

AGENDA

Meeting: Western Area Licensing Sub Committee

Place: Council Chamber - Council Offices, Bradley Road, Trowbridge,

BA14 ORD

Date: Monday 1 August 2011

Time: <u>10.30 am</u>

Matter: Hearing in respect of an objection notice from the Police to a

Temporary Event Notice for the Carpenters Arms, 26 Round

Street, Trowbridge, BA14 8DG

Please direct any enquiries on this Agenda to Anna Thurman, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713 597 or email anna.thurman@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 Trevor Carbin Cllr Peggy Dow Cllr George Jeans

AGENDA

1. Election of Chairman

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

2. **Procedure for the Meeting** (Pages 1 - 8)

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. Exclusion of the Press and Public

Exclusion of Public

The procedure to be followed in the hearing is governed by the Licensing Act 2003 (Hearings) Regulations 2005. Regulation 14 provides that hearing 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. Under this principle, the Licensing Authority can exclude the public from all or part of the hearing, as considered appropriate. In view of the representations and evidence that has submitted, the Sub-committee is asked to consider whether the public should be excluded from any part of the hearing in this instance.

6. **Licensing Application** (Pages 9 - 50)

To consider and determine a Police Objection Notice received in respect of a Temporary Events Notice for The Carpenters Arms in Trowbridge.

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 Review Applicant (or the Applicant's Representative) will orally present its submission which may include:
 - A presenting their case in accordance with the papers, which will have been circulated with Agenda papers;
 - B confirming key information and answer pertinent questions; and
 - C calling witnesses in support of the Application (see paragraph 4.3).

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.

The Premises Licence Holder and/or their representative will orally present their representations which shall include;

- A The response to the representations made by the Review Applicant, a Responsible Authority/Authorities and/or an Interested Party/Parties; and
- B Whether they would be happy to accept any modifications to the Licence as suggested by the Review Applicant, a Responsible Authority/Authorities and/or an Interested Party/Parties.

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 for Temporary Event Notices

This is a summary of the procedures to be followed at hearings of the Licensing Sub Committee in respect of Objection Notices to Temporary Event Notices.

- 1. The Chairperson will welcome all those present and introduce the Application.
- 2. The Chairperson invites the Councillors/Officers/Police Representatives/Premises User to introduce themselves.
- 3. The Chairperson outlines the Hearing Procedure.
- 4. The Licensing Officer presents the Committee Report.
- 5. The Police representatives will be invited to fully outline their objection to the Temporary Events Notice addressing the crime and disorder licensing objective. Witnesses may be called.
- 6. Questions to the Police Representatives by the Sub Committee Members/Premises User to be directed through the Chairperson.
- 7. The Premises User will fully outline their response and address the crime and disorder licensing objective. Witnesses may be called.
- 8. Questions to the Premises User by the Sub Committee Members/Police Representatives to be directed through the Chairperson.
- 9. Closing statement from the Police representatives who should briefly summarise their key points.
- 10. Closing statement from the Premises User who should briefly summarise their key points.
- 11. Sub Committee retires with the Committee Lawyer and Committee Manager to consider its decision.
- 12. Sub Committee returns and the Lawyer gives a summary of any legal advice that may have been given to the Sub Committee, and invites the parties present to make any comments on that advice.
- 13. The outcome of the Sub Committee's consideration will be given by the Chairperson.
- 14. If the Sub Committee resolves to issue a Counter Notice to the Temporary Events Notice (i.e. if the application for a Temporary Event Notice is refused) this will be issued to the Premises User following the hearing.
- 15. The Premises User or the Chief Officer of Police may appeal against the Sub Committee's decision to the Magistrate's Court. Any appeal must be lodged within 21 days beginning with the day on which the appellant was notified of the decision. No appeal may be brought later than five working days before the day of the proposed temporary event.

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REPORT TO THE LICENSING SUB COMMITTEE (HEARING)

Agenda Item No: 6

Date of Meeting	1 August 2011
Title of Report	Police Objection Notice received in respect of Temporary Events Notice for The Carpenters Arms, 26 Roundstone Street, Trowbridge, BA14 8DG
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

Two Temporary Event Notices (TENS) was served on the Licensing Authority on Wednesday 20 July 2011 and Wiltshire Police on Thursday 21 July 2011, by Mrs Tamnatha Davis.

Where the Chief officer of Police, who receives a copy of the notice, is satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective, he must give a notice stating the reasons why he is so satisfied (an objection notice) within 48 hours to the Licensing Authority and the premises user.

An objection notice issued by Wiltshire Police, dated Friday 22 July 2011, was served on the Licensing Authority. (Appendix 3).

Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the Police objection.

In accordance with Section 105 the Licensing Authority must, having regard to the objection notice, give the premises user a counter notice under this section, if it considers it necessary for the promotion of the crime prevention objective to do so.

Officer Recommendations

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

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

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications	
None	Yes	None	None	None	
Contact Officer		Mrs Maggie Jones Licensing Officer, (West Hub) 01225 770536 Maggie.Jones@Wiltshire.gov.uk			

1. Introduction

Two Temporary Event Notices (TENs) were served on the Licensing Authority, by Mrs Davis for two separate events to be held in the function room of The Carpenters Arms Public House.

The police may only object on the grounds that they are satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective. In such circumstances, the police must give an objection notice to the Council and the premises user stating the reasons why they are so satisfied within 48 hours of receiving the TEN from the premises user.

The sub-committee may consider only the crime prevention objective in these circumstances; the other three objectives specified by the Licensing Act 2003 (public safety, the prevention of public nuisance and the protection of children from harm) may not be considered.

2. Background Information

The premises, including the function room, have a premise licence issued under the Licensing Act 2003, licence number WW0500972LAPRCO. (Appendix 4)

The licence permits the sale of alcohol (on and off sales) recorded music, live music, facilities for dancing and performance of dance for the following hours.

Monday to Saturday 1100 - 2300 Sunday 1200 - 2230

3. Summary of Application

The two temporary events notices, as applied for, are as follows:

- (i) Jamaican Independence Party, Saturday 6 August 2011 2100 hours to 0230 hours, sale by retail of alcohol, provision of regulated entertainment and the provision of late night refreshment. (Appendix 1)
- (ii) Wedding reception, Friday 12 August 2011 2000 hours to 0130 hours, sale by retail of alcohol, provision of regulated entertainment and the provision of late night refreshment. (Appendix 2)

4. Legal Implications

In accordance with Section 105 the Licensing Authority must, having regard to the objection notice, give the premises user a counter notice under this section, if it considers it necessary for the promotion of the crime prevention objective to do so.

5. Risk Analysis

Not applicable.

6. Right of Appeal

It should be noted that there is a right to appeal the decision made by the Licensing Sub Committee at the Magistrates Court.

Both parties have been informed of the date, time and location of the hearing and their right to attend and be represented.

Appendices:	 1. Temporary Events Notice 2. Temporary Events Notice 3. Wiltshire Police Objection letter 4. Existing Premises Licence 5. Location plan
Background Documents Used in the Preparation of this Report:	 The Licensing Act 2003 The Licensing Act (Hearings) Regulations 2005 Guidance issued under sect 182 of the Licensing Act 2003 Wiltshire Council Statement of Licensing Policy

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T11-201



Temporary Event Notice

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment/default.htm) or from your local licensing authority.

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

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

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	2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)				
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8. Alternative address for	correspondence (If you complete the details below, we
will use this address to co	nespond with you)
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Post town	Post code
9. Alternative contact deta	ails (if applicable)
Telephone numbers:	
Daytime	
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(Optional)	
The presumes	s of the premises where you intend to carry on the
Please give the addres	it has no address give a detailed description (including
the Ordnance Survey refe	erences)
(Please read note 2)	
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If you intend to use only	part of the premises at this address or intend to restrict
the area to which this below. (Please read note	s notice applies, please give a description and details
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' `	30010,0 (001)
Please describe the natu	re of the premises below. (Please read note 4)
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Please describe the natu	re of the event below. (Please read note 5)
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3. The licenseine activities
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)
The sale by retail of alcohol
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
The provision of regulated entertainment
The provision of late night refreshment
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)
06/08/2011
Please state the times during the event period that you propose to carry of licensable activities (please give times in 24 hour clock). (Please read note 8)
9pm - 2-3dam
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)
If the licensable activities will include the on the premises only supply of alcohol, please state whether the
supplies will be for consumption on or off the premises only the premises, or both (please mark an "X"
next to the appropriate box). (Please read Both note 10)
4 Personal Internetholders, (Please read note, 17)
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you) If "Yes" please provide the details of your personal licence below.

Licence number		
Date of issue		
Date of expiry		
Any further relevant details		
😁 Provincia terrigoran, evantrollicas vol. Tigre groe (Plassa real 10.0		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you) If answering yes, please state the number of temporary event	es No	
notices you have given for events in that same calendar year		
	es No	
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you) If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year	Yes No	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes No	
(Please mark an "X" in the box that applies to you) Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes No	
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		/
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes No	
(Please mark an "X" in the box that applies to you)		1

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Send two copies of this notice to the licensing authority for the area in	
which the premises are located	/
Send a copy of this notice to the chief officer of police for the area in which	
the premises are located	
If the premises are situated in one or more licensing authority areas, send	
two copies of this notice to each additional licensing authority	-
If the premises are situated in one or more police areas, send a copy of	
this notice to each additional chief officer of police	
Make or enclose payment of the fee for the application	
Sign the declaration in Section 9 below	
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Name of the second seco	
E Contition Please (extinore 10)	Manager .
It is a condition of this temporary event notice that where the relevant licer	rsable
activities described in Section 3 above include the supply of alcohol that all	such
supplies are made by or under the authority of the premises user.	
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For completion by the Licensing Authority

£(.]\$*(\$0)	targeton Pierathan net 7
I acknowled	ge receipt of this temporary event notice.
Signature	Chris
	On behalf of the Licensing Authority
Date	22/11/07
Name of Officer signing	(RICARDO

T11-202



THE SHIRE

RECEPTION

JUL 2011

20

Ack

COUNCE

Action by Information on the Licensing Act 2003 is available on the website Culture, Media and Sport (http://www.culture.gov.uk/alcohol_and_entertainment/default.htm) or from your local licensing authority.

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

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described

* " (2 (d. &.)		of the trees late.	ा । इंद्रिक्क	\$ "ME	736*	
1. Your name)					
Title	Mr Mrs	Miss Ms	Oth	er (plea	ase state)	
Surname	T	SMS				
Forenames	$\neg \tau$	MINA	TILS	+		
2. Previous n	ames (Ple	ase enter details ease continue on	of any	previou arate si	us names or n heet if necess	naiden ary)
Title	Mr Mrs	Miss Ms	Oth	er (ple	ase state)	
Surname	1983					
Forenames						
3. Your date	of birth		Day	OU	Month	Year 67
4. Your place				13	KAD-GK	DOWAON
5. National In	surance N	umber				
Your curre you complete	nt address the separ	(We will use this ate corresponder	addre	ss to co	orrespond with ()	n you unless
CARROTECO AMA)						
26 RONDSTONS STREET						
Post town	Kous	4.055 P	ost co	de K	Ary 8	305
7. Other cont					and the second	
Telephone no Daytime	umbers	0122	3	7	8714	-6
Evening (opti	ional)		_			
Mobile (optio	nal)					
Fax number ((optional)					
E-Mail Addre (optional)	ss					

Alternative address for corresponde will use this address to correspond with the	ence (If you complete the details below, we th you)			
145 145				
Post town	Post code			
9. Alternative contact details (if application	able)			
Telephone numbers: Daytime				
Evening (optional)				
Mobile (optional)	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1			
Fax number (optional)				
E-Mail Address (optional)				
) The presides				
Please give the address of the prolicensable activities or if it has no act the Ordnance Survey references) (Please read note 2)	emises where you intend to carry on the ddress give a detailed description (including			
CALLEUTERS	ARNS.			
If you intend to use only part of the part area to which this notice app below. (Please read note 3)	premises at this address or intend to restrict lies, please give a description and details			
RNCTION	1007			
Please describe the nature of the pre	mises below. (Please read note 4)			
Public	Hass			
Please describe the nature of the event below. (Please read note 5)				
) an ace w	(LECOPTION)			

1 to real solution statement					
Please state the licensable activities that you intend to carry on at the licensable activities you intend to	ne premises carry on).				
(Please read note 6)					
The sale by retail of alcohol					
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club					
The provision of regulated entertainment					
The provision of late night refreshment					
Please state the dates on which you intend to use these premises for activities. (Please read note 7)	Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)				
12th August	11				
Please state the times during the event period that you propose licensable activities (please give times in 24 hour clock). (Please reactivities)	to carry on I note 8)				
8pm - 1-30 Am	*				
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 9)	1651				
If the licensable activities will include the supply of alcohol, please state whether the					
supplies will be for consumption on or off the premises only the premises, or both (please mark an "X"					
next to the appropriate box). (Please read Both note 10)					
	Column Co				
4) Personal linerage halders. (Please read hole 1);					
Do you currently hold a valid personal licence?	Yes No				
	Yes No				

Licence number Date of issue		
Date of issue		
1		
Date of expiry		
Any further relevant details		
		/
The state is a common to the common state of the second common state of the	ž <u>2</u>	300 1000
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	es/	No
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year	3	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	res	No P
TO CLASSOCIATE AND STORES COMPANIES FIRST PART OF THE		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	Ng Z
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	No/
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.	Yes	No

	SE TIRTS TO REPUBLICATION OF THE SECOND OF T	t san ta
Cond hup or	opies of this notice to the licensing authority for the area in	
which the pr	emises are located	
Send a copy	of this notice to the chief officer of police for the area in which	
the premises	e are located	ا عر
	es are situated in one or more licensing authority areas, send	\sqcap
	f this notice to each additional licensing authority	_
If the premis	ses are situated in one or more police areas, send a copy of	
	each additional chief officer of police	_
	lose payment of the fee for the application	
Sign the dec	laration in Section 9 below	
oigir and doo	3	_
	(8)	
	Please restituit 1/	
It is a condit	ion of this temporary event notice that where the relevant licer	nsable
activities des	scribed in Section 3 above include the supply of alcohol that al	I such
supplies are	made by or under the authority of the premises user.	1
The second second second	is in the contract contents.	10
The information contained in this form is correct to the best of my knowledge and		
belief.		-
I understand that it is an offence:		
(i) to knowingly or recklessly make a false statement in connection with this		
temporary event notice and that a person is liable on conviction for such an		
offence to a fine up to level 5 on the standard scale; and		
(ii) to permit an unauthorised licensable activity to be carried on at any place and		
	n is liable on conviction for any such offence to a fine not exc	
£20,000, or t	o imprisonment for a term not exceeding six months, or to both	١.
Signature		
Date		
Duic		
	20-0+-2011	
Name of		
	7AMATHA DOWN	

For completion by the Licensing Authority

in Arthuron	desgramment (Present rest meter 77)
i acknowled	ge receipt of this temporary event notice.
Signature	Corni
	On behalf of the Licensing Authority
Date	22/67/11
Name of Officer signing	CIRTURRO

Mrs M Jones Wiltshire Council Bradley Road Trowbridge Wiltshire BA14 0RD **Trowbridge Police Station**

Polebarn Road TROWBRIDGE Wiltshire BA14 7EP Telephone: 0845 408 7000

Ext:

Direct Dial: 01225 794628 Facsimile: 01225 794799 DX: 136006 Trowbridge 4

Date 22nd July 2011

Your ref

Our ref

Reply contact name is Jacqui Gallimore

Dear Mrs Jones

Temporary Event Notice (TEN) - Carpenters Arms 6th August 2011 and 12th August 2011

We are in receipt of two temporary event notices for the premises Carpenters Arms Trowbridge.

The premises have over a six month period been the subject of crime and disorder and police have been meeting with the management in a bid to reduce the number of incidents.

The premises and its management are the subject of an ongoing investigation in relation to offences under the Licensing Act 2003, as a result of activity at the premises between midnight and 02.00 hours.

Police are aware that the premise has taken some additional steps to ensure that the licensing objective, crime and disorder is promoted when a function or party is in progress. Police are not satisfied that these steps have been sufficient and effective.

Police believe that the issue of TENS to the premises on the 6th and 12th of August would undermine the licensing objective, crime and disorder and object to the grant of these licences.

Yours sincerely

Jacqui Gallimore Licensing Officer

CC - Mrs T Davis Carpenters Arms, Mr M Cradock Carpenters Arms

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Licensing Act 2003 Premises Licence

Premises Licence number

WW0500972LAPRCO

Premises details



Viltshire Council Licensing Team West 165 Bradley Road Trowbridge BA14 0RD

Tei 0300 4560100

Postal address of premises or, if none, Ordnance Survey map attended or description

The Carpenters Arms 26 Roundstone Street

Post town

Trowbridge

Posi code

BA14 8DG

Telephone number

01225 752630

Licensable activities authorised by the licence

Sale of alcohol (on and off sales)

Recorded Music

Live Music

Facilities for dancing

Performance of dance

Where the licence is time limited, the dates

This premises licence was originally valid from 24 November 2005

This version of licence is valid from 10 June 2011

The times authorised by the licence for the carrying or o'licensable activities

The playing of recorded music can take place at a patime.

The permitted hours for the sale of alcohol (on and off sales) are.

On weekdays other than Christmas Day and Good Friday, 11031 rs until 2300 hrs

On Good Friday and Sundays other than Cl ristinas Day, 1200 are until 2230hrs

On Christmas Day, 1200hrs until 1500 ars and again 1900hrs until 2230hrs

On New Years Eve from the end of permitted hours until the start of permitted hours the following day.

The playing of live music, performance of dance and the provision of facilities for dancing may take place: Mondays - Saturdays $1000 - 230^{\circ}$ % Sun Jays 1200 - 2230.

Premises Licence number

WW0500972LAPRCO

The opening hours of the premises

The premises can remain open at any time

Where the licence authorises the sale of alcohol whether these are on [and / or] off sales

The premises can remain open at any time

Name, (registered) address, Nephone no and email (if relevant) of holder of premises licence

Wellington Pub Company 25 Harley Street London W1G 9BR

Registered number of holder, for example company number, coarny number (where applicable)

03406623

Name, address and telephone number of designated rice mises supervior where the premises licence authorises the sale of alcohol

Tammatha Davis

[Any address has been removed for data protection reasons]

Personal licence number and issuing authority of personal licence held by the designated premises supervisor where the premises incence authorises the sale of alcohol

WW1100053LAPER granted by Viltshire Council

Mandatory conditions

Alcohol

Where this Licence authorises the supply of alcohol:

- 1. No supply of alcohol may be made under this Liver ce:
- a. At a time when there is no Designated Premise's Supervisor in respect of it
- b. At a time when the Designated Premises Supervisor does not hold a Personal Licence.
- 2. Every retail sale or supply of alcohol make under this license must be made or authorised by a person who nolds a Personal Licence.

To take effect from 6 April 2010 -

Irresponsible Promotions (Or Sales Only)

- 3. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises 15 nct carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 3. (2) In this paragraph, on irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within ϵ t',n : limit or otherwise):
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table mail, as defined in section 159 of the Act);
- (c) provision of free or discounted alcount on any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
- (i) the outcome of a race, compention or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alconol in association with promotional posters or flyers on, or in the vicinity on, the premises which can reasonably be considered to condense encourage or glamorise anti-social behaviour or to refer to the effects of chunkenness in any favourable manner.

Dispensing Alcohol Directly into the Mouth (On Sales Only)

4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a discoil by).

Free Tap Water (On Sales Only)

5. The responsible person shall ensure that free typ water is provided on request to customers where it is reasonably available.

To take effect from the 1 October 2010 -

Age Verification Policy

- 6. (1) The premises licence holder or ab premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- 6. (2) The policy must require individuals who appear to the responsible person to be under 18 years of the conclusion of the policy) to produce on the policy) to produce on the policy) to produce on the policy bearing their photograph, that of birth and a holographic mark.

Drink Volume Mer sur as (On Sales Only)

- 7. The responsible person shall ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

Door Supervision

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

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

Exhibition of Films

Where this Licence authorizes the exhibition of film s:

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

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

Conditions and restrictions from transferred licences

Sale, supply and consumption of alcohol

Alcohol shall not be sold, supplied or consumed in the premices except during the permitted hours for the sale of alcohol.

The above restriction does not prohibit:

- (a) during the first twenty minutes after the above cours the consumption of the alcohol on the premises:
- (b) during the first twenty minutes after the ab we hours, the taking of the alcohol from the premises unless the alcohol is sup, fied or taker in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons talling neals their if the alcohol was supplied for consumption as ancillary to the meals,
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the icensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to 4 treder or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces:
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to porsons employed there for the purposes of the business carried on by the hold of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Children

No person under fourteen shall be in the bar of the licenced premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premise; licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of pessing to of from which there is no other convenient means of access or egress.
- (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide to any purpose to which the holding of the licence is ancillary.

In this condition "bar" include any phace exclusively or mainly used for the consumption of intoxicating here or. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Premises Licence number

When Live Music, Performance of Dance or Facilities for Dancing are being provided:

The maximum number of persons, including staff, permitted to be present on the premises during licensed hours shall not exceed:

Bar areas 60 Function Room 60

Supplies of free drinking water

When dancing takes place after 2300 hours is any premises. Licence Holders shall ensure that there is an adequately signed free potable water supply within at least one area of the premises, excluding the kitcher, and that free drinking vessels are available when necessary.

Noise

Noise generated by the premises single be kept at such a level at the boundary of any occupied property that it would be inlikely to be a nuisance to the occupier.

The Licence Holder shall menitor noise at the boundary of dwellings likely to be affected on at least a minimum of three occasions during each event to prevent the condition being breached and shall maintain a written record of such monitoring, available for inspection at any reasonable time. When the venue is let to a second party then the Licence Holder shall ensure the second party enforces this provision.

The Licence holder shall take all necessary steps to prevent residents in the neighbourhood being unreasonably disturbed by noise made by patrons waiting to enter and when leaving the premises

Electrical installation

At the distribution board the power supply to all electrical economent which is portable or of a temporary nature shall be protected at source by residual current devices of 30 mill-amps sensitivity conforming with BS 4293.

Production lighting

Where production lighting is suspended in the ruditorium ablive the audience, each light fitting must be attached to a separate secting device by the as of a safety chain. Safety chains or lightweight spotlights and similar, may be linked by an appropriately strong chain or device.

Fire

All doors or openings used as fire exits small be clearly indicated using exit signs.

All doors leading from exits into passageways or the outside of the premises shall be kept clear of obstruction at all times

When required by West Wiltanire District Council before 24 November 2005, doors shall be kept open fastened back by means of a padlock or other device.

All means of escape shall be kept free from obstruction or combustible materials.

All doors used for the purposes of exit must, if fastened during the time the public are in the building, be secured during such time only by automatic panic bolts and latches complying with BS 5725 Part 1, or such fastenings as may be approved by the Licensing Authority.

Doors fitted with panic bolts shall have the appropriate PUCH BAR TO OPEN sign.

The edges including nosing of treads or steps in going vays and on stairways shall be made conspicuous by means of a light coloured or reflective material.

All gangways, exit ways and stairways shall be maintained with a non-slip surface, and all gangways, passageways, staircases and exit ways much be left entirely free from items or any obstructions, whether permanent or temporary.

Any matting or other floor covering: shall be secured in such a manner as to prevent them creasing and be so maintained in a safe condition. Any mats shall be inset as to be flush with the floor, or provided with splayed fillets and secured in position.

All chains and padlocks used 'p secure doors that form any part of a means of escape must be removed and hung on a 'chain board' provided before the public are allowed on the premises.

Safety/Emergency lighting

All premises open to the public on more than one occasion each year shall be fitted with safety lighting to a minimum of one hour duration.

In the event of failure of the main lighting system the public should be instructed to leave the premises immediately if the safety lighting is only of cast our duration. If the safety lighting is available for a longer period then the entertainment may continue until there is one hour remaining of the safety lighting at which point the entertainment should be stopped and the public should be instructed to payo.

The premises shall be fitted with illuminated maintained exit signs, in accordance with British Standards 5266 Part I 1999.

The safety/emergency lighting is to be properly maintained in effective working order. Maintained or sustained lighting is to be illuminated whenever the premises are in use.

The licence holder shall have in place a sulable system for dealing with emergencies.

Record keeping

A log book is to be provided in which it record details of:

- Tests of fire-fighting equipment
- Tests of any safety/emergen y lighting.
- Fire drills carried out.

Incidents that involve the intervention of the door stewards (such as ejection's, injuries and disturbance).

The log book shall **not** be in loose-leaf form and shall have numbe equages. The person carrying out the test must record his/her name in the log lock together with the time and date of the check or incident.

The log book is to be separate from the fire log book as requested by the Wiltshire Fire Brigade and available for inspection at all times.

Fire Alarm

Weekly tests, using different call points for each cost, are to be called out on any fire alarm installed at the premises.

Fire equipment

All fire equipment required by this licence wust be kept in a working condition.

Seating

Any upholstered furniture or seating which is either purchased, provided, or replaced, during the period of this licence, snow be capable of satisfying Crib Ignition Source 5 of BS 5852 Part 2 1980. Seating shall be arranged to allow clear means of escape from the premises.

When the premises are being used by close-seated audiences (moveable seating) the arrangements are to accord with the following:-

- Gangways at least 1.1m in width and sited to conform with the means of escape, are to be provided to intersect the seating so that the centre of any seat is not more than 3.66m from a gangway measured along the line of seating.
- Where more than 200 persons are to be accommodated, all sea's are to be securely fixed to the floor or battened together in sections of between 4 and 12 seats.
- **Standing area** standing will only be allowed in the standing area shown on the plan for consideration by the Licensing Authority.

Furnishings and scenery

All scenery, stage curtains and similar hangings, c'er rations, funcionings and fabrics, including costumes worn by performers, are to be of such material or so maintained that they will not readily catch fire.

Hanging curtains over exit doors or across gangways share be made to part in the centre, to hang so as to be drawn aside and not to trail on the floor, and be arranged so as to not conceal notices.

Attendants and stewards

At all times when a function is in progress, there must be an adequate number of attendants/door stewards on dury to assist persons entering or leaving the premises. In the majority of cases an adequate number of attendants would be provided if the following criteria is used:-

- Not less than one for every two hundred and fifty or part of two hundred and fifty persons present. The minimum number of stewards shall not be less than the number of exits.
- If the number of persons present on any floor or tier opes not exceed one hundred there shall be at least one additional attendant on Juty on that floor or tier
- Where the number of persons present on any floor or tier exceeds one hundred there shall be at least two additional attendants on acty on that floor or tier.

At entertainment or exhibitions organised wholly or mainly for children under the age of sixteen there must be at least:-

- One attendant for every one hundred child on or part of the hundred children on the lowest floor.
- One attendant for every fifty or part of fifty children an any floor above the lowest floor
- And in any case the number of attendants on any floor where children are admitted shall not be less than the number of exits for use by the public in leaving the floor.

Fire Procedure Training

The licence holder must easile that the person in charge, official attendants and himself are aware of the method of operating the fire extinguishers and the action to be taken in the event of a fire including evacuation of the premises, the method of calling the Fire Brigade and the location of the nearest available telephone.

Special Effects

Strobe lighting should not operate at more than 5 flashes per second.

Where either strobe lighting or smoke machines are in use warning signs must be clearly displayed. These signs must be displayed at a location curside of the room where the effects are being operated and in any case at a point prior to any payment being required for entry.

Naked flames and pyrotechnics

No naked flame or pyrotechnic devices shall be used in the premises without prior written consent of the Licensing Authority. All conditions at ached to any consent shall be observed.

Conditions consistent with the operating schedule

NONE

Conditions attached after a hearing by the licensing aution'v

NONE

Signed

Licensing Officer Wiltshire Council

Licence granted on 8 February 21 06

This premises licence was originally valid from 24 November 2005. This version of licence is valid from 10 June 2011.

LOCATION MAP: THE CARPENTERS ARMS, 26 ROUNDSTONE STREET, TROWBRIDGE, WILTSHIRE BA14 8DG (A)



