

AGENDA

Meeting: Western Area Licensing Sub-Committee
Place: Committee Room III - County Hall, Trowbridge
Date: Thursday 24 February 2011
Time: 10.00 am
Matter: Application for a Premises Licence, Canal Trust Café 15 Frome Road Bradford on Avon BA15 1LE

Please direct any enquiries on this Agenda to Marie Gondlach, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713 597 or email 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

Membership:

Cllr Desna Allen
Cllr Trevor Carbin

Cllr Rod Eaton

AGENDA

1. **Election of Chairman**

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

2. **Procedure for the Meeting** *(Pages 1 - 6)*

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

3. **Chairman's Announcements**

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

4. **Declarations of Interest**

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

5. **Licensing Application**

To consider and determine an Application for a Premises Licence by Mr Hasan Tarkan Kisioglu in respect of The Canal Trust Café, 15 Frome Road, Bradford-on-Avon, Wiltshire BA15 1LE.

5.1. **Report of the Licensing Officer** *(Pages 7 - 12)*

Report of the Licensing Officer in respect of an application for a premises licence at The Canal Trust Café, 14 Frome Road, Bradford-on-Avon.

5.2. **Appendix 1 - Application Forms for a Premises License under the Licensing Act 2003** *(Pages 13 - 32)*

5.3. **Appendix 2 - Representations** *(Pages 33 - 72)*

5.4. **Appendix 3 - Applicant's Supporting Statement** *(Pages 73 - 88)*

5.5. **Appendix 4 - Location Map** *(Pages 89 - 90)*



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.

REPORT TO THE LICENSING SUB COMMITTEE (HEARING)

| | |
|------------------------------|---|
| Date of Hearing | 24 February 2011 |
| Title of Report | Application for a Premises Licence, Canal Trust Café 15 Frome Road Bradford on Avon BA15 1LE |
| 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
- To reject the whole or part of the application
- Not take any further action.

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 |
|------------------------|---|--|------------------------------|-----------------------------------|
| No | Yes | None | None | None |
| Contact Officer | Maggie Jones, Policy & Licensing 01225 776655 Ext 745536 maggie.jones@wiltshire.gov.uk | | | |

1. Introduction

An application for a premises licence for the ground floor and outdoor areas of the Canal Trust Café, has been made by Mr Hasan Tarkan Kisioglu, 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.

3. Background Information

On 30 December 2010, an application for a Premises Licence was received and accepted as a valid application. This application, if granted, is to license:

- The supply of alcohol
- Plays, films, indoor sporting events, live music, recorded music, performance of dance, provision of facilities for making music and dancing.

The application, as applied for, is as follows:

| | | |
|---|--------------|------------------|
| Supply of alcohol (on/off sales) & recorded music (indoors) | 0900 to 2300 | Monday to Sunday |
|---|--------------|------------------|

| | | |
|--|--------------|------------------|
| Plays (in & outdoors), films (indoors), indoor sporting events, live music (in & outdoors), performance of dance (in & outdoors), provision of facilities for making music (in & outdoors), & facilities for dancing (indoors) | 1000 to 2300 | Monday to Sunday |
|--|--------------|------------------|

4. Background Information from other departments of the Wiltshire Council

Planning permission for the commercial use of the garden area of the Canal Trust Cafe was granted by the West Wiltshire District Council in 2004 under planning reference 04/02098/FUL. The permission included the following condition:

“No live or amplified music or any other amplified sound shall be produced so as to

be audible at the boundary of any inhabited premises in the vicinity of the site to which this permission refers”.

It should be noted that the above is for information only and in connection with this application, does not predetermine the decision of the licensing committee.

5 Representations

During the consultation period representations have been received from the following:

Interested Parties:

Mrs C Poulter 75 Baileys Barn Bradford on Avon

Mrs M Hutchinson 79 Baileys Barn

Mr & Mrs T Tees 12B Frome Road

Mr E Williams 14 Frome Road

Ms A Williams 14 Frome Road

Mrs G Williams 14 Frome Road

Mr D Williams 14 Frome Road

Mr & Mrs D Bright 22 Frome Road

Mr & Mrs P Comley 34 Frome Road

Mr & Mrs J Watts 35a Frome Road

Mr P Markey & Ms D Gray 36 Frome Road

Mr & Mrs M Knott 37 Frome Road

Mr S Meade-King 39 Frome Road

Mr & Mrs J Pearson 41 Frome Road

Mr & Mrs D Scadding 41a Frome Road

Mr & Mrs S Missen 44 Frome Road

Mr & Mrs B Wilson 45 Frome Road

Mr & Mrs R Cottle 47 Frome Road

E Edwards 50 Frome Road

Mrs D Henry 2 Kennet Gardens

Mr & Mrs W Martin 4 Kennet Gardens

Mrs D Jones 6 Kennet Gardens

Mr P Hobson 7 Kennet Gardens

Mr M Woolridge 7 St Katherine's Quay

Ms E Parsons 8 St Katherine's Quay

Ms M Gerrish 9 St Katherine's Quay

Mr A Cook 10 St Katherine's Quay

Mrs A Cook 10 St Katherine's Quay

L Baldock 42 Spencers Orchard

Mrs D Leigh 44 Spencers Orchard

Mrs V Runacres 49 Spencers Orchard

G Maslen The Old Cottage 55 Spencers Orchard

Mrs P Bemment 12 The Maltings

Responsible Authorities:

No responsible Authority has made a representation in connection with this application

| <u>Representation</u> | <u>Licensing Objective</u> | <u>Accepted</u> | <u>Comments</u> |
|--|----------------------------|-----------------|--|
| Noise from premises | Public Nuisance | Y | |
| Noise from customers leaving the premises | Public Nuisance | Y | |
| Antisocial Behaviour | Crime & Disorder | Y | |
| Number of existing licensed premises in the vicinity | Public Nuisance | N | The Committee is required to consider the application currently before them and its likely effect on the four licensing objectives |

Copies of all representations are attached to this report as Appendix 2

The plan attached to this report as Appendix 4, includes the plotting of the locations where representations have been made.

6. Additional information supplied by the Applicant in support of the Application

The Applicant has submitted further written evidence in support of his application together with a petition. Copies attached as Appendix 3.

7. Legal Implications

It should be noted that both the Applicant 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 Applicant and all Interested Parties have been informed of the date, time and location of the Hearing and their right to be represented.

8. Risk Analysis

Not applicable.

| | |
|--------------------|---|
| Appendices: | <ul style="list-style-type: none">• 1. Application for a premises licence under the Licensing Act 2003• 2. Copies of relevant representations• 3. Applicant's supporting statement & petition• 4. Location map |
|--------------------|---|

Previous Decisions Connected with this Report

| Report | Committee & Date | Minute Reference |
|---------------|-----------------------------|-------------------------|
| None | | |

Report prepared by Maggie Jones, Policy & Licensing Officer – Licensing Team, West Hub

This page is intentionally left blank



**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 MR HASAN TARKAN KISIIOGLU

(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 CANAL TRUST CAFE 15 FROME ROAD BRADFORD ON AVON WILTSHIRE BAIS ILE | | | |
| Post town | BRADFORD ON AVON | Post code | BAIS ILE |
| Telephone number at premises (if any) | | 01225 868683 | |
| Non-domestic rateable value of premises | | £ 0 - £4300 BAND A | |

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)

| | | | | | |
|---|-------------------------------------|--|---------------------------------|---|--|
| Mr <input checked="" type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname KISIOGLU | | | First names HASAN TARKAN | | |
| I am 18 years old or over | | | | <input checked="" type="checkbox"/> Please tick yes | |
| Current postal address if different from premises address | | THE CANAL TAVERN 49 FROME RD BRADFORD ON AVON | | | |
| Post Town | WILTSHIRE / BRADFORD ON AVON | | Postcode | BA15 1LE | |
| Daytime contact telephone number | | | 01225 867426 | | |
| E-mail address (optional) | | canaltavern@live.co.uk | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | <input type="checkbox"/> Please tick yes | |

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

(B) OTHER APPLICANTS

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

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

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | |
|-----|-------|--------|
| Day | Month | Year |
| 1 | 8 | 012011 |

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

| | | |
|-----|-------|------|
| Day | Month | Year |
| | | |

Please give a general description of the premises (please read guidance note1)

A SMALL CANAL SIDE CAFE, GROUND FLOOR SEATING AREA & OPEN PLANNED, PRETTY GARDENS WITH SEATING TO THE FRONT AS WELL. WE OFFER BREAKFASTS, LIGHT LUNCHES & CREAM TEAS. WE ALSO WORK TOGETHER WITH THE CANAL TRUST, SELLING BOAT TICKETS & GIFTS

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 checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" 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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" 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) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

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

In all cases complete boxes N, O and P

A

| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|--|-------|--------|--|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 10.00 | 23.00 | Please give further details here (please read guidance note 3) IT IS VERY UNLIKELY THAT WE WOULD HAVE A PLAY AT THE CAFE BUT AT CHRISTMAS FOR EXAMPLE THE MUMMERS MAY PERFORM! | | |
| Tue | 10.00 | 23.00 | | | |
| Wed | 10.00 | 23.00 | State any seasonal variations for performing plays (please read guidance note 4) IT IS A VERY SEASONAL CAFE AND HOURS OF OPENING ARE REDUCED IN WINTER | | |
| Thur | 10.00 | 23.00 | | | |
| Fri | 10.00 | 23.00 | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 10.00 | 23.00 | | | |
| Sun | 10.00 | 23.00 | | | |
| | | | | | |

B

| Films Standard days and timings (please read guidance note 6) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input checked="" type="checkbox"/> |
|--|-------|--------|---|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 1000 | 2300 | Please give further details here (please read guidance note 3) IT WOULD NOT BE VERY OFTEN THAT WE SHOWED FILMS IN OUR CAFE BUT AT CERTAIN TIMES IT COULD BE NECESSARY | | |
| Tue | 1000 | 2300 | | | |
| Wed | 1000 | 2300 | State any seasonal variations for the exhibition of films (please read guidance note 4) IT IS A VERY SEASONAL CAFE AND HOURS OF OPENING ARE REDUCED IN WINTER | | |
| Thur | 1000 | 2300 | | | |
| Fri | 1000 | 2300 | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 1000 | 2300 | | | |
| Sun | 1000 | 2300 | | | |
| | | | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 6) | | | Please give further details (please read guidance note 3) |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | 1000 | 2300 | IT WOULDN'T BE LIKELY THAT WE HELD MANY INDOOR SPORTING EVENTS EXCEPT CHILDREN'S GAMES ETC. |
| | | | |
| Tue | 1000 | 2300 | State any seasonal variations for indoor sporting events (please read guidance note 4) FT IS A VERY SEASONAL CAFE AND HOURS OF OPENING ARE REDUCED IN WINTER |
| | | | |
| Wed | 1000 | 2300 | Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) |
| | | | |
| Thur | 1000 | 2300 | |
| | | | |
| Fri | 1000 | 2300 | |
| | | | |
| Sat | 1000 | 2300 | |
| | | | |
| Sun | 1000 | 2300 | |
| | | | |

D

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</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 boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| Wed | | | | | |
| | | | | | |
| Thur | | | | | |
| | | | <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) | | |
| Fri | | | | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |

E

| Live music Standard days and timings (please read guidance note 6) | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|---|-------|--------|--|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 1000 | 2300 | Please give further details here (please read guidance note 3) IT WOULD BE ON SPECIAL OCCASIONS ONLY WHEN WE WOULD REQUIRE LIVE MUSIC AND OUTDOORS WILL NOT BE PLAYED AFTER 2200 | | |
| Tue | 1000 | 2300 | | | |
| Wed | 1000 | 2300 | State any seasonal variations for the performance of live music (please read guidance note 4) IT IS A VERY SEASONAL CAFE AND WE DONT INTEND ON HAVING LIVE MUSIC ON A REGULAR BASIS AT ALL | | |
| Thur | 1000 | 2300 | | | |
| Fri | 1000 | 2300 | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 1000 | 2300 | | | |
| Sun | 1000 | 2300 | | | |
| | | | | | |

F

| Recorded music Standard days and timings (please read guidance note 6) | | | Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input checked="" type="checkbox"/> |
|---|-------|--------|---|----------|-------------------------------------|
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | Please give further details here (please read guidance note 3) LOW BACKGROUND MUSIC IN CAFE | | |
| Mon | 0900 | 2300 | | | |
| Tue | 0900 | 2300 | State any seasonal variations for the playing of recorded music (please read guidance note 4) THE CAFE IS VERY SEASONAL AND MAY EVEN CLOSE DURING THE WINTER MONTHS | | |
| Wed | 0900 | 2300 | | | |
| Thur | 0900 | 2300 | Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Fri | 0900 | 2300 | | | |
| Sat | 0900 | 2300 | | | |
| Sun | 0900 | 2300 | | | |

G

| Performances of dance Standard days and timings (please read guidance note 6) | | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|--|-------|--------|--|----------|-------------------------------------|
| Day | Start | Finish | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Mon | 1000 | 2300 | Please give further details here (please read guidance note 3) IT MAY BE NECESSARY WHERE INDIVIDUALS MAY WANT TO PERFORM DANCE EG MORRIS DANCERS / BELLY DANCERS ETC ETC | | |
| Tue | 1000 | 2300 | | | |
| Wed | 1000 | 2300 | State any seasonal variations for the performance of dance (please read guidance note 4) IT IS A VERY SEASONAL CAFE AND WE DONT INTEND ON HAVING REGULAR PERFORMANCES OF DANCE. | | |
| Thur | 1000 | 2300 | | | |
| Fri | 1000 | 2300 | Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 1000 | 2300 | | | |
| Sun | 1000 | 2300 | | | |

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 | | | | | |
| | | | | | |

| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | Please give a description of the facilities for making music you will be providing | | | | |
|---|-------------------------------------|--------|---|--|--|--|---------|
| | | | <p>IT WOULD NOT BE ON A REGULAR BASIS WHEN WE WOULD NEED THIS FACILITY BUT PERHAPS INDIVIDUALS WOULD APPROACH ME IN THE FUTURE EG CHILDREN'S WORKSHOPS</p> | | | | |
| | | | | | <p>Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)</p> <table border="1"> <tr> <td>Indoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Outdoors</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Both</td> <td><input checked="" type="checkbox"/></td> </tr> </table> | | Indoors |
| Indoors | <input type="checkbox"/> | | | | | | |
| Outdoors | <input type="checkbox"/> | | | | | | |
| Both | <input checked="" type="checkbox"/> | | | | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 3) | | | | |
| Mon | 1000 | 2300 | AS ABOVE | | | | |
| Tue | 1000 | 2300 | | | | | |
| Wed | 1000 | 2300 | <p>State any seasonal variations for the provision of facilities for making music (please read guidance note 4)</p> <p>CAFE HAS REDUCED HOURS IN THE WINTER</p> | | | | |
| Thur | 1000 | 2300 | | | | | |
| Fri | 1000 | 2300 | <p>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)</p> | | | | |
| Sat | 1000 | 2300 | | | | | |
| Sun | 1000 | 2300 | | | | | |

J

| | | | | | |
|---|-------|--------|---|---|--|
| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2) | Indoors <input checked="" type="checkbox"/> | |
| | | | | Outdoors <input type="checkbox"/> | |
| | | | | Both <input type="checkbox"/> | |
| Day | Start | Finish | Please give a description of the facilities for dancing you will be providing JUST A SMALL SPACE FOR CHILDREN'S PARTIES WHERE THE TABLES CAN BE MOVED | | |
| Mon | 1000 | 2300 | Please give further details here (please read guidance note 3) | | |
| Tue | 1000 | 2300 | | | |
| Wed | 1000 | 2300 | State any seasonal variations for providing dancing facilities (please read guidance note 4) | | |
| Thur | 1000 | 2300 | | | |
| Fri | 1000 | 2300 | Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Sat | 1000 | 2300 | | | |
| Sun | 1000 | 2300 | | | |

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 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 the provision of late night refreshment</u> (please read guidance note 4) | | |
| Thur | | | <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 | | | | | |
| | | | | | |
| Sat | | | | | |
| | | | | | |
| Sun | | | | | |

M

| | | | | | |
|---|-------|--------|---|------------------|-------------------------------------|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7) | On the premises | <input type="checkbox"/> |
| | | | | Off the premises | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) THE CAFE IS VERY SEASONAL AND MAY CLOSE DURING THE WINTER MONTHS, PEOPLE MAY WANT TO BUY BOTTLES OF WINE / ALE IN THE SUMMER EVEING & ENJOY THE GARDEN Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) | | |
| Mon | 0900 | 2300 | | | |
| Tue | 0900 | 2300 | | | |
| Wed | 0900 | 2300 | | | |
| Thur | 0900 | 2300 | | | |
| Fri | 0900 | 2300 | | | |
| Sat | 0900 | 2300 | | | |
| Sun | 0900 | 2300 | | | |

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

| | |
|---|--|
| Name | VICTORIA HELEN KISIOGLU |
| Address | 49 FROME RD, BRADFORD ON AVON WILTSHIRE |
| Postcode | BA15 1LE |
| Personal Licence number (if known) | PER0148 |
| Issuing licensing authority (if known) | SALISBURY |

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)

THERE WILL BE NO GAMING MACHINES / CIGARETTES ON SITE AND THE LICENSING ACT WILL BE CAREFULLY FOLLOWED WITH EXTRA CARE TAKEN ON AGE RESTRICTED FACILITIES INCLUDING THE USE OF LANGUAGE!
THERE IS NO OTHER ADULT ENTERTAINMENT THAT MAY GIVE CONCERN.

O

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
|--|-------|------------------|---|
| Day | Start | Finish | |
| Mon | 0800 | 2330 | DURING THE SUMMER SEASON THE CAFE WAS OPEN 0900-1800 AND AT PRESENT WE ARE CLOSED TUES & THURS AND CLOSE BETWEEN 1600- 1700 . WE MAY EXTEND THE OPENING HOURS IN THE SUMMER, SO PEOPLE CAN ENJOY THE LIGHT EVENINGS BUT NOT LATE!! |
| Tue | 0800 | 2330 | |
| Wed | 0800 | 2330 | |
| Thur | 0800 | 23 00 | |
| Fri | 0800 | 23 00 | |
| Sat | 0800 | 2330 | |
| Sun | 0800 | 2330 | |
| | | | |

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)

I have taken all the controls necessary to prevent crime or disorder, ensure the public are kept safe and there is no public nuisance caused and especially taken extra attention with regards to the protection of children from harm. I have done all risk assessments required AND WILL FOLLOW THEM.

b) The prevention of crime and disorder

WE INTEND TO INSTALL A CCTV SYSTEM WHICH WE CAN MONITOR FROM HOME AS WELL! WE ARE A MEMBER OF PUB WATCH AND WILL KEEP AN INCIDENT BOOK. WE ALSO HAVE AN INTRUDER ALARM, LOCKS ON GATES & AN EXTRA GATE ON THE BACK DOOR - WE HAVE A SECURITY LIGHT FOR OUTDOORS A SAFE IF ANY MONEY IS LEFT ON SITE BUT THE TILL DRAW WILL ALWAYS BE EMPTY & OPEN AT NIGHT.

c) Public safety

IT INTENDS JUST TO BE A SM SEASONAL LICENSED CAFE, I CANNOT SEE A RISK OF OVERCROWDING AND ALL FIRE SAFETY CONTROLS ARE MONITORED. I HAVE A HEALTH & SAFETY POLICY, A FOOD SAFETY POLICY AND REGULAR HEALTH & SAFETY VISITS FROM THE CANAL TRUST ORGANISATION. I FOLLOW A WEEKLY CHECK LIST AND ALL STAFF HAVE BEEN TRAINED. A RISK ASSESSMENT WILL TAKE PLACE BEFORE ALL NEW ACTIVITIES OCCUR AFTER THE LICENSE IS IN PLACE. THERE ARE ALSO LOTS OF WINDOWS / DOORS FOR VENTILATION IF REQUIRED

d) The prevention of public nuisance

AS THE CAFE IS IN A BUILT UP AREA BEHIND IT, IT WILL BE MY AIM TO PREVENT DISRUPTION TO ANY OF MY NEIGHBOURS. I WILL KEEP WINDOWS / DOORS CLOSED IF THERE IS MUSIC. I WILL PLACE NOTICES AT THE EXITS SO PEOPLE LEAVE QUIETLY. THE GARDEN WILL BE CLOSED AT 2200 AND OUTDOOR LIGHTS TURNED OFF. THERE ARE 2 BINS OUTSIDE FOR LITTER AND THERE IS A GATEWAY TO THE PUBLIC CARPARK WHICH WILL LOWER NOISE LEVELS. THE RESIDENTS ARE VERY IMPORTANT TO ME AND WE DON'T INTEND TO OPEN AFTER DARK

e) The protection of children from harm

EVEN THOUGH THE SCALE OF ALCOHOL WILL PLAY A SMALL PART IN THE CAFE; FOOD & SOFT DRINKS BEING THE MAJORITY, IT IS STILL IMPORTANT THAT THERE'S NO STRONG LANGUAGE BEING USED, NO ADULT ACTIVITY SUCH AS GAMING MACHINES OR CIGARETTE MACHINES, NO DRUG TAKING OR ALCOHOL ABUSE OR UNDERAGE DRINKING! ALL ALCOHOLIC BOTTLES WILL BE POSITIONED OUT OF REACH AND PROOF OF AGE WITH A PASSPORT OR DRIVING LICENCE WILL BE REQUIRED. ALL STAFF TO BE TRAINED ON CHALLENGE 21 SCHEME & THE REFUSAL BOOK

In addition we will monitor noise ¹⁹ control if we were to ever have live music by checking the levels outside the cafe and around the boundary and logging the results and any action taken. This will take place a few times throughout the evening

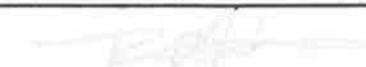
Please tick yes

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

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

Part 4 – Signatures (please read guidance note 10)

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

| | |
|-----------|---|
| Signature |  |
| Date | 20/12/10 |
| Capacity | |

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

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

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

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

18 JAN 2010

Environmental Health Licensing Section
Wiltshire Council
Bradly Road
Trowbridge
BA14 0RD

41 Frome Road
Bradford on Avon
BA15 2ED

16th January 2011

Re: Canal Café – Bradford on Avon

Dear Sir

We wish to object most forcibly to every part of the application of the Canal Trust Café for the licence referred to above.

Present alcohol proposals.

The proposed addition of another outlet for alcohol is completely unjustified and the possibility of alcohol sales from 0900 until 2300, both on and off the premises, fills us with horror. It must be remembered that this is very much a residential area with houses placed directly adjacent to the canal banks.

Existing alcohol outlets.

This area is already well-stocked with alcohol providers as there are three existing licensed premises in the immediate vicinity. In fine weather householders are frequently disturbed and aggravated by noisy drinkers but especially so at night. Locals often find empty bottles and cans dumped in their front gardens. Any theoretical closing time tends to be completely ineffective as drinkers hang around the well lit bridge area often bawling and shrieking into the night.

Intended noise and music

The request to be permitted to create noise and music of all kinds from 1000 until 2300 is truly alarming to all local residents. The past disputes with the Kisioglu family are well documented in the files of the Environment and Licensing departments and clearly demonstrate their attitude to their neighbours.

The present 'truce' was only achieved by the intervention of Wadworths, the Public Protection Services, and a large meeting of aggrieved neighbouring residents. A Code of Practice was eventually agreed between the two parties and lodged with the Environment Department. When taking over the Canal Café Mrs Kisioglu assured us that they would not be seeking any further licence extensions. Bearing this in mind we find the present application insensitive and cynical.

Dance &c.

The very small internal area of the Café strongly implies that these events will have to be held outside. By their very nature partakers get excited and create even more noise which adds further to that of the music. Apparently there are no toilet facilities which could lead very unhygienic practices around the towpath area.

SIGNATURE

ADDRESS

7

} 9.
10.

41A. Frome Road,
BRADFORD-ON-AVON,
Wilt.

8

11.
12.

~~41A~~
31 FROME ROAD
BRADFORD-ON-AVON
" "

9

13.

36 Frome Road
BRADFORD ON AVON

14.

36 Frome Road
BRADFORD ON AVON

10

15.

6 Kennet Gals
Bradford on Avon

11

16.
17.

34 FROME ROAD
B-ON-AVON

12

18.

39 Frome Rd
B-O-A

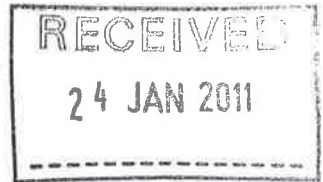
13

19.
20.
21.

44 Frome Road, B.O.A.

This page is intentionally left blank

From the Chairman of St. Katherine's Quay Ltd
7 St. Katherine's Quay
Bradford on Avon
BA15 1LG



Environmental Health Licensing Section
Wiltshire Council
Bradley Road
Trowbridge

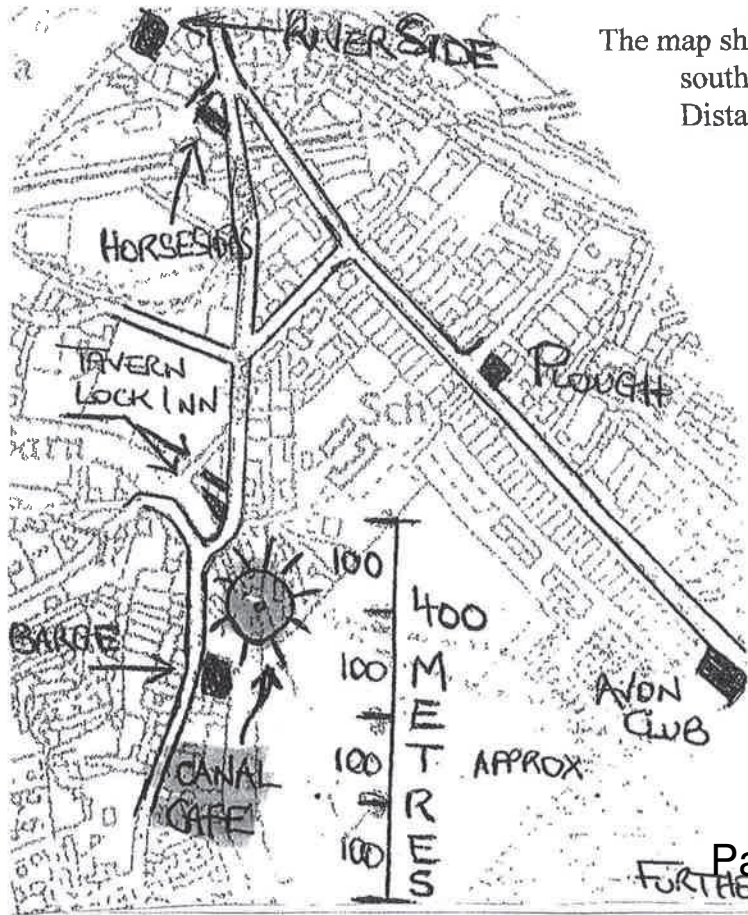
January 14 2011

It is with dismay that we note an application to change the use of the Canal Trust Tea Rooms and we would be grateful if you would put on record our strongest opposition. It would appear that the cafe, housed in a small building on the canal towpath (originally the lock keepers small abode), is applying to sell alcohol and play music from 0900 to 2300 with a variety of other noise creating activities between 1000 and 2300.

The cafe is in a residential area far too well served by establishments selling drinks and making noise late into the night. People who live here are often woken by "drunks" walking along the towpath or loitering, noisily on the canal bridge after leaving the Canal Tavern, Lock Inn or Barge, all within a stones throw of each other. See map below.

The cafe, as it is now, is small inside and we cannot believe the noise of music, live or otherwise, would not spill out of the building, annoying many local residents. There are two blocks of OAP bungalows immediately behind the Canal Trust Tea-rooms, we hope they will be considered when this application is processed.

Please note that this application has been made by the same people who caused so much correspondence over their use of a music licence when running the Canal Tavern



The map shows all the existing licenced premises, I believe, south of the river Avon

Distances are in metres approximate and direct line.

- Riverside within 700m
- Avon Club within 600m
- Horseshoes within 550m
- Plough within 400m
- Canal Tavern 150m
- Lock Inn within 150m
- Barge within 100m

PLEASE WE DO NOT NEED YET ANOTHER OUTLET FOR MUSIC AND ALCOHOL THERE ARE MORE THAN ENOUGH NOW.

Thank you for reading this.

MARTIN WOOLDRIDGE

SIGNATURE

PRINT NAME

ADDRESS

18-1.

✓ ANTHONY
COOK

70 St. Katherine's
Quay, BA15 1L9.

✓ MARY
GERRISH

9 St. Katherine's
Quay
BA15 1L9.

✓ ELEANOR PARSONS

8, ST KATHERINE QUAY
BA15 1L9.

✓ PAUL HOBSON

7 KENNET GARDENS
BA15 1LT

193.

*

TEES

12B Fane Road.
BA15 1LE

RECEIVED
26 JAN 2011

Wiltshire Council

Where everybody matters

REPRESENTATION FORM

This form must be returned within the statutory period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing 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 | KEMNET AND AVON CANAL TRUST CAFE, 15 FROME ROAD, BRADFORD ON AVON, WILTSHIRE BA15 1US | | |
| Your Name | MRS CHRISTINE POULTER | | |
| Postal Address | 75 BAILEYS BARN BRADFORD ON AVON WILTSHIRE BA15 1BW | | |
| Contact Telephone Number | | | |
| Are you: | Yes | No | |
| • A person who lives in the vicinity? | YES | | |
| • A person who operates a business in the vicinity? | | NO | |
| • A person representing residents or businesses in the vicinity? | | NO | |
| • A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority in which the premises is situated)? | | NO | |
| If you are representing residents or businesses in the vicinity please list those residents or businesses who have asked you to represent them | N/A | | |

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

| OBJECTIVES | EVIDENCE |
|--|---|
| 1. The prevention of harm to children | |
| 2. To prevent public nuisance | IT IS CONSIDERED THAT THE CAFE IS TOO SMALL FOR PERFORMANCE OF PLAYS, INDOOR SPORTING EVENTS, LIVE MUSIC & DANCING ETC & THAT SUCH ACTIVITIES WOULD TAKE PLACE IN THE GARDEN AND SPILL OUT ON TO THE TOWPATH, CAUSING PUBLIC NUISANCE |

| OBJECTIVES | EVIDENCE |
|--|----------|
| 3. To prevent crime and disorder | |
| 4. Public Safety | |

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

WITHDRAW THE APPLICATION FOR A PREMISES LICENCE AS THE CAFE & CONTINUE TO RUN THE BUILDING IN ITS PRESENT FORM - TEAROOM & GARDEN. AFTER ALL, THERE ARE 3 PUBLIC HOUSES IN THE VICINITY THAT ALREADY HAVE LICENCE FOR SUCH BOISSENOUS ACTIVITIES. WHAT IS THE POINT OF GRANTING A PREMISES LICENCE FOR ANOTHER BUILDING?

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.

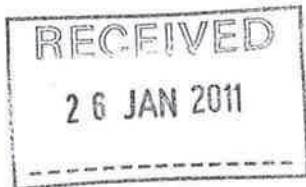
All Representations in their entirety, including your name and address, will be disclosed to the Premises Licenc

Signature

Date 20th JANUARY 2011

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



79 Baileys Barn
Bradford on Avon
BA15 1BW

23-1-11

Wiltshire Council
Environmental Health
Licensing Section
Bradley Rd
Trowbridge BA14 0RD

Dear Sirs,

Re Canal Trust Cafe licence Proposal.

I would like to express my objection to granting the above licence. The noise and disruption to what is a peaceful enjoyable location, does not bear thinking about, and I urge you to consider rejecting this proposal.

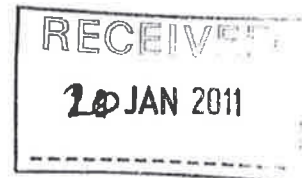
Thank you.

Sincerely

Margaret Hutchinson (Mrs)

This page is intentionally left blank

Coach House
12B Frome road
Bradford on Avon BA 15 ILE



16.01,11

Environmental Health Licensing Section
Bradley Road
Trowbridge BA14 ORD

Objection to Application by
Mr Hasan Karkan Kisioglu
15 Frome road
Bradford on Avon BA15 ILE

Application to sell alcohol for consumption on the premises/sell alcohol for consumption off the premises from 0900-2300, performance of plays, films, indoor sporting events, live music, performance of dance, making music and dancing from 1000-2300 and recorded music 0900-2300.

Objections to this application are:-

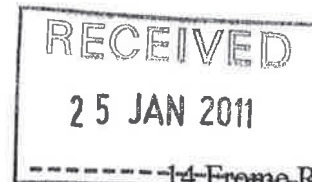
1. We already have 3 Licensed premises in the immediate area.
The Barge Inn
The Lock Inn
The Canal Tavern
2. Music and Dance in this small building and garden will upset the close neighbours in particular the Old People in the Bungalows in Kennett Gardens, and also many residents close to these premises in Frome road, Jones Hill and St Catherines Quay.

Trevor T. S Tees

Barbara E. Tees

Copies to Bradford on Avon town Council
Mr Hasan Tarkan Kisioglu

This page is intentionally left blank



14 Frome Road
Bradford on Avon
Wiltshire
BA15 1LE
19/01/2011

Dear Sir/ Madam,

I am writing to express a very strong objection to the application of a licence for the Kennet and Avon Canal Trust Café, 15 Frome Road.

The idea that this is even to be considered in such a building and location seems ridiculous, but I will quickly highlight the glaringly obvious factors from my point of view anyway-

Very close proximity to areas of residence. Most notably a row of bungalows built specifically for and occupied by old age pensioners, which look out immediately onto the Café, only metres away.

The position of the Café, on the side of a wide stretch of the canal, means any noise will carry well along the canal and over to the adjacent cottages on Frome Road, which have lived in relative peace for hundreds of years.

I doubt anyone will have missed the fact that the café is incredibly close indeed to 14 Frome Rd, my home. Any increase in noise from its current use will cause untold upset and disruption to the lives of anyone in this house, and the consideration of this licence shows no respect or feeling for anyone living there. In reality, no matter what conditions are made, or measures taken, a licensed bar in a residential area will cause significant disruption.

Very close proximity to existing licensed premises. Anyone with any knowledge of the local area will appreciate that there is simply no need for another drinking/music establishment. There are three others within a stone's throw – and any attention needs to be focused on policing existing problems with venues of this nature, and most certainly not on exacerbating the situation by creating a new one.

Structural unsuitability of premises. The cottage was designed as a small two-bedroom living residence with appropriate facilities and space. There is clearly no space for the amenities required for what is being proposed. The cottage is very significant in the history of the K&A canal, any attempt to modify it to cater for this usage would be a historical crime and very surprised anyone has allowed it even to be considered.

Previous History of Canal Tavern. I have experienced the problems at the Canal Tavern under the charge of its current landlords, who I believe are responsible for the application of the new licence at the Café. As I have lived at 14 Frome Road all my life, I have visited the pub many times. I would confidently say that the current managers have caused by far the greatest upset to the local area. They have agreed to keep the noise under control but continue to disappoint.

On a more personal level, my room at 14 Frome Road, my bedroom for the last 21 years (all my life) is the closest anyone has to sleep to the Canal Trust premises. Since the building became a café I have learnt to cope with the occasional lie in being disrupted by the opening up and setting out of seating. However the noise of an alcohol licensed, music-playing venue just metres from my window would make my life quite unbearable. I often have to wake early in the morning for both work and leisure, the notion of an early night or good nights sleep would become impossible.

I am confident anyone in an important decision making position will appreciate that the licensing of the trust tea rooms isn't sensible, cannot be justified and is not what the area needs.

Kind Regards,

Edward Williams

16/01/2011



14 Frome Road
Bradford on Avon
Wiltshire
BA15 1LE

Re: 15 Frome Road alcohol/live music licence

Dear Sir/Madam,

I am writing to outline the reasons why I am opposed to granting an alcohol/live music licence to the café at 15 Frome Road, and why you should not take this decision lightly.

Firstly, the café is in the middle of a beautiful and tranquil area. This proposal, which includes selling alcohol to be consumed off the premises (ie. On the lock right outside my bedroom window) would have this spoiled, both for visitors and residents. The café as it is now, selling tea and cakes, is in keeping with the area and how we would very much like it to stay.

Apart from this, there is quite simply no need for another drinking establishment on Frome Road, with The Barge, The Canal Tavern and The Lock Inn serving nearby residents more than adequately. As it is, we are often woken up in the early hours by individuals leaving these premises and congregating on the lock for drunken behaviour.

Recently I can recall incidents such as a wheelie bin full of rubbish being thrown into the canal along with the ducks and swans, and also on more than one occasion people swimming in the canal at night. The safety implications of things like this must be taken into consideration especially as the café is on an unlit stretch of towpath.

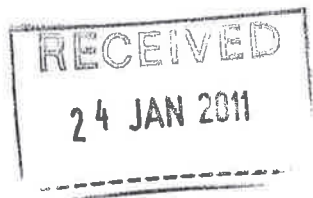
My sister and I are both students, so obviously do not want this noise going on quite literally on our doorstep. The café is also just metres away from a row of retirement bungalows and the anguish and upset this would cause the residents would be considerable.

If this licence was granted it would only lead to much more of this unnecessary disruption. I sincerely hope that you will bear this in mind and come to the right decision over this.

Kindest Regards,

Amelia Williams

This page is intentionally left blank



14 Frome Road
Bradford on Avon
Wiltshire
BA15 1LE
19/01/2011

Dear Sir,

I am writing to oppose most strongly the application of a premises licence for the Canal Trust Café. Firstly I would like to mention that notice of this was not placed in a very prominent place by the prospective landlords. It is tucked away in the corner of one of the windows, where there is a notice board nearby. Therefore please bear in mind any responses you receive represent a small proportion of neighbours who would be opposed, but whose attention has not been drawn to the notice (I have spoken to local residents who had no idea about the proposal.)

My family have lived next door to 15 Frome Rd for over 23 years now. When we purchased our property, this cottage was a residential dwelling and we thought we had found the ideal location overlooking the lock by the side of the canal. During these years, we have always supported any events held by the K&A Canal Trust, particularly the annual Wharf Show, which took place for many years over one weekend in September. When it was decided by the trust several years ago to turn the cottage into tea rooms, we naturally had some concerns regarding unauthorised traffic, noise and litter along the towpath. This has on occasions been a problem, but we raised no objections.

However, the prospect now of contending with live music and the sale of alcohol on and off the premises from 0900-2300 is totally abhorrent to us and would certainly shatter any peace and security we have in our home and garden. We as local residents know from experience that these live music events can go on till after midnight, as they did on Tuesday December 28th, when the Kisiogus were responsible for the running of the Canal Tavern. This is despite meetings between the prospective landlords of the café and local residents.

The granting of this licence would be utterly unacceptable to us and our neighbours, particularly the elderly people whose cottages overlook these premises, many of whom have failing health and are house-bound.

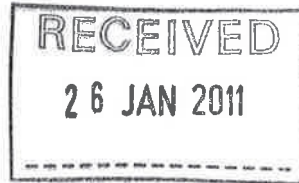
Finally, there is a plaque on the bench overlooking the lock, where I often sit with my dog as the day draws to a close, with a quotation from Aldous Huxley :

‘And here we sit in peaceful calm....’

Please do not allow this to be ruined for us.

Yours faithfully,

Mrs. Geraldine Williams.



14 Frome Road
Bradford on Avon
Wiltshire
BA15 1LE
22/01/2011

Re: Canal Trust Café

Dear Sir,

I have to express my outright objection to every aspect of the proposal for a licence for no. 15 Frome Road.

We have lived here as a family of five for almost 25 years since buying our listed home (number 14) from British Waterways. The sale was covered by several conditions – not to run a business, alter it in any way or subdivide – all of which I agree with. The house has been restored over the years, always with regard to the historic importance of the upper wharf area, which remains largely unspoilt at the moment.

Next door to us is number 15, which was an unaltered lock keeper's cottage and family home until recently, when the K&A Trust started a souvenir shop/café. We had concerns over this, and the thought of this little cottage being granted any sort of licence fills me with despair. It is simply not suitable; far too small to contain any of the proposed uses, meaning events would end up spilling out onto the unlit towpath (which in itself ought to be considered as a health and safety issue.) I imagine gazebos and marquees gradually becoming a permanent fixture and an eyesore in the canal lock area which we have always tried to preserve.

Anyway, there can be no justification for further licensed premises. We already have three within a few yards, and have had to put up with worsening disruption from these.

Please do give careful consideration to my objections as I do not want to see this area degenerating into the situation to be found on the lower wharf.

Yours faithfully,

David Williams

This page is intentionally left blank

Mr & Mrs D Bright
22 Frome Road
Bradford on Avon
Wiltshire BA15 2EA

24th January 2011

Wiltshire Council Environmental Health
Licensing Section
Bradley Road
Trowbridge
BA14 0RD



Dear Sir/Madam

Re: Canal Trust Café Licence Proposal

I am writing to express our concern regarding the above proposal at 15 Frome Road, Bradford on Avon. We already have three licensed premises within throwing distance of each other and do not see any need for another.

The premises in question is very small, sits directly underneath properties occupying older people who I am sure would not appreciate loud noise of any kind. Why would a small café feel the need to hold indoor sporting events, live music, recorded music between the hours of 9am and 11pm, this seems so unnecessary; particularly as we have pubs in the vicinity that often hold these kind of events. Part of its charm is that it sits on the canal towpath and is a perfect place for walkers, cyclists and holiday makers to stop and enjoy refreshments and the idyllic spot on which the café sits.

Many thanks for taking the time to read this letter.

Yours faithfully

David and Niki Bright

This page is intentionally left blank

35a Frome Road
Bradford on Avon
BA15 2EA

Environmental Health Licensing Section
Wiltshire Council
Bradly Road
Trowbridge
BA14 0RD

27th January 2011

Dear Sir/Madam

Canal Café, Bradford on Avon

We are writing to express our opposition to the license application of the Canal Trust Café.

The reasons for our opposition are:

- There already three existing licensed premises in close proximity
- Particularly in the summer, the neighborhood already suffers from disturbances late at night by drinkers and loud music from the existing licensed premises. At closing time, there is considerable activity in what is a residential area. The following morning usually involves having to clear cans and bottles from our front garden.
- Clearly any additional license, particularly with an off-site element, will only further exasperate the situation.
- On behalf of the elderly residents in the housing directly behind the café, the granting of an alcohol, music and dancing license would be clearly be extra-ordinary and outrageous.

For these reasons, we are assuming that common sense will prevail and this license will not be granted.

Yours sincerely

Paul and Jane Watts

This page is intentionally left blank

No. 2.

Environmental Health Licensing Section
Wiltshire Council
Bradly Road
Trowbridge
BA14 0RD

| | | | |
|-------------|---|---|---|
| RECEIVED | | | |
| 27 JAN 2011 | | | |
| 1 | 2 | 3 | 4 |

41 Frome Road
Bradford on Avon
BA15 2ED

16th January 2011

Re: Canal Café – Bradford on Avon

Dear Sir

We wish to object most forcibly to every part of the application of the Canal Trust Café for the licence referred to above.

Present alcohol proposals.

The proposed addition of another outlet for alcohol is completely unjustified and the possibility of alcohol sales from 0900 until 2300, both on and off the premises, fills us with horror. It must be remembered that this is very much a residential area with houses placed directly adjacent to the canal banks.

Existing alcohol outlets.

This area is already well-stocked with alcohol providers as there are three existing licensed premises in the immediate vicinity. In fine weather householders are frequently disturbed and aggravated by noisy drinkers but especially so at night. Locals often find empty bottles and cans dumped in their front gardens. Any theoretical closing time tends to be completely ineffective as drinkers hang around the well lit bridge area often bawling and shrieking into the night.

Intended noise and music

The request to be permitted to create noise and music of all kinds from 1000 until 2300 is truly alarming to all local residents. The past disputes with the Kisioglu family are well documented in the files of the Environment and Licensing departments and clearly demonstrate their attitude to their neighbours.

The present 'truce' was only achieved by the intervention of Wadworths, the Public Protection Services, and a large meeting of aggrieved neighbouring residents. A Code of Practice was eventually agreed between the two parties and lodged with the Environment Department. When taking over the Canal Café Mrs Kisioglu assured us that they would not be seeking any further licence extensions. Bearing this in mind we find the present application insensitive and cynical.

Dance &c.

The very small internal area of the Café strongly implies that these events will have to be held outside. By their very nature partakers get excited and create even more noise which adds further to that of the music. Apparently there are no toilet facilities which could lead very unhygienic practices around the towpath area.

Adjacent housing.

The planners have permitted the building of houses in the infill areas which has resulted in the creation of St. Katherine's Quay (two blocks), Kennet Gardens (two blocks) and various infill areas in the Frome Road during the last few years. All these are extremely close to the Canal Café.

Kennet Gardens in particular is only a matter of yards away and will be subjected the most daunting effects of these activities. Most of the residents here are very elderly and sleep on the side of the house directly overlooking the café.

Houses directly opposite and on the other side of the canal will be detrimentally affected by these proposals as they are in the 'firing line' of the noise.

We would also like to point out that most of the local houses were here many years before the present trend to turn the wharf area into a canal theme park and tourist playground.

In our view there seems to be a direct contradiction between the planners understandable desire to permit more housing in the area, in contrast to the undermining effect of the creation of businesses which cause the erosion of living standards and general annoyance, in the same area.

We urge that the relevant authorities should only permit developments which properly respect the natural rights of those living in the vicinity.

That would need to be:- no noise and music, and no additional alcohol sales.

For these reasons we absolutely oppose all points in this licence application.

Signed:

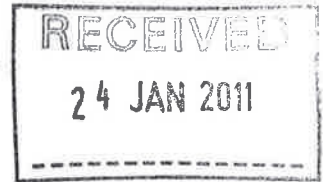
Signature

Name and address

Continuation sheet no 2.

L. EDWARDS.
50 FROME RD. B.C.A.

From the Chairman of St. Katherine's Quay Ltd
7 St. Katherine's Quay
Bradford on Avon
BA15 1LG



Environmental Health Licensing Section
Wiltshire Council
Bradley Road
Trowbridge

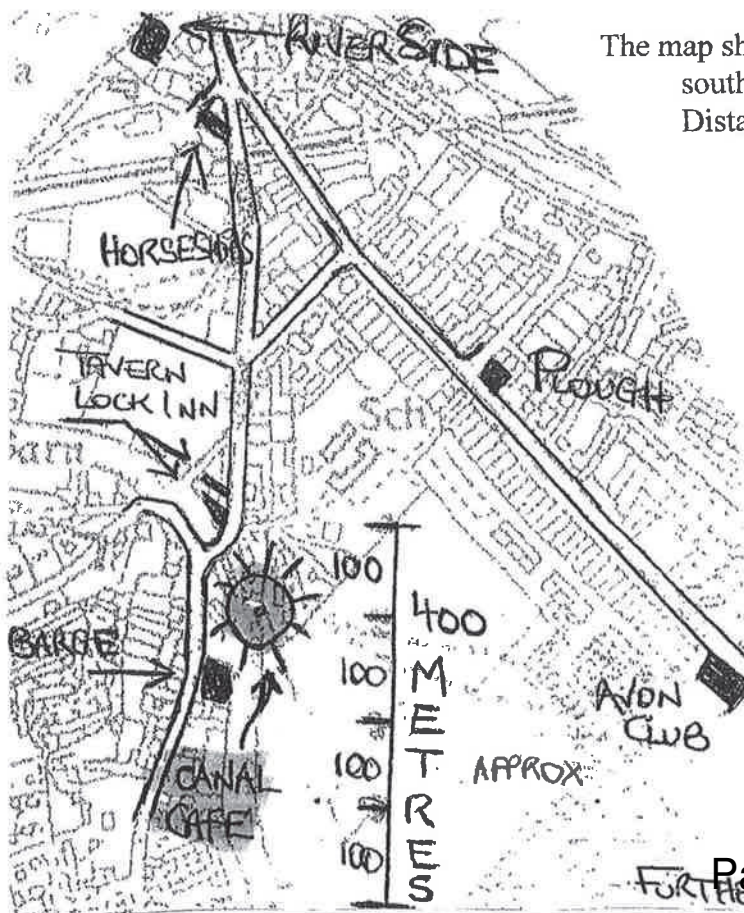
January 14 2011

It is with dismay that we note an application to change the use of the Canal Trust Tea Rooms and we would be grateful if you would put on record our strongest opposition. It would appear that the cafe, housed in a small building on the canal towpath (originally the lock keepers small abode), is applying to sell alcohol and play music from 0900 to 2300 with a variety of other noise creating activities between 1000 and 2300.

The cafe is in a residential area far too well served by establishments selling drinks and making noise late into the night. People who live here are often woken by "drunks" walking along the towpath or loitering, noisily on the canal bridge after leaving the Canal Tavern, Lock Inn or Barge, all within a stones throw of each other. See map below.

The cafe, as it is now, is small inside and we cannot believe the noise of music, live or otherwise, would not spill out of the building, annoying many local residents. There are two blocks of OAP bungalows immediately behind the Canal Trust Tea-rooms, we hope they will be considered when this application is processed.

Please note that this application has been made by the same people who caused so much correspondence over their use of a music licence when running the Canal Tavern



The map shows all the existing licenced premises, I believe, south of the river Avon

Distances are in metres approximate and direct line.

- Riverside within 700m
- Avon Club within 600m
- Horseshoes within 550m
- Plough within 400m
- Canal Tavern 150m
- Lock Inn within 150m
- Barge within 100m

PLEASE WE DO NOT NEED YET ANOTHER OUTLET FOR MUSIC AND ALCOHOL THERE ARE MORE THAN ENOUGH NOW.

Thank you for reading this.

MARTIN WOOLDRIDGE

SIGNATURE

PRINT NAME

ADDRESS

18.1.

ANTHONY
COOK

70 St. Katherine's
Quay, BA15 1LQ.

MARY
GERRISH

9 St. Katherine's
Quay
BA15 1LQ.

ELAINE PARSONS

8, ST KATHERINE QUAY
BA15 1LQ.

✓

PAUL HOBSON

7 KENNET GARDENS
BA15 1LT

18.3.

*

TEES

12B Home Road.
BA15 1LE



**10 St Katherine's Quay
Bradford-on-Avon
Wiltshire
BA15 1LG**

Tel: 01225 863252

Environmental Health Licensing Section
Wiltshire Council
Bradley Road
Trowbridge
BA14 ORD

22/01/2011

Dear Sir or Madame,

Canal Trust Tearooms, Bradford on Avon.

My husband and I wish to make a formal objection to the application displayed in the window of the tearooms on the canal towpath for a licence to sell alcohol and to play music until 11pm at the premises.

We live close by and fear that the granting of this application will be detrimental. Perhaps you would be good enough to note our objections.

Yours faithfully

Lynne Cook

(Counter signed by my spouse, Anthony Cook)

This page is intentionally left blank

RECEIVED

26 JAN 2011

L Baldock
42 Spencers Orchard
Bradford on Avon
Wilts
BA15 1TJ
Mob No: 07765 369168

23 January 2011

Wilts Council Environmental Health Licensing Section
Bradley Road
Trowbridge
Wilts
BA14 ORD

To whom it may concern

I have recently found out that a notice was placed in the Canal Trust Café applying for a premises licence. I can't think of a worse place to allow it to happen! The canal attracts lots of visitors who come for the picturesque and tranquil qualities of Bradford on Avon, local families enjoy frequent strolls along the canal who may think twice about taking their children along the tow-path in fear of them picking up hypo needles and splashing through puddles of sick which, no doubt having a licence in a quiet area like this, would attract the sort of people who would leave these things behind.

The café is only small so all events would have to take place outside, does Bradford on Avon really want loud music on from 9am until 11pm? Were you aware that there are OAP bungalows behind the café or does this not matter to the council? The council some years ago showed they were not interested in the older generation when they took over St Margaret's hall, which the OAP club used on a Wednesday afternoon, only to charge extortionate rates so that they were no longer able to afford to use it and the club had to shut down.

Bradford on Avon is a really expensive area and buyers have to pay much more for their houses (as well as high council tax) for instance, I could buy a 4 bed detached house in Hilperton for the same price my house is worth. We are not complaining that the prices are high as we are accustomed to high standards and we would expect more from Bradford's council to keep it this way.

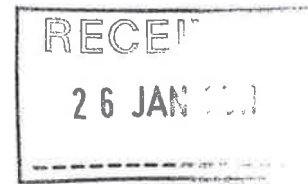
We have public houses in the vicinity already, I, myself would have thought that we don't need another. Other towns have allowed this sort of thing and they have ended up with a lot of trouble, how long before the films and performing arts will turn into a place for drunks to hang out and then slip into longer opening hours and then a night club! A lot of holiday makers hire canal boats which moor up along side the canal, I can't see anyone wanting to have a relaxing time with crowds of people drinking and loud music booming out until late at night.

As I live quite near to the canal and use it to take my elderly mother for walks in her wheel chair, I think I have some right to be concerned. I am also surprised that nobody seems to have had any notice of this venture being put through their letterboxes!

Yours Faithfully

This page is intentionally left blank

**44 Spencers Orchard
Bradford on Avon
Wilts
BA15 1TJ**



24th January 2011

Wiltshire Council Environmental Health
Licensing Section
Bradley Road
Trowbridge
Wiltshire
BA14 0RD

Dear Sirs,

**Mr Hasan Tarkan Kisioglu
Application for Premises Licence, Canal Trust Café
15 Frome Road, Boa, BA15 1LE**

The above has applied for licence for the “sale of alcohol for consumption on the premises/sale of alcohol for consumption off the premises from 0900-2300, performance of plays, films, indoor sporting events, live music, performance of dance, making music and dancing from 1000-2300 and recorded music 0900-2300”.

The building concerned has operated for a number of years as a tea-room, with a small number of tables inside – the space is very limited – and a number of tables outside in good weather. The garden is prize-winning and recently the surrounding area has been paved and could accommodate more tables than previously. As such, the tea-rooms have become a real asset to the upper wharf area of the canal, providing a different, (alcohol-free), service to the area than that already available from the Barge Inn, The Canal Tavern and the Lock Inn Licensed Café.

The area surrounding the tea-rooms is largely residential, with a private residence immediately bordering it along the tow path and a grouping of old people’s bungalows immediately behind. (The bungalows are elevated from the site of the tea-rooms). Further along the towpath in the direction of Moulton Drive is the Bailey’s Barn development and across the canal is Spencers Orchard, another residential development.

I wish to lodge my objection to the above application in its’ entirety on the grounds of the above two paragraphs. In short:-

- It is in an area which already provides for all the functions listed in the application. The Barge Inn and the Lock Inn are very popular venues.
- Because of the restriction on indoor space, much of the above activity would take place out of doors thereby creating a sound nuisance in – my third point of objection.....
- It is in a residential area, which includes in the immediate area, housing for the elderly.

Yours sincerely,

Denise Leigh (Mrs)

This page is intentionally left blank

Dear Sirs

26.1.11

I am amazed this "tiny" cafe is
applying for a licence for alcohol/Music.
We already have 3 licenced premises in
the same area, which can cause disruption
I can imagine the noise would be worse in
the summer and would spill out into
the garden and to path. Therefore I

strongly object to this proposal

(Mrs. V. RUNACRES)

This page is intentionally left blank

Received 27.1.11

The Old Cottage
55 Spencers Orchard
BRADFORD ON AVON
Wilts
BA15 1TJ

26/1/2011

Dear Sirs

LICENSING TEAM – CANAL TRUST TEA SHOP BRADFORD ON AVON

Further my telephone to Maggie in your department yesterday, I am putting my objections to the above application in writing and am delivering by hand to yourselves on 27th January 2011.

I believe I come under the category of 'Interested Party' as I live within the vicinity of the premises applying for the license.

My property abuts the canal bank in Bradford on Avon just down from the Canal Trust shop. It is a very quiet, beautiful area and is wildlife corridor between Trowbridge and Bradford on Avon. We have an abundance of wildlife which even include Kingfishers and Bats and have even seen Water Voles swimming and nesting on the bank both by our house and also near to the Canal Trust Shop.

Noise travels very easily across water, this is a residential area and any music played outside the shop would certainly cause a public nuisance for us all who live here.

Many visitors from both here and overseas have commented on how nice and peaceful it is here, we used to run a B&B business and that is one of the things people commented on. There are many species of birds and bats, we have some in our loft, all of these would be affected. The bats can be seen flying on the opposite side of the canal (same side as the Trust shop) do we want really want to risk these disappearing?

Bradford town centre itself has no loud outside music playing so why should we have to put up with this in the rural area? I went to speak to the lady at the Canal Trust shop and enquired when exactly she planned to play the music and was told "whenever I want to" I said what would happen if we complained should she get permission, and she replied "by the time you complain to the council, the function will be over and they won't be able to do much about it by then".

We have always worked closely with the local Boat Hire people, as occasionally there is a "hen or Stag" party on a boat, and they immediately call the people to ask them to turn down the noise, they also appreciate the fact it is a residential area and as I have already stated sound carries over water. I got the feeling that the owner did not share this view as she told me it was none of my business how she ran her "tea Shop".

I understand, to the best of my knowledge, that few or no objections were raised for their Tea Shop application which is a fitting business for the canal bank, but is this what it was really leading to? Apparently, wedding receptions and birthday parties will be catered for and she told me she fully intends to carry on until 11.00 at night and will then apply for a later licence for certain functions if she so wishes!. She also said that horse racing (betting on videos of racing) would be shown outside, I cannot imagine how much noise this will create!

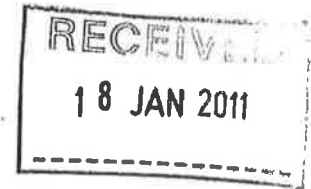
Although they have complied with your rules by displaying the planning application in their window, their shop is on the Towpath and unlikely to be seen by the residents unless they go and look in the window. Some residents in Spencers Orchard knew nothing of the application even though we will all be affected, I was only told on Sunday afternoon after happening to meet someone in Sainsbury's and I will be really affected by the noise if they get permission.

There are also other drinking establishments within the area, and with this financial recession do we really need another one? It just spreads the potential takings for each establishment even further, which does not give support to those who have been trading for many years, and have given us no cause to complain. Another very important fact, are you familiar with the position of the premises, it is right next to the open lock, easy to fall into and extremely difficult to get out of, especially if under the influence, although there is a life belt available, this sometimes goes missing! Are they prepared to provide adequate safety measures? The licensed premises near to them do not have this particular problem as they are on the other side of the lock which would make it far easier for them to rescue someone.

We would be more than happy to come and air our grievances to yourselves if required, so please do not hesitate to contact us.

Yours sincerely

Gloria Maslen



12 The Maltings Bradford on Avon Wiltshire BA15 2EP

16th January 2011

Dear Sirs

re: Canal Trust Cafe Licence Proposal, Frome Road, Bradford on
Avon Wiltshire BA15 1LE

I wish to protest against the granting of a Licence at the above premises.

The residents immediately adjacent to the cafe already contend in the warm months with late night music etc., from the Barge Inn and Canal Tavern and to add to this would be extremely unkind.

I can understand that the Trust wishes to make more money, but not at the expense of others and with possible ill feeling at the lock.

Yours faithfully

A handwritten signature in cursive script, appearing to read "P. Bemment".

(Mrs.) P. Bemment

Wiltshire Council Environmental Health Licensing Section
Bradley Road, Trowbridge,
Wiltshire BA14 ORD

cc The Kennet and Avon Trust

This page is intentionally left blank

The Canal Trust Café Presentation

Ref: Premises Licence Application H.T.Kisioglu
15 Frome Road, Bradford on Avon



We have written this presentation to give a quick insight of the Canal Trust Café in the support of the premises licence application.

The Kennet & Avon Canal Trust was formed in 1962 by a group of canal enthusiasts to restore the then closed Kennet & Avon Canal from Reading to Bristol as a 'through' navigation as a public amenity. The trust now has over 5,000 members and since the canal was officially reopened by HRH the Queen in 1990 its role has been to raise awareness of the great significance of the waterways and contribute funds towards its continuing maintenance!

There are 6 shops/café along the Kennet and Avon canal and ours is situated on lock 49 in a very picturesque setting. The Café was originally the Lock Keepers Cottage and was opened as a café by The Prince of Wales in May 2003. Since then it has been very popular with locals, the boating community and visitors to the area. The photo below gives you an idea of the location of the café as it is set just back from the tow path after the lock.

(Picture 1: approaching the café from the lock)



My husband and I have been running the café for just over a year now. When we first arrived it was tired and dated so we have invested a lot of time and money to upgrade the building, inside and out. We have recently installed a prep room upstairs in order to meet the high demands of food orders in the summer months.

The café is a small downstairs area which seats 24 people, there is a small open plan kitchen and a pretty garden to the side, there is room for a few tables to the front of the building and a few to the patio area. Upstairs is a prep room, staff toilet and an office. The garden is maintained by the volunteers throughout the summer and has always won awards.

The photos below will give an insight of the style of the café and how pretty it looks. The following page is an example of our present seasonal menu.
(Picture 2 & 3 views from inside)



(Picture 4 – a beautiful view of the garden)



(Picture 5 – front view of café)





The Canal Trust Café

Menu

(Please order at the counter)

Hot beverages

Pot of Tea from £1.50
Fresh brewed coffee £1.50
Cappuccino £2.00
Latte £2.00
Espresso £1.50
Hot chocolate £2.00
Mocha £2.50



Shmoo ...Thick Shakes

Regular £1.75
Large £2.25
Choose from strawberry,
Chocolate or banana
All topped with whipped cream & sprinkles

Breakfasts served till 12pm



Full English Breakfast £5.00

Cumberland sausage, bacon, hash brown, grilled tomatoes, mushrooms, egg, beans & toast

The Hungry One's Breakfast £6.50

2 sausages, 2 bacon, hash brown, grilled tomato, mushrooms, black pudding, egg, beans and toast

Veggie Breakfast £5.00

Veggie sausages, hash browns, egg, grilled tomatoes, mushrooms, beans & toast

Beans on toast £3.50

Toasted cheese sandwich £3.00

Bacon or sausage baps £2.50

Toast & butter £1.00

With jam £1.50

Cold drinks available from the fridge, starting from £1.20

Please take a look out for freshly baked Cakes & cookies!

Why not have one with a freshly brewed cup of coffee!

Toasted tea cake & butter
£1.75

Did you know we sell ice creams & pick & mix!!!

There's more





What about a sandwich.....?

(Take away £3.50)

Freshly made ciabattas £4.75

Served with dressed mixed leaves garnish and a handful of crisps

- *Hot bacon with brie & redcurrant jelly
- *Mature cheddar cheese with caramelised red onion chutney
- *Tasty ham & coleslaw
- *Tuna mayonnaise with cucumber
- *Chicken mayonnaise with mixed leaves



Freshly made soup of the day

£3.95

Served with ciabatta bread & butter

Home Made Quiche £6.00

Why not try a slice of our home made quiche, served with mixed leaves, fresh bread, coleslaw and red onion chutney



Paninis.....

Would you like your sandwich hot?

Just choose your favourite filling and we can toast it for you for just an extra 25p

Children's boxes £3.95

Chicken nuggets/fish fingers or sausages & chips + drink

Or

Cheese roll, crisps, raisins, drink & biscuit

Home made Cheese burgers!

Try one of our home made ultimate

Burger meals, served in a toasted bun with salad, coleslaw and fries. Add bacon for an extra treat!

£6.95 burger +fries

50p with bacon



A portion of Chips £2.50

Canal Side Lunch!

£6.50

A selection of cheeses, salad garnish, ciabatta bread, homemade coleslaw, and red onion chutney

Ham Egg & Chips! £7.50

Everyone's favourite classic!

Delicious ham served with salad, a generous portion of fries and 2 fried eggs

HOME MADE CAKES

Ask at counter for today's fresh cakes on sale
Only £2.50 a slice

CREAM TEAS

Home Made scone, Jam & clotted cream &

A pot of tea

£3.95

(add £1.00 for extra scone)

Last season when we were open during the summer months, we noticed a gap in the market to sell a small range of alcoholic beverages. A lot of customers were asking for a local ale or cider and we were having to turn custom away. This was one of the main reasons why we decided to apply for a licence.

Originally we ran a local pub called The Canal Tavern, just a few yards away. Our plan was to come out of the pub and run the café full time. We handed over the pub to the new tenants in January and see the Café now as our main priority.

When applying for a premises licence, it is quite a costly procedure and we thought it necessary to apply for the entertainment that could be possibly required in the future. I expressed deeply in my main application that there will be no regular music or entertainment and that we won't be staying open till late.

However, when the notice went up in the window, it caused a lot of upset with the neighbours close by and they have strongly expressed there to be no disturbance from music or late night opening. I feel the main application justifies our plans and it must be acknowledged that we never intend to be a bar or a pub, I can't express enough how important it is to know that it is a small café with no cellar facilities, just a few rows of local ale/cider etc in the fridge to meet the demand of the summer trade.

When reading the representations I was quite shocked that so many people were worried about the music issues, people had heard some very odd ideas; one lady for example said we were planning on showing video horse racing outside! I even sent a letter to everyone apologizing for the confusion (see appendix 1). I felt a lot of people were comparing us to the Canal Tavern where we did have a few noise issues in the past but we invited the residents to the pub and came up with an agreement. It was quite harsh some of the things people wrote in their letters and if you refer to appendix 2 for example this letter should be dismissed as none of the words that I apparently quoted came from me. I felt hurt that people would view me in that manner.

Noise pollution is a very delicate subject in this local area; I can truly understand people do not want to be disturbed by other people's noise in their own back garden. There are 3 pubs very close by and we do not want to be associated or thought to be making noise, that is why it is necessary to perhaps withdraw any live music and gain the trust of the residents that the café will continue as normal and no extra nuisance will be generated from the café having an alcoholic licence.

If granted our main revenue will still be from tea & coffee/food/ice creams. We will be selling local beer to promote local industries but again there is not much room for a lot, it is just so we don't miss out on custom. We had a table for 6 for example last year, 2 of them wanted a beer so they left and went to the pub across the road. We also sell the boat trip tickets and the souvenirs for the Trust.

We have full support of The Canal Trust in our application (see appendix 3) and also our local customers have supported us as well as staff. We have talked to the local businesses near by and we also have their blessing. Many of the local neighbours have come in to show us the petitions and letters that have been sent round and understand why we are applying for a licence.

We are very experienced in the licence trade and it is only when you let people miss use alcohol that it becomes a problem. Our aim is not to have the pub trade but have the option available to our customers if required. It would be nice for people to take advantage of the surrounds and of an early evening, enjoy a glass of wine and a bowl of olives for example, that is the impression we'd like to give out: not larger louts and stag dos!

I'd like to conclude by expressing again that we do not intend on generating any more traffic to the area, we have no intention on having late nights. We are a young family with 3 children; a café is more suitable with our life style. The café is very small, there is no room for in door entertainment and there will be no out door amplified music. The purpose of applying for the licence is to have that option available and not miss out on opportunities. We are both very considerate people and understand people's worries and concerns over noise. If granted a licence, the residents will not be disturbed from us selling alcohol.

Tarkan Kisioglu

Victoria Kisioglu

The Canal Trust Café
15 Frome Road
Bradford on Avon
Wilts
BA15 1LE considerate
27th January 2011

Dear Neighbour

I write firstly, to sincerely apologise for the misunderstanding I may have caused with regards to the licence application for the café. It was very insensitive of me not to come and visit you before the notice went up to put your minds at rest. You may not know that our family has just moved out from the Canal Tavern so my mind has been a bit pre occupied! I really do apologise once again.

I also write to let you know that I don't intend on having any live music, whether it be indoors or out! I also certainly won't be staying open till all hours of the evening! We came out of the pub to concentrate on being a family and spend more quality time together. My husband is a manager at Centre Parc and running a small seasonal café, fits in with my family life.

When applying for a licence, it is quite a costly affair and it was advised to apply to the items that I may want to use. The only time I can think of having out door music is during the Fringe festival, which would be a Sunday Afternoon! I will not be creating any more custom at the café by having a licence, it is just meeting the demand and giving my guests more options. I feel sitting in the garden with a glass of wine perhaps, on a summer's afternoon, or early evening is quite appealing to all. I really appreciate the concern for noise but there will be no extra from us. I would be just the same if I thought I was having a pub thrown at me at the bottom of the garden!

I am a very responsible person, and feel quite hurt from some of the comments made, when there were issues in the past from the Canal Tavern, I invited everyone to my home and came up with an agreement. It wasn't just the Canal Tavern that had music or noise.

I would like to finish off by again stressing that this is a small ground floor pretty tea room/café and by having an alcohol licence, will not disturb my neighbours in any way. There is no room for a cellar, so a row or two of alcohol drinks in the fridge will not be a major part of my business. I am just creating more choice for my customers; the tea rooms will never be a bar or a public house and daily music will continue to be in the form of light back ground radio music or classical c.ds.

I hope I have put your minds at rest, I really do appreciate everyone's concerns and worries. Please feel free to come and see me over at the café, during the winter it is open Fri, Sat, Sun, Mon from 9.30am till no later than 4pm.

Yours truly, Victoria Kisioglu

Appendix 2

0300 4560100

Received 27.1.11

The Old Cottage
55 Spencers Orchard
BRADFORD ON AVON
Wilts
BA15 1TJ

Ref: 1526584

26/1/2011

Dear Sirs

LICENSING TEAM – CANAL TRUST TEA SHOP BRADFORD ON AVON

Further my telephone to Maggie in your department yesterday, I am putting my objections to the above application in writing and am delivering by hand to yourselves on 27th January 2011.

I believe I come under the category of 'Interested Party' as I live within the vicinity of the premises applying for the license.

My property abuts the canal bank in Bradford on Avon just down from the Canal Trust shop. It is a very quiet, beautiful area and is wildlife corridor between Trowbridge and Bradford on Avon. We have an abundance of wildlife which even include Kingfishers and Bats and have even seen Water Voles swimming and nesting on the bank both by our house and also near to the Canal Trust Shop.

Noise travels very easily across water, this is a residential area and any music played outside the shop would certainly cause a public nuisance for us all who live here.

Many visitors from both here and overseas have commented on how nice and peaceful it is here, we used to run a B&B business and that is one of the things people commented on. There are many species of birds and bats, we have some in our loft, all of these would be affected. The bats can be seen flying on the opposite side of the canal (same side as the Trust shop) do we want really want to risk these disappearing?

Bradford town centre itself has no loud outside music playing so why should we have to put up with this in the rural area? I went to speak to the lady at the Canal Trust shop and enquired when exactly she planned to play the music and was told "whenever I want to" I said what would happen if we complained should she get permission, and she replied "by the time you complain to the council, the function will be over and they won't be able to do much about it by then".

We have always worked closely with the local Boat Hire people, as occasionally there is a "hen or Stag" party on a boat, and they immediately call the people to ask them to turn down the noise, they also appreciate the fact it is a residential area and as I have already stated sound carries over water. I got the feeling that the owner did not share this view as she told me it was none of my business how she ran her "tea Shop".

I understand, to the best of my knowledge, that few or no objections were raised for their Tea Shop application which is a fitting business for the canal bank, but is this what it was really leading to? Apparently, wedding receptions and birthday parties will be catered for and she told me she fully intends to carry on until 11.00 at night and will then apply for a later licence for certain functions if she so wishes!. She also said that horse racing (betting on videos of racing) would be shown outside, I cannot imagine how much noise this will create!

Although they have complied with your rules by displaying the planning application in their window, their shop is on the Towpath and unlikely to be seen by the residents unless they go and look in the window. Some residents in Spencers Orchard knew nothing of the application even though we will all be affected, I was only told on Sunday afternoon after happening to meet someone in Sainsbury's and I will be really affected by the noise if they get permission.

There are also other drinking establishments within the area, and with this financial recession do we really need another one? It just spreads the potential takings for each establishment even further, which does not give support to those who have been trading for many years, and have given us no cause to complain. Another very important fact, are you familiar with the position of the premises, it is right next to the open lock, easy to fall into and extremely difficult to get out of, especially if under the influence, although there is a life belt available, this sometimes goes missing! Are they prepared to provide adequate safety measures? The licensed premises near to them do not have this particular problem as they are on the other side of the lock which would make it far easier for them to rescue someone.

We would be more than happy to come and air our grievances to yourselves if required, so please do not hesitate to contact us.

Yours sincerely

Gloria Maslen



Bradford on Avon Branch

3rd February 2011

Mrs Victoria Kisioglu
Trust Tea Rooms
Frome Road
Bradford on Avon

Dear Victoria

Licence Application

Further to our previous conversations I am writing to formally confirm the local Branch Committee support for your application for a Licence to sell alcohol and provide musical entertainment at the Tea Rooms.

Over the past two years it has become apparent that some customers of the Tea Rooms would welcome the opportunity to purchase wine and beer with their meals and offering this service can only be a positive enhancement for the local customers and tourists.

The Tea Rooms are small but the opportunity for local musicians to offer low level entertainment seems sensible and would I am sure be popular.

I wish you well with your application.

Signed
David P. Inight
Branch Chair
KACT
Bradford on Avon

70 Baileys Barn
Bradford on Avon
Wilts

29th January 2011

To Whom It May Concern:

I write to show my support of the premises licence application for the café at 15 Frome Road. I work and live just behind the cafe. I use the tow path all the time and know how busy it gets in the summer.

I believe that if they are granted a premises licence I don't think it will make any difference and people won't even notice.

It is a very small café and she has told be her plans, which don't include loud music or restaurant opening hours. I will continue to use the café in the same way as before.

Yours faithfully

The Canal Trust
15 Frome Road
Bradford On Avon
Wilts
BA15 1LE

To whom it may concern

We are frequent users of the canal Trust Café and appreciate Victoria's reasons for applying for a premises Licence. She has informed us of the plans and support her application.

Yours faithfully

| Name | Address |
|---|-----------------------------------|
| 1 Ray John David John | 12345 |
| 2 | Bradford Marina Wiltshire |
| 3 | |
| 4 | — 38 FROME RD, BA15 2EH |
| 5 T.C. ROBINSON | N/B MONYQUE. McKintosh |
| 6 ANNE CARLAND | 1- MONYQUE RIMCulland. |
| 7 J. PIPER | 41 AVON CLOSE BRADFORD-ON-AVON |
| 8 C. C. J. RILEY | KENNETH N/S AVON |
| 9 S. JONE | " " " |
| 10 A. WELLS | " " " |
| 11 C. CHORLEY | LANCASTER |
| 12 A. WERLEY | MURCHING, Kent Canal |
| 13 H. Meerdink | Bradford on Avon |
| 14 L. Weisel | Bradford on Avon |

- 15 /AN KNIGHT
- 16 LEONARD WHITING
- 17 S. BECKET
- 18 LOTTIE ROUS
- 19 GEORGIE ROUS
- 20 PAUL CAMPY
- 21 EDWARD OBY
- 22 Brian McJannet
- 23 JACQUE McJannet
- 24 Ross Higgs
- 25
- 26 Steve Bowring
- 27 Denise Jupp
- 28 P.W. Foss
- 29 D Foster
- 30 H Jones
- 31 D. JONES
- 32 K Beckett
- 33 S Beckett
- 34 P. HOBSON
- 35 D. Weissenbruch
- 36 Leo whitebread
- 37 Antonia Satter

Leatherbarrow Sowerby Rd.
 Kingston Langley
 NARROW BOAT HARPER
 LOCAL RESIDENT

14 KETTON CLOSE, TROWBRIDGE
 14 KELLON CREE TROWBRIDGE
 BOANNAN (BOAT)

6 BOYBURY CLOSE
 BRIDFORD ON WAY BAISJOB
 11 Richard St, Bradford
 1 Richard St Bradford

K + A

"CHURCH" K + A

K + A

K + A

MIA 290

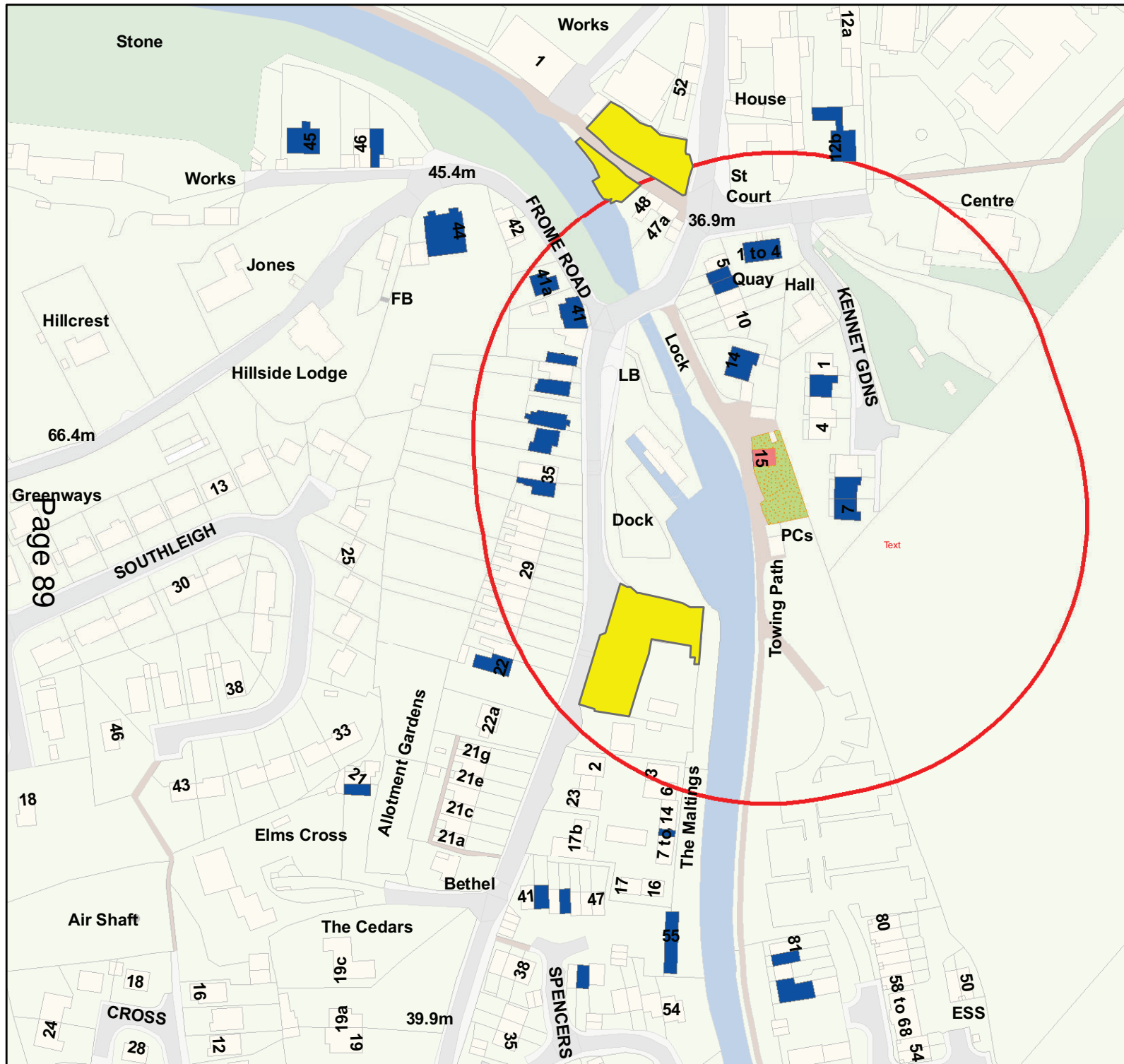
MARCO

NB Ventured
 NB Ventured

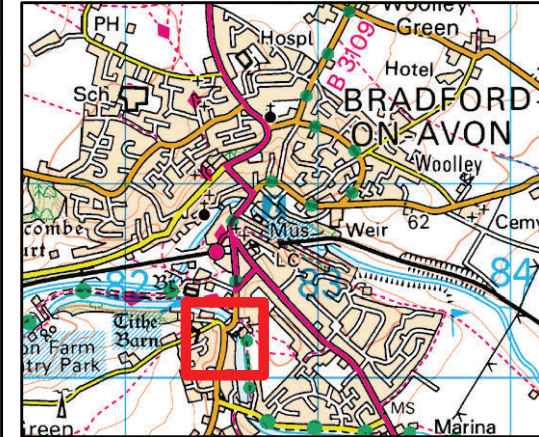
Baileys barn b-o-A

Westbury Wiltshire

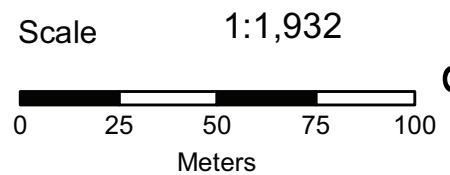
~~XXXXXXXXXX~~
 41 Mogg Street, St. Werburghs
 Bristol BS2 9UB.



**Premises Licence
Canal Trust Cafe
15 Frome Road
Bradford on Avon
Ref 10/00161/LAPRE**



- Canal Trust Cafe
- Proposed Outside Area
- 100m Buffer
- Address Raising Objection
- Other Licensed Premises



Reproduced from the Ordnance Survey mapping with permission of Her Majesty's Stationary Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License number 100049050

This page is intentionally left blank