

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

**NOTICE OF HEARING**

**Date of Hearing:** Tuesday, 15 November 2016

**Place of Hearing:** Council Chamber, Civic Offices

**Time of Hearing:** 10.00 a.m.

**Panel Members:**

Conservative Councillors

Alan Bishop  
Vera Tomlinson

Labour Councillors

Peter Watts

**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. Minutes** (Pages 9 - 18)  
To receive the minutes of the meetings held on 28<sup>th</sup> and 30<sup>th</sup> September 2016.
- 4. 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.
- 5. Application to vary the Premises Licence for New College, New College Drive, Swindon, SN3 1AH together with a copy of each relevant representation made and supporting documents** (Pages 19 - 48)

**Date of Despatch:** 31 October 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

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**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.**

**LICENSING PANEL**

**WEDNESDAY, 28 SEPTEMBER 2016**

PRESENT:- Councillors Alan Bishop, Derique Montaut and Vera Tomlinson

**4. Appointment of Chair**

Resolved – That Councillor Vera Tomlinson Chair this meeting of the Panel.  
(Councillor Tomlinson took the Chair.)

**5. Minutes**

Resolved – That the minutes of the meeting held on 2<sup>nd</sup> June 2016, be confirmed and signed as a correct record.

**6. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

**7. Application for the grant of a Premises Licence in respect of Unit 4-6, 1-8 Manchester Road, Swindon**

The Panel considered (a) a report of the Council's Licensing Manager setting out an application for a Premises Licence for Unit 4-6, 1-8 Manchester Road, Swindon, (b) revised paperwork submitted at the meeting in respect of the application, (c) information set out in the Licensing Manager's report, (d) the Council's procedure for licensing hearings, (e) correspondence from Wiltshire Police requesting the attachment of conditions should the application be granted, (f) objections received from Broad Green Community Council and two local residents opposing the grant of a Premises Licence, (g) oral representations from the applicant in support of his application, (h) questions and answers to officers, the applicant (Mr Kadir) and the owner of the premises (Mr Muhammad), (i) the Licensing Act 2013 and the Secretary of State's Section 182 Guidance, and (j) the Council's Licensing Policy.

The Head of Planning, Regulatory Services and Heritage introduced the report noting that:

- Revised paperwork had been tabled at the meeting to replace pages 17 – 39 of the agenda papers.
- Unit 4 had been granted a premises Licence for Unit 4 of the premises on 15<sup>th</sup> January 2016.
- The hours requested for the sale of alcohol were 08:00 – 23:00 daily.
- The application was for a supermarket comprising a single unit and if granted would require the issue of a new premises licence.
- The objections to the grant of a new premises licence had been received from Broad Green Community Council and two local residents.
- The objections received could be broadly summarised as opposing a new outlet for the sale of alcohol in the locality and the hours for the sale of alcohol requested.

- The area for alcohol display was set out on the floor plan appended to the report of the Council's Licensing Officer.
- Wiltshire Police had requested a number of conditions which were set out on pages 44 -45 of the agenda papers. The applicant had accepted these conditions in their entirety.
- In the event that a new premises licence be granted the existing premises licence would need to be surrendered by the premises licence holder.

In the absence of the objectors, the Panel had before them their written submissions set out on pages 41 – 44 of the agenda papers, these can be broadly summarised as:

- There were already too many retail outlets selling alcohol in the area.
- The grant of further premises licences could lead to a depression of alcohol prices in existing shops.
- The availability of cheaper alcohol could attract street drinkers and lower prices would deprive existing shops of income.
- Many local residents do not have cars and rely on corner shops in the area.
- The Council had considered a Cumulative Impact Policy for the area.
- Larger retail units in Manchester Road thrive despite not selling alcohol.
- There are enough outlets in the area to cater for local needs.
- The area already suffers from anti-social behaviour from street drinkers.

In the absence of Police representatives, the Panel considered the conditions requested by Wiltshire Police in the event the application was granted. These were set out on pages 45 – 47 of the agenda papers.

The Panel considered oral representations in support of the application from the applicant (Mr Kadir) and the owner of the premises (Mr Muhammad) which can be broadly summarised as:

- The applicant was willing to accept, in their entirety, the conditions requested by Wiltshire Police.
- The applicant would be willing to reduce the hours for the sale of alcohol until 22:30 daily with the shop closing at 23:00 daily.

The applicant answered questions in respect of:

- Whether ceasing the sale of alcohol earlier than adjacent shops would make managing the premises more difficult.
- Shop policies to prevent the sale of alcohol to groups of youths.
- Staffing arrangements during the period where the sale of alcohol was permitted.
- Shop policies regarding the sale of alcohol on days where Swindon Town Football Club was playing home fixtures.
- Current security at the premises including staff alarms and CCTV.

Resolved - After considering: -

1. The application for a new Premises Licence in respect of Units 4-6, 1-8 Manchester Road, Swindon made by the Licensee; and

2. Representations and material put forward on behalf of the Objectors;

and taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

and having in mind the promotion of the Licensing Objectives in particular: -

- i. The prevention of crime and disorder;
- ii. The prevention of public nuisance;

The Panel has determined that a new premises licence be granted for Units 4-6, 1-8 Manchester Road, Swindon, subject to the following conditions: -

1. The permitted hours for the sale of alcohol be:  
Monday to Sunday 08:00 until 23:00.
2. That in addition to the conditions on the existing Premises Licence, which shall be transferred, as applicable, the conditions requested by Wiltshire Police and agreed by the licensee shall be appended to the new premises licence.
3. That, prior to the issue of the new premises licence the licensee shall be required to surrender the premises licence in force for Unit 4, 1-8 Manchester Road.

### Reasons

1. The Panel was satisfied that the conditions proposed Wiltshire Police, and agreed by the applicant (confirmed by the applicant at the hearing) would minimise the impact on the amenities of local residents and uphold the Licensing Objectives.
2. The Panel carefully considered the written and oral representations of those who opposed the application and the written and oral submissions of the applicant and were mindful that there had been no objections from the Statutory Authorities.
3. The Panel noted that the application was to extend an existing retail outlet and further noted that no substantive issues had been reported to it either by Wiltshire Police or the Council's Licensing Officers.
4. The Panel noted that whilst acknowledging current issues within the locality there was no evidence further nuisance would arise from the operation of the revised premises.
5. That, whilst the Council had adopted a Cumulative Impact Policy for the area, the premises in question was not affected as it was already operating under a premises licence before the Cumulative Impact Policy was adopted and also because the application for the new premises licence was received prior to the policy's adoption.
6. That the current premises licence should be surrendered prior to the issue of a new premises licence in order to ensure there was only one premises licence in

operation.

The Panel noted the licensee's comments regarding the installation of panic buttons in the premises for use by staff. Whilst the Panel did not condition such installation it recommended, in the interests of staff safety, these be fitted.

The Chair advised the hearing that both parties had a right of appeal to the Magistrates' Court against the panel's determination. Such an appeal must be commenced within 21 days of receipt of the written determination including reasons.



## LICENSING PANEL

FRIDAY, 30 SEPTEMBER 2016

PRESENT:- Councillors Abdul Amin, Malcolm Davies, Vera Tomlinson and Abdul Amin

An apology for absence was received from Councillor Nick Martin.

### 8. Appointment of Chair

Resolved – That Councillor Vera Tomlinson chair this meeting of the Panel.  
(Councillor Tomlinson took the Chair.)

### 9. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. No declarations were made.

### 10. Application to Review the Premises Licence in respect of Tap and Barrel 115 Manchester Road, Swindon, SN1 2AJ together with a copy of each relevant representation made and supporting documents

The Panel considered (a) a report of the Council's Licensing Manager setting out details of an application for a Review of the Premises Licence for the Tap and Barrel Public House, 115 Manchester Road, Swindon, SN1 2AJ, (b) written representations from Wiltshire Police in support of the review, (c) oral submissions in support of the application for a review received from Sian Kalynka (Police Licensing Officer) in support of the Police Objection, (d) oral submissions received opposing the application for review from Messrs Tim Shield (Jim Gaunt and Partners Solicitors) solicitor to the applicants and Mr Trevor Reardon (Trust Inns Limited, (f) additional papers submitted by Jim Gaunt and Partners Solicitors setting out additional conditions for inclusion on the premises licence as agreed with Wiltshire Police (g) questions from Members to the applicants and objectors and answers received, and (h) the Council's procedure for licensing hearings, the Secretary of State's Guidance and the Council's Statement of Licensing Policy.

The Council's Licensing Officer introduced the report noting that:

- A review of the premises licence for the Tap and Barrel Public House, 115 Manchester Road, Swindon had been initiated by Wiltshire Police on the grounds of the Prevention of Crime and Disorder licensing objective.
- The review was outside the statutory time period but was proceeding with the agreement of both parties.
- Supporting documentation in support of their review received from Wiltshire Police was set out in the agenda papers.
- There was currently no Designated Premises Supervisor at the premises which was accordingly closed to the public.
- The review arose from the sale of alcohol between midnight and 04:26 hours on 25<sup>th</sup> April 2016 in contravention of condition 17 of premises licence conditions.

The Police case for a review and summary of raised points can be broadly summarised as:

- That the Police had worked with Trust Inns Limited for the last two years and in 2014 a number of additional conditions had been agreed between both parties for inclusion on the premises licence.
- There had been further breaches of the premises licence including on 26<sup>th</sup> April 2016 with a breach of condition 17 when sales of alcohol took place between midnight and 04:26 hours.
- Since the application for review meetings had occurred between the Council's Licensing Officer, the Police and representatives of Trust Inns Limited to discuss areas of concern.
- The Police and Trust Inns Limited had agreed a number of additional actions had been implemented by the management and an additional condition had been agreed for inclusion on the premises licence.
- On 17<sup>th</sup> July 2016 additional training had been provided to the staff and management of the Tap and Barrel Public House, this training had been provided by Mr Tim Shield (Jim Gaunt and Partners Solicitors).
- The Designated Premises Supervisor in place at the time of the breach of licensing conditions on 26<sup>th</sup> April 2106 had been removed from his position.
- Trust Inns had also agreed to undertake quarterly checks of the premises to ensure that conditions on the premises licence were being complied with.
- Wiltshire Police were satisfied that, given there had not been any further significant breaches of the licensing conditions since the review had been commenced, the actions of management and the proposed additional condition agreed with Trust Inns that with the imposition of the agreed condition no further action was needed at this time.

The Panel's legal advisor read out the proposed condition with a suggested amendment to read:

"Trust Inns will make quarterly checks at the premises to ensure that all conditions on the premises licence are being complied and will take immediate action to remedy any failings. Wiltshire Police Licensing Officer and Swindon Borough Council Licensing Authority shall be notified that these checks have been carried out on the premises."

Points and issues raised by the Solicitor to the Respondents and additional comments from the representative of Trust Inns, included but were not limited to:

- That although the proceedings were delayed this was not a matter for the Panel and been raised in correspondence with the Council's Licensing Manager.
- That since the review had been called in April 2016 there had been no significant issues arising at the premises.
- Trust Inns own 500 premises country wide mostly as a landlord with autonomous tenants.
- Trust Inns representatives were not on individual premises on a day to day basis.
- Mr Trevor Reardon was responsible for 30 or so sites and visited these

- periodically and offered advice and assistance.
- The current landlord had been at the premises since 2015.
- Following discussions with the Police and the inclusion of an additional premise licence condition in 2014 training had been given to all staff; this training was to Personal Licence standard.
- In 2015 it had been agreed that some of the premises condition be loosened (i.e. on door supervisors).
- Following the allegation of after-hours sales at the premises in April 2016 the Police had taken no further action against the landlord who maintained the incident arose from a private party.
- Trust Inns Limited had made it clear to the landlord that they condemned after hours sales of alcohol and that there should be no further private parties after the licensing hours set out on the premises licence.
- Additional training regarding licence conditions, compliance and the law had been given to the landlord and staff on 17<sup>th</sup> July 2016 and training records were available. This training had been followed by a test undertaken by the recipients.
- The Police had wanted the tenant to be the Designated Premises Supervisor and Mr Pointer (landlord) was in the process of complying with this.
- Should the transfer of the Designated Premises Supervisor be held up then Jim Gaunt and Partners Solicitors would take over the paperwork for this.
- Additional training would be given to the Designated Premises Supervisor once confirmed.
- In April 2016 Wiltshire Police had determined that a review of the premises was necessary. Since then steps had been taken by Trust Inns and the landlord to allay Police concerns and agree remedial action.
- Staffing at the premises was steady and 1 or 2 of the staff originally trained in 2014 were still in position.
- That it was intended to undertake refresher training for staff on a 3 to 6 month basis.

The Respondents answered questions received in respect of:

- The private party on 26<sup>th</sup> April 2016 that resulted in after-hours sales of alcohol.
- Whether the level of supervision by Trust Inns Limited was sufficient for the premises.
- The management performance of other trust Inns Limited premises in Swindon.
- Actions to ensure current compliance with the licensing conditions at the premises continued.
- The need to ensure monitoring of licensing conditions at the premises was robust.

Resolved – After considering:-

1. A review of the Premises Licence in respect of the Tap and Barrel Public House, 115 Manchester Road, Swindon relating to the Prevention of Crime and Disorder Licensing Objective.
2. Representations and material put forward on behalf of the Police, and the

licensee;

and taking into account: -

1. The Secretary of State's Guidance; and
2. The Licensing Authority Licensing Statement:

and having in mind the promotion of the Licensing Objectives and in particular: -

- i. The prevention of crime and disorder;

The Panel noted that (i) the Premises Licence holder had implemented training and education in accordance with the requirements of the Police on the 17<sup>th</sup> July 2106, (ii) that there had been no incidents at the premises since the review had been called and (iii) the Premises Licence Holder had cooperated with the Police in agreeing a further condition as set out below:

The Panel determines that the premises licence held by Trust Inns Limited in respect of the Tap and Barrel Public House, Swindon, be amended to include the following additional condition:

"Trust Inns Limited and any successor Premises Licence Holder shall make quarterly checks at the premises to ensure that all premises licence conditions are being complied with and take immediate action to remedy any failings. All such checks including action taken to remedy failings shall be recorded and made available on request to officers of Wiltshire Police and Swindon Borough Council Licensing Authority. A copy of the records shall be kept on the premises."

### Reasons

1. The Panel was satisfied that the condition proposed Wiltshire Police, and agreed by the applicant (confirmed by the applicant at the hearing) as revised by the Panel would uphold the Licensing Objectives.

2. The Panel noted that the additional condition imposed had been agreed by the Police and representatives of Trust Inns Limited.

3. The Panel noted that since the review of the premises licence had been commenced in April 2016 no further substantive breaches of the Licensing Objectives or further breaches of the licensing conditions had been reported by the Police or Licensing Authority.

4. That the Panel was satisfied that the conditions proposed by the Police and agreed by the respondents, as amended, offered oversight of the licensable activities at the premises.

5. That given the comments of the Police to the hearing that, with the attachment of the additional condition to the premises licence, that they felt no additional action was required at this time the Panel determined that the decision was fair and proportionate.

The Chair advised both parties that they had a right of appeal to the Magistrates'

Court against the panel's determination and that any such an appeal must be commenced within 21 days of this determination.

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**Application to vary a Premises Licence in respect of  
New College, New College Drive, Swindon, SN3 1AH**

**Licensing Panel**

**Date: 15 November 2016**

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Author: Fiona MacAdam – Environmental Health Officer – Licensing and Events

Wards: Walcot and Park North

Locality Affected:

Parishes Affected: None

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**1. Purpose and Reasons**

- To consider and determine the application made by Mr Dave Poole, New College, New College Drive, Swindon, SN3 1AH, for the grant of a variation to the premises licence held by New College.

**2. Recommendations**

That the Panel:

- 2.1 Considers the application made by Mr Dave Poole, taking into account the representation made by a local resident (1) (**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 vary the premises licence for New College, New College Drive, Swindon has been received from Mr Dave Poole, New College, New College Drive, Swindon, SN3 1AH.
- 3.2 The application is to vary the existing premises licence to allow the sale of alcohol for consumption on the premises only: -
- 3.2.1 Between 17:00 – 22:00hrs Monday to Friday and 11:00 – 22:00 hrs Saturday and Sunday.

## **Application to vary a Premises Licence in respect of New College, New College Drive, Swindon, SN3 1AH**

**Licensing Panel**

**Date: 15 November 2016**

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- 3.2.2 During periods of core curriculum downtime the hours requested are Monday to Sunday 11:00 – 22:00hrs.
- 3.3 The application states the provision of the bar is for the benefit of the audience attending performances/events in the 250 person capacity Phoenix Theatre although events may take place in other areas of the College.
- 3.4 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 and/or underage and in the operation of the Challenge 25 policy. CCTV equipment covering trading areas will be operated. There will be a no glass policy. Door staff will be employed on an event by event risk assessed basis.
- 3.5 A copy of the application is attached as **Appendix A**.
- 3.6 Wiltshire Police has not made any representations, as the application and conditions attached to the application had been discussed with the applicant prior to the application
- A copy of the email from the Police Licensing Officer is attached as **Appendix B**
- 3.7 The application seeks the following licensable activities:
- Sale by Retail of Alcohol for consumption on the premises*
- Monday to Friday 17:00 – 22:00hrs*
- Saturday and Sunday 11:00 – 22:00 hrs*
- During periods of core curriculum downtime the hours requested are Monday to Sunday 11:00 – 22:00hrs*
- 3.8 The existing licence allows the provision of regulated entertainment between the hours of 08:00hrs until midnight daily. **Appendix D**
- 3.9 The use for this premises is described by the applicant as a convenience store with alcohol sales.
- 3.10 The applicant has offered conditions contained within the Operating Schedule which is attached as part of the application. In addition the applicant has spoken with the Police Licensing Officer to discuss conditions prior to submission of the application and the conditions attached to the application reflect those discussions.



# **Application to vary a Premises Licence in respect of New College, New College Drive, Swindon, SN3 1AH**

**Licensing Panel**

**Date: 15 November 2016**

- 3.11 Representations have been received from one resident, who consider that the licensing objective in respect of protecting children from harm will be undermined should the application be granted in its current form.
- 3.12 This representation is attached as **Appendix C**.
- 3.13 There have been no objections from any responsible authorities.
- 3.14 The Panel is requested to consider the application for the grant of variation to the existing Premises 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.
- 3.15 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.

## **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

# **Application to vary a Premises Licence in respect of New College, New College Drive, Swindon, SN3 1AH**

**Licensing Panel**

**Date: 15 November 2016**

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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**

Appendix A - Application for the grant of a variation to the Premises Licence in respect of New College

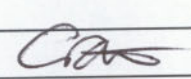
Appendix B- Email from Michael Diffin – Police Licensing Officer advising no representation to be made.

Appendix C – Representation from 1 resident

12th SEPTEMBER 20 16

Received of M NEW COLLEGE  
of NEW COLLEGE DRIVE, SWINDON  
the sum of THREE HUNDRED + FIFTY pounds ONLY pence  
in respect of ANNUAL FEE  
by Cash / P.O. / M.O. / Cheque

350 00

  
for Director of Finance



**SWINDON**  
BOROUGH COUNCIL

**Receipt**

**F 381623**

£

p

12th SEPTEMBER 20 16

Received of M NEW COLLEGE  
of NEW COLLEGE DRIVE, SWINDON  
the sum of SIX HUNDRED + THIRTY FIVE pounds ONLY pence  
in respect of FULL VARIATION PREMISES LICENCE  
by Cash / P.O. / M.O. / Cheque

635 00

[Signature]  
for Director of Finance

J2528/14

Swindon Borough Council  
5th Floor, Wat Tyler House  
Beckhampton Street  
Swindon

SN1 2JH

Date 09/09/2016

| Item Type | Description                | Item Date  | Gross  | Discount | Amount Paid   |
|-----------|----------------------------|------------|--------|----------|---------------|
| EXCLAIM   | Full Variation to Premises | 09/09/2016 | 635.00 |          | <b>635.00</b> |

Total Value **635.00**

Cheque No:

Swindon Borough Council  
5th Floor, Wat Tyler House  
Beckhampton Street  
Swindon

SN1 2JH

Date 09/09/2016

| Item Type | Description             | Item Date  | Gross  | Discount | Amount Paid   |
|-----------|-------------------------|------------|--------|----------|---------------|
| EXCLAIM   | Annual Premises Licence | 09/09/2016 | 350.00 |          | <b>350.00</b> |

Total Value **350.00**

Cheque No:



## Application to vary a premises licence 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 Dave Poole

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number  
881060138

## Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description  
New College  
New College Drive

|   |              |          |         |
|---|--------------|----------|---------|
| Post town                               | Swindon      | Postcode | SN3 1AH |
| Telephone number at premises (if any)   | 01793 611470 |          |         |
| Non-domestic rateable value of premises | £885000      |          |         |

## Part 2 – Applicant details

|   |                              |          |  |
|---|------------------------------|----------|--|
| Daytime contact telephone number                          | 01793 732889                 |          |  |
| E-mail address (optional)                                 | David.poole@newcollege.ac.uk |          |  |
| Current postal address if different from premises address |                              |          |  |
| Post town   |                              | Postcode |  |

## Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? ☒ Yes

If not, from what date do you want the variation to take effect?

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)  
Addition of the Sale of Alcohol by Retail. The DPS will be Dave Poole (881150403).

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

12 SEP 2016

Swindon Borough Council

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment****Please tick all that apply**

- 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 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><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)   | 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 4)  |                                  |
| Mon  |       |        |  |                                  |
| Tue  |       |        |  |                                  |
| Wed  |       |        | <b>State any seasonal variations for performing plays</b> (please read guidance note 5)  |                                  |
| Thur   |       |        |  |                                  |
| Fri  |       |        |  |                                  |
| Sat  |       |        | <b>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</b> (please read guidance note 6) |                                  |
| Sun  |       |        |  |                                  |



**B**

|  |       |        |   |                          |
|--|-------|--------|---|--------------------------|
| <b>Films</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)  |                          |
| Day  | Start | Finish | Indoors   | <input type="checkbox"/> |
| Mon  |       |        | Outdoors  | <input type="checkbox"/> |
| Tue  |       |        | Both  | <input type="checkbox"/> |
| Wed  |       |        | <b>Please give further details here</b> (please read guidance note 4)   |                          |
| Thur   |       |        |   |                          |
| Fri  |       |        | <b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)  |                          |
| Sat  |       |        |   |                          |
| Sun  |       |        |   |                          |
|  |       |        | <b>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</b> (please read guidance note 6) |                          |
|  |       |        |   |                          |
|  |       |        |   |                          |

**C**

|   |       |        |  |  |
|---|-------|--------|--|--|
| <b>Indoor sporting events</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Please give further details</b> (please read guidance note 4)   |  |
| Day   | Start | Finish |  |  |
| Mon   |       |        |  |  |
| Tue   |       |        | <b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)  |  |
| Wed   |       |        |  |  |
| Thur  |       |        | <b>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</b> (please read guidance note 6) |  |
| Fri   |       |        |  |  |
| Sat   |       |        |  |  |
| Sun   |       |        |  |  |

## D

|   |       |        |   |                          |
|---|-------|--------|---|--------------------------|
| <b>Boxing or wrestling entertainments</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 3)   |                          |
| Day   | Start | Finish | Indoors   | <input type="checkbox"/> |
|   |       |        | Outdoors  | <input type="checkbox"/> |
|   |       |        | Both  | <input type="checkbox"/> |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 4)   |                          |
|   |       |        |   |                          |
| Tue   |       |        |   |                          |
|   |       |        |   |                          |
| Wed   |       |        | <b>State any seasonal variations for boxing or wrestling entertainment</b><br>(please read guidance note 5)   |                          |
|   |       |        |   |                          |
| Thur  |       |        |   |                          |
|   |       |        |   |                          |
| Fri   |       |        | <b>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</b> (please read guidance note 6) |                          |
|   |       |        |   |                          |
| Sat   |       |        |   |                          |
|   |       |        |   |                          |
| Sun   |       |        |   |                          |
|   |       |        |   |                          |

## E

|   |       |        |   |                          |
|---|-------|--------|---|--------------------------|
| <b>Live music</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)  |                          |
| Day   | Start | Finish | Indoors   | <input type="checkbox"/> |
|   |       |        | Outdoors  | <input type="checkbox"/> |
|   |       |        | Both  | <input type="checkbox"/> |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 4)   |                          |
|   |       |        |   |                          |
| Tue   |       |        |   |                          |
|   |       |        |   |                          |
| Wed   |       |        | <b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)  |                          |
|   |       |        |   |                          |
| Thur  |       |        |   |                          |
|   |       |        |   |                          |
| Fri   |       |        | <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 6) |                          |
|   |       |        |   |                          |
| Sat   |       |        |   |                          |
|   |       |        |   |                          |
| Sun   |       |        |   |                          |
|   |       |        |   |                          |

**F**

|   |       |        |   |                          |
|---|-------|--------|---|--------------------------|
| <b>Recorded music</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)  |                          |
| Day   | Start | Finish | Indoors   | <input type="checkbox"/> |
|   |       |        | Outdoors  | <input type="checkbox"/> |
|   |       |        | Both  | <input type="checkbox"/> |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 4)   |                          |
| Tue   |       |        |   |                          |
| Wed   |       |        | <b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)  |                          |
| 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 6) |                          |
| Sat   |       |        |   |                          |
| Sun   |       |        |   |                          |

**G**

|  |       |        |  |                          |
|--|-------|--------|--|--------------------------|
| <b>Performances of dance</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)  |                          |
| Day  | Start | Finish | Indoors  | <input type="checkbox"/> |
|  |       |        | Outdoors   | <input type="checkbox"/> |
|  |       |        | Both   | <input type="checkbox"/> |
| Mon  |       |        | <b>Please give further details here</b> (please read guidance note 4)  |                          |
| Tue  |       |        |  |                          |
| Wed  |       |        | <b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)  |                          |
| Thur   |       |        |  |                          |
| Fri  |       |        | <b>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</b> (please read guidance note 6) |                          |
| Sat  |       |        |  |                          |
| Sun  |       |        |  |                          |



## H

|  |       |        |  |  |  |
|--|-------|--------|--|--|--|
| Anything of a similar description to that falling within (e), (f) or (g)<br>Standard days and timings<br>(please read guidance note 7) |       |        | 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 3)<br><input type="checkbox"/> Indoors<br><input type="checkbox"/> Outdoors<br><input type="checkbox"/> Both                              |  |  |
| Mon  |       |        |  |  |  |
| Tue  |       |        |  |  |  |
| Wed  |       |        | Please give further details here (please read guidance note 4)   |  |  |
| Thur   |       |        | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)  |  |  |
| Fri  |       |        |  |  |  |
| Sat  |       |        | 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 (please read guidance note 6) |  |  |
| Sun  |       |        |  |  |  |

## I

|  |       |        |   |
|--|-------|--------|---|
| Late night refreshment<br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 3)<br><input type="checkbox"/> Indoors<br><input type="checkbox"/> Outdoors<br><input type="checkbox"/> Both |
| Day  | Start | Finish |   |
| Mon  |       |        |   |
| Tue  |       |        | Please give further details here (please read guidance note 4)  |
| Wed  |       |        |   |
| Thur   |       |        |   |
| Fri  |       |        | State any seasonal variations for the provision of late night refreshment (please read guidance note 5)   |
| Sat  |       |        |   |
| Sun  |       |        |   |
|  |       |        | 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 6)                                     |
|  |       |        |   |
|  |       |        |   |

J

|  |       |        |  |                    |                                     |
|--|-------|--------|--|--------------------|-------------------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the supply of alcohol be for consumption –<br/>please tick</b> (please read guidance note 8)   | On the<br>premises | <input checked="" type="checkbox"/> |
| Day  | Start | Finish | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)   |                    |                                     |
| Mon  | 17:00 | 22:00  |  |                    |                                     |
| Tue  | 17:00 | 22:00  |  |                    |                                     |
| Wed  | 17:00 | 22:00  |  |                    |                                     |
| Thur   | 17:00 | 22:00  |  |                    |                                     |
| Fri  | 17:00 | 22:00  |  |                    |                                     |
| Sat  | 11:00 | 22:00  |  |                    |                                     |
| Sun  | 11:00 | 22:00  | <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 6)<br>During periods of core curriculum downtime (e.g. college holiday periods), times will extend to 11:00-22:00 daily |                    |                                     |

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 9).

L

|  |       |        |   |
|--|-------|--------|---|
| <b>Hours premises are open to the public</b><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>State any seasonal variations</b> (please read guidance note 5)  |
| Day  | Start | Finish | <b>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</b> (please read guidance note 6) |
| Mon  |       |        |   |
| Tue  |       |        |   |
| Wed  |       |        |   |
| Thur   |       |        |   |
| Fri  |       |        |   |
| Sat  |       |        |   |
| Sun  |       |        |   |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence



If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

## M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

### a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The New College Licensed Bar intends to operate for the benefit of audience members attending performances/events in the 250 capacity Phoenix Theatre. Customers will be permitted to take their drink into the Theatre to enjoy the event.

Proposed event types include but are not limited to plays, dance shows, film screenings and live music events performed by New College staff, students and vetted external hirers.

Events will generally be ticketed and on sale to the general public. It is expected that the majority of audiences will comprise college staff/students, parents and friends of performers, etc.

There may be events that take place in areas of the College other than the Phoenix Theatre, however The Licensed Bar's Dynamic Risk Assessment will be reviewed in advance of all events to ensure security measures are sufficient.

The Premises Licence holder shall ensure that no open containers are taken from the premises.

### b) The prevention of crime and disorder

The Premises Team will be on site at any time the building is open to the public. The Premises Team are trained to deal with matters relating to unruly behavior, accidents/emergencies, etc.

There is generally a Receptionist on duty who sits facing the area of the Main Foyer where the Licensed Bar generally operates. The reception desk includes a computer connected to the internet, a landline, etc. There is also generally a Duty Manager present.

Bar staff carry a mobile with the Duty Mobile number saved.

In addition, there will also be numerous members of College staff (or where the event is of an external nature, responsible members of the vetted hiring organisation) who are present in the area.

Door supervisors shall be employed at the location on an event by event risk assessed basis this risk assessment will be documented and made available to authorised officers on request. All door supervisors employed must be registered with the SIA.

All door supervisors shall wear high visibility clothing when on duty, sufficient to identify them easily as being security staff.

A written record shall be kept on a daily basis, showing which door supervisors are on duty and during which times. The record shall include names of the door supervisors for each shift. In addition, the record shall include a list, showing Security Industry Authority licence numbers against each name.

An incident book shall be kept and entries shall be made of any instances of disorder, together with a record for any person who is detained on the premises or who is escorted from the premises. This must be a bound book with sequentially numbered pages. The log shall record the date and time and brief details. The names of the staff who dealt with the matter shall be recorded against each incident. The book shall be kept on the premises and shall be shown to any authorised officer on request, at any reasonable time.

### c) Public safety



The Licensed Bar will operate a no-glass policy, whereby drinks must be decanted into plastic cups before entering the Phoenix Theatre. There will be bins provided in all areas where alcohol may be consumed and additional cleaning may be employed where necessary.

Upon vacating the building, there is sufficient external lighting across the site and car parks. There is also sufficient council-maintained lighting in all areas immediately adjacent to College grounds where the public may leave site without leaving sufficiently lit public walkways.

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.

#### d) The prevention of public nuisance

The Licensed Bar will generally operate in advance of a performance and during any intervals. To this end, when audience members leave an event there will be no sale of alcohol. This will aid swift dispersion from the building following an event.

Due to the College's location, attendees to events are expected to arrive by public or private transport and few are expected to arrive on foot. Notice will be displayed in the College to advise the public of local taxi firm and contact details.

The College's smoking shelter is not adjacent to any residential area and is set away from the perimeter fence to reduce noise, etc. to public highway. The shelter is fully signposted.

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.

#### e) The protection of children from harm

A Challenge 25 policy shall be operated. No member of staff shall be permitted to sell alcohol until trained in the operation of the Challenge 25 policy. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence or PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in a refusals book, identifying the member of staff who refused the sale.

In the case of ticketed events, there will be information displayed indicating that no sale of alcohol will be permitted without a valid ticket.

Due to the college environment and the nature of events the bar is intending to support, there will be no prohibition for children on College premises. The bar will also act as box office for associated events; as a result there will be no prohibition for children approaching the bar to purchase a ticket or soft drink.

#### Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or  
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒

- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- 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 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

|           |                   |
|-----------|-------------------|
| Signature | <i>Dave Poole</i> |
| Date      | 09/09/16          |
| Capacity  |                   |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

|           |  |
|-----------|--|
| Signature |  |
| Date      |  |
| Capacity  |  |

|   |  |              |                  |
|---|--|--------------|------------------|
| <b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 14) |  |              |                  |
| Dave Poole<br>New College<br>New College Drive  |  |              |                  |
| <b>Post town</b>  |  | Swindon      | <b>Post code</b> |
|   |  |              | SN3 1AH          |
| <b>Telephone number (if any)</b>  |  | 01793 732889 |                  |
| <b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>  |  |              |                  |
| David.poole@newcollege.ac.uk  |  |              |                  |

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

#### Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. 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'.
9. 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.



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

I Dave Poole  
[full name of prospective premises supervisor]

of 214 Cricklade Rd  
Swindon  
Wilts  
SN2 8AT

[home address of prospective premises supervisor]

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

Full Variation of Premises Licence  
[type of application]

by

New College  
[name of applicant]

relating to a premises licence 881060138  
[number of existing licence, if any]

for

New College  
New College Drive  
Swindon  
SN3 1AH  
[name and address of premises to which the application relates]

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

New College  
[name of applicant]

concerning the supply of alcohol at

New College  
New College Drive  
Swindon

SN3 1AH

[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

881150403  
[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)

Dave Poole

Date

09/09/16



Licensing Team  
Premier House  
Station Road  
SN1 1TZ  
01793 466109  
licensing@swindon.gov.uk

Signed

.....  
Authorised Signatory

## Premises licence issued on 11 May 2006

Premises licence number

**881060138PREM**

### Part 1. Premises details

*Postal address of premises or if none, Ordnance Survey map reference or description*  
New College New College Drive Post town Swindon Post code SN3 1AH Telephone  
number 01793 611470

*Where the licence is time limited, the dates* The licence operates for every date from 11 May  
2006 onwards.

*Licensable activities authorised by the licence* The licensable activity is the provision of  
regulated entertainment

*The times the licence authorises the carrying out of licensable activities*

08.00hrs until midnight daily.

*The opening hours of the premises* Opening hours when no licensable activities are taking place are at the sole discretion of the proprietor.

*Where the licence authorises supplies of alcohol, whether these are on and/or off supplies*  
The licence authorises only authorises the provision of regulated entertainment.

*Name (registered) address, telephone number and e-mail (where relevant) of holder of premises licence* The licence is held by New College. The Registered address is New College Drive Swindon SN3 1AH. Telephone number 01793 611470

*Registered number of holder, for example company number, charity number (where applicable)*

*Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol*  
Not applicable

*Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol.*  
Not applicable

#### **Annexe 1.**

*Mandatory conditions*  
Age restrictions for films as advised by BBFC or the Licensing Authority shall be followed.

#### **Annexe 2.**

*Conditions consistent with the Operating Schedule* Plays, indoor sports, boxing and wrestling are not permitted. CCTV cameras, recording devices and their associated records to be maintained. Children are not permitted at inappropriate events.

#### **Annexe 3.**

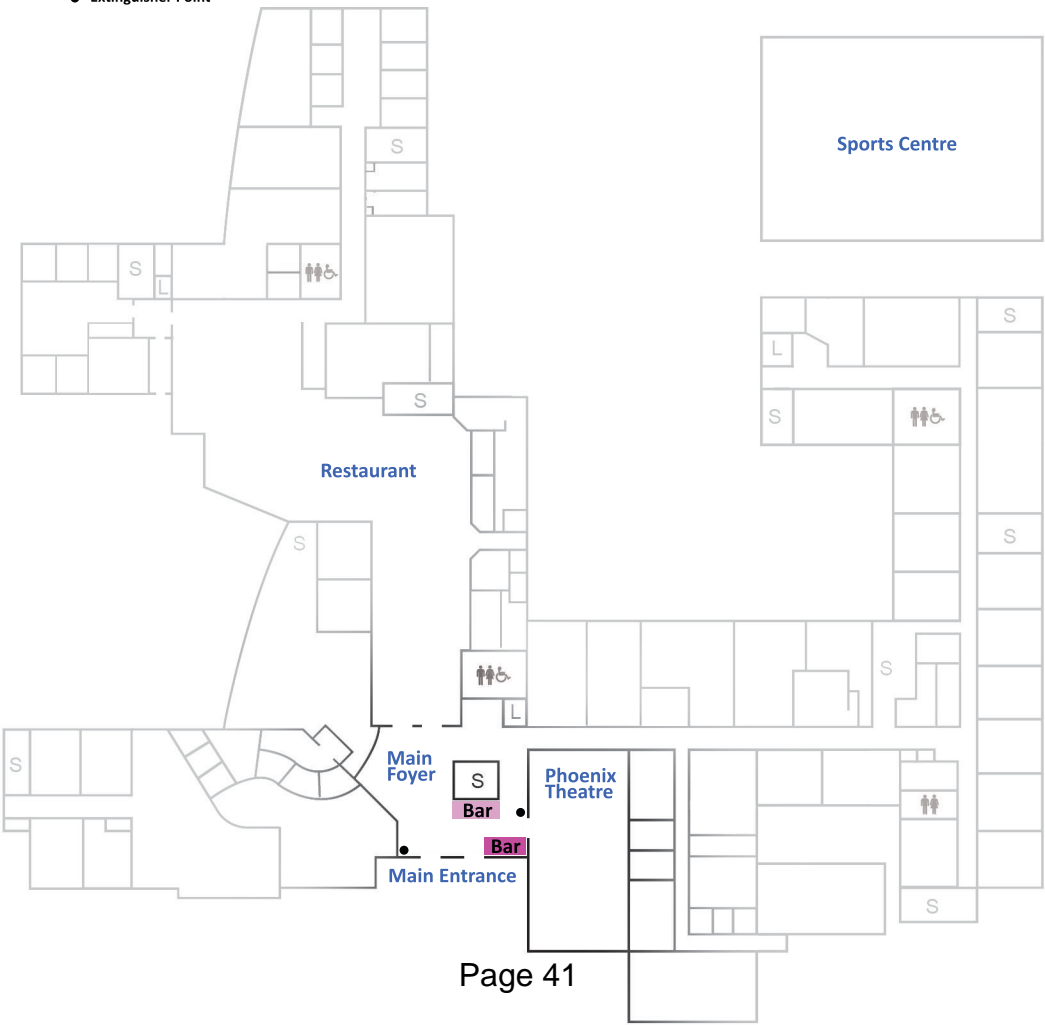
*Conditions attached by the licensing authority after a hearing* Not applicable

#### **Annexe 4. Plans**

*The attached is a representation of the original plan, held on the licensing register of the Licensing Authority for Swindon.*

# Areas generally used for the placement of the Temporary Licensed Bar

- Bar** Area for temporary Licensed Bar
- Bar** Alternate area for temporary Licensed Bar
- Extinguisher Point



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# NEW COLLEGE, SWINDON, SN3 1AH

The main college building has four floors, this plan shows the ground floor footprint of the building. The Main Entrance leads to the Main Foyer.

The temporary Licensed Bar will operate predominantly in the Main Foyer on the ground floor.

The red line indicates the area of the premises used for the sale of alcohol by retail.



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No further representations from Wiltshire Police as discussed with applicant prior to application

**Michael DIFFIN MBE**  
**Police Constable 1630**  
**Licensing Officer and Nighttime Economy Manager**  
**Swindon Hub**  
**Town Centre Hub**  
**Civic Offices**  
**Euclid Street**  
**Swindon**  
**SN1 2JH**

**[michael.diffin@wiltshire.pnn.police.uk](mailto:michael.diffin@wiltshire.pnn.police.uk)**

**Landline - 01380 861630**

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Dear Sir/Madam

Having seen the notices around the New College site I email to object to an educational establishment applying for an alcohol licence. Encouraging teenagers to consume alcohol whilst studying at a college is not acceptable to me. If New College is granted the licence then all alcohol must be consumed on the New College site and not brought on to the recreation fields adjoining the New College boundary.

I use the adjacent recreation fields twice a day and there is enough rubbish left on the field by the other users and students of New College without adding cans and bottles of alcohol.

Yours faithfully

xxxxxxxxxxxxxxxx

xxx Stanley Honey Court

off Lennox Drive

Walcot

Swindon

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