

## DECISION NOTICE

### Western Area Licensing Sub Committee

Decision made on 17 January 2014

**Application for a Variation of a Premises Licence in respect of F  
Harvey's Nightclub and Sports bar (formerly Putters mini Golf Bar)  
Church Street Trowbridge, BA14 8DN by  
Mr Jason David Norris**

#### Decision:

The Western Area Licensing Sub Committee has resolved to grant the application for a variation of the Premises Licence **Harvey's Nightclub and Sports bar (formerly Putters mini Golf Bar) Church Street Trowbridge, BA14 8DN** for the provision detailed below:

<b>Licensable Activity</b>	<b>Hours</b>
Live Music	Monday to Thursday 12.00 hrs – 23.00 hrs  Friday to Saturday 12.00 hrs – 01:30 hrs (Next Day)  Sunday 12.00 hrs – 22.00 hrs
Recorded Music	Monday to Thursday 12.00 hrs – 23.00 hrs  Friday to Saturday 12.00 hrs – 01:30 hrs (Next Day)  Sunday 12.00 hrs – 22.00 hrs
Performances of Dance	Monday to Thursday 12.00 hrs – 23.00 hrs  Friday to Saturday 12.00 hrs – 01:30 hrs (Next Day)  Sunday 12.00 hrs – 22.00 hrs
Late Night Refreshment	Friday to Saturday 23.00 hrs – 02.00 hrs (Next Day)

Supply of Alcohol	Monday to Thursday 12.00 hrs – 23.00 hrs  Friday to Saturday 12.00 hrs – 01:30. hrs (Next Day)  Sunday 12.00 hrs – 22.00 hrs
Hours premises are open to the public	Monday to Thursday 12.00 hrs – 23.30 hrs  Friday to Saturday 12.00 hrs – 02.00 hrs (Next Day)  Sunday 12.00 hrs – 22.30 hrs
Non Standard Timings	Bank Holiday Weekends, Sundays 12.00 hrs – 01.30 hrs (Next Day)

And subject to the following additional or varied conditions:

1. No Persons under 16 years old will be permitted on the premise.
2. Staff will not be permitted to sell alcohol until they have completed training to prevent under age sales and prevent the sale of alcohol to a drunk, management will ensure that this training is regularly refreshed. A record of training will be maintained and kept at the premise and will be produced to a Wiltshire Council Officer or Police Officer on request.
3. The premise will operate a 'Think 25' policy.
4. Polycarbonate, shatter-to-safe, plastic, paper or other inherently safer types of drinking vessel container will be used after 22:00hrs.
5. All glass bottled drinks will be decanted into polycarbonate, shatter-to-safe, plastic, paper or other inherently safer types of drinking vessel.
6. All door supervisors will wear high visibility clothing when on duty outside the premise.
7. A written record will be maintained of the door supervisors deployed on the premise. The record will include names of the door supervisors, dates and times of deployment and the registration number of each door supervisor.
8. An incident book will be maintained on the premise, all incidents will be recorded. The record will state the date, time, brief details and the names of staff who dealt with the matter. The book will be kept on the premises and will be produced to a Wiltshire Council Officer or Police Officer on request.

9. CCTV equipment will be installed and fully maintained to cover all trading areas, smoking areas, entrances and exits when the premise is open to the public. The CCTV will be of sufficient quality so as to produce images which enable identification; images will be securely stored for a minimum of 28 days. CCTV images will be produced to a Wiltshire Council Officer or Police Officer on request.
10. 4 Door supervisors will be deployed on a Friday and Saturday from 21.00 hours.
11. The Designated Premises Supervisor (or nominee) will belong to the Pub watch scheme and any alternative area network designed to promote the licensing objectives.
12. The premise will produce and adopt a drugs policy in consultation with Wiltshire Police.
13. Numbers will be restricted to 200 persons including staff.
- 14 The music level inside the club is required to be limited to a maximum of 85dB(A) SPL (sound pressure level) at the premises, measured at the centre of the dance floor. This should ensure that the music in the adjoining flats is barely audible; however this may not eliminate all bass elements of certain tracks. This would have to be undertaken through the installation of a music noise limiter with work completed by a competent person.
- 15 Live music is restricted to acoustic set only i.e. acoustic guitar, vocalists, singer with backing track with all amplification being passed through the noise limiting device.
- 16 Elevate and isolate the bass speakers from the floor with acoustic resilient material and fixings.
- 17 All music shall stop at 01.30 hours Friday and Saturday, Monday through to Thursday 23.00 and Sundays 22.00.
- 18 No Karaoke.
- 19 Fire doors shall remain closed at all times.
- 20 Smokers are limited to 10 patrons at a time and are dissuaded from standing in the roadway leading to the car park beneath the adjacent flats.
- 21 No smokers are allowed outside the premises after 01.00 a.m.

All other existing conditions still apply to the Premises Licence.

**Reasons:**

The Sub Committee took into account the written representations from Environmental Health, the applicant and those making a relevant representation, in addition to oral arguments presented at the hearing. The conditions suggested by Wiltshire Police and Environmental Health were agreed to be appropriate to mitigate concerns regarding public nuisance, with some amendments. It was also considered that the mixed use of the building as well as the hours of operation and musical entertainment in the area necessitated the hours of live and recorded music being reduced from those applied for, with an accompanying reduction in hours of operation.

In reaching its decision the Sub Committee has considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 35); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

**Right to Appeal**

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of this decision. Any Responsible Authority or Interested Party has the right to request a Review of the Licence.