Wiltshire Council
Where everybody matters

AGENDA

Meeting:	Western Area Licensing Sub Committee
Place:	Council Chamber - Council Offices, Bradley Road, Trowbridge, BA14 0RD
Date:	Tuesday 20 March 2012
Time:	**10.30 am**
Matter:	5a Church Street - New Licence

Please direct any enquiries on this Agenda to, Anna Thurman of Democratic Services, County Hall, Bythesea Road, Trowbridge, BA14 8JN.

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 - 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. **Licensing Application**

   To consider and determine an Application for a Premises Licence by Mrs Tammantha Davis in respect of 5a Church Street, Trowbridge.

   5.a **Licensing Officer's Report** *(Pages 9 - 14)*

   5.b **Appendix 1 Application for a Premises Licence under the Licensing Act 2003** *(Pages 15 - 38)*

   5.c **Appendix 2 Revised Operating Schedule** *(Pages 39 - 46)*

   5.d **Appendix 3 Representations from Wiltshire Police and Wiltshire Council Public Protection** *(Pages 47 - 50)*

   5.e **Appendix 4 Supporting Evidence Submitted by Wiltshire Police** *(Pages 51 - 118)*

   5.f **Appendix 5 Supporting Evidence Submitted by Public Protection Officer** *(Pages 119 - 124)*

5.g **Appendix 6 Police DPS Objection Letter** *(Pages 125 - 126)*

5.h **Appendix 7 Location Map of the Premises to be Licensed** *(Pages 127 - 128)*

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LICENSING COMMITTEE

PROCEDURAL RULES FOR THE HEARING OF LICENSING ACT 2003 APPLICATIONS

1 Purpose

1.1 These rules have been prepared to facilitate proper consideration of licence applications, made under the Licensing Act 2003, by the Licensing Committee and its Sub Committees.

1.2 The rules set out a framework for how applications are to be heard and explain the role of the participants at the Hearing.

2 Definitions

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

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

"Applicant's Premises" means premises subject to the Application.

"Applicant's Representative" means a person attending a Hearing to assist or represent an Applicant including a lawyer.

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

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

"Committee" means the Council's Licensing Committee and includes any Sub Committee of the Licensing Committee.

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

"Committee Manager" means the Council's Officer who is present at a Hearing to take minutes.

"Committee Report" means the Licensing Officer's written report to the Committee concerning an Application, a copy of which has been previously made available to the Applicant or their Representative, a Responsible Authority or their Representative or 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

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.

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WILTSHIRE COUNCIL

WESTERN AREA LICENSING SUB COMMMITTEE

20 MARCH 2012

Application for a Premises Licence; 5a Church Street, Trowbridge, BA14 8DR

1. Purpose of Report

1.1 To determine an application for a Premises Licence in respect of 5a Church Street, Trowbridge made by Mrs Tammatha Davis.

2. Background Information

2.1 An application for a Premises Licence in respect of 5a Church Street, Trowbridge has been made by Tammatha Davis for which relevant representations have been received.

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

2.3 The licensing objectives are:

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

2.4 Such steps are:

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

2.5 On 24 January 2012 an application for a Premises Licence was received and accepted as a valid application and is attached as **Appendix 1**.

2.6 The application as originally applied for is as follows:

Licensable Activity	Timings	Days
<u>Provision of regulated entertainment</u> Live music (Indoors)	1900 – Midnight 1900 – 0100 1800 – 2300	Monday to Thursday Friday & Saturday Sunday
Recorded Music (Indoors)	1100 – Midnight 1100 – 0200 1100 – 0300 1200 – 2300	Monday & Tuesday Wednesday & Thursday Friday & Saturday Sunday
Sale by retail of alcohol (on the premises)	1000 – Midnight 1000 – 0200 1000 – 0300 1100 – 23.30	Monday & Tuesday Wednesday & Thursday Friday & Saturday Sunday
Performance of Dance & Facilities for dancing (Indoors)	1900 – Midnight 1900 – 0200 1900 – 0300 1900 – 2300	Monday & Tuesday Wednesday & Thursday Friday & Saturday Sunday
Anything of a similar description (Karaoke)	1900 – 0200 1900 – 2300	Wednesday & Thursday Sunday

2.7 5a Church Street has previously been licensed for the supply of alcohol and regulated entertainment. The licence was surrendered in early January 2012.

2.8 There are two other premises in Church Street which are currently licensed as follows:

The White Swan P.H Alcohol & Recorded Music Live Music, facilities for making music & dancing	1200 – 0130 2000 – Midnight	Monday - Sunday Wednesday - Saturday
The Charcoal Grill (late night refreshment)	2300 – 0300 2300 – 0430	Monday – Thursday & Sunday Friday & Saturday

2.9 A location plan of the premises to be licensed is attached as **Appendix 7** to this report.

2.10 A copy of the plans submitted by the Applicant with the application will be available at the hearing.

3. Consultation and Representations

3.1 The application process requires a public notice to be posted on the premises for a period of 28 days, in addition to a notice in a local publication**.** During the consultation period relevant representations have been received from two Responsible Authorities.

3.2 Responsible Authority

Wiltshire Police
Public Protection – Environmental Protection

3.3 Interested Parties

None

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

Representation	Licensing Objective	Accepted	Comments
Application does not adequately promote the licensing objectives	Crime & Disorder Public Safety Protection of children from harm	Yes	
Suitability of the building Management history – recent history of non-compliance with the Wiltshire Council's Environmental Protection Team.	Public Nuisance	Yes	

3.5 The relevant representations are attached as **Appendix 3.**

3.6 Supporting evidence as submitted by Wiltshire Police is attached as **Appendix 4.**

3.7 Supporting evidence as submitted by Wiltshire Council Public Protection Environmental Officer is attached as **Appendix 5.**

3.8 Wiltshire Police have also objected to the part of the application specifying Tammatha Serina Davis as the Designated Premises Supervisor (DPS) as undermining the crime prevention objective. Wiltshire Police Licensing Manager's letter dated 16.2.2012 is attached as **Appendix 6.**

3.9 On the 20 February 2012, following an exchange of correspondence between the Wiltshire Police and the Applicant, a revised operating schedule was submitted to Wiltshire Council and Wiltshire Police. The submitted paperwork also included changes to the hours of operation for the following licensable activities:

Sale by retail of alcohol – All days except Sundays, commencing at 1100. Sundays commencing at 12 noon.
Fridays & Saturdays terminating at 0230.
Recorded music – Mondays to Saturdays commencing at 1900.

The revised operating schedule is attached as **Appendix 2.**

4. Legal Implications

4.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

4.2 The Applicant, all Responsible Authorities and Interested Parties who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.

4.3 At the hearing all those Responsible Authorities and Interested Parties who have made representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

5. Officer Recommendations

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

6. Right of Appeal

6.1 It should be noted that the Applicant, the Responsible Authority and Interested Parties who have made representations, may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.

6.2 In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision made by the Magistrates Court.

6.3 A Responsible Authority or an Interested Party may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but if requested by an Interested Party, will not normally be granted within the first 12 months except for the most compelling circumstances.

Report Author: Maggie Jones
Mrs M Jones, Policy & Licensing Officer – Licensing Team, West Hub
Date of report: 9 March 2012

Background Papers Used in the Preparation of this Report

- **The Licensing Act 2003**
- **The Licensing Act (Hearings) Regulations 2005**
- **Guidance issued under Section 182 of the Licensing Act 2003**
- **Wiltshire Council Licensing Policy**

Appendices

1 Application for a Premises Licence under the Licensing Act 2003.
2 Revised operating schedule
3 Representations from Wiltshire Police & Wiltshire Council Public Protection
4 Supporting evidence submitted by Wiltshire Police
5 Supporting evidence submitted by Public Protection Officer
6 Police DPS objection letter
7 Location map of the premises to be licensed

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LICENCING

CONS UP. 21/2/12

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 TAMATHA DAVIS
(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			
5A CHURCH STREET			
Post town	TROWBRIDGE	**Post code**	BA14 8DR

Telephone number at premises (if any)	781146
Non-domestic rateable value of premises	£ 4300 B 12500

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 in Wales	☐	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	☐	please complete section (B)
h)	the chief officer of police of a police force in England and Wales	☐	please complete section (B)

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

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 ☐	Mrs ☑	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname DAMS			**First names** TAMATHA		
I am 18 years old or over				☑ Please tick yes	
Current postal address if different from premises address	26A ROUNDSTONE ST				
Post Town	TROWBRIDGE			**Postcode**	BA14 8DT
Daytime contact telephone number	781146				
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname			**First names**		

I am 18 years old or over			☐ 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 02 02 2012

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)

BAR, DISCO, LIVE ENTERTAINMENT
OVER THIRTIES & THEME NIGHTS
COFFEE MORNINGS

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)	☐
b) films (if ticking yes, fill in box B)	☐
c) indoor sporting events (if ticking yes, fill in box C)	☐
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	☐
e) live music (if ticking yes, fill in box E)	☑
f) recorded music (if ticking yes, fill in box F)	☑
g) performances of dance (if ticking yes, fill in box G)	☑
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	☑
Provision of entertainment facilities:	
i) making music (if ticking yes, fill in box I)	☐
j) dancing (if ticking yes, fill in box J)	☑
k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	☑
Provision of late night refreshment (if ticking yes, fill in box L)	☐
Supply of alcohol (if ticking yes, fill in box M)	☑

In all cases complete boxes N, O and P

A

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	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for performing plays** (please read guidance note 4)		
Thur					
Fri			**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					
Sun					

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	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for the exhibition of films** (please read guidance note 4)		
Thur					
Fri			**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					
Sun					

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			**Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for boxing or wrestling entertainment** (please read guidance note 4)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			**Will the performance of live music take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☑
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	7 PM	12 PM	**Please give further details here** (please read guidance note 3)		
Tue	7 PM	12 PM			
Wed	7 PM	12 PM	**State any seasonal variations for the performance of live music** (please read guidance note 4)		
Thur	7 PM	12 PM			
Fri	7 PM	1 AM	**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	7 PM	1 AM			
Sun	6 PM.	11 PM			

F

Recorded music Standard days and timings (please read guidance note 6)			**Will the playing of recorded music take place indoors or outdoors or both – please tick** (please read guidance note 2)		
				Indoors	☑
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon	11 AM	12 PM	**Please give further details here** (please read guidance note 3)		
Tue	11 AM	12 PM	JukeBox		
Wed	11 AM	2 AM	**State any seasonal variations for the playing of recorded music** (please read guidance note 4)		
Thur	11 AM	2 AM			
Fri	11 AM	3 AM	**Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Sat	11 AM	3 AM			
Sun	12 PM	11 PM			

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)		
Day	Start	Finish		Indoors	☑
				Outdoors	☐
				Both	☐
Mon	7 PM	12 PM	**Please give further details here** (please read guidance note 3)		
Tue	7 PM	12 PM			
Wed	7 PM	2 AM	**State any seasonal variations for the performance of dance** (please read guidance note 4)		
Thur	7 PM	2 AM			
Fri	7 PM	3 AM	**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	7 PM	3 AM			
Sun	7 PM	11 PM			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			**Please give a description of the type of entertainment you will be providing** KAREOKE		
Day	Start	Finish	**Will this entertainment take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☑
Mon				Outdoors	☐
				Both	☐
Tue			**Please give further details here** (please read guidance note 3)		
Wed	7	2			
	PM	AM			
Thur	7	2	**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 4)		
	PM	AM			
Fri					
Sat			**Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Sun	7	11			
	PM	PM			

I

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**		
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for the provision of facilities for making music** (please read guidance note 4)		
Thur					
Fri			**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)		
Sat					
Sun					

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	☐ ✓
				Outdoors	☐
				Both	☐
Day	Start	Finish	**Please give a description of the facilities for dancing you will be providing**		
Mon	7 PM	12 PM	**Please give further details here** (please read guidance note 3)		
Tue	7 PM	12 AM			
Wed	7 PM	2 AM	**State any seasonal variations for providing dancing facilities** (please read guidance note 4)		
Thur	7 PM	2 AM			
Fri	7 PM	3 AM	**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	7 PM	3 AM			
Sun	7 PM	11 AM			

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)			**Please give a description of the type of entertainment facility you will be providing**		
Day	Start	Finish	**Will the entertainment facility be indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☐
Mon				Outdoors	☐
				Both	☐
Tue			**Please give further details here** (please read guidance note 3)		
Wed					
Thur			**State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j** (please read guidance note 4)		
Fri					
Sat			**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** (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	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for the provision of late night refreshment** (please read guidance note 4)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list** (please read guidance note 5)		
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	☑
				Off the premises	☐
Day	Start	Finish		Both	☐
Mon	10 AM	12 PM	**State any seasonal variations for the supply of alcohol** (please read guidance note 4)		
Tue	10 AM	12 PM			
Wed	10 AM	2 AM			
Thur	10 AM	2 AM	**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)		
Fri	10 AM	3 AM			
Sat	10 AM	3 AM			
Sun	11 AM	11.30 PM			

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

Name	TAMMATHA DAVIS
Address	26 A ROUNDSTONE STREET TROWBRIDGE
Postcode	BA14 8DG
Personal Licence number (if known)	11/00053/LAPER
Issuing licensing authority (if known)	WILTSHIRE COUNCIL

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)

N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)		
Day	Start	Finish
Mon	10 am	12.30 pm
Tue	10 am	12.30 pm
Wed	10 am	2.30 pm
Thur	10 am	2.30 pm
Fri	10 am	4.00 pm
Sat	10 am	4.00 pm
Sun	10 am	11.30 pm

State any seasonal variations (please read guidance note 4)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

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)

BECOME MEMBERS OF LOCAL PUB WATCH
DRINK PROMOTIONS TO BE WATCHED / NO BINGE DRINKING
NOTICES IN PLACES TO ASK CUSTOMERS LEAVE QUIETLY
FREE DRINKING WATER
ANYONE ENTERING DRUNK OR AGGRESSIVE TO LEAVE PREMISES

b) The prevention of crime and disorder

NO BOTTLED DRINK / GLASSES TO LEAVE PREMISES.
GET INVOLVED WITH CRIME PREVENTION, RUN
LOCAL POLICE.
NO DRUNKEN PEOPLE TO BE ALLOWED TO ENTER.

c) Public safety

COLLECT EMPTY GLASSES AT ALL TIMES.
RISK ASSESSMENT KEPT UP TO DATE.
ELECTRICAL SAFETY AND GAS CHECKS.
STAFF TRAINING ON LICENSING LAWS.
SUPPORT ANY DIRECTIVES RECEIVED FROM AUTHORITIES.

d) The prevention of public nuisance

DOORS AND WINDOWS KEPT SHUT.
NO BOTTLES OR GLASSES OFF OF PREMISES.
ALL CUSTOMERS WILL BE NOTICED OF LEAVING
PREMISES QUIETLY.
DOOR STAFF FOR THREE / FOUR DAYS OPENING AT ALL TIMES

e) The protection of children from harm

TRAINING STAFF / ASK FOR ID BY PERSONS UNDER AGE.
UNDER 18'S TO BE WITH RESPONSIBLE ADULT.
INCLUDING PREVENTION OF ADULTS BY ALCOHOL
DOOR STAFF TO CHECK ID ON ADMITTANCE.

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	21. 1. 2012
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)			

Consent of individual to being specified as premises supervisor

I TAMMATHA SERINA DAVIS

[full name of prospective premises supervisor]

of 26a ROUNDSTONE STREET
TROWBRIDGE
BA14 8DG

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

5A CHURCH STREET

[type of application]

by

[name of applicant]

relating to a premises licence (1) WW0700103LAPRVA

[number of existing licence, if any]

for 5A CHURCH STREET
BA14 8DR.

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

TAMMATHA DAVIS

[name of applicant]

concerning the supply of alcohol at

5A CHURCH STREET
TROWBRIDGE
BA14 8DR
FORMER PEEWEES

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

11 / 00053 / LAPER

[insert personal licence number, if any]

Personal licence issuing authority

WILTSHIRE COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print) TAMMATHA DAVIS

Date 9 / 1 / 2012

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operating schedule and licencing objectives
prepared by
tammatha newbury

Name of Applicant Tammatha Newbury

Premises Name

Address of Applicant 26a Roundstone Street/ Carpenters Arms

Premises Address 5a Church Street Trowbridge

CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

Door Supervisors

I will use or employ door supervisors at all times when a licensable activity is being carried out and I consider them necessary to:
• Prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder;
• Keep out excluded individuals (subject to court or pub watch bans)
• Search and exclude persons suspected of carrying illegal drugs or offensive weapons; or
• Maintain an orderly queue outside the venue.
2. I will ensure that any Door Supervisors used are registered by the Security Industry Authority. *(Note: This is a mandatory condition where Door Supervisors are employed or used on a licensed premises)*
3. I will use or employ at least two door supervisors on each floor or tier, in addition to those located in any access/egress point, during the whole of the time any licensable activity takes place.
4. I will make sure that a female supervisor will be available if searches are to be conducted on female customers.

CCTV & Communication

5. I will provide a means of two way communication to report incidents between the premises and the local police or CCTV monitoring centre.

6. I will install Video/CCTV equipment inside/outside the premises and ensure that it is maintained in working order.
7. I will set Video/CCTV equipment to record from the time that the premises open to the public until the premises close and all members of the public have left.
8. I will ensure that any cameras covering the exterior of the premises are left to record for the duration of the tape and for a period not less than .....24 hours.....). *(Where members of the public congregate outside the premises after they are closed)*
9. I will ensure that monitoring tapes are retained for at least twenty eight days and are produced to an authorised officer on demand.
10. I will put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premises.

Bottles and Glasses

11. I will ensure that drinks are only available for consumption from plastic vessels or toughened glass.
12. I will ensure that no drinks are available for consumption from glass bottles.
13. Where glass bottles are used, they will be retained or disposed of on the premises.
14. No customers will be admitted, or permitted to leave when carrying open or sealed bottles or glasses.

Restrictions on Drinking Areas

15. I will ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule.

Capacity Limits

I will provide Door Supervisors to ensure that the capacity limit is enforced.

Proof of Age Cards

18. I will ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have reason to suspect that the individual may be under 18 years of age.

19. Restricting persons under 18, we will endeavour to maintain all suitable checks on ID before entering our venue , we will have touch id installed at both end of bar before serving if we are in any doubt , but door staff will be maintaining high level of checks before entering.

Drinks Promotions

20. I will adopt and comply with the British Beer and Pub Associations Guidelines on On-Trade Promotions.

Prohibited Substances

21. I will implement a policy agreed by the Police and local authority

22. I will ensure that a secure deposit box is kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal.

Premises Drug Policy

. As we are aware of drug misuse in and around the town, we will have notices around the property stating laws on drug misuse and if anyone found on premises will be reported immediately and drugs will be removed, we will have regular checks in toilets and outside areas where there is a chance of drugs being used, our door staff will however if for any reason suspect drugs on anyone entering will be searched, and then drugs if found will be sealed and passed on to local police authority and person will be named for the police to deal with, make sure tables are cleared at all times

23. Staff will be trained and instructed to report accordingly,
We accept that despite are endeavours drugs may find there way on to our premises and we also notice the health risks associated with drugs are not only to the user. Risk to the non user , members of the public and staff are equally relevant.
24.The safety and comfort of customers and staff cannot be overstressed . Risk assessments for events in our venue will give recommendations for
First aid and medical emergencies
Prevention of overcrowding and heating

Handling of sharps (syringe needles) and suspect substances.

Notices

22. I shall ensure that public information notices about crime and disorder issues are displayed at the request of the Council or the wiltshire Constabulary.
23. I will display any restrictions on the admittance of individuals according to age (e.g. Children) on or immediately outside the premises.
24. I will display any conditions of entry to the premises in the vicinity of any entrance to the premises.

Crime Prevention Schemes
25. I shall participate in the local pubwatch / nightsafe scheme operating in the District

.
Litter and Waste

29. I will be responsible for the disposal of waste on the frontage of the premises and make provision for the emptying of litter bins in the vicinity of the premises.

30. I will ensure that lighting is provided outside the premises during the hours of darkness when any licensable activity takes place on the premises.

Escape Routes

31. I will make sure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
32. I will make sure that where chairs and tables are provided, internal gangways are kept unobstructed.
33. I will make sure that all exit doors are easily openable and do not require the use of a key, card, code or similar means
34. I will make sure that doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check is kept.
35. I will make sure that any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
36. I will make sure that all fire doors are maintained effectively selfclosing and not held open other than by approved devices .
37. I will make sure that fire resisting doors to ducts, service shafts, and cupboards are kept locked shut.
38. I will make sure that the edges of the treads of steps and stairways are maintained so as to be conspicuous.

Safety Checks

39. Safety checks are carried out before the admission of the public or club members and guests; and details of such checks are kept in a Log-book.

Fire Action Notices
44. I will make sure that notices detailing the action to be taken in the event of fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration.
45. The fire brigade will be called at once to any outbreak of fire, however slight, and the details recorded in a Fire Log-book.

Access for Emergency Vehicles

47. Access for emergency vehicles is kept clear and free from obstruction.

Disabled People

48. I will make sure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency, and that patrons are made aware of these arrangements.

First Aid

49. I will make sure that adequate and appropriate supply of first aid

equipment and materials is available on the premises.
51. If more than one first-aider is present, I will make sure that their respective duties are clearly defined.

Lighting

52. In the absence of adequate daylight, I will make sure that the lighting in any area accessible to the public is fully operational.
53. I will make sure that Fire safety signs are adequately illuminated.
54. I will not alter Emergency lighting without prior notification to the Licensing Authority.
55. I will make sure that Emergency lighting batteries are fully charged before admission of the public.
56. In the event of failure of normal lighting, where the emergency lighting battery has a capacity of one hour, I will make sure that evacuation of the premises is possible within 20 minutes.
57. Where the emergency lighting battery has a capacity of three hours, I will make sure that evacuation of the premises is possible within one hour.

Safety Certificates

61. I will make sure that the following systems are maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and will keep the records of such inspections available for inspection by authorised officers on request:
• Building Electrical Installation
• Emergency Lighting System
• Fire Warning System
• Gas boiler, calorifier or appliance
• Oil fired boiler or appliance
• Suspended ceilings
• Portable fire fighting equipment
• Temporary Electrical Installation

Public Liability Insurance

62. I will make sure that I have valid public liability insurance in force and that a copy of the schedule is available for inspection by an authorised officer on request.

Alterations to the Premises

67. I will not alter the premises in such a way as to make it impossible to comply with an existing licence condition, without first seeking a variation of the premises licence.

Special Effects

68. I will make sure that the use of special effects or mechanical installation is arranged and stored so as to minimise any risk to the safety of the audience, performers and staff.

69. I will give prior notification to the Licensing and/or Fire Authority when I intend to use any of the following special effects:
• Dry ice machines and cryogenic fog;
• Smoke machines and fog generators;
• Foam cannon/snow machine;
• Pyrotechnics, including fireworks;
• Real flame;
• Firearms;
• Motor vehicles;
• Strobe lighting;
• Explosives and highly flammable substances;
• Lasers;

General

70. I will make free drinking water available at all times the premises is open to the public.
72. I will provide a "hot line" to a local taxi firm.
73. I will provide sufficient seating to accommodate quarter of the maximum capacity of the premises.
74. I will make sure that door staff on the premises monitor and record the number of patrons within the premises.
.

Gangways

81. I will make sure that sitting on floors is not permitted except where authorised in the premises licence.
82. I will make sure that waiting or standing is not permitted except in areas designated in the premises licence.
83. I will make sure that in no circumstances is anyone permitted to:-
(i) sit in any gangway;
(ii) stand or sit in front of an exit; or
(iii) stand or sit on any staircase including any landings.

CONDITIONS RELATING TO PUBLIC SAFETY

97. I will make sure that where tables and chairs are provided, clear gangways to exits are maintained.
100. I will not use any paraffin or other mineral oil in any lamp, stove or other appliance except for cooking purposes.

CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE
Noise and vibration

101. I will make sure that Noise or vibration is not noticable at the façade of any noise sensitive premises.
102. I will make sure that doors and windows are kept closed (except for ingress and egress) to reduce noise nuisance from the premises.
103. I will install and use a noise limiters on amplification equipment in accordance with guidance from the Council's Environmental Health Officers.
104. I will display prominent, clear and legible notices at all exits

requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
106. I will make sure that the placing of bottles into receptacles outside the premises takes place at times that will minimise disturbance to nearby properties.
107. I will make sure that during the final hour of opening the music is discernibly quieter.

109. I will make sure that any request by an authorised officer of the Council in relation to reducing noise levels is complied with.
110. I will ensure that any ventilation system has suitable sound attenuation.

Noxious smells

not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
114. Ensure that receptacles for waste are emptied regularly to minimise nuisance smells.

Litter
116. I will provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises/site.
117. I will make sure that receptacles for refuse storage are maintained in a clean condition.
118. I will make sure litter is regularly cleared from the vicinity of the premises.

CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

121. A crime prevention policy agreed by the police and local authority will be in place.
122. I will implement a proof of age policy agreed by the police and local authority.

Access for children to licensed premises generally

129. I will not permit children under the age of 18 to access the premises
131. I will exclude children under the age of 18 from the premises.

Age Restrictions -

132. I will apply age restrictions during the following hours
mon - sunday under 18 until 6pm

.
Operating times
Sell of alcohol

mon & tuesday 11am - 12pm
wednesdays 11am - 2am

Thursday 11am - 2am
frid & sat 11am - 2.30am
sunday 12- 10.30pm

recorded music and dance facilities
mon & tues 7pm -12pm
wednesdays 7pm -2am kareoke
thursdays 7pm -2am
frid & sat 7pm - 3am

however fom 11am we will have a jukebox playing throughout the day time

Name:
Signature:
Date:

Wiltshire Council
Where everybody matters

Memo

To:	Maggie Jones Licensing Officer	**From:**	Richard Francis Senior Environmental Health Officer
cc:			
Your Ref:		**Our Ref:**	12/00152/LICONP/SAV/lw42.1
Date: **21/2/2012**		**Tel N°:**	

Consultation on a Premises Licence Application
Licensing Act 2003
5A Church Street Trowbridge

I refer to the above licence application. Following consultation with the applicant I find that at present the application does not adequately promote the licensing objective of Public Nuisance.

I have listed my concerns briefly and will expand on these in a report to be presented to the licensing committee. My concerns are:

Suitability of the building
I am concerned about the adequacy of the building structure and windows and their suitability to prevent music noise escaping and causing a public nuisance to neighbouring properties.

Management History
The applicant has a recent history of non compliance with Wiltshire Council's Environmental Protection team and as a result I have little confidence in the applicant's ability to manage the premises live music, recorded music and karaoke events without causing public nuisance to neighbouring premises.

The Environmental Protection team as a responsible authority object to the grant of this licence as it stands.

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Trowbridge Police Station
Polebarn Road
TROWBRIDGE
Wiltshire BA14 7EP
Telephone: 101
Ext:
Direct Dial:
Facsimile: 01225 794799
DX: 136006 Trowbridge 4

Maggie Jones
Licensing Officer
Wiltshire Council
Bradley Road
Trowbridge
Wiltshire
BA14 0RD

Date 21/02/12 Your ref Our ref

Reply contact name is **Jacqui Gallimore**

Dear Mrs Jones,

Application for a premises licence - 5a Church Street Trowbridge

I refer to the above application received in this office on the 24th January 2012.

I have assessed the application for a premises licence for the above premises, and after consultation with the applicant and some revisions to the application I find that at present the application does not adequately promote the licensing objectives, specifically, the prevention of crime and disorder, public safety and the protection of children, police as a responsibly authority to the Licensing Act 2003 object to the grant of this licence in its current format.

Yours sincerely,

Jacqui Gallimore
Licensing Officer
Wiltshire Police

cc – Mrs T Newbury 26A Roundstone Street, Trowbridge BA 14 8DR

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WILTSHIRE POLICE

LICENSING DEPARTMENT

SUPPORTING DOCUMENTATION - OBJECTION TO THE GRANT OF A PREMISES LICENCE – 5A CHURCH STREET TROWBRIDGE

Divisional Licensing Officer

24 JAN 2012

Trowbridge

WILTSHIRE ENQUIRY OFFICE
24 JAN 2012
TROWBRIDGE

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~~ TAMMATHA SEGINA ~~DATAS~~ NEWBURY
(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			
5A CHURCH STREET TROWBRIDGE			
Post town	BA 14 8DR TROWBRIDGE	**Post code**	

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£ 4300

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 in Wales	☐	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	☐	please complete section (B)
h)	the chief officer of police of a police force in England and Wales	☐	please complete section (B)

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

	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 ☐	Mrs ☑	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname	DAVIS	**First names**	TAMMATHA		
I am 18 years old or over				☑ Please tick yes	
Current postal address if different from premises address	26A ROUNDSTONE ST				
Post Town	TROWBRIDGE	**Postcode**	BA14 8DR		
Daytime contact telephone number	01225 781146				
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname		**First names**			

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

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

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 ☐	Mrs ☑	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname	~~BRATS~~ NEWBURY			**First names**	TAMMATHA
I am 18 years old or over				☑ Please tick yes	
Current postal address if different from premises address	26A ROUNDSTONE ST				
Post Town	TROWBRIDGE			**Postcode**	BA14 8DR
Daytime contact telephone number	01225 781146				
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname				**First names**	

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~~ TAMMATHA SEGINA ~~DAVIS~~ NEWBURY
(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			
5A CHURCH STREET TROWBRIDGE			
Post town	BA14 8DR TROWBRIDGE	**Post code**	

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£ 4300

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)

Consent of individual to being specified as premises supervisor

I TAMMATHA SERWA ~~[illegible]~~ NEWBURY

[full name of prospective premises supervisor]

of 26a ROUNDSTONE STREET

TROWBRIDGE

BA14 8DG

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

5A CHURCH STREET

[type of application]

by

[name of applicant]

relating to a premises licence 01 WW0700 103 LAPRVA

[number of existing licence, if any]

for 5A CHURCH STREET

BA14 8DR.

[name and address of premises to which the application relates]

1

5

and any premises licence to be granted or varied in respect of this application made by

TAMATHA ~~DAVIS~~ NEWBURY

[name of applicant]

concerning the supply of alcohol at

5A CHURCH STREET
TROWBRIDGE
BA14 8DR
FORMER PEEWEES

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

11/00053/LAPER

[insert personal licence number, if any]

Personal licence issuing authority

WILTSHIRE COUNCIL

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print) TAMATHA ~~DAVIS~~ NEWBURY

Date 9/1/2012

2

6

I am 18 years old or over			☐ 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 0 2 0 2 2 0 1 2

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

3

7

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

BAR, DISCO LIVE ENTERTAINMENT, OVER THIRTIES EVENT & SINGLES EVENING THEME NIGHTS, COFFEE MORNINGS.

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)	☐
b)	films (if ticking yes, fill in box B)	☐
c)	indoor sporting events (if ticking yes, fill in box C)	☐
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	☑
e)	live music (if ticking yes, fill in box E)	☑
f)	recorded music (if ticking yes, fill in box F)	☑
g)	performances of dance (if ticking yes, fill in box G)	☑
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	☑
Provision of entertainment facilities:		
i)	making music (if ticking yes, fill in box I)	☐
j)	dancing (if ticking yes, fill in box J)	☑
k)	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	☑
Provision of late night refreshment (if ticking yes, fill in box L)		☑
Supply of alcohol (if ticking yes, fill in box M)		☑

3

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			**Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☑
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue			ONLY LIVE EVENTS TO BE SHOWN ON TV		
Wed			**State any seasonal variations for boxing or wrestling entertainment** (please read guidance note 4)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list** (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			**Will the performance of live music take place indoors or outdoors or both – please tick** (please read guidance note 2)		
Day	Start	Finish		Indoors	☑
				Outdoors	☐
				Both	☐
Mon	7pm	12pm	**Please give further details here** (please read guidance note 3)		
Tue	7pm	12pm			
Wed	7pm	12pm	**State any seasonal variations for the performance of live music** (please read guidance note 4)		
Thur	7pm	12pm			
Fri	7pm	1 am	**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	7pm	1 am			
Sun	6am	11pm			

F

Recorded music Standard days and timings (please read guidance note 6)			**Will the playing of recorded music take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☑
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	~~7pm~~ 11.00AM	12am	**Please give further details here** (please read guidance note 3)		
Tue	~~7pm~~ 11.00AM	12am			
Wed	~~7pm~~ 11.00AM	2.00AM	**State any seasonal variations for the playing of recorded music** (please read guidance note 4)		
Thur	~~7pm~~ 11.00AM	2.00AM			
Fri	~~7pm~~ 11.00AM	3.00AM	**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) MORNINGS FROM 10AM – UNTIL 7PM JUICEBOX.		
Sat	~~7pm~~ 11.00AM	3.00AM			
Sun	~~7pm~~ 12.PM	11pm			

11

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	☑
Day	Start	Finish		Outdoors	☐
				Both	☐
Mon	7pm	12pm	**Please give further details here** (please read guidance note 3)		
Tue	7pm	12pm			
Wed	7pm	2.00am	**State any seasonal variations for the performance of dance** (please read guidance note 4)		
Thur	7pm	2.00am			
Fri	7.pm	3.00am	**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	7.pm	3.00am			
Sun	7.pm	11pm			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing KARAOKE.
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2) — Indoors ☐ Outdoors ☐ Both ☐
Mon	7.00pm	12.am	
Tue	7.00pm	12.am	Please give further details here (please read guidance note 3)
Wed	7.00pm	1.00am	
Thur	7.00pm	2.00am	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Fri	7.00pm	3.00am	
Sat	7.00pm	3.00am	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun	7pm	11.00pm	

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	☑
				Outdoors	☐
				Both	☐
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon	7pm	12pm	Please give further details here (please read guidance note 3)		
Tue	7pm	12pm			
Wed	7pm	2.00pm	State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur	7pm	2.00am			
Fri	7pm	3.00am	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	7pm	3.00am			
Sun	7pm	11pm			

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	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	7pm	12.pm	**Please give further details here** (please read guidance note 3)		
Tue	7pm	12pm			
Wed	7.pm	12.pm	**State any seasonal variations for the provision of late night refreshment** (please read guidance note 4)		
Thur	7pm	12pm			
Fri	7pm	2.00am	**Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list** (please read guidance note 5)		
Sat	7pm	2.00am			
Sun	12.00	6.00pm			

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	☑
				Off the premises	☐
Day	Start	Finish		Both	☐
Mon	~~[illegible]~~ 10 AM	~~[illegible]~~ 1.00AM	**State any seasonal variations for the supply of alcohol** (please read guidance note 4)		
Tue	~~[illegible]~~ 10 AM	~~[illegible]~~ 1.00AM			
Wed	~~[illegible]~~ 10.AM	~~[illegible]~~ 2.00AM			
Thur	~~[illegible]~~ 10.00	~~[illegible]~~ 3.00AM	**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)		
Fri	~~[illegible]~~ 10.00	~~[illegible]~~ 3.00AM			
Sat	~~[illegible]~~ 10.00	~~[illegible]~~ 3.00AM			
Sun	~~[illegible]~~ 11.00	~~[illegible]~~ 12 PM			

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

Name	TAMMATHA DAVIS
Address	26 A ROUNDSTONE STREET TROWBRIDGE
Postcode	BA14 8DG
Personal Licence number (if known)	11/00053/LAPLR.
Issuing licensing authority (if known)	WEST WILTSHIRE

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)

BECOME MEMBERS OF LOCAL RUB WATCH
DRINK PROMOTIONS TO BE WATCHED / NO BIDGE DRINKING
NOTICES IN PLACES TO ASK CUSTOMERS LEAVE QUIETLY
FREE DRINKING WATER
ANYONE ENTERING DRUNK OR AGGRESSIVE TO LEAVE PREMISES

[Responsible/qualified person.]

b) The prevention of crime and disorder

NO BOTTLES DRINK / GLASSES TO LEAVE PREMISES.
GET INVOLVED WITH CRIME PREVENTION, RUN BY LOCAL POLICE.
NO DRUNKEN PEOPLE TO BE ALLOWED TO ENTER.

Capacity

[Drugs policy]

c) Public safety

COLLECT EMPTY GLASSES AT ALL TIMES.
RISK ASSESSMENT KEPT UP TO DATE.
ELECTRICAL SAFETY AND GAS CHECKS.
STAFF TRAINING ON LICENSING LAWS.
SUPPORT ANY DIRECTIONS RECEIVED FROM AUTHORITIES.

Log book
Incident book.

d) The prevention of public nuisance

[Record time date what they found]

DOORS AND WINDOWS KEPT SHUT. [Monitoring]
NO BOTTLES OR GLASSES OUT OF PREMISES.
ALL CUSTOMERS WILL BE NOTIFIED OF LEAVING PREMISES QUIETLY
DOOR STAFF FOR THREE / FOUR DAYS AROUND AT ALL TIMES

e) The protection of children from harm

[Age under 18's]

TRAINING STAFF / ASK FOR ID BY PERSONS UNDER AGE.
UNDERS 18'S TO BE WITH RESPONSIBLE ADULT.
INCLUDING PREVENTION OF ADULTS BY ALCOHOL.
DOOR STAFF TO CHECK ID ON ADMITTANCE.

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)

N/A.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	~~7am~~ 10 am	12.30pm
Tue	~~7am~~ 10 am	12.30pm
Wed	~~7am~~ 10am	2.30AM
Thur	~~7am~~ 10 am	2.30AM
Fri	~~7am~~ 10 am	4.00AM
Sat	~~7am~~ 10 am	4.00AM
Sun	~~7am~~ 11. am	11.30AM

State any seasonal variations (please read guidance note 4)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

	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)

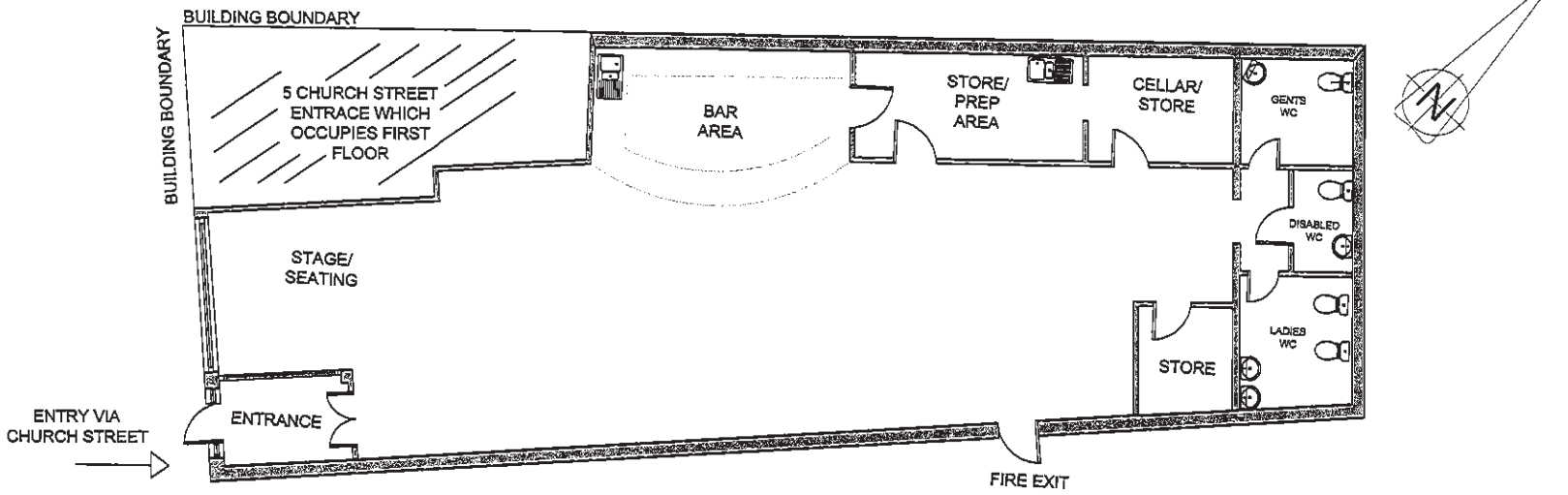
Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	9/1/2012.
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	

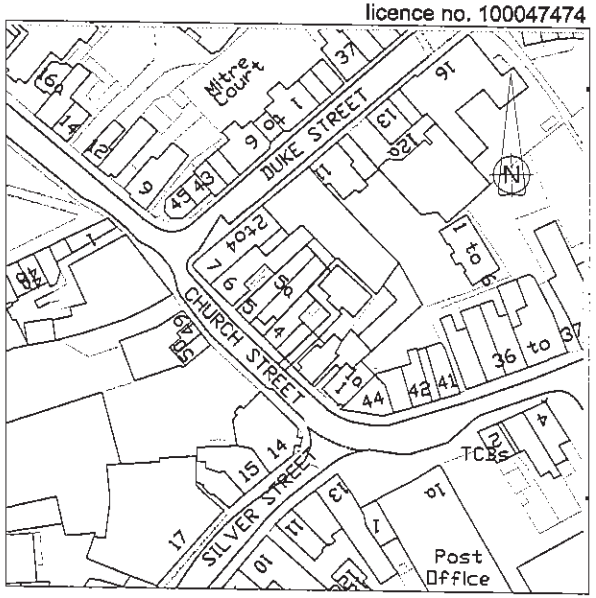
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		**Post code**	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

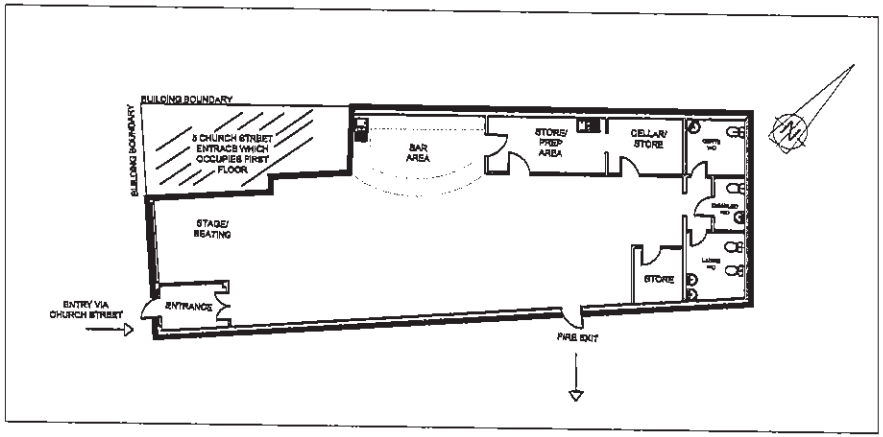


Ground Floor Plan
Scale 1:100

Location plan of property
Scale 1:1250

licence no. 100047474





Ground Floor Plan
Scale 1:200

Red line indicates extent of property in the lease

Blue line indicates entrance and exit of the property

energico.co.uk Britain's leading energy surveyors Energico - 7th Floor - Northway House 1379 High Road - London N20 9LP Telephone: 020 8123 2996 Fax: 020 8090 6147 Email: info@energico.co.uk	Client	Address 5a Church Street Trowbridge BA14 8DR	Sheet Description Leaseplan of 5a Church Street. Previously used as a Public house. Red lines illustrate how the property is referred to in lease. Blue lines illustrate access.	Scale 1:150 @ A3	DWG. Ref. BA14 8DR 001
				Drawn By KI	Date 19 JAN 2012

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Tammatha Newbury is applying for the grant of a premises licence for the premises, 5a church street trowbridge BA14 8DR

The licence, if granted, is to enable the following activities to take place:

Sale of alcohol for consumption on the premises / provision of regulated entertainment / provision of facilities for regulated entertainment / provision of late night refreshment.

Any person wishing to make representations in relation to this application may do so by writing to environmental Health licensing section, (Wiltshire County Council, Bradley Road, Trowbridge, BA14 ORD)

Representation may be made up to 28 days from the date of this notice.

A copy of the application for the grant of the above licence is kept by the environmental health licensing section, (Wiltshire County Council, Bradley Road, Trowbridge, BA14 ORD)

The application can be viewed by prior appointment

It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for making a false statement is a level 5 fine on the standard scale.

Dated 23/01/12

Energy Performance Certificate

Non-Domestic Building

HM Government

5a Church Street
Trowbridge
BA14 8DR

Certificate Reference Number:
0990-3980-0362-1180-5060

This certificate shows the energy rating of this building. It indicates the energy efficiency of the building fabric and the heating, ventilation, cooling and lighting systems. The rating is compared to two benchmarks for this type of building: one appropriate for new buildings and one appropriate for existing buildings. There is more advice on how to interpret this information on the Government's website www.communities.gov.uk/epbd.

Energy Performance Asset Rating

More energy efficient

A+

Net zero CO_2 emissions

A 0-25

B 26-50

C 51-75

D 76-100

E 101-125

F 126-150

G Over 150

86 This is how energy efficient the building is.

Less energy efficient

Technical information

Main heating fuel:	Natural Gas
Building environment:	Heating and Natural Ventilation
Total useful floor area (m^2):	137
Building complexity (NOS level):	3
Building emission rate ($kgCO_2/m^2$):	229.77

Benchmarks

Buildings similar to this one could have ratings as follows:

30 If newly built

81 If typical of the existing stock

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Administrative information

This is an Energy Performance Certificate as defined in SI2007:991 as amended

Assessment Software:	ISBEM v4.1.d using calculation engine SBEM v4.1.d.0
Property Reference:	366805810000
Assessor Name:	Agata Kisicka
Assessor Number:	BREC500027
Accreditation Scheme:	Bre
Employer/Trading Name:	Energico
Employer/Trading Address:	6th Floor, Northway House, 1379, High Road, London, N20 9LP
Issue Date:	20 Jan 2012
Valid Until:	19 Jan 2022 (unless superseded by a later certificate)
Related Party Disclosure:	Not related to the owner

Recommendations for improving the property are contained in Report Reference Number: 9316-4089-0826-0500-1091

If you have a complaint or wish to confirm that the certificate is genuine

Details of the assessor and the relevant accreditation scheme are on the certificate. You can get contact details of the accreditation scheme from the Government's website at www.communities.gov.uk/epbd, together with details of the procedures for confirming authenticity of a certificate and for making a complaint.

CARBON TRUST

For advice on how to take action and to find out about technical and financial assistance schemes to help make buildings more energy efficient visit **www.carbontrust.co.uk** or call us on **0800 085 2005**

Mrs T Newbury
Carpenters Arms
5A Church Street
Trowbridge
BA14 8DR

Trowbridge Police Station
Polebarn Road
TROWBRIDGE
Wiltshire BA14 7EP
Telephone: 0845 408 7000
Ext:
Direct Dial:
Facsimile: 01225 794799
DX: 136006 Trowbridge 4

Date 3rd February 2012 Your ref Our ref

Reply contact name is **Ms J M Gallimore**

Dear Mrs Newbury

Further to your recent application for a new premises licence for 5A Church Street Trowbridge, and following our telephone conversation I have the following observations.

The application is as its fullest extent to permit the sale of alcohol and the provide entertainment until 03.00 hours and 03.00 hours respectively on a Thursday, Friday and Saturday. I understand from our discussion that you are now proposing a 02.30 terminal hour for the sale of alcohol; it is unlikely that police would have concerns in relation to this proposal

I have read the proposals at page 20 and at this time find that given the extent of the licence and the challenges of running a premise within the night time economy of Trowbridge, they do not adequately promote the licensing objectives.

To assist you I have provided a list below which whilst not exhaustive should be used as a guide when considering in particular the licensing objective the prevention of crime and disorder, I have also provided a short list of matter which are covered by other legislation and or mandatory conditions already a applied to a premises licence which do not need to covered in your application.

The prevention of crime and disorder –

Pubwatch (requires further clarification)

Bottles or glasses on the premises (requires further clarification)

Drugs policy

Continued

Incident records

Door supervision records.

Staff training

Written risk assessments to determine the number of door staff required door staff to be employed at the premises

CCTV at the premises

Smoking area

Absence of the designated premises supervisor.

Public safety –

The capacity of the premises

Public nuisance -

Noise monitoring (requires further clarification)

The protection of children from harm –

Restricting persons under 18 years old on premises

Mandatory conditions/covered by existing legislation –

Free drinking water

The registration of door staff

Drinks promotions

Drunkenness on premises

Further guidance on the application process and operating schedules can be found at the DCMS website - amended guidance issued under section 182 of the Licensing Act 2003. It may be appropriate to seek specialist licensing advice in respect of your application.

In its current format police would object to the grant of a premises licence, revisions are therefore required not later the 20th of February 2012 to avoid a police objection.

Yours sincerely

Jacqui Gallimore

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Tammy Newbury
Carpenters Arms
26a Roundstone Street
BA14 8DG

7th February 2012

Dear Jacqui
After carefully reading & understanding your recent letter to my self I have attached the following of objectives and rules which we have taken into consideration on re-opening of 5a church street/Pee wees old bar.

The prevention of crime & disorder

Pub watch, we will attend and register and carry out any information on public nuisance and troublemakers, will note down dates and incidents and people who cause trouble will be immediately banned. Door supervision we have already registered with door safe company, There will be three and up to maximum four door staff

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at premises on opening times, wed 9-2.30, Thursday 9 - 2.30, Friday 9 - 2.30 and Saturday 9 - 2.30 am,

Bottles and glasses on the premises. From 9pm on our late night opening hours requested we will be serving alcohol in toughened plastic glasses, and all bottles will be poured into plastic glasses as well as pints and spirits on premises, however we do have a policy where no drinks to leave the premises and our door staff will be well aware of this.

CCTV will be reinstalled in the premises where it will be recorded and can be viewed at the bar area outside the front premises and on inside of premises,

We do have a small smoking area to the front of the premises however it will be limited to max of ten people controlled by the door staff which has been discussed with door safe,

Public nuisance

Door staff will maintain noise level and do regular checks and log noise hourly, and if noise is to the extent where it could cause a problem it will be monitored

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and if need be turned down to level of acceptance.

Door safe will have book bibles where all incidents of misbehaviour will be logged and then brought forward to monthly pub watch meetings.

The premises supervisor will be on site at all opening times, however will be training all staff so that they have adequate knowledge of the selling of alcohol and its advantages and disadvantages .

As stated on my application persons will be asked for id on entering at all times, and if need be or cause of concern there will be drug searches carried out by trained door staff and if any substances found police will be called to take matters further.

Jacqui I hope this can clarify my application to page 20 of premises licence, please contact me if require any more information, look forward to hearing from you.

Yours sincerely

Tammatha Newbury

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Mrs T Newbury
Carpenters Arms
5A Church Street
Trowbridge
BA14 8DR

Trowbridge Police Station
Polebarn Road
TROWBRIDGE
Wiltshire BA14 7EP
Telephone: 0845 408 7000
Ext:
Direct Dial:
Facsimile: 01225 794799
DX: 136006 Trowbridge 4

Date 8th February 2012 Your ref Our ref

Reply contact name is **Ms J M Gallimore**

Dear Mrs Newbury

Thank you for your letter dated 7th February 2012 and for providing me with your proposed conditions, I have noted the points you have covered below (and in some cases simplified to enable conversion to a condition) and highlighted a few details which require further clarification.

1. The application is as its fullest extent to permit the sale of alcohol and the provide entertainment until 03.00 hours and 03.00 hours respectively on a Wednesday, Thursday, Friday and Saturday. I understand from our discussion and your letter that you are now proposing a 02.30 terminal hour for the sale of alcohol. With a premises close at 03.00 hours.

2. The premises will be an active and attending member of Trowbridge Pubwatch.

3. From 21.00 hours on a Wednesday, Thursday, Friday and Saturday a minimum of three door supervisors will be deployed at the premise, it would assist if you could confirm that the door supervisors will remain on duty at the premises until the premises has closed?

4. From 21.00 hours on a Wednesday, Thursday, Friday and Saturday no glass will be used on the premises.

5. CCTV will be installed at the premises, I would suggest that the following be considered – *the system should be installed so as to cover all entrances and exits, and the licensed area, the system is to be maintained and in full working order during all licensable hours. The system is to be of suffiecnt quality so as to enable identification images must be retained for a minimum of 28 days and produced to a police officer or a Wiltshire Council licensing officer.*

6. Customers wishing to smoke will be restricted to the frontage of the premises, and will not be permitted to use the foot path or highway, no more than six persons will be permitted to use this area at any one time, and at no time will glasses or bottles be permitted to leave the premises.

7. Requires further clarification – premises drug policy.

8. The premises will maintain an incident record in a consecutively numbered log book the incident record should record the date, day, time, description of incident and any actions taken i.e. police called.

9. The premises will maintain a record of all door supervisors deployed at the premises.

10. Staff will receive training in all aspects of relevant licensing legislation; this training will be recorded and regularly refreshed.

11. In the absence of the designated premises supervisor, a personal licence holder will be present.

12. Requires further clarification - restricting persons under 18 years old on premises

Further guidance on the application process and operating schedules can be found at the DCMS website - amended guidance issued under section 182 of the Licensing Act 2003. It may be appropriate to seek specialist licensing advice in respect of your application.

If you could provide further detail as at points 7,12 and accept or otherwise the remaining points we will hopefully be in a position to advise the licensing authority accordingly, this should be completed not later than the 20th of February 2012 to avoid a police objection.

In respect of your application to become the designated premises supervisor of this premise, in light of your previous licensing history, this matter is under consideration and you will be advised of the out come in due course.

Yours sincerely

Jacqui Gallimore
Licensing Officer
Wiltshire Police

Tammy Newbury
Carpenters Arms
26a Roundstone Street
BA14 8DG

15th February 2012

Dear Jacqui
After carefully reading & understanding your recent letter to my self I have attached the following of objectives and rules which we have taken into consideration on re-opening of 5a church street/Pee wees old bar.

Premises Drug Policy

As we are aware of drug misuse in and around the town, we will have notices around the property stating laws on drug misuse and if anyone found on premises will be reported immediately and drugs will be removed, we will have regular checks in toilets and outside areas where there is a chance of drugs being used, our door

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staff will however if for any reason suspect drugs on anyone entering will be searched, and then drugs if found will be sealed and passed on to local police authority and person will be named for the police to deal with, make sure tables are cleared at all times

Staff will be trained and instructed to report accordingly,
We accept that despite are endeavours drugs may find there way on to our premises and we also notice the health risks associated with drugs are not only to the user. Risk to the non user , members of the public and staff are equally relevant.
The safety and comfort of customers and staff cannot be overstressed . Risk assessments for events in our venue will give recommendations for
First aid and medical emergencies
Prevention of overcrowding and heating
Handling of sharps (syringe needles) and suspect substances.

Restricting persons under 18, we will endeavour to maintain all suitable checks on ID before entering our venue , we will have touch id installed at both end of bar before serving if we are in any doubt , but door staff

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will be maintaining high level of checks before entering.

Jacqui I hope this can clarify my application to page 20 of premises licence, please contact me if require any more information, look forward to hearing from you.

Yours sincerely

Tammatha Newbury

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operating schedule and licencing objectives
prepared by
tammatha newbury

Name of Applicant Tammatha Newbury

Premises Name

Address of Applicant 26a Roundstone Street/ Carpenters Arms

Premises Address 5a Church Street Trowbridge

CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

Door Supervisors

I will use or employ door supervisors at all times when a licensable activity is being carried out and I consider them necessary to:

- Prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder;
- Keep out excluded individuals (subject to court or pub watch bans)
- Search and exclude persons suspected of carrying illegal drugs or offensive weapons; or
- Maintain an orderly queue outside the venue.

2. I will ensure that any Door Supervisors used are registered by the Security Industry Authority. *(Note: This is a mandatory condition where Door Supervisors are employed or used on a licensed premises)*
3. I will use or employ at least two door supervisors on each floor or tier, in addition to those located in any access/egress point, during the whole of the time any licensable activity takes place.
4. I will make sure that a female supervisor will be available if searches are to be conducted on female customers.

CCTV & Communication

5. I will provide a means of two way communication to report incidents between the premises and the local police or CCTV monitoring centre.

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6. I will install Video/CCTV equipment inside/outside the premises and ensure that it is maintained in working order.
7. I will set Video/CCTV equipment to record from the time that the premises open to the public until the premises close and all members of the public have left.
8. I will ensure that any cameras covering the exterior of the premises are left to record for the duration of the tape and for a period not less than .....24 hours.....). *(Where members of the public congregate outside the premises after they are closed)*
9. I will ensure that monitoring tapes are retained for at least twenty eight days and are produced to an authorised officer on demand.
10. I will put up notices advising that CCTV has been installed on the premises so that they are clearly visible to the public within the licensed premises.

Bottles and Glasses

11. I will ensure that drinks are only available for consumption from plastic vessels or toughened glass.
12. I will ensure that no drinks are available for consumption from glass bottles.
13. Where glass bottles are used, they will be retained or disposed of on the premises.
14. No customers will be admitted, or permitted to leave when carrying open or sealed bottles or glasses.

Restrictions on Drinking Areas

15. I will ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule.

Capacity Limits

I will provide Door Supervisors to ensure that the capacity limit is enforced.

Proof of Age Cards

18. I will ensure that any person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have reason to suspect that the individual may be under 18 years of age.

19. Restricting persons under 18, we will endeavour to maintain all suitable checks on ID before entering our venue , we will have touch id installed at both end of bar before serving if we are in any doubt , but door staff will be maintaining high level of checks before entering.

Drinks Promotions

20. I will adopt and comply with the British Beer and Pub Associations Guidelines on On-Trade Promotions.

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Prohibited Substances

21. I will implement a policy agreed by the Police and local authority

22. I will ensure that a secure deposit box is kept on the premises for the retention of confiscated items and ensure that the Police are advised of any items which require safe disposal.

Premises Drug Policy

. As we are aware of drug misuse in and around the town, we will have notices around the property stating laws on drug misuse and if anyone found on premises will be reported immediately and drugs will be removed, we will have regular checks in toilets and outside areas where there is a chance of drugs being used, our door staff will however if for any reason suspect drugs on anyone entering will be searched, and then drugs if found will be sealed and passed on to local police authority and person will be named for the police to deal with, make sure tables are cleared at all times

23. Staff will be trained and instructed to report accordingly,
We accept that despite are endeavours drugs may find there way on to our premises and we also notice the health risks associated with drugs are not only to the user. Risk to the non user , members of the public and staff are equally relevant.
24.The safety and comfort of customers and staff cannot be overstressed . Risk assessments for events in our venue will give recommendations for
First aid and medical emergencies
Prevention of overcrowding and heating

Handling of sharps (syringe needles) and suspect substances.

Notices

22. I shall ensure that public information notices about crime and disorder issues are displayed at the request of the Council or the wiltshire Constabulary.
23. I will display any restrictions on the admittance of individuals according to age (e.g. Children) on or immediately outside the premises.
24. I will display any conditions of entry to the premises in the vicinity of any entrance to the premises.

Crime Prevention Schemes

25. I shall participate in the local pubwatch / nightsafe scheme operating in the District

Litter and Waste

29. I will be responsible for the disposal of waste on the frontage of the premises and make provision for the emptying of litter bins in the vicinity of the premises.

30. I will ensure that lighting is provided outside the premises during the hours of darkness when any licensable activity takes place on the premises.

(4)

Escape Routes

31. I will make sure that escape routes and exits, including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.
32. I will make sure that where chairs and tables are provided, internal gangways are kept unobstructed.
33. I will make sure that all exit doors are easily openable and do not require the use of a key, card, code or similar means
34. I will make sure that doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check is kept.
35. I will make sure that any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
36. I will make sure that all fire doors are maintained effectively selfclosing and not held open other than by approved devices .
37. I will make sure that fire resisting doors to ducts, service shafts, and cupboards are kept locked shut.
38. I will make sure that the edges of the treads of steps and stairways are maintained so as to be conspicuous.

Safety Checks

39. Safety checks are carried out before the admission of the public or club members and guests; and details of such checks are kept in a Log-book.

Fire Action Notices

44. I will make sure that notices detailing the action to be taken in the event of fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration.
45. The fire brigade will be called at once to any outbreak of fire, however slight, and the details recorded in a Fire Log-book.

Access for Emergency Vehicles

47. Access for emergency vehicles is kept clear and free from obstruction.

Disabled People

48. I will make sure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency, and that patrons are made aware of these arrangements.

First Aid

49. I will make sure that adequate and appropriate supply of first aid

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equipment and materials is available on the premises.
51. If more than one first-aider is present, I will make sure that their respective duties are clearly defined.

Lighting

52. In the absence of adequate daylight, I will make sure that the lighting in any area accessible to the public is fully operational.
53. I will make sure that Fire safety signs are adequately illuminated.
54. I will not alter Emergency lighting without prior notification to the Licensing Authority.
55. I will make sure that Emergency lighting batteries are fully charged before admission of the public.
56. In the event of failure of normal lighting, where the emergency lighting battery has a capacity of one hour, I will make sure that evacuation of the premises is possible within 20 minutes.
57. Where the emergency lighting battery has a capacity of three hours, I will make sure that evacuation of the premises is possible within one hour.

Safety Certificates

61. I will make sure that the following systems are maintained and inspected by suitably qualified professional persons in accordance with any British Standards and at intervals recommended in national guidance, and will keep the records of such inspections available for inspection by authorised officers on request:
- Building Electrical Installation
- Emergency Lighting System
- Fire Warning System
- Gas boiler, calorifier or appliance
- Oil fired boiler or appliance
- Suspended ceilings
- Portable fire fighting equipment
- Temporary Electrical Installation

Public Liability Insurance

62. I will make sure that I have valid public liability insurance in force and that a copy of the schedule is available for inspection by an authorised officer on request.

Alterations to the Premises

67. I will not alter the premises in such a way as to make it impossible to comply with an existing licence condition, without first seeking a variation of the premises licence.

Special Effects

68. I will make sure that the use of special effects or mechanical installation is arranged and stored so as to minimise any risk to the safety of the audience, performers and staff.

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69. I will give prior notification to the Licensing and/or Fire Authority when I intend to use any of the following special effects:
- Dry ice machines and cryogenic fog;
- Smoke machines and fog generators;
- Foam cannon/snow machine;
- Pyrotechnics, including fireworks;
- Real flame;
- Firearms;
- Motor vehicles;
- Strobe lighting;
- Explosives and highly flammable substances;
- Lasers;

General

70. I will make free drinking water available at all times the premises is open to the public.
72. I will provide a "hot line" to a local taxi firm.
73. I will provide sufficient seating to accommodate quarter of the maximum capacity of the premises.
74. I will make sure that door staff on the premises monitor and record the number of patrons within the premises.

Gangways

81. I will make sure that sitting on floors is not permitted except where authorised in the premises licence.
82. I will make sure that waiting or standing is not permitted except in areas designated in the premises licence.
83. I will make sure that in no circumstances is anyone permitted to:-
(i) sit in any gangway;
(ii) stand or sit in front of an exit; or
(iii) stand or sit on any staircase including any landings.

CONDITIONS RELATING TO PUBLIC SAFETY

97. I will make sure that where tables and chairs are provided, clear gangways to exits are maintained.
100. I will not use any paraffin or other mineral oil in any lamp, stove or other appliance except for cooking purposes.

CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE
Noise and vibration

101. I will make sure that Noise or vibration is not noticable at the façade of any noise sensitive premises.
102. I will make sure that doors and windows are kept closed (except for ingress and egress) to reduce noise nuisance from the premises.
103. I will install and use a noise limiters on amplification equipment in accordance with guidance from the Council's Environmental Health Officers.
104. I will display prominent, clear and legible notices at all exits

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requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
106. I will make sure that the placing of bottles into receptacles outside the premises takes place at times that will minimise disturbance to nearby properties.
107. I will make sure that during the final hour of opening the music is discernibly quieter.

109. I will make sure that any request by an authorised officer of the Council in relation to reducing noise levels is complied with.
110. I will ensure that any ventilation system has suitable sound attenuation.

Noxious smells

not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.
114. Ensure that receptacles for waste are emptied regularly to minimise nuisance smells.

Litter
116. I will provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises/site.
117. I will make sure that receptacles for refuse storage are maintained in a clean condition.
118. I will make sure litter is regularly cleared from the vicinity of the premises.

CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

121. A crime prevention policy agreed by the police and local authority will be in place.
122. I will implement a proof of age policy agreed by the police and local authority.

Access for children to licensed premises generally

129. I will not permit children under the age of 18 to access the premises
131. I will exclude children under the age of 18 from the premises.

Age Restrictions -

132. I will apply age restrictions during the following hours
mon - sunday under 18 until 6pm

Operating times
Sell of alcohol

mon & tuesday 11am - 12pm
wednesdays 11am - 2am

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Thursday	11am - 2am	
frid & sat	11am - 2.30am	as requested ✓.
sunday	12- 10.30pm	

recorded music and dance facilities

mon & tues	7pm -12pm	
wednesdays	7pm -2am	kareoke
thursdays	7pm -2am	
frid & sat	7pm - 3am	

however fom 11am we will have a jukebox playing throughout the day time

Name:
Signature:
Date:

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Trowbridge Police Station
Polebarn Road
TROWBRIDGE
Wiltshire BA14 7EP
Telephone: 101
Ext:
Direct Dial:
Facsimile: 01225 794799
DX: 136006 Trowbridge 4

Maggie Jones
Licensing Officer
Wiltshire Council
Bradley Road
Trowbridge
Wiltshire
BA14 0RD

Date 21/02/12 Your ref Our ref

Reply contact name is **Jacqui Gallimore**

Dear Mrs Jones,

Application for a premises licence - 5a Church Street Trowbridge

I refer to the above application received in this office on the 24th January 2012.

I have assessed the application for a premises licence for the above premises, and after consultation with the applicant and some revisions to the application I find that at present the application does not adequately promote the licensing objectives, specifically, the prevention of crime and disorder, public safety and the protection of children, police as a responsibly authority to the Licensing Act 2003 object to the grant of this licence in its current format.

Yours sincerely,

Jacqui Gallimore
Licensing Officer
Wiltshire Police

Consultation on a Premises Licence Application
Licensing Act 2003
5A Church Street Trowbridge

I refer to the above licence application. Following consultation with the applicant I find that the application as applied does not adequately promote the licensing objective of Public Nuisance.

I am a Senior Environmental Health Officer within the Environmental Protection Team of Wiltshire Council. I have been working for the council for four years and prior to that I worked for South Gloucestershire Council for 10 years, where I worked in the field of Environmental Protection and Licensing. I am a member of the Charted Institute of Environmental Health and hold a post graduate diploma in Acoustics and Noise Control engineering.

Location of the building

The Licensed premise is located in Church Street amongst a rank of commercial premises. As you look at the premises the White Swan (Licensed premise) with living accommodation upon the first floor is located to the left of premises 5A and to the right of the premises is the Charcoal Grill takeaway.

Photograph 1.

The White Swan holds an alcohol licence until 0130am with live music finishing at midnight and recorded music at 0130am.

The Charcoal Grill takeaway has a late night refreshment licence which closes at 03.00 a.m. Monday/Thursday and Sunday and 4.30 a.m. Friday and Saturday.

Residential accommodation
Alongside the licensed premise to the rear is Rutherford Court, consisting of 4 flats. The premise has a line of windows running the length of the building and a fire door that opens up onto Rutherford Court which is adjacent to the premises. The windows are covered over with a thin piece of corrugated plastic; I believe this has been placed over the windows in an

attempt to act as insulation against noise breakout. However, without testing I do not know how effective this will work and at best will only reduce the levels marginally.

Photograph 2

Photograph 3

Approximately 75 yards to the rear of the premises is a block of 3 story flats, Silver Thorne Barton which has direct line of sight to the premises.

The front of the premises has a large floor to ceiling single glazed window that is adjacent to the street.

In the absence of a technical report provided by an acoustic engineer to confirm the acoustic properties of the structure, roof windows and fire door I am unable to determine the suitability of the structure to prevent music noise escaping the building and being a public nuisance to neighbouring properties

Noise Limiter
The applicant has offered to install a noise limiter which would be set to a pre determined level in order to control the music levels emitted from the speakers inside the club. The level would be set by Environmental Health Officers to ensure that it was not a nuisance at the boundary of the nearest residential premises (thus removing vocal recognition and bass frequencies). I am of the opinion that due to the close proximity of the residential property and the unknown noise insulation properties of the building any noise limits that will be required to be set will be counterproductive to providing both live music and recorded music within the venue. The cost of purchasing and installing a noise limiter without the structural sound tests may result in an unnecessary expenditure.

Management History

The applicant has a recent history of non compliance with Wiltshire Council's Environmental Protection team.

The applicant manages the Carpenters Arms, Roundstone Street, Trowbridge and during her tenure both live music and recorded music events have caused both a public noise nuisance and a statutory noise nuisance to neighbouring residential and commercial properties.

A legal notice "Statutory Noise abatement notice" was served on Tammatha Davis in October 2011. Advice was given on how to comply with the notice terms and recommendations were made to manage live music. The notice was breached on two occasions within 10 days of service. I believe this action demonstrated a complete disregard to the legislation, Wiltshire Council and neighbouring properties and clearly raises concerns regarding the competency of the applicant to manage both live and recorded music events.

As a result of these offences being committed in breach of the Environmental Protection Act 1990 the Council had no other option than to present the evidence to the Wellington Pub company, holder of the premises licence. Following this meeting the premises licence holder avoided the necessity of a premises licence review and applied to vary their license by removing both live and recorded music from the licence.

Following the Councils enforcement history with the applicant I have little or no confidence in the applicant's ability to manage the premises live music, recorded music and karaoke events without causing a public nuisance to neighbouring premises.

Recommendations

Applicants offered conditions from operating schedule:

I would like to make the following comments regarding the conditions for controlling public nuisance.

Condition 101: is unworkable and unrealistic in that to achieve unnoticeable music levels at the nearest facade will be unachievable.

Condition 102: I would accept

Condition 103: Unworkable for reasons described previously

Condition 104: I would accept

Condition 106: I would accept although I would like to see a restriction on the times that bottling can and cannot be undertaken. For example i.e. no bottles to be emptied into waste receptacles between the hours of 8.00 p.m. and 9.00 a.m. the following day.

Condition 109: I would accept

Condition 110: I would accept however is the applicant aware of the costs implications of this undertaking? If the applicant installs a new ventilation system then planning permission would be required and a noise report would be requested.

In addition I would require the following restrictions and conditions to be attached to the licence:

No Live music later than 11.30 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday.

No recorded music after 11.00 Sunday – Thursday

No recorded music after midnight on Friday and Saturday.

No Karaoke after 11.00 p.m. Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday.

Condition

Noise Logbook
The premises licence holder shall maintain a noise log during live music, karaoke and disco events. A responsible person working within the premise shall undertake observations at the nearest noise sensitive residential premises. The observations shall be undertaken at hourly intervals during events. The following information must be recorded and available for inspection by the Council: the date and time, location, name of the person making the observation, observations on the level of music and any remedial actions taken to reduce the levels.

No alcohol in smoking Area
There is no designated area for patrons to smoke at the premise. At present the patrons have to step outside either beneath the sheltered area or pavement to have a cigarette. My experience with licensed premises are that if the smoking activity is not conditioned a separate social scene can be established outside the premises and generate a public nuisance, as a result of drinking and smoking outside. In order to prevent public nuisance from this activity I feel that a condition should be placed upon the licence prohibiting alcoholic drinks being taken outside.

Conclusion
Given the applicants poor history of compliance with a section 80 statutory nuisance notice and the uncertainties surrounding the acoustic performance of the building it is impossible to endorse the application as currently presented. Indeed if the premises had not previously benefitted from a licence I would be minded to recommend a refusal of the application at this time.

These premises have however benefitted from a previous licence and there is no evidence that this caused any significant problems. The previous licence had an earlier finishing time than the current application and appeared to be well managed, at least in noise terms.

On that basis it seems unreasonable to refuse a licence in principle but if a licence is granted I would request that all the above recommendations are reflected in the licence conditions.

If the applicant subsequently demonstrates that they can operate the premises without causing a significant impact on local amenity I will be willing to reconsider my position on operating times at a future date.

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TROWBRIDGE
Wiltshire BA14 7EP
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Direct Dial:
Facsimile: 01225 794799
DX: 136006 Trowbridge 4

Maggie Jones
Licensing Officer
Wiltshire Council
Bradley Road
Trowbridge
Wiltshire
BA14 0RD

Date 16/02/12 Your ref Our ref

Reply contact name is **David Bennett**

Dear Mrs Jones,

Premises and DPS Licensing Application - 5a Church Street Trowbridge

I refer to the above application received in this office on the 24th January 2012.

In relation to the part of the application specifying Tammatha Serina Newbury as the designated premises supervisor. Please take this as notice that the Police object to this application. We believe that circumstances exist whereby the appointment of Mrs. Newbury as Designated Premises Supervisor would undermine the crime prevention objective.

In relation to the application for a new premises licence at 5a Church Street, the Police have been working with the applicant in an effort to try and ensure that the licensing objectives are promoted through an effective operating schedule.

However, I am concerned that at this point in time the licensing authority is not in possession of a revised schedule which goes towards meeting these objectives. We will further consult with the applicant in the mean time, but please note that the Police may well submit an objection in the near future if not satisfied that the objectives will be met.

Yours sincerely,

Licensing Manager
Wiltshire Police

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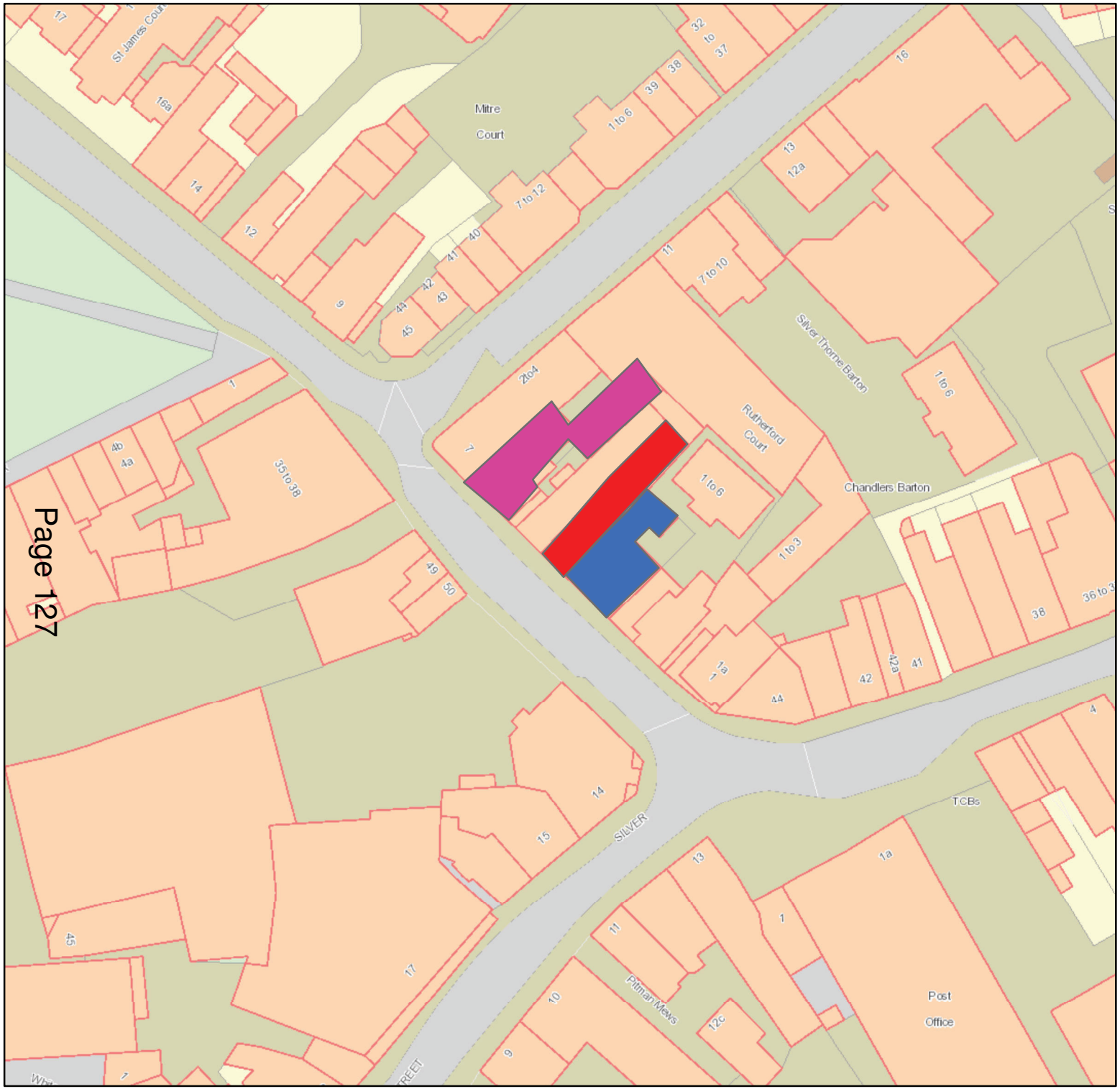
Licence Hearing
5a Church Street, Trowbridge
BA14 8DR
Applicant Mrs T Davies



5a Church Street, Trowbridge

3 - 4 Church Street,
The Charcoal Grill:
Late Night Refreshment

6 Church Street
White Swan Public House

Agenda Item 5h

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