01661-223097 the Sycationes. To EHL Section 1 Abbots Garden Wills bolout IER KIS Malnesburg. 7 June 2010

ABBEY HOUSE LICENCE APPLICATION

Dear Sir.

as owners of the above property we wish to object to Barbona Pollands application to extend the opening homs for functions until 1.0 am on Friday and Saturday also Sunday When requested. We live only gards from Abbey House and teel that the noise from Such a schene would be intrusive. In the summer when windows are open at night we could suffer from sleep deprivation. Noise echoss avoud this area.

1) Intal (5MD)BB/MICHAEL

ENT

Tel: 01666 829552



St. Michael's House, Market Cross, Malmesbury, Wiltshire. SN16 9AS.

1st June 2010.

Dear Sir/ Madam,

We write with regard to Mrs Barbara Pollard's application for a Premises Licence and extension of opening hours to 1.00am, for The Abbey House, Market Cross, Malmesbury.

We have lived in Market Cross for seven years and have, so far, not had a problem with functions at the Abbey House. Although there seems to have been a lot more of late, they finish at around 11.00pm, which is a civilized time for the music to stop and people to leave. We imagine that the Hosts of these events supply their own alcohol for these functions.

However, things are bound to change if these two applications are granted.

With an extra two hours of drinking time and a never ending supply of alcohol from the bar, they will attract a totally different type of party giver/goer, who at the moment would be put off from holding a function there, due to a lack of late night drinking and dancing and having to supply all alcohol.

The gardens are surrounded by residential properties and our house is very near the main gate. The thought of the noise going on until around 1.00am, and Taxis arriving, doors banging and loud, drunken behaviour is intolerable.

We already have a big problem with a section of the local youth, who vandalize and create mayhem on the weekends. The Police do their best to sort them out and they, and we, certainly do not need any more disturbance. We imagine that if there was loud music and a party atmosphere coming from the Abbey House it would attract this element to gather in the Cloister Gardens adjacent [one of their 'hang outs'] after the pubs have shut. The noise and vandalism when they are there is horrendous.

The Residents of this area pay a high rate of Council Tax for, and I quote from the Band Assessor, 'The privilege of living in such a nice area'. In reality, we put up with a great deal of anti social behaviour, vomit and urine outside our properties and the constant worry of our windows being broken and cars damaged.

It is for these reasons that we strongly object to the application of the Premises Licence and extension of opening hours to 1.00am.

Your Faithfully.

Stephen and Sara Davies.



REPRESENTATION FORM

This form must be returned within the statutory period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Section to confirm this date.

In the Licensing Act 2003, the term 'vicinity' is used with particular reference to those 'interested parties' who may lodge Representations to applications for Premises Licences and who may make Representations concerning existing Premises Licences. Although the Act does not define the term 'vicinity' it does define the term an 'interested party' as 'a person living in the vicinity, a body representing persons living in the vicinity, a person involved in a business in the vicinity, a body representing those persons' or a member of the relevant Licensing Authority (ie, elected Councillor).

Premises about which	B P C L L S A		
Representation is being made	ABBEY HOUSE, MAINE	3 Buny, L	11175
Your Name	I SANAH LOSTER / MI	y)	
Postal Address	2 STABLE PLATS, ABB MANKET CROSS, MA LILTS SN 16 9 AS	PEY HOVE MISSUR	δ <i>Ē,</i>
Contact Telephone Number	01666-822166		
· · · · · · · · · · · · · · · · · · ·	siness in the vicinity? ents or businesses in the vicinity? censing Authority (ie, elected Councillor of the	Yes	No
have asked you to represent them	' //		

Your Representation must relate to one of the four Licensing Objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your Representation. If necessary, separate sheets may be used.

OBJECTIVES	EVIDENCE
1. The prevention of harm to children	N/A.
2. To prevent public nuisance	NOISE OF HUSIC LATE AT NIGHT.AT WIENDS.

OBJECTIVES	EVIDENCE	
3. To prevent crime and disorder	PROVISION LATE AT	OF ALCOHOL- NIGHT.
4. Public Safety	N/A.	

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

NOTSE OF LOUD MUSIC AFTER

11/00 PM AT NIGHT DURING

WERKENDS, AND ALSO SALE OF

ALCOHOL AFTER 11/00 PM. THIS

IS A RELIDENTIAL AREA WITH MAMY

PEOPLE LIVING NEAR ABBEY HOUSE

WHO WILL (PSE SEE LETTER MOTORE

If a hearing needs to be held to determine the Premises Licence Application, the Councillors will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

All Representations in their entirety, including your name and address, will be disclosed to the Premises Licence applicant.

Signature 0 and 10 hoster Date 4/6/2010

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

Chippenham: Devizes:

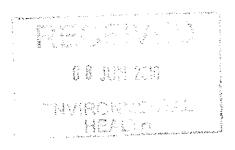
Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER Wiltshire Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT

Salisbury:

Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP

Trowbridge:

Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD



2 Stable Flats, Abbey House, Market Cross, Malmesbury, Wilts SN 16 9AS.

4th June 2010.

To: The Licencing Officer, Wiltshire Council, Monkton Park, Chippenham, Wilts SN15 1ER.

Attention: Karen Smith or Linda Holland.

Dear Sir.

Re: Licence Application in relation to Abbey House Gardens, Malmesbury.

Please refer to the application for Premises Licence Approval under Section 1 and 14 of the Licencing Act 2003 and Schedules 1 and 2 of the 2003 Act, For Mr. and Mrs. Pollard, of Abbey House, Malmesbury, Wilts.

I understand that Mr. and Mrs. Pollard have applied for a licence for an extension of hours to sell alcohol and to have music up to 1.00 am on Fridays, Saturdays and Sundays at their premises.

I live in the Stable block of flats of Abbey House, overlooking the gardens, right opposite the house. So, all the occupants of the four flats there will be very disturbed by the extension to 1.00 am, for both music and sale of alcohol, if this permission is granted. This will definitely bring more noise level than we already get from the 11.00 p.m. licence. I also understand that the licence to serve alcohol beyond 11.00 p.m. has also been applied for to 1.00 am. All the residents of the flats are agreed that this extension of hours to 1.00 am for weddings and other functions of this nature, is not acceptable to us especially as we live so nearby.

I should also like to point out that the residents of these flats are already quite disturbed by music and other noise in association with the Abbey House gardens up to 11.00 p.m. on certain days, so this extension of hours to 1.00 am on Fridays, Saturdays and Sundays will be an added inconvenience.

I notice from the application that it says "Recorded music playing at the weekends will take place indoors after 23.00 hours". Whereabouts inside will this music be played? Presumably, in the café area, and, if so, is this café area properly sound-proofed to acceptable official standards? Surely, this should be an absolute necessity if there is to be loud music playing until 1.00 am. This should be ascertained by the Licencing Officer.

The Abbey House gardens are in a central position in Malmesbury, and while they add to the tourist attractions of the town, they are also in a conservation area. The many occupants of the residences adjacent to Abbey House are already quite inconvenienced by the volume of noise from the various functions held at Abbey House. Also, we all get a lot of noise from the gardens behind the Abbey itself on Friday and Saturday nights when young people gather there to drink, and are often very noisy. So, this extra volume of noise from Abbey House will exacerbate the situation at the weekends.

This area is supposed to be a reasonably quiet, residential neighbourhood, as there are many residents living within earshot of Abbey House, and the noise tends to reverberate round the whole area, especially in the summer months.

As regards the extension of hours for the sale of alcohol, I do not think this is appropriate up to 1.00 am either.

So, in the light of the above observations, we hope that this permission for the extension of hours at the weekends is not granted, and I know this view is shared by many of the neighbours in the vicinity of Abbey House, who will also be taking up this matter with the Council.

Please acknowledge receipt of this letter. Yours faithfully,

SF.

Mrs. S.E. Foster.

'.S.

Shall

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be away

noted 16th



REPRESENTATION FORM

This form must be returned within the statutory period, which is 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Section to confirm this date.

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Premises about which Representation is being made	ABBET MOUSE, MARKÉTOROSS, MALA	הלגפטפץ י	5016 GAS
Your Name	MICHAEL & ALISON LEWIS		
Postal Address	LATCH COTTACE OXFORD STRET MALMESBURY WILTSMIRE SNIG ABA	· · · · · · · · · · · · · · · · · · ·	***************
Contact Telephone Number	01666.822694		
Are you:		Yes	No
 A person who lives in the vicinity? A person who operates a business in the vicinity? 		V	
			X
A person representing residents or businesses in the vicinity?			ょ
Licensing Authority in White	Licensing Authority (ie, elected Councillor of the the premises is situated)?		X
If you are representing residents or businesses in the vicinity please list those residents or businesses who have asked you to represent them		**************************************	

Your Representation must relate to one of the four Licensing Objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your Representation. If necessary, separate sheets may be used.

OBJECTIVES	EVIDENCE
1. The prevention of harm to children	
2. To prevent public nuisance	AS DETRILES ON ATTACHED SHEETS

OBJECTIVES	EVIDENCE
3.	
To prevent crime and disorder	
4.	
Public Safety	
	<u> La companya di managana di m</u>

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

As betailed on Attaches sheets

If a hearing needs to be held to determine the Premises Licence Application, the Councillors will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

All Representations in their entirety, including your name and address, will be disclosed to the Premises Licence applicantly

Signature Michael Hisa Llins

Date 05.06.10

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

Chippenham: Devizes:

Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER Wiltshire Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT

Salisbury:

Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP

Trowbridge:

Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD

REPRESENTATION FORM additional sheet (See attached Representation Form)

Re: ABBEY HOUSE, MARKET CROSS, MALMESBURY SN16 9AS

From: Mr & Mrs M.D. Lewis, Latch Cottage, Oxford Street, Malmesbury, SN16 9BA

OBJECTIVES

2. To prevent public nuisance

We would like to oppose the application to offer late night food and drink for wedding celebrations when requested, which could run until **0100hrs**

We have lived in Latch Cottage for 38 years with a quiet, secluded garden situated 50m from the 'Belvedere' wing of Abbey House.

The applicant states that 'Abbey House is in the midst of 5 acres of garden, which sets the property apart from neighbouring residences' but makes no mention of those residential properties within 50 metres, (see enclosed map / satellite image)

When the nuns moved out of Abbey House, there was the possibility that the house would become a school; an earlier proposal had stated that the orchard could become a car park with suggested demolition of our home for access, so the development of the garden seemed a welcome alternative.

As we also spend time in our garden during the day, we have had to adjust to the increased level of daytime noise from the many visitors who come to the garden daily from March to October, between 1100 and 1700hrs. This noise consists of general conversation which is sometimes very loud and excitable.

When there are weddings / parties, some of which start mid afternoon, the noise of 150 people influenced by alcohol plus music (live or recorded) becomes very intrusive.

Not only does this noise interfere with the enjoyment of our garden but can also be heard inside the house, with our doors and windows closed

The drama events that have taken place at locations throughout the gardens were not considered excessively intrusive, and we were given warning that last year's production included 'gunfire'.

It is understood that the events finish at 2300, but often this is nearer 2330 and on one occasion recently did not finish until midnight.

The number of events held in the gardens has increased each year. We wrote to Barbara in June 2008 complaining about the noise. In her reply Barbara wrote 'we only agree with our couples to have music until 11 pm with guests leaving by 11.30 pm. which is no different to the former public house rules which I think most people found acceptable'. During that year we were only aware of 6 wedding events.

In 2009 there were 3 occasions that were noisy.

This year 2010 there have **already** been 8 events that have included very loud music. Saturday 17th April music heard inside the house, too chilly for us to be in garden. Friday, May 7th we

came home to loud music which did not stop until midnight. On Saturday, May 15th the party/music started at 3.30, we were out that evening so don't know when party finished. On Saturday, May 22nd the noisy party lasted until 11.30 pm.

The Bank Holiday w/e of May 28 – 30th, there were events on 3 consecutive nights:

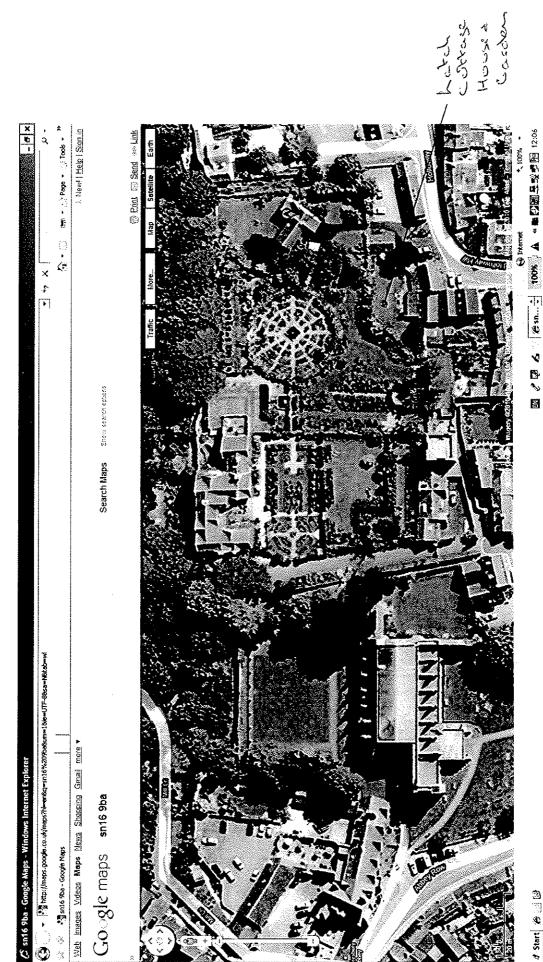
- Friday: music
- Saturday: no music but a noticeably higher level of conversational noise which seemed to be closer than usual over our garden wall
- Sunday: no music

As we are away or out when some events take place, we can only comment on those events which occur when we are at home.

Suggestions -

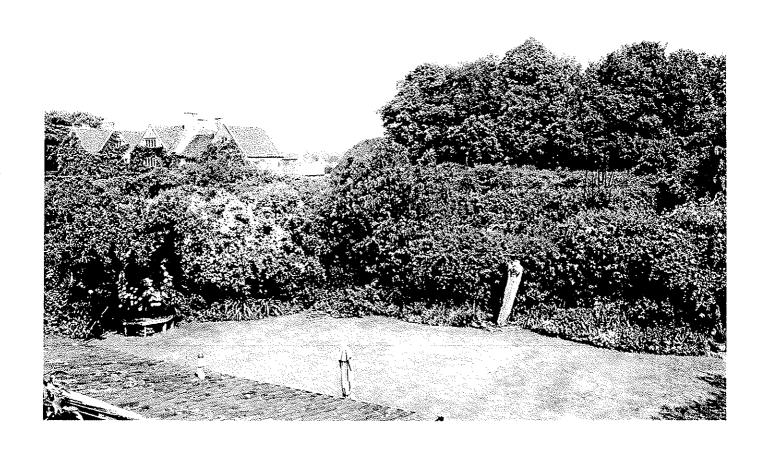
We feel that extending the licence time until 0100 hrs is totally unacceptable.

- All alcohol / food should be served in the house not in the grounds eg not in the suggested 'potential consumable area' on Abbey House plan, which is just over our garden wall.
- All party / wedding music (live or recorded) should only be in the house.
- Windows and doors on the garden side of the Belvedere should be closed after 1930.
- Music should stop at 2300 and all guests gone by 2330.
- The number of party/wedding events per year should be limited.
- The number of people wandering in garden at night should be limited.
- We note the formal appointment of a DPS and trust that the stated duties will be rigorously adhered to and be subject to appropriate monitoring by the licensing authority



d-Start @ □ 🕲





O J & C A Mumford St. Michael's Cottage Market Cross Malmesbury Wiltshire SN16 9AS



30th May 2010

Environmental Health Licensing Section Wiltshire Council Monkton Park Chippenham SN15 1ER



Dear Sirs

OBJECTION to Application Ref. 201003099

Extension of licensing hours for sale of alcohol at Abbey House, Malmesbury

We are supporters of Abbey House Gardens generally and accept the application of Mrs. Barbara Pollard in the terms of the notice at the main gate to the House for the sale of alcohol at functions up to 11.30 pm.

We <u>OBJECT</u> however to the application for this licence to be extended <u>to 1.00 am for functions over FRIDAYS</u>, <u>SATURDAYS</u> and <u>SUNDAYS</u> for the following reasons:

- 1. Abbey House sits in open grounds at the centre of a Residential Conservation Area, and all noise within the grounds transmits very readily to surrounding houses most particularly at night.
- 2. If alcohol is permitted to be served up to 1.00 am there will inevitably be considerable noise from guests leaving with cars and taxis coming and going, doors slamming etc. The prospect of this extending well into the early hours especially at the weekend when residents are entitled to expect some peace and quiet at least after midnight, is unreasonable and totally unacceptable.
- 3. In summary whilst we reluctantly accept an alcohol license up to 11.30 pm in support of Abbey House Gardens which brings benefits to the town we consider the proposed extension of licence to 1.00 am would add massively to the late night alcohol-related problems that already exist in the town centre and should be refused.

Yours faithfully

Owen Mumford

Chen Munfand.

Carvl Mumford

ACK LETTER SENT (KLS) 201003099 ME021VAN 89 JUN 2010

Environmental Health Licensing Section
Wiltshire Council
Monkton Park
Chippenham
SN15 1ER

Peter L Oura Two Abbot's Garden Malmesbury SN16 9HY

01666 823250

7th June 2010

Dear Sirs,

Ref: Barbara Pollard, Abbey House, Malmesbury

In the event of Barbara Pollard being granted a premises licence for Abbey House, I would object most strongly to the opening hours being extended to 1am on Friday, Saturday and Sunday. Such an extension would result in unacceptable levels of good neighbourly practice. Added to this fact any guests would automatically end up in the Market Cross and Oxford Street areas which are already well know trouble spots. Alternatively, use of the Station Car Park at such late hours would cause in every direction unacceptable levels of noise pollution.

Yours faithfully,

L+ Oura

RECEIVED

10 JUN 2010
20103099
ENVIRONMENTAL

From: P N Lindrea

The Old Brewery House Market Cross Malmesbury Wiltshire SN16 9AS

Tel. 01666 825609 Fax 01666 824089 E-mail: pnlindrea@btinternet.com

The Licensing Officer Wiltshire Council Monkton Park Chippenham Wiltshire SN15 1ER

10th June 2010

For the attention of Karen Smith/Linda Holland

Dear Sirs,

Re: Abbey House, Market Cross, Malmesbury
Licence application for Premises Licence Approval.
Licensing Act 2003. Representations.

We refer to the above mentioned licence application in respect of which we understand representations under the Act must be lodged by 16th June 2010. We attach a Representation Form together with two additional sheets which form an integral part of our representations.

We are an Interested Party and we object to the licence application as currently submitted for the reasons given on page 1 of the **additional sheets** to our Representation Form----see paragraph 2- "To prevent public nuisance" and paragraph 3- "To prevent crime and disorder". If the application was amended so that any licence was subject to strict adherence to the conditions set out under "Suggested Actions" on page 2 of our **additional sheets** it would reasonable to review our present objections.

Yours faithfully

MR P.N. Lindrea

REPRESENTATION FORM

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Premises about which Representation is being made	ABBEY HOUSE MARKET CROSP	٨	14LMES	BURY
Your Name	P. N. LINDREA			
Postal Address	THE OLD BREWERY HOUSE MARKET CROSS	<u> </u>		
	MALMETBURY WILTSHIR	رت کہ	N16 9.45	
Contact Telephone Number	01666 815609			
Are you:			Yes	No
A person who lives in the vicinity?				
A person who operates a business in the vicinity?				
A person representing residents or businesses in the vicinity?				
A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority in which the premises is situated)?				
If you are representing residents or businesses in the vicinity please list those residents or businesses who have asked you to represent them				

Your Representation must relate to one of the four Licensing Objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your Representation. If necessary, separate sheets may be used.

OBJECTIVES	EVIDENCE
1. The prevention of harm to children	AS PROPOSED BY APPLICANT
2. To prevent public nuisance	SEE ADDITIONAL SHEET ATTACHED UNDER PARA 2 AND UNDER 'SUCCESTED ACTIONS'

OBJECTIVES	EVIDENCE	
3. To prevent crime and disorder	S'EE ADDUTONAL SHEET ATTACHED UNDER PARA, 3 AND UNDER 'SUGGESTED ACTIONS'	
4. Public Safety	AS PROPOSED BY APPLICANT	

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

SEE ADDITIONAL SHEET UNDER "SUGGESTED ACTIONS!

If a hearing needs to be held to determine the Premises Licence Application, the Councillors will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

All Representations in their entirety, including your name and address, will be disclosed to the Premises Licence applicant.

Signature Myn Lenger

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Salisbury:

Wiltshire Council, 27/29 Milford Street, Salisbury, SP1 2AP

Trowbridge:

Wiltshire Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD



REPRESENTATION FORM. Additional sheets (See attached Representation Form)

Re: ABBEY HOUSE, MARKET CROSS, MALMESBURY, SN16 9AS

From: P.N.Lindrea, The Old Brewery House, Market Cross, Malmesbury SN16 9AS

OBJECTIVES

2. To prevent public nuisance.

Malmesbury town centre, very close to our property and Abbey House, is already plagued by late night public order disturbances, which occur in cycles, very largely associated with the two licensed premises in Oxford Street. Drunken and anti-social behaviour is manifested in shouting, foul and abusive language, vomiting and urinating—including on our property- and vandalism. We can provide crime reference numbers for at least 10 incidents of vandalism to our property alone over the last five years. I would add to this the number of telephone calls we have made to the management at The Guildhall, Oxford Street asking them to turn down unacceptably loud music late in the evening.

Two weeks ago on the first evening it was possible to sit in the garden from a weather perspective we were disturbed by the music from Abbey House gardens. We should have complained but having established from someone we took to be a guest that "it's just a wedding "we gave up and went inside.

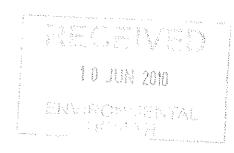
Unlike the peace the immediate neighbourhood properties enjoyed twenty years ago when the nuns were in residence at Abbey House we realise that Abbey House and the gardens are now fully commercialised and obviously lend themselves to a venue for events of the type described in the licence application. We are not seeking to reverse current circumstances but we have no doubt that the granting of a licence on the basis sought will simply exacerbate the nuisance to which those living in the immediate vicinity (a "class" of Malmesbury residents as defined in Halsbury in relation to "Public Nuisance") are already subjected in varying different forms and to varying different degrees.

See also "Suggested Actions" below

3. To prevent crime and disorder

In addition to the applicant's proposed Objectives/ Conditions the sponsors/organisers/clients of Abbey House for any event where alcohol is supplied/served should be requested to undertake that any guests ejected from Abbey

Myri Ludy



REPRESENTATION FORM. Additional sheets (See attached Representation Form)

RE: ABBEY HOUSE, MARKET CROSS, MALMESBURY SN16 9AS

From: P.N. Lindrea ,The Old Brewery House, Market Cross , Malmesbury SN16 9AS

House should be seen into transport to take them away from Malmesbury/to their home(s); otherwise it simply falls on the immediate neighbourhood to bear the brunt of ejectees' behaviour. Ultimate responsibility for seeing this happens must rest with the applicant.

See also "Suggested Actions" below

SUGGESTED ACTIONS

In our submission if a licence is to be granted the following conditions should apply (and it follows therefore that we propose the applicant amend the application accordingly):-

- A. That any event, including but not limited to weddings, the playing of live or recorded music, plays and dancing should finish at 23.00hours.
- B. That the supply of alcohol and the provision of evening refreshments should accordingly finish shortly before 23.00hours.
- C. That the playing of any music, whether live or recorded, and whether inside or outside, should be such that it is at an acceptable decibel level to avoid nuisance to neighbouring properties and any music, whether live or recorded, played after 19.30 hours, shall only be played inside, and at a level which prevents it being heard in any adjacent property including the gardens of those adjacent properties.
- D That the finishing time limitations in paras A. and B. above should apply to any day of the year for any event and NO exception should be made for Fridays, Saturdays or Sundays.
- E. That the number of major functions (say over 25 attendees) should be limited to a reasonable number in any 12 month period (say 15) with no more than say one per month in the period 1st April to 30th September.

10.06.10

Phys Links