

WILTSHIRE COUNCIL

NORTHERN AREA LICENSING SUB COMMITTEE

27 April 2021

Application for a Club Premises Certificate; Calne Bowls Club Ltd., Calne Bowls Club, Hillcroft, Calne, SN11 8JR

1. Purpose of Report

- 1.1 To determine an application for a Club Premises Certificate in respect of Calne Bowls Club, Hillcroft, Calne, SN11 8JR made by Calne Bowls Club Ltd.

2. Background Information

- 2.1 An application for a Club Premises Certificate in respect of Calne Bowls Club has been made by Calne Bowls Club Ltd. for which one relevant representation has been received.

- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations. In accordance with Section 85(3) of The Licensing Act 2003 the Licensing Sub Committee is required to take such of the steps listed in 2.4 below as it considers appropriate for the promotion of the licensing objectives. In considering the application and the relevant representations, the Sub Committee must also have regard to relevant Government guidance and the Council's Licensing Policy.

- 2.3 The licensing objectives are:

- i) The Prevention of Crime and Disorder;
- ii) Public Safety;
- iii) The Prevention of Public Nuisance; and
- iv) The Protection of Children from Harm.

- 2.4 Such steps are:

- i) To grant the Club Premises Certificate as applied for.
- ii) To modify the conditions of the Club Premises Certificate.
- iii) To reject the whole or part of the application.

- 2.5 On 23 February 2021 an application for a Club Premises Certificate was received and accepted as a valid application.

2.6 The application as applied for is as follows:

Licensable Activity	Timings	Days
Sale by retail of alcohol (for consumption ON the premises)	12:00hrs to 22:00hrs	Monday to Friday
	10:00hrs to 22:00hrs	Saturday to Sunday

A copy of the application from Calne Bowls Club Ltd. is attached as **Appendix 1**.

2.7 This is a new application for Club Premises Certificate so there is no history at the premises.

2.8 The premises is adjacent to another establishment with a Club Premises Certificate, Calne Recreation Club. The hours of their alcohol sales are as follows:

Licensable Activity	Timings	Days
Sale by retail of alcohol (for consumption ON and OFF the premises)	11:00hrs to 22:30hrs	Sunday
	11:00hrs to 23:00hrs	Monday to Thursday
	11:00hrs to 00:00hrs	Friday and Saturday

3. Consultation and Representations

3.1 The application process requires the application to be advertised, by the Applicant, in a local news publication within 10 working days, starting on the day after the authority receives it and for a public notice (on pale blue paper) to be posted on the premises. In addition, the Licensing Authority advertises the application on its website, for a period of 28 consecutive days, starting the day after the authority receives the application.

3.2 During the consultation period one relevant representation has been received from one local resident.

3.3 Representations Received

- Fiona Cottrill – c/o Cllr Ian Thorn, 9 Roundhouse, Calne, Wiltshire, SN11 0BE

3.4 Responsible Authorities

No Responsible Authority has made a representation in connection with this application.

3.5 A summary of the representations made is detailed in the table below:

Representation	Licensing Objective
Fiona Cottrill	Prevention of Public Nuisance

3.6 The relevant representation is attached as **Appendix 2**. Attached as **Appendix 3** is a plan which shows the locations of the premises and the proximity of the other premises.

3.7 **Appendix 4** is the response to the representation from Calne Bowls Club.

4. Legal Implications

4.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

4.2 The Applicant, and all persons who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.

4.3 At the hearing all those who have made representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

5. Officer Recommendations

5.1 Officers are not permitted to make a recommendation – the decision is to be reached by the members of the Licensing Sub Committee.

6. Right of Appeal

6.1 It should be noted that the Applicant and those persons who have made representations may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.

6.2 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 made by the Magistrates Court.

6.3 A Responsible Authority or any person may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by a person other than a Responsible Authority it will not normally be granted within the first 12 months except for the most compelling circumstances.

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Date of report: 19 April 2021

Background Papers Used in the Preparation of this Report

- **The Licensing Act 2003**
- **The Licensing Act (Hearings) Regulations 2005**
- **Guidance issued under Section 182 of the Licensing Act 2003**
- **Wiltshire Council Licensing Policy**

Appendices

- 1 Application form**
- 2 Representation**
- 3 Location map**
- 4 Response to Representation made by Calne Bowls Club**