

# AGENDA

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**Meeting:** Western Area Licensing Sub Committee

**Place:** [Click here to watch the Licensing Sub Committee](#)

**Date:** Tuesday 4 August 2020

**Time:** 10.00 am

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

The meeting will be available to view live via a Microsoft Live Events link as shown above.

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## Membership:

Cllr Allison Bucknell  
Cllr Peter Evans

Cllr Peter Hutton

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## Substitutes:

Cllr Ian Thorn (Substitute)

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# AGENDA

1 **Election of Chairman**

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

2 **Apologies for Absence/Substitutions**

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

3 **Procedure for the Meeting** (*Pages 5 - 12*)

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 13 - 20*)

To consider and determine an Application for a Variation of a Premises Licence in respect of The White Hart, Lane End, Corsley made by Adelle Gill. The report of the Public Protection Officer – Licensing is attached.

6a **Appendix 1 - Application Form and Plan** (*Pages 21 - 38*)

6b **Appendix 2 - Current Licence and Plan** (*Pages 39 - 48*)

6c **Appendix 3 - Location Plan of Premises** (*Pages 49 - 50*)

6d **Appendix 3a - Further Location Plans** (*Pages 51 - 54*)

6e **Appendix 4 - Legislative Reform (Entertainment) Order 2014**  
(*Pages 55 - 64*)

6f **Appendix 4a - Summary of Exemptions for Live and Recorded Music** (*Pages 65 - 66*)

6g **Appendix 5 - Noise Management Plan** (*Pages 67 - 68*)

6h **Appendix 5a - Explanatory Note Submitted with Noise Management Plan** (*Pages 69 - 70*)

6i **Appendix 6 - Confirmation of agreement to noise condition** (*Pages 71 - 74*)

- 6j      **Appendix 7a - Representation - Mr and Mrs Evans** (*Pages 75 - 76*)
- 6k      **Appendix 7b - Representation - Mr and Mrs Chudley** (*Pages 77 - 78*)
- 6l      **Appendix 7c - Representation Mr and Mrs Selman** (*Pages 79 - 80*)
- 6m      **Appendix 7d - Mrs Liquorice** (*Pages 81 - 82*)
- 6n      **Appendix 7e - Mrs Thomas** (*Pages 83 - 84*)
- 6o      **Appendix 7f - Mr and Mrs Hanney** (*Pages 85 - 88*)
- 6p      **Appendix 7g - Mr and Mrs Parkinson** (*Pages 89 - 90*)
- 6q      **Appendix 7h - Representation Ms Pugsley and Mr Eggleton** (*Pages 91 - 92*)
- 6r      **Appendix 7i - Representation - Corsley Parish Council** (*Pages 93 - 96*)
- 6s      **Appendix 8 - Map of representations** (*Pages 97 - 98*)

## LICENSING COMMITTEE

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

#### 1 Purpose

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

#### 2 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 3 Key Principles

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

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

## 4 The Hearing

- 4.1 The Hearing shall take place as a virtual hearing via Microsoft Teams. Those who are a party to the hearing will be invited to attend the virtual hearing by an email link and members of the public will be able to watch the hearing as it takes place being streamed to the internet or watch the hearing at a later date.

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 or taking part in the virtual Hearing who, in its opinion, is behaving in a disruptive manner, to leave the Hearing and may:

- A refuse to permit them to return to the virtual Hearing;
- B permit them to return to take part in the virtual Hearing 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 by email any information which they would have given orally.

4.2 Prior to the Hearing commencing, the Chairperson shall advise the parties of the procedure it proposes to follow at the Hearing.

4.3 Where a party has previously requested permission for a person(s), other than their representative, to appear at the Hearing then the Committee shall consider whether to permit that request.

4.4 The Committee will allow the parties an equal maximum period of time in which to exercise their rights.

4.5 This equal maximum time may have been notified in advance of the Hearing;

4.6 Where there are a number of people who have attended the Hearing to make the same representation then the Committee would normally require that a spokesperson be appointed by them to make the representations on behalf of all of those who have made Relevant Representations.

## 5 Presentation of Submissions

5.1 The Chairperson will introduce the Application.

5.2 In the event that the Licensing Authority has given notice to a party requiring clarification on a point(s) then that party shall respond to the points raised by the Licensing Authority.

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

## 6 Questioning of Submissions

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

## 7 Documentation

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



to present supplementary papers at the Hearing they shall provide this by email at the direction of the Chairperson.

## **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 take part or be represented at a Hearing and fails to attend or be represented at the Hearing then the Licensing Authority may:
  - 9.2.1 where it considers it be necessary in the public interest, adjourn the Hearing to a specified date; or
  - 9.2.2 hold the Hearing in the party's absence.
- 9.3 Where the Licensing Authority holds a Hearing in the absence of a party, it shall consider at the Hearing the application, representations or notice made by that party.

## **10 Closing Submissions**

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

## **11 Decision**

- 11.1 The Committee, the Committee Lawyer and the Committee Manager, shall retire from the public meeting so that the decision may be considered in private, and to consider any legal issues raised by the Members. At this point the Chairperson will give an indication of the time that the meeting will resume for the announcement of the decision and all parties to the hearing will be asked to indicate if they intend to return for the announcement of the decision.

- 11.2 The decision, of the Committee shall be communicated orally by the Chairperson to the parties present at the virtual hearing after the Committee has deliberated in private on the Application.
- 11.3 The full decision notice shall be published on the Council's website within 5 working days of the hearing.

## Hearing Procedure Summary

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

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## WILTSHIRE COUNCIL

### WESTERN AREA LICENSING SUB COMMITTEE

4 AUGUST 2020

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#### **APPLICATION FOR A VARIATION OF A PREMISES LICENCE; THE WHITE HART, LANE END, CORSLEY, BA12 7PH**

#### **1. Purpose of Report**

- 1.1 To determine an application for a variation of a Premises Licence in respect of The White Hart, Lane End, Corsley made by Adelle Gill.

#### **2. Background Information**

- 2.1 An application for a variation of a Premises Licence in respect of The White Hart, Corsley has been made by Adelle Gill for which 9 relevant representation 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 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 as applied for.
  - ii) To modify the conditions of the licence.
  - iii) To reject the whole or part of the application.
- 2.5 On the 11 June 2020 an application for a variation to the premises licence was received and accepted as a valid application.
- 2.6 The details of the variation applied for, are summarised below:

<b>Licensable Activities</b>	<b>Hours</b>
Live Music (indoors)	17.00 – 00.00 daily <u>Non-standard timings</u> Bank Holidays 13.00-00.00 New Year's Eve from the end of permitted hours until permitted hours the following day.
Recorded Music (indoors)	08.30 – 00.00 daily <u>Non-standard timings</u> New Year's Eve from the end of permitted hours until permitted hours the following day.
Performance of Dance	<u>Non-standard timings</u> New Year's Eve from the end of permitted hours until permitted hours the following day
Late Night Refreshment (indoors and outdoors)	23.00 – 00.00 daily
Sale of Alcohol (on and off sales)	10.00 – 00.00 daily <u>Non-standard timings</u> New Year's Eve from the end of permitted hours until permitted hours the following day
Hours open to the public	8.30 – 00.30 daily <u>Non-standard timings</u> New Year's Eve from the end of permitted hours until permitted hours the following day

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

Since 2 October 2015 the premises has benefited from a premises licence issued under the Licensing Act 2003. The current licence holder has been in position since 11 July 2019. The current licence authorises the following:

Licensing Activities	Hours
Alcohol Sales (on sales)	12.00 – 23.00 daily
Hours open to the public	08.30 – 23.00 daily

The Current premises licence including the plans and current conditions are attached as **Appendix 2**.

Attached as **Appendix 3** is a location plan of the premises and **Appendix 3a** is location plans of other licenced premises in the vicinity as below.

Premises	Licensable Activity	Hours
The Royal Oak, Corsley Heath, BA12 7PR	Live Music (indoors)	12.00 – 23.00 daily <u>Non-standard timings</u> New Years Eve until 01:00hrs on 2nd January
	Recorded Music (indoors)	11.00 – 23.00 daily <u>Non-standard timings</u> New Years Eve until 01:00 on 2nd January
	Late Night Refreshment (on the premises only)	23.00 – 00.00 daily <u>Non-standard timings</u> New Years Eve until Midnight on 2nd January
	Sale of Alcohol (on and off sales)	11.00 – 00.00 daily <u>Non-standard timings</u> New Years Eve until Midnight on 2nd January
	Hours open to the public	10.00 – 01.00 daily <u>Non-standard timings</u> New Years Eve until 01:00hrs on 2nd January
The Cross Keys, Lyes Green, BA12 7PB	Live and Recorded Music (indoors)	11.00 – 23.00 daily <u>Non-standard timings</u> New Years Eve up to 0200 on 1 January
	Late Night Refreshment (indoors)	23.00 – 01.00 daily <u>Non-standard timings</u> New Years Eve up to 0200 on 2 January
	Sale of alcohol (on and off sales)	11.00 – 00.00 daily <u>Non-standard timings</u> New Years Eve up to Midnight on 2 January
	Hours open to the public	11.00 – 01.00 daily <u>Non-Standard timings</u> New Years Eve up to 0100 on 2 January

It is important to note that The Legislative Reform (Entertainment Licensing) Order 2014 came into force on 6 April 2015. The 2014 Order has deregulated regulated entertainment in certain situations. Further details on the 2014 Order are attached as **Appendix 4**. A summary of exemptions for live and recorded music is attached as **Appendix 4a**.

### 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 blue paper) to be

posted on the premises. In addition, the Licensing Authority advertises the application on its website, for a period of 28 consecutive days, starting the day after the authority receives the application.

- 3.2 Due to COVID-19 restrictions, a Licensing Officer was unable to carry out a site visit and check the blue notice and as such on the 18 June 2020, the applicant was contacted and asked to provide an email with a photograph of the blue notice in-situ. The applicant promptly provided the information requested. The Licensing Officer was unable to see the date on the blue notice and contacted the applicant on 21 June 2020. The applicant gave assurances that the date 11.06.20 was handwritten in biro on the blue notice, however it was quite faint from the outside of the premises. The Licensing Officer requested that the date was written in bold so as it could be clearly seen. This request was complied with and a photograph of the amended blue notice in situ was emailed to the Licensing Officer on the same day (21 June 2020).

A notice was not published in a locally circulating publication within 10 days of submitting the application which resulted in the consultation period being extended to 14 July 2020.

- 3.3 During the consultation period 16 representations against the application were submitted of which 11 were accepted as “valid”; 10 from local residents and 1 from the parish council. Following a discussion with the applicant, 2 of the local residents withdrew their representations as their concerns had been alleviated. There are 9 valid representation against the application. The Licensing Authority also received 10 emails of support for the application, however these are not included in the report as they do not relate to the licensing objectives.

#### 3.4 Responsible Authorities

During the consultation period Wiltshire Council’s Environmental Health Officer requested a noise management plan from the applicant. This was provided by the applicant (**attached as Appendix 5**) and accepted by the Environmental Health Officer. The applicant also provided an explanatory note of their intentions (**attached as Appendix 5a**). The Environmental Health Officer has requested that the following condition is added to the licence:

*“Noise must be managed in accordance with the Noise Management Plan submitted to the Licensing Authority. Any changes to the noise management plan must be agreed in writing by the Licensing Authority”*

The applicant has agreed to this condition being added to the licence. Confirmation of which is attached as **Appendix 6**.

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



### 3.5 Interested Parties

- Mr & Mrs Evans, Brackens, Lane End, Corsley, BA12 7PH.
- Mr & Mrs Chudley, Squires House, Lane End, Corsley, BA12 7PH
- Mr & Mrs Selman, 2 Roddenbury View, Corsley, BA12 7PT.
- Mrs Liquorice, Heathside, Corsley Heath, Corsley, BA12 7PW.
- Mrs V Thomas, 81 Lane End, Corsley, BA12 7PE.
- Mr & Mrs Hanney, 75 Lane End, Corsley, BA12 7PG.
- Mr & Mrs Parkinson, 74 Lane End, Corsley, BA12 7PG.
- Ms Pugsley & Mr Eggleton, Chimneys, Lane End, Corsley, BA12 7PH.
- Corsley Parish Council

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

<b>Representation</b>	<b>Licensing Objective</b>	<b>Comments</b>
Mr & Mrs Evans	Public Nuisance	Noise from live and recorded music. Noise from vehicles at closing time
Mr & Mrs Chudley	Public Nuisance	Noise from live and recorded music. Noise from people and vehicles at closing time.
Mr & Mrs Selman	Public Nuisance	Noise from live and recorded music. Noise from people and vehicles at closing time.
Mrs Liquorice	Public Nuisance	Noise and litter from people using the takeaway service
Mrs Thomas	Public Nuisance	Noise from people collecting off sales of alcohol and takeaway. Smell from takeaway food.
Mr & Mrs Hanney	Public Nuisance	Noise and vibration from live and recorded music. Car noise from people collecting takeaway.
Mr & Mrs Parkinson	Public Nuisance	Noise from music
Ms Pugsley & Mr Eggleton	Public Nuisance	Noise from music
Corsley Parish Council	Public Nuisance  Crime and disorder	Noise from music, people and vehicles. Already anti-social behaviour from pub clientele, this will increase with extended licence.

3.7 The relevant representations are attached as **Appendices 7a-i**. Attached as **Appendix 8** is a plan which shows the locations from where representations have been made.

#### **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 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 Premises Licence Holder, 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.

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Report Author:

Carla Adkins, Public Protection Officer - Licensing

[carla.adkins@wiltshire.gov.uk](mailto:carla.adkins@wiltshire.gov.uk) 01249 706438

Date of report 20 July 2020

## **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 and plan**
- 2 Current licence and plan**
- 3 Location plan of premises**
- 3a Location plans of other licenced premises**
- 4 Legislative Reform (Entertainment Licensing) Order 2014**
- 4a Summary of exemptions for Live and Recorded Music**
- 5 Noise management plan**
- 5a Explanatory note submitted with noise management plan**
- 6 Confirmation of agreement to noise condition**
- 7a Representation - Mr and Mrs Evans**
- 7b Representation - Mr and Mrs Chudley**
- 7c Representation - Mr and Mrs Selman**
- 7d Representation - Mrs Liquorice**
- 7e Representation - Mrs Thomas**
- 7f Representation - Mr and Mrs Hanney**
- 7g Representation - Mr and Mrs Parkinson**
- 7h Representation - Ms Pugsley and Mr Eggleton**
- 7i Representation - Corsley Parish Council**
- 8 Map of representations**

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# Agenda Item 6a

## 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.

I/We Adelle Gill  
(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	<u>LN000010557</u>
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#### Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
<u>The white hart Lane end.</u> <u>BA12 7PH</u>	
Post town	<u>BA12 7PH warminster</u>
Postcode	<u>BA12 7PH</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ <u>Band B</u>

#### Part 2 - Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
	<u>AS above.</u>		
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

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

Extend hours for alcohol sales  
+ opening hours.  
Alcohol from 10am - 12am. midnight.  
New Years eve hours.  
ADD recorded music.  
ADD off sales.  
ADD late night refreshment.  
Live music till midnight.

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:

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**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)



Sale by retail of alcohol (if ticking yes, fill in box J)



**In all cases complete boxes K, L and M**

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					



B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			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 (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	5	<del>11.00</del> 00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	5	00.00			
Wed	5	00.00		State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur	5	00.00			
Fri	5	00.00	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)		
Sat	5.00	00.00		Bank holiday 1pm - 00.00	
Sun	5.00	00.00		New years eve from the permitted hours - until permitted hours following day	

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	8.30	00.00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	8.30	00.00			
Wed	8.30	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	8.30	00.00			
Fri	8.30	00.00	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 5)		
Sat	8.30	00.00			
Sun	8.30	00.00	Bank Holiday New Year eve from the end permitted hours until the <del>end</del> begin of the following permitted hours.		

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat			New Year's eve 8-00-00		
Sun					

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b>Please give further details here</b> (please read guidance note 3)</p>		
Wed					
Thur			<p><b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)</p>		
Fri					
Sat			<p><b>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</b> (please read guidance note 5)</p>		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	23.00	00.00	<b>Please give further details here</b> (please read guidance note 3) Take away service		
Tue					
Wed		✓	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	10.00	00.00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue					
Wed					
Thur					
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

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 8).

None.

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	8.30	00.30	<p><b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)</p> <p>New year's eve. From permitted hours until the beginning of the next permitted day.</p>
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.

**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 9)**

**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.
- 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 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**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 12). **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 13)

Contact name (where not previously given) and 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)			

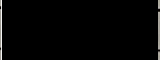
Checklist:

- I have made or enclosed payment of the fee; or Please tick to indicate agreement
- 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	11 June 2020
Capacity	

**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 14). If signing on behalf of the applicant, please state in what capacity.

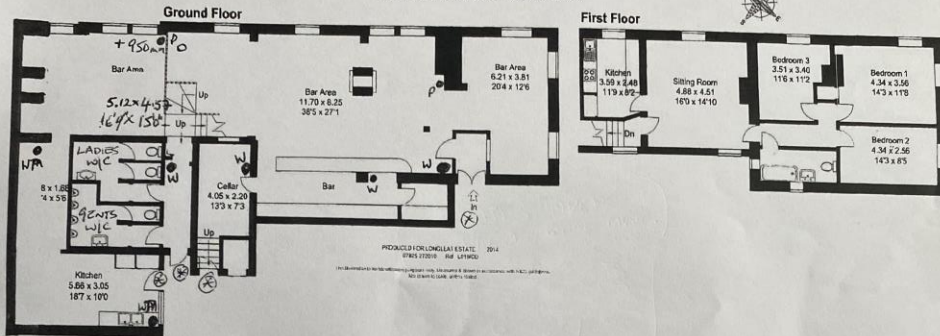
Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

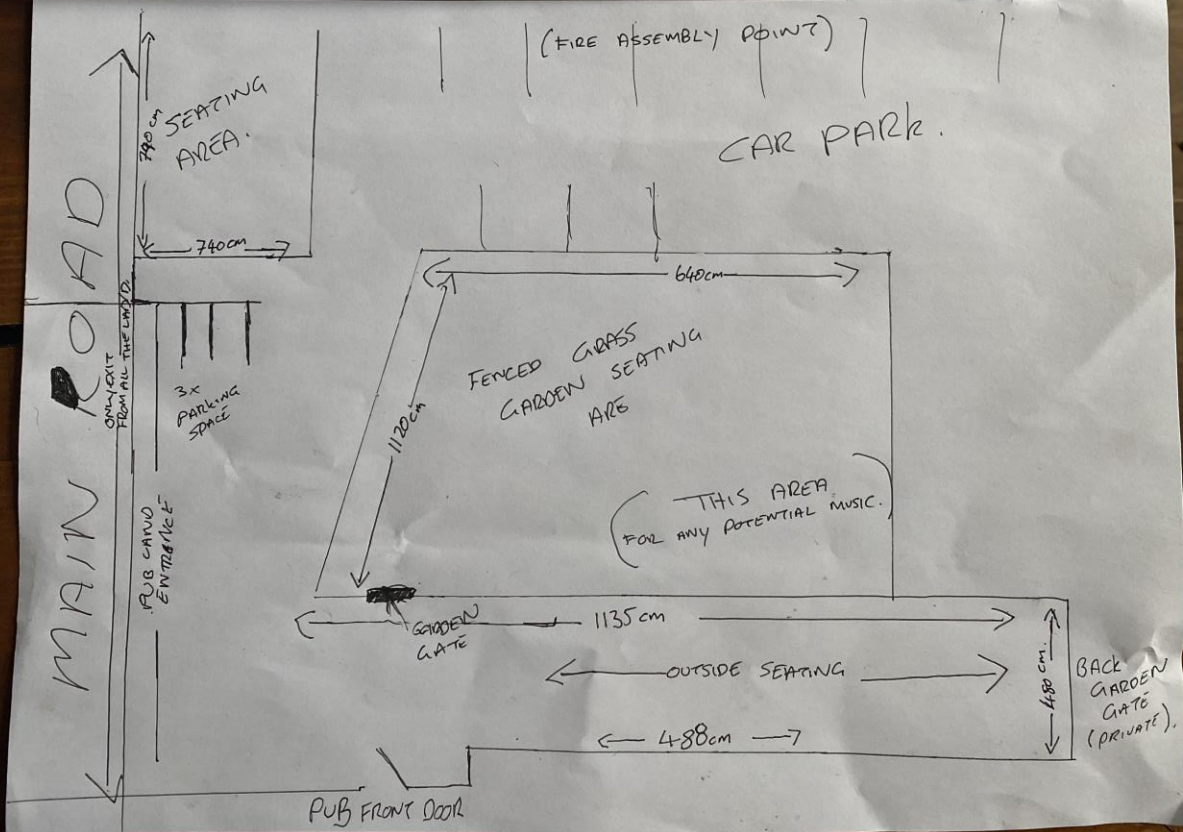
Post town		Post code	
Telephone number (if any)			

The White Hart, Lane End, Corsley, Warminster, BA12 7PH

Approximate Gross Internal Area :- 296 sq m / 3183 sq ft



- ⊗ ESCAPE DOORS.
- FIRE EXTINGUISHERS.
- P = POWDER
- W = WATER
- W/M = WATER MIST



Licensing Act 2003  
Premises Licence

LN/000010557

ISSUING LOCAL AUTHORITY



**PART 1 – PREMISES & LICENCE HOLDER DETAILS**

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

The White Hart, Lane End, Corsley, Warminster, Wiltshire, BA12 7PH

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

Miss Adelle Claire Gill  
The White Hart, Lane End, Corsley, Warminster, Wiltshire, BA12 7PH  
Tel: [REDACTED] Email: [REDACTED]

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

Not Applicable

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

Miss Adelle Claire Gill  
The White Hart, Lane End, Corsley, Warminster, Wiltshire, BA12 7PH  
Tel: [REDACTED]

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

Wiltshire Council LN/14736

WHERE THE LICENCE IS TIME LIMITED - THE DATES AND TIMES

Not Applicable

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

On Sales only

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

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

**PART 2 – LICENSABLE ACTIVITIES & TIMINGS**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE						
Licensable activities	Location	Day	Time From	Time To	Time From	Time To
Alcohol Sales	ON Sales	Sunday	12:00	23:00		
		Monday	12:00	23:00		
		Tuesday	12:00	23:00		
		Wednesday	12:00	23:00		
		Thursday	12:00	23:00		
		Friday	12:00	23:00		
		Saturday	12:00	23:00		
Non Standard Timings & Seasonal Variations						
Hrs premises open to public		Sunday	08:30	23:00		
		Monday	08:30	23:00		
		Tuesday	08:30	23:00		
		Wednesday	08:30	23:00		
		Thursday	08:30	23:00		
		Friday	08:30	23:00		
		Saturday	08:30	23:00		
Non Standard Timings & Seasonal Variations						

**Licence Commencement Date**

2 October 2015

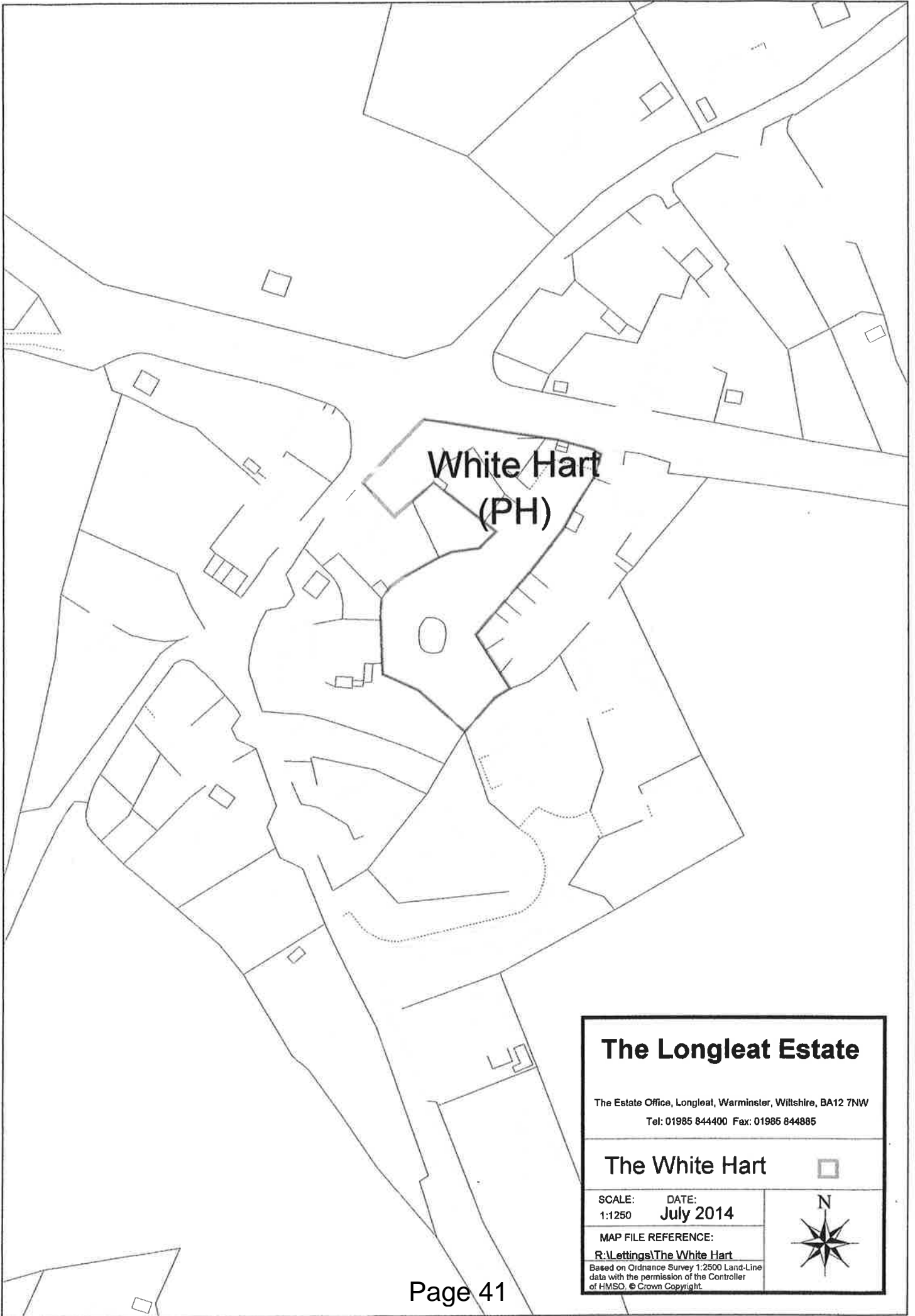
\_\_\_\_\_  
Licensing Officer

**Last Amendment Date**

29 August 2019

\_\_\_\_\_  
Licensing Officer





**White Hart  
(PH)**

### **The Longleat Estate**

The Estate Office, Longleat, Warminster, Wiltshire, BA12 7NW  
Tel: 01985 844400 Fax: 01985 844885

#### **The White Hart**



SCALE: 1:1250      DATE: July 2014

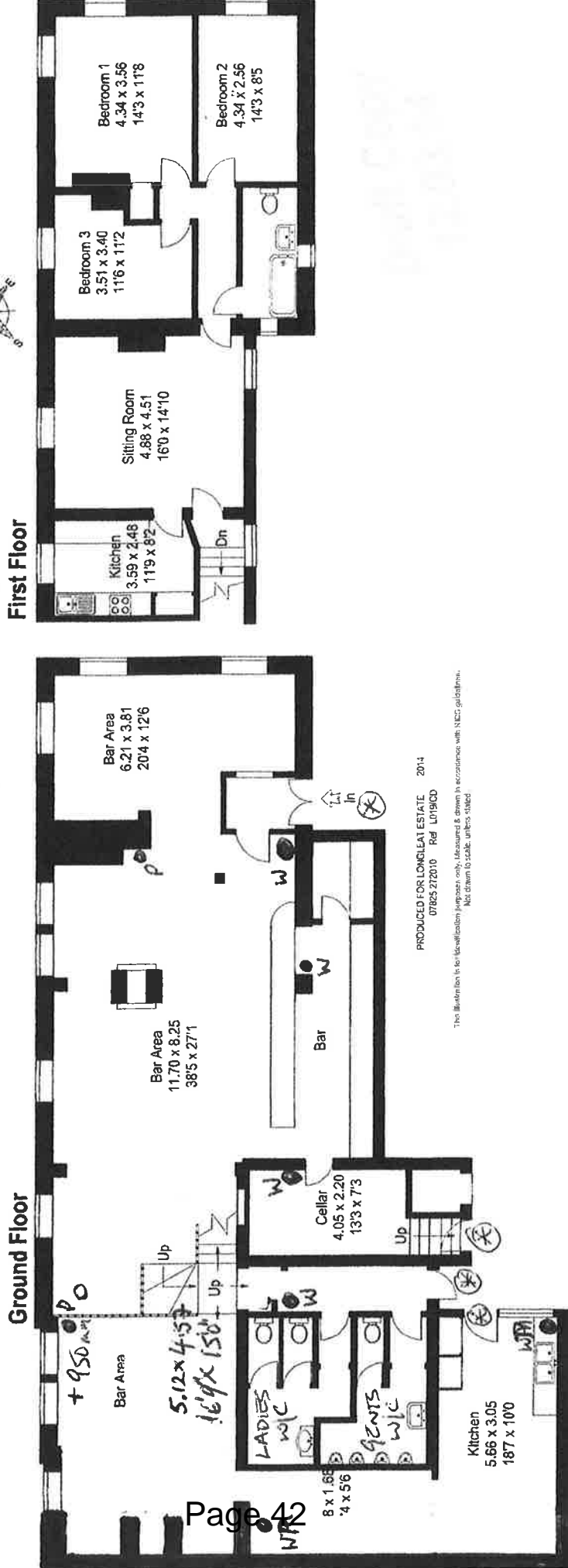
MAP FILE REFERENCE:

R:\Lettings\The White Hart

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The White Hart, Lane End, Corsley, Warminster, BA12 7PH  
 Approximate Gross Internal Area :- 296 sq m / 3183 sq ft



- ⊗ ESCAPE DOORS.
- FIRE EXTINGUISHERS.
- P = POWDER
- W = WATER
- WM = WATER MIST

**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**

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Doors and windows should remain closed wherever possible.

### **PUBLIC SAFETY**

Regular glass collections to take place throughout the premises to aid control and supervision.

All staff to have basic first aid training with one member of staff to take lead as first aider at the premises. All accidents to be recorded in the accident book which should remain on the premises.

### **PROTECTION OF CHILDREN FROM HARM**

Challenge 25 Age verification posters will be prominently displayed in the bar.

A Challenge 25 policy shall be operated. No member of staff shall be permitted to sell alcohol until trained in the operation of the Challenge 25 policy. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence or PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in a refusals book, identifying the member of staff who refused the sale.

### **PREVENTION OF CRIME AND DISORDER**

CCTV will be of sufficient quality so as to produce images which will enable identification; images will be securely stored for a minimum of 28 days. Staff must be able to show police or authorised council officers footage on request and provide viewable copies to police or authorised local authority officers within 48 hours.

An Incident Book shall be maintained and entries shall be made of any instances of disorder, together with all refused sales of alcohol and details of any person who is detained on the premises. This must be a bound book with sequentially numbered pages. The log shall record the date and time and brief details. The names of the staff who dealt with the matter shall be recorded against each incident. The book shall be kept on the premises and shall be shown to police or authorised local authority officers, on request, at any reasonable time.

## **ANNEX 3 – CONDITIONS ATTACHED AFTER HEARING**

None

## **ANNEX 4 – PLANS**

Attached Separately

Dated: September 2015

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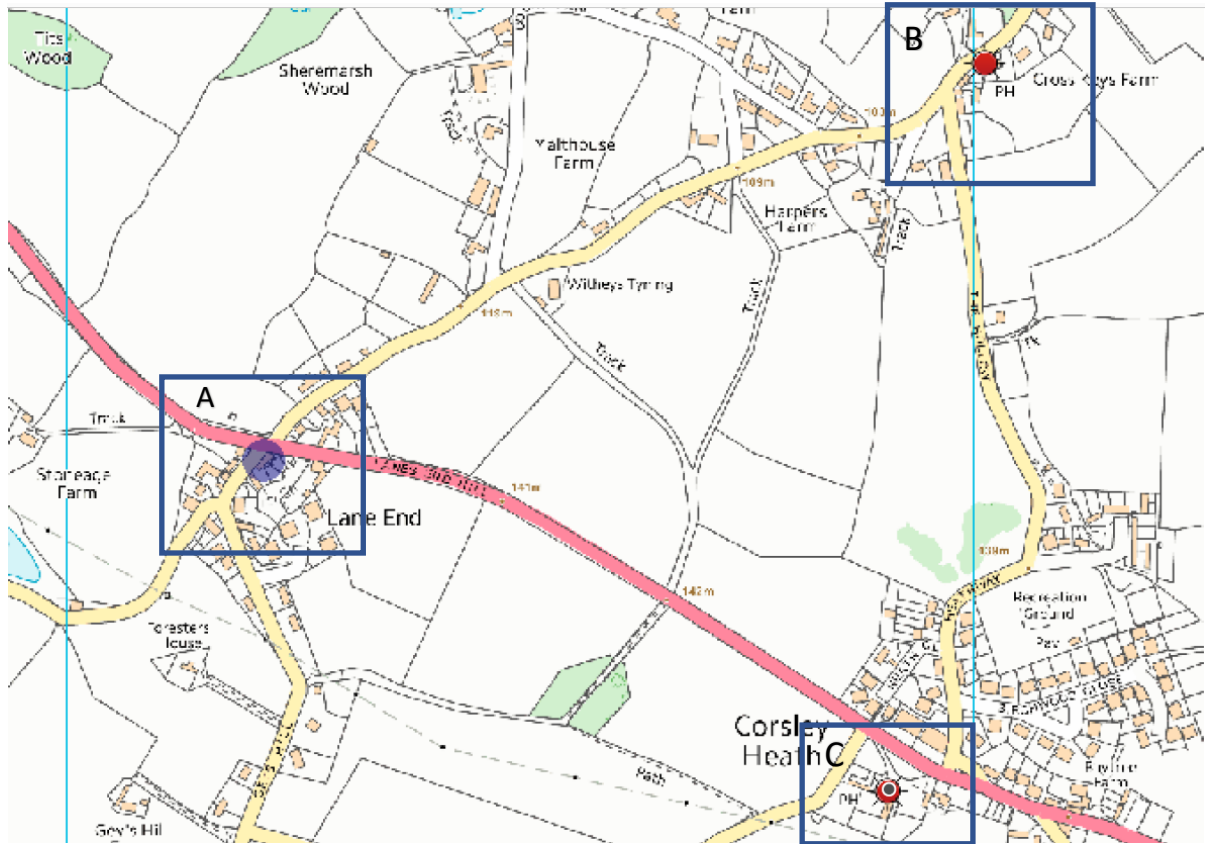
Location plan of premises



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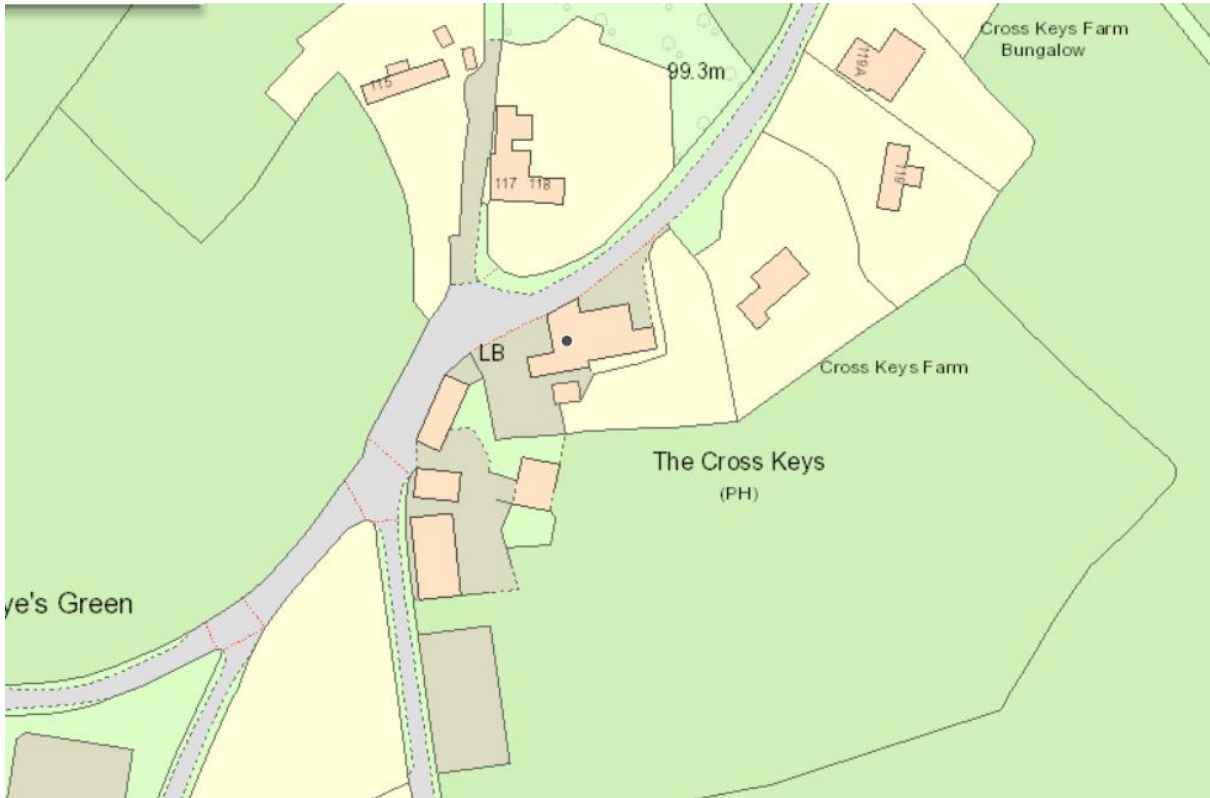
## Location plan of premises



A – The White Hart, Corsley



**B - The Cross Keys, Lyes Green**



C – The Royal Oak, Corsley Heath



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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## STATUTORY INSTRUMENTS

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**2014 No. 3253**

### **LICENCES AND LICENSING, ENGLAND AND WALES**

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

*Made* - - - - *1st December 2014*

*Coming into force* - - *6th April 2015*

The Secretary of State for Culture, Media and Sport (“the Secretary of State”), in exercise of the powers conferred by section 1 of the Legislative and Regulatory Reform Act 2006<sup>(1)</sup>, makes the following Order.

The Secretary of State considers that the conditions in section 3(2) of that Act are satisfied.

The Secretary of State has consulted in accordance with section 13 of that Act, and has laid a draft Order and explanatory document before Parliament in accordance with section 14 of that Act.

Pursuant to section 15(1)(b) of that Act, the affirmative resolution procedure (within the meaning of section 17 of that Act) applies in relation to the making of this Order.

In accordance with section 17(2) of that Act, the draft has been approved by a resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

#### **Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Legislative Reform (Entertainment Licensing) Order 2014 and comes into force on 6th April 2015.

(2) In this Order, “the Act” means the Licensing Act 2003<sup>(2)</sup>.

#### **Amendments to section 177A of the Licensing Act 2003**

2.—(1) Section 177A of the Act (licence review for live music)<sup>(3)</sup> is amended as follows.

(2) In the heading, after “live” insert “and recorded”.

(3) For subsection (1) substitute—

“(1) Subsection (2) applies where—

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<sup>(1)</sup> 2006 c. 51; see section 32 for the definition of “Minister of the Crown”.

<sup>(2)</sup> 2003 c. 17.

<sup>(3)</sup> Section 177A was inserted by the Live Music Act 2012 (c. 2), section 1(2).

- (a) music takes place on premises which are authorised by a premises licence or club premises certificate to be used for the supply of alcohol for consumption on the premises,
- (b) at the time of the music, the premises are open for the purposes of being used for the supply of alcohol for consumption on the premises,
- (c) if the music is amplified, it takes place in the presence of an audience of no more than 500 persons, and
- (d) the music takes place between 8am and 11pm on the same day (or, where an order under section 172 has effect in relation to music, during any times specified under that order).”.

(4) In subsection (2) for “does not have effect in relation to the live music,” substitute “, recorded music or both does not have effect in relation to the music”.

(5) In subsection (4) omit “live” in each place it occurs.

(6) After subsection (4) insert—

“(4A) This section does not apply to music which, by virtue of a provision other than paragraph 12A or 12C of Schedule 1(4), is not regarded as the provision of regulated entertainment for the purposes of this Act.”.

(7) In subsection (5), after the definition of “live music” insert—

““music” means live music or recorded music or both;

“recorded music” means entertainment of a description falling within, or of a similar description to that falling within, paragraph 2(1)(f) of Schedule 1; and”.

### **Amendments to Part 2 of Schedule 1 to the Licensing Act 2003**

**3.—**(1) Part 2 of Schedule 1 to the Act (provision of regulated entertainment: exemptions) is amended as follows.

(2) In paragraph 7(5)—

(a) in the heading, after “Music” insert “and film”; and

(b) for “or the playing of recorded music” substitute “, the playing of recorded music or the exhibition of a film”.

(3) After paragraph 12, insert—

#### **“Entertainment provided by health care providers, local authorities and school proprietors**

**12ZA.—**(1) The provision of any entertainment by or on behalf of a health care provider, local authority or school proprietor is not to be regarded as the provision of regulated entertainment for the purposes of this Act if the conditions in sub-paragraphs (2) to (5) are satisfied.

(2) The first condition is that the entertainment takes place—

(a) if it is provided by or on behalf of a health care provider, on any premises forming part of a hospital—

(i) in which that provider has a relevant property interest, or

(ii) which are lawfully occupied by that provider,

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(4) Paragraphs 12A and 12C of Schedule 1 were added by the Live Music Act 2012 (c. 2), section 3(1), (3) and (5).

(5) Paragraph 7 was substituted by the Live Music Act 2012 (c. 2), section 2(1) and (9).



- (b) if it is provided by or on behalf of a local authority, on any premises in which that authority has a relevant property interest or which are lawfully occupied by that authority, and
  - (c) if it is provided by or on behalf of a school proprietor, on the premises of the school.
- (3) The second condition is that the premises are not domestic premises.
- (4) The third condition is that the entertainment takes place between 8am and 11pm on the same day (or, where an order under section 172 has effect in relation to that entertainment, during any times specified under that order).
- (5) The fourth condition is that the entertainment is not relevant entertainment within the meaning of paragraph 2A(2) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982<sup>(6)</sup> (meaning of “sexual entertainment venue”).
- (6) For the purposes of this paragraph, a person has a relevant property interest in premises if that person—
- (a) is for the time being entitled to dispose of the fee simple in the premises, whether in possession or in reversion, or
  - (b) holds or is entitled to the rents and profits of the premises under a lease which (when granted) was for a term of not less than 3 years.
- (7) In sub-paragraph (3), “domestic premises” means premises occupied as a private dwelling, including any garden, yard, garage, outhouse or other appurtenance of such premises whether or not used in common by the occupants of more than one such dwelling.

#### **Music at community premises etc.**

**12ZB.**—(1) The provision of entertainment consisting of one or both of the following is not to be regarded as the provision of regulated entertainment for the purposes of this Act if the conditions in sub-paragraphs (2) to (6) are satisfied—

- (a) a performance of live music;
  - (b) the playing of recorded music.
- (2) The first condition is that the entertainment takes place at—
- (a) community premises<sup>(7)</sup> that are not authorised, by a premises licence or club premises certificate, to be used for the supply of alcohol for consumption on the premises,
  - (b) the premises of a hospital,
  - (c) premises in which a local authority has a relevant property interest or which are lawfully occupied by a local authority, or
  - (d) the premises of a school.
- (3) The second condition is that the premises are not domestic premises (within the meaning of paragraph 12ZA(7)).
- (4) The third condition is that the entertainment takes place in the presence of an audience of no more than 500 persons.
- (5) The fourth condition is that the entertainment takes place between 8am and 11pm on the same day (or, where an order under section 172 has effect in relation to that entertainment, during any times specified under that order).

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<sup>(6)</sup> 1982 c. 30; paragraph 2A was added by the Policing and Crime Act 2009 (c. 26), section 27(1) and (3).

<sup>(7)</sup> The definition of “community premises” was added to section 193 of the Act by the Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls &c.) Order 2009 (S.I. 2009/1724), articles 2 and 6(1)(a).

(6) The fifth condition is that a person concerned in the organisation or management of the entertainment has obtained the prior written consent of a relevant person for the entertainment to take place.

(7) In sub-paragraph (6), “relevant person” means—

(a) where the entertainment takes place at community premises—

(i) the management committee<sup>(8)</sup> of the premises, or

(ii) if there is no management committee, a person who has control of the premises (as occupier or otherwise) in connection with the carrying on by that person of a trade, business or other undertaking (for profit or not) or (in the absence of such a person) a person with a relevant property interest in the premises;

(b) where the entertainment takes place at the premises of a hospital, a health care provider which has a relevant property interest in or lawfully occupies those premises;

(c) where the entertainment takes place at premises in which a local authority has a relevant property interest or which are lawfully occupied by a local authority, that authority;

(d) where the entertainment takes place at the premises of a school, the school proprietor.

(8) Paragraph 12ZA(6) (meaning of “relevant property interest”) applies for the purposes of this paragraph as it applies for the purposes of paragraph 12ZA.”.

(4) For paragraph 12A (live music in licensed venues)<sup>(9)</sup> substitute—

**“Music in licensed venues**

**12A.—**(1) The provision of entertainment consisting of one or both of the following is not to be regarded as the provision of regulated entertainment for the purposes of this Act if the conditions in sub-paragraph (2) are satisfied—

(a) a performance of live music;

(b) the playing of recorded music.

(2) The conditions referred to in sub-paragraph (1) are that—

(a) the requirements of section 177A(1) are satisfied, and

(b) conditions are not included in the premises licence or club premises certificate referred to in section 177A(1)(a) by virtue of section 177A(3) or (4).<sup>(10)</sup>

(5) In paragraph 12B(b) (live music in workplaces)<sup>(11)</sup> for “200” substitute “500”.

(6) After paragraph 12C (live unamplified music)<sup>(12)</sup> insert—

**“Circuses**

**12D.—**(1) The provision of any entertainment that consists of or forms part of a performance by a travelling circus is not to be regarded as the provision of regulated entertainment for the purposes of this Act if the conditions in sub-paragraphs (2) to (5) are satisfied.

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<sup>(8)</sup> The definition of “management committee” was added to section 193 of the Act by the Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls &c.) Order 2009 (S.I. 2009/1724), articles 2 and 6(1)(b).

<sup>(9)</sup> Paragraph 12A was added by the Live Music Act 2012 (c. 2), section 3(3).

<sup>(10)</sup> Section 177A was added by the Live Music Act 2012, section 1(2).

<sup>(11)</sup> Paragraph 12B was added by the Live Music Act 2012, section 3(1) and (4).

<sup>(12)</sup> Paragraph 12C was added by the Live Music Act 2012, section 3(1) and (5).

(2) The first condition is that the entertainment is not of a description falling within paragraph 2(1)(b) (exhibition of a film) or paragraph 2(1)(d) (boxing or wrestling entertainment).

(3) The second condition is that the entertainment takes place between 8am and 11pm on the same day.

(4) The third condition is that—

- (a) the entertainment takes place wholly within a moveable structure, and
- (b) the audience present is accommodated wholly inside that moveable structure.

(5) The fourth condition is that the travelling circus has not been located on the same site for more than 28 consecutive days.

(6) In this paragraph, “travelling circus” means a circus which travels from site to site for the purpose of giving performances.

#### **Boxing or wrestling entertainment: certain forms of wrestling**

**12E.** The provision of entertainment consisting of a boxing or wrestling entertainment is not to be regarded as the provision of regulated entertainment for the purposes of this Act if—

- (a) it is a contest, exhibition or display of Greco-Roman wrestling, or of freestyle wrestling, between two participants (regardless of their sex),
- (b) it takes place in the presence of no more than 1000 spectators,
- (c) it takes place between 8am and 11pm on the same day,
- (d) it takes place wholly inside a building, and
- (e) the spectators present at that entertainment are accommodated wholly inside that building.”.

#### **Amendments to Part 3 of Schedule 1 to the Licensing Act 2003**

**4.** In Part 3 of Schedule 1 to the Act (provision of regulated entertainment: interpretation), after paragraph 18 insert—

##### **“Health care providers and hospitals**

**19.—**(1) “Health care provider” means a person providing any form of health care services for individuals.

(2) In sub-paragraph (1), “health care” means all forms of health care provided for individuals, whether relating to physical or mental health, and the reference to health care services is to be read accordingly.

(3) “Hospital”—

- (a) in England, has the same meaning as in section 275 of the National Health Service Act 2006(13), and
- (b) in Wales, has the same meaning as in section 206 of the National Health Service (Wales) Act 2006(14).

##### **Local authorities**

**20.** “Local authority” means—

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(13) 2006 c. 41.

(14) 2006 c. 42.

- (a) a local authority within the meaning of section 270 of the Local Government Act 1972(15);
- (b) the Greater London Authority;
- (c) the Common Council of the City of London;
- (d) the Council of the Isles of Scilly;
- (e) a National Park authority established by an order under section 63(1) of the Environment Act 1995(16) for an area in England or Wales;
- (f) the Broads Authority; and
- (g) the Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple.

### **Schools, school proprietors and school premises**

#### **21.—(1) “School” means—**

- (a) a maintained school as defined by section 20(7) of the School Standards and Framework Act 1998(17);
- (b) an independent school as defined by section 463 of the Education Act 1996(18) entered on a register of independent schools kept under section 158 of the Education Act 2002(19);
- (c) an independent educational institution within section 92(1)(b) of the Education and Skills Act 2008(20) entered on a register of independent educational institutions kept under section 95 of that Act;
- (d) a pupil referral unit as defined by section 19 of the Education Act 1996(21);
- (e) an alternative provision Academy within the meaning of section 1C(3) of the Academies Act 2010(22), other than an independent school as defined by section 463 of the Education Act 1996;
- (f) a school approved under section 342 of the Education Act 1996(23) (non-maintained special schools);
- (g) a 16 to 19 Academy within the meaning of section 1B(3) of the Academies Act 2010(24);
- (h) a sixth form college as defined by section 91(3A) of the Further and Higher Education Act 1992(25); and

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(15) 1972 c. 70; the definition of “local authority” was amended by the Local Government Act 1985 (c. 51), Schedule 17 and the Local Government (Wales) Act 1994 (c. 19), section 1(4) and (5).

(16) 1995 c. 25.

(17) 1998 c. 31.

(18) 1996 c. 56; section 463 was substituted by the Education Act 2002 (c. 32), section 172, and amended by the Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), Schedule 2, paragraph 10(1) and (2).

(19) 2002 c. 32.

(20) 2008 c. 25.

(21) Subsections (2A) and (2B) were added by the Education Act 1996 (Amendment of Section 19) (England) Regulations 2007 (S.I. 2007/1507), regulation 2; subsections (2), (2A) and (2B) were amended by the Local Education Authorities and Children’s Services Authorities (Integration of Functions) (Local and Subordinate Legislation) Order 2010 (S.I. 2010/1172), article 3.

(22) 2010 c. 32; section 1C was added by the Education Act 2011 (c. 21), section 53(1) and (7).

(23) Section 342 was substituted by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraphs 57 and 82, and amended by the Education and Skills Act 2008 (c. 25), sections 142(2), (3) and (4) and 143, and Schedule 2.

(24) Section 1B was added by the Education Act 2011 (c. 21), section 53(1) and (7).

(25) 1992 c. 13; section 91(3A) was added by the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), Schedule 8, paragraph 13(1) and (3).

- (i) a maintained nursery school as defined by section 22(9) of the Schools Standards and Framework Act 1998<sup>(26)</sup>.
- (2) “School proprietor” means—
  - (a) in relation to a school (other than a pupil referral unit or a sixth form college), the person or body of persons responsible for the management of the school,
  - (b) in relation to a pupil referral unit—
    - (i) the committee which is established to act as the management committee for that unit by virtue of paragraph 15 of Schedule 1 to the Education Act 1996<sup>(27)</sup>, or
    - (ii) if there is no such committee, the local authority (as defined by section 579(1) of that Act<sup>(28)</sup>) which maintains that unit,
  - (c) in relation to a sixth form college, the sixth form college corporation as defined in section 90(1) of the Further and Higher Education Act 1992<sup>(29)</sup>.
- (3) In relation to a school, “premises” includes any detached playing fields.”.

1st December 2014

*Helen Grant*  
Parliamentary Under Secretary of State  
Department for Culture, Media and Sport

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<sup>(26)</sup> Section 22(9) was amended by [S.I. 2010/1158](#), Schedule 2, paragraph 10(1) and (2).  
<sup>(27)</sup> Paragraph 15 was added by the Education Act [1997 \(c. 44\)](#), section 48, and amended by the School Standards and Framework Act 1998, paragraphs 57 and 184(c) of Schedule 30, and Schedule 31; the Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002 ([S.I. 2002/808](#)), articles 2 and 31; [S.I. 2010/1158](#), Schedule 2, paragraph 7(1) and (2); and the Education Act [2011 \(c. 21\)](#), Schedule 13, paragraphs 1 and 9(19).  
<sup>(28)</sup> The definition of “local authority” in section 579(1) of that Act was substituted by [S.I. 2010/1158](#), article 3(1) and (2)(b).  
<sup>(29)</sup> The definition of “sixth form college corporation” was added by the Apprenticeships, Skills, Children and Learning Act 2009, Schedule 8, paragraph 12(1) and (3).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Licensing Act 2003 (c. 17) (“the Act”) provides a unified framework for the regulation of a number of specified activities, including the provision of regulated entertainment.

This Order amends the Act in exercise of the power conferred by section 1 of the Legislative and Regulatory Reform Act 2006 (c. 51) so that, in certain circumstances, the provision of regulated entertainment may no longer need to be authorised under the Act.

This Order extends the exemption in paragraph 12A of Schedule 1 to the Act (which at present is limited to performances of live music) so that it also exempts the playing of recorded music where the specified conditions are satisfied: article 3(4). Equivalent amendments are made to section 177A of the Act, so that the suspension of any licence condition which relates to live music also applies to licence conditions which relate to recorded music or to both live and recorded music: article 2.

Article 2(3) of the Order amends one of the conditions specified in section 177A of the Act, raising the maximum number of persons in the audience from 200 to 500 for the purposes of both the exemption in paragraph 12A of Schedule 1 and the suspension of licence conditions in section 177A.

Article 2(6) adds a subsection (4A) to section 177A. Section 177A provides that licence conditions relating to music are suspended when certain conditions are satisfied, subject to their reinstatement or the addition of new conditions as a result of a review of the relevant premises licence or club premises certificate. Subsection (4A) makes clear that section 177A does not apply to music which is exempt by virtue of paragraph 12ZA or 12ZB of Schedule 1 to the Act.

Article 3(2) of the Order extends the existing exemption relating to incidental music in paragraph 7 of Schedule 1 to the Act so that it also covers incidental film.

The Order introduces the following exemptions by amending Part 2 of Schedule 1 to the Act:

- (a) Article 3(3) introduces paragraph 12ZA, which provides that no authorisation under the Act is required in respect of any entertainment put on by or on behalf of a health care provider, local authority or school proprietor, provided the specified conditions (relating to, for example, the premises on which the entertainment takes place) are met.
- (b) Article 3(3) also introduces paragraph 12ZB, which provides that no authorisation under the Act is required in respect of a performance of live music or playing of recorded music, provided the specified conditions (relating to, for example, the number of persons in the audience) are met.
- (c) Article 3(6) introduces paragraph 12D, which provides that no authorisation is required under the Act in respect of various entertainments put on by a travelling circus, provided the specified conditions are met.
- (d) Article 3(6) also introduces paragraph 12E, which provides that no authorisation is required under the Act for a contest, display or exhibition of Greco-Roman wrestling or freestyle wrestling, provided the specified conditions are met.

Article 4 of the Order adds a number of definitions to Part 3 of Schedule 1 to the Act so as to give clarity to these new exemptions.

A full impact assessment as to the effect that this Order will have on the costs of business, the voluntary sector and the public sector is available on the Government website at <https://www.gov.uk/government/consultations/legislative-reform-order->

[changes-to-entertainment-licensing](#). This impact assessment is also published with the Explanatory Document alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).

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## **Summary of Exemptions under The Legislative Reform (Regulated Entertainment) Order 2014. (With effect from April 2015)**

### **Live Music**

- unamplified music between 08:00 and 23:00 on any day on any premises.
- amplified music between 08:00 and 23:00 on premises authorised to sell alcohol for consumption on the premises, subject to a maximum audience of 500.
- amplified music between 08:00 and 23:00 in a workplace not licensed to sell alcohol, subject to a maximum audience of 500
- amplified live music between 08:00 and 23:00 in a church hall, village hall, or other community premises not licensed to sell alcohol, subject to a maximum of 500 and subject to consent from the venue authorities.
- similar exemption for non-residential premises of local authorities, schools, and hospitals.
- note that Karaoke is considered live music. Also note that a beer garden and the like can be used for live music if shown on the plan of the Premises Licence or Club Premises Certificate. Even if they are not, they are likely to be workplaces and subject to the exemption which applies there. But note that the workplace exemption does not apply to recorded music, so if the beer garden is not on the plan it is not exempt at all and will require licensing for recorded music.

### **Recorded Music**

- between 08:00 and 23:00 on premises authorised to sell alcohol for consumption on the premises subject to a maximum audience of 500. Again note that this will not include the beer garden if it is not on the licence plan.
- between 08:00 and 23:00 in a church hall, village hall, or other community premises not licensed to sell alcohol, subject to a maximum of 500 and subject to consent from the venue authorities.
- similar exemption for non-residential premises of local authorities, schools, and hospitals

Also note that the Licensing Authority has the power to remove the exemptions but only if and when it carries out a formal Review of the Premises Licence of Club premises Certificate.

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# THE WHITE HART – Noise Management Plan

Licensed premises have to live in harmony with their neighbours, and by their very nature can often cause some disturbance to people living nearby. The aim of this Noise Management Plan is to put in place reasonable measures to reduce the noise impact of sources associated with the premises, with particular attention being paid to reducing or eliminating avoidable noise.

The following assessment looks at how the site will potentially manage avoidable noise when the site is trading.

**Company name:** The White Hart, Corsley **Date of assessment:** 28/06/2020

Component	Measures in place/to be taken
<p><i>Internal music noise, film shows etc</i></p>	<ul style="list-style-type: none"> <li>• Live music will always aim to finish by 23.00 but possibly run to about 23.15 up to a maximum 12 times a year</li> <li>• Live music volume will reduce after 23.00</li> <li>• Doors and double glazed windows will be kept shut whilst music playing</li> <li>• Old building with thick walls plus windows double glazed.</li> <li>• Speakers will face away from doors and windows</li> <li>• Bands/speakers will be situated in the centre of the building with fireplace helping to limit noise to doorway</li> <li>• Noise will be monitored throughout. Regular checks will be made to assess the noise levels outside the building</li> </ul>
<p><i>External music noise</i></p>	<ul style="list-style-type: none"> <li>• No amplified music will be played outside. Might have occasional music with unamplified instruments</li> <li>• Between 12:00 and 22:15</li> </ul>
<p><i>Deliveries and collections</i></p>	<ul style="list-style-type: none"> <li>• Deliveries early morning, suppliers asked to keep noise to a minimum</li> <li>• Beer, gas and oil deliveries to be during weekday working hours</li> </ul>
<p><i>Smoking area, garden, external seating and eating areas</i></p>	<ul style="list-style-type: none"> <li>• Smoking area is on the road side of the pub. Patrons asked to minimise noise whilst outside.</li> <li>• A supervisor will check outside areas during the evening and after 21.00 will advise clients to only speak quietly or to re-locate inside the pub if there is room</li> <li>• ‘3 strikes’ rule for unruly customers.</li> <li>• No radios/ streamed music permitted in the outside areas</li> </ul>

<p><b>Customers and car park area</b></p> <p><b>Refuse and recycling bins, bottles and stores, barrels</b></p>	<ul style="list-style-type: none"> <li>• Staff to monitor regularly</li> <li>• '3 strikes' rule for unruly customers.</li> <li>• There is a sign at premises exit to remind patrons to be quiet on leaving.</li> <li>• There are also supervisor patrols, CCTV, no stereo car rule, no horns.</li> <li>• Responsible taxi companies will be arranged at end of live music events or as and when needed, and patrons filtered out once taxi arrived so groups of people not waiting outside.</li> <li>• Supervision of smokers via regular checks and CCTV</li> <li>• If noisy will be done in morning not late evening.</li> <li>• The refuse and recycling bins will be stored by the main road or in the top car park and brought down for bin day</li> </ul>
<p><b>Chillers, air con, extractors etc</b></p>	<ul style="list-style-type: none"> <li>• There is some noise from the extractor fan for the kitchen which is turned off at the end of food service (approximately 21.00)</li> </ul>
<p><b>Complaints</b></p>	<ul style="list-style-type: none"> <li>• The date, time, name, cause and action taken for any complaint will be recorded in the incident book</li> <li>• Any complaints received will be viewed sympathetically and a response sent and/or complainant invited to the pub for a chat to discuss</li> <li>• Neighbours are to be encouraged to pop into the pub to have a chat about any issues to reach an amicable compromise</li> <li>• If local residents supply the pub with their email addresses they can be advised of any upcoming plans.</li> </ul>

**Signed:**

**Date:**

**Premises License Holder – Adelle Gill**

# Agenda Item 6h

With a lot of rumour and speculation going around about our licence application we felt we should allay any fears you may have by letting you know our plans and why we have applied for what seems to many to be an unacceptable extension.

Applying for licence changes or a TENS licence costs money on every occasion for which it is applied and so what most pubs do is apply for a licence that will cover every eventuality for every possible occasion. This I agree can look somewhat worrying but I can assure you we will not be having late music every night of the week!

Every pub is able to have live amplified music running inside until 11pm any day of the week. Why we have requested the licence to extend to midnight is to allow the band to finish the last track/set they are playing. Whilst our aim will always be to finish the music at 11pm this extension will allow for any overrun which we would hope will never be longer than 10-15 minutes giving us time to filter the customers out and into taxis or their cars to go home.

Music will normally be on Friday or Saturday but occasionally it might be there is a midweek celebration eg Royal wedding etc that means we may have music to celebrate.

We would not be having any amplified music outside, but might on occasion have someone playing/singing with an acoustic guitar in the garden.

This licence will bring us into line with the other pubs in the village and we have also agreed with our Landlord that we will have no more than 12 live amplified music events a year.

We hope that this explains the licensing system a little and lays to rest any fears you may have concerning the licence application. We are so happy to be a part of the community here bringing our Yorkshire hospitality, and would love for you to pop in and have a chat about the licence or any other worries or queries you have for us.

We would love to meet you all and are very keen to work with you to ensure everyone is happy!

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# Agenda Item 6i

**From:** [REDACTED]  
**To:** [Adkins, Carla](#); [Fowler, Katherine](#)  
**Subject:** Fw: WH H&S RA Noise plan.pdf  
**Date:** 10 July 2020 12:11:42  
**Attachments:** [image002.png](#)  
[image003.gif](#)  
[image004.png](#)  
[WH H&S RA Noise plan.pdf](#)  
[Licence response.pdf](#)

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Yes that fine I can confirm. I will print out and put in the pub for staff to see also.

---

**From:** Adkins, Carla <carla.adkins@wiltshire.gov.uk>  
**Sent:** 09 July 2020 22:53  
**To:** [REDACTED]  
**Subject:** FW: WH H&S RA Noise plan.pdf

Good Morning Adelle,

Please can you confirm whether or not you agree to the condition suggested by Kat.

Kind Regards,

Carla

---

**From:** Fowler, Katherine  
**Sent:** 09 July 2020 15:07  
**To:** [REDACTED] @ [REDACTED]  
**Cc:** Adkins, Carla <carla.adkins@wiltshire.gov.uk>  
**Subject:** FW: WH H&S RA Noise plan.pdf

Dear Adelle,

Thank you for sending across your noise management plan which I have now reviewed and am satisfied with. In light of this we would recommend that the following condition is applied to your premises licence to ensure noise is managed in accordance with the plan which will prevent noise from causing a public nuisance to neighbouring properties;

1. Noise must be managed in accordance with the Noise Management Plan submitted to the Licensing Authority. Any changes to the noise management plan must be agreed in writing by the Licensing Authority.

If you are in agreement to the condition please confirm this with Carla Adkins, Licensing officer who is dealing with this application and copied into this email.

Any event must be carefully managed to minimise the impact on neighbouring residential properties.

Kind regards

**Kat Fowler**  
**Environmental Health Officer**  
Environmental Protection, Public Protection Services



Tel: 01722 434346  
DD: 54346  
Email: [katherine.fowler@wiltshire.gov.uk](mailto:katherine.fowler@wiltshire.gov.uk)  
Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

Please note I am part time and only work Mondays, Tuesdays and Thursdays.

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**From:** Adelle Mctiernan [REDACTED]  
**Sent:** 09 July 2020 08:29  
**To:** Fowler, Katherine <[Katherine.Fowler@wiltshire.gov.uk](mailto:Katherine.Fowler@wiltshire.gov.uk)>  
**Subject:** Fw: WH H&S RA Noise plan.pdf

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[REDACTED]

[REDACTED]

[REDACTED]

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'Brackens'  
Lane End  
Corsley  
Warminster  
BA127PH

5 July 2020

Licensing Section  
Wiltshire County Council  
County Hall  
Bythesea Rd  
Trowbridge  
BA14 8JN

Dear Sirs

**Objection to licence variation for the White Hart, Lane End, Corsley, BA127PH. Application reference WK 20201121**

We write to object strongly to the above licence variation and specifically to the request to permit Live and Recorded Music for seven days a week from 08.30 to midnight on those days.

**This objection is on the potential for considerable Public Nuisance.**

Our home abuts the car park to the pub and the front wall is within 45 metres of the White Hart and less than 5 metres from the car park. The noise from the music would be oppressive and disturb our life and enjoyment of the usual peace and quiet of village life.

Banging car doors and revving engines late at night would similarly keep us awake at a time when we would have been in bed for at least one hour.


The application raises the spectre of this noise and disruption being a blight on our lives every day of the week and every week of the year. This is totally inappropriate for this rural location and for the 20 or so homes which are also located in close proximity to the White Hart. We would have no objection to a variation for New Year's Eve and the occasional Bank Holiday, however.

We note that the application is self-contradictory in that in Section F it asks for the variation for indoor music only, yet the drawings provided show an outside area marked: 'This area for any potential music'. Any form of music outside at any time of the day would ruin the lives of many local residents.

We also note that the applicants have not taken advantage of the optional opportunity to provide their plans for mitigating nuisance in the form of a policy and processes for showing reasonable consideration to their neighbours. No doubt, the responsible authorities will want to understand if this is from a lack of care or if it implies that no such plan is practical.

We do understand the pressures of running a small business and the need to maximise revenues, especially as a result of the COVID-19 crisis and do commend initiative and hard work.

However, this application shows a total lack of concern for the neighbourhood and the absence of any prior consultation would lead us to believe that the applicants will not apply the revised terms of the license with any degree of sensitivity or concern for their neighbours.

  
Yours faithfully

  
Paul and Sandra Evans

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**Squires House  
Lane End  
Corsley  
Warminster  
BA127PH**

26th June 2020

Licensing Section  
Wiltshire County Council  
County Hall  
Bythesea Rd  
Trowbridge  
BA14 8JN

Dear Sirs

**Objection to licence variation for the White Hart, Lane End, Corsley, BA127PH. Application reference WK 20201121**

We write to object strongly to the above licence variation and specifically to the request to permit Live and Recorded Music for seven days a week from 08.30 to midnight on those days.

**This objection is on the potential for considerable Public Nuisance.**

The White Heart pub is located within 40m of our house and is extremely close to many other residential properties and gardens. A business operating after 11pm every day of the week is not compatible with this location.

The current 11pm close already generates noise from car doors and people talking as they leave (shouting at each other after a few drinks) and this is already a real concern. Our daughter's bedroom window faces the pub and the noise disturbance already causes her problems at night. In the summer months, windows will be open and so the noise will be increased.

Already we suffer from noise disturbance with the comings and goings of people in and out of the pub door and frequent 'cigarette chats' outside adds to this nuisance. With even longer hours proposed this would get worse especially if music is being played. There may already be a sign in the bar asking people to leave quietly, however this seems to have had no effect.

Any activity involving increased numbers of people, vehicles, music and alcohol after 11pm at night is not appropriate for a residential area and it increases the possibility of becoming a public nuisance and significantly raises the risk of criminal and disorderly behaviour. The owner has already demonstrated a disregard for local residents by hosting noisy events. Since the pub has been open, numbers of cars congregate in the car park (a 'boy racer' gathering) revving their engines. The cars reverse up to our garden fences and open their car boots to show off their sound systems. Music is subsequently blasted out of their cars for several hours. We have found this a very intimidating experience and our 18-month old daughter became very distressed and upset.

Our main concern is the proposal shown on the plan for outside music which contradicts Section F which is for indoor music only. Any music played outside would ruin the lives of many local residents.

The application raises the spectre of this noise and disruption being a blight on our lives every day of the week and every week of the year. This is totally inappropriate for this rural location and for the 20 or so homes which are also located in close proximity to the White Hart. We would have no objection to a variation for New Year's Eve and the occasional Bank Holiday, however.

We would hope that the council listens to the people who live in this area and refuses this application. The highly residential village of Corsley is not the place to have a late-night drinking pub with outside music for up to 500 people. We are not killjoys, but this is not the right area for the proposed application.

Thank you for considering this viewpoint.

Yours faithfully

Will and Annie Chudley

## 2 Roddenbury View

Corsley  
Warminster  
Wiltshire  
BA12 7PT

7 July 2020

Carla Adkins  
Public Protection Officer (Licensing)  
Wiltshire Council  
[publicprotectionnorth@wiltshire.gov.uk](mailto:publicprotectionnorth@wiltshire.gov.uk)

**Ref: application for a New Premises Licence (WK202011121) for the White Hart Corsley BA12 7PH.**

Dear Carla,

We are writing regarding an application for a New Premises Licence (WK202011121) for the White Hart Corsley BA12 7PH.

The White Hart is located at Lane End in the quiet, rural village of Corsley and we live in this part of the village. Our property adjoins the top, gravelled part of car park of this pub and is approximately 50m from the pub front door.

Whilst we are pleased to see the pub occupied again and serving the community, we are concerned about how the licensees' plans will affect our quality of life and security.

We have the following concerns regarding the proposed changes requested by the licensees, regarding the licensing objective, "Prevention of Public Nuisance":

1. We understand that we have a right to enjoy our property undisturbed, in peace and quiet. An extension of the licence would mean at least one additional hour of noise coming from the pub building and pub garden, and realistically another hour or two on top of that as people finish up their drinks, say their farewells and leave the car park. Should the noise be loud it may cause vibrations. By happening so late at night, all of this is likely to significantly disrupt our sleep and our ability to enjoy peace and quiet in our property, and at a time of day when it is especially important to be able to do so.
2. Should the licensees decide patrons can use the top, gravelled car park an hour later than currently they may need to install some kind of lighting and this would mean light coming into our bedrooms and therefore disrupting our sleep and our ability to enjoy our property undisturbed, and at a time of day when it is especially important to be able to do so.

Should the licensee be prepared to do the following we would not object to the license extension currently requested:

1. limit events with music to no more than 4 in a year
2. ensure that sound from the pub premises is never so loud that it affects our ability to have a normal conversation in our property
3. ensure that there is no noise emanating from the pub premises after 10pm
4. ensure that any lights that may be installed do not shine into our property and are switched off by 11pm.

Yours sincerely,

John and Mary Selman



**From:** [REDACTED]  
**To:** [PublicProtectionNorth](#)  
**Subject:** White Hart, Lane End, Corsley BA12 7PH  
**Date:** 09 July 2020 10:54:33

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Premises number LN000010557

Premises license variation WK202011121

- **Prevention of crime and disorder** - The proposed opening hours are not aimed at Corsley residents. These hours will encourage people from Frome and Warminster to congregate on the nasty bend of the busy A362. The site is fairly limited in size and the late hours, takeaway and entertainments proposed will result in drunk youngsters spilling out into the environs and then attempting to drive home.
- **Public safety** - The pub is on a busy corner of the A362 at Lane End, Corsley and the late hours could result in a drunk revellers being involved in an RTI.
- **Prevention of public nuisance** - The hours requested and potentially every day, are inappropriate for a quiet village setting especially during the week. There are several residential houses very nearby who will be adversely affected by the noise and disturbance, especially if people are turning up late for a takeaway. There will also be additional littering as a result of takeaway packaging.
- **Protection of children from harm** - The children living in the adjacent homes will be adversely affected by the noise, disturbance and foul language that they will hear.
- I would be happy for all three pubs in the village to have the same hours and conditions, to make a level playing field. The applicant has published the Corsley Village Community Group Facebook page that this will be the case with this application. However on checking, it is not so. This application is asking for considerably more than the other pubs.

Marion Liquorice  
Heathside  
Corsley Heath  
BA12 7PW

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## Adkins, Carla

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**From:** Viv Thomas [REDACTED]  
**Sent:** 09 July 2020 23:04  
**To:** PublicprotectionNorth  
**Subject:** Ref: WK202011121 Premises Licence Variation - White Hart, Corsley, BA12 7PH

**Categories:** \*\*FOR M3\*\*

Wiltshire Council  
Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER

9th July 2020

Dear Sir/Madam

### **Ref: WK202011121 Premises Licence Variation - White Hart, Corsley, BA12 7PH**

I am writing to you with some concerns about the variation of the premises licence.

#### **Licensing Objectives D - Prevention of public nuisance**

##### **Part E**

The application is for the extension of recorded or live music to be played indoors. However, the applicant has marked an area on the sketch map for live music outdoors. I have no objection to the recorded music indoors as the pub is of a size that would naturally prohibit up to 500 customers attending such an event. I do have concerns about the level of noise which would be created by customers subsequently leaving the premises in the dead of night, particularly during the working week. (The rural location of the pub is such that the majority of the customers will inevitably have to drive to it.) The village is rural and the residents in properties situated in very close proximity to the pub currently enjoy the peace and quiet the village affords. The village is an ancient one and, in the period they were built, some over 200 years ago, scant regard was paid to how the houses were stuffed together cheek-by-jowl. Thus, the area immediately surrounding the pub has an extraordinary amount of properties within a very short distance - all of which would be affected by the noise nuisance.

##### **Part G**

Regarding the 'Performance of dance', the applicant has requested a variation to the standard days/timings but has failed to specify the location (indoors/outdoors/both) and, as such, is impossible to comment on, save for the nuisance of noise which would invariably accompany such an event (see para 1, Part E).

##### **Part I**

Similarly, the applicant has requested a licence variation for a 'Takeaway service, indoors and outdoors' but, again, fails to indicate where this would be located outdoors. With this particular variation, there would be the additional nuisance of the smells from said takeaway and numerous short visits with vehicles entering and leaving the pub until very late at night, particularly during the working week. This is wholly inappropriate for this quiet village.

##### **Part J**

Off-sales will similarly add to the numerous short visits by customers, again inevitably using vehicles due to the rural nature of the location of the pub.

##### **Part M**

The applicant has not described any steps they would take to promote the four objectives - this is very disappointing. By the absence of any comment from the applicant, one wonders if there is any regard for the noise/smells this licence variation would have on the local community if it were successful.

I do appreciate that times are hard for pubs, especially now during the coronavirus pandemic, and landlords need to think creatively how to build their businesses back up. However, this extraordinary time will end and I do not think that this very quiet, rural village should be subjected to the noise nuisance these variations will inevitably cause.

Yours faithfully

V Thomas  
81 Lane End  
Corsley  
BA12 7PE

# Wiltshire Council

Where everybody matters

## REPRESENTATION FORM

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

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

<b>Premises about which representation is being made</b>	The White Hart Pub, Lane End, Corsley, Wiltshire BA12 7PH
<b>Your Name</b>	Mr Justin and Mrs Rachel Hanney
<b>Postal Address</b>	75 Lane End, Corsley, Wiltshire BA12 7PG
<b>Contact Telephone Number and Email address</b>	
<b>Are you (please tick):</b> <ul style="list-style-type: none"> <li>• An individual? <input checked="" type="checkbox"/></li> <li>• A person who operates a business?</li> <li>• A person representing residents or businesses?</li> <li>• A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)?</li> </ul>	
<b>If you are representing residents or businesses who have asked you to represent them?</b>	N/A

Your Representation must relate to one of the four Licensing Objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your Representation. If necessary, separate sheets may be used.

LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	

<p><b>The prevention of public nuisance</b></p>	<p>Our home is in close proximity to the White Hart Pub, less than 10 metres away. The selling of alcohol and noise from any amplified music for an extended hour between 11pm and midnight would cause us a great disturbance. Not only the noise but vibrations at this time of night, would be oppressive. This has been requested 7 days a week and the potential for this to happen worries me greatly. During summer months this will cause considerable nuisance to all neighbouring properties and indeed most areas of the village.</p> <p>The contradictory application states in section F that it is for INDOOR amplified music only, however the drawings clearly show an area that is marked 'this area for any potential music.' It does not state amplified or non amplified and we fear that this will be used as a 'loop hole'. I have been made aware of a planned stage to be built, this worries me that amplified music (live and prerecorded), will indeed be played outside.</p> <p>If a live act were to overrun it should be the Premises License Holders responsibility to ensure that this does not happen and to stop at 11pm. I feel this is sufficient for a village pub in such a rural location with very close neighbours.</p> <p>The take away service requested 11pm-Midnight will cause increased traffic through Corsley and the noise of car doors slamming, engines stopping and starting to collect food will have a huge negative impact on neighbouring properties so very late at night.</p>
<p><b>The prevention of crime and disorder</b></p>	
<p><b>Public safety</b></p>	<p>We worry about disorder and anti-social behaviour next to our home.</p> <p>We are aware that the licence holder cannot generally be held responsible for the conduct of individuals once they leave the premises. However by serving alcohol at an extended time along with any outside music played, may indicate that there will be a huge distraction to drivers travelling through Corsley and on a busy junction.</p>

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

I strongly object to the license variation application for the reasons listed above under The Prevention of Public Nuisance and also Public Safety.

We request that there be a condition placed upon the license that at the boundary of the nearest residential property, there should be NO audible noise (amplified or non amplified) from the White Hart Pub.

All windows and doors should be closed during acts of live music and amplified music. Especially in the summer months when neighbouring properties will have their windows open, there will be increased opportunity to be disturbed by music.  
Sound and vibrations should not be heard or felt in any neighbouring property.

We request that all music should cease and not continue after 11pm, due to the close proximity of neighbouring properties in such a rural village.

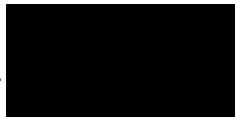
I also attach a picture of the notification of Licence variation application that was seen in the window of the White Hart Pub on 20th June. The was NOT signed or dated.

If a hearing needs to be held to determine the Premises Licence Application, the Licensing Sub-committee will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

**All Representations in their entirety, including your name and address, will be disclosed to the Premises Licence applicant. A copy of Representations will be annexed to the Licensing Officer's report, which is a public document published on the Council's website and circulated to the Licensing Sub-Committee and to all those who have made relevant Representations.**

Signature.....



.....

Date. 20th June 2020

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

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

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

**All other areas** please send to the address below:

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

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Licensing Section

Wiltshire Council

## **Objection to License Variation Application, The White Hart, Corsley**

Corsley, 10.07.20

### **The protection of children from harm**

Extending the license to allow music till midnight would mean considerable noise nuisance for the direct neighbours of the premises, which we are. Especially during the summer months, it is not realistic to keep the pub doors and windows closed during a live music event. As this is a residential area, we feel that all loud noises that will impact especially children's ability to sleep, should be limited to finish at 22:00.

### **The prevention of public nuisance**

As previously mentioned, the noise nuisance coming with amplified music would be considerable. The White Hart is a country pub in a rural setting and we feel that live music past the existing license would leave us, the neighbours, exposed to considerable disruption to our personal comfort within our homes.

We are also concerned about the waste management, as we could witness that even during quieter times the waste created by the business is not being disposed properly on their premises and attract rodents, which would also impact neighbouring properties.

The application seems to be slightly misleading, as in the document the box for live music outside was not ticked, however the attached sketch shows a stage area in the outside seating area. We would expect clarification about that, as we feel that live music outside, especially past 22:00 would dramatically impact all neighbours in the direct vicinity.

Patrons of The White Hart have been told that an outside cooking/grilling area was planned in the car park, to be located behind the bus stop on the A362. The smell of that would greatly impact the direct neighbours.

We are further concerned about the car park arrangements. The police had to be called in the past, due to dangerous driving by guests of the pub, who visited a car-meet, that was arranged by the landlords. We were informed that this event is supposed to happen on a regular basis. The noise of this event was considerable, as was the impact on local traffic.

### **Public Safety**

As mentioned above, part of the pub's event calendar is a regular car-meet. The village has already witnessed dangerous driving on the small lanes of Corsley because of it.

If this event is in the future being held in a car park, next to a seating/cooking/grilling area, we are not convinced that this can be done in a safe manner.

This stretch of the A362 is known for speed violations and accidents, with a fatal accident of two motorcyclists in 2001. Cars can often be seen pulling into the car park too fast when they come off the A362. If the landlords really want to place an outside stage right next to the entry way to the car park, I feel that this would distract drivers and also endanger guests watching the music, not paying attention to the car park traffic.

Regarding the seating area in the top left corner of the car park, guests and staff would have to cross the main entrance of the car park to get from there to the bar area.

As mentioned before, the car-meet event would add an additional risk to people in the seating area of the car park.

**Suggested actions the applicant could take to address our concerns:**

The landlords should have communicated their plans to their neighbours and have failed to address concerns, but rather displayed aggressive and threatening behaviour on social media in response to these.

The applicant's behaviour doesn't give us at this point any trust in their wish to address our concerns or to try to work in a way that guarantees that their plans won't impact our quality of life.

We don't object to live music inside once a month, provided the noise impact for all direct neighbours is managed by the landlords and the music finishes at 23:00 the latest. We would expect however for this to be communicated to the residents.

We also have no objections to the extensions for New Year's Eve.

We do understand that the Covid crisis has been particularly hard on the hospitality industry and we certainly want this business to do well and thrive. However, having chosen to open a pub in a quiet village location, they should have been prepared to integrate and work with their local community, rather than verbally attacking residents and dismissing their concerns.

Kind regards,

Andrew and Katja Parkinson

74 Lane End

Corsley

Wiltshire

BA12 7PG

## Adkins, Carla

---

**From:** Sarah Pugsley [REDACTED]  
**Sent:** 10 July 2020 14:42  
**To:** Adkins, Carla  
**Subject:** Fwd: White Hart, Corsley planning application

Sent from my iPad

Begin forwarded message:

**From:** Sarah Pugsley [REDACTED]  
**Date:** 10 July 2020 at 14:37:05 BST  
**To:** [carla.atkins@wiltshire.gov](mailto:carla.atkins@wiltshire.gov)  
**Subject:** White Hart, Corsley planning application

Objection to Licence Variation for the White Hart, Lane End, Corsley  
BA127PH Licence No LN000010557

We live at Chimneys, Lane End, Corsley which adjoins the pub car park.

We don't have any objection to the 8.30am opening time, but we strongly object to live and amplified music being played outside TIL midnight, 7 days a week, the pub is in a built up area with young families and retired people and we feel the late nights would be very noisy and disruptive to us all.

We don't mind the occasional late night on a Friday or Saturday evening maybe once a month but feel that we should be advised of these dates in advance.

We also feel any live music in the garden would be a distraction for passing traffic on a very busy main road possibly causing an accident

Yours

Andrew Eggleton

Sarah Pugsley

Sent from my iPad

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## **CORSLEY PARISH COUNCIL**

### **Representation in respect of application to vary a premises licence by the White Hart pub, Lane End, CORSLEY**

Reference: Premises licence number LN000010557

#### **Background**

1. The White Hart pub is situated in Lane End Corsley, immediately adjacent to the junction between the A362 and routes northwards to Chapmanslade and south to the Safari Park, Longleat Offices and the Caravan Club site. This is a notoriously dangerous junction, because of the combination of heavy and fast traffic at an intersection with busy turn-offs and poor visibility in key directions. There is no street lighting at the junction and in the past there have been fatal and other serious road traffic accidents at the junction, often late at night.
2. Lane End is one of the more significant residential areas in Corsley. There are 24 residences within 100m of the pub, over 30 within 200m. This concentration is significantly greater than around either of the other two pubs in Corsley, the Royal Oak at the Heath and the Cross Keys at Lyes Green<sup>1</sup>. The predominant age group in Lane End is over 70, but there are also families with young children, three of such within 50m of the White Hart. The pub and its car park back on to the boundary of 5 properties and its frontage is 10m from another 4 residences.
3. Notes were distributed to the 35 residences within 400m of the pub, explaining the proposed variation, a comparison with the licences of the two other pubs and the representation protocol. No view was expressed in this note. Eleven responses were received, all with very similar and clear views. In formulating its own representation the PC has taken into account these responses, the views of the Licensee at the White Hart and the circumstances of the location of the White Hart in Corsley. It is known that others have made direct representations to the Licensing Authority in similar vein to those received by the PC

#### **The representation**

4. The guidance for representations has been carefully studied, particularly the needs to comment only on the licence application itself, to address the four licensing objectives and to ensure balance and proportionality in the comments. In respect of the latter, it should be noted that the PC has no desire to stand in the way of those seeking to create a successful business in Corsley. The Licensee of the White Hart has expressed clear views on her aim to provide a service in Corsley distinctive from the other two pubs and neither the PC or those consulted has any issue with the earlier starts proposed in Sections F, J, and L.

---

<sup>1</sup> Cross Keys 6 within 100m, Royal Oak 4

5. There is, however, significant disquiet over the proposal to extend activities beyond the current licensed end times at night, because of the White Hart's location and these are itemised below against the licencing objectives (see Table 1).
6. There is also concern over an ambiguity in the application. Sections E and F are clear that the application variation for playing of recorded music and live performance is for "indoors" only. The sketch plan marks an area (fenced grass seating area) as "for any potential music". The PC believe that this annotation should disallowed as it directly contradicts the application and is an inappropriate location for music and attendant spectators. (see below under public nuisance).
7. The space for mitigations planned by the licensee to meet the 4 licensing objectives was left blank on the form (section M). These must be presented for assessment of the application to take place. It is noted that the Licensee has now produced a "Noise Management Plan", which is helpful.

### Summary

8. In summary, the PC representation is that:
  - a. The application to extend hours to midnight and beyond, ie sections E, F, I, and J this should be refused, for reasons set out in detail in the Table 1. The limiting time for these activities should remain at 2300, excluding Bank Holidays and the New Year period (see paragraph 4).
  - b. The sections of the applications of the application referring to earlier starts (see sections F, J) should be allowed.
  - c. If any approval of late night extensions are to be contemplated, the Licensee must offer mitigations to meet the 4 licensing objectives required by the form section M and the extensions reviewed in 6 months. Adherence to the Noise Management must be made a condition of any extension allowed.
  - d. Conditions should be applied to ensure that music, live or recorded is allowed indoors only and that windows and doors should be kept closed when music is being played or performed (as per Noise Management Plan – see paragraph 8c)
  - e. Highways and Wiltshire Police should be consulted over the potential traffic safety issues of this application.

  
D N BRITTEN

Chairman, Corsley Parish Council  

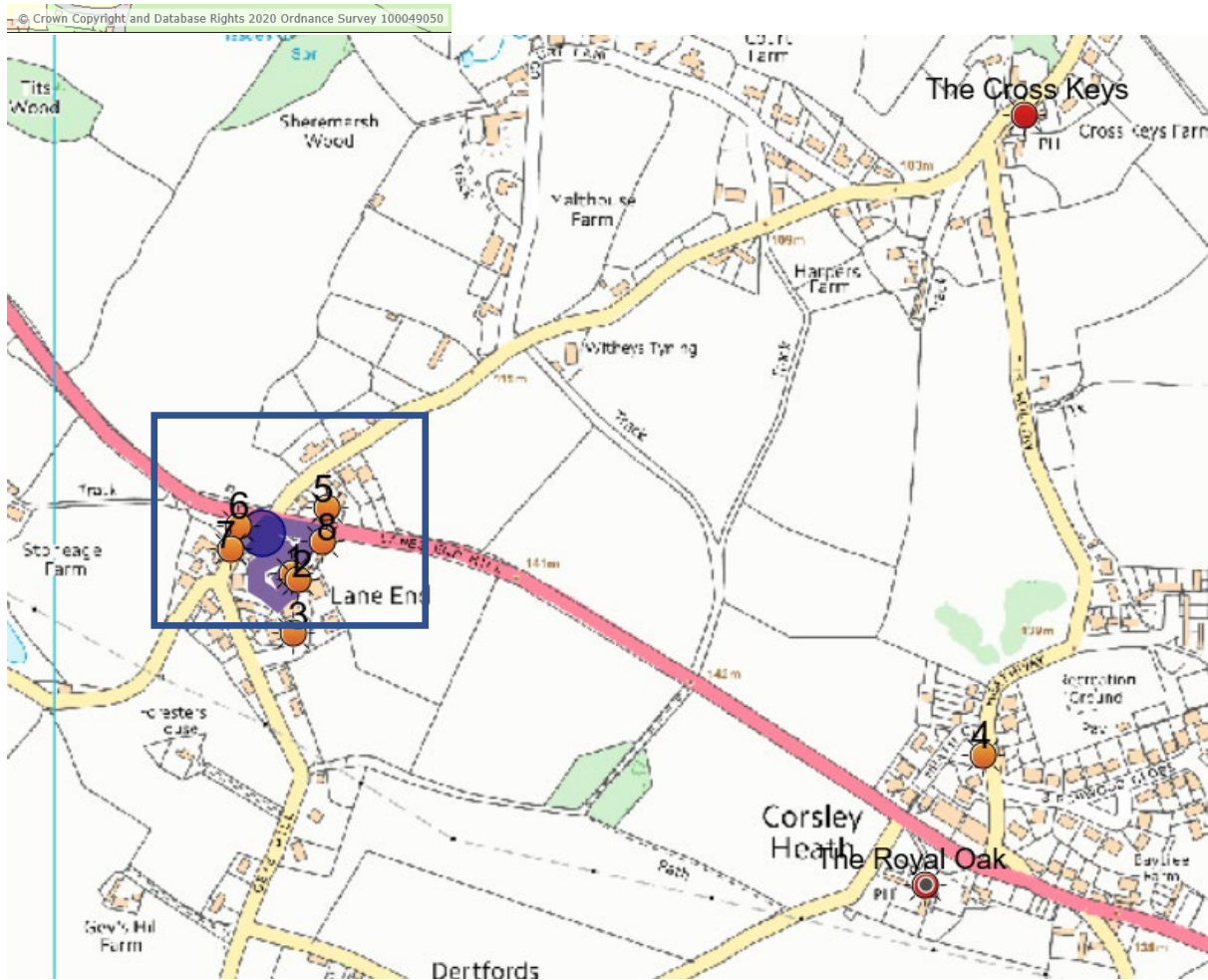

LICENSING OBJECTIVE	REPRESENTATION	Comments
Prevention of Crime and disorder	Extended hours beyond 2300 bring heightened likelihood of disrespect for the privacy, feelings and property of others in the immediate vicinity of the White Hart arising from the extended hours for alcohol sales and sales of refreshment (sections J, J, and L). Within the current hours there is already evidence of disorderly behaviour by pub clientele from activities outside the pub, eg loud cars, booming Hi Fi, plus unsafe and anti-social antics on the roads an late revellers. The Police have reportedly been called in on at least one occasion.	An attempt to get a specific reference and more details of the police involvement from have yielded no response from Wiltshire Police.  There is no evidence of concern over the impact of the proposed extension of hours or offer of mitigation measures.
Public Safety	The a additional late night traffic leaving the pub around midnight after the extended drinking time provides a recipe for road traffic accidents at a notoriously dangerous junction, compounded by the seeming tolerance of reckless behaviour by customers, notably young drivers with performance enhanced cars , in the car park and on the A362.	It is understood that highway safety taken issues cannot be take into consideration (Licensing Team letter to Mr Alexander, WK/202011121 dated 29 June). The PC believe that, although the ultimate risk may be on a public highway, the enhanced risk would be as a result of a licensing decision. A bit of "joined up" thinking is required here. If the Licensing Team is so minded, Highways should be consulted <i>before</i> any hours extension is contemplated.
Prevention of public nuisance	Extended opening hours for alcohol consumption, food and loud music, leading to traffic and car noise, rowdy outdoor drinking, eating and socialising up to midnight. The evidence is that the current limits already encourage this type of behaviour, with scant respect for those lining around the pub. Extended hours will exacerbate the situation. The applicant has made no attempt to offer any mitigation plans and should be challenged on this aspect.	There is ambiguity in the application as it relates to indoor/outdoor music which needs to be clarified
Protection of children from harm	There are young families living very close to the pub and even later loud music at night becomes an intolerable disturbance and a probability of harm through interference to sleep patterns.	

**Table 1 - Corsley Parish Council Representation - Licensing Extension Application for White Hart**


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## Map of Representations




### Key

 The White Hart, Lane End, Corsley

 Boundary of The White Hart as per plan attached to premises licence

 Representations

1. Mr & Mrs Evans
2. Mr & Mrs Chudley
3. Mr & Mrs Selmen
4. Mrs Liquorice
5. Mrs Thomas
6. Mr & Mrs Hanney
7. Ms Pugsley & Mr Eggleton

 The Cross Keys, Lyes Green, Corsley

 The Royal Oak, Corsley Heath, Corsley

Enlarged map section

