

AGENDA

Meeting: Eastern Area Licensing Sub Committee

Place: Online meeting

Date: Wednesday 6 January 2021

Time: 10.00 am

Please direct any enquiries on this Agenda to Lisa Pullin, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713015 or email committee@wiltshire.gov.uk

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

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

Membership:

Cllr Jose Green
Cllr Peter Hutton

Cllr Ian Thorn

Substitutes:

Cllr Kevin Daley (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 make any relevant announcements.

5 **Declarations of Interest**

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

6 **Licensing Application** (*Pages 13 - 16*)

To consider and determine an Application for a Premises Licence for Devizes Scooter Rally at Lower Park Farm, Whistley Road, Potterne, Devizes, SN10 5TB made by Adam Ford. The report of the Public Protection Officer – Licensing is attached.

6a **Appendix 1 - Premises Licence Application** (*Pages 17 - 36*)

6b **Appendix 2 - Relevant Representations** (*Pages 37 - 46*)

6c **Appendix 2a - Location of Representations** (*Pages 47 - 48*)

6d **Appendix 3 - Email correspondence with Annabel Wilkinson and Applicant** (*Pages 49 - 60*)

6e **Appendix 4 - Plans of the area sent by the Applicant** (*Pages 61 - 64*)

6f **Appendix 5 - Site location** (*Pages 65 - 66*)

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LICENSING COMMITTEE

PROCEDURAL RULES FOR THE HEARING OF LICENSING ACT 2003 APPLICATIONS

1 Purpose

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

2 Definitions

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

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

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

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

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

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

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

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

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

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

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

EASTERN AREA LICENSING SUB COMMITTEE

6 January 2021

Application for a Premises Licence; Lower Park Farm, Whistley Road, Potterne, Devizes, Wiltshire, SN10 5TB

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of Lower Park Farm, Whistley Road, Potterne, Devizes, SN10 5TB made by Adam Ford.

2. Background Information

- 2.1 An application for a Premises Licence in respect of Lower Park Farm, Whistley Road, Potterne, Devizes, SN10 5TB has been made by Adam Ford for which six relevant representations have been received.

- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations. In accordance with Section 18 (3) of The Licensing Act 2003 the Licensing Sub Committee is required to take such of the steps listed in 2.4 below as it considers appropriate for the promotion of the licensing objectives. In considering the application and the relevant representations, the Sub Committee must also have regard to relevant Government guidance and the Council's Licensing Policy

- 2.3 The licensing objectives are:

- i) The Prevention of Crime and Disorder;
- ii) Public Safety;
- iii) The Prevention of Public Nuisance; and
- iv) The Protection of Children from Harm.

- 2.4 Such steps are:

- i) To grant the licence subject to such conditions as are consistent with those included in the operating schedule submitted with the application, modified to such extent as the Sub Committee considers appropriate for the promotion of the licensing objectives, together with any mandatory conditions required by the Licensing Act.
- ii) To exclude from the scope of the application any licensable activity.
- iii) To refuse to specify a person as the designated premises supervisor.
- iv) To reject the application.

2.5 On 30th October 2020 an application for a new premises licence was received and accepted as a valid application.

2.6 The application as applied for is as follows:

Licensable Activity	Timings	Days
Live music (Outdoors)	18:00hrs to 00:00hrs 14:00hrs to 00:00hrs	Friday Saturday
Recorded music (Outdoors)	19:00hrs to 23:00hrs 12:00hrs to 00:00hrs	Thursday Friday/Saturday/Sunday
Provision of late-night refreshment	19:00hrs to 00:00hrs 12:00hrs to 01:00hrs	Thursday Friday and Saturday
Sale by retail of alcohol (ON and OFF the premises)	19:00hrs to 00:00hrs 12:00hrs to 01:00hrs 12:00hrs to 20:00hrs	Thursday Friday and Saturday Sunday

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

2.7 This is a new site for a Premises Licence therefore there is no history.

3. Consultation and Representations

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

3.2 During the consultation period six relevant representations have been received from one local resident, the parish council and four from Responsible Authorities.

3.3 Representations Received

- Mr Chadwyck-Healey – Orchard Down Farm, Caen Hill, Devizes, SN10 5TF
- Karon Van Den Bergh - Potterne Parish Council

3.4 Responsible Authorities

- Linda Holland - Wiltshire Council Licensing Authority
- Annabel Wilkinson - Wiltshire Council Environmental Protection Team

- Helen Dear - Wiltshire Council Food and Safety Team
- Alastair Day - Wiltshire Police Licensing

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

Representation	Licensing Objective
Mr Chadwyck-Healey	Prevention of Public Nuisance
Potterne Parish Council	Prevention of Public Nuisance, Public Safety, Prevention of Crime and Disorder and Protection of Children from Harm
Wiltshire Council Licensing Authority	Prevention of Public Nuisance, Public Safety, Prevention of Crime and Disorder and Protection of Children from Harm
Wiltshire Council Environmental Protection Team	Prevention of Public Nuisance
Wiltshire Council Food and Safety Team	Prevention of Public Nuisance and Public Safety
Wiltshire Police Licensing	Prevention of Public Nuisance, Public Safety, Prevention of Crime and Disorder and Protection of Children from Harm

3.6 The relevant representations are attached as **Appendix 2** and the location of the representation is **Appendix 2a**. Further information supporting Annabel Wilkinson, Environmental Protection Officer's representation is attached as **Appendix 3**. **Appendix 4** shows plans of the site as sent by the applicant. **Appendix 5** shows location of the site.

4. Legal Implications

- 4.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.
- 4.2 The Applicant, and all persons who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.
- 4.3 At the hearing all those who have made representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

5. Officer Recommendations

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

6. Right of Appeal

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

Report Author: Jemma Price

Public Protection Officer – Licensing, Monkton Park, Chippenham, SN15 1ER

15 December 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 New Premises Licence Application**
- 2 Representations**
- 2a Location of Representations**
- 3 Email correspondence with Annabel Wilkinson and Applicant**
- 4 Plans of the area sent by the Applicant**
- 5 Site location**

Wiltshire Council

Where everybody matters

29 OCT 2020

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We ADAM FORD

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
LOWER PARK FARM WHISTLEY ROAD DEVIZES, WILTSHIRE (GRID REFERENCE – ST 983609)			
Post town	DEVIZES	Postcode	SN10 5TB

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

Part 2 - Applicant details



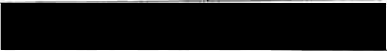
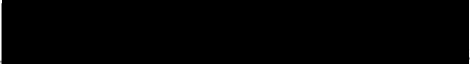
- Please state whether you are applying for a premises licence as **Please tick as appropriate**
- a) an individual or individuals * please complete section (A)
 - b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
 - c) a recognised club please complete section (B)

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname FORD		First names ADAM			
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>	Please tick yes		
Nationality					
Current residential address if different from premises address	35 BRICKSTEED AVENUE DEVIZES WILTSHIRE				
Post town	DEVIZES	Postcode	SN10 3AE		
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/>		Please tick yes
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)

Description of applicant (for example, partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
24	07	2021

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

DD	MM	YYYY
03	08	2021

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

LARGE OPEN Space in fields with easy and safe access and emergency access, NO HOUSES OR built up areas close by. SITE OFFERS an overflow availability for car parking and camping.

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon			<p style="text-align: center;"><i>Live band to play within these times - will not be constant.</i></p>		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri	18.00	24.00	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 6)		
Sat	14.00	24.00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4) <i>DJ'S and backing music within these times - NOT constant.</i>		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	<i>19-00</i>	<i>23-00</i>			
Fri	<i>12-00</i>	<i>24-00</i>	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	<i>12-00</i>	<i>24-00</i>			
Sun	<i>12-00</i>	<i>20-00</i>			

G

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

H

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




I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	19.00	24.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Fri	12.00	01.00			
Sat	12.00	01.00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8) <i>Some traders will sell products for people to take home.</i>	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)	
Mon				
Tue				
Wed				
Thur	<i>12.00</i>	<i>24.00</i>		
Fri	<i>12.00</i>	<i>01.00</i>		
Sat	<i>12.00</i>	<i>01.00</i>		
Sun	<i>12.00</i>	<i>20.00</i>	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)	

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

Name	<i>SHAUN DAVID DICKINSON</i>
Date of birth	
Address	
Postcode	
Personal licence number (if known)	<i>LN / 0000 13501</i>
Issuing licensing authority (if known)	<i>WILTSHIRE COUNCIL</i>

K

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

NO CONCERN RELATIVE TO ENTERTAINMENT.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Tue			
Wed			
Thur	19.00	24.00	
Fri	00.00	24.00	
Sat	00.00	24.00	
Sun	00.00	24.00	

29th

30th

31st

1st

2nd - MON - 00.00 - 12.00

M

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

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

- CLEAR SIGNAGE
- CLEAR RULES & REGS
- SUITABLE AND CLEAR ACCESS FOR EMERGENCY VEHICLES.
- ALL STEWARDS TO BE AWARE OF SAFETY PROCEDURES.

b) The prevention of crime and disorder

BASED ON RISK ASSESSMENTS WE WILL ENSURE WE HAVE APPROPRIATE SECURITY MEASURES IN PLACE, SUCH AS MARSHALLS AND SIA LICENSED SECURITY IF NEEDED.

c) Public safety

WE WILL HAVE STEWARDS WORKING ALL WEEKEND ENSURING EVERYONE GETS IN & OUT SAFELY. ANY / ALL HAZARDS WILL BE CLEARLY SIGNED AND FENCED OFF FROM THE PUBLIC.

d) The prevention of public nuisance

RULES OF THE EVENT WILL BE CLEARLY STATED AROUND THE SITE AND IN PROGRAMMES ETC. WE WILL ALSO BE PROMOTING RESPONSIBLE BEHAVIOR AND TO DRINK RESPONSIBLY.

e) The protection of children from harm

- WE WILL BE TAKING ACTIONS TO ENSURE CHILDREN WILL BE SAFE AT THE EVENT.
- CREATING FAMILY FRIENDLY AREAS
 - PROCEDURES FOR LOST CHILDREN
 - CHILDREN MUST BE ACCOMPANIED BY A RESPONSIBLE ADULT.

Checklist:

Please tick to indicate agreement

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

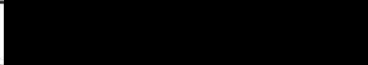
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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

Part 4 – Signatures (please read guidance note 11)

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

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

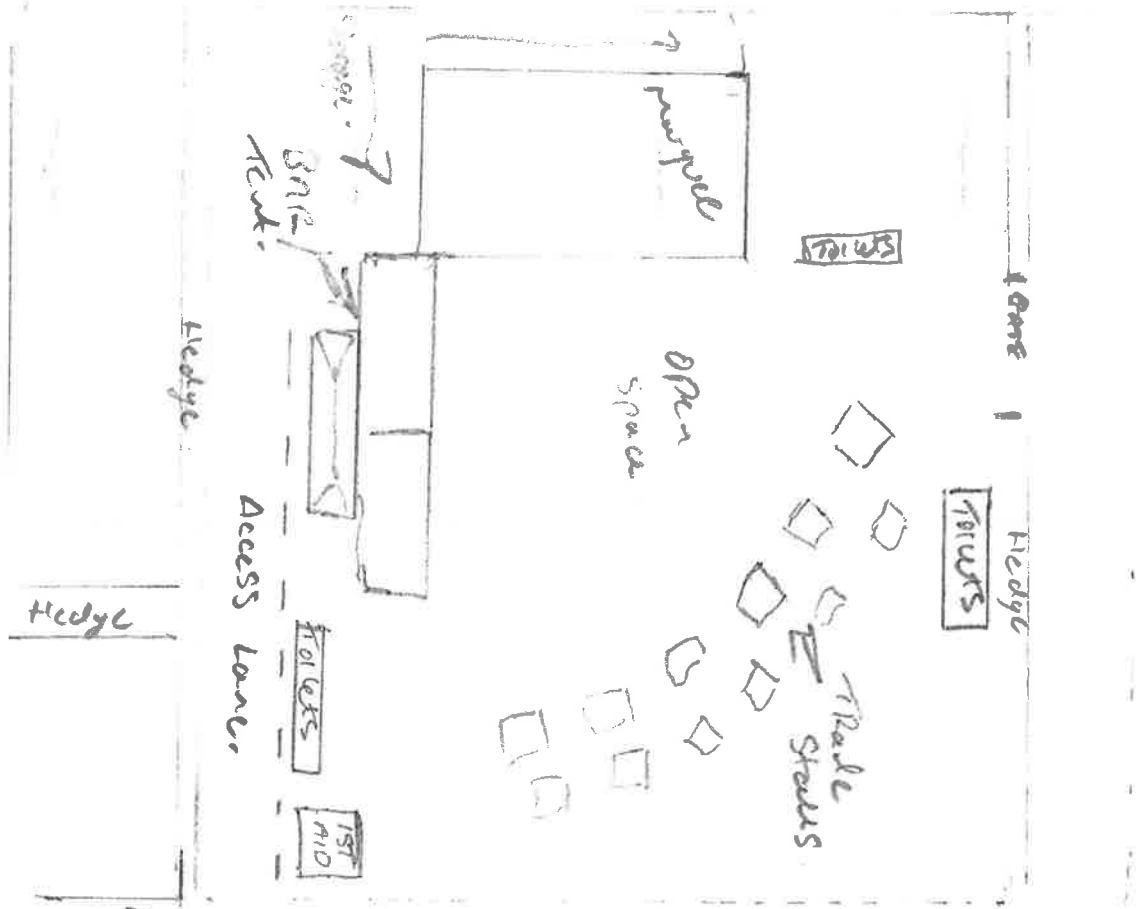
	online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	12/10/20
Capacity	EVENT ORGANISER / LICENCE HOLDER

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

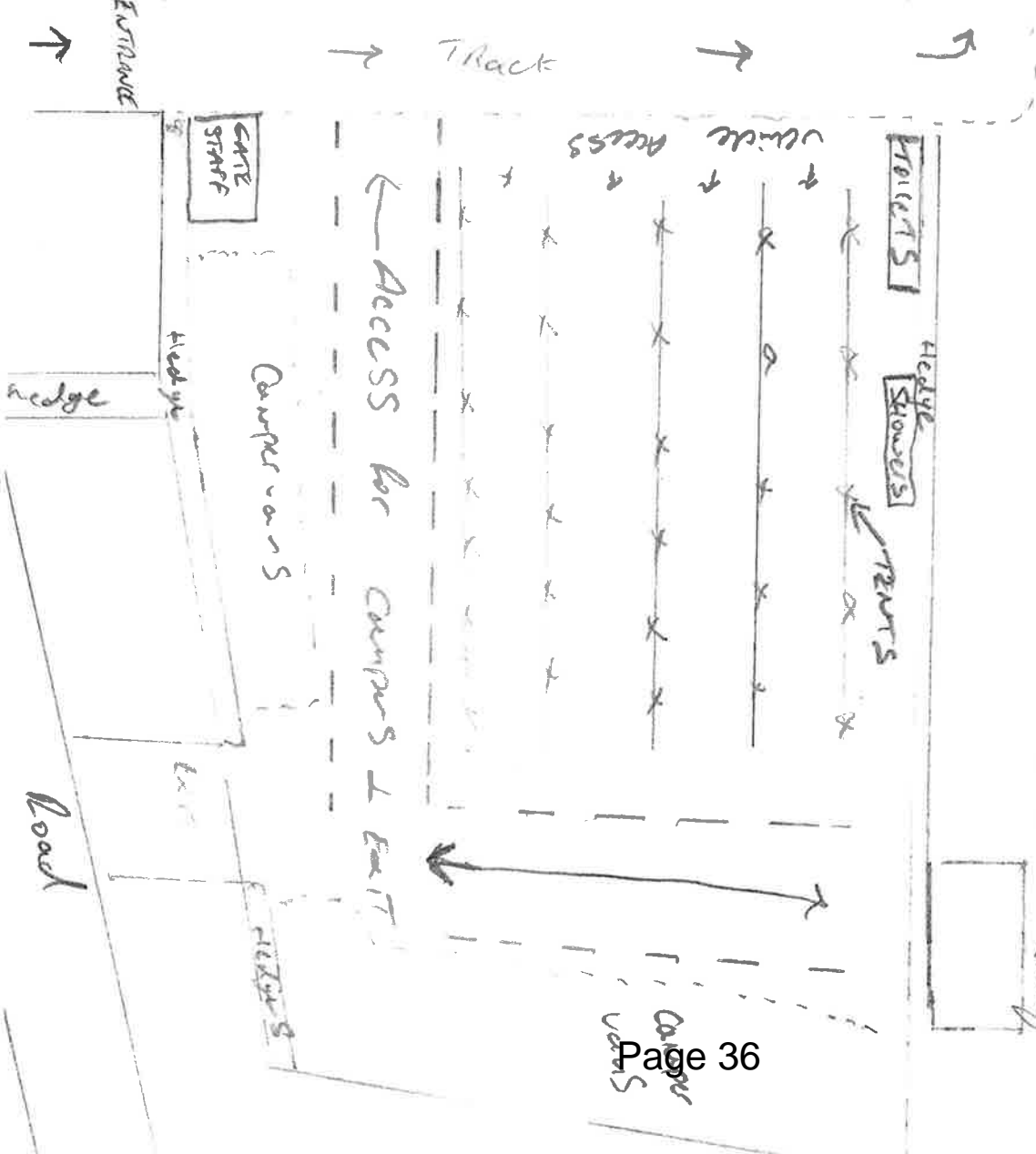
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

2 Over flow fields
for Tents/Campers
and Car parking.



Form yard



Representation 1 – Member of the Public

From: P J Chadwyck-Healey
Orchard Down Farm
Caen Hill
Devizes SN10 5TF

Licence application WK 202023621
Lower Park Farm
Whistley Lane
Potterne

Dear Sir,

I am a local householder near this site have some reservation about the suitability of this application.

Whistley Lane is a very narrow road with two dangerous corners at the south (Potterne) end and an exit on to a very fast dual-carriageway at the north end. The application doesn't seem to give an indication of the numbers of vehicles expected.

Is amplified music being played until midnight on the very edge of Devizes a reasonable idea for the residents who will have to hear the noise for three days? The application says there are no houses nearby: we are approx 800m away from the site - I call that nearby.

In summary, I object to the granting of this licence.

Yours,

P J Chadwyck-Healey

Representation 2 – Potterne Parish Council

Jemma

I write in response to the above New Premises Licence Application, numbered WK 202023621, and here follows the decision made by Potterne Parish Council at their meeting dated 2nd December 2020.

WK/202023621 New Premises Licence Application - Lower Park Farm, Whistley Road, Potterne

At its Meeting on Wednesday 2 December 2020 Potterne Parish Council noted that this was an application for a **continuous (ie permanent) licence**. The Council also noted that according to advertisements *already published* about the first proposed event under such licence ("Devizes Scooter Rally 2021 - 30th July-1st August") the following activities were planned:

- "live bands + DJs over the weekend", with 7 live Bands and 5 DJs confirmed so far
- "Fully licensed Rally Bar - cheap prices Guaranteed" plus a rum bar and a gin bar
- "Family Friendly Event with fun and games for the younger ones"
- "Camper Vans & caravans need to book in advance"
- "Ride out Saturday 31 July @ 1pm"

After discussion the Council [unanimously] opposed this Application on the following grounds (not necessarily listed in order of priority):-

1. Public Safety: Irrespective of any efforts by the organisers to the contrary, many of the attendees (especially those travelling from the South) will access the event via the Potterne end of Whistley Road - indeed they would have a legal entitlement to do so. Whistley Road is a notoriously narrow road, the scene of accidents and frequent blockages, and camper vans and caravans simply would not get through. Apart from the obvious danger and inconvenience to the residents and their property and to pedestrians and other road users there would be a major risk that access for emergency vehicles would be blocked.

The proposed site is low-lying and therefore dependent on fine weather. It was felt that any significant rainfall would make the site muddy, and the resultant hold-ups in traffic accessing and exiting the site would cause yet further disruption in Whistley Road.

At the last Rally, held nearby in Rowde in 2018, about 200 scooters from all over the country were reported to have taken part, but next year's event is expected to be much bigger: the safety of the traffic implications for Whistley Road and surrounding area was of great concern to the Council, particularly given the planned Ride Out on the Saturday.

Prevention of public nuisance: as mentioned, the proposed site is on low-lying land at the edge of Potterne village and within only a few hundred yards of the dense housing of Caen Hill, Devizes. Any noise will travel over an extremely wide area, and will affect a large number of people in what would otherwise be a peaceful part of

rural Wiltshire. The licence will allow live music to be performed for six hours ([6pm until midnight](#)) on the Friday and for ten hours ([2pm until midnight](#)) on the Saturday, and recorded music to be played for four hours ([7pm till 11pm](#)) on the Thursday, twelve hours ([noon until midnight](#)) on each of the Friday and Saturday and eight hours ([noon till 8pm](#)) on the Sunday - a permanent permissible total of up to 16 hours live music and 36 hours recorded music for one long weekend every year.

Whilst the organisers of the 2021 event may argue that the permission they have requested is far wider than what they will actually use, this application is for a *continuous licence* enabling the organisers of subsequent events to make maximum use of the full scope of the licence. The Council felt that any loud music, but particularly for such periods of time, would constitute a serious and sustained disturbance and public nuisance to many people over a wide area.

It was also felt that the addition traffic and possible number of attendees would of themselves constitute a public nuisance.

Prevention of crime and disorder: according to the Application it is proposed to sell alcohol for 6 hours on the [Thursday \(7pm-midnight\)](#), 13 hours ([noon-1am](#)) on each of the Friday and Saturday and 4 hours ([noon-8pm](#)). As mentioned above there will be 3 bars, and doubtless attendees will bring their own alcohol. The Council was very concerned at the potential for crime and/or disorder resulting from events of this type in what is normally a quiet and law-abiding area - particularly given such availability of alcohol ("Cheap prices guaranteed").

Protection of children from harm: because it is being advertised as a "Family Friendly Event" with children obviously welcome and encouraged, the Council was concerned that children, both those attending the event and also those living/staying locally, will be exposed to the risks mentioned above.

The Council were unanimous in their view that the proposed site is wholly inappropriate for any event other than small village-fete type events.

If you have any queries please let me know.

Karon Van Den Bergh

Clerk to Potterne Parish Council

Representation 3 – Licencing Authority

Good Afternoon

Further to my email below, as the Licensing Authority has not received any further update to the application as requested for consideration, the Licensing Authority is now making a formal representation against the application by Mr Ford for a New Premises Licence at Lower Park Farm, Whistle Road, Potterne, Devizes.

- The applicant has not addressed the issues raised in my previous email below, on how the applicant is going to promote the licensing objectives.

- ☐ Public Safety
- ☐ The prevention of Crime and Disorder
- ☐ The prevention of public Nuisance
- ☐ The Protection of Children

It is the opinion of the Licensing Authority that the application lacks sufficient details as to how the event/ events can be run safely on the site, including all the elements to ensure the public can access and egress the site, the management of the site, the facilities and infrastructure required on site, the safety of both attendees and those working on site during these challenging time as although we all hope by the summer that the pandemic will have lessened it is still an expectation that organisers will ensure that mitigation measure are considered and available.

Without the requested detailed information demonstrating that the four licensing objectives can be promoted and a safe event can be held within Wiltshire, the Licensing Authority is objecting to this application.

Regards

Linda

Linda Holland

Licensing Manager

Public Protection

Communities and Neighbourhood Services

County Hall | Trowbridge | Wiltshire | BA14 8JN

T. 01249 706410 | Email: linda.holland@wiltshire.gov.uk | www.wiltshire.gov.uk

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From: Holland, Linda

Sent: 24 November 2020 17:38

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

Subject: RE: Updated: New Premises Licence - Lower Park Farm, Whistley Road, Potterne, Devizes, SN10 5TB

Good Afternoon

I am responding as the officer authorised to respond on behalf of the Licensing Authority. Whilst recognising the country is currently in the midst of a pandemic and while we are all hopeful that events can take place in 2021, there is an expectation from Wiltshire Council that all events planned for this time have considered necessary Covid measures within a robust application submitted for consideration.

To enable the Licensing Authority to fully consider the application the Authority requires more details in relation to how the applicant proposes to promote the four licensing objectives.

- The plan contains insufficient detail and scaling – a fully detailed layout plan of the site is required and surrounding areas taking into consideration site ingress and egress
- There is no detailed event management plan to demonstrate how this event will be managed to ensure the safety of the attendees and volunteers / staff. – Plan to be compiled and submitted
- On the application form under each of the objectives there is some context but no proposed conditions on how the event will operate having consideration to the objectives. – Formal conditions need to be proposed
- Clear Indication of capacity and the required provisions to cater for the intended patrons as this application is for a permeant licence this needs to be plainly stated

An event management plan should contain the details below but this is not an exhaustive list:

Clearly defining roles and responsibilities of event organisers

Site set up and breakdown

Medical provision

Traffic management / carparking arrangements/ blue route

Lost and found children

Security and crowd management

Type of staging to be used and its sign off

Noise management plan

Food safety & Health and safety

Alcohol – challenge policy/ age verification / refusal log.

Fire safety

Camping management and location

Facilities – toilets / water / waste

Weather provision

Signage

Lighting

Customer information /rules

Risk Assessments

Covid compliance requirements and how these will be mitigated (dependant on the current situation)

Without detailed information demonstrating that the four licensing objectives can be promoted and a safe event can be held within Wiltshire, I as the Licensing Authority will be minded to object to this application.

If you are unable to submit this additional information by 2nd December 2020, I will be left no other option but to submit a representation against this application.

Regards

Linda

Linda Holland

Licensing Manager

Public Protection

Communities and Neighbourhood Services

County Hall | Trowbridge | Wiltshire | BA14 8JN

T. 01249 706410 | Email: linda.holland@wiltshire.gov.uk | www.wiltshire.gov.uk

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Representation 4 – Pollution Team

Good Afternoon

Further to previous concerns expressed by my colleague Annabel Wilkinson and her requests for further information concerning noise, I note that we have not received any response to our requests for information which we deem critical to determine whether there is a risk of a public nuisance in relation to noise. As such I wish to make a formal representation against the application by Mr Ford for a New Premises Licence at Lower Park Farm, Whistle Road, Potterne, Devizes on the following grounds:

- The prevention of public nuisance

Best wishes

Brett Warren CEnvH

Senior Environmental Health Officer

Wiltshire Council

The logo for Wiltshire Council, featuring the text "Wiltshire Council" in a green, sans-serif font, with a green wavy line underneath.

DD: 01225 770581

brett.warren@wiltshire.gov.uk

www.wiltshire.gov.uk

Representation 5 – Food Team

SENT ON BEHALF OF HELEN DEAR

Dear Jemma,

I am writing on behalf of the Public Protection Food and Safety team to make a formal representation against the application made by Adam Ford for Lower Park Farm, Whistley Road, Potterne, Devizes referred to me as part of the formal consultation on 30 October 2020

Given the lack of information provided in the application there is insufficient evidence to assess this application effectively to ensure that Mr Ford will be able to uphold the Licensing objectives of Public Safety or Prevention of Public Nuisance when putting on this event, especially in light of the current pandemic and the uncertainty of the controls that may still be required in 2021. The site plan provided is woefully poor. There is no supporting information to reassure that there will be an effective event management plan, safe operational plans for the build and breakdown of the site and no indication of thought given to the Covid-Secure measures that should be at the forefront of planning for events going forward. Until further information has been submitted to provide reassurance, I cannot see how the local authority can licence this event and therefore object to this application.

Yours sincerely,

Helen Dear

Environmental Health Officer

BSc Hons MCIEH

Food and Safety Team

Tel: 01722 434337

Representation 6 – Police Licensing

Hi Jemma,

Following on from my e mail below of the 25/11/20 it is my understanding that the applicant has not responded to any of the queries raised by myself on behalf of Wiltshire Police.

In view of this, Wiltshire Police, as a responsible authority, object to a premises licence being issued to Lower Park Farm, Whistley Road, Potterne, Devizes, SN10 5TB on the grounds that the applicant has failed to provide evidence of how he will meet the requirements of the four licensing objectives, namely:

- The prevention of crime and disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

Regards, Alastair

Alastair DAY, Licensing Officer,

Amesbury Police Station, Amesbury, Wiltshire, SP4 7HL

E mail: Alastair.Day@wiltshire.pnn.police.uk

From: Day, Alastair

Sent: 25 November 2020 14:34

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

Subject: New Premises Licence - Lower Park Farm, Whistley Road, Potterne, Devizes, SN10 5TB

Hi Jemma,

I have had the opportunity to look at this application and I note the observations made by Linda HOLLAND in her e mail of the 24/11/20 and I have to agree that, in it's current form, the application contains insufficient detail, especially in relation to the four licensing objectives and as the officer authorised to respond on behalf of Wiltshire Police, I submit the following observations:

The prevention of crime and disorder – Where are the risk assessments mentioned? What specifically are the security measure that are proposed and what agents have been approached/booked to provide adequate cover for this event? This application allows for up to and including 4,999 people. How many are expected and is the number to be capped at a certain limit? I would argue that the presence SIA approved staff should be a condition that is insisted on if this application is to proceed. What provisions are being made to prevent illegal substances being brought into the venue and the consumption of such substances?

Public Safety – The plan indicates a small first aid area. Who is providing the first aid cover for this event? Have St Johns Ambulance been approached with a view to providing cover for the whole of the event or have SWAST been approached to provide the same? The application makes mention of a stage area for the live music. Who will be responsible for the erection/dismantling of the staging and signing off safety wise? I don't see provision on the site plan for the entry and egress of emergency vehicles (a blue route) in the event of either an emergency first aid incident or other emergency? This needs to be highlighted on the site plan.

The Prevention of Public Nuisance – How is responsible behaviour and the consumption of alcohol to be promoted? What provisions are being made for the efficient and quiet dispersal of those attending at both the start and finish of the event? What provisions are being made to ensure that both live and recorded music will not cause a nuisance to the nearest residents?

The Protection of Children from Harm – Please illustrate precisely what actions are to be put in place to ensure that Children will be safe at the event? Precisely what are the procedures to be engaged in the event of a child becoming separated/lost from its parents/family? What procedures will be in place to ensure the prevention of the sale of alcohol to underage drinkers?

I note that Wiltshire Council Licensing have asked for further clarification on a number of issues and would agree that, without detailed information demonstrating that the four licensing objectives can be promoted and that a safe event can be held at this venue, Wiltshire Police will be objecting to this application.

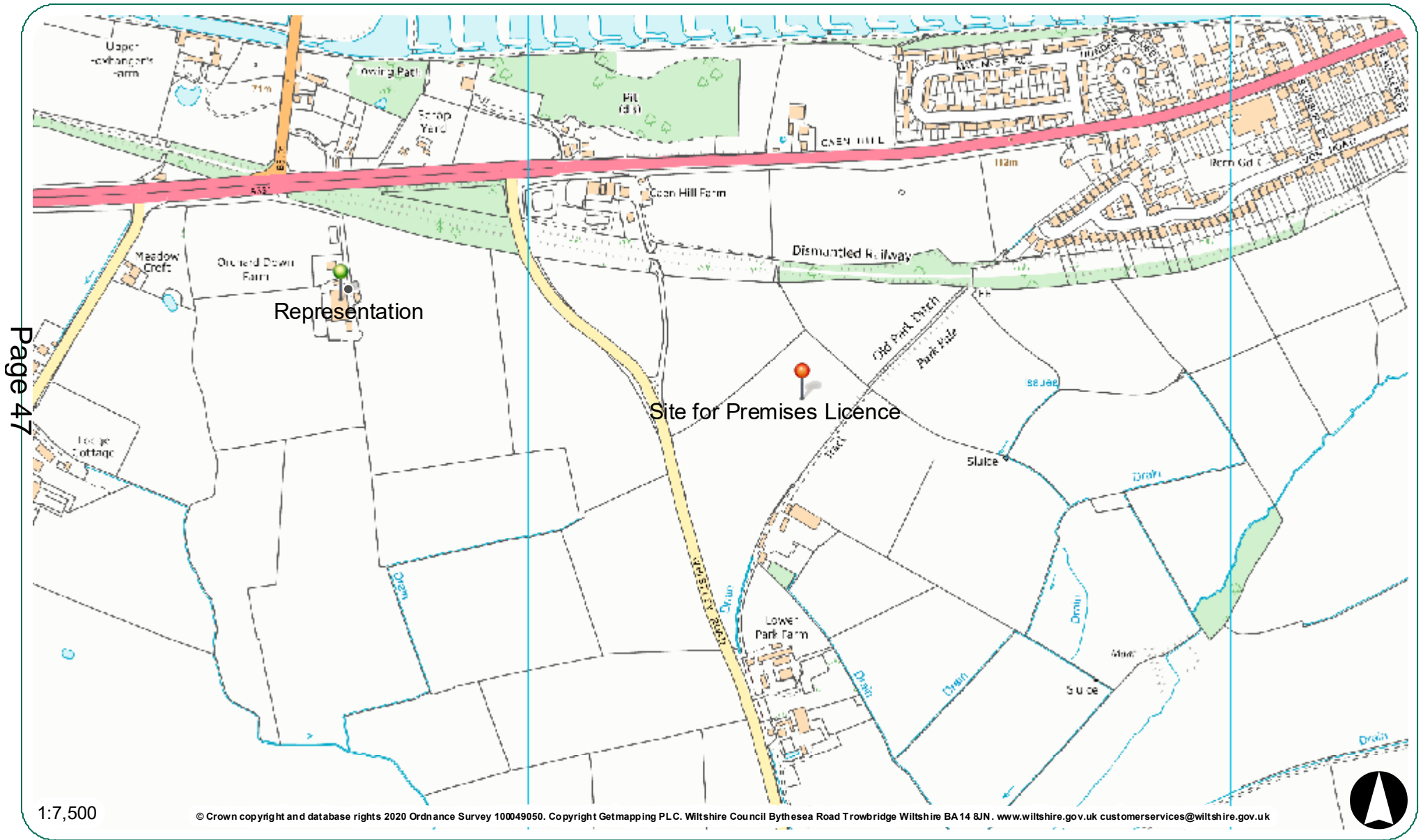
In addition to visiting the site personally over the next few days, I will be discussing the application further with local police commanders very soon and it might be that further observations arise from that visit and subsequent discussions.

Regards, Alastair

Alastair DAY, Licensing Officer,

Amesbury Police Station, Amesbury, Wiltshire, SP4 7HL

E mail: Alastair.Day@wiltshire.pnn.police.uk



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Agenda Item 6c

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Appendix 3 – Email Correspondence with Annabel Wilkinson and Applicant

On Monday, 2 November 2020, 14:59:29 GMT, Wilkinson, Annabel
[REDACTED] wrote:

Dear Mr Ford

I have received the consultation for your premises licence application for a proposed scooter rally, to be held from Friday 30th July 2021 to Sunday 1st August 2021.

To be able to make our recommendations with regard to your application we require clear, concise information concerning all amplified and live music in order to assess any potential “public nuisance” implications.

The following information should be included:

A scaled location plan, showing stage positions

- A schedule of times when amplified/live music will be played each day
- You should identify the location(s) of the nearest noise sensitive receptor(s) and how far they are from the noise source(s)
- We will be assuming worst-case source noise levels of 100dB(A) at 3m or 110dB(A) at 1m. We will not accept any higher than this.
- We will expect you to site/orientate the stages as far away as possible from noise sensitive receptors to ensure the highest level of attenuation is achieved.
- You need to state what measures you will put in place to minimise impact
- We would also expect you to provide details of what you intend to do should noise complaints be received. Not everyone will find the event a fun idea as I am sure you are aware and 3 days running is quite intense.

I look forward to hearing from you

Yours sincerely

Mrs Annabel Wilkinson

Environmental Health Officer (Environmental Control & Protection)

Tel: 01225 770219 Internal: 1521

Public Protection Services, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN

[REDACTED]
Sent: 02 November 2020 18:48

To: Wilkinson, Annabel [REDACTED]

Subject: Re: My ref 202023624 - proposed scooter rally, Whistley Farm, Potterne - premises licence application

Dear Annabel

Thank you for your email , the proposed site is really quite secluded and away from any built up housing areas purposely because of the music over the weekend and the need for more space , we held our last Rally in Rowde last year where it near housing estates and we didn't receive one complaint as the timings were sensible .

Music timings are to remain sensible even at the new location.

I will go to the site and take some measurements to be as accurate as I can with the stage positioning and also let you no on a plan where the nearest house is situated near the site and hopefully get that to you in the next couple of days.

Many thanks

Adam Ford

Devizes Scooter Club

From: Wilkinson, Annabel [REDACTED]

Sent: 11 November 2020 14:19

To: [REDACTED]

Subject: RE: My ref 202023624 - proposed scooter rally, Whistley Farm, Potterne - premises licence application

Dear Mr Ford

Thank you for your email.

I am advised that you have made a new application and that consultation dates have started again. My comments remain as per my previous email (below) and I await the further information requested from you.

I appreciate that you are not in the midst of housing but you are not that far away when considering noise from live/amplified music at event type volumes.

I look forward to hearing from you again.

Regards

Annabel

Mrs Annabel Wilkinson

Environmental Health Officer (Environmental Control & Protection)

Tel: 01225 770219 Internal: 1521

Public Protection Services, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN

[REDACTED]
Sent: 11 November 2020 16:49

To: Wilkinson, Annabel [REDACTED]

Subject: Re: My ref 202023624 - proposed scooter rally, Whistley Farm, Potterne - premises licence application

Dear Annabel

Thanks for your email Annabel , I've been down to the Event site and measured it out to try and show the scale of the area in comparison to the stages , unfortunately I dont have the technology to hand to print scaled drawings so I have drawn one myself and attached it to this email .

Please can I clarify that we do not intend the music to be played so its heard loudly across the whole site its mainly for the marquee and near the trailer stage as alot of people like it quieter around the camping areas, so we intend not to exceed the sound levels we had in Rowde in 2019.

We currently haven't got the band schedules but the times for live music will be
live music

Friday

19.00 - 20.30

21.00 - 11.30

Saturday

14.00 - 15.00

15.30 - 16.30

17.00 - 18.00

19.00 - 20.30

21.00 - 11.30

To minimise impact we intend to have any bars / working areas far enough away from the music so it's a safe distance , we intend to have barriers in place in front of the stages to keep people a safe distance away from any loud speakers etc .

We will also go to any near by houses to assess any noise levels there may be and adjust the sound accordingly as to minimise impact to any neighbouring areas .

We will have a friendly team on the entrance of the event who will act as customer services for any complaints etc and we will do our utmost to rectify any noise by adjusting the sound to satisfy any complaints should we have any .

Due to the site being so vast it's almost impossible for me to explain everything so I have attached some aerial pictures for your viewing to see the general layout of the area .

If theres any more info you require please dont hesitate to contact me via email or telephone



Kind Regards

Adam Ford

Devizes scooter club

From: Wilkinson, Annabel [REDACTED]

Sent: 13 November 2020 15:47

Subject: RE: My ref 202023624 - proposed scooter rally, Whistley Farm, Potterne - premises licence application

Dear Mr Ford

Thank you for your emails.

Proposed Noise Levels

I appreciate that you don't intend to exceed the levels you had in Rowde but firstly, I have no idea what levels you played in Rowde and secondly, that is not something I can quantify or condition on your licence!

If you recall the Rowde event was only for 2 nights, with one night finishing at 23:00hrs and the other 23:30hrs. This proposal is for 4 nights with two nights ending at midnight.

Unfortunately, the absence of complaints in one location does not automatically mean there won't be any justifiable complaints in a different location and whilst I understand that your intention is obviously not to play music to deliberately upset anyone, the levels need to be formalised.

Noise Sensitive Receptors

You also still need to identify the location(s) of the nearest noise sensitive receptor(s) and how far they are from the noise source(s).

You need to show where these are in relation to the site and show that you have orientated the stages as far away as possible from them to ensure the highest level of attenuation is achieved.

Noise Complaints Procedure

You still need to provide details of what you intend to do should noise complaints be received and you will need to provide a contact phone number(s) that will be answered on the day in the event of complaints (not just an answer-phone message) . It should not be necessary to attend the site in person in order to make a complaint.

Live Music Times

In your application you state live music on a Friday will be between 18:00 hrs and 24:00hrs. In your email you state Friday 19.00 - 20.30 and 21.00 - 11.30 – I assume you mean between 21:00hrs and 23:30hrs?

On Saturday in your application you state between 14:00hrs and 24:00hrs. In your email you state:

14.00 - 15.00 15.30 - 16.30 17.00 - 18.00 19.00 - 20.30 21.00 - 11.30

Again I assume you mean 21:00 to 23:30?

Amplified Music Times

You also state the following times for the other days for amplified music:

Thurs 19:00-23:00hrs, Fri 12:00-24:00hrs, Sat 12:00-24:00hrs and Sun 12:00-20:00hrs.

Please can you confirm the times.

Nearer the time it would be helpful to have a more specific schedule of times when amplified/live music will be played each day.

Noise Monitoring

Who will be carrying out noise monitoring, when, how and where exactly will they be measuring the noise?

I cannot give any recommendations to the Licensing Officer until I have all the necessary information. I look forward to hearing from you again.

Kind regards

Annabel

Mrs Annabel Wilkinson

Environmental Health Officer (Environmental Control & Protection)

Tel: 01225 770219 Internal: 1521

Public Protection Services, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN

Dear Mr Ford

Thank you for your reply.

I am struggling to match your drawing with the photos you sent me and the OS map/Google satellite images.

Please can you look at the attached and tell me if I have the stage - marked with a brown square - in approximately the right area? Also the arrow being the correct direction of the music?

I think it would be best if you sent me a 12 figure grid reference of the proposed location of the stage.

When you note noise sensitive receptors i.e. nearest residential properties please provide the addresses you are referring to.

I will respond to your answers in full once I am certain of the proposed location.

Thanks

Annabel

Mrs Annabel Wilkinson

Environmental Health Officer (Environmental Control & Protection)

Tel: 01225 770219 Internal: 1521

Public Protection Services, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN

From: Wilkinson, Annabel [REDACTED]

Sent: 18 November 2020 17:04

Subject: RE: My ref 202023624 - proposed scooter rally, Whistley Farm, Potterne - premises licence application

Hi

In that case I would think we are talking about:

- Caen Hill Farm approx. 328m
- Springfield House, Caen Hill approx. 327 m and
- 157 Avon Vale Rd approx. 332m

Quite a bit closer than you thought.

GR approx. 398404 160969

Please confirm these are correct.

Noise Complaints Procedure

You will need to provide us with a contact number(s) for each night please no later than 4 weeks before the event.

You still haven't said what you will do if you receive a complaint? You need a written procedure and I will need to see this sooner rather than later.

Measuring & Managing Noise Levels

You need a person(s) to carry out measurements who knows about sound levels, who knows what they are doing, who knows what the measurements mean and what you need to achieve. They don't need to be an acoustic expert but they do need some knowledge in this area. You need to specify a designated person to take on this role and manage the noise. You need to provide me with written information stating when you are going to take measurements, exactly where and what type of measurement(s) you are going to take. One measurement a day would not be remotely sufficient. Please note we do not expect you to go in to or on to resident's property to measure the noise – just a specified point nearby them (without a shield between the measuring point and the nearest noise sensitive property). I'm not sure what equipment you propose using but mobile phone apps will not be sufficient.

I am likely to recommend some sound level conditions that will enable those who attend the event to enjoy the music at a decent level whilst not unreasonably affecting those not attending. I am sure it will work out fine for all concerned but I do still need more information first.

I look forward to hearing from you again.

Kind regards

Annabel

Mrs Annabel Wilkinson

Environmental Health Officer (Environmental Control & Protection)

Tel: 01225 770219 Internal: 1521

Public Protection Services, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN

[REDACTED]
Sent: 18 November 2020 15:05

To: Wilkinson, Annabel [REDACTED]

Subject: Re: My ref 202023624 - proposed scooter rally, Whistley Farm, Potterne - premises licence application

Dear Annabel

Thank you for your email

Looking at your attachment the stage area is approximately correct and the direction of the music is correct , at this early stage of planning the event at the new site there is scope for changes along the way, but whilst at the site it seems to be the best area to have the music so it faces away from the nearest receptors .

I can get the addresses of the nearest dwellings and get them to you they should correspond with the 4 receptors on my scetch ,

I will also look into a possible grid reference map to try and pinpoint the stage area of the field , I will get on to this this evening and hopefully get all the info we need .

Many thanks

From

Adam Ford

Devizes Scooter Club

From: Wilkinson, Annabel [REDACTED]

Sent: 19 November 2020 12:06

[REDACTED]
Subject: FW: Licencing application My ref 202023624

Hi

Thanks for this.

I assume you received my previous email (sent last night at 17:04)? I look forward to receiving the information requested

In addition, please can you confirm who the owner of the land is, their address and other contact details. Presumably they are aware of your proposals and are aware they may be held responsible for any noise issues?

I note you have two stages/music areas, please can you give me the grid ref of where the other stage will be positioned and put both stages accurately on a plan with the direction of the music (which is clearly different to the other one) marked. Please advise which music

will be played where i.e. will live music be in the marquee and amplified music outside the marquee or vice versa or a mixture of both.

Please can you provide a better plan of the whole site layout? The sketch you provided with your application is really not clear. I'm not sure that it is accurate and it needs to be done to scale, I believe 1:100. I need to be absolutely clear about your proposals and I need a plan that includes the whole site perimeter please.

Kind regards

Annabel

Mrs Annabel Wilkinson

Environmental Health Officer (Environmental Control & Protection)

Tel: 01225 770219 Internal: 1521

Public Protection Services, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN

Sent: 18 November 2020 17:12

To: Wilkinson, Annabel

Subject: RE: Licencing application

Good evening Annabel.

Please find attached a grid reference picture of the area and details of the 7 closest dwellings on which are labelled with addresses and postcodes. This also shows the sight of which the music tent and stage will be at the rally your grid reference of the stage area was very close and i am sure this is pretty much the same location as what you have.

The purple line indicates the way the stage and sound will go out towards.

After going on the grid reference sight i can give more accurate measurements of the 7 nearest noise receptors to the stage area. These are as follows:

POINT A- Marsh Farm cottage - Caen Hill SN10 5TB - 670m from stage grid reference

POINT B - Farm house on dual carriage way, Caen Hill SN10 1RB - 350m from stage grid reference

POINT C - Springfield House, Caen Hill Devizes SN10 1QH - 307m from stage grid reference

POINT D - Mayenne Place Devizes SN10 1QS - 350m from stage grid reference

POINT E - 155 Avon Road Devizes SN10 1PY - 347m from stage grid reference

POINT F - 5 Lower Park Farm, Whistley Road SN10 5TB - 468m from stage grid reference

POINT G - 3 Lower ParkcFarm, Whistley Road SN10 5TB - 548m from stage grid reference

Stage grid reference is ST 9841861007

I am hoping i have included everything in this email that you have asked for.

Many thanks

Adam Ford

Devizes scooter club.

UK Grid Reference Finder



Grid Reference	X (Eastings)	Y (Northings)	Latitude	Longitude	Description (Click to Edit)	Address	Postcode	Link	Center	Zoom	Style (click to change)	S
ST 97716 61072	397716	161072	51.348719	-2.0341871	Point A	Marsh Farm Cottage, Caen Hill, Potterne, Rowde, Wiltshire,	SN10 1RB	Link				
ST 98137 61248	398137	161248	51.350308	-2.0281358	Point B	Caen Hill, Potterne, Rowde, Wiltshire, South West England,	SN10 1RB	Link				
ST 98379 61345	398379	161345	51.351178	-2.0246596	Point C	Caen Hill, Potterne, Rowde, Wiltshire, South West England,	SN10 1QH	Link				
ST 98550 61349	398550	161349	51.351212	-2.0222134	Point D	Mayenne Place, Devizes, Rowde, Wiltshire, South West Eng	SN10 1QS	Link				
ST 98732 61170	398732	161170	51.349604	-2.0195955	Point E	Avon Road, Devizes, Rowde, Wiltshire, South West England	SN10 1PY	Link				
ST 98314 60574	398314	160574	51.344245	-2.0255959	Point F	5 Lower Park Farm, Whistley Road, Potterne, Wiltshire, Sou	SN10 5TB	Link				
ST 98341 60469	398341	160469	51.343307	-2.0252097	Point G	3 Lower Park Farm, Whistley Road, Potterne, Wiltshire, Sou	SN10 5TB	Link				
ST 98422 61006	398422	161006	51.348131	-2.0240513	Point of music stage and t	Caen Hill, Potterne, Rowde, Wiltshire, South West England,	SN10 1QH	Link				

From: Wilkinson, Annabel [REDACTED]

Sent: 01 December 2020 17:09

[REDACTED]
[REDACTED]
Subject: RE: devizes scooter rally

Dear Mr Ford

Thank you for your email.

I believe you have now spoken to Jemma and she has advised you that there are a number of issues that need addressing with regard to your premises licence application; this includes the information I have requested from you in my previous emails.

Unfortunately I cannot open two of the three documents you sent me as attachments to your latest email. I can only open the aerial photo picture which doesn't fulfil the requirements anyway. You need to send the others to me as PDF files or Word documents please, assuming you believe they are still applicable.

I look forward to receiving all the information requested.

Kind regards

Annabel

Mrs Annabel Wilkinson

Environmental Health Officer (Environmental Control & Protection)

Tel: 01225 770219 Internal: 1521

Public Protection Services, Wiltshire Council, Bythesea Rd, Trowbridge, BA14 8JN

[REDACTED]
Sent: 24 November 2020 20:07

To: Wilkinson, Annabel [REDACTED]

Subject: devizes scooter rally

Hi Annebel

please find attached the following information regarding Noise , i have also attached a map clearly showing the location of the stage and it should also show the perimeter of the event field for you .

As ive mentioned previously i dont have the technology to do a scale drawing and during this lockdown i cant get one done , i cant even get an up to date laptop until this is over which is frustrating .

Hopefully you will be able to make judgments from the maps and info i have provided thus far , as we have only just made the move to this larger site and we still have a lot of things to put in place before next july / August .

The Land Owners Details are

Nigel Grist

[REDACTED]

[REDACTED]

[REDACTED]

Nigel has kindly offered the use of the land to us for our event as we felt the need for a larger area for the purpose of Nearby Noise receptors(in comparison to our previous venue the distances are far greater than before), and for the purpose of potential social distancing in the future , He is also fully aware of any noise complaints and any liability .

kind Regards

Adam

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Appendix 4 – Plans of site sent by Applicant

