

AGENDA

Meeting: Southern Area Licensing Sub Committee
Place: Guildhall, Salisbury, SP1 1JH
Date: Friday 27 July 2012
Time: **9.30 am**
Matter: Application for a Premises Licence - 16 Winchester Street,
Salisbury

Please direct any enquiries on this Agenda to Kieran Elliott of Democratic Services, County Hall, Bythesea Road, Trowbridge, BA14 8JN. Email: kieran.elliott@wiltshire.gov.uk or Telephone: 01225 718504

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 Ernie Clark
Cllr George Jeans

Cllr Bill Moss

AGENDA

1 **Election of Chairman**

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

2 **Procedure for the Meeting (Pages 1 - 8)**

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

3 **Chairman's Announcements**

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

4 **Declarations of Interest**

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

5 **Licensing Application (Pages 9 - 82)**

To consider and determine an Application for a Premises Licence by Mr Enkin Kale in respect of 16 Winchester Street, Salisbury, SP1 1HB.

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 an Interested Party or their Representative.

“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.

“Interested Party” means a person who is present at a Hearing to make representations in respect of an Application in their capacity as an Interested Party, and includes any person who is present to assist or make representations on behalf of the Interested Party 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 an Interested Party/Parties;
- 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 an Interested Party/Parties.
- 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 multiple of Interested Parties 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 Interested Parties.

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 an Interested Party/Parties 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 an Interested Party/Parties 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 an Interested Party/Parties; 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 an Interested Party/Parties.

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 an Interested Party/Parties 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 Interested Party'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 the Interested Party/Parties 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.

Hearing Procedure Summary

1. The Chairperson welcomes all those present and introduces the Application.
2. The Chairperson introduces the Applicant, Responsible Authority/Authorities and/or Interested Party/Parties.
3. The Chairperson outlines the Hearing Procedure.
4. The Licensing Officer presents the Committee Report.
5. The Applicant addresses the Committee.
6. Questions to the Applicant by Responsible Authority/Authorities and/or Interested Party/Parties.
7. Questions to the Applicant by Members of the Committee.
8. Comments by Responsible Authority/Authorities and/or Interested Party/Parties.
9. Questions by Applicant.
10. Questions to Responsible Authority/Authorities and/or Interested Party/Parties by Members of the Committee.
11. Summing up by Parties who have made representations.
12. Summing up by Applicant.
13. Committee retires with the Committee Lawyer and Committee Manager to consider its decision.
14. Committee returns and the Lawyer gives a summary of any legal advice that may have been given to the Committee, and invites the parties present to make any comments on that advice.
15. The Chairperson either gives the decision with reasons, or advises that it will be released in writing with reasons within the statutory time limits.

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WILTSHIRE COUNCIL

SOUTHERN AREA LICENSING SUB COMMITTEE

27 JULY 2012

Application for a Premises Licence; 16 WINCHESTER STREET, SALISBURY, SP1 1HB

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of 16 Winchester Street made by Mr Engin Kale

2. Background Information

- 2.1 An application for a Premises Licence in respect of 16 Winchester Street has been made by Mr Engin Kale for which 34 relevant representations have been received.
- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations. In accordance with Section 18 (3) of The Licensing Act 2003 the Licensing Sub Committee is required to take such of the steps listed in 2.4 below as it considers necessary for the promotion of the licensing objectives. In considering the application and the relevant representations, the Sub Committee must also have regard to relevant Government guidance and the Council's Licensing Policy
- 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 grant the licence subject to such conditions as are consistent with those included in the operating schedule submitted with the application, modified to such extent as the Sub Committee considers necessary for the promotion of the licensing objectives, together with any mandatory conditions required by the Licensing Act.
 - ii) To exclude from the scope of the application any licensable activity.
 - iii) To refuse to specify a person as the designated premises supervisor.
 - iv) To reject the application.
- 2.5 On 1 June 2012 an application for a premises licence was received and accepted as a valid application.

2.6 The application as applied for is as follows:

| Licensable Activity | Timings | Days |
|--|---|-------------------------------------|
| Provision of late night refreshment | Sunday to Thursday Friday & Saturday | 07:00 to 23:00 07:00 to midnight |
| Sale by retail of alcohol (off sales only) | Sunday to Thursday Friday & Saturday | 07:00 to 23:00 07:00 to midnight |

A copy of the application from Mr Engin Kale is attached as **Appendix 1**.

2.7 The applicant failed to advertise the application within the required time scale. It was agreed, with the applicant's solicitor, that if the application was advertised in the Salisbury Journal on Thursday 21 June 2012 the 28 day consultation period would be extended to Monday 9 July 2012. The advert appeared in the Salisbury Journal as requested and the blue notices at the premises were amended to show the correct closing date for representations.

3. Consultation and Representations

3.1 The application process requires the application to be advertised in a local paper within 10 working days, starting on the day after the authority receives it and a public notice (on pale blue paper) to be posted on the premises for a period of 28 consecutive days, starting the day after the authority receives the application. During the consultation period 34 relevant representations have been received from Interested Parties, and none from Responsible Authorities.

3.2 Responsible Authorities

No Responsible Authority has made a representation in connection with this application

3.3 Interested Parties

- G Thomas Cambridge Wine Merchants, 5 Winchester Street
- J Pnor-Wilson 35 Winchester Street, Salisbury
- N Prescod 58 Winchester Street, Salisbury
- P Aicken 19 Graham House, Culver Street, Salisbury
- A Kilimiwells 10 New Canal, Salisbury
- R Faithfull Sharp Practice, 2-8 Catherine Street, Salisbury
- Ketenamen 18 Catherine Street, Salisbury
- D Hardcastle 15a Brown Street, Salisbury
- N Coles VooDoo, 30 Milford Street, Salisbury
- D Hancock VooDoo, 30 Milford Street, Salisbury
- Mr L Leatherdale 50 Milford Street, Salisbury
- Ms S Linge 113 Exeter Street, Salisbury

- N Jones 10 Ivy Street, Salisbury
- R Safe 12 Greencroft Street, Salisbury
- V Kefencies 40 Bishopdown Road, Salisbury
- N Wilkins-Small 42 Bishopdown Road, Salisbury
- Mr & Mrs Schroeder Martin Mcoll, 34 Blue Boar Row, Salisbury
- Mr B Murley 1 Marina Road, Salisbury
- C Escott 9 Fountains House, Blackfriars Way, Salisbury
- L Shields 44 Glastonbury House, The Friary, Salisbury
- R Ash Flat 3 Cleveland Flats, Fairview Road, Salisbury
- N Day 8 St Ursula's Close, Salisbury
- C Phipps 9a Festival Avenue, Salisbury
- N Pratt 221 Gainsborough Close, Salisbury
- C Nation 108 Westwood Road, Salisbury
- Victoria Circir 130 Randalls Croft Road, Salisbury
- R Robson 17 Hillview Road, Salisbury
- I Matthews 23 Merrifield Road, Ford
- M Ludlow 4 Castle Well Mews, Old Sarum
- D F Day Prospect House, Coombe Bissett
- M Andrews 20 Tidworth Road, Porton
- A Pearce 22 Three Cuppes Lane, Salisbury
- M J Emm No address given on the letter.
- C Stefan No address given on the letter.

3.4 A summary of the representations made is detailed in the table below:

| Representation | Licensing Objective | Accepted | Comments |
|-----------------------|----------------------------|-----------------|-----------------|
| Anti social behaviour | Crime & Disorder | Yes | |
| Noise nuisance | Public Nuisance | Yes | |

3.5 The relevant representations are attached as **Appendix 2**. Attached as **Appendix 3** is a plan which shows the locations from where representations have been made.

4. Legal Implications

4.1 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.

4.2 The Applicant, all Responsible Authorities and Interested Parties who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.

4.3 At the hearing all those Responsible Authorities and Interested Parties who have made representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

5. Officer Recommendations

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

6. Right of Appeal

- 6.1 It should be noted that the Applicant, the Responsible Authority(ies) and 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.
- 6.2 In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision made by the Magistrates Court.
- 6.3 A Responsible Authority or an Interested Party may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by an Interested Party will not normally be granted within the first 12 months except for the most compelling circumstances.

Report Author: Debbie Mulvey Senior Licensing Officer

Telephone 01722 434234 debbie.mulvey@wiltshire.gov.uk

Date of report: 13 July 2012

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 New premises licence application (Pages 13-36)**
- 2 Representations received from interested parties (Pages 37-72)**
- 3 Location plans (73-82)**

**Application for a premises licence to be granted
under the Licensing Act 2003**

LICENSING (SOUTH)
RECEIVED
- 1 JUN 2012

PASSED TO _____
COPIES TO _____
REPLIED _____

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/~~WE~~ Engin Kale
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

| | | | |
|---|---------------|-----------------|----------------|
| Postal address of premises or, if none, ordnance survey map reference or description <u>16 Winchester Street Salisbury</u> | | | |
| Post town | <u>London</u> | Post code | <u>SP1 1HB</u> |
| Telephone number at premises (if any) | | | |
| Non-domestic rateable value of premises | | <u>£ 13,000</u> | |

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

| | | | | | |
|---|------------------------------|-------------------------------|-----------------------------|---|--|
| Mr <input checked="" type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname <i>Kale</i> | | | First names <i>Engin</i> | | |
| I am 18 years old or over | | | | <input checked="" type="checkbox"/> Please tick yes | |
| Current postal address if different from premises address | | <i>'Same as premises'</i> | | | |
| Post Town | | | | Postcode | |
| Daytime contact telephone number | | | | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|--|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |

| | | | |
|---|--|--|--|
| I am 18 years old or over | | <input type="checkbox"/> Please tick yes | |
| Current postal address if different from premises address | | | |
| Post Town | | Postcode | |
| Daytime contact telephone number | | | |
| E-mail address (optional) | | | |

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

| |
|---|
| Name |
| Address |
| Registered number (where applicable) |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (if any) |
| E-mail address (optional) |

Part 3 Operating Schedule

When do you want the premises licence to start?

| | | | | | |
|-----|---|-------|---|------|---|
| Day | | Month | | Year | |
| ↓ | ↓ | ↓ | ↓ | ↓ | ↓ |

If you wish the licence to be valid only for a limited period, when do you want it to end?

| | | | | | |
|-----|---|-------|---|------|---|
| Day | | Month | | Year | |
| ↓ | ↓ | ↓ | ↓ | ↓ | ↓ |

Please give a general description of the premises (please read guidance note1)

Ground floor shop trading as an off-licence. The premises sells / will sell liquor, general foods, fruits and vegetables, Cigarettes and other general goods. All goods / products sold are to be consumed off the premises.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

| | | | | | |
|---|-------|--------|---|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 6) | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

B

| | | | | | | | | |
|---|-------|--------|---|----------|--------------------------|--|--|--|
| Films Standard days and timings (please read guidance note 6) | | | <u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> | | | |
| | | | | Outdoors | <input type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | | | | |
| Mon | | | | | | | | |
| Tue | | | | | | | | |
| Wed | | | | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) | | |
| Thur | | | | | | | | |
| Fri | | | | | | <u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | | | | |
| Sun | | | | | | | | |

C

| | | | |
|--|-------|--------|---|
| Indoor sporting events Standard days and timings (please read guidance note 6) | | | <u>Please give further details</u> (please read guidance note 3) |
| Day | Start | Finish | |
| Mon | | | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) |
| Tue | | | |
| Wed | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5) |
| Fri | | | |
| Sat | | | |
| Sun | | | |

D

| | | | | | |
|--|--------------|---------------|--|----------|--------------------------|
| Boxing or wrestling entertainments Standard days and timings (please read guidance note 6) | | | <u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

E

| | | | | | |
|--|--------------|---------------|--|----------|--------------------------|
| Live music Standard days and timings (please read guidance note 6) | | | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

F

| | | | | | |
|--|--------------|---------------|--|----------|--------------------------|
| Recorded music Standard days and timings (please read guidance note 6) | | | <u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Tue | | | | | |
| Wed | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) | | |
| Thur | | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sat | | | | | |
| Sun | | | | | |

G

| | | | | | |
|---|--------------|---------------|---|----------|--------------------------|
| Performances of dance Standard days and timings (please read guidance note 6) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) | | |
| Wed | | | | | |
| Thur | | | <u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

H

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|--|-------|--------|---|----------|--------------------------|
| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment you will be providing</u> | | |
| Day | Start | Finish | <u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sun | | | | | |

I

| | | | | |
|--|-------|--------|---|--------------------------|
| Provision of facilities for making music Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the facilities for making music you will be providing</u> | |
| | | | <u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2) | |
| Day | Start | Finish | Indoors | <input type="checkbox"/> |
| | | | Outdoors | <input type="checkbox"/> |
| | | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 3) | |
| | | | | |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | |
| | | | | |
| Wed | | | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | |
| | | | | |
| Thur | | | <u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) | |
| | | | | |
| Fri | | | <u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | |
| Sat | | | | |
| Sun | | | | |

J

| | | | | | |
|---|--------------|---------------|--|----------|--------------------------|
| Provision of facilities for dancing Standard days and timings (please read guidance note 6) | | | <u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| | | | <u>Please give a description of the facilities for dancing you will be providing</u> | | |
| Day | Start | Finish | <u>Please give further details here</u> (please read guidance note 3) | | |
| Mon | | | | | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | <u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) | | |
| | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |

K

| | | | | | |
|--|-------|--------|--|----------|--------------------------|
| Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6) | | | <u>Please give a description of the type of entertainment facility you will be providing</u> | | |
| Day | Start | Finish | Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 3) | | |
| Wed | | | | | |
| Thur | | | <u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4) | | |
| Fri | | | | | |
| Sat | | | <u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) | | |
| Sun | | | | | |

L

| Late night refreshment Standard days and timings (please read guidance note 6) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2) | Indoors | <input type="checkbox"/> |
|---|-------|--------|---|----------|-------------------------------------|
| | | | | Outdoors | <input checked="" type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 07:00 | 11:00 | Please give further details here (please read guidance note 3) All refreshments supplied to be / take place outdoors . | | |
| Tue | 07:00 | 11:00 | | | |
| Wed | 07:00 | 11:00 | State any seasonal variations for the provision of late night refreshment (please read guidance note 4) Not Applicable . | | |
| Thur | 07:00 | 11:00 | | | |
| Fri | 07:00 | 00:00 | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) Not Applicable . | | |
| Sat | 07:00 | 00:00 | | | |
| Sun | 07:00 | 11:00 | | | |

M

| | | | | | | | | |
|---|-------|--------|--|------------------|-------------------------------------|---|--|--|
| Supply of alcohol Standard days and timings (please read guidance note 6) | | | Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7) | On the premises | <input type="checkbox"/> | | | |
| | | | | Off the premises | <input checked="" type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) Not Applicable | | | | | |
| Mon | 07:00 | 11:00 | | | | | | |
| Tue | 07:00 | 11:00 | | | | | | |
| Wed | 07:00 | 11:00 | | | | | | |
| Thur | 07:00 | 11:00 | | | | Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) Not Applicable | | |
| Fri | 07:00 | 00:00 | | | | | | |
| Sat | 07:00 | 00:00 | | | | | | |
| Sun | 07:00 | 11:00 | | | | | | |

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

| | |
|--|----------------------------|
| Name | Engin Kale |
| Address | 'Same as premises address' |
| Postcode | |
| Personal Licence number (if known) | PER1163 |
| Issuing licensing authority (if known) | Wiltshire Council |

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

Not Applicable.

O

| Hours premises are open to the public Standard days and timings (please read guidance note 6) | | | State any seasonal variations (please read guidance note 4) |
|--|-------|--------|--|
| Day | Start | Finish | |
| Mon | 07:00 | 11:00 | Not Applicable |
| Tue | 07:00 | 11:00 | |
| Wed | 07:00 | 11:00 | |
| Thur | 07:00 | 11:00 | |
| Fri | 07:00 | 00:00 | |
| Sat | 07:00 | 00:00 | |
| Sun | 07:00 | 11:00 | |
| | | | |
| | | | <p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>Not Applicable</p> |

Our mission statement will be to provide an effective and friendly service to the local people of Wiltshire. The off-licence will be a place where local people can purchase their everyday groceries conveniently and at competitive prices. The business will aim to promote the four licencing objectives whilst carrying out its business activities.

The Prevention of Crime and Disorder

There will be CCTV cameras placed on the shop floor in order to help prevent crime and disorder. This includes a CCTV placed outside the shop front. Staff will be trained accordingly and will serve customers politely and courteously. Staff will also be trained to deal with difficult customers and hostile customers amicably and rationally.

Public Safety

As stated above there will be CCTV security cameras located around the shop floor and shop front in order to help promote public safety.

The prevention of public nuisance

As stated above the business will look to record any occurrence of nuisance, crime and public disorder and will aim to help the local police with all enquiries they may have. Any occurrence of public disorder and nuisance will be reported to the Police immediately. The business will also look to promote the prevention of public nuisance by placing promotional banners on the shop front and train staff accordingly.

The protection of children from harm.

The sale of alcohol will strictly not be sold to any person under the age of 18 (in accordance with the Children and Young Person's Act 1933 and all other relevant legislation). Staff will be trained in respect of the sale of alcohol and strict ID verification procedures will be put in place. The minimum age for drinking will be displayed on the shop floor. The business will look to minimise and protect children from harm in every way possible.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

| | |
|-----------|------------------|
| Signature | Fortis Rose Sol. |
| Date | 31 May 2012 |
| Capacity | Solicitors |

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

| | |
|-----------|-----|
| Signature | N/A |
| Date | |
| Capacity | |

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Buket Yilmaz
Fortis Rose Solicitors
79 Fore Street

| | | | |
|---------------------------|---------------|-----------|---------|
| Post town | London | Post code | NIQ 2TW |
| Telephone number (if any) | 020 3500 0050 | | |

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
buket@fortisrose.co.uk

and any premises licence to be granted or varied in respect of this application made by

Mr Engin kale
[name of applicant]

concerning the supply of alcohol at
16 Winchester Street +/a
Salisbury
SP1 1HB

[name and address of premises to which application relates]

I also confirm that I ~~am applying for, intend to apply for or~~ currently hold a personal licence, details of which I set out below.

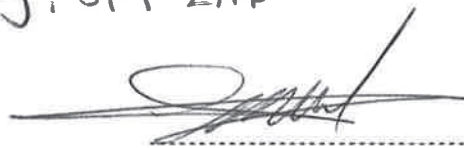
Personal licence number

PER1163
[insert personal licence number, if any]

Personal licence issuing authority

Wiltshire Council
[insert name and address and telephone number of personal licence issuing authority, if any]
The Licensing officer Tel: 0845 0568035
Wiltshire Council
27/29 Milford Street
Salisbury, SP1 2AP

Signed



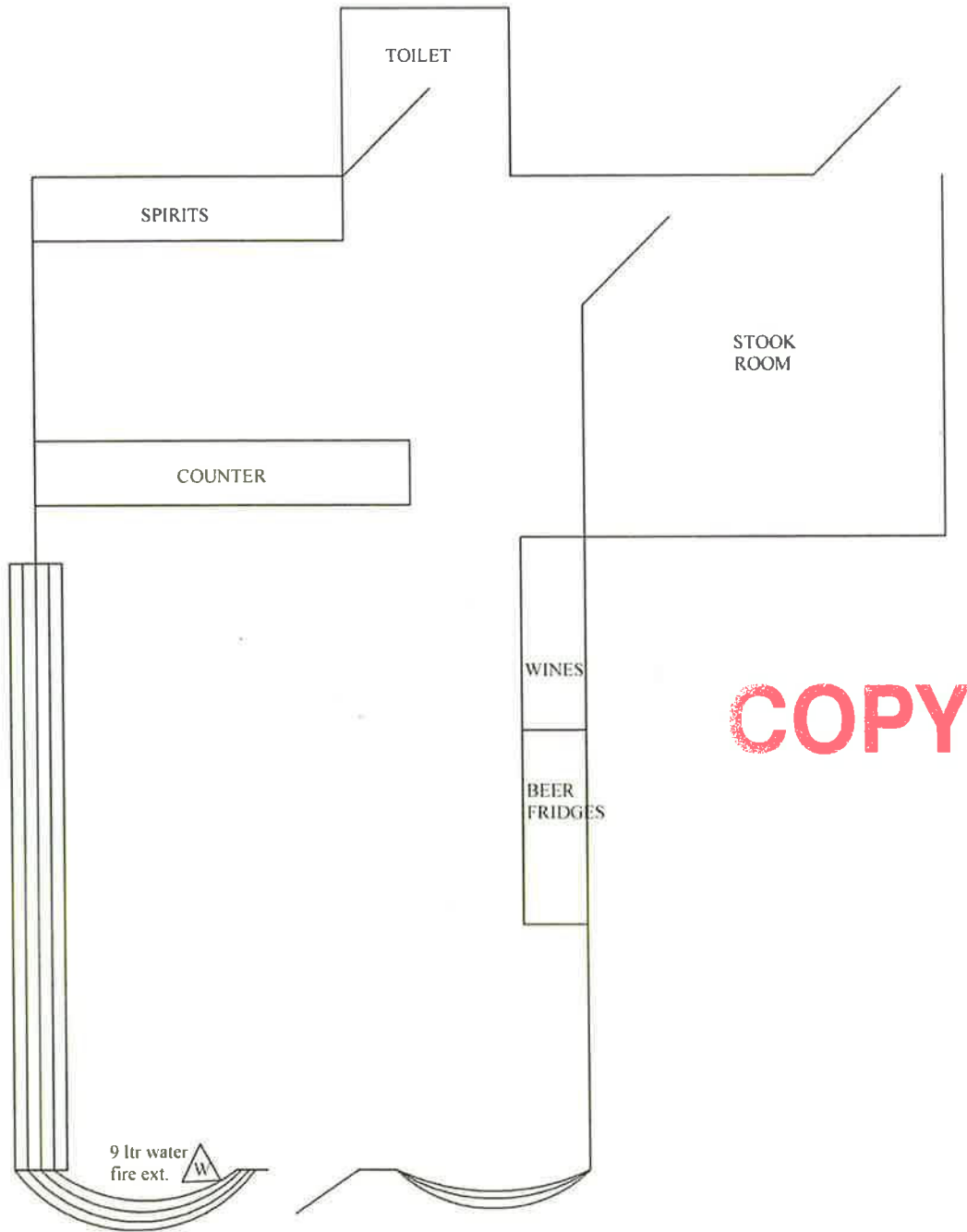
Name (please print)

Engin KALE

Date

31 MAY 2012

16 WINCHESTER STREET, SALISBURY SP1 1HB



Dorset Licensing

Prepared for:

Application for grant of Premises Licence

Scale 1:100

0 1m 2m 3m 4m 5m

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| ACK'D _____ | REPLIED _____ |

18/06/2012

Dear Sir/Madam,

**Re: Application under the Licensing Act 2003 for a New Premises Licence at:
16 Winchester Street, Salisbury, SP1 1HB**

I am writing to you regarding the above application.

In my opinion, our community does not need another shop that sells alcohol until late night. These shops attract nothing but drunken people who are after purchasing more alcohol to become even more uncontrollable. Unfortunately, higher the alcohol level is, more severe the damage on our community.

In addition, it becomes quite noisy and unsafe in our streets when these people are out there consuming alcohol, vandalising our premises and terrorising our neighbourhood.

I hope that some of your committee members are currently living within the same area as I do and would take my concerns seriously not to issue any license to anyone for selling alcohol in my neighbourhood.

Yours faithfully,



58 Winchester Street
Salisbury
Wiltshire

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Yours faithfully,



19 Graham House
Culver St.
Salisbury

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Yours faithfully,



10 New Canal
Salisbury

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Yours faithfully,



18 Catherine St
Salisbury.
SP1 2PA

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Yours faithfully,



ISA BROWN JT.
SALISBURY
SP1 1HE

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Yours faithfully,

MR N JONES 10 IVY STREET SALISBURY SP1 2AY 

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I hope that some of your committee members are currently living within the same area as I do and would take my concerns seriously not to issue any license to anyone for selling alcohol in my neighbourhood.

Yours faithfully,



RSAFC
12 GREENCROFT ST.
SALISBURY
SP1 1JE

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Yours faithfully,



2/8 Catherine Street
Salisbury

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Yours faithfully,



'Cambridge Wine Merchants'

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Yours faithfully,



35 WINCHESTER ST
shop & flat

SP1 1HG

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MARTIN Mcoll
34 Blue Bour Row
SALISBURY



18/06/2012

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**Re: Application under the Licensing Act 2003 for a New Premises Licence at:
16 Winchester Street, Salisbury, SP1 1HB**

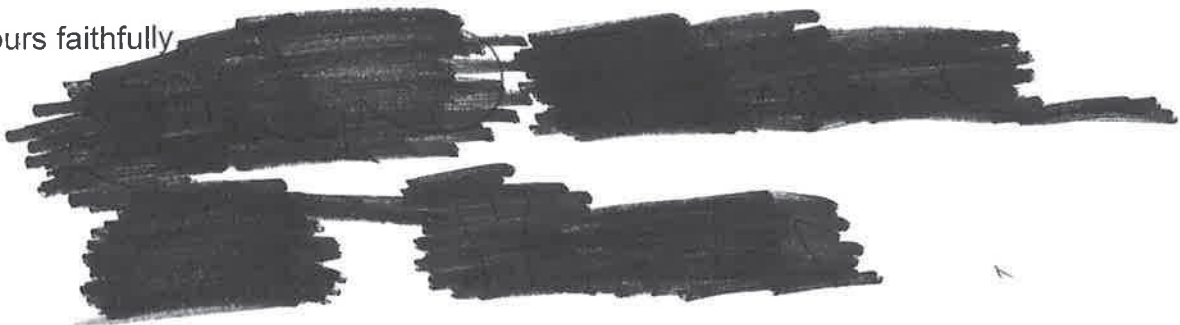
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Yours faithfully,


/maxina (not)
SALISBURY
WILTSHIRE

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18/06/2012

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Yours faithfully,



9 Gables house

Black Gables way

Salisbury

Wiltshire

SP1 2HB



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Yours faithfully,



R ASH

Flat 3
CITOTLAND FLATS
FAIRVIEW RD
SALISBURY

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Yours faithfully,



8 St Ursula's Close
Bishopdown
Salisbury
Wiltshire
SP1 3FY

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Yours faithfully,


CELINE PHIPPS
91A FESTIVAL AVENUE
SALISBURY
SP2 9HE

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Yours faithfully,



Natasha Pratt
221 gainsborough close.
Salisbury,
SP2 9HD

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Yours faithfully,


23 MANSFIELD RD
FORD
SALISBURY
SP4 6DE


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Yours faithfully,

CHARLES NATION



108

WESTWOOD R

SALISBURY

SP2 9HR.

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Yours faithfully,



4 Castle Well Mews
OLD SWAN
SALISBURY
WILTS
SP4 1FE

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Yours faithfully,



Dorset House,
Coombe Bissett,
SP5 4LH.

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Yours faithfully,



(Maisie Andrews)

20 Tidworth Road,
Porton,
Salisbury,
SP4 0NQ

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MJEMM

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Yours faithfully,



Victoria Circir
130 Randalls Croft Road
Wilton
Salisbury Wilts
SP2 0EX

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Yours faithfully,



LUKE LEATHERDALE, 50 MILFORD ST SALISBURY
SP1 2BA

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SUZI LINGE
FLAT 6
113 EXETER STREET
SALISBURY
SP1 2SF.

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Yours faithfully,


40 Big Topdown road
Salisbury SP1 3D3
[Signature]

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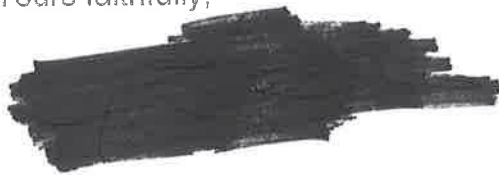
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Yours faithfully,



CHANTELLE STEFAN .

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Yours faithfully



17 Hillier Rd
Salisbury
Wiltshire
SP1 1HX

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Yours faithfully,



30 MILFORD STREET

SP1 2AP

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Yours faithfully,



D. HARROCK
30 Milford Street
SL1 2AP

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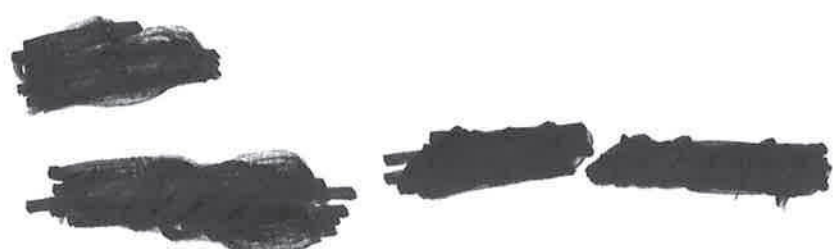
Yours faithfully,

Ms L. Shields
44 Glaston Dury House

FRANK

SALISBURY

SP1 2HA



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Yours faithfully,


(N. WILKINS-SMALL)

42 Bishopdown Road,
SP1 3DS.

Mulvey, Debbie

From: [REDACTED]
Sent: 21 June 2012 14:34
To: [REDACTED]
Subject: FW: Wiltshire Council | Enquiry form

Debbie Mulvey
Senior Licensing Officer
Licensing Team South
Public Protection
Wiltshire Council
Bourne Hill
Salisbury
SP1 3UZ

tel: 01722 434234

internal:54234

fax: 01722 434643

email: <<mailto:licensingouth@wiltshire.gov.uk>>

web: www.wiltshire.gov.uk

From: PublicprotectionSouth
Sent: 21 June 2012 09:56
To: LicensingSouth
Subject: FW: Wiltshire Council | Enquiry form

From: [REDACTED]
Sent: 20 June 2012 23:39
To: PublicprotectionSouth
Subject: Wiltshire Council | Enquiry form

Wiltshire Council | Enquiry form

The following data was entered on 20/06/2012 at 23:38 from 192.168.19.2 (192.168.19.2)

Please enter your first name

Ashley

Please enter your last name

Pearce

Your email address


Please enter your post code

SP1 1ER

Please choose your address

22 Three Cuppes Lane, Salisbury, Wiltshire. SP1 1ER

Please enter your telephone number

no input

Type of enquiry

Licensing

Your enquiry:

16 Winchester Street proposed new off licence. I understand that there are plans for a new off licence/shop opening opposite Macdonalds on Winchester street. I would like to make note my objections to such a business being opened. For one it would encourage the wrong sort of people to this area of the town, not alone the bus station, would become a particular hangout for drinking and other such anti social behaviour. We also have the John Baker house, which caters for those less fortunate, the homeless, some of who have issues with drinking. I believe this alone would warrent it not being a good idea and would add severe temptation to those individuals. I thank yo for the time to read this and hope that it is passed to the correct individuals within our council. Yours Kindly Ashley Pearce

Please read our privacy agreement

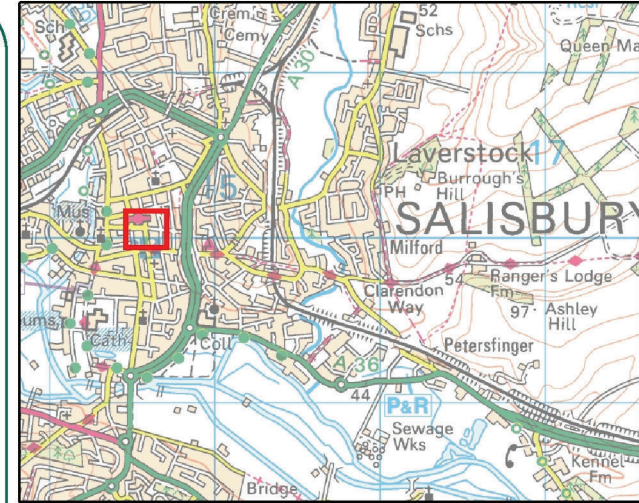
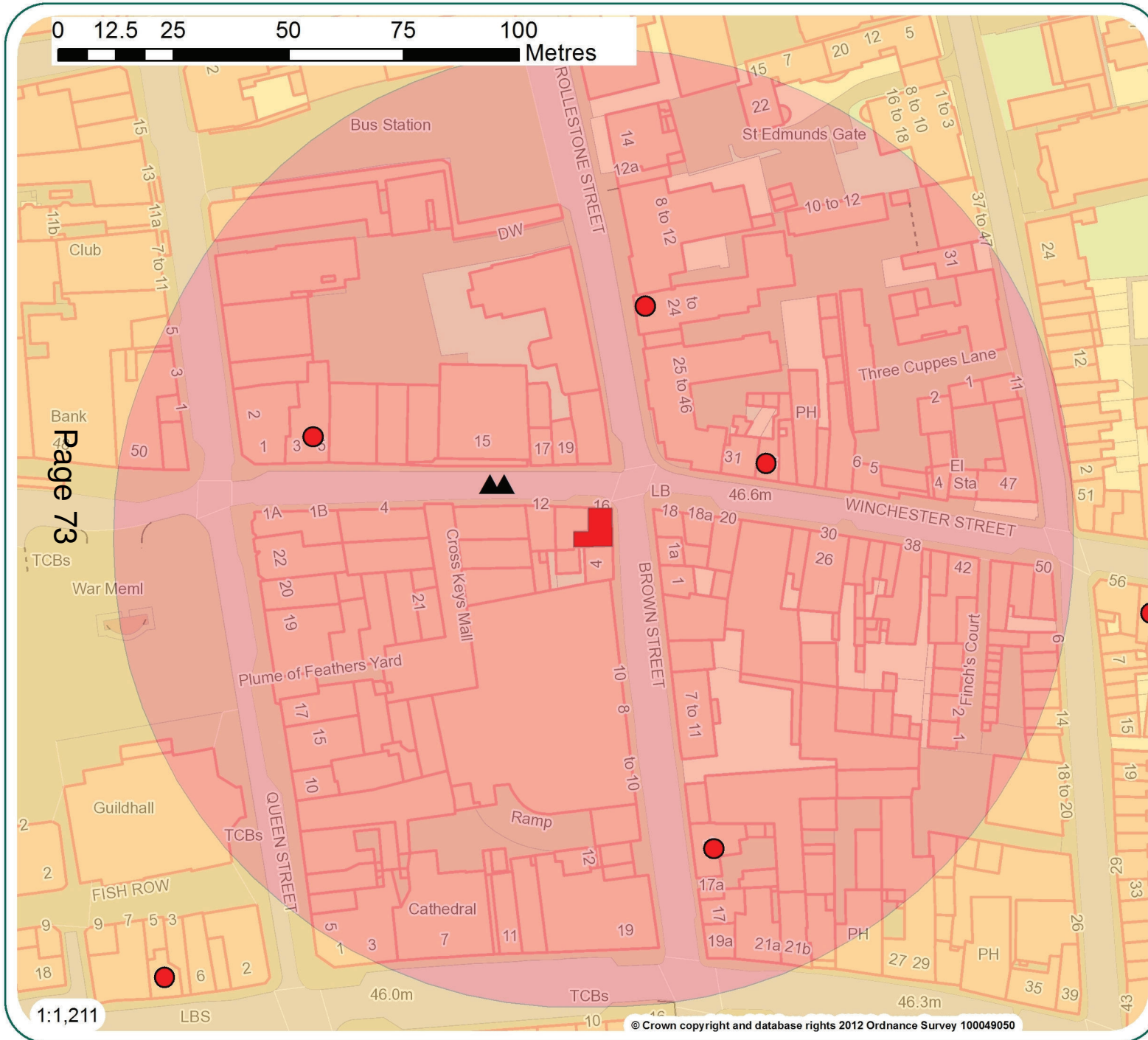
Yes



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16 Winchester Street premises hearing Ref LN/032988

Showing representations and distance from site



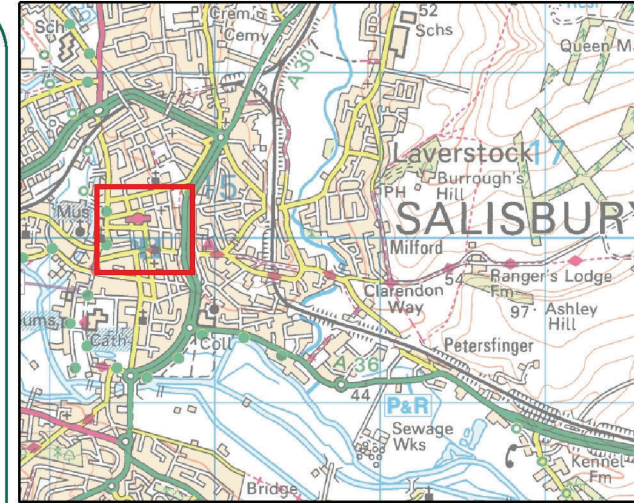
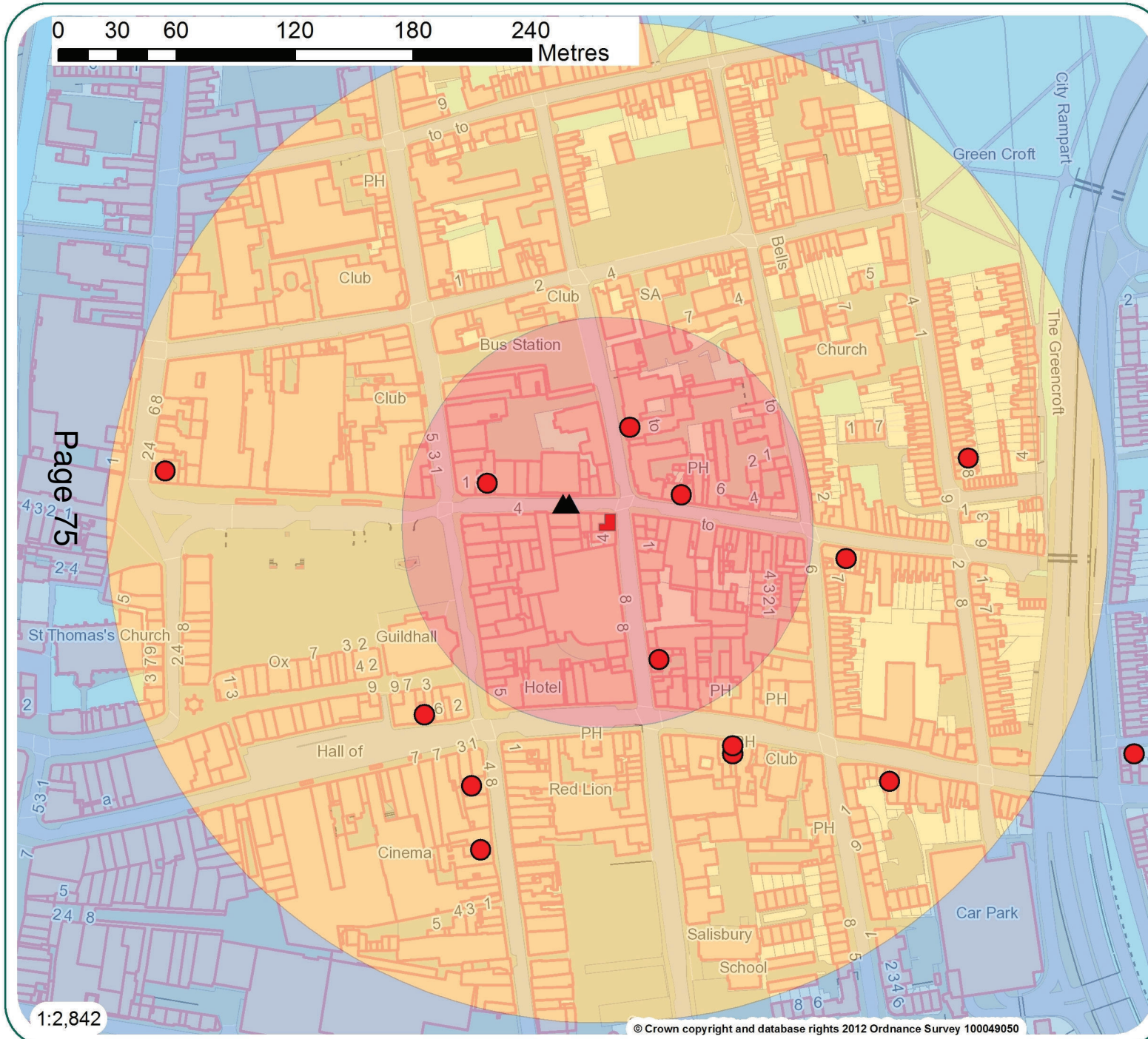
- 16 Winchester Street
 - Representations with address
 - No Address Given
- Distance from Site (m)**
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16 Winchester Street premises hearing Ref LN/032988

Showing representations and distance from site



- 16 Winchester Street
 - Representations with address
 - No Address Given
- Distance from Site (m)**
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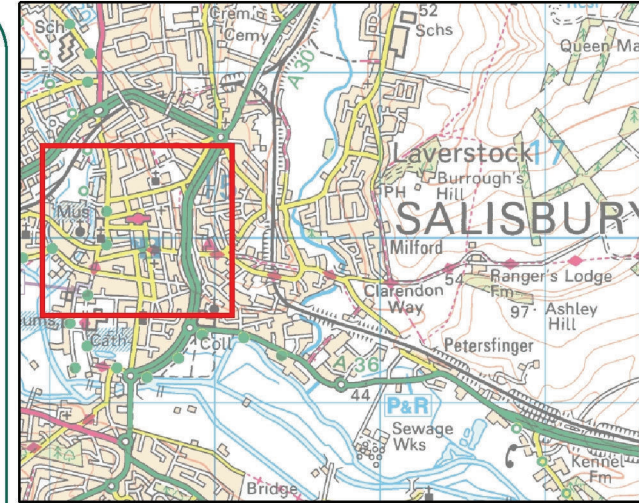
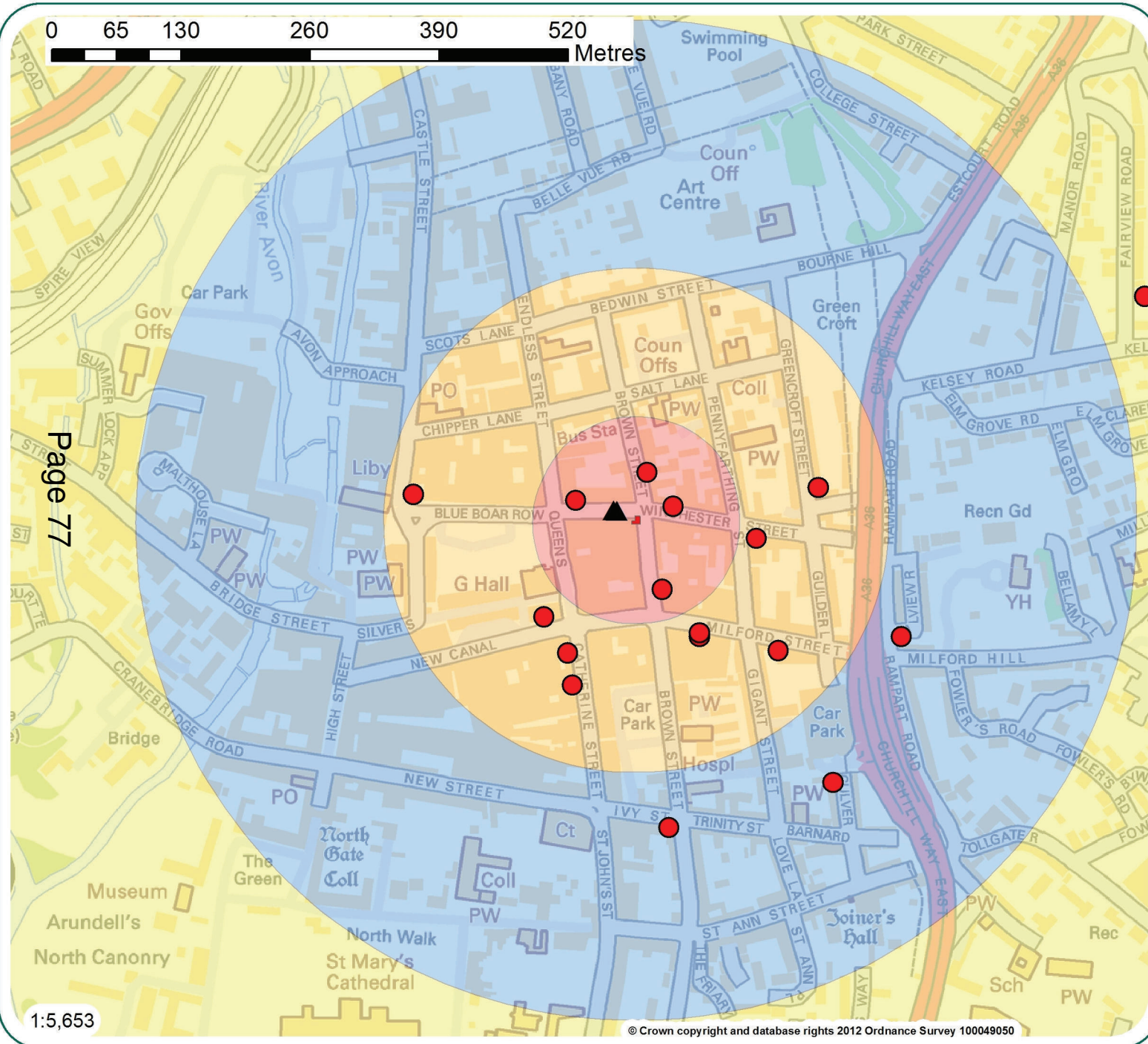
Page 75



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16 Winchester Street premises hearing Ref LN/032988

Showing representations and distance from site

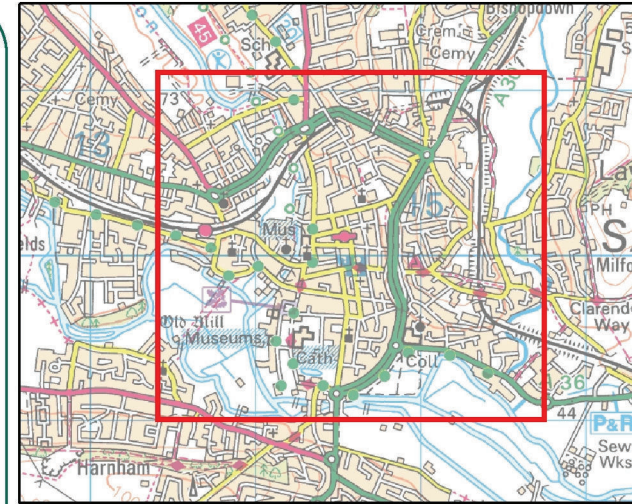
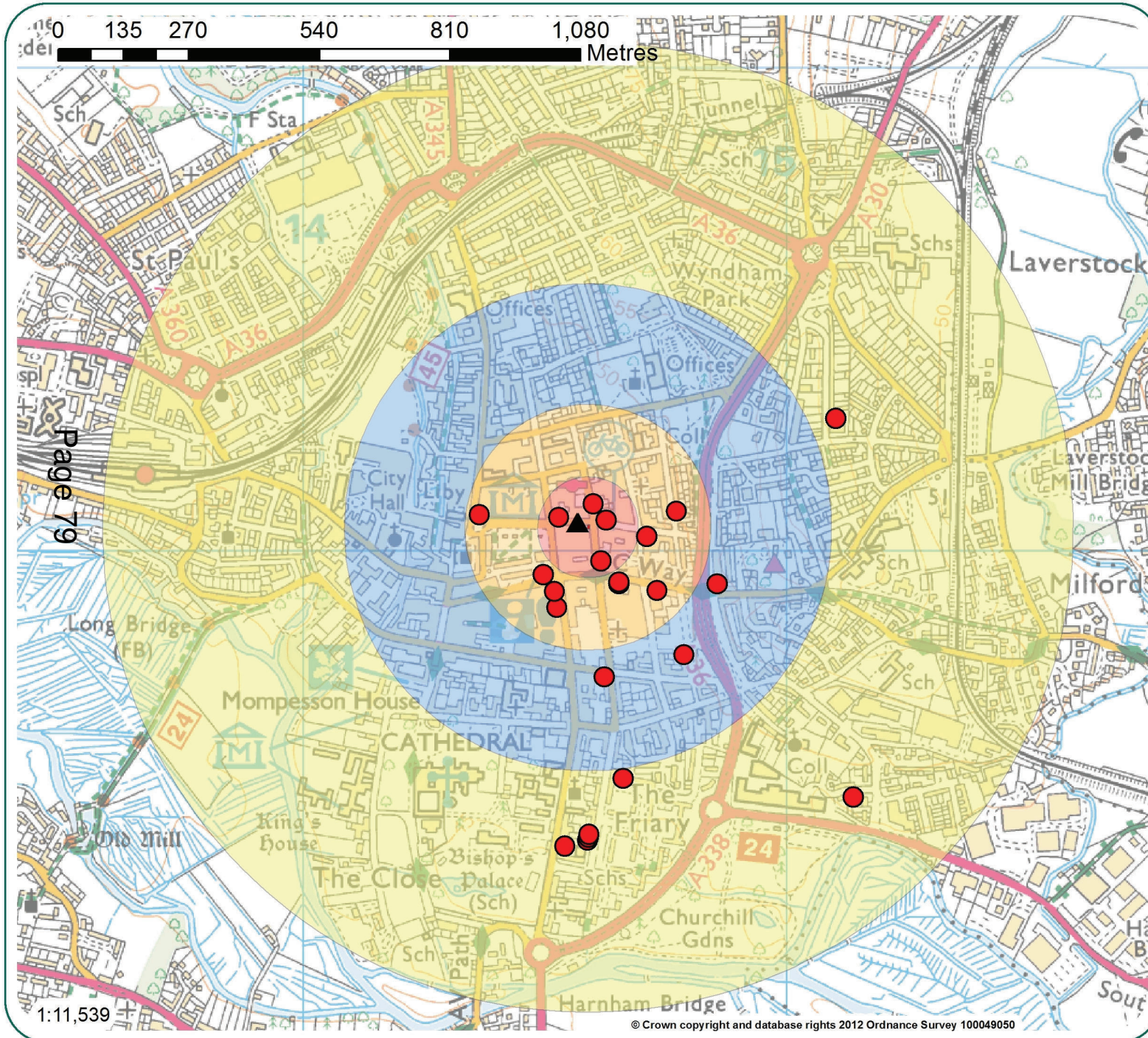


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16 Winchester Street premises hearing Ref LN/032988
Showing representations and distance from site



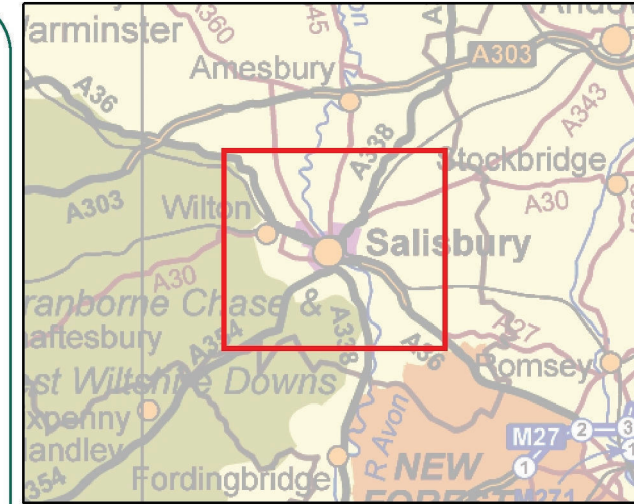
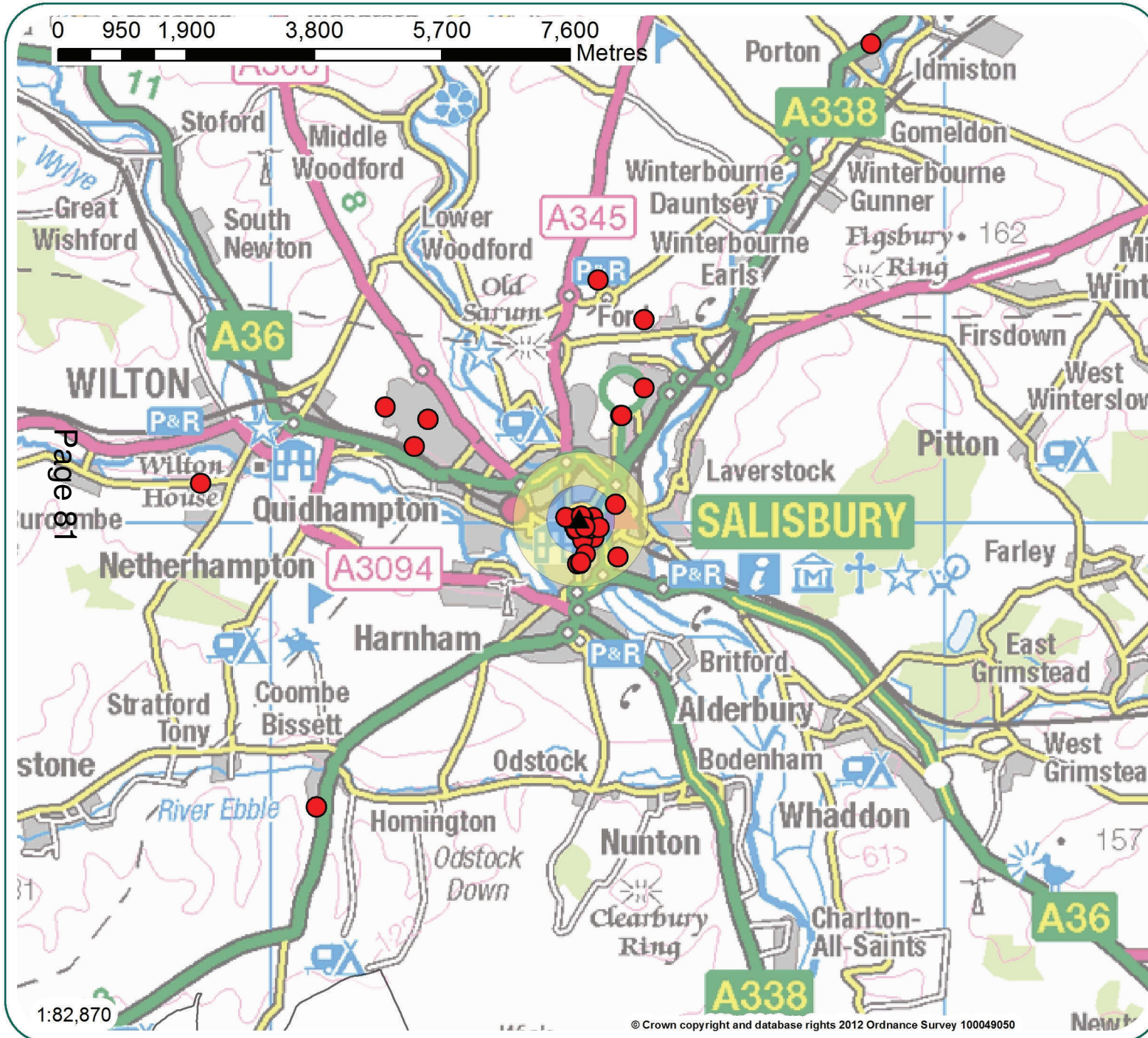
- 16 Winchester Street
 - Representations with address
 - No Address Given
- Distance from Site (m)**
- 100
 - 250
 - 500
 - 1000



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16 Winchester Street premises hearing Ref LN/032988

Showing representations and distance from site



- 16 Winchester Street
 - Representations with address
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