

AGENDA SUPPLEMENT (2)

Meeting: Western Area Licensing Sub Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Thursday 6 August 2015
Time: 10.00 am

The agenda for the above meeting was published on 29 July 2015. Additional documents are now available and are attached to this agenda supplement.

Please direct any enquiries on this agenda to Fiona Rae, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 712681 or email fiona.rae@wiltshire.gov.uk.

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This agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

5h **Appendix 8 - Supporting evidence on behalf of the applicant**
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DATE OF PUBLICATION: 3 August 2015

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For the attention of: Licensing Team (North)

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Dear Sir/ Madam

**Licensing Act 2003: Application to Vary
Pear Tree Top Lane Whitley Nr Melksham SN12 8QX**

This letter has been written for the benefit of the Licensing Committee to give further information in relation to the variation prior to the hearing of this matter on the 6 August.

Punch Taverns are the premises licence holders at the above premises. I am writing this letter in relation to the comments received to the application from a range of people in and around the village of Whitley in order to give a little more detail in relation to what is being proposed.

For the Committee's information, Punch Taverns, Adrian and Jackie have invited all residents who made representations to meet with them in the village on the 3 August in order to discuss more fully what is being proposed. This letter effectively sums up what my clients are proposing to say to the residents who attend. Therefore this letter has been provided to the committee only.

Punch Taverns, Adrian Jenkins and Jackie Cosens

Whilst Punch Taverns are the premises licence holders, Adrian Jenkins and Jackie Cosens will be operating the premises under a property agreement with Punch Taverns. Punch will strive to support Adrian and Jackie at all times with a view to ensuring that their vision of the Pear Tree is brought to life.

Jackie and Adrian have worked together running licensed premises for over 23 years, Adrian more focussed on the kitchen and Jackie on running front of house. Both feel that the Pear Tree should be brought back to being a village pub at the heart of the local community.



To this end, Punch Taverns are investing £260,000 in the premises in order to ensure that when the Pear Tree re-opens, it does so with the best chance of succeeding in what is still a difficult market place for pubs.

The Pear Tree

The first thing to say is that it would appear that there is overwhelming support for the Pear Tree re-opening as a pub from the residents of Whitley. This, of course, is greatly appreciated by Punch, Jackie and Adrian, who look forward to welcoming villagers back to the pub when it re-opens.

From talking to local people and reading the representations, it is clear that locals want to have their village pub back, following [REDACTED] operation taking on the site and trading it mainly as a restaurant. To that end, it is envisioned that the Pear Tree will have the following:

- A dedicated pub bar, to be child and dog friendly, with open fires in the winter and a selection of drinks, including locally brewed beers;
- Dining room with seasonal menu and locally sourced produce, wherever possible, including vegetables grown on site;
- 8 B&B rooms, including 2 family rooms;
- Ability to provide function facilities for weddings etc.

Attracting local guests and ensuring that the Pear Tree remains at the heart of the community is central to the success of the enterprise. To this end, Punch, Jackie and Adrian have been, and remain, very keen to hear the views of local residents in relation to what they would like to see from the Pear Tree.

The Application

This application has been made essentially to update an old licence and ensure that it gives Jackie and Adrian the best chance of success. Careful thought has been given to what should be acceptable, given the location of the Pear Tree, and to what is essential to ensure that they can continue to trade the premises. To that end, the application seeks to:

- Permit the sale of alcohol Monday to Sunday from 10am to midnight. This constitutes a 1 hour extension in the mornings and evenings, Monday to Saturday and an hour in the morning and 1 and a half hours in the evening on Sunday;
- Permit late night refreshment (sale of food and hot drinks) from 11pm to midnight seven days a week;
- Permit the premises to open from 7am until half past midnight, 7 days a week (the hours are currently unrestricted);
- Amend the operating schedule to remove old conditions and add new ones;
- Give residents and bona fide guests the right to purchase food and drink at any time they are staying.

We fully accept that this application asks for a moderate extension to the hours for licensable activities, in particular the sale of alcohol; however, we do not feel that it is anything exceptional in terms of hours of operation for similar premises in rural locations. Indeed, it is our experience that hours such as these are modest in comparison with similar premises around the country

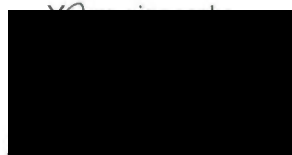
and certainly not late in comparison with premises in Melksham. Indeed, this application will not result in people from Melksham coming to the Pear Tree for a late drink, as some residents fear, as there are premises in Melksham with licensing hours much later than those applied for here.

The changes to the operating schedule seek to bring the licence up to date, removing old conditions that have been on there for a decade and replacing them with a bespoke operating schedule to suit the style and nature of premises Jackie and Adrian are seeking to operate.

The changes to permit residents and bona fide guests to order food and drinks at the premises 24 hours a day is common for premises with letting rooms. Given that there are only 8 letting rooms, it is felt that this should not cause any undermining of the licensing objectives or cause disturbance to residents in the immediate vicinity of the premises.

Should there be any teething troubles, Punch Jackie and Adrian would invite those residents to contact them directly to discuss them. At the heart of this project is the community it serves and therefore anything that can be done to help will be. We are asking for the changes to the licence to give the best opportunity for the premises to succeed as a local pub; however, this does not mean that anything is set in stone and as good operators, Jackie and Adrian, with assistance from Punch, will look to address any reasonable complaints to ensure that the Pear Tree remains the hub of the community.

We will be attending the hearing on the 6 August and will be able to answer any questions that the committee may have in relation to the application.



Piers Warne
Associate
for TLT LLP

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