

Wiltshire Council

Where everybody matters

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 Section 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.

Premises about which Representation is being made	SN15
Your Name	Chris Caswill (Cllr)
Postal Address	19 The Street Cherhill SN11 8XP
Contact Telephone Number	[REDACTED]
<p>Are you:</p> <ul style="list-style-type: none"> • An individual? <input type="checkbox"/> • A person who operates a business? <input type="checkbox"/> • A person representing residents or businesses? <input type="checkbox"/> • A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)? Yes, I am the elected member for the ward in which the premises are located. <input type="checkbox"/> 	
If you are representing residents or businesses who have asked you to represent them?	

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.

OBJECTIVES	EVIDENCE
1. The prevention of harm to children	No comment
2. To prevent public nuisance	There is not sufficient evidence in the public domain to be satisfied that there will not be an unacceptable noise nuisance for local residents. The April 2013 Decision Notice explicitly referred to “the inadequacies in the schedule of works” and stated that “the applicants are required to produce a proper schedule of works to bring the property into a satisfactory condition, which is fit

	<p>for purpose, implementing all of the recommendations in the acoustic report by Ian Sharland Limited dated 10th November 2012". The original schedule was unclear in several places about whether work was required or only desirable – for example the Secondary Works in 6.5 of the original acoustic report, but the Decision Notice is clear that all needed to be implemented. From the available paperwork, it seems that the required revised ‘proper schedule’ has not been produced. The original acoustic consultant, Ian Sharland Ltd, have apparently carried out the works themselves and then verified themselves that they have been carried out satisfactorily. There is also no schedule of the completed work. In these circumstances it is not in my view sufficient to rely on the Sharland statement, which needs to be tested at a hearing against the Decision Notice requirements. This is all the more important because of the severe impact of noise breakout from the previous premises on nearby residential properties. It should be noted at this point that many people live close to the proposed venue, including but not only the housing association flats next door.</p> <p>I understand that the Council’s Public Protection officer has carried out a commissioning exercise on noise from the premises and is satisfied with noise measurements. However there is no publicly available and accountable statement of the tests and results in the applications file and in fairness to those making representations and other local residents , this also needs to be tested in public in front of a hearing. On its own it does not in any case seem to address the issues of the previously inadequate schedule of works.</p> <p>I am also concerned about public nuisance from noise emanating from the rear balcony. The Decision Notice limited this area to 40 people and prohibited alcohol consumption after 11pm. The management plan does not make a convincing statement of how that area is to be managed to prevent noise nuisance. Because of the importance of this area I ask that if the Licence is granted it include a condition that a specific management plan or part of a plan for controlling the noise in the outside area must be produced to the Licensing Authority’s satisfaction.</p> <p>Lastly I ask that if the Licence is granted a specific statement be included in the Public Nuisance Conditions to the effect that the Licensing Authority will consider any significant and repeated breaches of the requirements for noise generated on the premises as grounds for review of the licence. This is to encourage the proper level of attention to be given to the issue.</p> <p>Without the above, I believe that the full Licence should not be granted.</p>
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OBJECTIVES	EVIDENCE
<p>3. To prevent crime and disorder</p>	<p>The Decision Statement asserts that the Licensing Authority reserves the right to impose conditions “consistent with those set out in the management plan and the operating schedule, as</p>

	<p>submitted with the application, and those previously applied to the premises licence for 17A Station Hill". The Management Plan recognises the possible conflict with the right of homes and businesses to enjoy their home without disturbance, and the potential for this kind of venue to be the source of nuisance, ASB and crime. This of course is the key issue. The only measures proposed are in a Dispersal Policy and are not in my view sufficient. Bearing in mind previous experience of dispersal from this building, it would be consistent with the concerns and aspirations of the Management plan for there to be conditions which require at least two door supervisors at the door in trading hours. The previous experience was that one door supervisor was too often distracted by exiting customers behaving badly so that other exiting customers were then not being supervised. I also ask for a condition that makes it clear that the venue has a responsibility for alcohol related ASB and crime in the near vicinity of the premises – again consistent with their own analysis.</p>
<p>4. Public Safety</p>	<p>No comment</p>

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

<p>Past experience is that the location of this premises on Station Hill, close to the open alley next to the Rotary Hall, that leads across into St Mary's Place, leads to alcohol-fuelled crime and ASB spilling across into that entirely residential street, where there is no CCTV coverage. That effect could be much diminished if a locked gate was installed in that alley, preferably at the Station Hill end. The venue could make a positive community contribution if it was willing to contribute financially to the cost of that gate. I understand from previous discussions with officers that the Council has some powers to encourage such a gate to be installed and I ask that it should use them for this purpose.</p> <p>I take this opportunity to restate that I am strongly opposed to the re-opening of this venue, as are the vast majority of the businesses in the area and the people who live nearby (as evidenced by the petition you have received). Our scepticism may be somewhat reduced if we can see public evidence of the soundproofing work that has been carried out, have the opportunity to ask questions at a public hearing and make the case for the conditions I have set out here.</p> <p>It is extremely important for public confidence that this locally significant decision is taken in public, and that the documents are in public too.</p>

If a hearing needs to be held to determine the Premises Licence Application, the Councillors 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 hard copy report, which is a public document circulated to the Licensing Sub-Committee and to all those who have made relevant Representations.

Signature

Date03/11/ 2014.....

Please return this form, along with any additional sheets, to the Licensing Officer at the Wiltshire Council Office covering the area in which the licensed premises are situated (see below):

Chippenham:	Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER
Devizes:	Wiltshire Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT
Salisbury:	Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP
Trowbridge:	Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD