

Decision Notice

Western Area Licensing Sub Committee

Application for a Temporary Event Notice for the Adventure Cinema, 46 Salop Place, Penarth, Vale of Glamorgan, Wales, CF64 1HP on 7 February 2022

Councillors:

Cllr Peter Hutton, Cllr Trevor Carbin and Cllr Tim Trimble

Decision:

The Western Area Licensing Sub Committee at its meeting on 7 February 2022 considered the Objection Notice submitted by the Environmental Health Authority. The Sub Committee has decided not to issue a Counter Notice in respect of the Temporary Event Notice (TEN) and therefore allow the TEN as follows: Outdoor cinema event at the Trowbridge Cricket and Sports Club, Lower Court, Trowbridge, Wiltshire BA14 8PX on 23, 24 and 25 September 2022.

| Licensable Activity | Timings | Days |
|--|----------------------|----------------------------|
| The sale by retail of alcohol and the provision of regulated entertainment | 18:00hrs - 22:30hrs | Friday 23 September 2022 |
| The sale by retail of alcohol and the provision of regulated entertainment | 18:00hrs - 22:30hrs | Saturday 24 September 2022 |
| The sale by retail of alcohol and the provision of regulated entertainment | 18:00hrs - 22:30 hrs | Sunday 25 September 2022 |

Informatives for Applicant:

- i. A recommendation that noise monitoring be undertaken by the applicant at the first evening's event on Friday 23 September 2022 due to the location of the premises to residential properties.**
- ii. A recommendation that the Applicant provide a designated telephone phone number to be made available to local residents including Town Councillors.**

iii. A recommendation that the letter drop offered by the Applicant will include Town Councillors.

The Applicant:

Adventure Cinema Ltd, 46 Salop Place, Penarth, Vale of Glamorgan, Wales, CF64 1HP applied for an outdoor cinema event to take place at Trowbridge Cricket and Sports Club, Lower Court, Trowbridge, Wiltshire, BA14 8PX on 23, 24 and 25 September 2022.

Responsible Authorities:

An objection notice was received from the Environmental Health Authority.

Reasons for the Decision:

In reaching its decision, the Sub Committee took account of and considered all the written evidence and the representations from the parties including the Applicant and oral submissions from the Environmental Health Officer at the hearing on 7 February 2022.

The Sub Committee noted this was an application for a TEN for a three-day outdoor cinema event, similar to an event which had taken place at the Trowbridge Cricket Club in July 2021. Environmental Health confirmed they had received six complaints about the 2021 event. The Sub Committee also noted that the venue had in the past received a noise abatement notice but both the Applicant and the venue (the Cricket Club) appear to the Sub Committee to have learned lessons from the 2021 event and were aware of the sensitivity to local residents. No evidence of crime and disorder had been provided to the Sub Committee and no objection notice was received from the Police. The Sub Committee took the view the Applicant would need to be more pro-active in its noise monitoring for this event. The Sub Committee noted that the Event was taking place later in the year (in September) and the Applicant had also offered (i) earlier finish times (when compared with the 2021 event), (ii) a letter drop to all residents in the local area ahead of the event and (iii) improved noise management.

The Sub Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 105); the four Licensing Objectives; 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 the written decision. In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision is made by the Magistrates Court.