

## **REPRESENTATION 1**

**From:** Blair Sailes  
**Sent:** 06 December 2017 18:41  
**To:** PublicprotectionNorth  
**Subject:** Representation re Whitehall garden Centre

Representation made re WHITEHALL GARDEN CENTRE

By : Charles Blair Sailes  
Notton Fields,  
Notton  
Lacock  
Wiltshire SN15 2NF

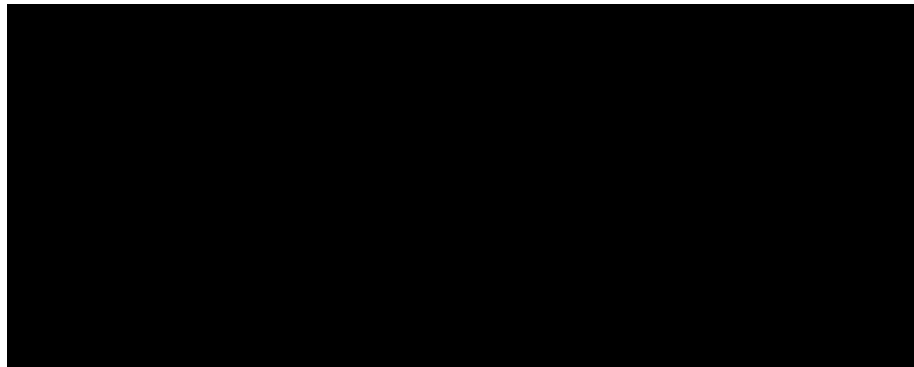
Tel : [REDACTED]

Email : [REDACTED]

### **The Prevention of Public nuisance**

The application to broaden the scope of Whitehall garden centre and to have licensing everyday from 0800- 2300 will put increased pressure on the already inadequate vehicle access. Their current Christmas activities have already led to traffic jams on the A350 and lots of cars being parked along Notton lane. Further extending the opening hours and scope of activities will further exacerbate the situation and will create a public nuisance for all residents in the vicinity. A garden centre is appropriate for a rural setting such as this but expanding it to include evening drinking, concerts, wrestling matches is completely incongruous with this small rural hamlet. I simply cannot believe that passing this application is in the best interests of the community and I am looking to the council to protect the rights of local residents in this matter.

A full blown entertainment venue is not consistent with the concept of a garden centre , nor suitable for a location serviced by narrow B roads .



Signed by :  
Sailes  
Dated : Dec 6, 2017

Charles Blair

## **FURTHER INFORMATION FOR REPRESENTATION**

**From:** Blair Sailes

**Sent:** 30 December 2017 13:01

**To:** Price, Jemma

**Subject:** Re: Whitehall Garden Centre Premises Licence Application

Dear Jemma

The amendments that have been proposed are largely cosmetic and I still feel strongly that frequent late night licensed entertainment on a scale proposed by Whitehall Garden Centre is completely inappropriate for a rural hamlet serviced by small country roads. Granting this extension will lead to more traffic congestion on the A350 and lead to more people bypassing it by shortcutting down Notton Lane. I also believe increased entertainment activity beyond 7pm will bring increased noise pollution into the area. I do not object to Whitehall running a successful and growing business but allowing them a free hand to run entertainment 7 days a week until 11pm at night will unquestionably be a major public nuisance. Some limitations to their scope must be recommended and enforced in my opinion.

Can you add this as a follow up point to my initial representation.

Thanks

Blair

## **REPRESENTATION 2**

**From:** [REDACTED]  
**Sent:** 10 December 2017 21:14  
**To:** PublicprotectionNorth  
**Subject:** Whitehall Garden Centre, Corsham Road, Lacock - Application WK/2017 28437

Attn The Licensing Officer

We wish to object to the above application on the following grounds:

**The Whitehall Garden Centre is an unsuitable location for live entertainment such as boxing, wrestling, live and recorded music, with alcohol on sale up to 11 p.m.**

**It is on the edge of a National Trust village, with housing adjacent. The noise and activity will be disruptive to a normally quiet rural area.**

**We feel this application needs to be refused on the grounds of "protection of public nuisance".**

C.R. & P. Barrett  
Wickfield  
Corsham Road  
Lacock  
Chippenham  
SN15 2LZ



**REPRESENTATION FORM**

This form must be returned within the statutory period, which is 28 days from the date the notice was displayed on the premises or the date specified in the public notice in the newspaper. Please contact the Licensing team to confirm this date.

Any individual, body or business can make a Representation to the Licensing Authority in relation to an application, regardless of their geographic proximity to the premises. Any Representation must be relevant, in that the Representation relates to one or more of the Licensing Objectives.

<b>Premises about which representation is being made</b>	WHITEHALL GARDEN CENTRE
<b>Your Name</b>	M. NEWBURY
<b>Postal Address</b>	KENT HOUSE CORSHAM ROAD LACOCK CHIPPENHAM SN15 2LZ
<b>Contact Telephone Number and Email address</b>	[REDACTED]
<b>Are you (please tick):</b> <ul style="list-style-type: none"> <li>• An individual? <input checked="" type="checkbox"/></li> <li>• A person who operates a business?</li> <li>• A person representing residents or businesses?</li> <li>• A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)?</li> </ul>	
<b>If you are representing residents or businesses who have asked you to represent them?</b>	

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

LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	

<b>The prevention of public nuisance</b>	MY OBJECTIONS TO THE PROPOSED REGULATED ENTERTAINMENT LICENCE ARE ATTACHED
<b>The prevention of crime and disorder</b>	
<b>Public safety</b>	MY OBJECTIONS TO THE PROPOSED REGULATED ENTERTAINMENT LICENCE ARE ATTACHED.

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

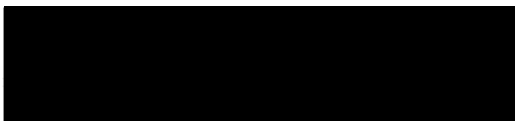
I HAVE NO OBJECTIONS TO THE EXTENSION OF THE EXISTING ALCOHOL LICENCE BUT I HAVE STRONG OBJECTIONS TO ANY TYPE OF REGULATED ENTERTAINMENT LICENCE.

If a hearing needs to be held to determine the Premises Licence Application, the Licensing Sub-committee will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

**All Representations in their entirety, including your name and address, will be disclosed to the Premises Licence applicant. A copy of Representations will be annexed to the Licensing Officer's report, which is a public document published on the Council's website and circulated to the Licensing Sub-Committee and to all those who have made relevant Representations.**

Signature.



Date...18-12-2017

Please return this form, along with any additional sheets, to the relevant Wiltshire Council Office listed below or return by email to [publicprotectionnorth@wiltshire.gov.uk](mailto:publicprotectionnorth@wiltshire.gov.uk):

**Salisbury Area** – (Salisbury, Amesbury, Downton, Mere, Hindon and Tilshead as well as the rest of the old Salisbury District Council Area), please send to:

The Licensing Officer  
Wiltshire Council  
Public Protection Services and Licensing  
Bourne Hill  
Salisbury  
Wiltshire, SP1 3UZ

**All other areas** please send to the address below:

The Licensing Officer  
Wiltshire Council  
Public Protection Services and Licensing  
Monkton Park  
Chippenham  
Wiltshire, SN15 1ER

## The prevention of public nuisance

### **ASSESSMENT OF PROPOSED LICENCE ON THE SURROUNDING ENVIRONMENT**

The activities proposed on this site are not compatible with its rural location.

Noise, but particularly late at night noise, would adversely affect the adjacent residential properties both from the venue and from traffic movements within the site.

There have been 2 occasions when this Garden Centre have applied for and had refused applications to install a miniature railway on this site. Both applications were refused and both were taken to Appeal and both were dismissed. Ref: *N92/1086 Refused. Appeal dismissed 24/11/1992. N93/1929 Refused. Appeal dismissed 2/09/1994.* Planning Inspectors looked at how the proposals would adversely affect its environment and concluded that "There are times when the adjoining residents are most likely to be enjoying the use of their rear gardens and when they could reasonably expect some peace and quiet." This Licence Application could potentially create noise day and night.

Objections to the Application for a Regulated Entertainment Licence are made with regard to the above concerns.

## Public safety

### **ASSESSMENT OF PROPOSED LICENCE ON THE CAR PARKING AND LOCAL HIGHWAYS**

The current arrangements are clearly unable to cope with the present level of patronage of Garden Centre customers at peak times. Any use which would attract even more visitors and generate additional traffic movements particularly if that be at night, will have a detrimental effect on the adjoining Principal Road A350 and the C150 Corsham Road should be resisted.

It has been proven that by providing "other activities" on site customers are encouraged to stay longer which reduces the capacity of the car parking areas and as a result customers park on the highways which is dangerous to other road users and inconvenient to the adjacent properties. Corsham Road is a two vehicle width road and any on street parking creates one way working. A short strip of Double Yellow lines were laid on 15<sup>th</sup> December 2017, but the Garden Centre have continued to find it necessary to place traffic cones on both sides of these lines to prevent customers parking on the Corsham Road and Notton Lane.

The largest area of current car parking on site is not all weather surfaces and is not lit for the dark which would be dangerous if the proposed Licence be granted for use to 23.00.

Full Planning Permission was granted on this site with a number of conditions concerning changes to the entrance and other works on the nearby carriageway and to upgrade car parking areas within the site prior to work commencing. (*Application 11/10446/FUL*) To date none of these alterations or car parking upgrading has taken place. In the Notification of Full Planning and at **#38 Information to Applicant** it reads: "The applicant is requested to note the concerns of Committee Members in respect of the lack of a designated secondary/emergency vehicular access to the site within the approved scheme. It is recommended that this is given further consideration with a view to ascertaining whether subsequent improvements could be made in this respect."

Objections to the Application for a Regulated Entertainment Licence are made with regard to all of the above concerns.

## **FURTHER INFORMATION FOR REPRESENTATION**

**From:** mglnewbury [REDACTED]  
**Sent:** 04 January 2018 11:49  
**To:** Price, Jemma  
**Subject:** Licence Application Whitehall Garden Centre

Dear Ms Price

### **New Premises Licence Application WK/201728437 Whitehall Garden Centre**

I would wish to add further comments to my representations already made.

#### **Prevention of Public Nuisance.**

The site is not large enough to accommodate events whether ticketed or not for up to 2500 people. This could potentially require parking for a possible 1250 vehicles not including staff or set up vehicles. From documents compiled by the garden centre to support recent planning applications there is car parking on site for approximately 630 cars.

The amendments do not guarantee that there will be no noise disruption to the nearby residential properties, it only refers to monitoring noise and keeping records. This is not satisfactory.

Footpath number 38 which runs along the full length of the southern Garden Centre boundary will be severely affect by noise pollution.

The application refers to the end time for planned activities. At least an hour and a half can be added to that to allow people and staff to leave. This could potentially lead to there still being people on site until 00.30 hours.

Regards

M. Newbury



**REPRESENTATION 4**

# Wiltshire Council

Where everybody matters

**REPRESENTATION FORM**

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<b>Premises about which representation is being made</b>	WHITEHALL GARDEN CENTRE, LAZOUK WK/201728437
<b>Your Name</b>	JANET MARGARET BRIGGS
<b>Postal Address</b>	AXFORDS PATCH, CORSHAM ROAD, LAZOUK, CUTTIPENHAM WILTS SN15 2LZ
<b>Contact Telephone Number and Email address</b>	
<b>Are you (please tick):</b> <ul style="list-style-type: none"> <li>• <input checked="" type="checkbox"/> An individual?</li> <li>• A person who operates a business?</li> <li>• A person representing residents or businesses?</li> <li>• A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)?</li> </ul>	
<b>If you are representing residents or businesses who have asked you to represent them?</b>	No

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

LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	

<p><b>The prevention of public nuisance</b></p>	<p>THE ENTERTAINMENT ELEMENT OF THE APPLICATION, COMBINED WITH THE EXTENSION OF LICENSING HOURS TO SELL ALCOHOL ON AND OFF-SALE UP TO 23:00 HOURS WILL CAUSE PUBLIC NUISANCE TO ALL RESIDENTS CLOSE TO THE PREMISES.</p>
<p><b>The prevention of crime and disorder</b></p>	
<p><b>Public safety</b></p>	

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

CONTAIN LICENSING HOURS TO THEIR CURRENT LEVEL AND TIME FOR SALES IN THE SHOP.

RESTRICT ENTERTAINMENT LICENCES TO DAYTIME (OR DAYLIGHT HOURS)

IMPROVE ACCESS FOR VEHICLES AND PARKING

If a hearing needs to be held to determine the Premises Licence Application, the Licensing Sub-committee will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

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X Signatur  Date. 15<sup>th</sup> Jan 2017 X

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Salisbury  
Wiltshire, SP1 3UZ

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Chippenham  
Wiltshire, SN15 1ER

**REPRESENTATION 5**


# Wiltshire Council

 Where everybody matters

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<b>Premises about which representation is being made</b>	Whitehall Garden Centre, Corsham Road, Lacock Chippenham, Wiltshire, SN15 2LZ app. WK/201728437
<b>Your Name</b>	Ralph Harding
<b>Postal Address</b>	Pitstruan, Corsham Road, Lacock,  Chippenham, Wiltshire, SN15 2LZ
<b>Contact Telephone Number and Email address</b>	
<b>Are you (please tick):</b> <ul style="list-style-type: none"><li>• An individual? <input checked="" type="checkbox"/></li><li>• A person who operates a business?</li><li>• A person representing residents or businesses?</li><li>• A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)?</li></ul>	
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LICENSING OBJECTIVES	EVIDENCE
	PTO

<p><b>The prevention of public nuisance</b></p>	<p>Based on the evidence we have seen of the effects of the seasonal activities undertaken at the Garden Centre with the current opening hours, their nature and the present infrastructure for access, this clearly demonstrates that allowing the following licensed activities:</p> <ul style="list-style-type: none"> <li>• Performance of a Play / Films / Boxing &amp; Wrestling</li> <li>Indoor Sporting Event / Live Music / Recorded Music</li> <li>Performance of Dance and Anything similar</li> </ul>
<p><b>and Public safety</b></p>	<p>– Sunday to Saturday 08:00hrs to 23:00hrs and,</p> <ul style="list-style-type: none"> <li>• Sale of Alcohol ON and OFF Sales – 08:00hrs to 23:00hrs</li> </ul> <p>would put increasing pressure on site not appropriate for such activities and result in an intolerable increase to public nuisance in a rural environment close to a National Trust village. Public safety would likewise suffer.</p>

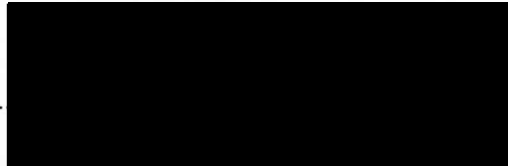
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Signature.....



Date...<sup>TH</sup> 19 DECEMBER 2017

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Monkton Park  
Chippenham  
Wiltshire, SN15 1ER

## **REPRESENTATION 6**

**From:** Holland, Linda  
**Sent:** 20 December 2017 16:56  
**To:** Price, Jemma  
**Subject:** New Premises Application: Whitehall Garden Centre

Good Afternoon Jemma

Further to my email below having considered the late proposed amendments to the application, as the officer delegated on behalf of the Licensing Authority in my opinion although the proposed conditions seek to address some of the concerns however there seem to be a lack of appreciation regarding the applicants responsibilities under the Licensing Act 2003 to promote the Licensing Objectives.

This has been demonstrated by the licence holder failure to comply with the Licensing Act 2003 previously having carried development work at the site without varying the licence to cover the new areas of licensable activities.

The details regarding management of the proposed events so as to promote the Licensing Objectives and reduce the impact on the local community gives rise to concern therefore Licensing Authority objecting to the application.

Regards

Linda

Linda Holland  
Licensing Manager  
Public Health & Public Protection

**From:** Holland, Linda  
**Sent:** 08 December 2017 10:46  
**To:** Price, Jemma  
**Subject:** New Premises Application: Whitehall Garden Centre

Hello Jemma

As the officer delegated to respond on behalf of the Licensing Authority, I have considered the application and accompanying plan which in my opinion does not have sufficient information or the clarity of detail required.

The proposed application for a new licence for the garden centre requires sufficient detail as to how the proposed varied licensable activities will be managed whilst promoting the four licensing objectives.

The references to possible control measures e.g.: CCTV, challenge 25 etc. on the operating schedule, require detail as to how these will be implemented, managed and sustained. These do not in my opinion seek to promote:

The prevention of public nuisance, public safety, prevention of crime and disorder or protect children from harm.

Detail is required as to the proposed; locations of the boxing, wrestling and live and recorded music i.e.: where marquees maybe located etc.

In relation to boxing and wrestling there are additional provisions required to comply with statutory needs of recognised control body for each of the sports which relate in essence to suitable medical provision and management of the event, this also needs to be written into the operating schedule and or any event management plan.

As with any application it is for the applicant to be aware of the expectations of the responsible authorities as to which steps are necessary to demonstrate their knowledge of the local area and the impact the proposed activities may have on the community.

Any steps proposed by an applicant as set out in the operating schedule will often translate into conditions unless a hearing is necessary to determine any representations, it is my opinion that the level of detail proposed, does not enable the licensing authority to confirm that the applicant has demonstrated an understanding of the implications of the activities proposed or the requirement on the applicant to demonstrate knowledge of the licensing act and the responsibilities placed on the licence holder if granted.

Licensing Authority as a responsible authority, are minded to object to the application, as I consider the proposed application in its current format, likely to undermine the licensing objectives: Public Safety, The prevention of Crime and Disorder and the Prevention of Public Nuisance, without further attention to the proposed application

Regards

Linda

Linda Holland  
Licensing Manager  
Public Health & Public Protection



## **REPRESENTATION 7**

**From:** Broad, Damaris

**Sent:** 20 December 2017 16:37

**To:** Price, Jemma

**Subject:** RE: Further amendment to Whitehall Application - addition of further conditions

Good afternoon Jemma,

I would like to make a representation against this license.

I note that it includes both live and recorded music inside as well as outside until 23:00. Live and recorded music, especially outside obviously has the potential to cause a nuisance to neighbours of the garden centre. At this stage I am unclear of when it is intended such events will be held and the frequency they will occur. I have contacted the applicant for more information on this matter.

Kind regards

Damaris Broad  
Environmental Health Officer  
Public Protection  
Wiltshire Council  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN



## **REPRESENTATION 8**

**From:** [REDACTED]

**Sent:** 20 December 2017 16:16

**To:** Price, Jemma

**Subject:** Fwd: Re: Representation regarding Application for a Premises Licence - Whitehall Garden Centre, Corsham Road

Thank you for your time this afternoon. See representation below

We live in Notton which is down Notton Lane from Whitehall Garden Centre. As well as myself and my wife, I am representing the views of some other residents of Notton who are listed at the end of this email.

We strongly object to the application by Whitehall Garden Centre for a licence to sell alcohol and to put on entertainment including live music ,particularly outside, until as late as 23.00. We are objecting under one of the licencing objectives "The prevention of public nuisance".

Whitehall Garden Centre is in a residential area including houses along Corsham Road and houses in Notton. If permission is granted to allow Whitehall Garden Centre to stay open until 23.00 in order to sell alcohol and to put on entertainment on the premises including live music, and other forms of entertainment, which is likely to draw large numbers of new visitors to the garden centre specifically for these events, we, as local residents, are going to be blighted by noise throughout the evening, both potential noise from these events and also noise from traffic going to and from Whitehall. On a still evening noise from any music event held outside in the grounds of Whitehall is easily going to reach all the residents in Notton.

As regards noise from traffic, you should be aware that at busy times in the garden centre traffic gets backed up when vehicles exit the garden centre and try to get through the traffic lights and on to the A350. The result is that visitors , almost all of whom visit Whitehall Garden Centre by car , use Notton Lane as a rat run. If live or other entertainment is put on at Whitehall it is likely that everyone attending the event will leave at the same time as opposed to being spread out over a period of time, resulting in the back up of traffic and more cars passing through Notton to access the A350 causing increased noise to residents of Notton at a late hour.

We have no objection to Whitehall having an alcohol licence or putting on entertainment during the day but we feel that to avoid this being a public nuisance locally the licence should end at no later than 19.00. As an alternative can we suggest that Whitehall be allowed ,say, 3-4 days per year to put on entertainment till 22.00, which is currently the latest time allowed by the Wiltshire Planning Authorities for the garden centre to be open to the public.

Christopher and Hilary Leslie

Notton Lodge

Notton,

Lacock

SN15 2NF

ADDITIONAL RESIDENTS OF NOTTON SUPPORTING THIS REPRESENTATION

Ian and Faye Board, Gavel House, Notton

Mike and Sue Chislett, 9, Notton

Rupert and Sara Huber-Dixon, Morse House, 7, Notton

Derek and Sue Fothergill, 6, Notton

Linda Mowday, 13 Notton

Jayne and Ben Goss, The Coach House, Notton

T.Hawkins, 3, Notton

Derek Wilkinson, Home Close, Notton

Leonore Moore and Charlie Moore, Netherwood, Notton

Mark and Julia Allan, Old Orchard, Notton

Peter and Anita Vanstone, Streamside, 15A, Notton

Andrew and Therese Constable, 15, Notton

David and Donna Eades, 12, Notton