

# AGENDA

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**Meeting:** Northern Area Licensing Sub-Committee  
**Place:** Bradley Road, Trowbridge  
**Committee Room:** Committee Room 1  
**Date:** Wednesday 12 May 2010  
**Time:** 10.30 am  
(Briefing for Members at 10.00am, Committee Room 3)  
**Matter:** Application for premises license for the Lyneham Pizza and Fish Bar, 41A Calne Road, Lyneham.

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Please direct any enquiries on this Agenda to Marie Gondlach, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718380 or email [marie.gondlach@wiltshire.gov.uk](mailto:marie.gondlach@wiltshire.gov.uk)

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

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

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## Membership:

Cllr Rod Eaton  
Cllr Bill Moss

Cllr Nina Phillips

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# **AGENDA**

1. **Election of Chairman**

To elect a Chairman for one meeting only.

2. **Procedure of Meeting** (*Pages 1 - 6*)

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

3. **Chairman's Announcements**

4. **Members' Interest**

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

5. **Licensing Application** (*Pages 7 - 48*)

To consider and determine a premises license for the Lyneham Pizza and Fish Bar, 41A Calne Road, Lyneham.



## LICENSING COMMITTEE

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

#### 1 Purpose

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

#### 2 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 3 Key Principles

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

## **4 The Hearing**

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

## **5 Presentation of Submissions**

- 5.1 The Chairperson will introduce the Application.
- 5.2 In the event that the Licensing Authority has given notice to a party requiring clarification on a point(s) then that party shall respond to the points raised by the Licensing Authority.
- 5.3 Submissions shall be made in the following order unless the Chairperson directs otherwise:
  - 5.3.1 The Licensing Officer will orally present the Committee Report and will in particular advise the Committee as to:
    - a the options available to it;
    - b the considerations that are relevant in reaching its decision.
  - 5.3.2 The Applicant (or the Applicant's Representative) may orally present its submission which may include:

- a presenting their case in accordance with the papers, which will have been circulated with Agenda papers;
- b confirming key information and answer pertinent questions; and
- c calling witnesses in support of the Application (see paragraph 4.3).

A Responsible Authority/Authorities and/or an Interested Party/Parties will orally present their representations in turn which shall include:

- a the grounds of the representation to the Application; and
- b any condition(s) that the Responsible Authority/Authorities and/or an Interested Party/Parties would be happy to have the Application granted subject to which would cause the representation to be withdrawn.

## **6 Questioning of Submissions**

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

## **7 Documentation**

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

## **8 Intervention**

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

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

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

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

## **10 Closing Submissions**

- 10.1 The Chairperson shall allow first, the Responsible Authority/Authorities and the Interested Party/Parties to make a closing oral submission(s) and secondly invite the Applicant or the Applicant's Representative an opportunity to make an oral closing submission in support of the Application

## **11 Decision**

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

### **Hearing Procedure Summary**

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



# Agenda Item 5

## REPORT TO THE LICENSING SUB COMMITTEE (HEARING)

Report No:

<b>Date of Meeting</b>	<b>12th May 2010</b>
<b>Title of Report</b>	Application by Mr R. Baylan for a Premises Licence for Lyneham Pizza and Fish bar, 41A Calne Road, Lyneham
Link to Corporate Priorities	None - this is a statutory requirement
Public Report	Yes – This matter 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.

### Summary of Report

An application for a premises licence has been made for which there are relevant representations.

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) the Licensing Sub Committee is required to take such steps as it considers necessary to promote the licensing objectives.

The licensing objectives are: -

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm.

Such steps are: - To modify the conditions of the licence or to reject the whole or part of the application.

### Officer Recommendations

**None. Officers are not permitted to make a recommendation – the decision is to be reached by members of the Licensing Sub Committee.**

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
None	Yes	None	None	None
<b>Contact Officer</b>	Mrs Linda Holland Licensing Enforcement Officer 01249 706410 Linda.Holland@Wiltshire.gov.uk			

## **1. Introduction**

An application for a premises licence has been made by Mr R Baylan for which there are relevant representations.

Wiltshire Council (as the Licensing authority) must hold a hearing to consider the application having regard to these representations.

In accordance with Section 18 (3) the Licensing Sub Committee is required to take such steps as it considers necessary to promote the licensing objectives.

## **2. Options and Options Appraisal**

In accordance with Section 18 (3) the Licensing Sub Committee is required to take such steps as it considers necessary to promote the licensing objectives.

## **3. Background Information**

The premises has previously held a full premises licence, which was granted to Mr Pusgul following a Licensing hearing on 29 July 2009 for a period of twelve months, at the hearing the committee felt it necessary to attach the following two conditions to the licence :

*The applicant shall securely install, on or immediately outside the premises, a large capacity waste bin within two months of today's date.*

*The applicant shall reinstall the extractor fan in an appropriate location within the premises, as opposed to its current location outside, within a period of two months of today's date.*

Mr Pusgul never complied with the two conditions and was therefore unable to use the licence he had applied for. On the 12 December 2009 whilst carrying out a late night visit to the premises I was advised that Mr Pusgul was no longer running the premises and the premises was under the new management of Mr Baylan. The premises licence has not been transferred to Mr Baylan

There has been concern raised by some residents that the premise has failed to close at 23:00 on occasion under both Mr Pusgul ownership and Mr Baylan, officers have attempted to witness this possible breach of the Licensing Act 2003.

Since taking over the premises in December 2009 Mr Baylan has reinstalled the extractor fan to an internal location.

A rubbish bin has also been located outside the premises.

A copy of the licence granted to Mr Pusgul attached for information as Appendix 2

## **4. Summary of Application**

The application for the premises licence is to permit Late night Refreshment:

Sunday to Thursdays 23:00 - 00:00  
Friday & Saturdays 23:00 - 02:00

A licence for Late night refreshment is required to sell hot food and drink between the hours of 23:00 and 05:00

## 5. Relevant Representations

During the consultation period relevant representations were received from:

5 Residents living in the vicinity of the premises

Mr Tony Houston	Old School House, Calne Road	Lyneham
Mr & Mrs Glass	42 & 42 a Calne Road	Lyneham
Mr J England	22e Calne Road	Lyneham
Mr J Prior (represented by Mr England)	41d Calne Road	Lyneham
Mr P Ryan	22c Calne Road	Lyneham

No representations were made by Responsible Authorities; however agreement was reached between Mr Baylan and The Environmental Protection Team Wiltshire Council during the consultation period over concerns about the amount of litter in the area from fast food wrappers, etc, and the controls measures contained in the application to address this issue:

Mr Baylan has agreed to add the following to his application.

To clear up any wrappers/containers on the street outside his premises on a daily basis.

Mr England's representation raised concern about an alleged light nuisance, this matter has been addressed under other more appropriate legislation by the Environmental Protection Team and no statutory nuisance has been substantiated.

Copies of the representations are attached as Appendix 3

## 6. Legal Implications

It should be noted that both the premises licence holder and the interested parties may appeal the decision made by the licensing sub committee. The decision made by the Licensing sub committee however takes immediate effect.

The Premises Licence Holder and all interested parties have been informed of the date, time and location of the hearing and their right to be represented.

## 7. Risk Analysis

Not applicable.

<b>Appendices:</b>	<ul style="list-style-type: none"> <li>• 1. Application a premises licence under the Licensing Act 2003</li> <li>• 2. Previous premises licence ( granted to Mr Pusgul)</li> <li>• 3. Copies of relevant representations</li> <li>• 4. Location Maps</li> </ul>
<b>Background Documents Used in the Preparation of this Report:</b>	<ul style="list-style-type: none"> <li>• The Licensing Act 2003</li> <li>• The Licensing Act (Hearings) Regulations 2005</li> <li>• Guidance issued under sect 182 of the Licensing Act 2003</li> </ul>

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18 MAR 2003  
ENGLAND  
PLT

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 RESUL BAYLAN  
e (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			
41-A CALNE ROAD LYNEHAM CHIPPENHAM WILTSHIRE			
Post town		Post code	SN15 4PR

Telephone number at premises (if any)	01249 893151
Non-domestic rateable value of premises	£ 2522-

Part 2 - Applicant Details

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

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

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

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

<input checked="" type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	<input type="checkbox"/> Other Title (for example, Rev)	
Surname <b>BAYLAN</b>			First names <b>RESUL</b>		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town			Postcode		
Daytime contact telephone number		<b>0785 2232965</b>			
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	<input type="checkbox"/> Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					

Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

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

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

**Part 3 Operating Schedule**

Day  
Month  
Year

When do you want the premises licence to start?

Month  
Year

Day

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

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

LYNEHAM PIZZA and FISH BAR at Calne Road. Next to Tesco express and next to Lyneham Kebab house.

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

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

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

**Provision of regulated entertainment**

Please tick yes

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



**Provision of entertainment facilities:**

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

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

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

In all cases complete boxes N, O and P

**A**

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

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films 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			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

**C**

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)			
Mon						
Tue						
Wed					<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)	
Thur						
Fri						
Sat					<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music 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						
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)			
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			
Fri						
Sat						
Sun						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music 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 playing of recorded music</b> (please read guidance note 4)	
Wed				
Thur				
Fri			<b>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</b> (please read guidance note 5)	
Sat				
Sun				

**G**

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
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 5)		
Fri					
Sat					
Sun					



H

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

I

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

J

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

K

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	16.00	00.00			
	<del>16.00</del>				
Tue	16.00	00.00			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	16.00	00.00			
Thur	16.00	00.00			
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	16.00	02.00			
Sat	16.00	02.00			
Sun	16.00	00.00			

**M**

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for <u>consumption (Please tick box)</u> (please read guidance note 7)	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<u>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</u> (please read guidance note 5)	

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

Name	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

**N**

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

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>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</u> (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

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

**b) The prevention of crime and disorder**

We call the police at first sign of public disorder.

**c) Public safety**

**d) The prevention of public nuisance**

We tell our customers to keep quiet.  
We will put a notice say "please leave the premises quietly"  
we will reduce the sound of extraction fan.  
Rubbish<sup>bin</sup> is available in our car park.  
we clear the rubbish around shop daily.

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

- 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

Please tick yes



- others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	<i>[Handwritten Signature]</i>
Date	<i>05-03-2010</i>
Capacity	<i>owner</i>

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

Signature	
Date	
Capacity	

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

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

**Notes for Guidance**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

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

# LICENSING ACT 2003

## PREMISES LICENCE

**PREMISES LICENCE NUMBER: LN/004984**

### Premises Details

Postal address of premises, or if none, ordnance survey map reference or description	
<b>Lyneham Pizza and Fish Bar 41A Calne Road Lyneham</b>	
Post Town <b>Chippenham</b>	Post Code <b>SN15 4PR</b>
Telephone Number <b>01249 893151</b>	

Licensable activities authorised by the Licence	The time the licence authorises the carrying out of licensable activities
<b>a. Provision of Late Night Refreshment</b>	<b>a. Sunday to Thursday 23.00 hrs to 00.00 hrs Friday to Saturday 23.00 hrs to 01.00 hrs</b>

Name, (registered) address of holder of Premises Licence	
<b>Levent Pusgul 41A Calne Road Lyneham</b>	
Post Town <b>Chippenham</b>	Post Code <b>SN15 4PR</b>

### Licence Commencement Date

29th July 2009

.....  
Licensing Officer

### Licence Expiry Date

28th July 2010

.....  
Licensing Officer

## **ANNEX 1 - MANDATORY CONDITIONS**

### **Door Supervision**

Individuals who are present to guard against a, b or c must be licensed by the Security Industry Authority:

- a. Unauthorised access or occupation (eg through door supervision)
- b. Outbreaks of disorder
- c. Damage

### **Supply of Alcohol**

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 it
- 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**

Where this Licence authorises the exhibition of films:

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made:

- a. By the British Board of Film Classification (BBFC,) where the film has been classified by that Board
- b. By the Licensing Authority where no classification certificate has been granted by the BBFC or, where the Licensing Authority has notified the licence holder that section 20 (3) (b) (74 (3) (b) for clubs) of the Licensing Act 2003 applies to the film.

## **ANNEX 2A - CONVERTED CONDITIONS**

None

## **ANNEX 2B - OPERATING SCHEDULE**

### **PREVENTION PUBLIC NUISANCE**

- Litter and rubbish is to be cleared from around the premises on a daily basis.
- Notices are to be prominently displayed at all exits from the premises requesting that patrons respect the needs of people living in the area and to leave the area quietly.

### **PUBLIC SAFETY**

None

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

None.

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

- The staff at the premises will call the Police at the first sign of public disorder.

## **ANNEX 3 - HEARING**

- The applicant shall securely install, on or immediately outside the premises, a large capacity waste bin within two months of today's date.
- The applicant shall reinstall the extractor fan in an appropriate location within the premises, as opposed to its current location outside, within a period of two months of today's date.

## **ANNEX 4 - PLANS**

See attached



ACK  
LETTER  
SENT  
06/04/10  
KLS

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ENVIRONMENTAL  
HEALTH

## 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 Section to confirm this date.

In the Licensing Act 2003, the term 'vicinity' is used with particular reference to those 'interested parties' who may lodge Representations to applications for Premises Licences and who may make Representations concerning existing Premises Licences. Although the Act does not define the term 'vicinity' it does define the term an 'interested party' as 'a person living in the vicinity, a body representing persons living in the vicinity, a person involved in a business in the vicinity, a body representing those persons' or a member of the relevant Licensing Authority (ie, elected Councillor).

Premises about which Representation is being made	LYNEHAM PIZZA & FISH BAR	
Your Name	TONY HOUSTON	
Postal Address	OLD SCHOOL HOUSE CALNE ROAD LYNEHAM SN15 4PP	
Contact Telephone Number	0755 1629736	
Are you:	Yes	No
• A person who lives in the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• A person who operates a business in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>
• A person representing residents or businesses in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>
• A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority in which the premises is situated)?	<input type="checkbox"/>	<input type="checkbox"/>
If you are representing residents or businesses in the vicinity please list those residents or businesses who have asked you to represent them		

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.

OBJECTIVES	EVIDENCE
1. The prevention of harm to children	
2. To prevent public nuisance	OPERATION OF THE BUSINESS LATE AT NIGHT AND AFTER LICENSING HOURS CAUSES PUBLIC NUISANCE FROM SOME CUSTOMERS, YOBS, AND STAFF DOING

THINGS (LIKE RUBBISH DISPOSAL) OUTSIDE PREMISES.

DRIVING ENGINE RUNNING WITH ILLEGAL EXHAUST LATE AT NIGHT (OR EARLY MORNING) OUTSIDE TAKE-AWAY.



OBJECTIVES	EVIDENCE
3. To prevent crime and disorder	AFTER HOURS OPERATION POSSIBLY ?
4. Public Safety	AFTER HOURS OPERATION POSSIBLY ?

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

IF A LICENSE IS GRANTED THE LICENSING AUTHORITY SHOULD ONLY GRANT IT IF THE FOLLOWING CONDITIONS ARE RIGIDLY ADHERED TO: -

- ① CONSIDERATION OF RESIDENTIAL NEEDS FOR QUIET LATE AT NIGHT.
- ② CLOSING TIME GRANTED MUST BE KEPT TO. THE PREMISES MUST CLOSE AT THE STATED TIME. THE LICENSE WILL BE WITHDRAWN IF THIS IS NOT ADHERED TO.

If a hearing needs to be held to determine the Premises Licence Application, the Councillors 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.

Signature .....

Date ..... 31-03-2010 .....

Please return this form, along with any additional sheets, to the Licensing Officer at the Wiltshire Council Office covering the area in which the licensed premises are situated (see below):

**Chippenham:** Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER  
**Devizes:** Wiltshire Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT  
**Salisbury:** Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP  
**Trowbridge:** Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD



# Wiltshire Council

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SENT  
01/04/10  
KLS

1 APR 2010

## REPRESENTATION FORM

201001592

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 Section to confirm this date.

In the Licensing Act 2003, the term 'vicinity' is used with particular reference to those 'interested parties' who may lodge Representations to applications for Premises Licences and who may make Representations concerning existing Premises Licences. Although the Act does not define the term 'vicinity' it does define the term an 'interested party' as 'a person living in the vicinity, a body representing persons living in the vicinity, a person involved in a business in the vicinity, a body representing those persons' or a member of the relevant Licensing Authority (ie, elected Councillor).

Premises about which Representation is being made	41A Calne Road, Lyneham Pizza & Fish Bar		
Your Name	MARCIA GLASS		
Postal Address	42 end 42a Calne Rd Lyneham		
Contact Telephone Number	01249 891805		
Are you:	Yes	No	
• A person who lives in the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• A person who operates a business in the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• A person representing residents or businesses in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	
• A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority in which the premises is situated)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If you are representing residents or businesses in the vicinity please list those residents or businesses who have asked you to represent them	Marcia Collettes Florist MR & MRS GLASS 42a Calne Road		

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.

OBJECTIVES	EVIDENCE
1. The prevention of harm to children	N/A
2. To prevent public nuisance	Noise, Fights often occur outside Loud music from cars plays Whilst they are waiting for food. Very late, often after they are meant to be closed. Against there licesene agreement

OBJECTIVES	EVIDENCE
3. To prevent crime and disorder	late night Drinking occurs whilst people are waiting for & eating food.
4. Public Safety	Health & safety. Food waste is not disposed of properly, we have a rat problem. Rubbish is left outside, not cleaned up.

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

Clean up waste food & rubbish and be responsible for the area outside the premises.  
 Keep noise down - customers need to be told to turn down music, especially late at night.  
 They should close at stated times, not over run with there opening hours.  
 Music being played in cars disturbs my childs sleep and also my husband who works shifts and needs crew rest.

If a hearing needs to be held to determine the Premises Licence Application, the Councillors 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.

Signature ..... MCGlass .....  
 Date ..... 31/03/10 .....

Please return this form, along with any additional sheets, to the Licensing Officer at the Wiltshire Council Office covering the area in which the licensed premises are situated (see below):

- Chippenham:** Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER
- Devizes:** Wiltshire Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT
- Salisbury:** Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP
- Trowbridge:** Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD





01 APR 2010  
ENVA/03/10/10  
31/03/10

Marcia Collettes Florist  
42 Calne Road  
Lyneham  
Wiltshire  
SN15 4PR

Tel/Fax: 01249 891805  
www.marciacollettes.co.uk

*"From a single red rose to a classic bouquet"*

31/03/10

Dear Sir or Madam,

I own Marcia Collettes Florist and also live at 42a above the shop.

We strongly object to the increase of opening hours at Lyneham fish and pizza bar at 41a Calne road because of the noise and anti social behavior that already occurs outside now.

Since the hours have changed we have had numerous cars parked outside revving engines, slamming car doors, shouting and playing loud music until early hours of the morning whilst eating there food .we have had to ask them to turn the music down and no attempt has been made by the owners to encourage reducing late night noise.

Although a bin has recently been placed outside, no attempt to sweep the outside is made and we often have to pick up the waste food and rubbish which is discarded, as it's a health and safety issue as we already have a problem with rats and this just encourages more vermin.

There are no late night toilet facilities available in Lyneham so people who are desperate urinate outside and on my property; the stench of urine is disgusting. We have also had vomit to clean up and waste food before we can open.

Why should your council workers be made to clean up the mess generated by the premises, the owners should be responsible for there own mess and for keeping the premises clean and tidy.

Thank you for your help and I hope these points will be addressed,

Yours sincerely

*Marcia Glass*

Marcia Glass

Proprietor "Marcia Collettes" ,Lyneham

*"from a single red rose to a classic bouquet"*



ACK  
SENT  
01/04/10  
KLS

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## REPRESENTATION FORM

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Premises about which Representation is being made	LYNEHAM PIZZA & FISH BAR, 11A CALNE RD, LYNEHAM	
Your Name	J. ENGLAND	
Postal Address	22E, CALNE ROAD LYNEHAM WILTSHIRE SN15 4PS	
Contact Telephone Number		
Are you:	Yes	No
• A person who lives in the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• A person who operates a business in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>
• A person representing residents or businesses in the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority in which the premises is situated)?	<input type="checkbox"/>	<input type="checkbox"/>
If you are representing residents or businesses in the vicinity please list those residents or businesses who have asked you to represent them	MR. J. PRIOR 41D, CALNE ROAD, LYNEHAM, WILTSHIRE SN15 4PR	

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.

OBJECTIVES	EVIDENCE
1. The prevention of harm to children	N/A
2. To prevent public nuisance	NOISE FROM CUSTOMERS CARS - LOUD EXHAUST SYSTEMS & AUDIO SYSTEMS. NEW BRIGHT FLOODLIGHTS ATTRACTS LOCAL YOUTH'S WHO MAKE A LOT OF NOISE BY SHOUTING & SWEARING OUTSIDE THE PREMISES, AND ALSO URINATING AGAINST THE WALL & GARAGE DOOR AREA

THESE PEOPLE OFTEN DO NOT LEAVE UNTIL THE PREMISES CLOSE  
Page 41 LIGHTS ARE SWITCHED OFF.

OBJECTIVES	EVIDENCE
3. To prevent crime and disorder	ALCOHOL DRINKING OCCURS OUTSIDE THE PREMISES LATE AT NIGHT. FIGHTS SOMETIMES OCCUR. ANTSOCIAL BEHAVIOUR BY YOUNG PEOPLE OUTSIDE CAUSES A NUISANCE LATE AT NIGHT.
4. Public Safety	HEALTH & SAFETY ISSUES, FOOD WASTE NOT PROPERLY DISPOSED OF WHICH ENCOURAGES VERMIN. OTHER RUBBISH INCLUDING BREAKABLE GLASS.

AND BY UNDERAGE DRINKING AS WELL

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

- 1/ CLOSE AT A REASONABLE TIME I.E. 10 P.M WHICH WILL DISCOURAGE ANTSOCIAL BEHAVIOUR OF ALL TYPES.
- 2/ CLEAN UP RUBBISH IN CAR PARK.
- 3/ STOP MAKING A NOISE IN THE FREEZER SHED AT UNSOCIAL HOURS I.E. AFTER MIDNIGHT.
- 4/ NEIGHBOURS SHOULD BE CONSIDERED MUCH MORE.
- 5/ REDUCE THE INTENSITY OF THE NEW FLOOD LIGHTS WHICH LIGHT UP OUR BED ROOM AT NIGHT.

If a hearing needs to be held to determine the Premises Licence Application, the Councillors 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.

Signature ..... *[Handwritten Signature]* .....  
Date ..... 30 MARCH 2010 .....

Please return this form, along with any additional sheets, to the Licensing Officer at the Wiltshire Council Office covering the area in which the licensed premises are situated (see below):

- Chippenham:** Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER
- Devizes:** Wiltshire Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT
- Salisbury:** Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP
- Trowbridge:** Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD



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## REPRESENTATION FORM

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Premises about which Representation is being made	41A, CALNE RD, LYNEHAM, WILTS SN15 4PR	
Your Name	MR. P. RYAN	
Postal Address	22 C, CALNE ROAD, LYNEHAM, NR. CHIPPENHAM WILTS. SN15 4PS	
Contact Telephone Number	-	
Are you:	Yes	No
• A person who lives in the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• A person who operates a business in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>
• A person representing residents or businesses in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>
• A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority in which the premises is situated)?	<input type="checkbox"/>	<input type="checkbox"/>
If you are representing residents or businesses in the vicinity please list those residents or businesses who have asked you to represent them		

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.

OBJECTIVES	EVIDENCE
1. The prevention of harm to children	
2. To prevent public nuisance	LATER OPENING WOULD PROLONG NOISE FROM THEIR CUSTOMERS, LOW CAR EXHAUSTS & RADIOS. PEOPLE URINATING & THROWING RUBBISH ABOUT.



OBJECTIVES	EVIDENCE
3. To prevent crime and disorder	ANTI-SOCIAL BEHAVIOUR IS BAD NOW, SO OPENING LATER WOULD MAKE THIS WORSE; GROUPS OF NOISY YOUTHS.
4. Public Safety	LATER OPENING WOULD ENCOURAGE MORE LITTER, VERMIN; GANGS OF YOUTHS LOITERING.

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

1/ CLOSE EARLIER.

2/ CLEAN - UP RUBBISH IN CAR PARK

3/ SWITCH OFF LIGHTS AT CLOSING TIME.

NB. THEIR NEW EXTERNAL FLOODLIGHTS LIGHT UP MY BEDROOM AT NIGHT, SOMETIMES UNTIL AFTER 1.00 AM, DISTURBING MY SLEEP.

If a hearing needs to be held to determine the Premises Licence Application, the Councillors 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.

Signature .....

 PAT RYAN

Date .....

29<sup>th</sup> MARCH 2010

Please return this form, along with any additional sheets, to the Licensing Officer at the Wiltshire Council Office covering the area in which the licensed premises are situated (see below):

**Chippenham:** Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER  
**Devizes:** Wiltshire Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT  
**Salisbury:** Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP  
**Trowbridge:** Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD









7/12/2011 FRONT AND FISH BAR  
 Shop plan for  
 41-A CALNE ROAD  
 TNEHAM WILTS  
 SN15 4PR



