

**Swindon Borough Council  
Licensing Act 2003 – Licensing Panel**

**NOTICE OF HEARING**

**Date of Hearing:** Tuesday, 4 October 2016

**Place of Hearing:** Committee Room 1, Civic Offices

**Time of Hearing:** 11.30 a.m.

**Panel Members:**

Conservative Councillors

Alan Bishop  
Maureen Penny  
Vera Tomlinson

**Committee Officer:** Shaun Banks (Telephone 01793 463606)

Email: email: sbanks@swindon.gov.uk

Address: Swindon Borough Council, Civic Offices, Euclid Street, Swindon SN1 2JH

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**AGENDA**

- 1. Appointment of Chair**
- 2. Apologies for Absence**
- 3. Declarations of Interest**  
Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.
- 4. Application for the grant of a Premises Licence in respect of Moredon Off Licence, 275 Whitworth Road, Moredon, Swindon, SN2 3BU together with a copy of each relevant representation made and supporting documents**  
(Pages 7 - 56)

**Date of Despatch:** 19 September 2016

**Access Arrangements** – The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

## **INFORMATION TO ACCOMPANY NOTICE OF HEARING**

### Action following receipt of Notice of Hearing:

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A party shall give to the Licensing Panel within the period of time provided for in the following provisions of this regulation a notice (in the form attached) stating: -

- Whether he intends to attend or be represented at the hearing.
- Whether he considers a hearing to be unnecessary.
- In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request.

### The following notice periods apply:

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No later than one working day in respect of:

- Cancellation of interim authority notice following police objection, or
- Counter notice following police objection to temporary event notice.

No later than two working days before the first day of hearing:

- Review of premises licence following closure order or review of premises licence following review notice;
- Determination of application for conversion of existing licence;
- Determination of application for conversion of existing club certificate; or
- Determination of application by holder of justices' licence for grant of personal licence.

In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

### Right of attendance, assistance and representation:

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A party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

The hearing will take place in public. However the Licensing Panel may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. For these purposes a party and any person assisting or representing a party may be treated as a member of the public.

The Licensing Panel may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may:

- refuse to permit that person to return, or
- permit him to return only on such conditions as the authority may specify.

Any such person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.

#### Representations and Supporting Information:

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At the hearing a party shall be entitled to:

- Give further information as appropriate in response to a point upon which the Licensing Panel has given notice that clarification is required (Note – if clarification is required from any party this will have been indicated in the Notice of Hearing);
- If given permission by the Licensing Panel, question any other party; and
- Address the authority.
- Failure of Parties to attend the Hearing

If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.

If a party who has not so indicated fails to attend or be represented at a hearing the authority may: -

- Where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
- Hold the hearing in the party's absence.
- Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
- Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned

#### Procedure:

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A summary of the procedure that will normally be followed at the hearing is attached.

It should be noted that this is a general procedure intended to cover matters that will normally be applicable at all Hearings. However depending on the circumstances of each individual case, it is recognised that other issues may need to be considered as preliminary points at the hearing. These may include (but are not limited to): -

- Whether to proceed in the absence of a party;
- Whether to admit new documents or information submitted at the hearing;
- Whether it is in the public interest to exclude members of the public from the hearing or any part of it;

- Whether any party wished to withdraw representations previously submitted
- Whether to disregard any information given by a party or any person to whom permission to appear at the hearing is given by the authority which is not relevant to:
  - Their application, representations or notice (as applicable) or in the case of another person, the application representations or notice of the party requesting their appearance, and
  - The promotion of the licensing objectives



**Standard procedure for licensing committee or licensing panel hearings, where representations have been made**

- 1) The general facts of the application will be put to the hearing by an officer of the Licensing Authority.**
- 2) Ward Members who wish to speak on behalf of constituents who have expressed opposition to the application or aspects of the application will be invited to speak. Written notification of those representations must be submitted within the required period of notice.**
- 3) Where individuals or organisations have given the required notice that they wish to make relevant representations, they will be invited one at a time to clarify and support (but not add to) their written submissions. Representations will be heard only from those who have submitted an objection in writing before the deadline given for comments. This restriction applies equally to Members and Officers of the Council.**
- 4) Members of the Licensing Committee (or Panel) may ask questions arising from each representation, as may any other Member of Swindon Borough Council who is present. The applicant will not be allowed to comment or reply at this stage but may ask those making representations to give a brief clarification of any point they have made.**
- 5) Ward Members who wish to speak on behalf of constituents who have expressed a positive case in favour of the application will be invited to speak. Written notification of the positive representation must have been submitted within the required period of notice.**

- 6) The applicant and / or their solicitor or representative will be invited to make representations in support of the application and also to respond to points made by those who have made representations on the application in writing or in person. No unreasonable limits will be placed on the right of the applicant to make their case and they may present plans or artists impressions etc. if they wish.**
- 7) Members of the Licensing Committee (or Panel) may ask questions arising from the applicant's submission, as may any other Member of Swindon Borough Council who is present.**
- 8) Those who have made representations will be allowed to ask the applicant to give a brief clarification of any point they have made and they will be permitted to ask questions of the applicant. They will not be permitted to restate or develop their original representations and must limit their comments to issues that arise directly from answers given by the applicant or the applicant's representative.**
- 9) Members of the Committee or Panel hearing the application will then discuss the application in private, accompanied only by non-partisan officers who are there in a support role.**
- 10) Should any person present act in a disruptive manner the Chair will first warn him or her about their conduct and then, if the Chair considers it appropriate, may require the person concerned to leave the meeting forthwith. Where a party to the hearing insists on wasting the time of the hearing by needlessly repeating points that have been well aired and clearly put by earlier speakers, their actions may be judged to be disruptive and they may be asked to leave. It is strongly recommended that any spoken representations from groups of people with common concerns are made through an agreed spokesperson.**

**Application for the grant of a Premises Licence in respect of  
Moredon Off Licence, 275 Whitworth Road, Moredon, Swindon,  
SN2 3BU**

**Licensing Panel**

**Date: 4 October 2016**

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Author:	Fiona MacAdam – Environmental Health Officer – Licensing and Events
Wards:	Rodbourne Cheney
Locality Affected:	North Central
Parishes Affected:	None

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**1. Purpose and Reasons**

- To consider the application made by Gonul Howell, Moredon Off Licence, 275 Whitworth Road, Moredon, Swindon, SN2 3BU, for the grant of a premises licence and to determine the application.

**2. Recommendations**

That The Panel:

- 2.1 Considers the application made by Gonul Howell, taking into account the representation made by local residents (8) (**Appendix C**), in respect of this application, the Licensing Panel is asked to determine the application. The options available to the Panel are:
- To grant the application in its current form with conditions consistent with the operating schedule;
  - To grant the application but to modify the conditions by amending, omitting or attaching new conditions; or
  - To reject the application in whole or in part.

**3.0 Detail**

- 3.1 An application to grant the premises licence for Moredon Off Licence, 275 Whitworth Road, Moredon, Swindon, SN2 3BU has been received from Ms Gonul Howell, 61 Moredon Road, Swindon, SN2 2JG. The application is for a convenience store with alcohol sales. The sale of alcohol will be subject to Challenge 25 checks, staff will be trained in the sale of alcohol to persons who are intoxicated, underage and in the operation of the Challenge 25 policy.

**Application for the grant of a Premises Licence in respect of  
Moredon Off Licence, 275 Whitworth Road, Moredon, Swindon,  
SN2 3BU**

**Licensing Panel**

**Date: 4 October 2016**

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- 3.2 Sian Kalyuka – Police Licensing Officer requested conditions to be attached to the licence to ensure compliance with the Licensing Act 2003 by letter to the applicant on 22<sup>nd</sup> August 2016. These were:

The operation of a Challenge 25 policy, training of staff in its operation with regard to underage sales and acceptable identification as proof of age, with refresher training every 3 months, records of training to be kept and records of refusals to be kept;

CCTV equipment covering all trading areas, smoking areas and entrance areas and the maintenance of CCTV product for a minimum of 28 days;

Induction training of staff prior to selling alcohol to cover the supply of alcohol to persons who are intoxicated, drug awareness and Challenge 25, and refresher training six monthly with records of training kept.

A copy of the letter from the Police Licensing Officer is attached as **Appendix B**

- 3.2 A copy of the application is attached as **Appendix A**.

- 3.3 The application seeks the following licensable activities:

*Sale by retail of alcohol*

*Sale by Retail of Alcohol for consumption off the premises Monday to Sunday  
08:00 – 24:00*

*Opening hours of premises*

*Monday to Sunday inclusive 08.00 until 00.30 hours*

- 3.4 Previously the premises was a Post Office and has never been licensed.
- 3.5 The use for this premises is described by the applicant as a convenience store with alcohol sales.
- 3.6 The applicant has offered conditions contained within the Operating Schedule which is attached as part of the application. In addition the applicant has accepted the conditions requested by the Police Licensing Officer attached as part of the application. These will be attached to any licence should the Panel be mindful to grant the application.

**Application for the grant of a Premises Licence in respect of  
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- 3.7 The proposed Designated Premises Supervisor lives within 30 minutes travel of the premises.
- 3.8 Representations have been received from eight residents, Rodbourne Cheney Residents Association and Whitworth Residents Association who consider that the licensing objective in respect of the prevention of crime and disorder, Public Nuisance and protection of children from harm will be undermined should the application be granted in its current form.
- 3.9 These representations are attached as **Appendix C**.
- 3.10 There have been no objections from any responsible authorities.
- 3.11 A petition containing 12 signatures of residents living at Walker House flats, 277 Whitworth Road has been received after the end of the formal consultation period. The petition is attached for information only (**Appendix D**).
- 3.12 Licence having regard to Swindon Borough Council's Statement of Licensing Policy and the amended Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 3.13 Having regard to the information put forward by the applicant and the representations made by other persons, the Panel must take such steps, (if any), that it considers appropriate for the promotion of the licensing objectives. Such steps are set out in Section 18(4) of the Licensing Act 2003 and are as follows:
- To grant the application in its current form with conditions consistent with the operating schedule;
  - To grant the application but to modify the conditions by amending, omitting or attaching new conditions; or
  - To reject the application in whole or in part.
- To refuse to specify a person in the licence as the premises supervisor

**4. Alternative Options**

- 4.1 None.

# **Application for the grant of a Premises Licence in respect of Moredon Off Licence, 275 Whitworth Road, Moredon, Swindon, SN2 3BU**

**Licensing Panel**

**Date: 4 October 2016**

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## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1 There are no direct financial implications arising from the report. Failure to reach a reasonable conclusion, based on the facts, could lead to crime and disorder or nuisance to the public or to unwarranted damage to the business in question. Either scenario could raise issues of compensation. In the case of an appeal, the Council could become liable for costs.

### Legal and Human Rights Implications

- 5.2 A declaration has been made by the Secretary of State, that the Licensing Act is compliant with the Human Rights Act. None of the relevant Articles of the Human Rights Act has absolute sway over the others. Article 8 deals with a right to undisturbed home life; Article 10 gives the right to free expression, including the right to entertain; Article 1 of the Protocol says that licences are 'possessions', which the holder has a right to enjoy. Common sense has to be used, in balancing each of these against the other.

- 5.3 All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

This report relates to the requirements of licensing legislation.

- 5.4 Diversity Impact Assessment

It is not considered that the preparation of a DIA is required in respect of this report.

- 5.5 **Consultees**

The Director of Law and Democratic Services (Monitoring Officer) is consulted in respect of all reports.

- 5.6 **Background Papers**

Licensing Act 2003

Secretary of State revised Section 182 Guidance

Licensing Authority Statement of Licensing Policy

- 5.7 **Appendices**

**Application for the grant of a Premises Licence in respect of  
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**Licensing Panel**

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Appendix A -	Application for the grant of a Premises Licence in respect of
Appendix B -	Letter from Sian Kalyuka – Police Licensing Officer requesting Conditions to be added to the Licence
Appendix C -	Representation from 8 residents and 2 residents' associations
Appendix D -	Petition for information only.

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**Application for a premises licence to be granted  
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/we

GONUL HOWELL

(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

NO MORE DON OFF LICENCE  
275 WHITWORTH ROAD  
MOREDON

Post town

SWINDON

Postcode

SN2 3BU

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 5,500

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |   |
|---|---|
| a) an individual or individuals *               | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual *          |   |
| i. as a limited company                         | <input type="checkbox"/> please complete section (B)            |
| ii. as a partnership                            | <input type="checkbox"/> please complete section (B)            |
| iii. as an unincorporated association or        | <input type="checkbox"/> please complete section (B)            |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B)            |
| c) a recognised club                            | <input type="checkbox"/> please complete section (B)            |
| d) a charity                                    | <input type="checkbox"/> 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 type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surname <b>HOWELL</b>		First names <b>GO NUL</b>		
I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes		
Current postal address if different from premises address		<b>61 MORE DONE ROAD</b>		
Post town	<b>SWINDON</b>	Postcode	<b>SN2 2JG</b>	
Daytime contact telephone number		<b>0747455 2885</b>		
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?

ASAP

DD	MM	YYYY
+	+	+
+	+	+
+	+	+
+	+	+
+	+	+
+	+	+
+	+	+

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

DD	MM	YYYY
+	+	+
+	+	+
+	+	+
+	+	+
+	+	+
+	+	+
+	+	+

Please give a general description of the premises (please read guidance note 1)

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

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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 any that apply

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

**Provision of late night refreshment** (if ticking yes, fill in box I) ☐

**Supply of alcohol** (if ticking yes, fill in box J) ☒

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					



# B

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish			Both <input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	(This section is crossed out with a diagonal line)
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			(This section is crossed out with a diagonal line)
Thur			<b><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></b> (please read guidance note 5)
Fri			(This section is crossed out with a diagonal line)
Sat			(This section is crossed out with a diagonal line)
Sun			(This section is crossed out with a diagonal line)

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					



# E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon				
Tue				
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)	
Thur				
Fri				
Sat			<b>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</b> (please read guidance note 5)	
Sun				

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon				
Tue				
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)	
Thur				
Fri			<b>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</b> (please read guidance note 5)	
Sat				
Sun				

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)			
Thur						
Fri			<b><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></b> (please read guidance note 5)			
Sat						
Sun						



# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri					
Sat			<b>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</b> (please read guidance note 5)		
Sun					

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 5)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (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	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)	
Mon	8.00	24.00		
Tue	8.00	24.00		
Wed	8.00	24.00		
Thur	8.00	24.00		
Fri	8.00	24.00		
Sat	8.00	24.00		
Sun	8.00	24.00	<b>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</b> (please read guidance note 5)	

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

Name		GONUL HOWELL	
Address		61 MOREDON ROAD MOREDON SWINDON	
Postcode	SN2 2JG		
Personal licence number (if known) 881110132			
Issuing licensing authority (if known) SWINDON BOROUGH COUNCIL			



K

**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).

L

**Hours premises are open to the public**  
Standard days and timings  
(please read guidance note 6)

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

**State any seasonal variations** (please read guidance note 4)

**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)

**M** Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

b) The prevention of crime and disorder

TRAINING OF ALL STAFF IN SALE OF ALCOHOL  
NOT TO DRUNKS / UNDERAGE / INCAPABLE  
REFUSAL REPORTED CHALLENGE 25

c) Public safety

CCTV TO BE INSTALLED TO COVER  
MAIN SALES AREA AND TILLS  
AND FRONT DOOR 3 DAYS RECORDING

d) The prevention of public nuisance

e) The protection of children from harm

CHALLENGE 25 SEE b ABOVE

DPS LIVES WITHIN 30 MIN OF SITE



--

**Checklist:**


Please tick to indicate agreement

- 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 designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	
Date	29/7/16
Capacity	APPLICANT

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	
Date	
Capacity	

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

Post town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**Consent of individual to being specified as premises supervisor**

I GONUL HOWELL  
[full name of prospective premises supervisor]

of 61 MOREDON ROAD  
MOREDON  
SWINDON

\_\_\_\_\_

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

OFF LICENCE  
[type of application]

by

GONUL HOWELL  
[name of applicant]

relating to a premises licence NEW PREMISES LICENCE  
[number of existing licence, if any]

for 275 WHITWORTH ROAD  
MOREDON  
SWINDON

\_\_\_\_\_

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

GONUL / HOWELL  
[name of applicant]

concerning the supply of alcohol at

235 WHITWORTH ROAD  
MOREDON  
SWINDON

-----  
[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.

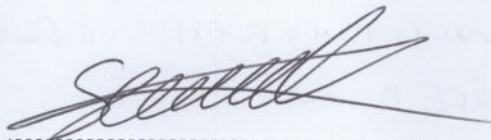
Personal licence number

881110132  
[insert personal licence number, if any]

Personal licence issuing authority

SWINDON BOROUGH COUNCIL  
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

GONUL HOWELL

Date

29/7/16



881110132



**Personal Licence  
Licensing Act 2003**

**Issued to Gonul Howell  
resident at 5 Castleton Road  
Swindon SN5 5GE  
Licence expires  
on 5<sup>th</sup> May 2021**

**If found, please return to the  
nearest Police Station or  
obtain our contact details  
from [www.swindon.gov.uk](http://www.swindon.gov.uk)**



Swindon Borough Council  
Wat Tyler House  
Beckhampton St. SN1 2JH  
TEL 01793 445500

Date: 01/08/2016 15:26  
User: 37  
Machine: OSS15

-Account Details-

Payment of: GL  
Ledger And Officer  
Reference: F9276JC004J1096Y

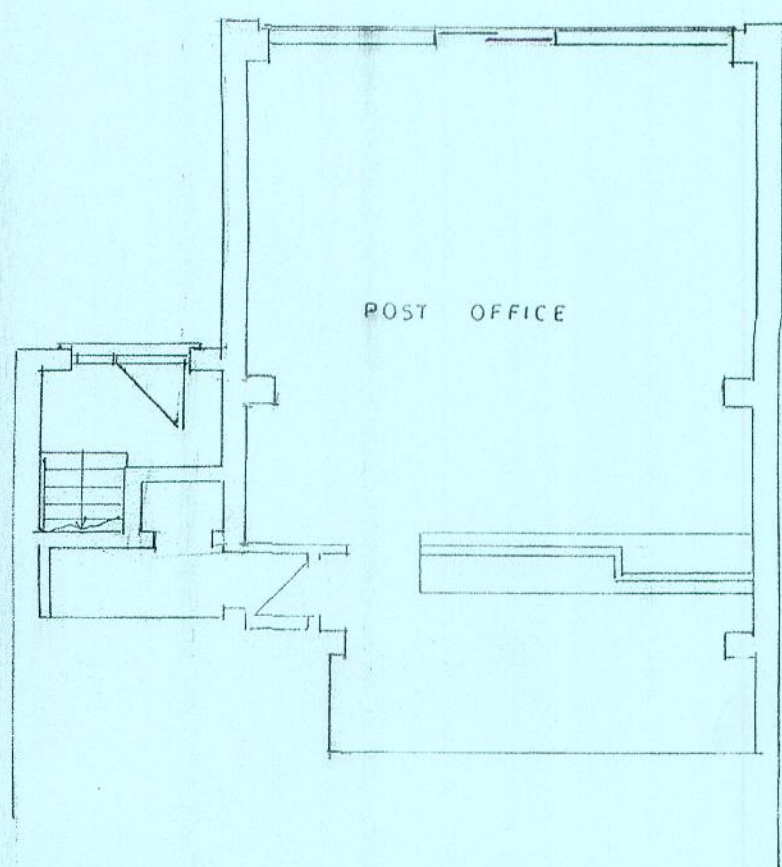
CAN: 1246  
Amount: £190.00  
VAT Rate: 0  
VAT Amount: £0.00

-Payment Details-

Pay Ref:

Payment Amount: £190.00  
Payment Method: 01  
Counter Cheques  
Thank You  
VAT Reg. No. 195 5047 42





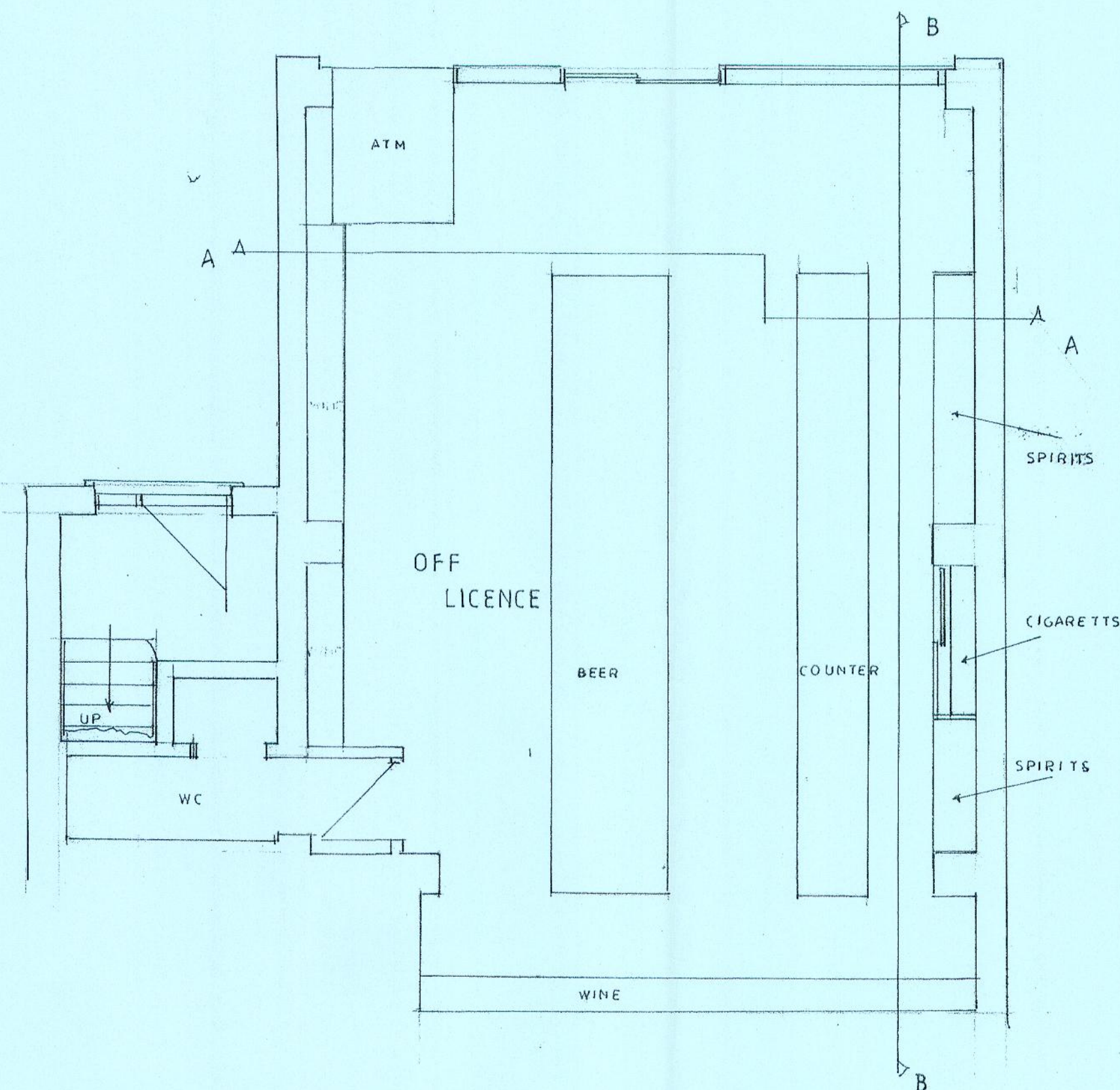
EXISTING GROUND FLOOR PLAN



EXISTING FRONT ELEVATION



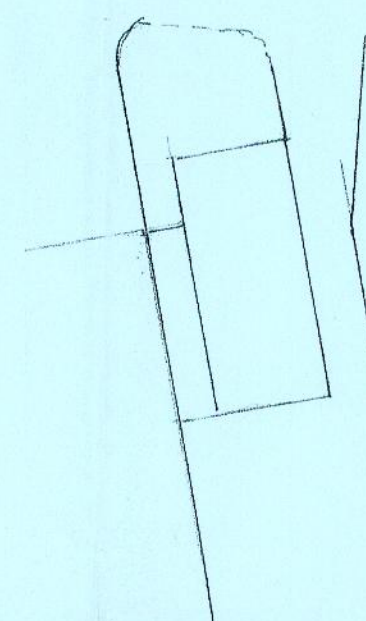
PROPOSED FRONT ELEVATION



PROPOSED GROUND FLOOR PLAN

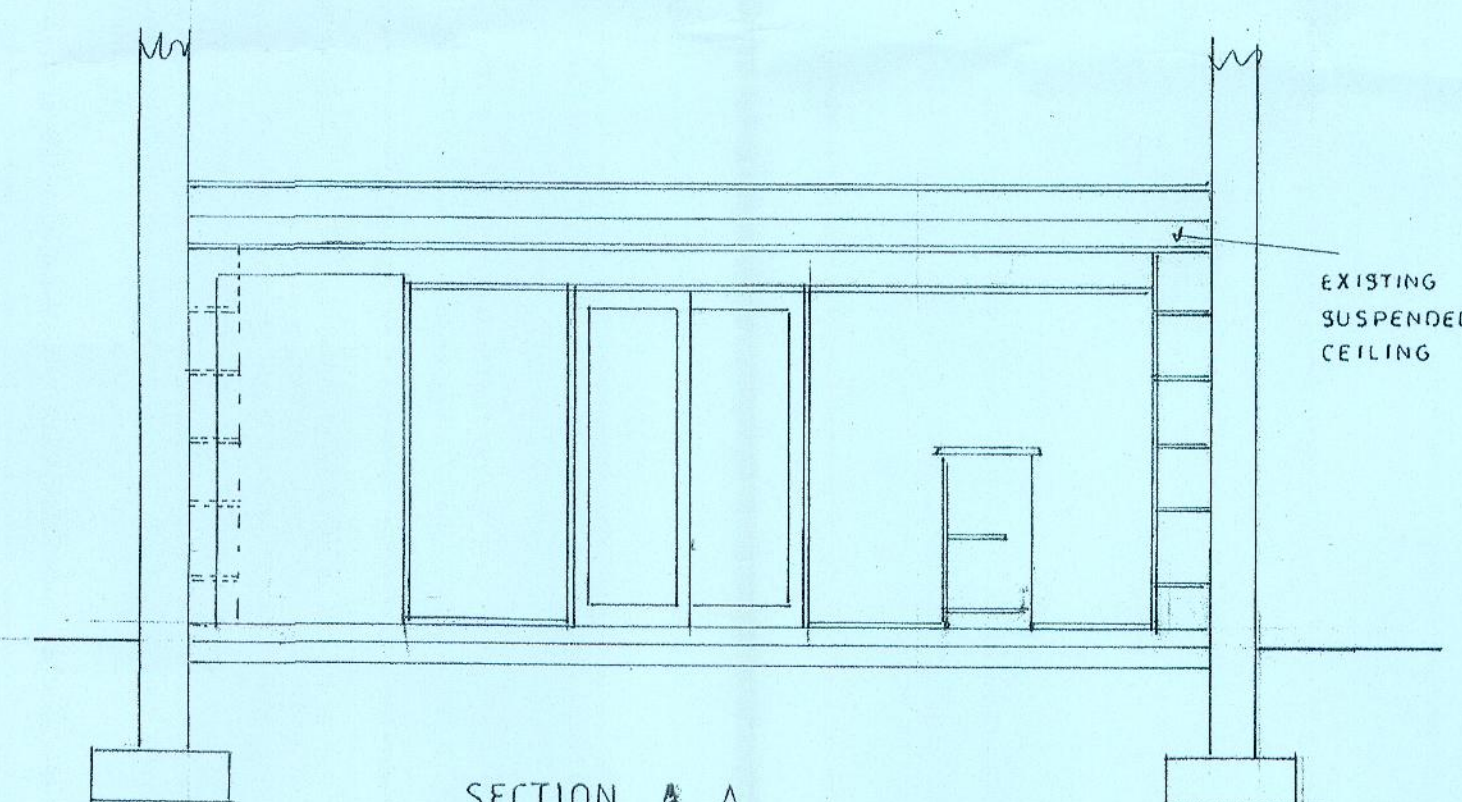


BLOCK & SITE PLAN

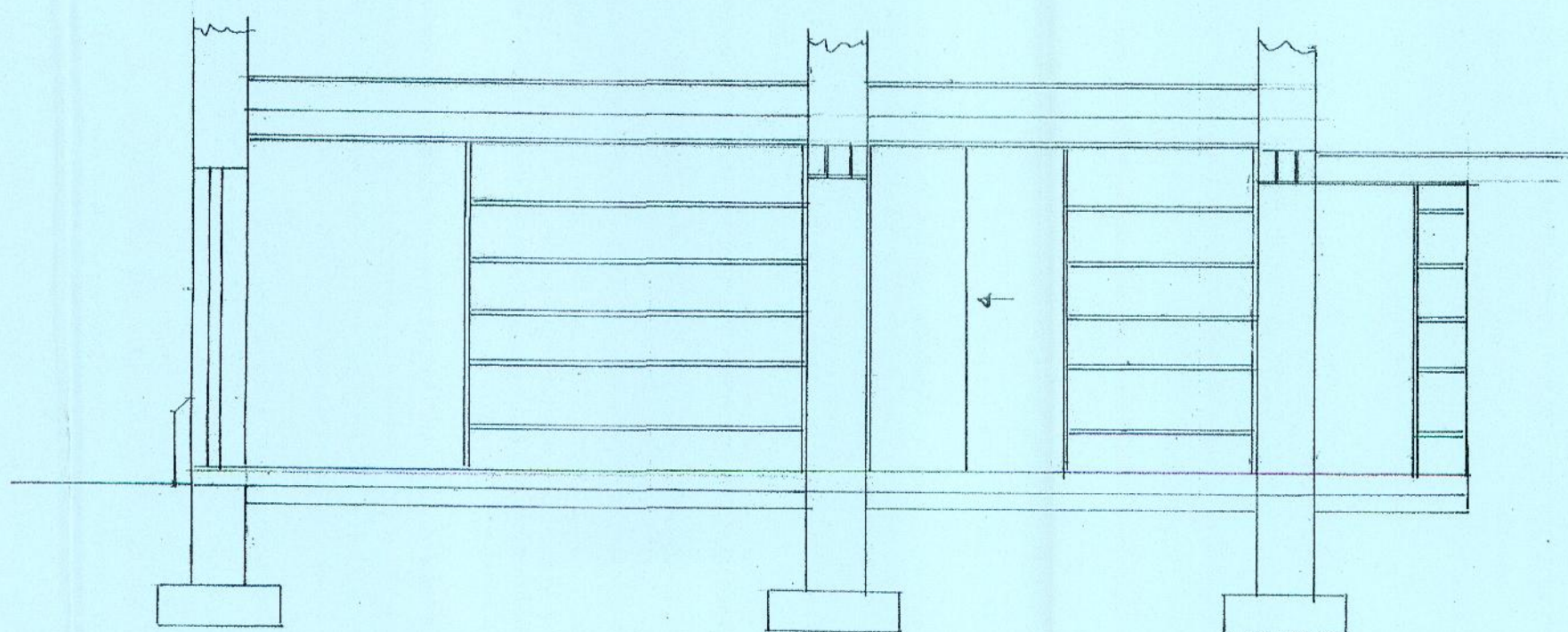


OS LICENCE  
AL 100005969  
11 1250

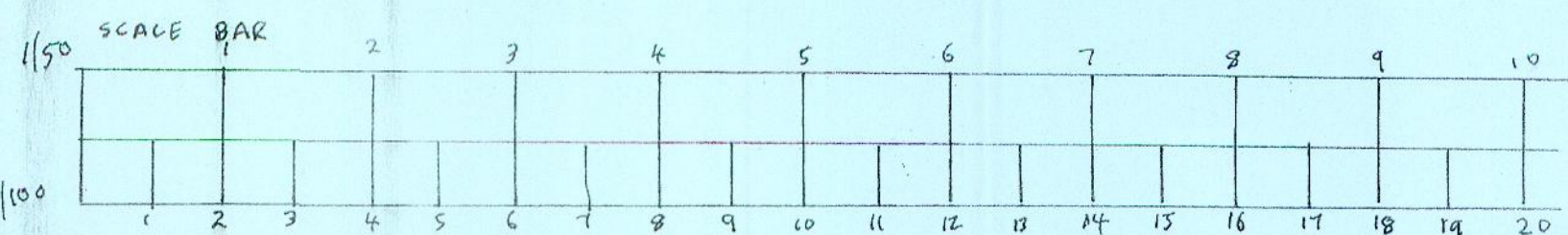
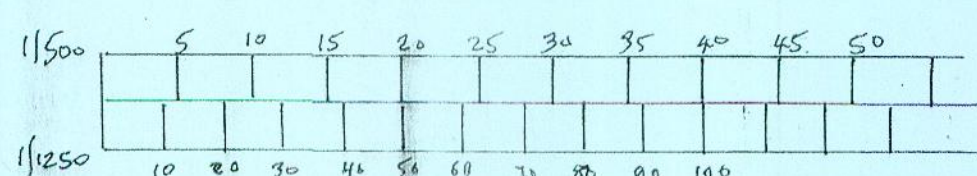
11 500



SECTION A A



SECTION B B



CHRIS MERRITT  
DESIGN  
12 SORREL CLOSE  
ROYAL WOOTTON BASSETT  
NR SWINDON  
WILTS  
SN 4 7JG  
TELE 01793 852248

NOTE ALL DIMENSIONS AND  
DRAINAGE POSITIONS TO BE  
CHECKED ON SITE

job title  
**PROPOSED  
CHANGE OF USE  
TO OFF LICENCE  
AND GENERAL  
STORE AT 275  
WHITWORTH RD**

drawing title  
**EXISTING AND  
PROPOSED PLAN  
SECTIONS AND  
ELEVATIONS**

scale	date	drawn
1/100 1/50	JUNE 16	

A2 16/20



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Ms G Howell,  
Moredon Off Licence,  
275 Whitworth Road,  
Moredon,  
Swindon,  
SN2 3BU

**Swindon Police Station**  
**Gablecross**  
Shrivenham Road  
South Marston  
Swindon  
Wiltshire SN3 4RB  
Telephone: 101  
Ext: 36454  
Direct Dial: 01380 861554  
Mobile: 07586496104

Date 22/08/16

Your ref

Our ref 275 Whitworth NLA

Reply contact name is: Siân Kalyinka – Police Licensing Officer

Dear Ms Howell,

RE: Moredon Off Licence, 275 Whitworth Road, Moredon, Swindon SN2 3BU

I write in relation to the premises licence application received for the above premises. I have looked at the application and the information that has been submitted in relation to the four licensing objectives with a particular focus on part b - The prevention of crime and disorder.

I believe that it is necessary for some conditions to be attached to the licence to ensure compliance with the Licensing Act 2003. Providing the below conditions are agreed by yourself then Wiltshire Police will not make any objections to the application being granted.

1. A Challenge 25 policy will apply to the premises and all staff serving alcohol shall be trained in the operation of the scheme so that anyone attempting to buy alcohol who appears to be aged 25 or under will be asked for identification of age in the form of either a valid passport, photo driving licence, government issued identity card or PASS accredited card or its equivalent successor card and if none is supplied or that supplied is unacceptable, a sale will be refused and a record kept of the refusal. Staff selling alcohol will be subject to refresher training every 3 months and records of training shall be kept. Records of refusals and training shall be made available to enforcement officers on request.
2. CCTV equipment which is fit for purpose and which covers all trading areas, smoking areas and entrance areas shall be provided and maintained in working condition when the premises are open for business. The CCTV product will be maintained for a minimum of 28 days and shall be provided to enforcement bodies on request. There must be a person on the premises able to download CCTV at all times the premises is open for trading.

3. No member staff shall be permitted to sell alcohol until they have completed training upon induction that covers the supply of alcohol to persons who are intoxicated, drug awareness and the operation of the 'Challenge 25' policy. Staff shall receive refresher training on these subjects at no greater than six month intervals. Records of this training shall be kept on the premises and shall be made available to officers of any of the responsible authorities upon request. The records can be retained as electronic or written form.

Regular licensing checks are conducted in the Swindon area by Wiltshire Police and other partners to ensure the licensing objectives and other regulations are being followed. I have taken this opportunity to include a Wiltshire Police Licensee information booklet which you may find helpful.

Please can you confirm to the Licensing Authority no later than 27/08/2016 whether you are happy to accept the proposed conditions being added to the premises licence, failure to do so will result in Wiltshire Police making a formal objection to the application and may result in the application being heard by the Licensing Sub Committee.

If you have any queries regarding the above please do not hesitate to contact me on 01380 861554. A copy of this letter will be sent to the licensing officer at Swindon Borough Council.

**Yours sincerely**

**Sian Kalyuka  
Police Licensing Officer**

**Attention of Licensing manager.**

Further to our letter attached to Email sent Sunday 21/08/2016 ,we would like to make the additional comment.

The Police advise that the Anti Social behaviour in the Rodbourne Cheney area is low at the moment .

We would like to see this continue, and it is our opinion that the proposed Licence application may jeopardize the status quo.

Regard

W.S.King

Whitworth Road Residents

xxxxx Whitworth Road

Swindon

SN253BU

Hi

I would like to object to the application for license for 275 Whitworth Road as the current property is right in the middle of a residential area and will likely cause problems for the residents. In my view there are already ample outlets for the sale of alcohol in properly designated shopping areas in the area including the two within 100 yards and Green Meadow stores which is within ½ mile.

I was surprised with how little consultation was done with residents apart from a notice put up in the last day outside the premises.

Yours Faithfully

Kevin Smith  
Concerned Resident

Hi to whom it may concern

Ref licence application for 275 whitworth, Swindon Wiltshire selling alcohol and openings from 8am to midnight 7 days a week, I Mr B Cook of xxx whitworth road, opposite the old post office completely object to this, on the grounds of total noise pollution and to the distress this will cause to my severely mentally disabled 11 year old son, you will need to speak to directly for me to explain the noise caused by the post office from 9am to 5:30pm The thought of this till midnight would be unbearable, I will be speaking to social services disabled children's team to voice my opinions and get them on board with this.

Hope to here from your selves soon

Mr Cook

xxxxxxxxxxxxx

Sent from my iPhone

As local residents in Rodbourne Cheney we strongly oppose the application for licensing for the former post office at 275 Whitworth Road, we don't think this establishment is necessary as there are 2 Co\_Operative stores within a short distance who already have a license until 11pm.

We receive a community news booklet every month and we were led to believe that an application for a launderette had been made, yes there was mention of an application for an ATM but nothing what\_so\_ever of an off license. We feel there will be strong noise issues at the end of the day there are noise laws in place after 11.00 pm

Concerned residents opposite 275 Whitworth Road.

From: Simon Cathy . xxxxxxx  
Sent: 30 August 2016 23:07  
To: E & P Licensing  
Subject: Licence application Moredon Off Licence 275 Whitworth Road

Good Evening

I'm writing this email to appeal against the issue of an Alcohol Licence to the above address

I'm one of the residents of Walker House which is next door to the above premises and email on behalf of a number of the residents

We would like to oppose the application on the grounds that this will cause the following issue

Problems getting into the drive way due to customers visiting the shop as there is no parking facilities outside, customers will park within our driveway or our car park.

There are also two other establishments nearby that already sell alcohol till 23:00hrs.

This will disrupt the privacy of the residents of Walker House.

There will be the potential for rubbish to be dropped around the entrance to Walker House.

Noise from customers visiting the shop, bedrooms of the flats are at the front of the property.

Regards

Simon Groves

Sent from my iPhone

Sent from my iPhone

Good Evening

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I'm one of the residents of Walker House which is next door to the above premises and email on behalf of a number of the residents

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Noise from customers visiting the shop, bedrooms of the flats are at the front of the property.

Regards

Simon Groves

Sent from my iPhone

Sent from my iPhone



Attention of Licencing Manager.

Swindon Borough Council

Beckhampton Street

Swindon

Re. Application to Grant Licence to  
Moredon Off Licence 275 Whitworth Road.

Rodbourne Cheney

Swindon SN25 3BU.

The Whitworth Road Residents Association would object to the above licencing application for the following reasons.

The close proximity of residential properties to the proposed Off Licence. There are houses and flats adjacent to and facing the proposed Off Licence and they would suffer from disturbance from the proposed late night opening 7days a week until Midnight.

There is insufficient parking to service this operation, when the Post Office was operating the parking was a continual problem for residents in the immediate area continually having their drives blocked and the outer grass verges destroyed causing the paths to be covered in mud. The Post Office had been operating in this location since pre-world war 2 and not a suitable location for a modern business today which would attract customers 16 hours a day .The other businesses in the area have sufficient car parks and not so close to residential properties .

We therefore request you refuse this application.

Yours Sincerely

W.S.King

XXX Whitworth Road

Swindon

SN25 3BU

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22.08.16

Swindon Borough Council

25 AUG 2016

Dear Sir/Madam

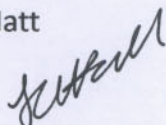
I would like to object to the Licensing Application re. Moredon Off Licence 275 Whitworth Rd. (The former **Rodbourne Cheney** Post Office)

Just a couple of points:

1. The premises are **not** in Moredon but **Rodbourne Cheney** as its previous name shows. I don't see how it could be called Moredon.
2. This is a residential area and the proposed Off Licence is **very** close to private housing and flats. There has always been a problem with parking here even when it was a Post Office. I believe it will be detrimental to the area with slamming of car doors, gathering of people especially youths at all hours encouraging them to buy alcohol and congregate in open spaces in the area causing problems for the residents and police.

I ask that you would seriously take these matters into consideration and refuse this application.

S C Hatt



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## Rodbourne Cheney Residents Association

██████████ The Broadway, Rodbourne Cheney,  
Swindon Wilts, SN25 3BW.  
Telephone: ██████████

The Licensing Manager,  
Swindon Borough Council,  
Wat Tyler House,  
Beckhampton Street,  
Swindon.  
SN1 2JH.

25<sup>th</sup> August, 2016

Dear Sir/ Madam,

On behalf of the above Association and a number of residents who have contacted us, we would object to the premises license applied for in respect of the former Rodbourne Cheney Post Office in Whitworth Road, Rodbourne Cheney. Which as you are in no doubt aware is in Rodbourne Cheney and not Moredon.

The proposed sixteen hours a day for seven days a week would almost certainly have a detrimental impact on the lives of residents in what is essentially a residential area. We are especially concerned at the proposed 16 hour Sunday opening when other retail premises nearby restrict their opening hours.

Additionally this premises has only limited onroad parking thus increasing the impact on near neighbours.

We feel therefore that this premises is not suitable for an off licence and that the proposed hours of opening would be detrimental to the wellbeing of nearby residents. Consequently we request that you refuse this application.

Yours faithfully

Michael Lucas (Vice Chairman R.C.R.A.)



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RE: GONULI HOWELL  
APPLICATION FOR  
MORISON OFF LICENCE  
275 WHITWORTH ROAD  
SWINDON SN25 3BU

CHURCH WALK SOUTH  
RODBOURNE CHENEY  
SWINDON  
SN2 2JE

Swindon Borough Council

22 AUG 2016

DEAR SIR/MADAM,

I WOULD LIKE TO RAISE MY OBJECTION TO THE  
APPLICATION FOR GRANTING A ALCOHOL LICENCE FOR THE ABOVE.

- 1/ THIS IS A RESIDENTIAL AREA, DWELLINGS ARE BOTH SIDES AND  
OPPOSITE AND BEHIND IT. TO HAVE THIS ON YOUR DOORSTEP FROM  
8.00 AM TO MIDNIGHT EVERY DAY WOULD BE HORROROUS. HAVING  
A CAR PULL UP AT 11.30 AM ON A SUNDAY EVENING WHEN YOU LIVE  
ABOVE IT OR BY IT AND WITH POSSIBLY ROWDY PEOPLE WANTING  
DRINK AT THAT TIME WHEN THEY HAVE LEFT A PUB WOULD BE  
A NIGHTMARE.
- 2/ THERE IS ONLY 2/3 PARKING PLACES OUTSIDE AND THESE WOULD  
BE AN ATTRACTIVE PLACE TO PARK AT NIGHT ESPECIALLY AS  
THERE IS A LARGE CAR PARK 100 YARDS AWAY BELONGING TO  
FARM FOODS AND WHEN CLOSED WOULD BE AN ATTRACTIVE PLACE  
TO PARK UP AND HAVE A DRINKING PARTY!
- 3/ THE NOTICE SAYS "IN RESPECT OF MORISON OFF LICENCE. WHEN  
DID THE AREA OF RODBOURNE CHENEY (AS IN RODBOURNE CHENEY  
POST OFFICE), SUDDENLY BECOME (MORISON) OFF LICENCE.
- 4/ THERE IS NO NEED TO HAVE ANOTHER OUTLET FOR THE SELLING  
OF ALCOHOL. THERE ARE 3 SHOPS AND A CLUB IN THE AREA  
AND OTHER PLACES WITHIN A MILE WHERE YOU CAN BUY  
ALCOHOL.
- 5/ IT WOULD ATTRACT UNSOCIABLE PEOPLE ON FOOT AS WELL.  
PLEASE HAVE THE COMMON SENSE AND COURAGE TO REFUSE  
THIS APPLICATION AS I KNOW EACH OF YOU ON THE PANEL /  
COMMITEE WOULD BE ALARMED AND DISTURBED TO HAVE THIS  
ON YOUR DOORSTEP.

YOURS IN RESPECT,

Page 51 RICHARD KIMBER

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Licensing Manager,  
Swindon Borough Council  
War Tyler House,  
Beckhampton Street,  
Swindon.  
SN1 3TH.

Church Walk North.  
Rodbourne Cheney  
Swindon.  
SN25 3TH.

Swindon Borough Council

26 AUG 2016

24th. August, 2016.

Application to grant a Premises licence  
at 375, Whitworth Road, Rodbourne Cheney  
Swindon, SN25, 3BU

Dear Madam.

As a longtime resident of  
Rodbourne Cheney in which the above  
premises is situated (not Madam) I  
object to the application on the grounds  
that operating a premises solely for the  
sale of alcohol sixteen hours a day for  
seven days a week is totally inappropriate  
in what is essentially a residential  
area with limited on road parking.  
Even the nearest retail premises does  
not operate such intrusive opening  
hours and it has an adequate

Private car park

I therefore request that you consider those people whose homes are near these premises and refuse this application.

Yours faithfully,

Lavinia C. Strange.

MISS L.C. STRANGE



We the residents of Walker House flats 277 Whitworth Road wish to submit this petition against the granting of an alcohol licence to Moredon Off Licence, 275 Whitworth Road for the following reasons

- There are already two establishments close that sell alcohol and open late
- There is restricted parking outside this shop and we are concerned we will not be able to access our car park late at night
- Anti-social behaviour
- Rubbish being dropped by customers as they leave the shop
- Noise from customers will be an issue especially late at night, bedrooms to the flats are at the front of the house

Flat Number	Name	Signature
-------------	------	-----------

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