

Application for Review of a Premises Licence; Galaxy Caffè 28 Roundstone Street, Trowbridge BA14 8DE

1. Background

1.1 My name is Richard Francis and I am a Senior Environmental Health Officer within the Environmental Protection Team, of Wiltshire Council. I have been working for the council for 3 years and 10 months and prior to that I worked at South Gloucestershire Council for 10 years as an Environmental Health Officer (EHO) and a Senior Licensing Officer. I have a post graduate diploma in acoustics and noise control and I am a corporate member of the Chartered Institute of Environmental Health.

1.2 In December 2012 I made a representation to a variation of the Galaxy Caffè premises licence. I made a representation as I didn't believe that the premises was suitable to hold live and recorded music and I was of the opinion that if the licence variation was granted it would result in a breach of the licensing objective "Prevention of Public Nuisance". I enclose a copy of this in **Appendix 1**.

2. The location of the premise

2.1 The premise is situated on the ground floor rank of a terrace with mixed use shops at ground floor and residential flats at first floor. The Galaxy Caffè and the first floor flat are in the same ownership. To the left of the premises is situated the Ho Wah restaurant, which is a licensed premise where people are able to sit at a table and enjoy a meal. Approximately 25 meters away is the Polebarn hotel which has both living accommodation for the family owners and 12 rooms for guests. Within 50 meters of the front of the premises are at

least 6 residential addresses. A map of the location of the Galaxy cafe showing its position in relation to its neighbours can be found at **Appendix 2**.

2.2 The premise has three large single glazed windows to the front of the cafe looking out on to Roundstone Street and a single door entrance, with no lobby. When either live music or amplified music is played at the premises it is easily transmitted through the windows out into the street, in addition when the door opens and closes to allow patrons to enter and exit the music level constantly increases and decreases considerably and escapes out into the street. This gives an effect of a constant alternating level of music being emitted from the premise. I have included photographs of the premise in relation to its neighbours in **Appendix 3**.

3. Grounds for Review

3.1 On the 18th of January 2012 two complaints were received regarding loud music coming from the Galaxy Cafe. On the 19th January 2012 a letter was sent to the occupiers Mr Sebastian Siegmuller and Mr Damian Siegmuller advising them that complaints had been received. Within this letter was a reminder of the conditions that were placed on the licence as a result of the December hearing. This letter can be found in **Appendix 4**.

3.2 On the 28th January 2012 Wiltshire Council Licensing Enforcement Officers witnessed loud music being played at the Galaxy Caffe and have provided a statement of their visit detailing what they heard and witnessed. A copy of Linda Holland (Senior Licensing Officer) is provided as evidence and is included in **Appendix 5**.

3.3 In view of the evidence provided by Linda Holland (Senior Licensing Officer) and the two complaints it was deemed necessary to serve a Noise Abatement Notice. This was served on the 17th February 2012 on both Mr Sebastian Siegmuller and Damian Siegmuller . A copy of this noise abatement notice can be found as **Appendix 6**.

3.4 On the 25th February 2012 Susie Vowles (Public Protection Officer) witnessed loud music coming from the Galaxy Caffe and in her opinion the levels were in breach of the requirements of the noise abatement notice and demonstrated that the requirements of the licensing objective Prevention of Public Nuisance was not being met. A copy of Susie Vowles witness statement (Public Protection Officer) is provided as evidence and can be found as **Appendix 7**.

3.5 On the 10th March 2012 I undertook a joint evening visit with my colleague Susie Vowles (PPO). At approximately 10.00 p.m. I visited the Polebarn hotel. On arrival I looked across at the Galaxy Cafe and there was a small crowd of around 10 people outside smoking on the pavement. They were talking very loudly and the music was very loud even though the door was closed. When the door opened up to allow another patron outside to smoke the music level increased considerably. I entered the Polebarn hotel and stood in the kitchen, whilst discussing the music with Mrs Owen the owner, the level of music and in particular the beat could be heard above our conversation. I sat in the lounge and noticed the music was very loud as this room was closer to the Galaxy Cafe. I opened one of the sash windows by 4 inches, the voices of the crowd outside were very audible and the music was reverberating around the lounge. Every time the door opened music became

louder and clearer and more disturbing. Whilst sat in the lounge a guest rang down from one of the guest rooms and complained about the level of music and believed it was coming from a neighbouring guests room and wanted something done about it, I could clearly see that Mrs Owen was distressed about receiving this telephone call and was worried about the impact this music would have on her business. I left Polebarn hotel at 10.55 p.m. and the music bass was still very loud. At 11.15 p.m. I walked past the front of the Galaxy Caffe and there was approximately 7 people outside smoking and chatting. I then walked away from the Galaxy Caffe towards the Tanning shop approximately 50 meters away and stood in the car park immediately behind the Polebarn hotel, the music was very evident and the bass was very noticeable. I then walked past the front of the Galaxy Caffe and looked in through the window, the Caffe was full of people both dancing and sitting around tables, the music was very loud and the place was lit up with flashing disco lights. I asked a patron outside the club what was going on and she said there was a DJ playing music, I asked her if it was through the Television and she said no. As I walked back to my car approximately 125 meters away and outside the Police station I could still hear the music. In my opinion the music and in particular the bass level was a statutory noise nuisance and was a breach of the noise abatement notice served by the Council.

3.6 On the 14th of April 2012 at 11.15 p.m. I visited the area surrounding the Galaxy Caffe with my colleague Susie Vowles to see if they were playing loud music in breach of their noise abatement notice. I parked outside the Police station and I could hear amplified music being played and it was coming from

the direction of the Galaxy Caffe which is approximately 125 meters away. I walked up to the cafe and stood on the opposite side of the road, I could see a single performer singing into a microphone and playing a saxophone whilst walking around the cafe. The glass windows were giving little acoustic protection to stop the music being transmitted into the street and the music could clearly be heard in the street. It is my opinion that the music at these levels was causing a public nuisance to the surrounding residential properties. In addition the levels were in breach of the noise abatement notice.

3.7 On the 10th of April 2012 I submitted an application for review of the Galaxy Caffe premises licence to the Licensing department of Wiltshire Council. In addition a copy of the review application was hand delivered to the Galaxy Caffe by Susie Vowles, Public Protection Officer. A copy of this application for the review of premise licence can be found as **Appendix 8**.

4. Recommendations

4.1 In my opinion the evidence demonstrates that the owners have no intention in complying with either the Noise abatement Notice or protecting the licensing objective of the Prevention of Public Nuisance. Both the Polebarn Hotel and Wo Hah restaurant experience music noise on most Saturday nights through to the early hours of Sunday morning. In order to ensure that the licensing objective of the Prevention of Public nuisance is protected and the premises music no longer cause a nuisance to the neighbouring residential and commercial properties I believe that that the Licensing committee should consider the following:

(i) Remove both live and amplified music from the premise licence.

OR

(ii) Restrict the times that live and amplified music can be played at the premise in that no live and amplified music shall be played after 7.30 p.m. Monday through to Sunday.

10 April 2012

Mr Sebastian Siegmuller &
Mr Damian Siegmuller
Galaxy Caffe
28 Roundstone Street
Trowbridge
Wiltshire
BA14 8DE

Public Protection Services
165 Bradley Road
Trowbridge
Wiltshire
BA14 0RD

Our Ref: 12/00105/NOMUS/SV/
Your Ref:

Dear Messrs Siegmuller

Environmental Protection Act 1990
Licensing Act 2003
Environmental Protection Act 1990
Galaxy Caffe, 28 Roundstone Street, Trowbridge, Wiltshire, BA14 8DE

Further to the notice that was served on yourselves on 17 January 2012, we have continued to receive complaints with regards to loud music.

I believe that you are not meeting the licensing objectives set out in your licence and I have therefore requested a review of the premises licence under the Licensing Act 2003. We may also take action under the Environmental Protection Act 1990.

I have enclosed the relevant document which I have also hand delivered to the Galaxy Caffe.

Yours sincerely,

Mrs Susie Vowles
Public Protection Officer

tel number: 01225 776655 ext 15295

e-mail: susie.vowles@wiltshire.gov.uk

Appendix

- Appendix 1** Copy of Environmental Protection the representation to variation November 2011
- Appendix 2** Location Map of the Galaxy Cafe and surrounding streets
- Appendix 3** Photographs of the Galaxy Caffe and surrounding area
- Appendix 4** Letter to Galaxy Cafe owners making them aware of the music complaint
- Appendix 5** Statement of Linda Holland (Senior Licensing Officer)
- Appendix 6** Noise abatement Notice
- Appendix 7** Statement of Susie Vowles (Public Protection Officer)
- Appendix 8** Application for the review of premise licence

Memo

To: Maggie Jones
Licensing Officer

From: Richard Francis
Environmental Health Officer

cc:

Your Ref:

Date: 24/11/2011

Our Ref: 11/03028/LICONP/RF/lw1.11

Tel N°:

**Consultation on Licensing Application – Variation
Galaxy Cafe 28 Roundstone Street Trowbridge**

I wish to object to the application to vary the premises licence for the Galaxy Cafe.

I make my objection in order to protect the licensing objective of Prevention of Public Nuisance.

The application is to extend the hours for live Music, recorded music, karaoke, provisions of facilities for making music, late night refreshment, alcohol and the opening hours of the premises.

The location

The premise is situated on the ground floor in a rank of terraced mixed use shops at ground floor and residential flats at first floor. Above the premises at first floor level is a private dwelling. I believe that both the cafe and the dwelling are in the same ownership.

The premise has three large single glazed windows to the front of the cafe and a single door entrance. Every time the door is opened and closed the music will transmit out onto the street, there is no lobby leading into the premises.

The windows will only reduce the levels of noise generated by the music marginally and any music events held at the premises are likely to generate a public noise nuisance to neighbouring premises

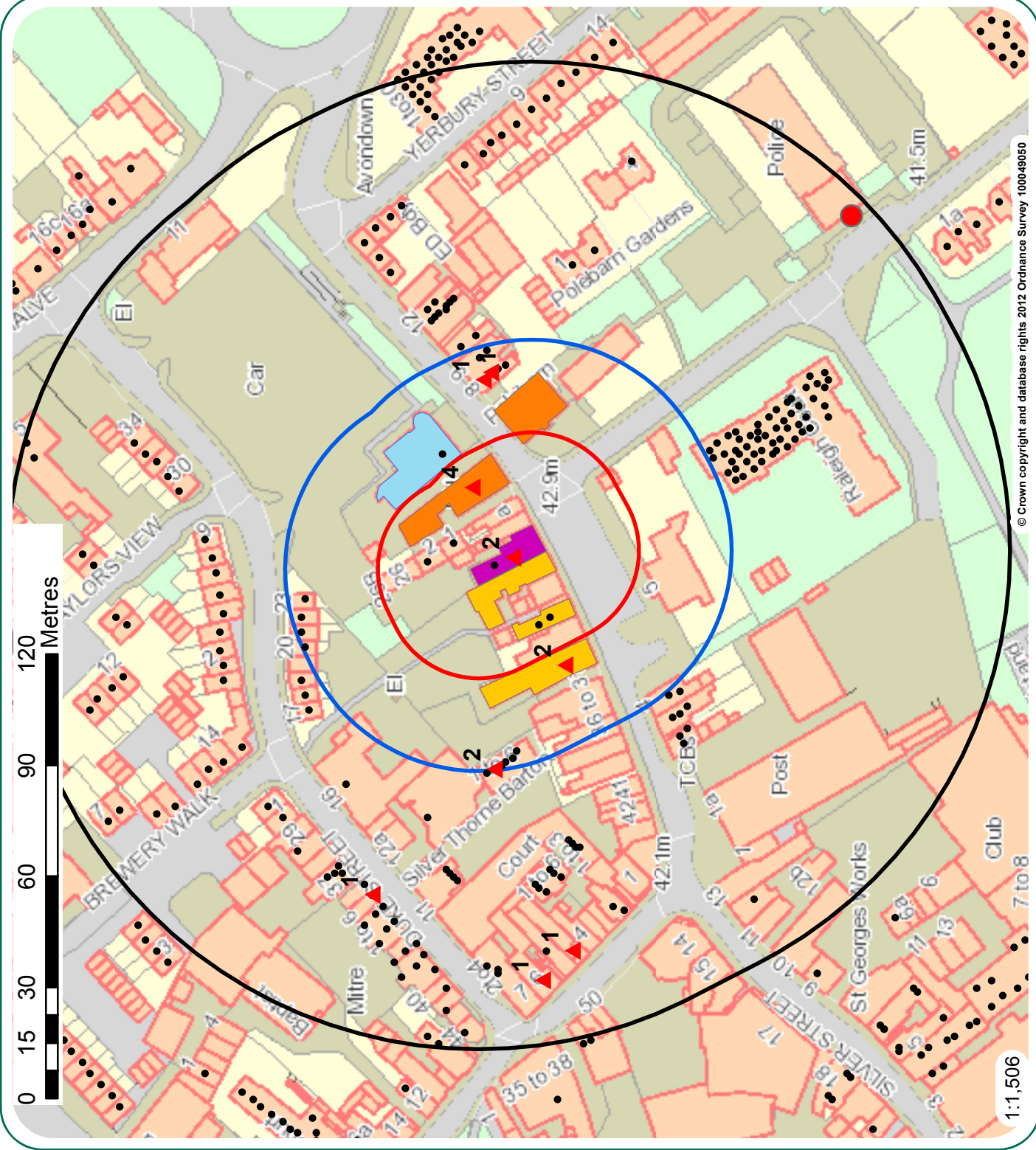
I am of the opinion that in order to protect the occupants of the flats from noise associated with the both music and people, a substantial investment would have to be made to the building structure to achieve the noise insulation required to protect the dwelling from the licensed premise activities.

As a minimum an acoustic report would be required from a recognised acoustic engineer detailing the predicted noise readings expected in the flat and at neighbouring residential properties and any recommended measures required to protect the flat and neighbouring properties from noise, if required.

However, I am of the opinion that the works required to eliminate nuisance noise at all neighbouring properties would be cost prohibitive to the applicant, and may also be unachievable and could in fact lead to an unsatisfactory noise climate within the venue itself.

Smoking Scene

There is no designated area for patrons to smoke at the premises. At present the patrons have to step out onto the 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 the drinking and smoking outside. In order to prevent a public nuisance from this activity I feel that a condition should be placed upon the licence prohibiting alcoholic drinks being taken outside.













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Key to Map

-  Galaxy Cafe 25m Buffer
-  Galaxy Cafe 50m Buffer
-  Galaxy Cafe 125m Buffer
-  Alcohol Sales
-  Club Registration
-  Late Night Refreshment
-  Late Night Venue
-  Noise from Music Complaints (3 year)
-  Residential Address
-  Monitoring Location



Appendix 3

Photograph 1 – Galaxy Caffe, showing front windows and entrance. The door shown is the entrance to the upstairs living accommodation.



Photograph 2 – Looking at Galaxy Caffe from the living room of the Polebarn Hotel



Photograph 3 – looking at Galaxy Caffe from flats towards Polebarn Hotel



Photograph 4 – Ho Wah Chinese located next door



Photograph 5 – looking at Galaxy Caffe from Polebarn Road, the police station is approximately 20 metres behind where the photo is taken.



19 January 2012

Public Protection Services
165 Bradley Road
Trowbridge
Wiltshire
BA14 0RD

Mr Sebastian Siegmuller &
Mr Damian Siegmuller
Galaxy Caffé
28 Roundstone Street
Trowbridge
Wiltshire
BA14 8DE

Our Ref: 12/00105/NOMUS/SV/sg15.1
Your Ref:

Dear Messrs Siegmuller

**Environmental Protection Act 1990
Licensing Act 2003
Complaint of alleged noise nuisance from loud music
Galaxy Caffé, 28 Roundstone Street, Trowbridge, Wiltshire, BA14 8DE**

I regret to inform you that I have recently received a complaint alleging that noise from loud music has caused some disturbance to people living near you.

You may not be aware that this has affected anybody else, and I am taking this opportunity to advise you of our noise complaints procedure.

This Council investigates all such complaints to determine if they are justified and to assess whether the noise amounts to a 'nuisance'. 'Nuisance' is a legal term which means that a noise interferes with someone's right to enjoy their house and garden. A number of factors are taken into consideration by the Environmental Protection Officers, including how often the noise occurs, its volume, character and time of day. Noise can cause a nuisance during the day as well as the night and the law does not set any limits. Generally speaking, the more often a noise occurs then the more likely this is to be judged a nuisance.

Action is taken where noise nuisance can be confirmed by direct observation by officers. In some circumstances evidence obtained from monitoring equipment can also be used to support formal action. This monitoring will be carried out within three months from the date of this letter.

If an Officer is satisfied that a nuisance exists then a legal Notice may be served requiring the noise to stop or be reduced. If the noise continues after such a Notice has been served then further legal action may be taken through the Courts. It is an offence not to comply with such a notice, the maximum fine for which, on summary conviction in a Magistrates' Court, is £20,000.

You also have a number of conditions on your premises licence issued under the Licensing Act 2003 which you must comply with. The conditions are as follows:

1. Doors and windows are to be kept closed when amplified music is performed
2. A nominated member of staff to monitor noise in the vicinity of the premises, both to the front and the rear, with particular regard to changes of volumes when the doors are opened. Action to be taken if necessary. A log book to be kept to include the time and date of checks, names of staff and action taken.

If you fail to comply with these conditions then it is possible for your licence to be reviewed which could result in your licence being withdrawn. You could also be prosecuted for not complying with your licence.

If you think there may be any justification for the complaint then I would appreciate your co-operation in this matter. I would be pleased to discuss this matter with you should you wish to do so, please contact me.

Yours sincerely,

Mrs Susie Vowles
Public Protection Officer

tel number: 01225 776655 ext 15295

e-mail: susie.vowles@wiltshire.gov.uk

Witness Statement

(CRIMINAL PROCEDURE RULES, PART 27)

Statement of Witness

(Criminal Procedure Rules, r27.1(1)):

Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s.5B)

STATEMENT OF: LINDA VANESSA HOLLAND

Age of witness: over 18

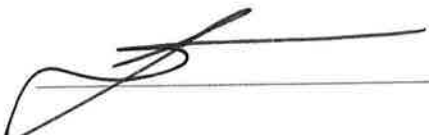
Occupation of witness: Public Protection Officer - Licensing

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 15th May 2012

Signature 

1. My name is Linda Holland and I am a Senior Licensing Officer within the Licensing Team, of Wiltshire Council. I have been working for the council for 22 years with 19 years of this working as a Licensing Officer. I am an authorised officer of Wiltshire Council **Exhibit 1**.
2. On the 28th / 29th January 2012 I was carrying out late night Inspection visits of Trowbridge licensed premises with Mrs Margaret Jones Licensing Officer and Mrs Pippa McVeigh Public Protection Manager Safer Communities and Licensing Manager who had accompanied Mrs Jones and me to observe our inspections.

Signature  dated 15 MAY 2012

On parking our car in Lovemead Carpark, The Halve, Trowbridge we exited it into Roundstone Street at 21:15 via the stone steps, on reaching ground level music could be clearly heard, though no words were audible, we walked along Roundstone street towards the town centre. We stopped at the 7 day shop at 10/11 Roundstone Street to carry out an inspection, on leaving the premises the volume of the music had increased but at that time I was unable to identify its source, only the direction. Walking further down the street the music volume continued to increase and upon reaching PetCare and Aquatics 9 Roundstone Street, I could identify the source of the music as coming from The Galaxy Cafe 28 Roundstone Street Trowbridge both words and music were clearly audible, the music was being played at a high volume, I could not identify the songs due to the lyrics being unrecognisable.

3. We moved to stand opposite the Galaxy Cafe for 5 minutes where through the large clear glass window at the front of the building flashing lights and a disco could be observed. There were a number of patrons stood on the pavement and step outside the premises smoking and talking, some had glasses or bottles in their hands. As each patron left or returned to the premise on opening the door the volume of music significantly increased.

Signature



dated

15th MAY 2012

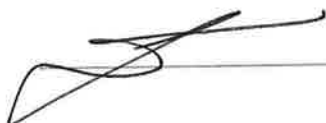
4. We carried out a number of inspection visits of licensed premises in the town and returning to the carpark at 22:15 to leave to carry out inspections in Warminster, we had to pass by The Galaxy Cafe, the disco was still in progress loud music was audible, and patrons were still gathered on the pavement.

5. We returned to Trowbridge at 23:50 to carry out a late inspection on a nightclub and again observed The Galaxy Cafe on route to the nightclub, the disco was still in progress and the premises was noisy from both the music and patrons gathering outside.

6. On returning to the car at 00:45 we again passed the Galaxy Cafe at this time the premise was quiet no music or disco lights, a few customers still inside the premise.

7. As a Licensing Officer with 19 years experience of carrying out numerous licensing inspection / enforcement visit both during the day and night time in my opinion the volume of the disco music being played at the Galaxy Cafe on the night of 28th January 2012 constituted a public nuisance due to the distance at which the music could be clearly heard.

Signature



dated

15 MAY 2012 .

INSTRUMENT OF APPOINTMENT

I hereby certify that **LINDA HOLLAND**

Is an inspector/authorised officer of Wiltshire Council (the Council) for the purpose of

1. the following Acts and,
 - a) any Orders or Regulations made thereunder or relating to any of the foregoing or having effect by virtue of the European Communities Act 1972, and
 - b) any modification or re-enactment of the same

Animal Boarding Establishments Act 1963
Animal Health Act 1981
Animal Health and Welfare Act 1984
Animal Welfare Act 2006
Antisocial Behaviour Act 2003
Breeding of Dogs Act 1973 and 1991
Caravan Sites & Control of Development Act 1960
Caravan Sites Act 1968
Cinemas Act 1985
Crime and Disorder Act 1996
Criminal Justice & Public Order Act 1994
Dangerous Dogs Act 1991
Dangerous Wild Animals Act 1976
Dogs (Fouling of Land) Act 1996
Gambling Act 2005
Gaming Act 1968
Guard Dogs Act 1975
Health Act 2006
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976 and 1982
Lotteries and Amusement Act 1976
Performing Animals (Regulations) Act 1925
Pet Animals Act 1951
Police and Criminal Evidence Act 1984
Private Places of Entertainment Act 1967
Riding Establishment Act 1964 and 1970
Scrap Metal Dealers Act 1964
Shops Act 1950 and 1965
Sunday Trading Act 1994
Theatres Act 1968
Town Police Clauses Act 1847
Zoo Licensing Act 1981

The said officer is further authorised to make, on the Council's behalf, such purchases of goods and to secure the provision of such services, accommodation or facilities as the Council are empowered to make in pursuance of the aforementioned enactments.

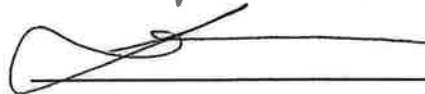
Mandy Bradley, Service Director

A. J. Bradley

Date

1st April 2009

Signature of Officer



17 February 2012

Mr Sebastian Siegmuller
Galaxy Caffe
28 Roundstone Street
Trowbridge
Wiltshire BA14 8DE

Public Protection Services
165 Bradley Road
Trowbridge
Wiltshire
BA14 0RD

Our Ref: 12/00105/NOMUS/SV/sg25.2

Dear Mr Siegmuller

Environmental Protection Act 1990
Complaint of Noise Nuisance from Loud Music
Galaxy Caffe, 28 Roundstone Street, Trowbridge

THIS LETTER DOES NOT FORM PART OF THE ENCLOSED NOTICE

I refer to my letter dated 19 January 2012 regarding noise from loud music.

I regret to inform you that since this time I have collected evidence which substantiates that the noise from your premises amounts to a statutory noise nuisance. I have, therefore, enclosed a Notice served under the above Act which requires you to abate the nuisance. This notice takes effect in 7 days. There is a right of appeal against this notice and I would draw your attention to the appeal notes attached to the notice.

Officers from the Council have previously expressed concerns about the type of regulated entertainment provided at the premises and the suitability of the building. I would reiterate this concern and would suggest that either the level of music be turned down to an acceptable volume or that the services of an acoustic specialist be sought and any appropriate measures be implemented.

If the noise nuisance continues then this Authority may apply for a warrant to seize any items used to cause a nuisance. This could include CD's, tapes and records as well as any musical instruments, televisions, computers and stereo equipment. This Authority may then apply to the Magistrates Court for a Forfeiture Order which means that any items seized may be confiscated permanently. You may also be prosecuted and fined, on summary conviction in a Magistrates Court, up to £20,000.

As I mentioned in my previous letter you have a responsibility under the Licensing Act 2003 to prevent a public nuisance. The fact that an abatement notice has been served clearly indicates that you are currently not meeting this objective. If further evidence of a problem is obtained then the Council will consider reviewing the premises licence. You must ensure that you are complying with the premises licence at all times.

I would appreciate your co-operation in order to prevent further action from being necessary.

Yours sincerely

Mrs Susie Vowles
Public Protection Officer
Tel 01225 776655 ext 15295
E mail Susie.vowles@wiltshire.gov.uk

ENVIRONMENTAL PROTECTION ACT 1990, Section 80 Appendix 6

Abatement Notice in respect of Statutory Nuisance

To: Mr Sebastian Siegmuller
Galaxy Caffe
28 Roundstone Street
Trowbridge
Wiltshire
BA14 8DE

COPY

TAKE NOTICE pursuant to Section 80(1) of the Environmental Protection Act 1990
WILTSHIRE COUNCIL being satisfied of the existence and likely recurrence of a statutory nuisance under Section 79(1)(g) of that Act at neighbouring premises including The Polebarn Hotel, Polebarn Road and 29 Roundstone Street, Trowbridge within the district of Wiltshire Council arising from the playing of amplified music from audio and/or audio-visual equipment

HEREBY REQUIRE YOU as the person responsible for the said nuisance within 7 days from the service of this Notice, to abate the same and also

HEREBY PROHIBIT the recurrence of the same and for that purpose require you to abate the nuisance.

IN the event of an appeal this Notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the nuisance to which this Notice relates is such that the expenditure which would be incurred by any person in carrying out works in compliance with this Notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance

IF without reasonable excuse you contravene or fail to comply with any requirement of this Notice you will be guilty of an offence under Section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding £5,000 together with a further fine of an amount equal to one-tenth of that level (£500) for each day on which the offence continues after conviction. In the cases of offences committed on industrial, trade or business premises you will be liable to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance pursuant to Section 81(5). Further, if you fail to execute all or any of the works in accordance with this Notice, the Council has power under Section 81(3) and (4) to execute the works and recover from you the necessary expenditure incurred.

DATED 17 February 2012

Signed
Environmental Health Officer

Address for all communications:-
Wiltshire Council
Bradley Road
TROWBRIDGE Wilts BA14 0RD

NB The person served with this Notice may appeal against the Notice to a Magistrates' Court within twenty-one days beginning with the date of service of the Notice. See notes on the reverse of this form.
**Currently £5,000 subject to alteration by Order

EP032

12/00105/NOMUS/SV/sg27.2

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:-

APPEALS UNDER SECTION 80(3) OF THE ENVIRONMENTAL PROTECTION ACT 1990 ("the 1990 Act")

- 2 (1) The provisions of this regulation apply in relation to an appeal brought by any person under Section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under Section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case.
 - (a) that the abatement notice is not justified by Section 80 of the 1990 Act (summary proceedings for statutory nuisances);
 - (b) that there has been some informality, defect, or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
 - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
 - (d) that the time, or where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
 - (e) where the nuisance to which the notice relates -
 - (i) is a nuisance falling within Section 79(1)(a),(d),(e)(f) or (g) of the 1980 Act and arises on industrial, trade, or business premises; or
 - (ii) is a nuisance falling within Section 79(1)(b) of the 1990 Act and the smoke is emitted from a chimney; or
 - (iii) is a nuisance falling within Section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes.
 - (f) that, in the case of a nuisance under Section 79(1)(g) of (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
 - (i) any notice served under Section 60 or 66 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises); or
 - (ii) any consent given under Section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone); or
 - (iii) any determination made under Section 67 of the 1974 Act (noise control of new buildings);
 - (g) that, in the case of a nuisance under Section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of Section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
 - (h) that the abatement notice should have been served on some person instead of the appellant, being -
 - (i) the person responsible for the nuisance; or
 - (ii) the persons responsible for the vehicle, machinery or equipment; or
 - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises; or
 - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
 - (i) that the abatement notice might lawfully have been served on some person instead of the appellant, being -
 - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
 - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises; and that it would have been equitable for it to have been so served;
 - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
 - (i) a person also responsible for the nuisance; or
 - (ii) a person who is also owner of the premises; or
 - (iii) a person who is also an occupier of the premises; or
 - (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under Section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph 2(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
 - (a) quash the abatement notice to which the appeal relates; or
 - (b) vary the abatement notice in favour of the appellant in such manner as it thinks fit; or
 - (c) dismiss the appeal;
 and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit.
 - (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work; or
 - (b) as to the proportions in which any expenses which may become recoverable by the Authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.
- (7) In exercising its powers under paragraph (6) above the court -
 - (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required; and
 - (b) shall be satisfied before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

- 3 (1) Where -
 - (a) an appeal is brought against an abatement notice served under Section 80 or Section 80A of the 1990 Act; and
 - (b) either -
 - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal; or
 - (ii) in the case of a nuisance under Section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant; and
 - (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) The paragraph applies where -
 - (a) the nuisance to which the abatement notice relates -
 - (i) is injurious to health; or
 - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect; or
 - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
 - (a) shall include a statement that paragraph (2) applies and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court; and
 - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

ENVIRONMENTAL PROTECTION ACT 1990, Section 80 **Appendix 6**

Abatement Notice in respect of Statutory Nuisance

To: Mr Damian Siegmuller
Galaxy Caffè
28 Roundstone Street
Trowbridge
Wiltshire
BA14 8DE

COPY

TAKE NOTICE pursuant to Section 80(1) of the Environmental Protection Act 1990
WILTSHIRE COUNCIL being satisfied of the existence and likely recurrence of a statutory nuisance under Section 79(1)(g) of that Act at neighbouring premises including The Polebarn Hotel, Polebarn Road and 29 Roundstone Street, Trowbridge within the district of Wiltshire Council arising from the playing of amplified music from audio and/or audio-visual equipment

HEREBY REQUIRE YOU as the person responsible for the said nuisance within 7 days from the service of this Notice, to abate the same and also

HEREBY PROHIBIT the recurrence of the same and for that purpose require you to abate the nuisance.

IN the event of an appeal this Notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the nuisance to which this Notice relates is such that the expenditure which would be incurred by any person in carrying out works in compliance with this Notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance

IF without reasonable excuse you contravene or fail to comply with any requirement of this Notice you will be guilty of an offence under Section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding £5,000 together with a further fine of an amount equal to one-tenth of that level (£500) for each day on which the offence continues after conviction. In the cases of offences committed on industrial, trade or business premises you will be liable to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance pursuant to Section 81(5). Further, if you fail to execute all or any of the works in accordance with this Notice, the Council has power under Section 81(3) and (4) to execute the works and recover from you the necessary expenditure incurred.

DATED 17 February 2012

Signed
Environmental Health Officer

Address for all communications:-
Wiltshire Council
Bradley Road
TROWBRIDGE Wilts BA14 0RD

NB The person served with this Notice may appeal against the Notice to a Magistrates' Court within twenty-one days beginning with the date of service of the Notice. See notes on the reverse of this form.
****Currently £5,000 subject to alteration by Order**

EP032

12/00105/NOMUS/SV/sg26.2

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:-

APPEALS UNDER SECTION 80(3) OF THE ENVIRONMENTAL PROTECTION ACT 1990 ("the 1990 Act")

- 2 (1) The provisions of this regulation apply in relation to an appeal brought by any person under Section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under Section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case.
- (a) that the abatement notice is not justified by Section 80 of the 1990 Act (summary proceedings for statutory nuisances);
- (b) that there has been some informality, defect, or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
- (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
- (d) that the time, or where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
- (e) where the nuisance to which the notice relates -
- (i) is a nuisance falling within Section 79(1)(a),(d),(e)(f) or (g) of the 1980 Act and arises on industrial, trade, or business premises; or
- (ii) is a nuisance falling within Section 79(1)(b) of the 1990 Act and the smoke is emitted from a chimney; or
- (iii) is a nuisance falling within Section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes.
- (f) that, in the case of a nuisance under Section 79(1)(g) of (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
- (i) any notice served under Section 60 or 66 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises); or
- (ii) any consent given under Section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone); or
- (iii) any determination made under Section 67 of the 1974 Act (noise control for new buildings);
- (g) that, in the case of a nuisance under Section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of Section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
- (h) that the abatement notice should have been served on some person instead of the appellant, being -
- (i) the person responsible for the nuisance; or
- (ii) the persons responsible for the vehicle, machinery or equipment; or
- (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises; or
- (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
- (i) that the abatement notice might lawfully have been served on some person instead of the appellant, being -
- (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
- (ii) in the case where the appellant is the occupier of the premises, the owner of the premises, and that it would have been equitable for it to have been so served;
- (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
- (i) a person also responsible for the nuisance; or
- (ii) a person who is also owner of the premises; or
- (iii) a person who is also an occupier of the premises; or
- (iv) a person who is also the person responsible for the vehicle, machinery or equipment, and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under Section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph 2(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
- (a) quash the abatement notice to which the appeal relates; or
- (b) vary the abatement notice in favour of the appellant in such manner as it thinks fit; or
- (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit.
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work; or
- (b) as to the proportions in which any expenses which may become recoverable by the Authority under Part III of the 1990 Act are to be borne by the appellant and by any other person.
- (7) In exercising its powers under paragraph (6) above the court -
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required; and
- (b) shall be satisfied before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

- 3 (1) Where -
- (a) an appeal is brought against an abatement notice served under Section 80 or Section 80A of the 1990 Act; and
- (b) either -
- (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal; or
- (ii) in the case of a nuisance under Section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant; and
- (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) The paragraph applies where -
- (a) the nuisance to which the abatement notice relates -
- (i) is injurious to health; or
- (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect; or
- (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
- (a) shall include a statement that paragraph (2) applies and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court; and
- (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

Witness Statement

(CRIMINAL PROCEDURE RULES, PART 27)

Statement of Witness

(Criminal Procedure Rules, r27.1(1)):

Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, s.5B)

STATEMENT OF: SUSIE VOWLES

Age of witness: over 18

Occupation of witness: Public Protection Officer

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 17th day of May, 2012

Signature.....

1. My name is Susie Vowles and I am a Public Protection Officer within the Public Protection Team, I have been working for Wiltshire Council for 10 years and 8 months and as a Public Protection Officer (PPO) for 4 months.
2. On 25 February 2012 at 22.10 whilst carrying out late night monitoring visits I went to the Galaxy Caffe. I parked close to the Police Station in Polebarn Road and walked towards the Galaxy Caffe at 22.20. I stood outside of the Galaxy Caffe and the music was clearly audible. I walked back down Polebarn Road towards my car and I could still hear music at the entrance to Raleigh Court in Polebarn Road, approximately 50 metres away. I repeatedly

Signature  dated 17 May 2012

walked past the Galaxy Caffe between 22.20 and 23.00 and the music was audible each time.

3. On 10 March 2012 at approximately 22.00 whilst carrying out late night monitoring visits with Richard Francis, Senior Environmental Health Officer we visited Mrs Owen who owns and lives at the Polebarn Hotel. Whilst speaking to Mrs Owen and her friends in her kitchen we could clearly hear a loud bass noise which was evident throughout the conversation. We went into the living room at the front of the property which looked out onto the Galaxy Caffe which is approximately 15 metres away. The large bay window was open slightly and we could clearly hear bass music. The bass was reverberating around the room which made it sound like the bass was coming from another closer pub but on inspection it was clearly coming from the Galaxy Caffe, I left at 22.55. Whilst walking back towards the car the music could be heard approximately 100 yards away from the Galaxy Caffe. At 23.15 I returned to the Galaxy Caffe and walked past on 2 occasions, there was a large group of smokers outside. My colleague Mr Francis asked someone smoking outside if it was a 'band', she replied 'no a disco'.

4. On 14 April 2012 whilst carrying out late night monitoring with my colleague Richard Francis, Senior Environmental Health Officer we parked outside the Police station Polebarn road and walked towards the Galaxy Caffe at 23.15, the music could be heard outside the police station and got louder as I walked closer towards the Galaxy Caffe. I looked in through the window and

Signature

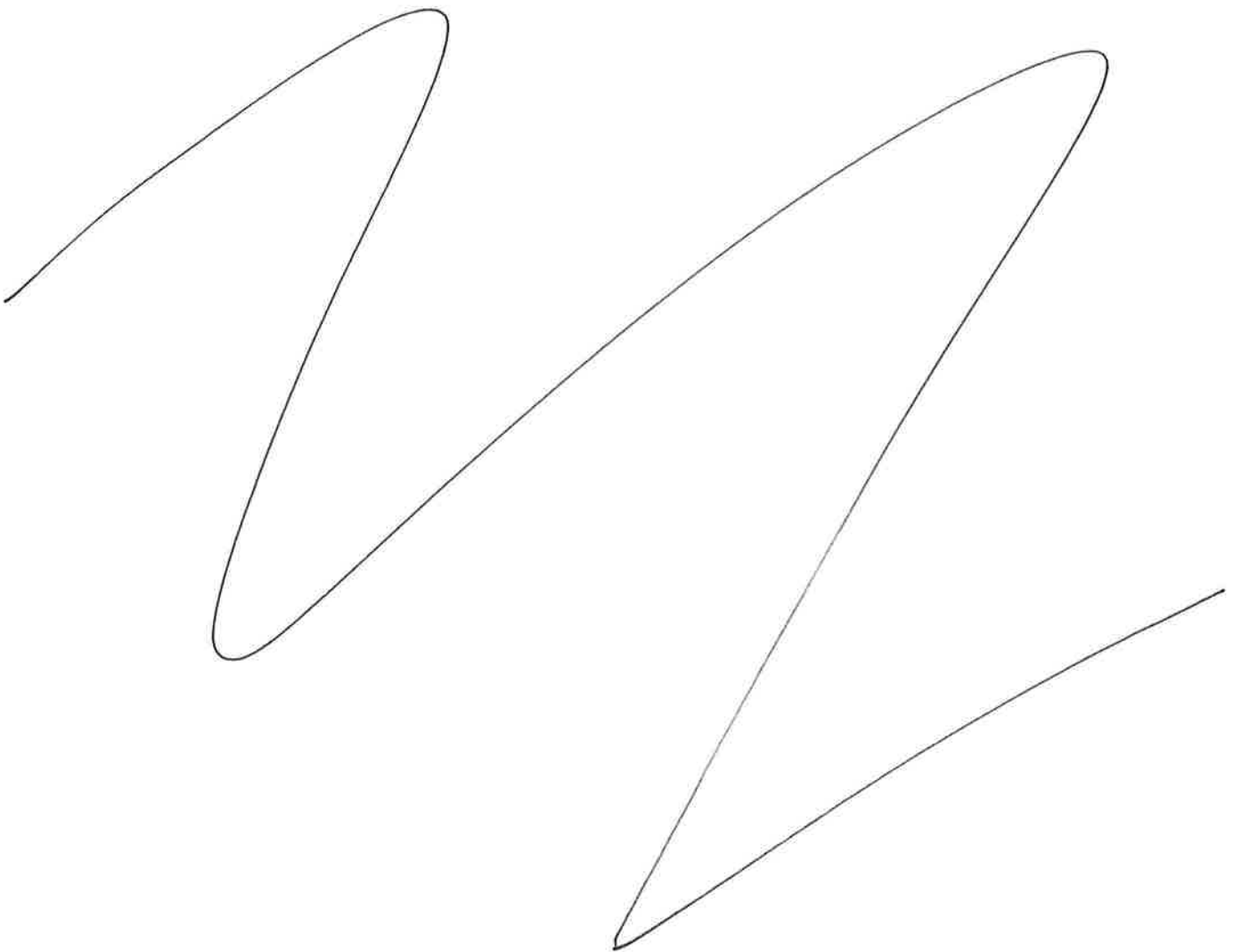


dated

17 May 2012

observed a man walking around singing and carrying a saxophone. The music was loud and clearly audible outside.

5. In my opinion on each of the visits on the 25th February 2012, 10th March 2012 and the 14th of April 2012 the music levels was in breach of the noise abatement notice served upon the 17th February 2012 and resulted in the licensing objective Prevention of Public Nuisance not being achieved.



Signature *JNates* dated 17 May 2012

Application for the review of a premises licence or club premises certificate 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 Wiltshire Council Public Protection

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Galaxy Caffe 28 Roundstone Street Trowbridge	
Post town Wiltshire	Post code (if known) BA14 8DE

Name of premises licence holder or club holding club premises certificate (if known)
Mr Sebastian Siegmuller and Mr Damian Siegmuller

Number of premises licence or club premises certificate (if known)
WW1100136LAPRVA

Part 2 - Applicant details

I am

Please tick yes

- | | |
|---|-------------------------------------|
| 1) an interested party (please complete (A) or (B) below) | |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |
| 2) a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

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

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

<p>Name and address</p> <p>Richard Francis Senior Environmental Health Officer Public Protection Wiltshire Council Bradley Road Trowbridge Wiltshire BA14 0RD</p>
<p>Telephone number (if any)</p> <p>01225 776655</p>
<p>E-mail address (optional)</p> <p>richard.francis@wiltshire.gov.uk</p>

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

Following the grant of a licence for the Galaxy Caffe in December 2011 the Public Protection department of Wiltshire Council received a number of complaints relating to the provision of regulated entertainment in the form of amplified music.

An investigation into the complaints confirmed the existence of a nuisance and subsequently it is my opinion that the prevention of public nuisance licensing objective is currently not being met.

Please provide as much information as possible to support the application
(please read guidance note 2)

A premises licence application for The Little Daisy Deli, 28 Roundstone Street, Trowbridge, Wiltshire was received by the council in May 2011, the applicants being Sebastian and Damian Siegmuller. The application related to a restaurant only and no provision of regulated entertainment was requested at that time.

In September 2011 concerns were made regarding the potential provision of recorded and live music at the premises, which had changed its name to Galaxy Caffe. Discussions with the premises licence holders revealed that there was no intention to provide regulated entertainment at the venue, however following this conversation an application to vary the licence was received by the Council on 31 October 2011. The variation was to include live music, recorded music and anything of a similar description.

On 06 November 2011 an out of hours call was received by the Public Protection department about noise from recorded music at the premises. In this instance an officer witnessed excessive noise levels from the venue.

Having been informed of excessive levels due to amplified music I had concerns about the acoustic properties of the premises, and subsequently I met with the applicants on a number of occasions to discuss my concerns. At the time I did not feel that the prevention of public nuisance licensing objective could be achieved and therefore I made a representation to the licensing authority dated 24 November 2011.

In addition a representation was made from an Interested Party regarding this variation. An Area Licensing Sub Committee meeting was held on 22 December 2011 to hear the application in full. Whilst I again raised concerns about the acoustic properties of this premises a licence was granted permitting recorded music until midnight Monday - Sunday and live music until midnight Monday - Sunday.

On 18 January 2012 a number of complaints were received regarding loud music coming from the Galaxy Caffe. On 19 January 2012 a letter was sent to Mr Sebastian Siegmuller and Mr Damian Siegmuller advising that complaints had been received. The Council continued to receive complaints and Wiltshire Council licensing officers witnessed excessive noise levels from the premises on 28 January 2012. In view of the continued complaints and the officer observations noise abatement notices were served on Mr Sebastian Siegmuller and Mr Damian Siegmuller under Section 80 of the Environmental Protection Act 1990 on 17 February 2012.

On 25 February 2012 at 2220 Susie Vowles, Public Protection Officer witnessed excessive noise levels coming from the Galaxy Caffe. The noise witnessed constituted a breach of the noise abatement notices and also clearly demonstrated that the prevention of public nuisance licensing objective was not being met.

On 10 March 2012 from 2200 onwards myself and Susie Vowles witnessed a number of further breaches of the noise abatement notices and again the prevention of public nuisance licensing objective was not being met.

Following the service of the notices and officers having witnessed a number of breaches I am satisfied that the prevention of public nuisance licensing objective has been and continues to be ignored by the two holders of the premises licence, Mr Sebastian Siegmuller and Mr Damian Siegmuller and therefore I have no other option than to request a review of the premises licence.

It is clearly evident that the premises are unsuitable for the provision of recorded and live music and as such I would request that these provisions be removed from the premises licence.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

If you have made representations before relating to this premises please state what they were and when you made them

Yes - a representation was made at the hearing on 22 December 2011 in relation to the variation application dated 24 November 2011.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity Senior Environmental Health Officer

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

.....

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.