

AGENDA

Meeting: Southern Area Licensing Sub Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Friday 31 May 2019
Time: 9.30 am
Matter: Review Hearing - Salisbury

Please direct any enquiries on this Agenda to Lisa Moore 01722434560
lisa.moore@wiltshire.gov.uk, of Democratic Services, County Hall, Bythesea Road,
Trowbridge, direct line 01722 434560 or email lisa.moore@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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

Membership:

Cllr Trevor Carbin
Cllr Jose Green

Cllr Ian Thorn

Recording and Broadcasting Information

Wiltshire Council may record this meeting for live and/or subsequent broadcast on the Council's website at <http://www.wiltshire.public-i.tv>. At the start of the meeting, the Chairman will confirm if all or part of the meeting is being recorded. The images and sound recordings may also be used for training purposes within the Council.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and/or training purposes.

The meeting may also be recorded by the press or members of the public.

Any person or organisation choosing to film, record or broadcast any meeting of the Council, its Cabinet or committees is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

Details of the Council's Guidance on the Recording and Webcasting of Meetings is available on request.

Parking

To find car parks by area follow [this link](#). The three Wiltshire Council Hubs where most meetings will be held are as follows:

County Hall, Trowbridge
Bourne Hill, Salisbury
Monkton Park, Chippenham

County Hall and Monkton Park have some limited visitor parking. Please note for meetings at County Hall you will need to log your car's registration details upon your arrival in reception using the tablet provided. If you may be attending a meeting for more than 2 hours, please provide your registration details to the Democratic Services Officer, who will arrange for your stay to be extended.

Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

1 **Election of Chairman**

To elect a Chairman for the meeting of the Sub Committee.

2 **Apologies for Absence/Substitutions**

To receive any apologies for absence and to note any substitutions.

3 **Procedure for the Meeting** (*Pages 5 - 12*)

The Chairman will explain the attached procedure for the members of the public present.

4 **Chairman's Announcements**

The Chairman will give details of the exits to be used in the event of an emergency.

5 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

6 **Licensing Application**

To consider and determine an Application by Wiltshire Police for a Review of the Premises Licence in respect of @Home, 5 Bridge Street, Salisbury, Wiltshire, SP1 2ND made by Wiltshire Police.

6a **Report** (*Pages 13 - 18*)

6b **Appendix 1** (*Pages 19 - 30*)

6c **Appendix 2** (*Pages 31 - 32*)

6d **Appendix 3a** (*Pages 33 - 42*)

6e **Appendix 3b** (*Pages 43 - 52*)

- 6f **Appendix 4a** (*Pages 53 - 84*)

- 6g **Appendix 4b** (*Pages 85 - 102*)

- 6h **Appendix 4c** (*Pages 103 - 124*)

- 6i **Appendix 5** (*Pages 125 - 128*)

- 6j **Appendix 6** (*Pages 129 - 130*)

LICENSING COMMITTEE

PROCEDURAL RULES FOR THE HEARING OF LICENSING ACT 2003 APPLICATIONS

1 Purpose

- 1.1 These rules have been prepared to facilitate proper consideration of licence applications, made under the Licensing Act 2003, by the Licensing Committee and its Sub Committees.
- 1.2 The rules set out a framework for how applications are to be heard and explain the role of the participants at the Hearing.

2 Definitions

- 2.1 The following definitions describe the participants at and the subject matter of a Hearing:

“Applicant” means the person who has submitted an Application for consideration by the Committee.

“Applicant’s Premises” means premises subject to the Application.

“Applicant’s Representative” means a person attending a Hearing to assist or represent an Applicant including a lawyer.

“Application” means an application for the Grant/Variation/Transfer/Review and any other decision to be made by the Committee/Sub-Committee in respect of a Licence.

“Chairperson” means the Member who is the Chairperson of the Committee for the particular Hearing.

“Committee” means the Council’s Licensing Committee and includes any Sub Committee of the Licensing Committee.

“Committee Lawyer” means the Council’s Lawyer (including an external Lawyer instructed by the Council’s Legal & Democratic Services Manager) who is present at a Hearing to advise the Chairperson and the Members.

“Committee Manager” means the Council’s Officer who is present at a Hearing to take minutes.

“Committee Report” means the Licensing Officer’s written report to the Committee concerning an Application, a copy of which has been previously

made available to the Applicant or their Representative, a Responsible Authority or their Representative or any person/s or their representative who have made a Relevant Representation.

“Hearing” means a meeting of the Committee at which an Application is considered.

“Licence” means a Licence which the Committee has the power or duty inter alia to grant, transfer, suspend or revoke.

“Licensing Officer” means the Council’s Licensing Officer(s) who is/are present at a Hearing to present reports in respect of an Application and to give technical advice in respect of an Application to the Committee when requested.

“Licensing Authority” the Council in whose geographical area the subject matter of the Application relates to, and includes the Council’s Licensing Committee, any Sub Committee of the Licensing Committee and a Licensing Officer.

“Member” means a Member who is a Member of the Committee that is considering an Application.

“Responsible Authority” means a person who is present at a Hearing to make representations in respect of an Application in their capacity as Responsible Authority and includes any person who is present to assist or make representations on behalf of the Responsible Authority including a Lawyer.

“Person making a Relevant Representation” means a person who is present at a Hearing to make a representation in respect of an Application and includes any person who is present to assist or make representations on behalf of that person including a Lawyer.

3 Key Principles

- 3.1 The principles of ‘natural justice’, and Article 6 ‘Right to a Fair Trial’, which is one of the Convention Rights in the Human Rights Act 1998, require that there is a fair Hearing of Applications.
- 3.2 Natural justice is an umbrella term for the legal standards of basic fairness. This will include that:
 - 3.2.1 the Applicant has an opportunity to make representations before a decision is made;
 - 3.2.2 those making representations have an opportunity to voice their representations before a decision is made;

- 3.2.3 the Applicant has an adequate opportunity to consider and respond to any submissions made by a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation;
- 3.2.4 the Committee does not exclude an Applicant from a Hearing in order to consider submissions from a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation.
- 3.3 It is also fundamental that there is an orderly presentation of submissions at a Hearing so that the relevant issues are properly understood, evidence is tested and that oral statements made at the Hearing are accurately recorded.
- 3.4 Ultimately the Chairperson determines the application of these rules, having regard to any submissions being made by those present and in particular the Committee Lawyer.

4 The Hearing

- 4.1 The Hearing shall take place in public.
 - 4.1.1 The Committee may exclude the public from all or part of the Hearing where it considers it to be in the public interest to do so and, in accordance with the Local Government (Access to Information) Act 1985, as amended. Public includes a party and any person assisting or representing a party.
 - 4.1.2 The Committee may require any person attending the Hearing who, in its opinion, is behaving in a disruptive manner, to leave the Hearing and may:
 - a refuse to permit them to return;
 - b permit them to return only on such conditions as the Committee may specify;
 - c in the event that a person is required to leave a Hearing that person may, before the end of the Hearing, submit to the Committee in writing any information which they would have given orally.
- 4.2 Prior to the Hearing commencing, the Chairperson shall advise the parties of the procedure it proposes to follow at the Hearing.
- 4.3 Where a party has previously requested permission for a person(s), other than their representative, to appear at the Hearing then the Committee shall consider whether to permit that request.
- 4.4 The Committee will allow the parties an equal maximum period of time in which to exercise their rights.
- 4.5 This equal maximum time may have been notified in advance of the Hearing;
- 4.6 Where there is a number of people who have made a Relevant Representation who have attended the Hearing to make the same

representation then the Committee would normally require that a spokesperson be appointed by them to make the representations on behalf of all of those who have made a Relevant Representation.

5 Presentation of Submissions

5.1 The Chairperson will introduce the Application.

5.2 In the event that the Licensing Authority has given notice to a party requiring clarification on a point(s) then that party shall respond to the points raised by the Licensing Authority.

5.3 Submissions shall be made in the following order unless the Chairperson directs otherwise:

5.3.1 The Licensing Officer will orally present the Committee Report and will in particular advise the Committee as to:

- a the options available to it;
- b the considerations that are relevant in reaching its decision.

5.3.2 The Review Applicant (or the Applicant's Representative) will orally present its submission which may include:

- a presenting their case in accordance with the papers, which will have been circulated with Agenda papers;
- b confirming key information and answer pertinent questions; and
- c calling witnesses in support of the Application (see paragraph 4.3).

A Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation will orally present their representations in turn which shall include:

- a the grounds of the representation to the Application; and
- b any condition(s) that the Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation would be happy to have the Application granted subject to which would cause the representation to be withdrawn.

The Premises Licence Holder and/or their representative will orally present their representations which shall include;

- a The response to the representations made by the Review Applicant, a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation; and
- b Whether they would be happy to accept any modifications to the Licence as suggested by the Review Applicant, a Responsible Authority/Authorities and/or any person/s who have made a Relevant Representation.

6 Questioning of Submissions

- 6.1 The Chairperson will regulate the order in which questions are asked by Members.
- 6.2 The Chairperson and Members, voiced through the Chairperson, may question any party following the completion of their submission.
- 6.3 The Chairperson will normally permit the Applicant, a Responsible Authority/Authorities or any person/s who have made a Relevant Representation to ask questions through them of the other parties.
- 6.4 The Chairperson may direct that questions which are not relevant to the Application or one of the four Licensing Objectives are not formally put or answered.

7 Documentation

- 7.1 No party shall present new documentation to the Committee at the Hearing other than with the consent of all of the other parties. This does not preclude the Licensing Officer from correcting errors, providing updated information or an extract from a local map showing the Applicant's Premises in the context of the surrounding premises and any person/s who has made a Relevant Representation's premises. If any party is granted permission to present supplementary papers at the Hearing they shall provide at least 10 copies at the start of their submission.

8 Intervention

The Chairperson shall permit the following interventions at any point in the Hearing:

- 8.1 The Committee Lawyer to advise the Committee on issues of law, procedure and relevant considerations on decision making. If necessary, the Chairperson may require the Committee, the Committee Lawyer and the Committee Manager to leave the Hearing so that advice can be given.
- 8.2 The Committee Manager to advise the Committee on procedure generally, or to request that statements made are repeated for reasons of clarity and so that they can be properly recorded.
- 8.3 The Licensing Officer to seek to clarify statements that have been made in light of information held on their file.

9 Failure of Parties to Attend Hearing

- 9.1 If a party has informed the Licensing Authority that it does not intend to attend or be represented at a Hearing, the Hearing may proceed in its absence.

- 9.2 If a party has not indicated that it does not intend to attend or be represented at a Hearing and fails to attend or be represented at the Hearing then the Licensing Authority may:
- 9.2.1 where it considers it be necessary in the public interest, adjourn the Hearing to a specified date; or
 - 9.2.2 hold the Hearing in the party's absence.
- 9.3 Where the Licensing Authority holds a Hearing in the absence of a party, it shall consider at the Hearing the application, representations or notice made by that party.

10 Closing Submissions

- 10.1 The Chairperson shall allow first, the Responsible Authority/Authorities and any person/s who have made a Relevant Representation to make a closing oral submission(s) and secondly invite the Applicant or the Applicant's Representative an opportunity to make an oral closing submission in support of the Application.

11 Decision

- 11.1 The Committee, the Committee Lawyer and the Committee Manager, shall retire so that the decision may be considered in private, and to consider any legal issues raised by the Members.
- 11.2 The decision, and reasons for the decision, of the Committee shall be communicated orally by the Chairperson to the parties after the Committee has deliberated in private on the Application.
- 11.3 Written reasons shall be provided soon after the deliberations of the Application and in any event within the statutory time limits.

Review Hearing Procedure Summary

1. The Democratic Services Officer will request nominations for a Chairman for the Hearing.
2. The Chairperson welcomes all those present and introduces the Application.
3. The Chairperson invites the Sub Committee Members, Council Officers, the Review Applicant and/or their representative, any Responsible Authorities and/or any person who has made a Relevant Representation and the Premises Licence Holder and/or their representative to introduce themselves.
4. The Chairperson outlines the Hearing Procedure.
5. The Licensing Officer presents the Committee Report and outlines the application.
6. The Review Applicant and/or their representative address the Sub Committee to present their case.
7. Questions to the Review Applicant by Members of the Sub Committee, any Responsible Authorities and/or any person's who have made a Relevant Representation and the Premises Licence Holder.
8. Responsible Authorities and/or any person/s who have made a Relevant Representation address the Sub Committee.
9. Questions to any of the Responsible Authorities and/or any person's who have made a Relevant Representation by Members of the Sub Committee, the Review Applicant and the Premises Licence Holder.
10. The Premises Licence Holder and/or their representative address the Sub Committee to present their case.
11. Questions to the Premises Licence Holder by Members of the Sub Committee, any Responsible Authorities and/or any person/s who have made a Relevant Representation and the Review Applicant.
12. Summing up by the Responsible Authorities and/or any person's who have made Relevant Representations.
13. Summing up by the Premises Licence Holder.
14. Summing up by the Review Applicant.
15. The Sub Committee retires with the Committee Lawyer and Committee Manager to consider its decision.
16. The Sub Committee returns and the Lawyer gives a summary of any legal advice that may have been given to the Sub Committee.
17. The Chairperson either gives the decision with reasons, or advises that it will be released in writing with reasons within the statutory time limits.

This page is intentionally left blank

WILTSHIRE COUNCIL

SOUTHERN AREA LICENSING SUB COMMITTEE

31ST MAY 2019

**Application for Review of a Premises Licence: @Home, 5 Bridge Street,
Salisbury, Wiltshire, SP1 2ND**

1. Purpose of Report

- 1.1 To determine an application for a Review of a Premises Licence in respect of @Home, 5 Bridge Street, Salisbury, Wiltshire, SP1 2ND made by Wiltshire Police.

2. Background Information

- 2.1 An application for the Review of the premises licence for @Home, 5 Bridge Street, Salisbury has been made by Wiltshire Police. Following advertisement of the application three relevant representations have been received and forty four letters of support.
- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the review application and any representations received. In accordance with Section 52 (3) of The Licensing Act 2003 the Licensing Sub Committee is required to take such steps as it considers necessary for the promotion of the licensing objectives.
- 2.3 The licensing objectives are:
- i) The Prevention of Crime and Disorder;
 - ii) Public Safety;
 - iii) The Prevention of Public Nuisance; and
 - iv) The Protection of Children from Harm.
- 2.4 Such steps are:
- i) To modify the conditions of the licence.
 - ii) To exclude a licensable activity from the scope of the licence.
 - iii) To suspend the licence for a period not exceeding three months.
 - iv) To revoke the licence.
 - v) To determine that no steps are necessary.

Government Guidance issued under s.182 of the Licensing Act states that:

“Licensing Authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the

licence financially and would only be expected to be pursued as a necessary means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is necessary and proportionate to the promotion of the licensing objectives”

- 2.5 The current licence holder, @Home Salisbury Limited, was granted a premises licence for this premises, issued under the Licensing Act 2003 on 6th August 2018. The director of @Home Salisbury Limited, Miss Louella Adamson, has held the position of the designated premises supervisor (DPS) since 15th October 2018.
- 2.6 This premise has previously held a premises licence under the Licensing Act 2003 prior to Miss Adamson applying for a premises licence. The previous premises licence was surrendered on the 18th January 2018 by the licensee at that time.
- 2.7 A copy of the premises licence issued following the application to vary the DPS on 15th August 2018 is attached as **Appendix 1**, with the accompanying plans.
- 2.8 Since holding the position of DPS, Miss Adamson has applied for, and the Licensing Authority has acknowledged, five Temporary Events Notices for this premises to date. Each application was submitted to enable the applicant to extend the hours for licensable activities on the premises licence.
- 2.9 A noise complaint was received on 18th February 2019 in relation to music being played till 03:00hrs. The DPS, Miss Louella Adamson, had applied for an extension to the hours on the premises licence by way of a temporary events notice. Following discussions with the licensee regarding this complaint, a meeting was held with the Environmental Health Officer, Police Licensing and Wiltshire Council Licensing; Miss Adamson explained that she wished to apply for a variation to the current premises licence and was provided with the appropriate application form. During the meeting it was brought to the attention of all parties present, by Miss Adamson, that there was no noise limiter installed at the premises; this constituted a breach of the premises licence and consequently Miss Adamson was issued with a formal warning in relation to this breach. A copy of the formal warning letter is attached as **Appendix 2**.
- 2.10 On the 21st February 2019 an application to vary the current premises licence was received and accepted as a valid application. The details of the variation are as follows:
 - To extend the current hours for the sale of alcohol and regulated entertainment Monday-Thursday 10:00-00:00 and Friday-Saturday 10:00-03:00.
 - To remove the members only event timings within the non-standard timings.

- 2.10 On the 5th April 2019, during the 28 day consultation period for the variation application, an application to review the current premises licence was submitted by Wiltshire Police. This application was accepted as a valid application; in light of the immediate concerns raised in relation to the licensing objectives, it was determined that it was in the public interest to put the variation application on hold, until the review consultation period was completed and the review application heard by the licensing sub-committee.
- 2.11 On the 26th April 2019 the Licensing Authority received an application for a late temporary events notice (TEN) for @Home, 5 Bridge Street, Salisbury. The details of the application were to extend the hours for the sale of alcohol and provision of regulated entertainment on May 3rd & 4th from 22:00hrs-02:40hrs. Wiltshire Police objected to this TEN on the grounds that they had no confidence in the ability of the applicant to support the four licensing objectives. As this was a late TEN, there is no right to a hearing and the applicant, Miss Adamson, was served with a counter notice.

3. Details of the Grounds for Review

- 3.1 The review of the licence has been requested on the grounds that the premises have been conducted in such a manner as to prejudice the Licensing Objectives; The Prevention of Crime and Disorder, The Protection of Children from Harm and Public Safety. The grounds for review are:
- The Licence holder's failure to comply with conditions attached to their premise licence and to promote the licensing objectives under the Licensing Act 2003.
 - Significant incidents have taken place at the premises which relate to potential offences under the Licensing Act 2003. Wiltshire Police have no confidence in the ability of the management /licence holder to provide any demonstrable compliance with or promotion of the Licensing Objectives. In particular the prevention of crime and disorder, public safety and the protection of children from harm.
- 3.2 The application for review is attached as **Appendix 3(a)**. The evidence relied upon in support of the application is contained within **Appendix 3(b)**.

4. Consultation and Representations

- 4.1 The review process requires a public notice to be posted on the premises for a period of 28 days together with a copy of the notice posted at the offices of Wiltshire Council, Bourne Hill, Salisbury. During the consultation period three relevant representations have been received from Wiltshire Councils Licensing Authority, Environmental Health and JD Weatherspoon's. Forty four letters of support have been received from members of the public. The letters of support have been made available to Wiltshire Police and the licence holder.
- 4.2 The relevant representations with their supporting documentation are attached as **Appendixes 4(a), 4(b) and 4(c)**.

4.3 During the consultation period the fire authority, a responsible authority under the Licensing Act, had correspondence with the licensee. The email correspondence is attached as **Appendix 5**.

4.4 A location map of the premises is attached as **Appendix 6**.

4.5 The Sub Committee can take into account documentary or other information presented at the hearing with the consent of all other parties.

5. Legal Implications

5.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

6. Officer Recommendations

6.1 Officers are not permitted to make a recommendation – the decision is to be reached by the members of the Licensing Sub Committee.

7. Right of Appeal

7.1 It should be noted that the Premises Licence Holder, the party that applied for the review and any Responsible Authority or Interested Parties who have made representations may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.

7.2 The decision of the Licensing Sub Committee does not take effect until the end of the period for appealing against that decision. In the event of an appeal being lodged, the decision made by the Licensing Sub Committee does not take effect until any appeal is heard and finally determined.

7.3 The Premises Licence Holder and all Interested Parties have been informed of the date, time and location of the hearing and their right to attend and be represented.

Report Author: Hannah Hould
Public Protection Officer (Licensing)
Tel: 01722 434414

Date of report: 21st May 2019

Background Papers Used in the Preparation of this Report

- **The Licensing Act 2003**
- **The Licensing Act (Hearings) Regulations 2005**
- **Guidance issued under Section 182 of the Licensing Act 2003**
- **Wiltshire Council Licensing Policy**

Appendices

- 1 Current Premises Licence**
- 2 Formal warning letter**
- 3(a) Application for a Review by Wiltshire Police**
- 3(b) Evidence to be relied upon by Wiltshire Police**
- 4(a) Licensing Authority representation**
- 4(b) Environmental Health representation**
- 4(c) JD Wetherspoon PLC representation**
- 5 Fire Authority correspondence**
- 6 Location map**

This page is intentionally left blank

Licensing Act 2003
Premises Licence

LN/000014727

ISSUING LOCAL AUTHORITY



PART 1 – PREMISES & LICENCE HOLDER DETAILS

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

@Home, 5 Bridge Street, Salisbury, Wiltshire, SP1 2ND

NAME, (REGISTERED) ADDRESS AND CONTACT DETAILS OF HOLDER OF PREMISES LICENCE

@ Home Salisbury Ltd
Clearway Garage House, Firsdow, Salisbury, Wiltshire, SP4 6DT

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER

11335739

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Ms Louella Adamson
[REDACTED]

ISSUING AUTHORITY AND PERSONAL LICENCE NUMBER HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Wiltshire Council LN/14881

WHERE THE LICENCE IS TIME LIMITED - THE DATES AND TIMES

Not Applicable

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

ON Sales only

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Where applicable the provisions of Section 145 of the Licensing Act 2003 apply

PART 2 – LICENSABLE ACTIVITIES & TIMINGS

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE						
Licensable activities	Location	Day	Time From	Time To	Time From	Time To
Perform Play Exhibit Film Live Music Recorded Music Perform Dance Similar to Making Music/Dance	Indoors	Sunday	10:00	22:00		
		Monday	10:00	22:00		
		Tuesday	10:00	22:00		
		Wednesday	10:00	22:00		
		Thursday	10:00	22:00		
		Friday	10:00	22:00		
		Saturday	10:00	22:00		
Non Standard Timings & Seasonal Variations	New Year's Eve until 02:00hrs. Members Only Events once a month from 22:00hrs to 02:00hrs - Authorities will be notified in writing 14 days in advance					
Alcohol Sales	ON Sales	Sunday	10:00	22:00		
		Monday	10:00	22:00		
		Tuesday	10:00	22:00		
		Wednesday	10:00	22:00		
		Thursday	10:00	22:00		
		Friday	10:00	22:00		
		Saturday	10:00	22:00		
Non Standard Timings & Seasonal Variations	New Year's Eve until 02:00hrs. Members Only Events once a month from 22:00hrs to 02:00hrs - Authorities will be notified in writing 14 days in advance					
Hrs premises open to public	.The Whole Premises	Sunday	10:00	22:30		
		Monday	10:00	22:30		
		Tuesday	10:00	22:30		
		Wednesday	10:00	22:30		
		Thursday	10:00	22:30		
		Friday	10:00	22:30		
		Saturday	10:00	22:30		
Non Standard Timings & Seasonal Variations	New Year's Eve until 02:30hrs.Members Only Events once a month from 22:00hrs to 02:30hrs - Authorities will be notified in writing 14 days in advance					

Licence Commencement Date

6th August 2018

Licensing Officer

Current Licence Date

2nd November 2018

Licensing Officer

ANNEX 1 - MANDATORY CONDITIONS

Supply of Alcohol

1. Where this Licence authorises the supply of alcohol:

No supply of alcohol may be made under this licence:

- (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence
- (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a Personal Licence.

Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where:-
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and

“film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

Irresponsible Promotions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
2. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

Free Tap Water

1. The responsible person must ensure that free potable tap water is provided on request to customers where it is reasonably available. *(This means that responsible persons at all premises must ensure customers are provided with potable (drinking) water for free if they ask for it.)*

Age Verification Policy

1.
 - (a) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (b) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (c) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - i. a holographic mark, or.
 - ii. an ultraviolet feature.

Drink Volume Measures

1. The responsible person shall ensure that:
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i. beer or cider: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml; and
2. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and.
3. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Permitted Price

1.
 - (a) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (b) For the purposes of the condition set out in paragraph 1—
 - A. “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - B. “permitted price” is the price found by applying the formula—
$$P = D + (D \times V)$$
where—
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - C. “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - D. “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - E. “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
2. Where the permitted price given by Paragraph B of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
3. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph B of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervision (except theatres, cinemas, bingo halls and casinos)

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

- i. any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- ii. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

ANNEX 2A – CONVERTED CONDITIONS

- None

ANNEX 2B – OPERATING SCHEDULE

PREVENTION OF PUBLIC NUISANCE

- External exit door to remain shut, except for access and egress. Staff are to monitor this, especially between the hours of 21:00 and 00:00.
- Staff/management to control noise levels, if too high, levels will be reduced accordingly.
- Siting of speakers will be located in areas that are sufficient enough to inhibit noise into public areas.
- At closing time, staff will be positioned to deter customers from being too loud outside of the premises (smoking area). Staff are to highlight to customers where the taxi ranks are and to advise them to disperse quietly.
- Litter bins will be positioned to encourage customers to place rubbish into the bins; staff will check the outside areas for litter following the premises closing.
- Empty bottles will not be emptied during unsociable hours.
- The premises licence holder and/or DPS will ensure that music and noise from customers from the premises is inaudible in the hotel section of the Kings Head Inn (or any equivalent successor premises in the same location).
- The premises licence holder and/or DPS will install a noise limiter in the premises through which all amplified music or voices must be played and its levels set in order to achieve compliance with condition 1 above, after consultation with the appointed representative of JD Wetherspoon PLC. Wiltshire Council’s licensing department are to be informed, in writing, of the agreed level.
- Such levels shall not be capable of adjustment above the levels set by the management of the premises except with prior written authority of Wiltshire Council’s Licensing Department.
- The premises licence holder shall ensure that the rear yard of the premises is maintained in a clean and tidy state and litter is stored in appropriate lidded and secure receptacles located with the demise of the premises whilst awaiting collection and does not obstruct the fire exit of the premises at any time.

PUBLIC SAFETY

- On normal operating nights, no glass/bottles will be taken out of the premises.
- Plastic drink containers will be provided, where necessary.
- Staff to monitor inside and outside of premises for any vulnerable persons who may need help and support.
- For the safe evacuation of the public from the premises, the capacity limit will be set at 170; staff to monitor this.
- Staff will conduct a pre-opening safety checks prior to the premises opening to the public; a daily check list form will be used and filed.
- Regular checks of all fire safety equipment and PAT testing on all essential electrical equipment will be conducted by a qualified person, records will be maintained.
- Fire safety signs will be in place by the main entrance and rear fire exit doors; signs will be displayed throughout highlighting the route to the fire exits, these will be maintained on a regular basis, by competent staff. Records will be maintained.
- Approved emergency lighting will be in place, which will be able to provide 3 hours of light and ability to be recharged, when normal lighting is restored. This will be maintained by an approved, qualified person and records will be maintained.
- Staff will receive basic fire training, and management to conduct a practice fire evacuation drill with staff, at least twice a year. Records of training and practice drill to be maintained.

PROTECTION OF CHILDREN FROM HARM

- First Floor Area – Under 13's will be accompanied by their parent(s) or guardian from the hours of 15:00 to 18:00 at all times. At least one member of staff will be DBS checked to the level of enhanced and will be present during operating hours.
- Lower Floor Areas – 13 to 17 year olds will be allowed in these areas from 10:00 to 19:00. No alcohol will be sold during these times. Staff to monitor areas during operating times, to ensure safety and no unauthorised consuming of alcohol is taking place.
- The premise swill have an age verification policy in place, challenge 25 signage will be placed at the bar area and front door. ID's that will be accepted are the following: Valid passport, UK driving licence and accepted proof of age scheme cards. Staff will be given training on the premises age verification policy.

PREVENTION OF CRIME AND DISORDER

- Staff to be vigilant and pro-active in dealing with issues relating to anti-social behaviour, in all areas of the premises.
- Front of house to monitor customer's behaviour prior to entering the premises and where necessary, politely refuse entry, or explain house rules on anti-social behaviour.
- CCTV in place, covering essential internal and front door areas. Signs will be positioned at the front entrance. Date and time recorded and logs kept for inspection. The system will be maintained by approved, qualified person.
- Premises to be an active member of Pubwatch and to employ and use, where necessary, radio communication, linked to CCTV and other members of Pubwatch.

- Staff to be proactive in looking for any potential drug related issues. Management to have in place signage, in appropriate areas highlighting the zero tolerance approach the premises has to use.
- An incident book will be maintained at the premises.
- Instruction, training and supervision on the Licensing Act 2003 will take place.

ANNEX 3 – CONDITIONS ATTACHED AFTER HEARING

- None

ANNEX 4 – PLANS

Attached Separately
Dated: 26/06/2018 x 3

Plumbing

Single stack soil and vent pipe system to be provided with 100mm diameter soil and vent pipe receiving waste vent pipes to be taken to terminate at floor and opening into building within 3m's prior to be completed with approved terminal cap vent pipe to be 75mm diameter above highest appliance waste fitting

ventilation

OUTLET to be provided with mechanical extract ventilation capable of extracting not less than 15 litres per second which may be operated intermittently
Background ventilation to toilets to be provided by proposed windows fitted with trickle ventilation
Other areas to be ventilated by opening windows and doors where appropriate with background ventilation provided by trickle ventilators to windows/doors (Background ventilation openings having a total area of not less than 8000mm²)

Window and Extractor fans

Important note

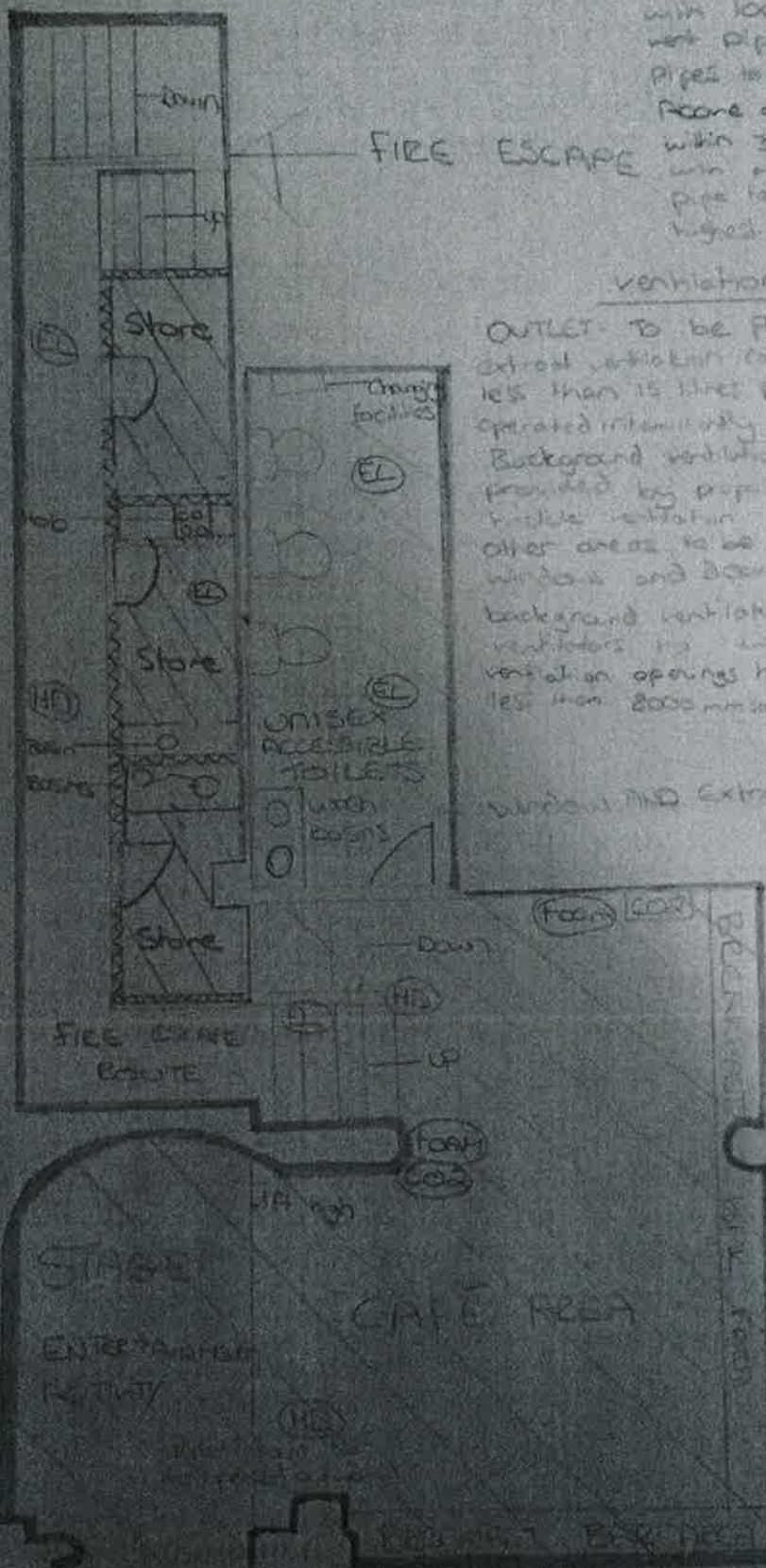
Windows french casements and doors to be provided with frame vent to satisfy above requirement

COPY

NOTE

Fire alarm system fitted to rear section
Emergency lighting fitted to fire fighting compartment
Fire exits to be self closing and smoke seal fitted

LICENSING AUTHORITY
CERTIFIED COPY *Gau Ghand*
DATE 26/6/18



26/7/18

LICENSING AUTHORITY
 CERTIFIED COPY *Jan Jannid*
 DATE 26/6/18

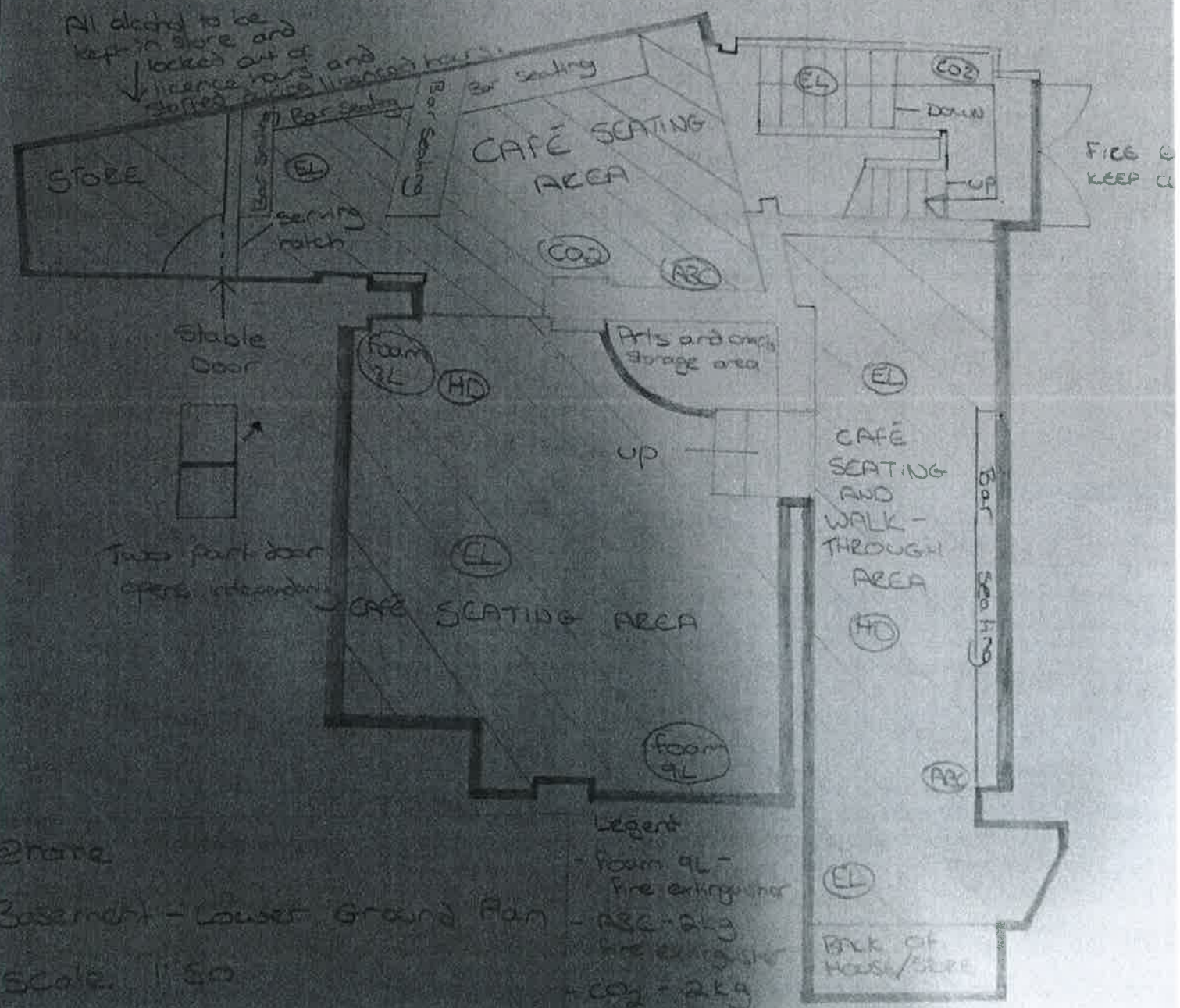
COPY

Staircase

Stairs comply with Approved Document 'K' of building regulations 1985 in Sitewood. Handrail minimum 900mm above pitch line Balusters clearance to be maximum 100mm minimum 3mm. Headroom measured vertically above pitch line.

Timber Grading

All carcass timber to be SC3 grade and treated.



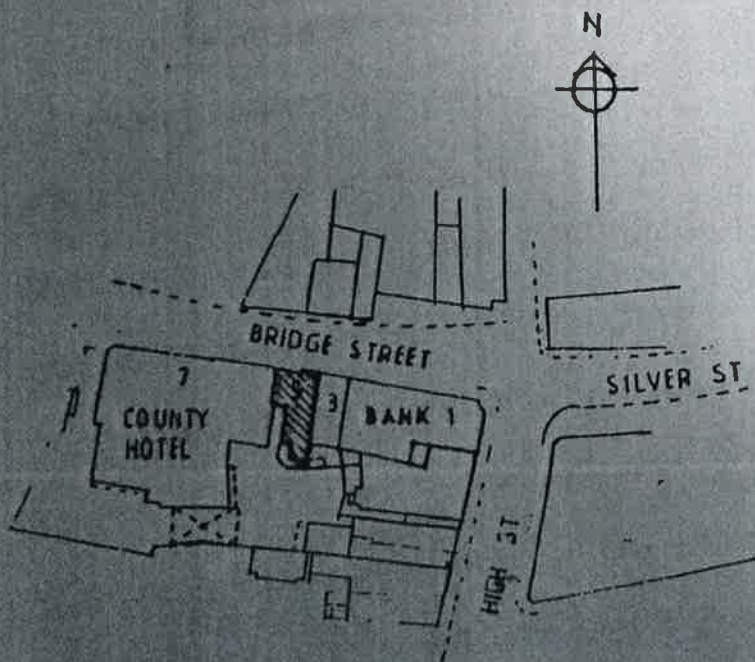
@name

Basement - Lowest Ground Plan

Scale 1/50

- Legend
- foam 9L - Fire extinguisher
 - ABC - 2kg fire extinguisher
 - CO2 - 2kg fire extinguisher

26/7/18



SITE PLAN 1:1250

COPY

LICENSING AUTHORITY
CERTIFIED COPY *Jan Garrod*
DATE 26.6.18

This page is intentionally left blank

21st February 2019

Miss Louella Adamson
@ Home Salisbury Ltd
Clearway Garage House
Firsdown
Salisbury
Wiltshire
SP4 6DT

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

Our Ref: LN/000014727

Dear Miss Adamson,

**Re: Licensing Act 2003 - @Home, 5 Bridge Street, Salisbury, Wiltshire, SP1 2ND
Formal Warning**

I am writing further to the licensing meeting that was held this morning at Bourne Hill Council Offices. Katherine Fowler, Environmental Health Officer was present, along with Sue Thurman-Newell, Police Licensing and I.

The purpose of the meeting was to discuss your prospective variation application in relation to the above named premises. During the meeting we discussed the conditions that are currently attached to the premises licence, in particular:

- *The premises licence holder and/or DPS will ensure that music and noise from customers from the premises is inaudible in the hotel section of the Kings Head Inn (or any equivalent successor premises in the same location).*
- *The premises licence holder and/or DPS will install a noise limiter in the premises through which all amplified music or voices must be played and its levels set in order to achieve compliance with condition 1 above, after consultation with the appointed representative of JD Wetherspoon PLC. Wiltshire Council's licensing department are to be informed, in writing, of the agreed level.*
- *Such levels shall not be capable of adjustment above the levels set by the management of the premises except with prior written authority of Wiltshire Council's Licensing Department.*

You explained during the discussion that you do not have a noise limiter in operation at the premises currently, due to the previous occupier of the premises removing it when they vacated. When informed that you would need to replace this immediately, you explained that you would not be able to afford to.

It is a condition of the licence that a noise limiter is installed at the premises, and that all music or voices must be played through it; therefore you must have a noise limiter installed. Not having a limiter currently constitutes a breach of the premises licence.

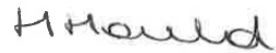
If you continue to have regulated entertainment at the premises, without a noise limiter, you will continue to breach the premises licence. Each day that you trade without addressing the current breaches of your licence conditions constitutes a separate offence against section 136 of the Licensing Act 2003; future breaches will leave the Licensing Authority with no other option than to consider either prosecution or request a review of the premises licence.

It is a legal requirement that all the terms of the Premises Licence are strictly complied with. The penalty for conviction of offences under the Licensing Act 2003 is an unlimited fine and/or 6 months imprisonment.

Please rectify the breach as soon as possible and inform the Licensing Authority in writing, when this has been completed.

Please do not hesitate to contact me if you have any questions.

Yours sincerely



Hannah Hould
Public Protection Officer - Licensing
Tel. 01722 434414
Email. hannah.hould@wiltshire.gov.uk

Cc: Mrs Sue Thurman-Newell, Wiltshire Police Licensing Officer

Mrs Katherine Fowler, Environmental Health Officer, Wiltshire Council

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 Police

(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	
@Home 5, Bridge Street	
Post town Salisbury	Post code (if known) SP1 2ND

Name of premises licence holder or club holding club premises certificate (if known)
PLH = @Home Salisbury Ltd DPS = Ms Louella Adamson

Number of premises licence or club premises certificate (if known)
LN/000014727

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below) x
- 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 ✓ yes

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

Name and address Wiltshire Police Salisbury Police Station Bourne Hill Salisbury SP1 3SN
Telephone number (if any) 01380 861742
E-mail address (optional) Susan.Thurman-Newell@wiltshire.pnn.police.uk

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

- Please tick one or more boxes ✓
- | | |
|---|----------------------------|
| 1) the prevention of crime and disorder | x <input type="checkbox"/> |
| 2) public safety | x <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | x <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

This application to Review the Premise Licence issued to @Home relates to the Premises Licence Holders failure to comply with conditions attached to their premise licence and to promote the licensing objectives under the Licensing Act 2003.

Wiltshire Police are in receipt of an application for a Variation to the Premises Licence to be granted under the provisions of the Licensing Act 2003.

During the consultation period police were required to carry out an intervention in relation to a significant incident at the above premises, when officers in a patrol vehicle were flagged down, on 02/03/2019 at 00:20hrs in relation to a member of the public's concern for four children of a very intoxicated female, who had exited the premises.

In the light of this ongoing enquiry in relation to potential Offences under the Licensing Act 2003, Wiltshire Police submitted an Objection to the Variation of the grant of the Premises Licence on the grounds that the application proposed would undermine the licensing objectives - the prevention of crime and disorder, public safety and the protection of children from harm.

Whilst also awaiting the outcome of the police enquiries, a further significant incident occurred at the above premises, on 30/03/2019 at 22:15hrs, where police responded to a 999 call from the bar manager. On the response officers attendance it was evident that the bar manager, a member of her staff and a member of the public had been assaulted by a customer.

In the light of both of these ongoing investigations, where the licence holder has not made herself available to assist with Police enquiries and furthermore Police have noted issues around non-compliance with the premises licence, Wiltshire Police have no confidence in the ability of the management / licence holder to provide any demonstrable compliance with or promotion of the Licencing Objectives. In particular the prevention of crime and disorder, public safety and the protection of children from harm.

Please provide as much information as possible to support the application (please read guidance note 3)

Wiltshire Police wish to bring to the Licensing Sub Committee's attention a number of Breaches of Conditions, being currently permitted by the Premise Licence Holder and Designated Premise Supervisor Ms. Adamson.

Furthermore there is a clear lack of management and individual responsibility, which culminated in unauthorised licensable activities.

The two significant incidents which occurred in @Home on Saturday 1st March 2019 and on 30th March 2019 give rise to Wiltshire Police's ongoing concerns around demonstrable management controls.

Wiltshire Police have an expectation that the management / licence holder will comply with the premise licence conditions. However, there has been noticeable non-compliance with those premise licence conditions, in particular in relation to the production of CCTV images for the first incident and the same non-compliance is currently being repeated in relation to the second incident.

Furthermore there is a lack of management support for the staff and a clear lack of staff training.

In my role as Licensing Officer I attended the premise, in company with the investigating police officer, on 9th March 2019. On speaking to the bar manager, who was on duty on 1st March, and subsequently on 30th March, I was advised that there was no till on the premise, they are currently utilising a cash box and a credit card reader. Wiltshire Police offer this as further evidence of poor management practices.

Additionally, there are real concerns in relation to the implementation of Challenge 25 and the lack of any ID checks being undertaken. The attention seemingly being placed on checking that customers had purchased entry tickets.

Following the incident on 1st March, there was a noticeable reluctance by the licence holder to engage with police. Personally, I left messages for Ms. Adamson to make direct contact, which were not responded to. The situation was the same on our attendance at the premise on 9th March, when I tried to make mobile contact to gain entry on more than one occasion, however when the investigating officer dialled Ms. Adamson's mobile number, she responded immediately. Wiltshire Police have an expectation that a Designated Premise Supervisor will be contactable and make themselves reasonably available, particularly in compliance with licence conditions.

In relation to the Incident on 1st March 2019; an ongoing Investigation is being undertaken, with a view to Offences under the Licensing Act 2003, namely; S.136 of the Licencing Act 2003 - Unauthorised licensable activities and S.141 of the Licencing Act 2003 - Sale of alcohol to a person who is drunk

In relation to the Incident on 30th March 2019; an ongoing Investigation is being undertaken, with a view to the following Offences namely; the Offence of Assault Occasioning Actual Bodily Harm contrary to Section 47 of the Offences Against the Person Act 1861 (x 1) and common assault (Battery) contrary to Section 39 of the Criminal Justice Act 1988 (x2).

Despite these ongoing criminal investigations and the knowledge that @Home is only permitted to sell Alcohol until 2200hrs and must be closed to the public at 2230hrs,

Wiltshire Police consider that there are enough licensing concerns to address, to require that they bring to the Licensing Sub Committees attention, the lack of management systems in place.

Wiltshire Police will provide Statements in relation to these ongoing investigations in support of this Review application, on a 'restricted' basis, to the licensing Sub-Committee. Wiltshire Police also request that the public be excluded from the hearing so as to ensure that the ongoing investigations are not compromised.

Wiltshire Police are seeking Revocation of the Premise Licence, as there is no confidence in the ability of the management to provide any demonstrable compliance with or promotion of the Licencing Objectives, together with Licensing Act Offences which are currently under police investigation.

Please tick ✓ yes

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

NO

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

None

Please tick ✓

yes

- I have sent copies of this form and enclosures to 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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature *S.Thurman-Newell*

.....

Date **4th April 2019**

.....

Capacity **Wiltshire Police Licensing Officer**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
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. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

From: [Thurman-Newell, Susan](#)
To: [Hould, Hannah](#)
Subject: @ Home, Bridge Street, Salisbury - Application for a Review of the Premise Licence
Date: 23 April 2019 12:42:23

Dear Ms. Hould,

In relation to my Review application submitted on the 4th April 2019, I would like to clarify that where I responded to the Question; **If you have made representations before relating to the premises please state what they were and when you made them and I responded with the answer; None.** This was because I believed the question was linked to the previous question relating to a previous application for a Review.

For clarification; I have, in fact, submitted an Objection to a Variation Application, submitted by the current Premise Licence Holder and Designated Premises Supervisor, Ms. Louella Adamson, which I have referred to in the Grounds for Review Section of my application for a Review of a Premise Licence under Section 51 of the Licensing Act 2002.

Please accept my apologies for any confusion this may have caused.

Please do not hesitate to contact me, should you require to discuss this matter further.

Regards

Mrs. S. Thurman-Newell

Licensing Officer

Wiltshire Police, Salisbury Police Station, Bourne Hill, Salisbury, SP1 3SN

Dial 101 Extension: 37742

Direct Dial: 01380 861742

Email: Susan.Thurman-Newell@wiltshire.pnn.police.uk

Web: www.wiltshire.police.uk

This message contains information from Wiltshire Police which may be legally privileged and confidential. The information is intended for the use of the individual(s) or organisation(s) named above. Any opinions expressed may be those of the individual sender and not necessarily those of Wiltshire Police. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this message in error, please notify us by telephone on 101 or +44 1380 826614 if dialling from overseas or alternatively via the Wiltshire Police website immediately. Please then delete this email and destroy any copies of it. All communications, including telephone calls and electronic messages to and from Wiltshire Police may be subject to monitoring. Replies to this email may be seen by employees other than the intended recipient. Although the sender has taken steps to protect the material sent, there is no guarantee that the communications will be virus-free.

This page is intentionally left blank

**Documents to be relied on by Wiltshire Police
Review Hearing of Premise Licence**

@Home, Bridge Street, Salisbury

**In the presence of
Wiltshire Licensing Sub Committee
31st May 2019
City Hall, Salisbury**

WILTSHIRE POLICE HEARING DOCUMENTS

Review of Premise Licence - @Home, Salisbury

- Wiltshire Police Review Application Document dated 5th April 2019
- Report by Ms A.J. Newbery, Designated Premise Supervisor, The Chapel, Milford Street, Salisbury
- Objection to Temporary Event Notice Application for @Home for 3rd & 4th May 2019
- Report by A Milton, Senior City Ranger, Salisbury BID regarding visit made on 8th May 2019

From: [Amanda Newbery](#)
To: [Thurman-Newell, Susan](#)
Subject: At Home
Date: 18 April 2019 12:26:20
Importance: High

Dear Susan

I am emailing to clarify my position regarding any advice or mentoring that I have given to Louella Adamson over the past year. I would be disappointed if any advice that I have given regarding licensing or venue matters has been used in an inappropriate way and can confirm that all information and advice that I have given would always be in full compliance with the law. I regard licensing law and health & safety law in the utmost regard and have always sought to work in partnership with the authorities in a totally transparent and compliant way, advising others to do the same.

Louella first contacted me on 12th April 2018 after being referred by a business owner in town, [REDACTED] and a city councillor, [REDACTED] as someone who helps and encourages young people in business. I had not met Louella before that date. Louella was interested in taking a lease on the Heart Foundation building in Fisherton Street for her arts business (which I was led to believe had got Arts Council backing and was the subject of further grants being applied for). I knew too that the Young Chamber were also involved with advising, as well as a number of other local business people that I was aware of who were helping on the business side. I was invited to her first Mental Health movement meeting on 30th April in Wildwood but couldn't attend. I fully intended to attend some of these as this is a subject close to my heart but actually only ever made one.

We next spoke on 3rd May when Louella had agreed to take over the running of Pride from [REDACTED] and I was (and still am) fully supportive of a Salisbury Pride. We met for coffee with [REDACTED] and we both agreed to help with advice and support on the day.

By 10th May, Louella was still having difficulties in finding suitable premises for her business and I suggested the Moloko building as I knew that Alex Nettle was stuck with the lease following a disastrous previous tenant who had surrendered the licence. We used to trade in that building for many years (without any licensing or noise issues) and I thought the layout would be big enough as a starter for At Home and the situation would suit them both. Louellas' business plan was to open every day for three sessions a day with seniors in the morning, families and teenagers in the afternoon and then adults in the evening. Alcohol was incidental to the offer with the sessions as the core and membership was the main income driver.

I had a series of meetings with Louella and Alex and agreed to help Louella get a Premises Licence to 10pm while Alex offered subsidised rent which was a situation that helped them both. During the past month, I had suggested a series of empty properties, some being pubs, but Louella was fixed on not having anything too close to an alcohol outlet as the arts, teenager and mental health offer was not compatible. Brendan Jeynes offered to carry out her risk assessments, helped with the Premises Licence application and even stood as the DPS for a short period while Louella took her Personal Licence qualifications and then took over as DPS herself.

I became aware in August that there were some problems between At Home and Wetherspoons

and noted that the premises was trading more as a bar in the evening and suggested changing her operating schedule and risk assessments and to make sure her insurance knew. I went into the premises for the first time for a cup of coffee on 7th September and spoke to Lizzie who was her manager. I have only visited the premises once thereafter. I knew that Louella was applying for further funding in September and that cashflow was difficult.

I contacted Louella on 22nd October as I was planning the Purple Flag walk about and she again told me that business was hard and that she was going to put in for some TENs to open longer and also that licensing had contacted her for a chat. I suggested that she talk to you after Pubwatch. Later in the week, I advised Louella to go carefully through her Premises Licence conditions and to think whether she might have inadvertently broken any and that she must make sure her incident book, first aid kit etc are all in place.

I knew that Louella was looking for premises again on 23rd November and I explained that some areas of town would not be suitable for late licences. I didn't have much interaction with Louella until the next year when in February when she asked me about [REDACTED] who were advertising locally and I advised not to get involved. I tried to give moral support but that she needed to write down her ideas, focus on a plan and that I doubted that she would get a 3am where she was. I said it might be possible to get a 1am if everything was going well and in place. She told me that she had 3am TENs in place and I was surprised. I was aware that money was tight for Louella.

Apart from Pubwatch meetings, where Louella or a member of her staff usually attend, the next interaction with Louella was while organising focus groups for the High Street Fund. We held an 18-35 consultation at The Chapel in conjunction with the Chamber (which Louella took part in) and Louella was going to hold the teenager one down in her venue which never actually took place.

Louella messaged me about a noise limiter on 21st February and I passed her on to [REDACTED] who is a sound engineer on facebook and had no more to do with it.

Regarding Louella's festival, we were asked to do the bar and declined as we don't do outside bars. She also asked me to attend the ESAG with her but I said I would only be able to go through her operations plan and risk assessment. I said that her security manager and her bar company should accompany her. I had heard her ask [REDACTED] to do her security and [REDACTED] to do her bars. We were never asked to do the security.

We were contacted on 1st March about a door course and said that her licence variation for At Home was okay but she needed two security as a condition. Louella was going to put two or three on the course but this didn't actually take place. I became aware that things had got difficult with the festival due to neighbours. I suggested she step back and think carefully about these things, offering to meet. I was never told the venue for the festival but looked at the online ticket information which pin pointed it to her parents' home and I let her know I was worried about the event due to location and size.

I knew on 9th March that she had had a difficult experience in the bar with a young family but not the details. I advised her to speak to you whenever you request it and to be open and

compliant. I also advised getting proper legal advice and I thought she should withdraw her 3am variation application. On 12th March, I go further reminding her that alcohol was not even in her core business plan that that she should think carefully about that. I advised to withdraw from the festival or downsize it to a TEN and to tackle one thing at a time.

I had an online conversation with Louella about issues, empathising with her about how frightening all this must be and stressed to her to listen to her lawyer on 14th March but questioned their qualifications in licensing law when Louella was adamant that they had said that she was in the right. I said that the police would not be taking things this seriously if there wasn't something very wrong and again said that being a DPS made things very serious. I again advised to withdraw the variation and stop the festival or make it for under 499 people.

She contacted me on 20th March saying that the council had rejected the variation and I again said that I thought that it should be a midnight licence. I advised again to lie low, foster better relations with licensing and listen to her lawyer. When Louella contacted me last time, I said that I thought [REDACTED] would be very worried about losing the premises licence and that I didn't know how to help as she didn't take my advice seriously. I said her lawyer should be advising her and that she needed a licensing specialist.

I confirm that I have no financial interests in At Home or ever have had. We did the work for the Pride ESAG and licensing for free and just to help. We have offered our venue for free when Louella wants to hold events such as a Ballroom dancing competition in August.

I am totally sorry that things have gone wrong for Louella. She is fired up with a passion for creativity and has a wonderful set of ideas, most of which would be completely lovely. I am also sorry that she hasn't had guidance and support from other arts organisations such as Wiltshire Creative. I did once suggest to her that she should try to come under their umbrella as I think that her offer would be perfect and that she just needs someone to do the financials and the regulatory part of the business.

I have seen for myself one teenager who was helped at last year's Pride when he came out in public for the first time and I know of lots of other incidences where her messages have hit the spot for some young people in crisis. I just think that the lack of cash in Louella's business has caused her to panic and push the boundaries. Things happen in the night time economy, and especially where vulnerable people are concerned, but you need to understand the severity and how to deal with it. Louella goes straight to the heart of vulnerability with her offer and her original business plan was an amazing, creative piece of work. Ultimately, it failed because the overheads were too high and she never received her grant funding. I don't believe Louella has meant to do anything wrong but is just out of step with regulatory bodies, increasingly due to panic and stress.

If I could wish anything for this difficult situation, it would be for Alex or another person to take over the Moloko building and licence and for Louella to go and take her offer to other parts of the city, working with Wiltshire Creative, the City Hall, us and other venues with pop up offers so that she has no overhead cost. This way, she could concentrate on the arts and creative offer and would not be selling alcohol. I would be fully supportive of that.

Very best wishes

Amanda

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

From: [O'Neill, Martin](#)
To: [Hould, Hannah](#)
Cc: [Thurman-Newell, Susan](#); [Sparrow, Pete](#); [Hutchings, John](#)
Subject: TEN @home, Salisbury.

Dear Miss Hould, I refer to the temporary event notice that was received on 26th April 2019, in respect of @home, 5 Bridge St, Salisbury for a proposed event covering 3rd and 4th May 2019. I have spoken with the Police Licensing officer for that area, Mrs Thurman-Newell, who is currently on annual leave.

@home has been investigated in relation to numerous Premises Licence offences including over intoxication, and noise which are currently the subject of a review hearing process. The DPS Louella Adamson, has also been the subject of a Police investigation which is still in progress.

In addition to the review process a formal objection has been made by Wiltshire Police Licensing in relation to a variation submitted in respect of the Premises.

Wiltshire Police, acting as a responsible authority, have no confidence in the ability of the applicant to support the Licensing Objectives and formally object to this temporary event in relation to the Licensing Objectives of

The Protection of Children from harm.
Public safety.
The Prevention of Crime and Disorder.
Public Safety.

Regards

Martin O'Neill
Police Licensing Officer
Trowbridge Police Station
Polebarn Rd
Trowbridge
Wiltshire.

Tel: 101 Ext 37792
Mobile: [REDACTED]
Martin.o'neill@wiltshire.pnn.police.pnn

From: [Andy Milton](#)
To: [Thurman-Newell, Susan](#)
Subject: @Home
Date: 08 May 2019 12:39:19
Attachments: [image163206.png](#)
[image562747.png](#)
[image101491.png](#)

Good Afternoon Sue,

Just thought I would touch base to let you know about my short experience with @Home the other evening.

As a City Ranger dealing with Citywatch radios, (One of many hats), I had concerns about her future and the fact she does not use the Citywatch radio. It was decided the best course of action was to retrieve the radio. I had also spoken about my concerns / Findings to PC Alan Cromwell.

I attended the venue at 18:30hrs, she was not present but on her way according to Harry (The chap who greeted me) I also noticed he was on a poster mounted inside the venue called "Harryoke" (A spin from Karaoke) I was then offered a drink by the same chap, initially I declined the offer, then some minutes later accepted because I could not see a price list or any draught taps and was interested what or how I would get it served. I said i would have a coke. He then apologised and said he did not know the cost but a pound should do it, so I paid him a pound.

Whilst waiting, a couple of girls came in and I my opinion (SIA, Door Supervisor Qualified) one looked under 18 years of age, certainly younger than the other but neither were at any point asked for I.D, but were offered a drink. A few minutes later another party of four young girls entered, again the first thing said was "Hi, can I get you a drink" no I.D check. They refused initially, but a few minutes later I believe they did have a drink.

At approximately 19:10hrs Louella arrived in no hurry (Although she knew I was waiting for her) and we started the search for the Citywatch radio. She was unsure of where it could be due to her moving the bar area upstairs.

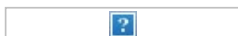
Whilst looking for the radio we were in a room I believe was holding some sort of Arts class. In the middle of the floor was a Cardboard box, the size of box that would hold approx. six bottles of wine. It was addressed to her and approaching it she stopped looking for the radio and opened the sealed box, it had bottles of Sourz which is alcohol. I thought it strange that it would be sitting in the middle of the floor instead of behind the bar. We then continued the search for the radio, eventually finding it in a cupboard.

My concerns:

- No apparent I.D checks
- Alcohol just anywhere.
- Electric cables. (Just a mess behind the till / counter
- No pricing policy ?

Kind regards
Andy Milton

Andy Milton
Senior City Ranger
01722 658000 www.salisburybid.co.uk
24-26 Milford Street, Salisbury, SP1 2AP



This email and any files transmitted with it are confidential. Unless you are the intended recipient, you may not use, copy or disclose either the message or any information contained in the message. If you are not the intended recipient, you should delete this email and notify the sender immediately. Salisbury Business Improvement District Ltd. Registered Office 35 Chequers Court, Brown Street, Salisbury, SP1 2AS. Registered in England & Wales - Registered Number 08814824

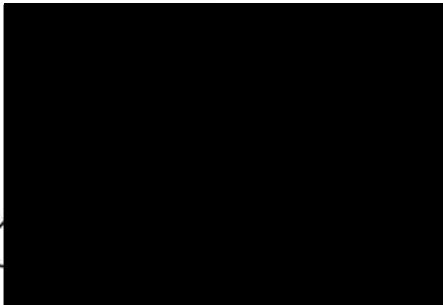


JD Wetherspoon plc, PO Box 616, Watford, WD24 4QU | Telephone: 01923 477777 | Fax: 01923 219810
www.jdwetherspoon.co.uk | www.jdwetherspoon.ie

Statement of events on the 1st March 2019

On the 1st of March 2019 I was working a 3pm to 8pm, approximately half an hour into my shift I noticed the family in question whilst I was working on the floor. I noticed the family because they were a large group who had moved tables together. I was then moved onto the bar where I no longer had a clear view of the family. I returned to the floor at approximately 6pm and immediately noticed they were still in the premises which was concerning as we have a policy regarding parents alcohol consumption when with their children. To protect children from harm we have a policy that is permanently enforced of parents having two drinks maximum. With this policy in mind I told my Shift Leader on duty (Jacomb Hansford) to cease serving them anymore alcohol. I stood nearby whilst Jacomb went to the table directly to tell them, Jacomb made it very clear that the reason they will no longer be served is because of our policy only and not because they were overly intoxicated. They made no fuss and left the premises approximately half an hour later. I then finished work at 8pm, when I attended my shift the next day I was informed of the events that happened later that night.

Nadine Lane



This page is intentionally left blank

12 April 2019

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

Public Protection Services
Licensing Team
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
BA14 8JN

Our ref: LN/000014727

Dear Miss Hould

Re: Licensing Act 2003 – Review Application
Premises: @Home, 5 Bridge Street, Salisbury SP1 2ND

The Licensing Authority is in receipt of the review application for premises licence LN/000014727.

As the officer delegated to respond on behalf of the Licensing Authority, I am writing in support of the Police application. Having considered the review application and the evidence contained within, the Licensing Authority has a number of serious concerns relating to the management of the premises.

It is the view of the Licensing Authority that the premises licence holder has not demonstrated her ability to manage the premises in a sufficient manner to enable the promotion of the licensing objectives; The Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm.

The Licence holder has demonstrated during her interactions with the Licensing Department that she has little comprehension of the requirements required to operate a licensed premises under the Licensing Act 2003 and her dealings with Licensing Officers have been challenging and unprofessional. There has been a reliance on the Licensing Authority to assist with every application made and when guidance/advice has been given, this has been met with a lack of understanding or rationale around implementation

The incidents which have led to this review application highlight the licence holder's failure to ensure patrons safety, lack of compliance with the licence issued and failure to promote the Licensing Objectives.

The Licensing Authority wrote to the licence holder on the 21st February 2019, formally warning her, in relation to her failure to comply with the conditions attached to the premises licence, namely to have a noise limiter installed at the premises. The concerns raised by Wiltshire Police relating to CCTV, which is a condition of the licence, alongside the serious nature of the recent incident regarding a vulnerable person and minors at the premises, leaves the Licensing Authority with no other conclusion than to support revocation of the licence.

If you have any queries regarding the content of this letter please contact me.

Yours Sincerely



Linda Holland
Licensing Manager – Public Protection
Tel. 01249 706410
Email: publicprotectionnorth@wiltshire.gov.uk

Holland, Linda

From: Louella Adamson [mailto: [REDACTED]]
Sent: 07 May 2019 12:07
To: Holland, Linda
Subject: Re: @home review

Hello,

Linda I am most dissapointed that this all hasn't been resolved and I haven't had confirmation from you as you said about what the police want to see from my and @home. I have called today and whilst being transferred to someone was cut off. Please can we sort this with the upmost urgency. I have my DPS waiting to fill the forms in and submit but I need assurances that this is what you want and it will go through smoothly, you as a council have taken a lot of money off me for all of this and nothing has come through, I don't want to pay you more and it all happen again. Lets move forward. I am happy to change my licence name and DPS, will you put this to police and ask if this is what they want to see and can we drop the review and move to the variation hearing and speak about what conditions they want to see from me there THEN if you still think @home is you can put it up for review on the other side of these. My loss of earnings per week since the variation hasn't been granted and I've had all of this going on have been £3,800 as confirmed and advised by SWLEP and my mentoring team on the programme. This is considerable and I feel no urgency from your side in this.

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd
athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home salisbury

On 03/05/2019 17:12, Holland, Linda wrote:

Hello

The administration team have now finishes for the day, if you wish to submit a tens today with payment please use the GOV.uk portal available on our website.. where payment can also be made..

<http://www.wiltshire.gov.uk/licences-permits-tens>

Please be aware its subject to a three working day consultation if submitted today would start on Tuesday following the Bank Holiday.

Regards

Linda

Linda Holland
Licensing Manager
Public Health & Public Protection

Wiltshire Council | County Hall | Trowbridge | Wiltshire | BA14 8JN

T. 01249 706410 | Email: linda.holland@wiltshire.gov.uk | www.wiltshire.gov.uk
Follow Wiltshire Council

-----Original Message-----

From: Louella Adamson [mailto: [REDACTED]]
Sent: 03 May 2019 16:42
To: Holland, Linda
Subject: Re: @home review

One more question!

My dps is putting in the TEN for the festival today. I submitted one previously but we have amended and submitting today, I don't want it to be processed next week and become a late ten, is it possible for the payment to be made and it to be accepted by the end of the day please?

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd

athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

On 03/05/2019 13:10, Holland, Linda wrote:
Good Afternoon

Further to my earlier email I have now managed to speak to Martin O Neil (Police Licensing) who will be responding to you in due course.

Regards

Linda

Linda Holland

Licensing Manager

Public Health & Public Protection

Wiltshire Council | County Hall | Trowbridge | Wiltshire | BA14 8JN

T. 01249 706410 | Email: linda.holland@wiltshire.gov.uk | www.wiltshire.gov.uk

Follow Wiltshire Council

[1] [2]

[3]

FROM: Louella Adamson [mailto: [REDACTED]]
SENT: 03 May 2019 10:50
TO: Holland, Linda
SUBJECT: Re: @home review

Good morning Linda,

pushing you on this case please and keen to hear the response from PC Burlington regarding the best course of action for the business.

Kind Regards

Louella Adamson
Top Dog
@home Salisbury Ltd

athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

On 02/05/2019 08:36, Holland, Linda wrote:

Good Morning Louella

Thank you for your email.

The review of the licence has been called by Wiltshire Police and the Licensing Authority has submitted a representation in support of the review application.

The Licensing Authority does not make representations lightly without due consideration of the concerns presented to and or experienced/noted by the Licensing Authority.

The Licensing Act 2003 requires licence holders to promote the four licensing objectives and comply with the hours and conditions on any licence that is issued. The promotion of the licensing objectives is demonstrated by how a premises is managed and the licence holders understanding of the Act/s that they are trading under.

There cannot be a reliance on the Authorities to continuously offer advice and guidance, and when this is given to express discord or feel one is being singled out.

The Licensing Authority is seeking compliance with statute legislation from which it cannot lawfully deviate. There are set forms, associated documentation, timeframes, capacity and fees set out within the regulations that govern the application of the legislation; all applicants and licence holders must comply with the legislation, regardless of where they are trading within Wiltshire. This Authority makes no allowance for who or where applications are coming from.

On a number of occasion officers have advised you seek your own legal counsel if you do not agree with how this Authority is processing any of your applications (in compliance with the required procedures set out in the regulations or Licensing Act 2003) or guidance given. You are of course at liberty to seek advice from other sources.

I would politely remind you that @Home is your business and it is your obligation to ensure compliance with all applicable statutory legislation.

Kind regards

Linda

Linda Holland

Licensing Manager

Public Health & Public Protection

Wiltshire Council | County Hall | Trowbridge | Wiltshire | BA14 8JN

T. 01249 706410 | Email: linda.holland@wiltshire.gov.uk |
www.wiltshire.gov.uk

Follow Wiltshire Council

[1] [2]

[3]

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by Wiltshire Council to ensure compliance with its policies and procedures. No contract is intended by this email, and any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Wiltshire Council. Please note Wiltshire Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions. Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by Wiltshire Council to ensure compliance with its policies and procedures. No contract is intended by this email, and any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Wiltshire Council. Please note Wiltshire Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions. Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

Links:

Grant, Lisa

From: Grant, Lisa
Sent: 02 May 2019 14:20
To: info@homesalisbury.com
Cc: Hould, Hannah; Garrod, Ian
Subject: RE: Best foot forward
Attachments: Premises-licence-transfer-applicationjan19.pdf; Transfer-consent-holder-premises.pdf; Transfer-premises-licence-guidance-2018.pdf; Schedule-9-6-3-17-application-to-vary-a-premises-licence-to-specify-dps-2018..pdf; Schedule-15-6-3-17-consent-of-individual-to-being-specified-as-premises-supervisorapril-2017doc.pdf; Vary-dps-guidance-2018.pdf; Counter Notice - Late TEN - @Home.pdf; Police objection - TEN 3rd-5th May.pdf; Objection to TEN - Environmental Health.pdf

Good afternoon

I have been passed your email in Hannah and Ian 's absence to respond to your query.

As you are aware, there is currently a Review consultation on @Home premises licence bought by Wiltshire Police.

If you are requesting to Transfer the premises licence and DPS of the premises, you will need to complete the attached forms and return to the Licensing Authority with the prescribed fees of £23 each (£46). Although this process takes immediate effect as soon as we receive the completed/valid applications, consents and fee; there is a 14 day consultation period in which the Police can make representation to.

Even though you are applying to Transfer and change the DPS, the Review of the premises will still proceed; the person applying for the transfer should be advised that the licence is under review and the premises licence is at risk.

Unfortunately the late T.E.Ns that you applied for this weekend has been objected by Wiltshire Police and Environmental Health and a counter notice served; therefore the event cannot go ahead and it will be an offence to carry on licensable activities without the correct authorisation. The penalty on conviction for offences under the Licensing Act 2003 is an unlimited fine, up to 6 months imprisonment or both. (I have attached the Counter Notice and objections to the Late T.E.Ns again for your information).

Regards

Lisa Grant
Public Protection Officer (Licensing)
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN
Email: lisa.grant@wiltshire.gov.uk
Direct Dial: 01380 826332

Web: www.wiltshire.gov.uk

Follow Wiltshire Council

-----Original Message-----

From: @home [mailto:info@homesalisbury.com]

Sent: 02 May 2019 12:26

To: Hould, Hannah; Garrod, Ian

Subject: Best foot forward

Hello,

After my police interview yesterday they said that pressure is coming from Wiltshire council on this case. I am proposing to change the dps and licence holder name today. Will this give you confidence to grant the ten for this weekend and the variation moving forward? My business and I are really suffering and this animosity is unjust.

Welcome home!

athomesalisbury.com

fb @homesalisbury ig home_salisbury t @home_salisbury

Holland, Linda

Subject: FW: Business Rates - @Home Salisbury, 5 Bridge Street

From: Southway, Paul
Sent: 01 May 2019 10:44
To: Hould, Hannah
Cc: Ruddle, Phil; Wood, Damian
Subject: FW: Business Rates - @Home Salisbury, 5 Bridge Street

Hannah

Thank you for your time this morning

As discussed, we have been unable to collect any business rates from @Home Salisbury Ltd and the arrears are currently EXXXX.XX Please see the latest emails with Louella below regarding rates, but I am no further forward to resolving this matter.

Although, I have taken court action and passed the case to the council's enforcement agent, in the current circumstances I do not feel it is appropriate or would be beneficial at this stage. I will continue to hold this case until the court hearing regarding the licence issue has taken place.

Please let me know once you have further information to share with me.

Regards

Paul

Paul Southway
Revenues Manager
01249 706227
21227

From: Southway, Paul
Sent: 03 April 2019 10:41
To: 'Louella Adamson'
Cc: Ruddle, Phil; Wood, Damian
Subject: RE: Business Rates

Louella

At the present time I am not in any doubt the rateable occupier of the premises is @Home Salisbury Ltd. You originally gave this as your trading name and this is the name on your small business rate relief application form and the premises licence.

I am interested to find out the outcome of your charity application, but whether Mental Monday's are deemed to be the rateable occupier of all or part of the property I am still unsure. I would really like to fully understand the set up here & the funding. Just because you have never taken a penny from the business, it does not automatically mean it is conducted for non-profit. Would you be able to email me a copy of the institution or organisation constitution and rules and do you have any trading accounts or financial information that I could see for Mental Monday's and @Home Salisbury.

If you are able to provide this now, then I will see what relief may be available to you before the outcome of your charity application. Even if/when your charitable application is approved, I will still ask for this information to support any application for rate relief.

I sent your case to Bristow & Sutor Enforcement Agents as you did not respond to my email in the time frame given. However, I confirm that following your latest contact, I have asked them to hold further action until the end of April. I would therefore like you to provide the information requested before this date or at least to call me with an update. A meeting with Phil Ruddle (Head of Revenues) or myself and Damian Wood (Economic Development Officer) can still be arranged if you think this would be useful.

I look forward to hearing from you.

Regards

Paul Southway
Revenues Manager
01249 706227

From: Louella Adamson [mailto: [REDACTED]]
Sent: 02 April 2019 21:25
To: Southway, Paul
Subject: Re: FW: Business Rates

Hello Paul,

Mental Monday's is the original business, it came before @home. @home is just written on the outside, it runs through a CIO motive. When charity status is set it will be on the entire property UNLESS by May I have a sub let to a cafe in which we will split. These rates are monstrous and if we have to pay the full amount plus the other pressures under us from the council we will have to close, which is apparently the trend in Salisbury. I have Altus working on it from a government perspective for me too. I just want to keep my business alive in Salisbury, its given so much to the community. I have never taken a penny from it! That's charity don't you think?

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd

athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

Holland, Linda

Subject: FW: @home, 5 Bridge Street, Salisbury - TEN - 3rd-5th May 2019 - Counter Notice
Attachments: Counter Notice - Late TEN - @Home.pdf; Police objection - TEN 3rd-5th May.pdf; Objection to TEN - Environmental Health.pdf

From: Hould, Hannah
Sent: 01 May 2019 10:52
To: Louella Adamson; @home
Cc: O'Neill, Martin; Holland, Linda; Fowler, Katherine; PublicprotectionSouth
Subject: RE: @home, 5 Bridge Street, Salisbury - TEN - 3rd-5th May 2019 - Counter Notice

Dear Miss Adamson,

Further to the details below I have received another representation from Environmental Health in relation to the TEN that you applied for this weekend. The position has not changed, in that only one valid objection from the consultees is needed for a late TEN to be issued with a counter notice, but I wanted to inform you for completeness, as Environmental Health made an objection yesterday, within the 3 working day consultation period. The counter notice is attached showing both consultees objections. Copies of both objections are attached to this email.

I am writing further to the receipt of your Temporary Event Notice (TEN) for an event to be held at the above named premises on the following date(s) and times:

- Friday-Sunday 3rd – 5th May 2019 22:00hrs - 02:40hrs

The TEN application process, once received by the Licensing Authority, involves a 3 working day consultation period with Police and Environmental Health.

The TEN that you submitted was a late TEN; if the Police, Environmental Health or both give an objection to a late TEN, the notice will not be valid and the event will not go ahead as there is no scope for a hearing or the application of any existing licence conditions. (para 7.14 s.182 Guidance)

I am therefore writing to inform you that the Licensing Authority is issuing you with a counter notice (attached to this email), as required under s.104A Licensing Act 2003. The reasons for the objection are detailed in the attached email from Wiltshire Police. The effect of the Counter Notice is that the event cannot take place. **It is an offence to carry on licensable activities without the correct authorisation. The penalty on conviction for offences under the Licensing Act 2003 is an unlimited fine, up to 6 months imprisonment or both.**

Kind regards

Hannah Hould
Public Protection Officer (Licensing)

Wiltshire Council
Bourne Hill
Salisbury
Wiltshire
SP1 3UZ

Email: hannah.hould@wiltshire.gov.uk
Direct Dial: 01722 434414
Internal: 54414

Wiltshire Council

Counter Notice—Permitted Temporary Activities

On 25th April 2019 the licensing authority received from you, Miss Louella Adamson a late temporary event notice ("the notice") in respect of proposed temporary licensable activities due to take place on 3rd-5th May 2019 at @Home, 5 Bridge Street, Salisbury, Wiltshire, SP1 2ND. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 ("the Act")


The objection which applies is indicated by an "X" in the following table:

Objection	Insert "X" as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X

A copy of this counter notice will be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises specified in the late temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003 a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine of an unlimited amount, or to both.

SIGNATURE	 On behalf of the Licensing Authority	DATE	30/04/2019
Name of Officer Signing	Hannah Hould		

From: [Fowler, Katherine](#)
To: [Hould, Hannah](#)
Subject: RE: TEN for @Home
Date: 30 April 2019 11:26:25
Attachments: [image001.png](#)
[image002.png](#)

Dear Hannah,

I write with reference to the recent TEN application to extend the hours of operation for the sale of alcohol and provision of regulated entertainment at the premises, @Home between the hours of 22.00 and 02.40 on Friday 3rd May 2019 to Sunday 5th May 2019.

In light of the Police Licensing objection to the TEN and further to this departments objection to the Premises Licence Variation application we can confirm that we would also object to the TEN based on a complaint of loud music following a previous TEN held at the premises and lack of confidence in management to ensure that the prevention of public nuisance licensing objective is effectively met.

Kind regards

Kat Fowler
Environmental Health Officer

Environmental Protection, Public Protection Services
Tel: 01722 434346
Internal: 54346
E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk

Follow Wiltshire Council:



Want to know more about your alcohol consumption? Please take our [short survey](#)*

*Please note that the anonymised data will be collated to inform service development and commissioning in the future

Holland, Linda

Subject: FW: @home, 5 Bridge Street, Salisbury - TEN - 3rd-5th May 2019 - Counter Notice

-----Original Message-----

From: @home [mailto:info@homesalisbury.com]

Sent: 30 April 2019 10:59

To: Hould, Hannah

Subject: Re: @home, 5 Bridge Street, Salisbury - TEN - 3rd-5th May 2019 - Counter Notice

I have contacted them and the email address provided by the police in that statement wasn't valid! My licence is in review for something that didn't happen and I didn't do! I am taking it seriously but also it is ridiculous, you must understand that. My business will fold this month if all this keeps persisting and I'm guessing that is your aim. Please ask Linda to call me. I have not had a single incident and there is no evidence to prove I am incompetent at running that business. None what so ever. This is all a personal bias case because you all hate me and it's not got a single legal entity to it, as my barristers and lawyers keep saying.

I've had enough. This is a horrendous circus and waste of everyone's time. Surely you all have better things to do?

Welcome home!

athomesalisbury.com

fb @homesalisbury ig home_salisbury t @home_salisbury

On 30/04/2019 10:25, Hould, Hannah wrote:

> Louella,

>

> Your premises licence is currently undergoing a review, which is a >

> very serious matter. Wiltshire Police have submitted the review application.

> I strongly advised you to contact the Police prior to submitting a > temporary events notice, as they are consultees of the process.

>

> Kind regards

>

> Hannah Hould

> Public Protection Officer (Licensing)

>

> Wiltshire Council

> Bourne Hill

> Salisbury

> Wiltshire

> SP1 3UZ

>

> Email: hannah.hould@wiltshire.gov.uk

> Direct Dial: 01722 434414

> Internal: 54414

>

>

>

>

> -----Original Message-----

> From: @home [mailto:info@homesalisbury.com]
> Sent: 29 April 2019 18:31
> To: Hould, Hannah
> Subject: Re: @home, 5 Bridge Street, Salisbury - TEN - 3rd-5th May
> 2019 - Counter Notice
>
> Is everything I put in and pay for going to get objected?
>
> ---
> Welcome home!
>
> athomesalisbury.com
> fb @homesalisbury ig home_salisbury t @home_salisbury
>
> On 29/04/2019 17:53, Hould, Hannah wrote:
>> Dear Miss Adamson,
>>
>> I am writing further to the receipt of your Temporary Event Notice
>> (TEN) for an event to be held at the above named premises on the following date(s) and times:
>>
>> . Friday-Sunday 3rd - 5th May 2019 22:00hrs - 02:40hrs
>>
>> The TEN application process, once received by the Licensing
>> Authority, involves a 3 working day consultation period with Police and Environmental Health.
>>
>> The Licensing Authority have received an objection from Wiltshire
>> Police against this Temporary Event Notice. I have attached the
>> objection to this email. The TEN that you submitted was a late TEN;
>> if the Police, Environmental Health or both give an objection to a
>> late TEN, the notice will not be valid and the event will not go
>> ahead as there is no scope for a hearing or the application of any
>> existing licence conditions. (para 7.14 s.182 Guidance)
>>
>> I am therefore writing to inform you that the Licensing Authority is
>> issuing you with a counter notice (attached to this email), as required under s.104A Licensing Act 2003. The
>> reasons for the objection are detailed in the attached email from Wiltshire Police.

>> The effect of the Counter Notice is that the event cannot take place.

>> IT IS AN OFFENCE TO CARRY ON LICENSABLE ACTIVITIES WITHOUT THE
>> CORRECT AUTHORISATION. THE PENALTY ON CONVICTION FOR OFFENCES UNDER THE LICENSING ACT 2003 IS
>> AN UNLIMITED FINE, UP TO 6 MONTHS IMPRISONMENT OR BOTH.
>>
>> Kind regards
>>
>> HANNAH HOULD
>>
>> PUBLIC PROTECTION OFFICER (LICENSING)
>>
>> Wiltshire Council
>>
>> Bourne Hill
>>
>> Salisbury
>>
>> Wiltshire

Holland, Linda

From: Louella Adamson <[REDACTED]>
Sent: 28 April 2019 00:14
To: Holland, Linda
Subject: @home review

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Linda,

I have just read your representation for my premises @home. I am upset by what has been written and feel that you haven't seen both sides to the story and also these are not accounts that you witness and so how can they form your representation?

I have sat with Amanda Newberry and written my licences and again with Ian and Hannah & Susan & Kat because I wanted it to go through with everyone's understanding and notes on it and as I went through I asked each person from their side what they'd like to see from me and so that was written. I've had to put up a fight as there was no licence when I took the property over and the previous tenant left on bad terms with the council which is a brush I am still being tarred with.

I have been at this site less than a year and in that time with 10pm closing and late licences I have only had 1 incident! In the last month my neighbours the Kings Head have had at least 3 incidents, in my pubwatch count, and a very serious case with a child that hit the papers earlier today.

In regards to the noise limiter, I have 2. One that only works when the music is extremely loud and then cuts out, I rarely notice or see this one as the noise is too low for the lights to come on most of the time! The other is easier to see and has a lower db start point and so I see that when I'm working. Anyone and everyone is more than welcome to come and see them, I even sent pictures to confirm. Also I have no limit set on my licence so I can't see what use they are just yet, I offered with Kat on numerous occasions for her to set a limit on my licence if that would make the council feel more at ease and nothing was stated.

The issue mentioned with the CCTV; I have full cctv set up in the premises working at all times, it saves on a hard drive for 30 days, this has always been the case, this has never been breached. When police have asked, CCTV has been given. I believe the police have 3 usb sticks with my cctv on at Bourne Hill now. I don't understand why that has been included as I have complied entirely with this.

The event mentioned with the minors as I have stated various times and as the CCTV, my witness and staff statements show, **didn't happen @home**. Unfortunately it happened outside of @home but after we had closed, locked up and driven home. We had no idea about it until a week later when police interest sprouted.

The mother was previously recorded being served in my neighbour's establishment. I feel very closely looked at from the council and all I am doing is providing an arty community bar. I thought it was disgusting that I was summoned into the police station for having Drag Artists perform. @home is something new yes and it may not be understood but it's still operating lawfully. I hope that the letters of support many patrons have written are taken into consideration. The King's Head next door instigated the events that happened with the minors and has had a reflected event with a 15 year old as written today in the Salisbury Journal. They have had incidents consistently. I have reported their staff on a couple of occasions for verbal assault, harassment, trespassing and bullying but I haven't seen their licence go into review and no action was taken on any single report and matters had to be resolved through solicitors. Through legal actions their manager has now been sacked and they have someone else in charge, I hope things will improve between us and I've sent many peace offerings. I have several photographs of patrons of the King's Head, drinking in the streets, spilling into the street and the road. Being sick on the road and in front of my bar window, without any efforts from staff or doormen to clear it up, I've been the one with the bucket and the mop!

I wonder if a phone call and meeting would help for this to be cleared up?

I am just someone trying to run a new business in Salisbury.

For nearly a year trading I have a pretty clean sheet and a very clean sheet compared to many other venues in Salisbury. @home is a safe space. Emails may be looked at as unprofessional from my side, but I am feeling a huge frustration here and friction from your side as I'm starting a business in diminishing Salisbury, I have come for support at every step of the way to make sure everyone is happy. Financially we really needed our variation to come through in March and this was stressed to Hannah, now we are really struggling and the effect this is having on the business is huge, its upsetting. I have had to sack staff because I need to pay for a solicitor in all this. I have talked the case over with a couple of solicitors and a previous police officer and they are also failing to see the evidence or reasoning behind all this. I am doing nothing wrong. I just want it all to stop so I can put all my efforts into running a successful business in Salisbury. What do I need to do for you to have confidence in my abilities? It ran for 8 months without a problem, nothing has changed, it was good and safe then and its good and safe now.

--

Kind Regards

Louella Adamson

Top Dog

@home Salisbury ltd

[REDACTED]

athomesalisbury.com

fb @homesalisbury ig home_salisbury t @home_salisbury

Holland, Linda

Subject: FW: inbox failure

From: Hould, Hannah
Sent: 17 April 2019 11:12
To: @home
Subject: RE: inbox failure

Dear Ms Adamson,

The regulations state that a hearing must be held within 20 working days, following the 28 day consultation period. Therefore the last possible day a hearing can be held is 3rd June, as the last day of consultation is 2nd May and there are two bank holidays within that time frame.

The review application has been submitted by Wiltshire Police. Wiltshire Council have followed the legislation and regulations throughout this facilitating process and happily welcome any questions.

Feel free to pass my details on to any publication who require further information and I will put them in to contact with the relevant media officer for Wiltshire Council.

I will be in touch once I know the hearing date.

Kind regards

Hannah Hould
Public Protection Officer (Licensing)

Wiltshire Council
Bourne Hill
Salisbury
Wiltshire
SP1 3UZ

Email: hannah.hould@wiltshire.gov.uk
Direct Dial: 01722 434414
Internal: 54414

From: @home [<mailto:info@homesalisbury.com>]
Sent: 17 April 2019 10:57
To: Hould, Hannah
Subject: Re: inbox failure

The review hearing needs to be held as close to the end of the 28 day period as possible. I may remind you that I am losing a huge amount of revenue over all of this and expected to have a new licence in March. Several publications have taken interest in this case and my mistreatment. Should everything come to light and all my applications be passed, Wiltshire Council will have to answer questions as to why all of this happened and there will be a claim for loss of earnings. Are you trying to close every business in Salisbury down?

Welcome home!

athomesalisbury.com

fb @homesalisbury ig home_salisbury t @home_salisbury

On 17/04/2019 09:57, Hould, Hannah wrote:

Dear Ms Adamson,

I should have a date for you by the end of next week. It is likely to be the last week in May.

I will need to know the outcome of the review before the paperwork for the variation hearing can be completed, or else it will be incorrect. All hearing paperwork must be circulated to all parties at least 5 working days prior to the hearing. Therefore the variation will be not able to be held the same week.

As soon as I am provided with a date by democratic services I will let you know.

Kind regards

Hannah Hould

Public Protection Officer (Licensing)

Wiltshire Council

Bourne Hill

Salisbury

Wiltshire

SP1 3UZ

Email: hannah.hould@wiltshire.gov.uk

Direct Dial: 01722 434414

Internal: 54414

From: @home [mailto:info@homesalisbury.com]
Sent: 15 April 2019 12:40
To: Thurman-Newell, Susan; Hould, Hannah
Subject: inbox failure

Hello,

My domain went down for a week and any incoming mail was lost, I am just messaging to make sure that I am up to date with you both and you aren't waiting on a reply from me on an email I haven't received yet. Thank you.

Do we have a date and venue for the review hearing? Is it possible to schedule the variation hearing depending on outcome on the same day or week please?

--

Welcome home!

athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by Wiltshire Council to ensure compliance with its policies and procedures. No contract is intended by this email, and any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Wiltshire Council. Please note Wiltshire Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions. Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

Holland, Linda

From: Garrod, Ian
Sent: 11 April 2019 13:33
To: Hould, Hannah
Cc: Holland, Linda
Subject: Meeting with Louella Adamson

Categories: Red Category

Hello Hannah

FYI record of meeting with Louella Adamson 11/4/19 around 1120 Castle Street Social Club 1st Floor after Pubwatch.

After the Pubwatch meeting I was approached by Louella Adamson who said she wanted a word with me, there were still members there and Andy Milton and Richard Goodman were in close proximity moving tables and could have heard some of the conversation or seen my arm movements. Louella said she wanted to speak with me as I had a different approach to things than Hannah and she informed me that her Premises was under Review and she thought it was unfair and she did not know what to do as the event described in the Review had not taken place in her Premises. I informed her that the review would be under consultation until early May and until that time responsible authorities and members of the public could either make objections or write letters of support under the 4 Licensing objectives and they would then be heard at the Committee.

She asked what I thought of the Review I raised both hands up and said I wasn't dealing with it and didn't know anything so could not comment. I did inform her that Police had bought the Review and it had been accepted and that was all I knew. She told me that was unfair and I again raised both hands palms flat and said I could not comment so it was apparent both visually and verbally it was not in my remit. I also informed her that 3 things could happen at the review the Licence was revoked, the Licence has additional conditions or nothing at all. The Hearing for the variation would be heard some time after this if the Licence was active to which the following would happen granted, granted with conditions or not granted. She asked if I was going to the meetings and I said I did not know as I had not been invited.

She then went on to say how unfair the objections were to the variation as the 3 people she had sat down at a meeting and made the application with had all objected. I again raised both hands and said I could not comment as I was not there. She said she knew that but wanted to know why the consultation period was extended and the objections went in on the last day. I informed her the notice was not in a readable position which was the reason for the extension and she replied it was in the window and Hannah got the extension. I said the reason the extension was given was because it was 12' up in the air in the window and not readable, I continued that objections often come in on the last day and I could not comment further on why the objections came in when they did.

There were comments about the financial position of the premises and how the variation was needed to pay for things.

I was then asked why I wasn't dealing with it as it was my area I informed her I was away over Christmas when the TEN's came in followed quickly by the variation so Hannah dealt with these in my absence and as a result she was now dealing with the Review.

She then informed me she had employed a lawyer and I advised her to go and speak with him and prepare her evidence for the Committee She responded that she had still claiming it was unfair. I told her that there was nothing that I could do.

She then left, I was then approached by a member of Pubwatch whilst I was informing the Police Licensing Officer Mrs Sue Thurman- Newell of the conversation that had just taken place, he said I saw that she (Louella) had come

up to you she has been doing it to everyone here, she has said she is bringing the Press to the review. She stated that she was having problems with the noise Limiter so I went round and had a look she was told it was working apparently when the volume was turned down it was fine when it was full blast it could be heard at Burger King. I did not get into a conversation over specifics, he left and I continued speaking with Mrs Thurman Newell who also heard what was said. Louella Adamson was not present for the conversation with Mrs Thurman Newell and I noticed she avoided speaking with her all the time she was at the meeting and afterwards.

These are my original notes of the conversation made at the first possible opportunity. (just in case you want a statement, otherwise for you to do with as you wish.)

Cheers
Ian

Ian Garrod
Licensing Officer
Licensing Team South
Wiltshire Council
Bourne Hill
Salisbury
SP1 3UZ

Tel: 01722 432484
Internal: 52484
Fax: 01722 438064
E-Mail: ian.garrod@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

ASK FOR ANGELA

SAYING NO TO SEXUAL VIOLENCE IN WILTSHIRE AND SWINDON



Holland, Linda

From: Hould, Hannah
Sent: 12 March 2019 16:18
To: [REDACTED]
Cc: Holland, Linda; Thurman-Newell, Susan; Fowler, Katherine
Subject: FW: Warning letter - @Home, Salisbury
Attachments: E68BEF2C-77D9-45D3-995E-409AA4969AAF.jpeg; F67D0148-8D81-4313-A992-AD692126A420.jpeg

Louella,

Further to the formal warning letter that was issued to you on the 21st February 2019, I note receipt of your correspondence and photographs of the alleged noise limiter at the premises.

I have sought advice from Environmental Health regarding this matter, and Katherine Fowler has responded as follows:

"0-3 dB is incredibly low, given that sound levels from amplified and live music is usually between 80dB and 100dB. It would appear that Louella has sent over a photograph of the mixing system for the speakers, it is not a noise limiting device.

A noise limiter is a separate piece of equipment that monitors the sound levels in the room and will control the volume of the sound system to ensure it does not go beyond a set dB level. Some noise limiters will cut power from the sound equipment if the maximum sound level set is exceeded, some will provide a warning traffic light system which will flash when noise levels are nearing the maximum noise level and others may automatically control the volume.

As I understand music played in the downstairs room does not cause disturbance to the adjacent hotel, given the separation distance between the two premises and it is the upstairs room that causes concern. Therefore the noise limiter should be installed in this room to control the sound levels from the sound system."

In light of the above, the Licensing Authority has not been satisfied that the condition attached to the premises licence is being met, and therefore you are continuing to breach your premises licence. Regulated entertainment cannot take place at the premises, until such time that a noise limiter has been implemented and agreed with Environmental Health.

It is a legal requirement that all the terms of the Premises Licence are strictly complied with. The penalty for conviction of offences under the Licensing Act 2003 is an unlimited fine and/or 6 months imprisonment.

I look forward to hearing from you.

Kind regards

Hannah Hould
Public Protection Officer (Licensing)

Wiltshire Council
Bourne Hill
Salisbury
Wiltshire
SP1 3UZ

Email: hannah.hould@wiltshire.gov.uk
Direct Dial: 01722 434414
Internal: 54414

On 21/02/2019 19:43, Louella Adamson wrote:


> Hi,
>
> They've just been round and I have had a noise limiter the whole time
> in my PA, picture attached and it operates between 0-3 decibels on a
> Friday and Saturday. Still much below the recommended limit. Also
> attached is my blue form displayed in my window.

>
> ---
> Kind Regards

>
> Louella Adamson
> Top Dog
> @home Salisbury ltd
> [REDACTED]
> athomesalisbury.com
> fb @homesalisbury ig home_salisbury t @home_salisbury

>
>
> On 21/02/2019 19:26, Hould, Hannah wrote:

>> Louella,
>>
>> You have conditions on your premises licence that you are required to
>> abide by, by law. You openly admitted today in front of Sue, Kat and
>> I that you were aware you had a condition to have a noise limiter,
>> but were operating without one. Therefore it is my job, as a
>> licensing officer, to formally deal with that breach. I am pleased to
>> hear Amanda is helping you source one.
>>
>> I have spent two hours today to assist you filling out the
>> application forms correctly, it is disappointing to hear that you
>> think that constitutes a "block". Similarly, under the legislation,
>> it is the applicants responsibility to ensure the notices are
>> completed and displayed. I was happy to help produce the blue notice
>> for you so that it contained all the information it needed to.
>>
>> I had not received the completed application form for the field as
>> the plan did not meet the criteria under the legislation, hence why
>> you had not received a draft copy of the blue notice. The plan that
>> you have sent through is not to scale, and it needs to be to scale to
>> be accepted. The consultation period cannot start until that is received.
>> I am on leave tomorrow, so if you would like further advice, please
>> contact my colleagues on 01249 706555 or
>> publicprotectionnorth@wiltshire.gov.uk and someone will assist you.

>> If you are able to get a to scale plan to the licensing department
>> tomorrow, that will fit in with Valley News needing the notices by
>> Monday.
>>
>> Please make sure you put the date on the blue notice for the
>> variation application using the date that the notice is displayed at
>> the premises.
>>
>> Kind regards
>>
>> HANNAH HOULD
>>
>> PUBLIC PROTECTION OFFICER (LICENSING)
>>
>> Wiltshire Council
>>
>> Bourne Hill
>>
>> Salisbury
>>
>> Wiltshire
>>
>> SP1 3UZ
>>
>> Email: hannah.hould@wiltshire.gov.uk
>>
>> Direct Dial: 01722 434414
>>
>> Internal: 54414
>>
>> FROM: Louella Adamson [mailto: 
>> SENT: 21 February 2019 17:00
>> TO: Hould, Hannah
>> SUBJECT: Re: Warning letter - @Home, Salisbury
>>
>> Oh for goodness sake, I give up with this city! Amanda is sorting one
>> out for me today, like I said.
>>
>> Last time with my licensing I went to the government ombudsman with
>> the council for their treatment in this matter and I won, I don't
>> want to have to go through all this again but I have a full case
>> based on today to take with me. I am fed up and exhausted by the
>> blocks put in by the council, there are two teams meant to be on
>> board with this, licensing officials upholding licensing objectives
>> and business management and growth officials to build up the city and
>> create a safe space for businesses to achieve what they need to and to grow.
>> Unfortunately for me Wiltshire council cannot afford this side of it
>> and that goes only in my favour when arguing my points, plus the
>> apparent failing state of our high street, having sat in 2 hours of
>> council and SWLEP yesterday plus my meeting today with Damian we are
>> all noticing that you as a governing body have no plan to reinstate
>> the city, not just after novichock but after its general demise over
>> the past 15 years and I am the only person who has brought a new
>> business to the area post novichock, I need a little more support
>> than the dismissals I am given. I've won awards around the world for
>> the work I have done, all eyes are on me to make something work here

>> in Salisbury to give the town some hope. This town is dying when it
>> needs to thrive, let it.
>> Where is the blue notice for the field? I am sending over to Valley
>> news before I open up this evening.
>>
>> ---
>>
>> Kind Regards
>>
>> Louella Adamson
>> Top Dog
>> @home Salisbury ltd
>> [REDACTED]
>> athomesalisbury.com
>> fb @homesalisbury ig home_salisbury t @home_salisbury
>>
>> On 21/02/2019 16:28, Hould, Hannah wrote:
>>
>>> Hi Louella,
>>>
>>> I need to write to you following a matter that was raised at the
>>> meeting this morning. You explained at the meeting that you do not
>>> have a noise limiter installed at the premises currently; this
>>> constitutes a breach of the premises licence.
>>>
>>> The Licensing Authority must act when a premises licence is not
>>> being complied with, consequently I must formally write to you
>>> regarding this breach.
>>>
>>> Please find attached the formal warning letter. A hard copy has been
>>> sent in the post to your home address.
>>>
>>> I have also attached a copy of the current conditions attached to
>>> the premises licence.
>>>
>>> Kind regards
>>>
>>> HANNAH HOULD
>>>
>>> PUBLIC PROTECTION OFFICER (LICENSING)
>>>
>>> Wiltshire Council
>>>
>>> Bourne Hill
>>>
>>> Salisbury
>>>
>>> Wiltshire
>>>
>>> SP1 3UZ
>>>
>>> Email: hannah.hould@wiltshire.gov.uk
>>>
>>> Direct Dial: 01722 434414
>>>
>>> Internal: 54414



Holland, Linda

From: Hould, Hannah
Sent: 21 February 2019 19:26
To: Louella Adamson
Cc: PublicprotectionNorth; Holland, Linda
Subject: RE: Warning letter - @Home, Salisbury

Louella,

You have conditions on your premises licence that you are required to abide by, by law. You openly admitted today in front of Sue, Kat and I that you were aware you had a condition to have a noise limiter, but were operating without one. Therefore it is my job, as a licensing officer, to formally deal with that breach. I am pleased to hear Amanda is helping you source one.

I have spent two hours today to assist you filling out the application forms correctly, it is disappointing to hear that you think that constitutes a "block". Similarly, under the legislation, it is the applicants responsibility to ensure the notices are completed and displayed. I was happy to help produce the blue notice for you so that it contained all the information it needed to.

I had not received the completed application form for the field as the plan did not meet the criteria under the legislation, hence why you had not received a draft copy of the blue notice. The plan that you have sent through is not to scale, and it needs to be to scale to be accepted. The consultation period cannot start until that is received. I am on leave tomorrow, so if you would like further advice, please contact my colleagues on 01249 706555 or publicprotectionnorth@wiltshire.gov.uk and someone will assist you. If you are able to get a to scale plan to the licensing department tomorrow, that will fit in with Valley News needing the notices by Monday.

Please make sure you put the date on the blue notice for the variation application using the date that the notice is displayed at the premises.

Kind regards

Hannah Hould
Public Protection Officer (Licensing)

Wiltshire Council
Bourne Hill
Salisbury
Wiltshire
SP1 3UZ

Email: hannah.hould@wiltshire.gov.uk
Direct Dial: 01722 434414
Internal: 54414

ASK FOR ANGELA
SAYING NO TO SEXUAL VIOLENCE IN WILTSHIRE AND SWINDON

From: Louella Adamson [mailto: [REDACTED]]
Sent: 21 February 2019 17:00
To: Hould, Hannah
Subject: Re: Warning letter - @Home, Salisbury

Oh for goodness sake, I give up with this city! Amanda is sorting one out for me today, like I said.

Last time with my licensing I went to the government ombudsman with the council for their treatment in this matter and I won, I don't want to have to go through all this again but I have a full case based on today to take with me. I am fed up and exhausted by the blocks put in by the council, there are two teams meant to be on board with this, licensing officials upholding licensing objectives and business management and growth officials to build up the city and create a safe space for businesses to achieve what they need to and to grow. Unfortunately for me Wiltshire council cannot afford this side of it and that goes only in my favour when arguing my points, plus the apparent failing state of our high street, having sat in 2 hours of council and SWLEP yesterday plus my meeting today with Damian we are all noticing that you as a governing body have no plan to reinstate the city, not just after novichock but after its general demise over the past 15 years and I am the only person who has brought a new business to the area post novichock, I need a little more support than the dismissals I am given. I've won awards around the world for the work I have done, all eyes are on me to make something work here in Salisbury to give the town some hope. This town is dying when it needs to thrive, let it.

Where is the blue notice for the field? I am sending over to Valley news before I open up this evening.

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd
[REDACTED]
athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

On 21/02/2019 16:28, Hould, Hannah wrote:

Hi Louella,

I need to write to you following a matter that was raised at the meeting this morning. You explained at the meeting that you do not have a noise limiter installed at the premises currently; this constitutes a breach of the premises licence.

The Licensing Authority must act when a premises licence is not being complied with, consequently I must formally write to you regarding this breach.

Please find attached the formal warning letter. A hard copy has been sent in the post to your home address.

I have also attached a copy of the current conditions attached to the premises licence.

Kind regards

Hannah Hould

Public Protection Officer (Licensing)

Wiltshire Council

Bourne Hill

Salisbury

Wiltshire

SP1 3UZ

Email: hannah.hould@wiltshire.gov.uk

Direct Dial: 01722 434414

Internal: 54414

ASK FOR ANGELA

SAYING NO TO SEXUAL VIOLENCE IN WILTSHIRE AND SWINDON

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by Wiltshire Council to ensure compliance with its policies and procedures. No contract is intended by this email, and any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Wiltshire Council. Please note Wiltshire Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions. Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

This page is intentionally left blank

From: Fowler, Katherine
Sent: 09 April 2019 11:58
To: Hould, Hannah
Subject: FW: s. 51 Licensing Act 2003 - Review Application - @Home, 5 Bridge Street, Salisbury, SP1 2ND

Dear Hannah,

I write further to the application to review the Premises licence for @Home/

On the 18th March 2019 Public Protection objected to the Premises Licence Variation application for @home based on various reasons which are outlined in the attached email response. This department supports the application made to review the licence based on our lack of confidence in management to sufficiently manage and control noise from the premises to minimise disturbance and prevent a public nuisance.

Lack of confidence in management

One of the conditions on the current Licence for @home relates to the requirement for a noise limiting device. At a meeting held on 21st February 2019 with Louella, Licence holder she advised that she was not aware that a noise limiting device had been installed within any of the rooms within @home where music is played. Following the meeting we received photographs of a mixing system which Louella stated was the noise limiting device and was set between 0-3Db. This is an incredibly low noise level and not even perceptible by the human ear.

During the meeting held on 21st February 2019, I provided Louella with various information and advice on managing and controlling noise within the premises, including ensuring she was not in breach of her conditions which relate to noise. We discussed the previous noise complaints between 2015 and 2017 and the noise consultant's report that recommended various measures including the installation of sound insulation, creating a room within a room construction, silenced ventilation, servicing of space to prevent noise breakout, structural isolation of all speakers and sound lock lobbies. Louella advised of the difficulties in implementing these recommendations but confirmed that regular monitoring visits were carried out at the nearby sensitive receptor to ensure noise levels were inaudible during performances with live/amplified music. I advised Louella to submit a Noise Management Plan with her variation application to demonstrate what control measures are currently in place and would be implemented to minimise noise disturbance to neighbouring sensitive receptors. This was not submitted.

Following my email dated 18th March 2019 to Louella advising that Public Protection would be objecting to the variation application I contacted Louella by email on 1st April 2019 to arrange a suitable date to visit the premises to identify the noise limiting device and provide further advice on noise management within the premises. Louella was unable to meet on the days that I am in work (Mon, Tues and Thurs) until after the initial date of the hearing.

Please do not hesitate to contact me if you require any further information.

Kind regards

Kat Fowler
Environmental Health Officer

Environmental Protection, Public Protection Services

Tel: 01722 434346
Internal: 54346
E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk

Follow Wiltshire Council:



Want to know more about your alcohol consumption? Please take our [short survey](#)*

*Please note that the anonymised data will be collated to inform service development and commissioning in the future

From: Fowler, Katherine
Sent: 18 March 2019 17:21
To: [REDACTED]
Cc: Hould, Hannah
Subject: Premises Licence Variation Application for @Home, Bridge Street, Salisbury

Dear Louella,

I write with reference to the Premises Licence Variation application for @Home, Bridge Street, Salisbury, SP1 2ND.

The premises currently holds a licence for regulated entertainment performances (live/recorded music) between the hours of 10.00 and 22.00, 7 days a week. The application proposes to extend these hours until 00.00 Monday to Thursdays and 03.00 on Fridays and Saturdays. This department has significant concerns that a public nuisance will be caused if regulated entertainment is licensed within the proposed extended hours. This premises has previously held a late night licence and operated into the early hours of the morning, and between 2015 and 2017 this department received numerous complaints in relation to noise disturbance from the premises. Since @home has been operating we have received one complaint in relation to noise from loud music following a Temporary Event Notice that was held on Saturday 16th February 2019 until 03.00.

One of the conditions on your licence relates to the requirement to install a noise limiting device. Having met with you on 21st February 2019 you advised that that you were not aware of a noise limiting device being installed in any of the rooms within @Home where music is played. We received a photograph of your mixing system which you stated was your noise limiting device and is set between 0 – 3dB. This level of sound is incredibly low and does not relate to the level that would be set on a noise limiting device. A noise limiter is a separate piece of equipment that monitors the sound levels in the room and will control the volume of the sound system to ensure it does not go beyond a set dB level. Some noise limiters will cut power from the sound equipment if the maximum sound level set is exceeded, some will provide a warning traffic light system which will flash when noise levels are nearing the maximum noise level and others may automatically control the volume. The limiter would need to be set at a level in which music noise would be inaudible in the adjacent premises. You would then need to ensure that this level is not adjusted.

Having considered the previous history and the information you have provided it is evident that the building is not adequately insulated and appropriate noise controls have not been implemented to minimise disturbance and prevent causing a public nuisance. In 2016 a noise consultant provided advise and made recommendations to ensure noise would be inaudible at the nearest sensitive receptor, this included installation of sound insulation, creating a room within a room construction, silenced ventilation and servicing of space to prevent noise breakout, structural isolation of all speakers and sound lock lobbies. As far as I am aware none of these recommendations were implemented.

Based on the structure of the building, lack of current noise controls and proximity of nearby sensitive receptor the changes to the times that regulated entertainment can take place in this premises are not appropriate. We consider that these changes are likely to result in a public nuisance and we therefore object to the proposals to vary the Premises Licence.

For us to consider supporting a variation application, you as the applicant would need to provide evidence to demonstrate that noise from regulated entertainment (live/recorded music) will not have an adverse impact and be inaudible at the adjacent sensitive receptor. We would also expect a comprehensive noise management plan to demonstrate what controls and measures will be implemented to prevent unreasonable disturbance, this would include the installation of the noise limiter and considering reducing the timings regulated entertainment is performed. I have attached some guidance on noise management plans.

Kind regards

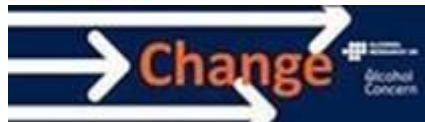
Kat Fowler
Environmental Health Officer

Environmental Protection, Public Protection Services
Tel: 01722 434346
Internal: 54346
E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk

Follow Wiltshire Council:



Want to know more about your alcohol consumption? Please take our [short survey](#)*

*Please note that the anonymised data will be collated to inform service development and commissioning in the future

Environmental Control and Protection – Review hearing comments

To Licensing officer : Hannah Hould

From Environmental Control and Protection Officer: Kat Fowler

Date: 21st May 2019

Licensed premises address	@Home, 5 Bridge Street, Salisbury, SP1 2ND
Designated Premises Supervisor (DPS)	Miss Louella Adamson
Licensing review date	31 st May 2019
Environmental Health Reference:	(WK/201904486)

In June 2018 the DPS for this premises applied for a Premises Licence to operate until 22.00hrs Monday to Sunday. Following noise concerns three specific conditions were imposed by JD Wetherspoons who operate The Kings Head Hotel.

In March 2019 this department objected to a Premises Licence Variation application for @Home as we have concerns with the suitability of the building operating as a late night venue and a lack of confidence in management to control and manage noise from the premises to prevent a public nuisance. Our email response is attached in appendix 1, dated Monday 18th March 2019.

This department supports Wiltshire Police with their application to review the Licence for @Home based on concerns we have with Miss Adamson's ability to comply with licensing conditions and manage and control noise from the premises to prevent a public nuisance.

Non Compliance with licensing conditions

One of the conditions on the current Licence for @Home under Annex 2B, Prevention of Public Nuisance relates to the installation of a noise limiter in the premises through which all amplified music or voices must be played. The levels set must be in agreement with JD Wetherspoon PLC.

In a meeting held with Miss Adamson on 21st February 2019 she advised that she was not aware that a noise limiting device had been installed within any of the rooms within @home where music is played. Following the meeting we received a photograph of a mixing system which Miss Adamson stated was the noise limiting device and was set between 0-3dB, attached in appendix 2. This is an incredibly low noise level and not

even perceptible by the human ear.

On Tuesday 14th May 2019 a meeting was held at @Home between Miss Adamson, Katherine Fowler and Gary Tomsett (Environmental Protection and Control). Miss Adamson explained that all music in the upstairs room is played via two speakers which are fixed to the rear wall either side of the stained glass window. Miss Adamson pointed to an American Audio DB Display MKII unit. She advised that this unit is the noise limiter and if the noise level of the music goes into the red zone it is turned down. Appendix 3 shows a photograph of the DB Display MKII unit, this is a different unit to the one shown in photograph 1 in appendix 2.

In the downstairs room music is played through a single Naim speaker. On nights with events DJ's will set up their own equipment and speakers. When there are no events customers plug their own phones and/or devices into the Naim speaker provided by @Home. There are no other speakers, amplification systems, display units or noise limiters in this room.

The DB display unit in the upstairs room is not a noise limiter, as there does not appear to be a microphone installed to measure noise in the premises from customers and music. Whilst the unit provides an indication of what the music noise levels are, it is not an effective way to control noise levels on a whole as it relies on someone continuously monitoring the LED display to ensure that the music has not been turned up. Further still the condition for a noise limiter was imposed to control all noise from music and customers in the premises. Therefore, the DPS has no current measures in place to control and monitor the noise from the downstairs room.

At the time of our visit the mixing system was situated on a worktop at the side of the premises next to a laptop which is exposed to possible tampering by customers. Though our visit was carried out when the premises was closed, so it is possible that this is moved out of reach when the business is operating.

Lack of confidence in management

This department has advised Miss Adamson on numerous occasions during meetings, email and phone correspondence what action is required to ensure measures are implemented to manage and control noise and to prevent noise breakout from the premises, but this has been ignored. Our most recent meeting was terminated due to the lack of engagement from Miss Adamson to implement control measures to manage noise from the premises effectively.

In June 2018 Miss Adamson was advised to submit a noise management plan, this was repeated at a meeting held to discuss the variation application and again at a subsequent meeting. This department has still not received a noise management plan for the premises.

Miss Adamson has also been advised several times to engage in the services of a noise consultant to take advice on the best possible solutions to insulate the premises to prevent sound breakout. There are various weak points in the building that could be improved to mitigate noise, including fresh air vents, single glazed windows in the rear lobby area, rear fire door. Miss Adamson has been advised to discuss with the freeholder, JD Wetherspoons whether there are any ways to improve the structural integrity of the building to further attenuate noise from the premises without breaching

the Grade II listed consent.

Taking into consideration the history for the previous premises that operated in this building into the early hours of the morning, the close proximity of neighbouring businesses and residential properties it is evident that the building is poorly insulated and is not suitable to operate as a late night venue with regulated entertainment into the early hours of the morning.

On 20th May 2019 a further email was sent by Kat Fowler to Miss Adamson advising her on what action she should take to comply with the Licensing conditions under prevention of public nuisance, make efforts to improve the insulation of the premises and effectively manage and control noise. This can be found in appendix 4.

Fowler, Katherine

From: Fowler, Katherine
Sent: 18 March 2019 17:21
To: louella [REDACTED]
Cc: Hould, Hannah
Subject: Premises Licence Variation Application for @Home, Bridge Street, Salisbury
Attachments: Noise management guidance.docx

Dear Louella,

I write with reference to the Premises Licence Variation application for @Home, Bridge Street, Salisbury, SP1 2ND.

The premises currently holds a licence for regulated entertainment performances (live/recorded music) between the hours of 10.00 and 22.00, 7 days a week. The application proposes to extend these hours until 00.00 Monday to Thursdays and 03.00 on Fridays and Saturdays. This department has significant concerns that a public nuisance will be caused if regulated entertainment is licensed within the proposed extended hours. This premises has previously held a late night licence and operated into the early hours of the morning, and between 2015 and 2017 this department received numerous complaints in relation to noise disturbance from the premises. Since @home has been operating we have received one complaint in relation to noise from loud music following a Temporary Event Notice that was held on Saturday 16th February 2019 until 03.00.

One of the conditions on your licence relates to the requirement to install a noise limiting device. Having met with you on 21st February 2019 you advised that that you were not aware of a noise limiting device being installed in any of the rooms within @Home where music is played. We received a photograph of your mixing system which you stated was your noise limiting device and is set between 0 – 3dB. This level of sound is incredibly low and does not relate to the level that would be set on a noise limiting device. A noise limiter is a separate piece of equipment that monitors the sound levels in the room and will control the volume of the sound system to ensure it does not go beyond a set dB level. Some noise limiters will cut power from the sound equipment if the maximum sound level set is exceeded, some will provide a warning traffic light system which will flash when noise levels are nearing the maximum noise level and others may automatically control the volume. The limiter would need to be set at a level in which music noise would be inaudible in the adjacent premises. You would then need to ensure that this level is not adjusted.

Having considered the previous history and the information you have provided it is evident that the building is not adequately insulated and appropriate noise controls have not been implemented to minimise disturbance and prevent causing a public nuisance. In 2016 a noise consultant provided advice and made recommendations to ensure noise would be inaudible at the nearest sensitive receptor, this included installation of sound insulation, creating a room within a room construction, silenced ventilation and servicing of space to prevent noise breakout, structural isolation of all speakers and sound lock lobbies. As far as I am aware none of these recommendations were implemented.

Based on the structure of the building, lack of current noise controls and proximity of nearby sensitive receptor the changes to the times that regulated entertainment can take place in this premises are not appropriate. We consider that these changes are likely to result in a public nuisance and we therefore object to the proposals to vary the Premises Licence.

For us to consider supporting a variation application, you as the applicant would need to provide evidence to demonstrate that noise from regulated entertainment (live/recorded music) will not have an adverse impact and be inaudible at the adjacent sensitive receptor. We would also expect a comprehensive noise management plan to demonstrate what controls and measures will be implemented to prevent unreasonable disturbance, this would include the installation of the noise limiter and considering reducing the timings regulated entertainment is performed. I have attached some guidance on noise management plans.

Kind regards

Kat Fowler
Environmental Health Officer

Environmental Protection, Public Protection Services
Tel: 01722 434346
Internal: 54346
E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk

Follow Wiltshire Council:



Want to know more about your alcohol consumption? Please take our [short survey](#)*

*Please note that the anonymised data will be collated to inform service development and commissioning in the future

Appendix 2 – Photograph 1 sent by Miss Adamson via email to Hannah Hould (Licensing officer) on 21st February 2019 showing what she believes is her noise limiter.



Email correspondence from Louella Adamson to Hannah Hould on 21st February 2019.

On 21/02/2019 19:43, Louella Adamson wrote:

- > Hi,
- >
- > They've just been round and I have had a noise limiter the whole time
- > in my PA, picture attached and it operates between 0-3 decibels on a
- > Friday and Saturday. Still much below the recommended limit. Also
- > attached is my blue form displayed in my window.
- >
- > ---
- > Kind Regards
- >
- > Louella Adamson
- > Top Dog
- > @home Salisbury ltd
- > [REDACTED]
- > athomesalisbury.com
- > fb @homesalisbury ig home_salisbury t @home_salisbury

Appendix 3 – Photograph 2 taken by Kat Fowler (Environmental Health Officer) during a meeting held at the premises with Miss Adamson.

This photograph shows a Phonic Max 1500 amplification unit and an American Audio dB display MKII unit which indicates the dB level of the music noise. It does not appear to have a microphone and therefore it is not considered to be a noise limiting device limiting the overall noise level inside the premises to a level agreed by both JD Wetherspoons and @Home.



Fowler, Katherine

From: Fowler, Katherine
Sent: 20 May 2019 13:41
To: [REDACTED]
Subject: RE: FW: @home Variation
Attachments: Noise management guidance.docx

Dear Louella,

Thank you for meeting with Gary Tomsett (Team Leader) and myself on Tuesday 14th May 2019 at your premises, @home. It was useful to see the layout of the premises and proximity of the guest rooms at The Kings Head.

You have sent across your Health and Safety policy document. Section 18 of this document outlines 'Noise at Work', this relates specifically to The Control of Noise at Work Regulations which place a duty on employers to reduce the risk to their employees' health by controlling the noise they are exposed to whilst at work. This falls under Health and Safety legislation which is not within the remit of this department. Our remit relates to protecting the wider public (neighbouring businesses and residents) through statutory nuisance legislation and acting as a consultee to the licensing department to ensure the Prevention of public nuisance objective can be met.

With a crowd of people and live or amplified music being played in your premises noise levels will certainly be above 80dB. You have mentioned that a noise survey will be carried out by a competent person to ascertain the actual levels where noise output is in excess of 80dB has this been carried out?

There are a number of reasons why we objected to your recent Variation application to extend the operating hours of the premises. These include the poor structure of the building and lack of confidence in management to effectively manage and control noise from the premises to prevent causing disturbance and nuisance to neighbouring businesses and residents. I will outline these concerns below;

Noise management plan

As with any Premises Licence application including variation applications if it is likely that noise from regulated entertainment at that premises could adversely impact on neighbouring businesses and residents we would expect a Noise Management Plan to be submitted as part of the application and may also recommend to the Licensing department that other conditions are attached. When you applied for the Premises Licence you were advised to submit a Noise Management Plan. Despite requesting this several times during email and phone correspondence, meetings and visits this department has still to date not received a Noise Management Plan for this premises detailing exactly how you manage and control noise. Things to consider include hours of operation, number and type of events, volume, sound breakout through doors, windows, vents, building design and construction, location and direction of speakers, use of other equipment by DJ's/bands etc. There is lots of information available online and I have provided a guidance document which you can also use.

Noise limiter

Furthermore, in agreement with Weatherspoons a number of conditions were attached to your licence which relate to controlling noise, one of which included the installation of a noise limiter. At the time of your application in July 2018 Ian Garrod (Licensing Officer) advised that the limiter would need to be set up and operated by the Premises Licence Holder and Designated Premises Supervisor, which is you. Therefore, you were advised to install and agree suitable noise levels with Weatherspoons. It is apparent that this was never carried out and therefore no levels have ever actually been agreed. As discussed in our meeting on Tuesday please can you pass on contact details for your sound engineer so that I can discuss with them where the microphone is for your current noise limiter which you have installed in the upstairs room.

Structure of the building

We appreciate that the building is Grade II listed and therefore limited works can be carried out to the overall structure of the building. However, as Weatherspoons own the building we would recommend that you discuss with them what remedial action can be carried out to better insulate the premises to prevent noise breakout. During our visit we identified a number of weak points in which noise will easily break out including; the ventilation grill above the window in the upstairs room, the rear fire door and windows in the escape route, the toilet windows which appear to have been boarded and filled with expanding foam. There is likely to be some flexibility in making improvements to the premises to attenuate the noise, especially as the noise is impacting on Weatherspoons.

Variation application

Going forward with your variation application and subject to the result of the Licensing review hearing for this department to be satisfied that the Licensing objective; Prevention of public nuisance can be met we would expect you to engage in the services of an accredited noise consultant. They should carry out a survey and advice on the best available solutions to insulate the premises to prevent sound breakout and implement effective controls and measures which should be detailed in a NMP. We would strongly advise you to discuss the possible solutions with Weatherspoons and agree on a noise level to set the limiter to with them. This department can assist in setting a level if required, but all music in the premises will need to go through the noise limiter.

Please do not hesitate to contact me if you wish to discuss further.

Kind regards

Kat Fowler
Environmental Health Officer

Environmental Protection, Public Protection Services
Tel: 01722 434346
Internal: 54346
E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk
Follow Wiltshire Council:



Want to know more about your alcohol consumption? Please take our [short survey](#)*

*Please note that the anonymised data will be collated to inform service development and commissioning in the future

From: Louella Adamson [mailto: [REDACTED]]
Sent: 14 May 2019 18:47
To: Fowler, Katherine
Subject: Re: FW: @home Variation

Hi,

Attached is our original and worked on H&S document that was submitted with the initial licence and accepted. Section 18 page 8 outlines our noise procedures.

I have also downloaded a noise diary from the Wiltshire Council website and will endeavour to fill this in to get a better feel for the sound everyday.

Wiltshire Council don't have a noise management plan template do they? If you need to see things in a different format please detail.

I'm sorry for the frustration you feel towards me and the premises. There is nothing personal and I would hate for you to take it home with you or be upset by our interactions, its merely my argument with the uniform. How many more hoops am I going to be asked to jump through? I have to deal with horrible people on an almost hourly basis sometimes and in this life you've got to fight for everything you've got. @home has traded and continues to trade quite happily without any of your involvement, I unsure why every little thing is suddenly a problem, I will trade tonight just as I did last night and just as I will tomorrow, there are no incidents or complaints coming in. This is a community venture.

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd
[REDACTED]
athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

On 02/05/2019 15:37, Fowler, Katherine wrote:

Hi Louella,

You will need to confirm what time and date. I have not received an email from you since 29th April 2019 other than your most recent one just sent, 2nd May at 15.25.

Kind regards

Kat Fowler

Environmental Health Officer

Environmental Protection, Public Protection Services

Tel: 01722 434346

Internal: 54346

E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk

Follow Wiltshire Council:



Want to know more about your alcohol consumption? Please take our [short survey](#)*

*Please note that the anonymised data will be collated to inform service development and commissioning in the future

From: Louella Adamson [mailto: [REDACTED]]
Sent: 02 May 2019 15:25
To: Fowler, Katherine
Subject: Re: FW: @home Variation

Yes, I sent you and email saying yes.

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd
[REDACTED]
athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

On 02/05/2019 13:00, Fowler, Katherine wrote:

Hi Louella,

Please can you confirm whether you are available on Monday 13th May? I am on annual leave after today and will not be picking up my emails until 13th May 2019. If this date is not suitable then we will continue to meet at 3pm on Tuesday 14th May.

Either way, please let me know.

Kind regards

Kat

Kat Fowler
Environmental Health Officer

Environmental Protection, Public Protection Services
Tel: 01722 434346
Internal: 54346
E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk
Follow Wiltshire Council:

Want to know more about your alcohol consumption? Please take our short survey*
*Please note that the anonymised data will be collated to inform service development and commissioning in the future

-----Original Message-----
From: Fowler, Katherine
Sent: 30 April 2019 12:40
To: Louella Adamson
Subject: RE: @home Variation

Afternoon,

Can you make any of the dates on Monday 13th May?

Kind regards


Kat Fowler
Environmental Health Officer

Environmental Protection, Public Protection Services
Tel: 01722 434346
Internal: 54346
E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk
Follow Wiltshire Council:

Want to know more about your alcohol consumption? Please take our short survey*
*Please note that the anonymised data will be collated to inform service development and commissioning in the future

-----Original Message-----
From: Louella Adamson [mailto:
Sent: 29 April 2019 17:09
To: Fowler, Katherine

Subject: Re: @home Variation

Hi,

Let's do 3pm Tuesday 14th.

Is there a noise problem at the premises? Are people making police reports? What is the reason for the visit? When you see the set up is all as per my conditions will you take your representations away for the review and the hearing?

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd
(
athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

On 29/04/2019 15:30, Fowler, Katherine wrote:

Dear Louella,

On 1st April 2019 you replied to my email stating that you were not available on the days that I work, making it impossible for me to visit your premises to discuss noise management, see below.

I am proposing the following dates for a meeting to be held at your premises, @Home for you to demonstrate how you operate your noise limiter. I will also be able to provide you with advice on further measures to control noise from the premises, this is following advice that has already been provided to you during a meeting held at Bourne Hill offices on 21st February 2019.

- Monday 13th May at 11am, 2pm or 3pm
- Tuesday 14th May at 9.30am, or anytime in the afternoon up until 4.30pm
- Monday 20th May am or pm
- Thursday 23rd May am or pm
- Tuesday 28th May am or pm

Please let me know which date and time is suitable. If you are not available on any of the above dates it is going to be very difficult to meet you onsite. I can provide advice over the phone and email but if this advice is not utilised and implemented it is unlikely that we will be able to support you any further with advice on how to effectively manage noise from your premises.

I look forward to hearing from you shortly.

Kind regards

KAT FOWLER

ENVIRONMENTAL HEALTH OFFICER

Environmental Protection, Public Protection Services

Tel: 01722 434346

Internal: 54346

E-mail: katherine.fowler@wiltshire.gov.uk

NB: I work Mondays, Tuesdays and Thursdays

Web: www.wiltshire.gov.uk [1]

Follow Wiltshire Council:

[2] [3]

Want to know more about your alcohol consumption? Please take our short survey [4]*

*Please note that the anonymised data will be collated to inform service development and commissioning in the future

FROM: Louella Adamson [mailto: [REDACTED]]
SENT: 27 April 2019 23:34
TO: Fowler, Katherine
SUBJECT: @home Variation

Hello Katherine,

I have just read your representation regarding the review of my premises. You are more than welcome to come and have a look, I did send you other dates and didn't hear back from you. The noise limiter is set between 0/3 (which is on a scale of :10 I think... and thus audible to the human ear and far below the recommended levels nationwide. I have 2 noise limiting devices, one on the amp (this one rarely moves and will cut out if its in the red for too long) and one on the mixer that gives me a more diverse reading hence the picture shown. Although it seems pretty pointless having limiters when an actual limit hasn't been added to the licence conditions. Which I have offered to implement several times. The noise complaints in 2015-2017 DO NOT RELATE to me. I took the premises over in May 2018. There has been 1 complaint in this time I believe, that was never investigated or actioned by the police.

Please let me know some date options of a site visit and I can show you round the building to better understand it and perhaps discuss a noise management plan that you'd like to see in place.

--

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd
[REDACTED]
athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by

This page is intentionally left blank

@Home, 5 Bridge St, Salisbury

Representation of JD Wetherspoon PLC in Support of Review Application by Wiltshire Police

JD Wetherspoon PLC (the "Company") own and operate the Kings Head Inn, Salisbury (the "Premises") located adjacent and above @Home. The Kings Head Inn is both a public house and hotel with a total of 33 rooms. The Premises has traded since April 2004.

When @Home's current site was occupied as Truth, the Company lodged a review application in November 2017 based on the venue's then failure to promote the licensing objectives of the prevention of public nuisance and public safety arising in the main from persistent late night noise nuisance caused to residents and staff in the hotel element of the Premises but also from accumulation of waste in the shared service yard to the rear of both venues. The application did not seek the revocation of Truth's premises licence but the addition of a number of conditions which would, in the Company's view, ensure that Truth promoted the licensing objectives and prevent future occurrences of noise nuisance and the build-up of waste. Those conditions were as follows:

- 1) *The premises licence holder and/or DPS will ensure that music and noise from customers from the premises is inaudible in the hotel section of the Kings Head Inn (or any equivalent successor premises in the same location).*
- 2) *The premises licence holder and/or DPS will install a noise limiter in the premises through which all amplified music or voices must be played and its levels set in order to achieve compliance with condition 1 above, after consultation with Wiltshire District Council's Environmental Health Department and the appointed representative of JD Wetherspoon PLC.*

Such levels shall not be capable of adjustment above the levels set by the management of the premises except with prior written authority of Wiltshire District Council's Environmental Health Department.

- 3) *The premises licence holder shall ensure that the rear yard of the premises is maintained in a clean and tidy state and litter is stored in appropriate lidded and secure receptacles located with the demise of the premises whilst awaiting collection and does not obstruct the fire exit of the premises at any time.*

Prior to the hearing of the application, Truth closed and the premises licence was surrendered rendering the review application redundant and it was therefore subsequently withdrawn.

The surrender of the premises licence by Truth meant that any future operator of the location it occupied would have to apply for a new premises licence. Liaison took place between Ms Louella Adamson (whom we understand is the current DPS for @Home) and the Company prior to the lodging of @ Home Salisbury Limited's premises licence application and it was agreed that in return for the Company not opposing the grant of a premises licence, the conditions which the Company had sought in its review application for Truth would be added as conditions on any new premises licence granted.

Further to that agreement, the Company lodged a representation opposing the grant of the premises licence but subject to the proviso that it would be withdrawn if the applicant agreed to the conditions being added to the premises licence. This agreement was given and the representation withdrawn. The Licensing Authority suggested some amendments to the proposed conditions, which were agreed and therefore the following conditions appear on @Home Salisbury Limited's premises licence:

1. *The premises licence holder and/or DPS will ensure that music and noise from customers from the premises is inaudible in the hotel section of the Kings Head Inn (or any equivalent successor premises in the same location).*

2. *The premises licence holder and/or DPS will install a noise limiter in the premises through which all amplified music or voices must be played and its levels set in order to achieve compliance with condition 1 above, after consultation with the appointed representative of JD Wetherspoon PLC. Wiltshire Council's licensing department are to be informed, in writing, of the agreed level.*
3. *Such levels shall not be capable of adjustment above the levels set by the management of the premises except with prior written authority of Wiltshire Council's Licensing Department.*
4. *The premises licence holder shall ensure that the rear yard of the premises is maintained in a clean and tidy state and litter is stored in appropriate lidded and secure receptacles located with the demise of the premises whilst awaiting collection and does not obstruct the fire exit of the premises at any time.*

Despite the conditions being in place, the Premises have unfortunately continued to suffer noise nuisance from music and customer noise on a regular basis since the opening of @Home. The limited hours of operation of @Home have to a certain extent mitigated the impact on the Premises' overnight guests but notwithstanding, the music noise remains intrusive and unacceptable and causes disturbance to guests and staff. @Home has also taken advantages of a number of TENs which has meant the music noise has continued after the terminal hour on the premises licence.

The Company has written to Ms Adamson on a number of occasions (24.8.18, 22.11.18 and 1.2.19) advising her of the noise nuisance and breach of conditions but unfortunately there has been an absence of willingness to engage on the issue and no discernible sustained improvement in noise levels. Music from @Home continues to be heard in the Premises. Noise logs and copy correspondence will be produced should the Police's application proceed to a hearing for determination.

In addition, the Premises management report that on a number of occasions non-compliance with condition 4 has been brought to @Home's attention.

We are supportive of @Home's efforts to create a vibrant and varied entertainment venue in Salisbury and indeed have displayed patience in allowing the venue opportunity to resolve matters on a voluntary basis without involvement of the authorities. This must not come, however, at the expense of disturbance to the Company's Premises, guests and staff and a failure to promote the licensing objectives.

We respectfully ask that the Licensing Committee take into account this representation on determination of the review application lodged by Wiltshire Police.

We would be willing to attend any meeting of the parties to resolve the Police's application if it was felt helpful


Nigel Connor

Company Secretary

JD Wetherspoon PLC

1st May 2019

@Home Noise Log – week ending 6th January 2019

31/12/2018 – NYE Party (7:30pm-2am)

20:45 Can hear music very faintly from reception. Appears a bit louder from the 1st floor corridor.

21:10 Music has appeared to have got a bit louder.

22:15 Music still playing, lots of cheering and clapping from people too. Can be heard louder in 1st floor corridor

22:25 Karaoke has now started

Karaoke accompanied by cheering, can be heard very loudly along corridor to 1st and 2nd floor, 112/113 fire exit and Reception. Music was playing until the designated finish time. The following notes are after the 2am finish time.

2:03- Karaoke is on going- 1 song

2:06 2 song

2:08 Another song has started- 3 song

2:14 - 4 song

2:19- 5 song

2:22-6 song

2:28- 7 songs

2:32- Goodbyes can be heard over the microphone, 32 minutes after their posted finish time for entertainment. Cheering and whooping from the happy crowd, 7 songs past their official event finish time.

04/01/2019- Karaoke Night - 7pm till 10pm

19:15 Music has started audible in the office can not hear in Reception with office door shut

19:35 Music has stopped.

20:40 Can hear faint music with a bit of singing when in the Office but nothing significant.

20:55 Little bit louder now can be heard in the corridor leading to first floor. Can hear singing

21:35 Quite loud wailing, mumbling and singing

22:05 Still music and singing going on, quite loud in Reception back Office and in Corridor leading to 1st Floor.

22:10 Heard them say 'One more song before we go', bass was quite thumpy and loud.

22:20 one more song. All Quiet now.

05/01/19- Cherry Liquour Live Drag18+ event (8pm – 10pm)

20:30- Music has started, can hear singing over microphone which can be loudly hear in Reception, 112/113 corridor and along 1st and 2nd floor corridor. At least she can hold a tune.

20:37- Mumble talking on microphone, guessing she's a stand-up comedy queen.

20:45- Volume has increased, walking on sunshine being sung by entertainer and goes back to stand-up comedy after song. Laughter can be heard and microphone talking is now very audible within all noted locations (Reception, 112/113 corridor, 1st and 2nd corridor)

20:57- can hear volume increase as customers enter and leave, holding the door open for minutes at a time.

22:10- Live singing has stopped- now playing recorded music, still audible in Reception 112/113 corridor and corridor to 1st and 2nd floor

22:24- All quiet, no music can be heard within the hotel.

@home noise log WE 13/01/2019

07/01/2019

20:15 Loud-ish music heard in reception.

20:50 Nothing heard in a while.

09/01/2019

20:35 Karaoke/ Open mic seems to be happening. Can be heard in reception.

21:00 Can be heard quite loudly in corridor leading to first floor.

21:30 Sudden loud bass-y music.

22:06 Still going. Talking loudly into the mic.

22:10 All quiet.

22:16 Nevermind. Practically shouting in the mic.

22:20 Now its quiet.

10.01.2019

20:00 music & chanting? can be slightly heard in back office

20:30 loud thudding can be heard from the reception desk

22:25 loud music can be heard in reception and back office. But not on the street when walking past.

11/01/2019

20:30 Karaoke has started. Can be heard loudly by room 110 and along corridor towards reception. Can also be heard from reception.

21:10 Its more shouting than singing now and can be heard quite well from reception. Its very loud out in the corridor.

21:20 Shouting along to boh rap now

21:30 Singing has got louder. Singing along to 'gree, green grass of home'.

21:50 All gone quiet now

22:00 Can hear singing loudly from 1st floor corridor and by room 110.

22:30 Seems to have gone quiet again.

12/01/2019

19:20 Music can be clearly heard in reception.

21:00 It's been a couple of hours and so far ive not heard much. An occasional beat or two but they have been decidedly quiet tonight.

Guest stayed 22nd December-24th December

[Your Booking.com reviews page](#)

2019-01-08 **8.3**

New!

Beautiful building from outside good value great food

- 😊 Lively pub atmosphere great value meals lovely big comfortable beds. Very quiet in the room above we were in the back so could hear no noise from the street.
- ☹️ Karaoke from the place next door on a saturday night was rather loud but it did finish at 1am.

@home noise log WE 20/01/2019

16/01/19 – Circus Cabaret

21:00 Could hear music along first floor corridor near 110 as I was doing my room checks.

21:30 Music can be heard from back office.

22:00 Singing can be heard quite loudly along first floor corridor and can also be heard in reception.

22.25 Can still hear singing from reception – ‘ Queen’s Crazy Little Thing Called Love’.

22:55 music has stopped

18/01/2019

18:55 Sounds like sound check happening

19:40 Can be heard in back office only

20:08 Is now, just, audible in reception.

20:20 Has started getting louder. Still not overly intrusive.

20:40 Very loud karaoke

21:10 Karaoke (if you can call it that) still very loud

21:40 Still going, still loud.

21:58 About to do fire check and they are still going and now louder.

22:00 Very loud in corridor leading to 1st

22:15 Still going and still loud

22:30 Still going. Loud and bass-y.

22:40 All quiet

19/01/2019

19:30 music very loud on 1st floor, outside reception, in 112 and 113

21:00 music still loud

20/01/2019 – Event – Under 18's live music party

17:30 Sounds like a sound check – lots of random drumming noises. Very loud in reception.

17:40 definitely a sound check and its getting louder. Rock bands and hotels on a Sunday don't mix well.

18:10 A lot of noise from the queue of people waiting to get in.

18:20 Music started but stopped almost as soon as. Very loud while they were going.

18:35 Music still audible but levels have dropped.

19:30 Music levels have fluctuated between very loud and barely audible over the last hour. Currently butchering Bad Wolves – Zombie.

21:00 Suddenly very quiet after an hour of almost non stop rock covers.

21:05 Never mind its started again and louder.

21:15 Guest in 113 has commented that the band is very loud in her room and queried if this will continue during the week. I gave her the best assurances I could specifically that their licence is till 10pm currently.

21:35 Still very loud. Becoming very intrusive and even im finding it uncomfortable sitting at reception.

21:45 They are due to finish by 10pm yet they still have one act left to play!?

22:05 They played through my fire check, So loudly in link-way to 1st that a normal conversation would be drowned out. Could be heard in 1st with door closed so must be loud in 109/110. Could be heard up the stairs to 2nd and the stairs by 113.

@home noise log WE 27/01/2019

25th January- event: West end inspired karaoke

19:30- Music can be heard very quietly in Reception back office only. Nothing heard from any other location.

No other music was heard during the evening shift.

26/01/2019

Pretty steady volume (not overly intrusive) from around 19:00 till 20:00 then it got very loud till it suddenly died at 22:20.

27/01/2019

Quiet all night; no music tonight

@Home Noise Log W/E 17/02/2019.

15/02/2019- music scheduled online until 3am

Music was very loud in hotel, could be heard in 112/113 corridor, linkway corridor to 1st and 2nd floor, reception and reception back office. We blocked out 110-111 due to the bass and possible noise issues.

1:00 approx, guest asked where music was coming from and although they understood that this noise wasn't due to us, it had negatively affected his stay. He declined moving rooms due to his partner falling asleep but did accept a pair of earplugs.

Duty Manager went to business and they stated they had a premise licence until 3am, but did not show this licence to us. Duty Manager called the council to make a formal noise complaint, as well as the non-emergency police number and was informed that nothing could be done at this time, so they will be chasing this up on Monday morning.

3:10 Music stopped

16/02/2019- music scheduled online until 2am

20:30 Could hear music whilst out on 1st floor corridor.

21:15 Music still going on and can hear faintly from back office in reception.

21:40: Guest from Rm 108 asked when the 'thumping noise' is likely to stop as her small daughter is trying to get to sleep. Mentioned to shift leader in pub who said he will try and send someone round there and ask for the volume to be turned down.

10:15 When on my fire check rounds, the music was quite loud by rooms 108-111 and also out in the corridor at the bottom on the stairs going up to 2nd floor. Could also be heard at the top of 2nd floor and by room 112 and 113. Can we heard slightly from the office in reception too. It's just 'thump, thump, thump'.

10:30 Guest from room 108 calls again to say that the music has got louder. I went down to the bar and reported it. Can be heard from outside reception and faintly from reception now.

11:30 Have been informed by duty manager that the pub manager went round to ask them to turn the volume down and they refused him entry onto the premises. Bass could be felt through the floor along 1st and 2nd floor corridor.

00:16 Guest has come to reception to mention that music has not be quietened at all during her stay, if anything it has been climbing in volume. This guest is due at least a partial refund as even with earplugs she is unable to sleep. The bass is keeping her awake, as it is vibrating the floor and furniture. In the bathroom it can be strongly felt through the floor.

00:41 Karaoke shouting has now started

2:00 During my fire check, guest from 112 called to complain about noise and lack of sleep. I was unable to move him due to being fully booked. Guest requested information about what we have done to rectify the situation (which was trying to talk to the business directly without any success, calling the council to place a noise complaint and the non-emergency police line for assistance) and was extremely upset. 1 of the 2 guests had already left, as they were unable to sleep due to the excessive noise caused late at night and the remaining guest has requested a refund tomorrow morning. This guest had booked for 2 nights and may now cancel the next night, costing us further- not to mention the negative reviews we will receive due to the Friday and Saturday night "entertainment"

So far two refunds due totalling £142.20

2:13 screaming Bon Jovi

2:15 Music could also be heard from the side entrance of the bar due to the sheer volume, as well as heard through the locked double doors within the pub to the hotel lift and lobby.

3:08 Music has finally stopped, 1 hour (and 8 minutes) after advertised time and the damage has already been done.

Hotel room 108 was refunded 71.10 on check out.

@Home Noise Log W/E 24/02/2019.

20/02/2019

19:35 – Faint music can be heard coming from next door. Audible in reception.

21:00 – Quiet since around 19:50. No idea what they were doing.

22/02/2019

20:10 – On starting my room checks, singing could be heard clearly from the corridor outside of reception.

20:30 – Singing can be heard in reception. Must be karaoke night!!

21:00 – Can still hear the singing. Think it is also by the same man.

21:25 - A lady is now singing now and appears a lot louder than the previous singer.

21:30 – A man is now singing; or should I say, shouting the lyrics.

21:40 – The owner from @home was down in the pub selling raffle tickets and trying to get more business. She was asked politely to leave the premises.

22:15 – Whilst on my fire checks, the music could be heard very loudly in the corridor outside of reception and by rooms 110/111. Can also still be heard from reception.

22:25 – All gone quiet.

23/02/2019

19:35 – There has been low, near continuous, thumping music coming from next door for approximately 10 minutes.

19:40 – Volume has gone up. Can now hear vocals fairly clearly.

20:40 – Music has been fairly loud for the last hour. Clearly audible in reception.

21:20 – Still going with no change to volume.

21:45 – Volume and bass increased and A LOT of shouting from next doors clients.

22:05 – Fire check – no noise heard during fire check or upon return to reception.

@Home noise log weekending 03.03.2019

26/02/2019

22:00 fire check music can be heard in the link-way to first floor.

22:30 singing has started and can be heard from reception desk

27/02/19

20:30 Music can be heard in reception from next door.

21:20 Still going and still audible in reception

22:30 Can still hear music

01/03/2019 – HARRYOKE NIGHT

21:00 Can hear bass music and someone singing from reception

21:00 Singing can still be heard from reception

22:00 On fire check music could be heard loudly along 1st floor corridor by reception and along by room 110.

22:30 Singing can still be heard from reception

01:30 @home had parents drinking in their place with 3 kids they left at around midnight, one of the kids ran off into the pub garden they were found but police were called. Police were here for a good few hours and kids were taken by social. The pub has done a full report of it if any more info is needed.

02/03/19

19:11 They are playing music but it is only audible in the office.

19:40 Can now hear the music in reception

19:45 Member of staff next door is out on the pavement handing out raffle tickets – I will alert the pub in case they try coming into the pub again.

20:10 Sounds like a live act playing now. Very loud in reception. Judging by the volume I suspect they have the doors open.

21:30 Still going and still loud. Jonny Pill (manager) has been up and even he noted the volume seemed excessive in the corridor.

22:05 Went quiet as I was coming back from fire check.

@Home noise log week ending 24.03.2019

23/3/19 LuLu Delish – Drag Act

20:00 Singing has started and can be heard faintly from reception but loud in the corridor by reception

20:50 The singing can be heard very loudly by the bottom of 2nd floor stairs and by rooms 110/111. Can also heard the words to the songs from reception.

21:20 Singing is still going and other people are joining in.

22:00 Whilst on my fire checks, the singing could be heard very loudly from the bottom of the stairs of 2nd floor and also going up the stairs to 2nd floor.

22:20 All has gone quiet

@Home noise log week ending 31/03/2019

29/03/2019

21:14 loud music can be heard from 112/113 corridor, in reception back office and the linkway corridor to 1st and 2nd floor, as well as Reception- karaoke

30/03/2019

20:15 Got upstairs after locking lift and could clearly hear music and singing from next door. Had a check and it's a drag act tonight.

21:55 About to do fire check and it sounds like next door are winding down ready to close at 22:00. The volume has remained consistently loud throughout the evening with at least one guest commenting that they were glad they couldn't hear "that noise" in their room.

22:08 Returned from fire check and still going. Started a new song so informed Chris downstairs.

22:15 Seems to have stopped now.

31/03/2019

16:00 Could hear drums and talking into the microphone

17:30 Drumming got louder and the electric guitar is also playing now. Looked online and there is a band called 'Nerve Agent' playing between 18:00-22:00, plus 'special guests'. They are @home's resident band. The event is for U18.

17:45. The music has got a lot louder now.

18:15 The band is in full flow now and can be heard very loudly in reception.

19:15: The floor in the back office is now vibrating due to the loudness of the music.

20:30 Room 110 called reception to complain about the loudness of the music. I went down to the bar and spoke with Jacob who said that as it is not even 22:00 then there is nothing we can do. I was told to offer the guest a 'free breakfast' voucher, which I did but it was declined and instead they asked for a free night's stay at the hotel. I spoke with Ami, who said to offer the guests a room move or a refund for tonight. I offered the guests a room change but they said that they were in bed, so I then said that we could offer them a refund for tonight which the guest happily accepted. I apologised for the noise but said that there is nothing we can do. The guest accepted my apology and thanked me for my help in this matter.

21:00 Singing and drums got louder now. Floor in reception is now vibrating.

22:00 On the start of my fire-check, the music was so loud outside of reception and by the bottom of the 2nd floor stairs.

22:15 Music has appeared to have stopped; all quiet.

@Home noise log week ending 07/04/2019

Friday- 05/04/2019

21:00- Karaoke and feedback from mic can be heard in 112/113 corridor, Reception and 1st floor & 2nd floor corridor.

Saturday – 06/04/2019

21:30 Could hear music playing in back office and along the corridor outside of reception.

21:45 People now singing along to songs very loudly and can be heard from reception.

22:00 Music has stopped; all quiet.



J D Wetherspoon plc, PO Box 616, Watford, WD24 4QU | Telephone: 01923 477777 | Fax: 01923 219810
jdwetherspoon.com

FAO Louella Adamson
@Home Salisbury Limited
5 Bridge Street
Salisbury
SP1 2ND

24 August 2018

By email only: [REDACTED]

Our ref: KD/LEGAL/4334
Your ref:

Dear Sirs,

Noise Nuisance

As you are aware JD Wetherspoon Plc ("JDW") is the owner and occupier of the Kings Head Inn, Bridge Street, Salisbury, Wiltshire, SP1 2ND ("the Hotel") which is located next to, and the vicinity of, your premises stated above.

I have been informed that the Hotel has received an increasing number of complaints from its residents relating to excessive noise emanating from your premises. This includes complaints to the hotel staff and has subsequently escalated to online complaints on hotel booking websites. As you will appreciate, this is now having a significant detrimental effect on the Hotel which is unacceptable.

As such, and in light of the forthcoming Bank Holiday weekend this weekend, please ensure noise is kept to a minimum so as not to cause disruption to the Hotel. If the noise continues, JDW shall have no choice to report the matter to the Environmental Health officer, which of course, JDW wishes to avoid. In the meantime, I have asked the Hotel to keep a detailed record of all disturbances, which will be collated and sent to you in the near future.

Should you wish to discuss anything contained in this letter, please feel free to call or email me.

Yours faithfully

[REDACTED]

Katie Doyle
Legal Department

[REDACTED]





J D Wetherspoon plc, PO Box 616, Watford, WD24 4QU | Telephone: 01923 477777 | Fax: 01923 219810
jdwetherspoon.com

@Home Salisbury Limited
5 Bridge Street
Salisbury
SP1 2ND

22nd November 2018

By email only: [REDACTED]

Dear Ms Adamson

Noise Nuisance

I write further to my colleague Katie Doyle's letter to you dated 24th August 2018 in respect of the above.

Unfortunately the Kings Head Hotel ("the Hotel") continues to suffer from noise ingress consisting of music and raised customer voices and singing from @ Home on a persistent basis.

The noise ingress has attracted guest complaints and constitutes a nuisance for the Hotel's staff.

I note with some concern that @home has applied for Temporary Event Notices to allow the premises to provide licensable activities beyond the normal terminal hour for licensable activities on both Sunday 25th and Friday 30th November.

Please can you ensure that music and customer noise is kept within levels that do not cause disturbance to staff and residents of the Hotel on both evenings failing which we shall have no option but to inform the statutory authorities.

I remind you that the premises licence for the venue contains the following condition:

The premises licence holder and/or DPS will ensure that music and noise from customers from the premises is inaudible in the hotel section of the Kings Head Inn (or any equivalent successor premises in the same location).

My review of weekly noise logs provided by the Hotel indicates that @home is in repeated breach of this condition.



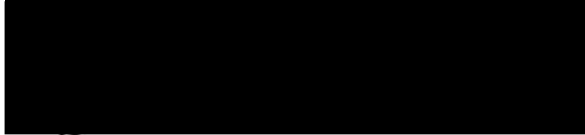


J D Wetherspoon plc, PO Box 616, Watford, WD24 4QU | Telephone: 01923 477777 | Fax: 01923 219810
jdwetherspoon.com

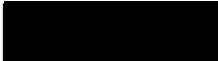
Please be assured that we do wish @home every success but I am sure you will appreciate that it cannot be at the cost of disturbance to our staff and residents.

If you wish to discuss any of the above with me, please do not hesitate to contact me.

Yours sincerely



Nigel Connor
Solicitor
Head of Legal and Company Secretary
JD Wetherspoon PLC



@Home Salisbury Limited
5 Bridge Street
Salisbury
SP1 2ND

22nd November 2018

By email only: [REDACTED]

Dear Ms Adamson

Noise Nuisance

I write further to my letter to you of 22nd November 2018 in respect of the above.

The letter requested that noise from @Home would be kept within levels that would not cause disturbance to staff and residents of the Kings Head Hotel. ("the Hotel")

I have reviewed in full the detailed noise logs which we asked the Hotel to compile for the Christmas/New year period and beyond. During that time you operated on occasions with the benefit of Temporary Event Notices allowing licensable activities beyond the hours permitted on your premises licence.

Unfortunately despite the contents of my previous letter, the Hotel continued to suffer from noise ingress consisting of music and raised customer voices and singing from @home to varying degrees throughout that period.

The noise ingress again attracted guest complaints and constituted a nuisance for the Hotel's staff.

Unless there is an immediate reduction in noise levels within your venue, then we will have no option but to inform the Licensing Authority and ask them to investigate what we consider to be clear breaches of your premises licence conditions.

I reiterate that we do wish your business to be successful but again make clear that it cannot be at the cost of disturbance to our staff and residents.

Yours sincerely

Nigel Connor
Solicitor
Head of Legal and Company Secretary
JD Wetherspoon PLC

[REDACTED]
[REDACTED]

Agenda Item 6i

From: [Fred Kemp](#)
To: [Hould, Hannah](#)
Subject: RE: FW: @home 5 Bridge Street, Salisbury SP1 2ND
Date: 30 April 2019 08:45:25

Hi Hannah,

The issue here is that unless the storage issue is resolved the occupancy will be reduced to 60 persons, on the basis, of there being only one viable exit.

Therefore I would recommend that the storage issue is resolved.

Regards,

Fred

Fred Kemp GIFireE
Fire Safety Inspector.
Telephone: 01722 69 1334
E-mail: fred.kemp@dwfire.org.uk

Please note my working hours are Monday and Tuesday 0800-1700

-----Original Message-----

From: Hould, Hannah <Hannah.Hould@wiltshire.gov.uk>
Sent: 29 April 2019 17:24
To: Fred Kemp <Fred.Kemp@dwfire.org.uk>
Subject: FW: FW: @home 5 Bridge Street, Salisbury SP1 2ND

FYI

-----Original Message-----

From: Louella Adamson [REDACTED]
Sent: 29 April 2019 17:23
To: Hould, Hannah
Subject: Re: FW: @home 5 Bridge Street, Salisbury SP1 2ND

Okay, great. There is no obstruction and the shed isn't my responsibility.

Kind Regards

Louella Adamson
Top Dog
@home Salisbury ltd
[REDACTED]
athomesalisbury.com
fb @homesalisbury ig home_salisbury t @home_salisbury

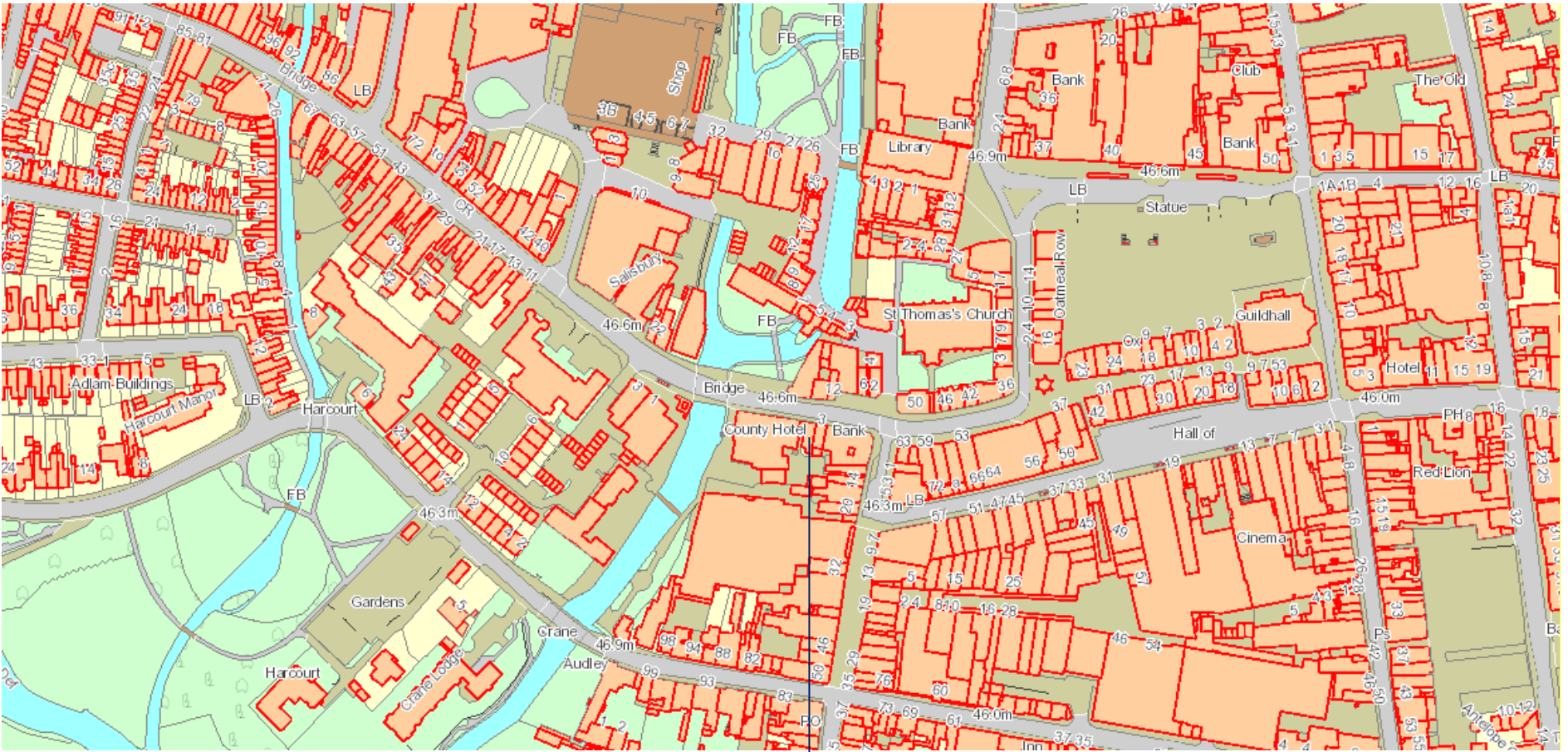
On 29/04/2019 17:18, Hould, Hannah wrote:

> Louella,
>
> It is comments from the Fire Authority, who are a responsible
> authority. They are advising you as part of the review consultation
> period.
>
> Kind regards
>
> Hannah Hould
> Public Protection Officer (Licensing)
>

> Wiltshire Council
> Bourne Hill
> Salisbury
> Wiltshire
> SP1 3UZ
>
> Email: hannah.hould@wiltshire.gov.uk
> Direct Dial: 01722 434414
> Internal: 54414
>
>
>
>
>
>
> -----Original Message-----
> From: Louella Adamson [REDACTED]
> Sent: 29 April 2019 16:57
> To: Hould, Hannah
> Subject: Re: FW: @home 5 Bridge Street, Salisbury SP1 2ND
>
> What does this mean?
>
> ---
> Kind Regards
>
> Louella Adamson
> Top Dog
> @home Salisbury ltd
> [REDACTED]
> athomesalisbury.com
> fb @homesalisbury ig home_salisbury t @home_salisbury
>
>
> On 29/04/2019 15:36, Hould, Hannah wrote:
>> Hi Louella,
>>
>> Please find email below from the Fire Authority relating to the
>> review application.
>>
>> Kind regards
>>
>> HANNAH HOULD
>>
>> PUBLIC PROTECTION OFFICER (LICENSING)
>>
>> Wiltshire Council
>>
>> Bourne Hill
>>
>> Salisbury
>>
>> Wiltshire
>>
>> SP1 3UZ
>>
>> Email: hannah.hould@wiltshire.gov.uk
>>
>> Direct Dial: 01722 434414
>>
>> Internal: 54414
>>

>> FROM: Fred Kemp [<mailto:Fred.Kemp@dwfire.org.uk>]
>> SENT: 29 April 2019 14:51
>> TO: Hould, Hannah
>> SUBJECT: @home 5 Bridge Street, Salisbury SP1 2ND
>>
>> Hi Hannah,
>>
>> Following our discussion last week regarding the above premises, I
>> visited it on 29/04/19 and was unable to gain access. There were no
>> visible obstructions internally and both exit routes were also
>> useable and unobstructed. There was light debris around the rear exit
>> and the storage cupboards should be either emptied and sealed shut or
>> constructed to be lockable and provide 30 minutes fire resistance.
>>
>> Regards,
>>
>> Fred.
>>
>> Fred Kemp GIFireE
>>
>> Fire Safety Inspector.
>>
>> Telephone: 01722 69 1334
>>
>> E-mail: fred.kemp@dwfire.org.uk
>>
>> PLEASE NOTE MY WORKING HOURS ARE MONDAY AND TUESDAY 0800-1700
>>
>> Internet e-mail is not to be regarded as a secure means of
>> communication. Dorset & Wiltshire Fire and Rescue Service monitors
>> all Internet e-mail activity and content. This communication and any
>> files transmitted with it is intended for the person(s) to whom it is
>> addressed and may be confidential, legally privileged and protected
>> in law. Unauthorised use, disclosure, copying or distribution is
>> prohibited. Please notify the sender if received in error then delete
>> it from your system. Opinions expressed in this communication may not
>> be official policy. Whilst every effort is made to carefully choose
>> websites that we may provide links to, Dorset & Wiltshire Fire and
>> Rescue Service cannot guarantee the standards of these sites. Virus
>> Disclaimer: Dorset & Wiltshire Fire and Rescue Service takes all
>> reasonable steps to ensure electronic communications are protected
>> from virus infection but cannot accept any liability for any loss or
>> damage sustained as a result of software viruses. Intended recipients
>> are responsible for carrying out virus checking as is necessary
>> before opening any attachments.
>>
>> -----
>>
>> This email originates from Wiltshire Council and any files
>> transmitted with it may contain confidential information and may be
>> subject to Copyright or Intellectual Property rights. It is intended
>> solely for the use of the individual or entity to whom they are
>> addressed. If you have received this email in error please notify the
>> sender and delete the email from your inbox. Any disclosure,
>> reproduction, dissemination, modification and distribution of the
>> contents of the email is strictly prohibited. Email content may be
>> monitored by Wiltshire Council to ensure compliance with its policies
>> and procedures. No contract is intended by this email, and any
>> personal opinions expressed in this message are those of the sender
>> and should not be taken as representing views of Wiltshire Council.
>> Please note Wiltshire Council utilises anti-virus scanning software

This page is intentionally left blank



@Home, 5 Bridge Street, Salisbury, SP1 2ND

This page is intentionally left blank