

COPY

17th August 2010

Mr A M Morris
The Pheonex Bar
4 High Street
Wootton Bassett
Wiltshire
SN4 7BS

Public Protection Services
Licensing Team
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

DX 34208 CHIPPENHAM

Our ref: LN/4433/LVH/LME

Dear Mr Morris

Re: Licensing Act 2003

I am writing to inform you that I have received several complaints regarding anti-social behaviour by your patrons, and noise emanating from your premises.

I would like to arrange to meet you at the premises on 2nd September 2010 at 14:00 hrs to discuss these complaints.

In the meantime I ask you take measures to ensure that your licenses are fully complied with and your patrons are encouraged to leave your premises in a quiet orderly manner. Please note The Licensing Act 2003 affords the residents in the vicinity of a licensed premises the opportunity to apply for a review of a licence where they can demonstrate that matters are arising that relate to any of licensing objectives, public nuisance, public safety, crime and disorder, protection of children from harm.

Please contact me if you are unavailable so we can arrange a more suitable time.

Yours sincerely

Linda Holland
Licensing Enforcement Officer
Tel. 01249 706410
Fax. 01249 444650
Email: linda.holland@wiltshire.gov.uk

Cc: Mr S Kerr, 56 The Rosary, Wootton Bassett, Swindon, Wiltshire, SN4 8AZ

1st September 2010

Mr A Morris and Mr S Kerr
The Pheonex Bar
4 High Street
Wootton Bassett
Wiltshire
SN4 7BS

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Public Protection Services
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

DX 34208 CHIPPENHAM

WK/201005501 WK/201005493 WK/20105438 JPF/DRW

Dear Sirs,

**Re: Environmental Protection Act 1990
Noise emissions from amplified music being played at The Pheonex Bar, 4 High Street,
Wootton Bassett SN4 7BS**

Further to Linda Holland's (Licensing Officer) visit to you on 31st August 2010, regarding various licensing issues, I am writing to confirm that residents have also alleged that there is a 'noise' issue.

I would just like to remind you that whilst your licence allows you to play live and recorded music from 11:00 to 01:00 hrs, the music should not be played at a level that could give rise to a statutory noise nuisance under the above legislation.

At this stage, no monitoring has taken place, but if complaints persist and nuisance is substantiated, then an Abatement Noticed will be served.

I trust, however, that you will control the noise to a reasonable level and that formal action will not prove necessary.

Yours faithfully



J P Freegard
Higher Technical Officer
Tel. 01249 706404
Fax. 01249 444650
Email. publicprotectionnorth@wiltshire.gov.uk

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7th September 2010

Mr & Mrs Kerr
Pheonex Bar
4 High Street
Wootton Bassett
Wiltshire
SN4 7BX

Public Protection Services
Licensing Team
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

DX 34208 CHIPPENHAM

Our ref: LVH/LME

Dear Mr & Mrs Kerr

Licensing Act 2003

Re: Pheonex Bar, 3-4 High Street, Wootton Bassett, Wiltshire

I write with reference to my licensing visit to the Pheonex Bar on Tuesday 31st August 2010 following complaints regarding anti-social behaviour by your patrons and noise nuisance emanating from your premises.

I have set out below the measures you offered to take, to address some of the concerns of the residents, and to ensure compliance with your Premises and Club Licences:

- A ban from the premise of any patrons or persons found to be causing trouble in and around the premise. *This to take effect immediately*
- CCTV to be installed to cover the outside front area, and the side smoking area. *This to be installed and operational within two months.*
- Patrons to be discouraged from using the area outside the front of the building to smoke, signs to be put up to this effect and the management to enforce. No drinks will be permitted to be taken into this area, patrons will be directed to the side smoking area nearest the school away from residential property. *This to take effect immediately*
- The outside front area to be cleaned on a more regular basis. *This to take effect immediately*
- The Smoking area to the side of the building to be fenced to ensure no glass or stones can be thrown or dropped on the adjacent school playground. *This to be done within 14 days*
- A recommendation was made to keep a noise monitoring log whilst any live or recorded music was being played to assist with controlling noise breakout from the building. *This to take effect immediately*
- Management to ensure that all staff to carry out the required ID checks on any person who appears under the age of 21, who wishes to purchase or consume alcohol. *This to take effect immediately*

All staff should be aware of the requirements of the Premises Licences issued to the Pheonex Bar and the steps needed to ensure compliance.

Cont.../

If you have any queries please do not hesitate to contact me.

Yours sincerely

A large, dark, scribbled-out area, likely representing a redacted signature or name.

Linda Holland
Licensing Enforcement Officer
Tel. 01249 706410
Fax. 01249 444650
Email: linda.holland@wiltshire.gov.uk