-----			
Fri	-----	-----			
Sat	-----	-----			
Sun	-----	-----			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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).

E

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) 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 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made in
relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where
applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be
rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING
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 5 – Signatures (please read guidance note 11)

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

Signature	
Date	26 FEB 16
Capacity	COMPANY DIRECTOR

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

SAMM PRATT
 THE BEU HOUSE
 CHARLTON ALE SAINTS
 SALISBURY

Post town	SALISBURY	Post code	SP5 4HQ
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state 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 agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

THE QUEENS ARMS PUBLIC HOUSE
 9 IVY STREET
 SALISBURY
 WILTSHIRE
 SP1 3TH

SCALE 1:100
 DATE: 25/02/16

COPY

GROUND FLOOR PLAN

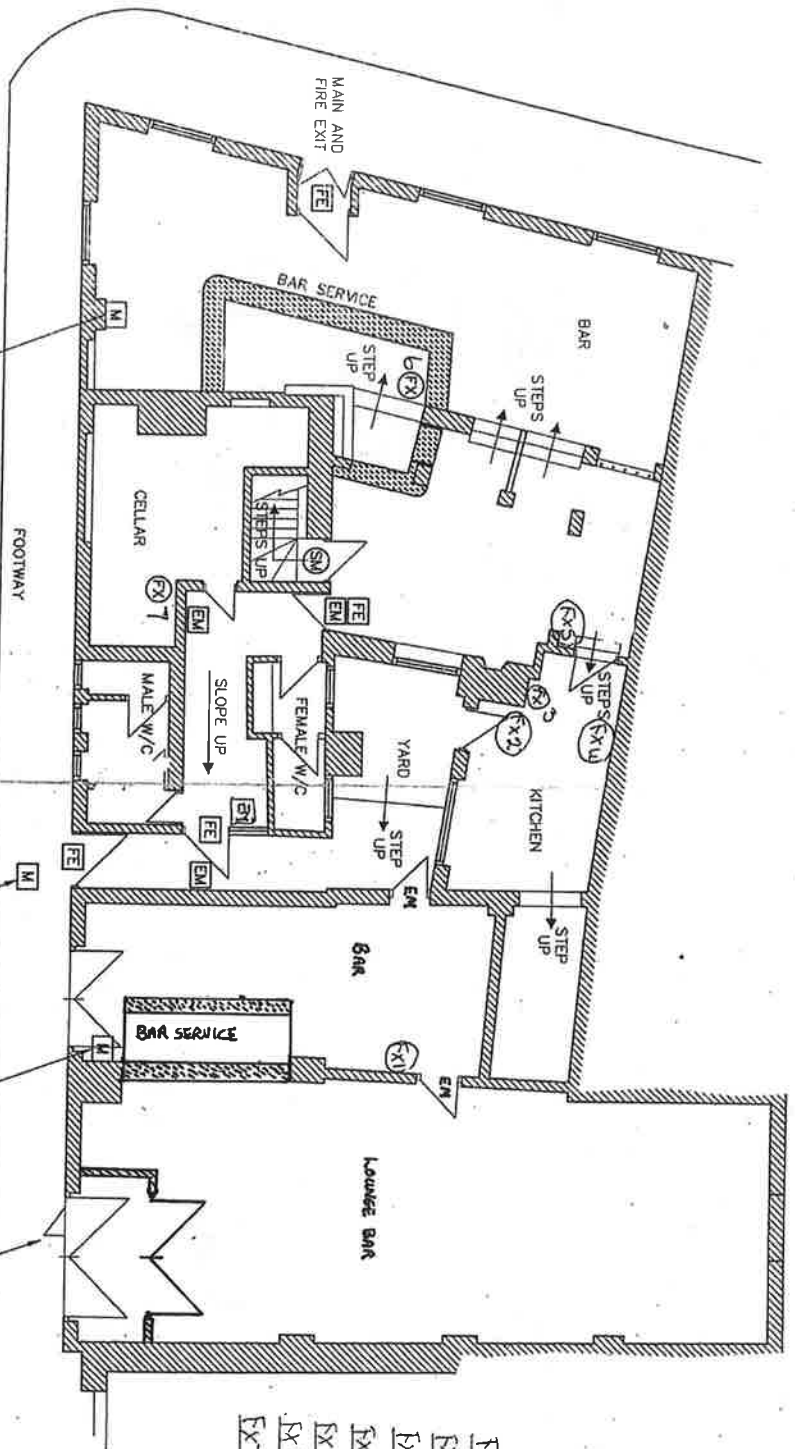
BROWN STREET

ELECTRIC METER

WATER METER AND OFF TAP

GAS METER AND OFF TAP

TRADE DOOR



- KEY
- FE FIRE EXIT
 - FX FIRE EXTINGUISHER'S MARKED 1-7
 - SM SMOKE ALARM
 - EM EMERGENCY LIGHTING EXIT SIGNS
 - M METER
 - ↑ UPWARD DIRECTION OF STEPS/SLOPE

- FX1 WATER
- FX2 FIRE BLANKET
- FX3 CO2
- FX4 DRY CHEMICAL
- FX5 WATER
- FX6 CO2
- FX7 CO2

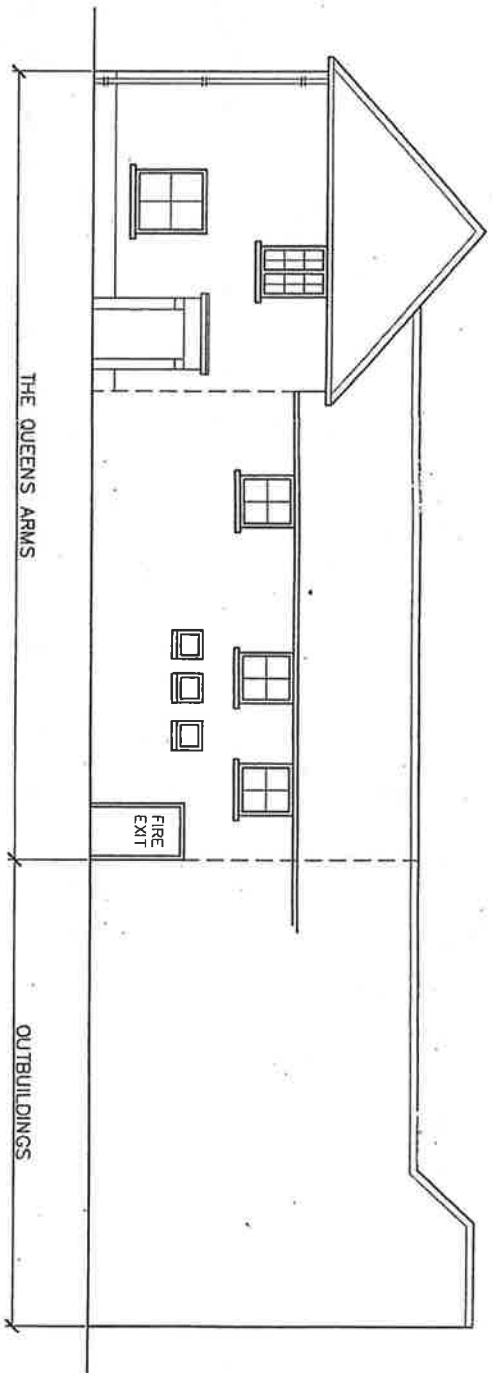
Drng No. AT001-01

Sht 1 of 2

A3

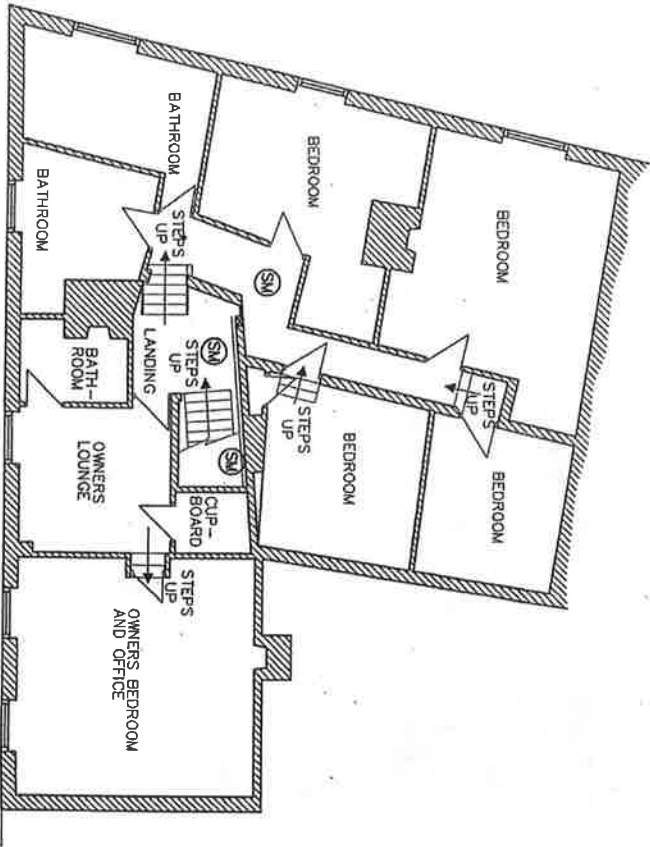
THE QUEENS ARMS PUBLIC HOUSE
 9 IVY STREET
 SALISBURY
 WILTSHIRE
 SP1 3TH

SCALE 1:100
 DATE: 25/02/16



ELEVATION TO BROWN STREET

COPY



FIRST FLOOR PLAN

- KEY**
- [FE] FIRE EXIT
 - [FX] FIRE EXTINGUISHER
 - [SM] SMOKE ALARM
 - [EM] EMERGENCY LIGHTING EXIT SIGNS
 - [M] METER
- ↑ UPWARD DIRECTION OF STEPS

Drg No. AT001-01

Sht 2 of 2

A3

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

(Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

THE PROPOSED VARIATION IS FOR A NEW BAR SERVICE AREA AND LOUNGE BAR TO THE REAR STOUND FLOOR OF THE PREMISES.
 THE LOUNGE BAR WILL HAVE A TEMPORARY START TO THE REAR
 THERE IS ALSO A PROPOSAL OF A SET OF SECONDARY DOUBLE DOORS IN THE LOUNGE BAR.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

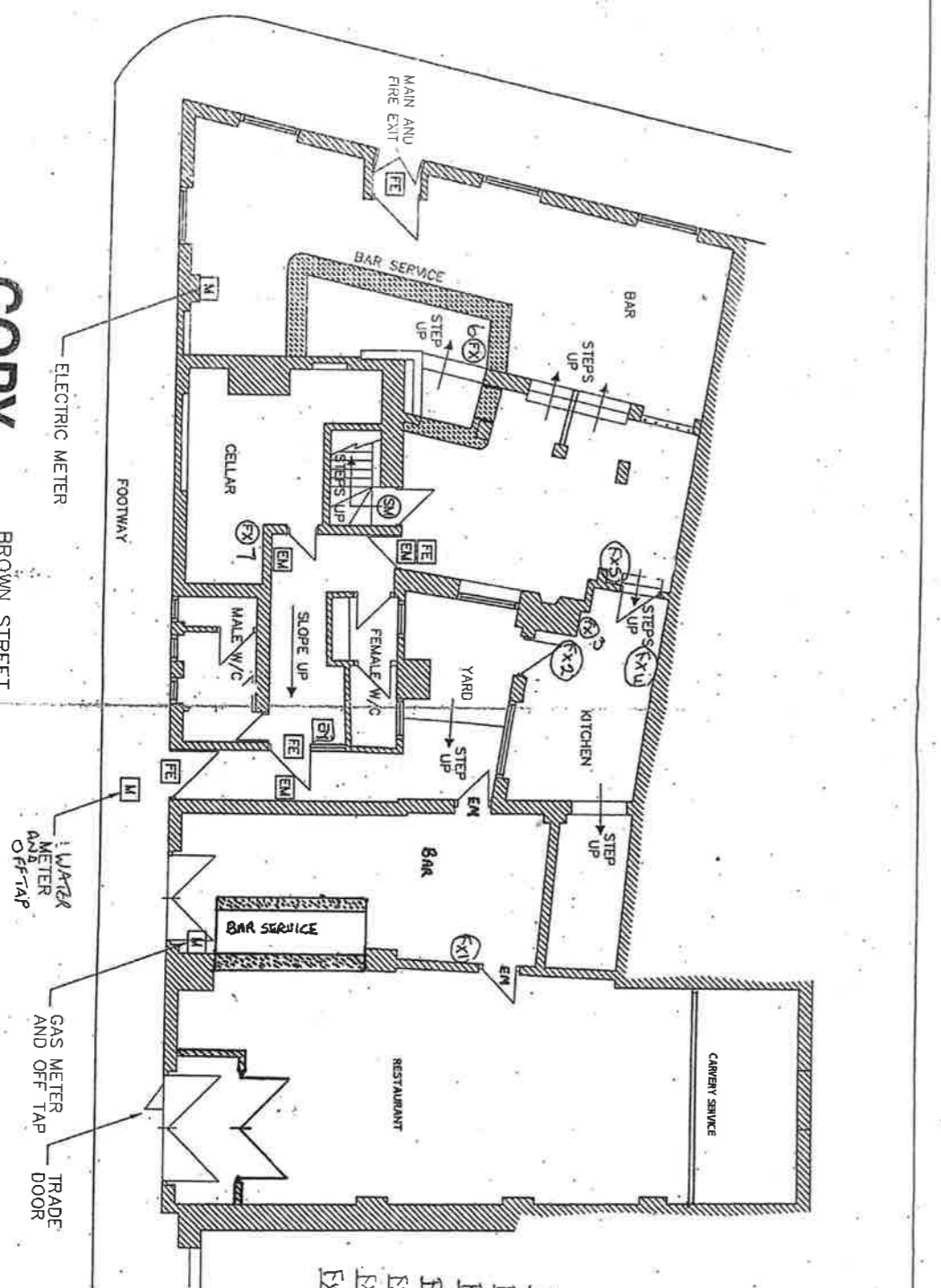
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

THE PROPOSED VARIATION IS FOR A NEW SERVICE BAR AREA WITH RESTAURANT TO THE REAR (SUMM) FLOOR. THE NEW RESTAURANT EATING AREA WILL HAVE TABLES AND CHAIRS WITH A CARRY SERVICE AREA TO THE REAR. THERE IS ALSO PROPOSED A SET OF SECONDARY DOUBLE DOORS IN THE RESTAURANT.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number

20



- FX1 WATER
- FX2 FIRE BUCKET
- FX3 CO2
- FX4 WATER CHEMICAL
- FX5 WATER
- FX6 CO2
- FX7 CO2

COPY

BROWN STREET

GROUND FLOOR PLAN

THE QUEENS ARMS PUBLIC HOUSE
 9 IVY STREET
 SALISBURY
 WILTSHIRE
 SP1 3TH

SCALE 1:100
 DATE: 25/02/16

ELECTRIC METER

WATER METER AND OFF-TAP

GAS METER AND OFF-TAP TRADE DOOR

- KEY**
- FE FIRE EXIT
 - FX FIRE EXTINGUISHER'S PROVIDED 1-7
 - SM SMOKE ALARM
 - EM EMERGENCY LIGHTING EXIT SIGNS
 - M METER
 - UPWARD DIRECTION OF STEPS/SLOPE

ENVIRONMENTAL PROTECTION ACT 1990, Section 80

Abatement Notice in respect of Noise Nuisance

To: Adrian Sainsbury
The Queens Arms
Ivy Street
Salisbury
Wiltshire
SP1 2AY

NT/WK/201604887

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the **WILTSHIRE COUNCIL** being satisfied of the existence and occurrence of noise amounting to a statutory nuisance under Section 79(1)(g) of that Act at The Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY (within the district of the said Council) caused by noise arising from the playing of loud music, giving rise to a statutory nuisance at residential properties within 50 meters of the premises known as The Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY.

HEREBY REQUIRE YOU as the person responsible for the said nuisance and occupier of the premises from which the noise is or would be emitted, immediately from the service of this notice to abate the statutory nuisance at residential properties within 50 meters of The Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY, and;

HEREBY PROHIBIT the recurrence of the same at residential properties within 50 meters of The Queens Arms, Ivy Street, Salisbury, Wiltshire, SP1 2AY, and;

IN the event of an appeal this Notice shall be suspended until the appeal has been abandoned or decided by the Court,

IF without reasonable excuse you contravene or fail to comply with any requirement of this Notice you will be guilty of an offence under Section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to an unlimited fine.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance pursuant to Section 81(5). Further, if you fail to execute all or any of the works in accordance with this Notice, the Council has power under Section 81(3) and (4) to execute the works and recover from you the necessary expenditure incurred.

DATED 27th FEBRUARY 2016

Signed.....
Environmental Health Officer

Address for all communications:-
Wiltshire Council, The Council House, Bourne Hill, Salisbury, Wiltshire, SP1 3UZ

NB: The person served with this Notice may appeal against the Notice to a Magistrates' Court within twenty-one days beginning with the date of service of the Notice. See notes on the reverse of this form.

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:-

APPEALS UNDER SECTION 80(3) OF THE ENVIRONMENTAL PROTECTION ACT 1990 ("the 1990 Act")

2.—(1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.

(2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case—

(a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances),

(b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);

(c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;

(d) that the time, or where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;

(e) where the nuisance to which the notice relates—

(i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade, or business premises, or

(ii) is a nuisance falling within section 79(1)(b) of the 1990 Act and the smoke is emitted from a chimney, or

(iii) is a nuisance falling within section 79(1)(ga)(1) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,

that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;

(f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of—

(i) any notice served under section 60 or 66 of the 1974 Act (control of noise on construction sites and from certain premises), or

(ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or

(iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);

(g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the 1993 Act (loudspeakers in streets or roads);

(h) that the abatement notice should have been served on some person instead of the appellant, being—

(i) the person responsible for the nuisance, or

(ii) the person responsible for the vehicle, machinery or equipment, or

(iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or

(iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;

(i) that the abatement notice might lawfully have been served on some person instead of the appellant being—

(i) in the case where the appellant is the owner of the premises, the occupier of the premises, or

(ii) in the case where the appellant is the occupier of the premises, the owner of the premises,

and that it would have been equitable for it to have been so served;

(j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being—

(i) a person also responsible for the nuisance, or

(ii) a person who is also owner of the premises, or

(iii) a person who is also an occupier of the premises, or

(iv) a person who is also the person responsible for the vehicle, machinery or equipment,

and that it would have been equitable for it to have been so served.

(3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.

Suspension of notice

3.—(1) Where—

(a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and—

(b) either—

(i) compliance with the abatement notice would involve any person in expenditure on the carrying out of works before the hearing of the appeal, or

(ii) in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and

(c) neither paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met,

the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.

(2) This paragraph applies where—

(a) the nuisance to which the abatement notice relates

(i) is injurious to health, or

(ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or

(b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance

(3) Where paragraph (2) applies the abatement notice—

(i) include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court; and

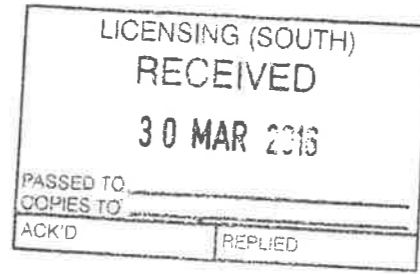
(ii) include a statement as to which of the grounds set out in paragraph (2) apply.



1:1,250

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Mr E Garrod,
Licensing Officer,
Wiltshire Council,
Bourne Hill,
Salisbury,
Wilts SP1 3UZ



14 Antelope Court,
Brown Street,
Salisbury,
Wilts SP1 2AR

29.March 2016

Dear Mr Garrod

Re: Queens Arms Public House, Ivy Street, Salisbury

Thank you for allowing us to see the plans this morning, for the proposed alterations to the above business premises.

We are relieved that, after being served with an abatement notice, the Publican has had to abandon plans to continue the loud live music events. However, we still have concerns that the new plans may cause a nuisance.

The plans show that new double doors will be installed in the old 'garage' door frames, for the use of customers. These doors are very close to the Antelope Court flats and during the live music events were used by many of the customers who stood on the pavement drinking and smoking, littering the floor with cigarette ends. They repeatedly used the outside windowsills of 14 Antelope Court as shelves for their drinks, and after the householder looked out of the door to see what they were doing, shouted abuse and banged on the windows. Customers will again need to stand outside the doors to smoke, if these plans go ahead and it is possible that the behavior will be repeated.

These doors were, until the recent live music events, only used as garage doors, as this part of the building was the garage for the Publican's vehicle. It was never used as an access door for customers. Indeed, customers never had access to this part of the premises. The customers' door is and always has been on Ivy Street and there is easy access from the pub bar through to the barn and garage. There is no necessity for a new public access door to be created through the garage for customers.

As the new Publican and staff of the pub have shown total disregard for the needs and rights of their 'neighbours' in the past, we have no reason to believe that they will keep any promises regarding the level of music played or the behaviour of customers in the future, regardless of any assurances they give in order to have the plans approved.

The Queens Arms is surrounded by dwelling houses and an Almshouse for the elderly. As a quiet back street pub, with a Publican who cared about the local community, there were no problems. This is not the place for yet another city centre type of restaurant with piped music, with customers entering and leaving up to 2.30am on some nights of the week. Restaurants such as the one proposed, belong in city centre streets surrounded by shops and business premises, not in a quiet residential area populated by elderly and disabled persons, and families.

We ask that the planning department consider our comments before deciding whether to pass the proposed plans or not.

Yours sincerely,

Mr and Mrs D Kerley - Number 12 Antelope Court

Ms D Gurd - Number 14 Antelope Court



Mr Ian Crammed
Licensing Officer
Wiltshire Council
Bourne Hill
Salisbury.

Ms L Rivers
Flat 11 Antelope Ct
Brown St
Salisbury
SP1 2AR

LICENSING (SOUTH)	
RECEIVED	
- 1 APR 2016	
PASSED TO	
COPIES TO	
ACK'D	REPLIED

1/4/16

Re: Queens Arms Public House, Ivy St, Salisbury: Application for change of internal layout.

Page 55 I wish to object to the application detailed above on the grounds of potential public nuisance & potential harm to children.

The plans that have been proposed show new customer access on to Brown St, from a restaurant area I understand has previously been used only for storage until an attempt to play excessively loud live music that was only stopped after a statutory order was made by the Environmental Protection Department. At this time neighbours were subjected not only to excessive noise that was injurious to health, but also drunken customers congregating on the pavement, and crossing the private carpark & pavement through Antelope Court, directly outside my young sons bedroom window.

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As I understand there is access through from the pub's entrance on Ivy Street that could be used by customers to access this proposed new area; this includes full wheelchair access however is not shown on the plans submitted to the council.

Throughout the difficulties experienced by neighbours there has been no attempt by the Queens Arms to communicate with or show consideration for their neighbours, and for this reason the proposed 'background music' also raises cause for concern that it would not be kept to an acceptable level.

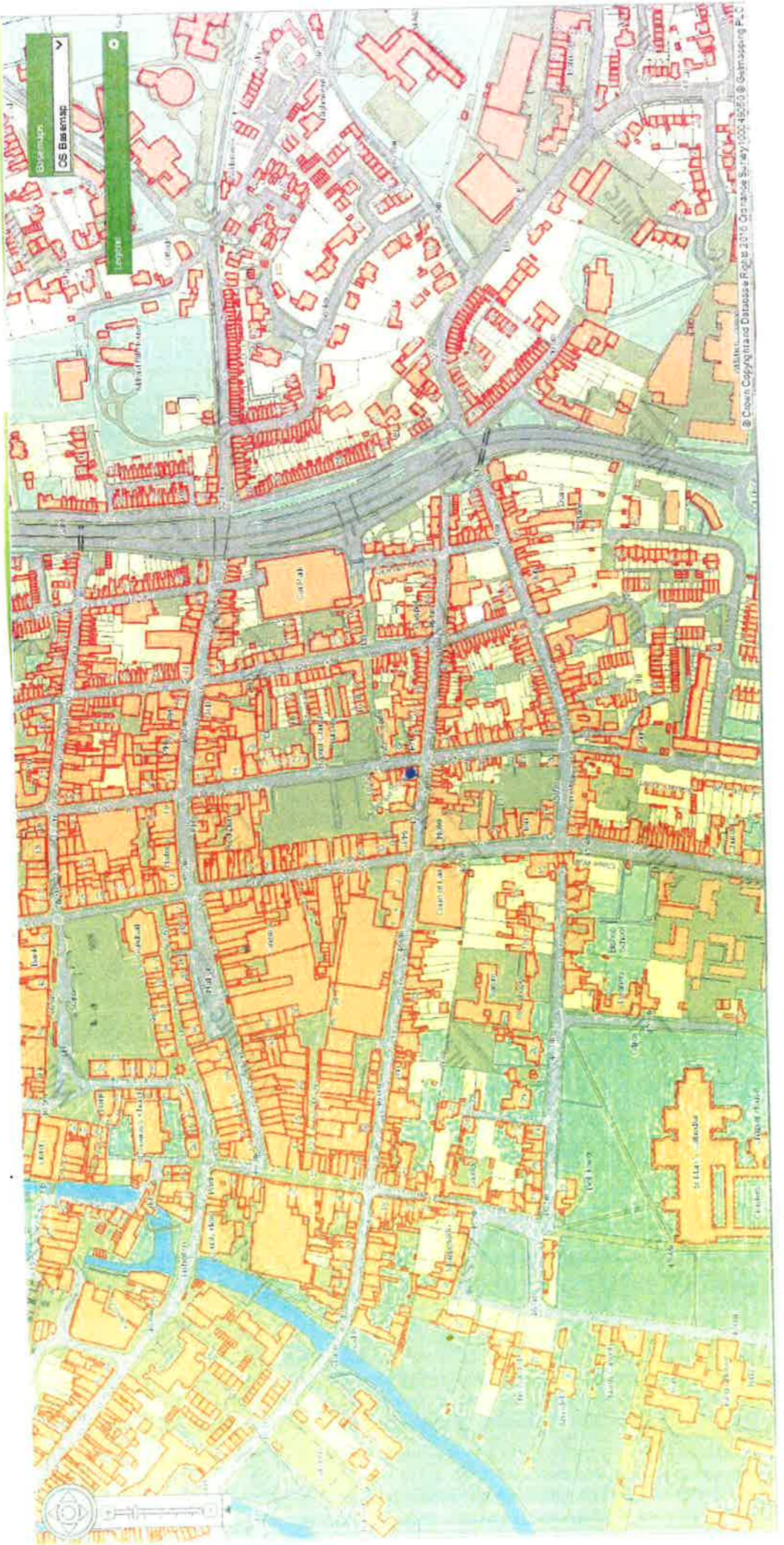
Brown St is a largely residential area with close neighbours to the pub including the elderly, disabled and housebound as well as families. It is not right that we have been subjected to this previous behaviour and its consequences for our wellbeing, and that the pub has made seemingly no attempts to control the behaviour of their customers.

I ask that the Queens Arms plans for public access on to Brown St be rejected, and that all possible efforts are made by the Queens Arms and the Licensing Dept to avoid a repeat of the nuisance and harm previously caused.

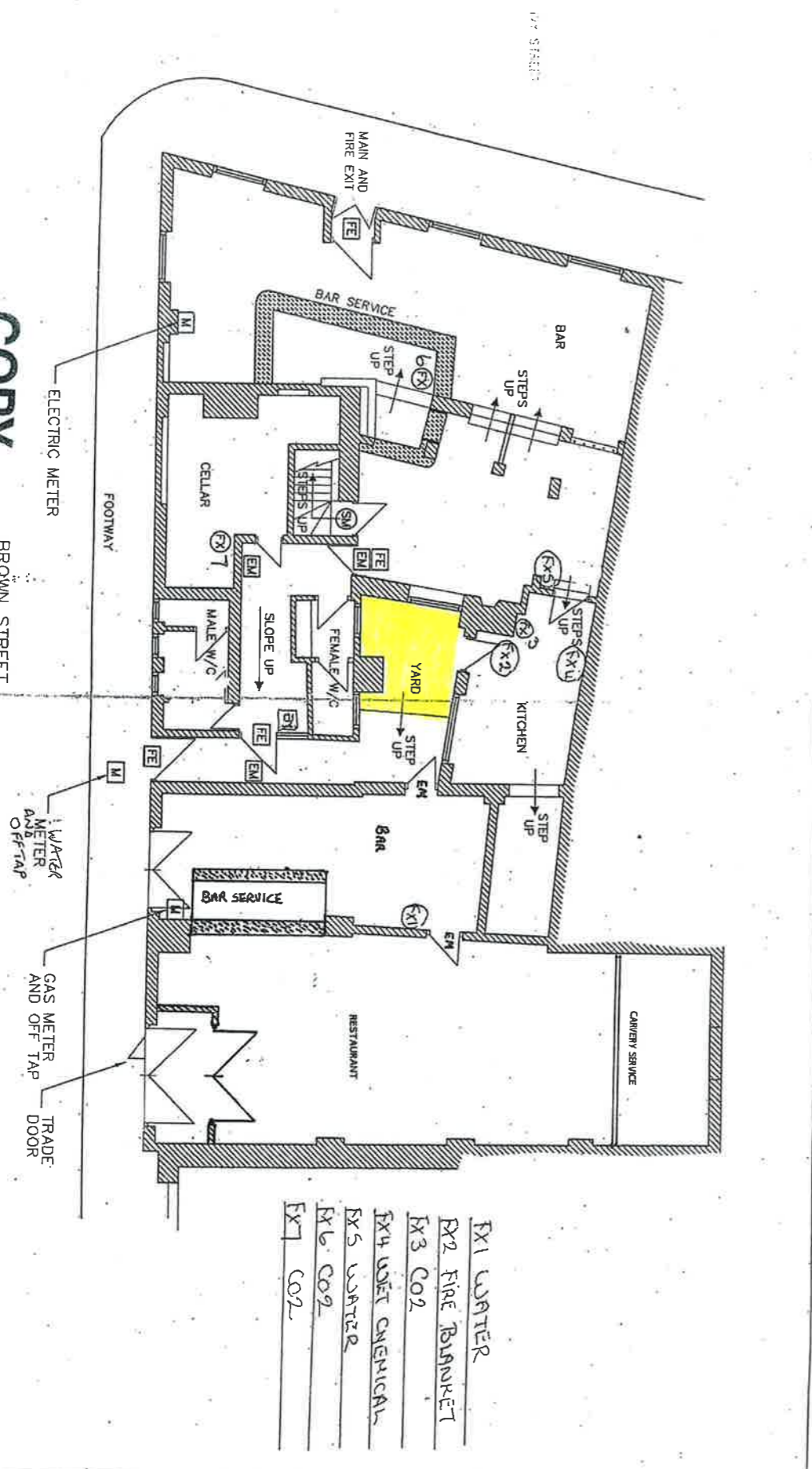
Yours,

Ms L. Rivers

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- EX1 WATER
- EX2 FIRE BLANKET
- EX3 CO2
- EX4 WATER CHEMICAL
- EX5 CO2
- EX6 CO2
- EX7 CO2

KEY
 FE FIRE EXIT
 EX FIRE EXTINGUISHER'S MARKED 1-7
 SM SMOKE ALARM
 EM EMERGENCY LIGHTING EXIT SIGNS
 M METER
 ↑ UPWARD DIRECTION OF STEPS/SLOPE

COPY

THE QUEENS ARMS PUBLIC HOUSE
 9 IVY STREET
 SAUSBURY
 WILTSHIRE
 SP1 3TH

SCALE 1:100
 DATE: 25/02/16

GROUND FLOOR PLAN

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From: Nicholas Pratt [REDACTED]
Sent: 04 April 2016 19:01
To: Garrod, Ian
Cc: Adrian Sainsbury
Subject: Re: RE: Queens Arms variation Application

Dear Ian,

I have managed to have a discussion with Adrian Sainsbury the Designated Premises Supervisor and in reply to your questions;

1. There is already a dedicated smoking area for the premises which is the outside courtyard in the middle of the property, this area will also be used by people using the restaurant.
2. Access and egress to the restaurant area will be through the pub, there are no plans to use the barn entrance.
3. The restaurant intended closing time will be 23.00.

Regarding your email below there are already steps in place to control noise levels after 23.00hrs by the DPS or nominee. These steps prevent anybody from smoking outside the premises after 23:00hrs and leaving via the front door in a quiet and orderly manner, internal noise is to a minimum level after 23:00hrs.

Please let me know if you have any further questions.

Kind regards

Nick

From: Nicholas Pratt [REDACTED]
Sent: 08 April 2016 16:40
To: Garrod, Ian
Subject: The Queens Arms Premises Licence consultation

Dear Ian,

I have had a discussion with Adrian Sainsbury and he has reassured me that what you have been told via a staff member is totally false and it would be totally against his principles to use or have live music in the rear area whilst there are outstanding issues.

Thank you for forwarding Katherine Fowler's email, we realise by agreeing to the no live or recorded music to the rear of the property would be placing a restriction for all time on this area.

We think it is unfair and unreasonable to ask for a restriction on recorded music as this would imply that no background music or no other music source could be played in this area. Recorded music can be controlled and monitored and all complaints have only come from playing of live music.

Would it therefore be possible to place a restriction on the variation of the Premises Licence to include that there would be no playing of live music at the rear of the property until such times as the Environmental Health Department are satisfied with the DPS operator that the rear has been sound proofed and sound tested to a standard set by the appropriate authority with confirmation to this effect and approved by the Environmental Health Department once works have been carried out.

Adrian Sainsbury's view as the DPS operator and the leasee of the property is to make the business work and whilst the pub industry has changed dramatically over recent years this means diversifying and finding different ways to bring in revenue and keep one of the oldest Public Houses viable.

He has discussed with myself that there is a feeling that the restaurant could work not only as a traditional carvery on Sundays but also as a themed restaurant, linking up with the tourist trade, making better use of the B&B accommodation etc. With placing such a restriction suggested on would mean that this area is unusable as a commercial business and would have the knock on effect of relying on wet sales trade to survive which currently is not enough.

As Premises Licence holder we feel that by changing this area from a lounge area to a restaurant area on the recent application would be sufficient in terms that we feel likewise that this area would be more suited in its current form as a quieter eating area with as confirmed before no access from Brown Street and a dedicated internal smoking area to keep noise to the neighbours to a minimal.

Please let me know if there is any further information we can supply.

Kind regards

Nick Pratt