

Northern Area Licensing Sub Committee

MINUTES OF THE NORTHERN AREA LICENSING SUB COMMITTEE MEETING
HELD ON 26 JULY 2023 AT COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER.

**IN RESPECT OF AN APPLICATION FOR A PREMISES LICENCE - CALNE BIKE
MEET, CALNE RECREATIONAL GROUND, ANCHOR ROAD, CALNE**

Councillors who Determined the Application:

Cllr Peter Hutton (Chairman), Cllr Trevor Carbin and Cllr Nic Puntis

Also Present:

Applicant/Applicant's Representatives

Jennifer Jennings – Chair - Calne Bike Meet
Greg Widger - Committee Member – Calne Bike Meet

Those who made a relevant representation

Representation 1 – Not present

Wiltshire Council Officers

Max Hirst – Democratic Services Officer
Lisa Pullin – Democratic Services Officer
Mike Edgar – Senior Solicitor
Teresa Isaacson – Public Protection Officer (Licensing)

33 **Election of Chairman**

Nominations for a Chairman of the Licensing Sub Committee were sought and it was.

Resolved:

To elect Councillor Peter Hutton as Chairman for this meeting only.

34 **Apologies for Absence/Substitutions**

Apologies were received from Lisa Grant (Public Protection Officer – Licensing) and from the resident who made a representation.

35 **Procedure for the Meeting**

The Chairman notified all those present at the meeting that it was not being recorded by Wiltshire Council, but that the meeting could be recorded by the press or members of the public.

The Chairman reminded those present that any speakers that wished to remain and make a statement to the Sub Committee would be giving consent to there being the possibility that they would be recorded presenting this.

It was noted that those that had made a representation would not be identified by name within the minutes.

The Chairman then asked if anyone present wished to withdraw from the meeting. All parties confirmed they wished to remain in and take part in the Sub Committee hearing.

The Chairman explained the procedure to be followed at the hearing, as contained within the “Wiltshire Licensing Committee Procedural Rules for the Hearing of Licensing Act 2003 Applications” (Pages 5 to 10 of the Agenda refers).

36 **Chairman's Announcements**

The Chairman gave details of the exits to be used in the event of an emergency.

37 **Declarations of Interest**

There were no interests declared.

38 **Licensing Application**

Application by The National Association for Bikers with a Disability (NABD) for a Premises Licence in respect of Calne Bike Meet, Calne Recreational Ground, Anchor Road, Calne

Licensing Officer's Submission

The Sub Committee gave consideration to a report (circulated with the agenda) in which determination was sought for an application for a premises licence, presented by Teresa Isaacson (Public Protection Officer – Licensing) for which one relevant representation had been received. The application was for the following licensable activities:

- Sale by retail of alcohol (ON and OFF sales only)

- Live Music (Indoors and Outdoors)
- Recorded Music (Indoors and outdoors)
- Performance of dance (Indoors)
- Late night refreshment

It was noted by the Sub Committee that there were 4 options available to them:

- i) To grant the licence subject to such conditions as are consistent with those included in the operating schedule submitted with the application, modified to such extent as the Sub Committee considers appropriate for the promotion of the licensing objectives, together with any mandatory conditions required by the Licensing Act.
- ii) To exclude from the scope of the application any licensable activity.
- iii) To refuse to specify a person as the designated premises supervisor.
- iv) To reject the application.

The following parties attended the hearing and took part in it:

On behalf of the Applicant

- Jennifer Jennings – Chair - Calne Bike Meet
- Greg Widger - Committee Member – Calne Bike Meet

Relevant Representations

- One local resident in objection to the application was not present at the hearing.

The Chair advised that the written representations had been read and considered by the members of the Sub Committee in advance of the meeting. The Chair invited the Applicant to introduce their application.

Applicant's submission

The Applicant spoke in support of the application, highlighting the following points:

- The event planned for 28/29/30 July 2023 had been withdrawn for this year due to the close timings, but they still wished to go ahead with the application for subsequent years.
- There had been misinformation regarding the event leading to the representation and email exchanges with other residents.
- A rigorous Noise Management Plan had been put together and no issues were foreseen if the event was run in accordance with that plan.
- It was assumed and welcomed that a review/wash up of the event would be held afterwards and that if there were any complaints received that the Premises Licence could be reviewed.
- Part of the Event Management Plan was to have a SIA security team and marshals to keep the event secure.
- The event had been advertised as adult only.
- The Applicant had been working with NABD for over 30 years who had plenty of experience running events.

The Chair sought advice to confirm that the Sub Committee were still able to determine the application even though it was not planned to be held for this year. It was confirmed that this was not a one-off application and was for a rolling Premises Licence for an event to be held for one weekend a year subject to the agreed timings for licensable activity. The Public Protection Officer – Licensing highlighted that it was likely that an Event Safety Advisory Group meeting would be held before each event and an Event Management Plan would need to be submitted for approval in good time for the event.

Sub Committee Member's questions

In response to the Members questions to the Applicant, the following points of clarification were given:

- The intention was to run live music until 22:00 and then recorded music up to 23:00 when everything would then be turned off.
- Only a canned bar would be provided with no glass. Recycling facilities would be available. There would only be glass behind the bar (spirit bottles) which would be decanted into suitable receptacles.
- There would be no performance of dance at all planned and this had been included in error in the application and should be removed.
- There would be no pyrotechnics or fireworks.

- The Applicant was confident they could get 1280 campers into the recreational ground area but they had taken the decision to start smaller with up to 500 campers so they could progress if successful. 25 square metres had been allocated per pitch.
- Amnesty bins were accepted as a good idea from the Sub Committee, but with the caveat that some attendees would have prescription drugs hence the notice about tolerance for those.
- In the advertising for the event, it had been stated that there would be limited numbers and advised pre-booking. The facilities (i.e toilets) had been based on the 500-attendee number.

Questions from those who made a relevant representation.

The relevant representee was not present.

Responsible Authorities' submissions

There were no representatives of Responsible Authorities present.

Submissions from those who made relevant representations.

The relevant representee was not present.

Applicant's closing submission

No further points were made by the Applicant.

Points of Clarification Requested by the Sub Committee

No points of clarification of the Applicant's final submission were requested by the Sub Committee.

The Sub Committee then adjourned at 10:45 and retired with the Senior Solicitor and the Democratic Services Officer to consider their determination on the licensing application.

The Hearing reconvened at 11:02.

The Senior Solicitor advised that he gave no significant legal advice to the Sub Committee.

Decision –

The Northern Area Licensing Sub Committee RESOLVED:

Arising from consideration of the report, the evidence and submissions from all parties and having regard to the Statutory Guidance, the Council's Statement of Licensing Policy and the Licensing Act 2003, the application for a Premises License in respect of Calne Bike Meet, Calne Recreational Ground, Anchor Road, Calne be GRANTED for the licensable activities as shown below:

Licensable Activities	Days	Timings
Sale by retail of alcohol (ON and OFF sales only)	Friday	16:00 – 00:00
	Saturday	18:00 – 00:00
Live Music (Indoors and Outdoors)	Friday and Saturday	19:00 – 23:00
Recorded Music (Indoors and Outdoors)	Friday and Saturday	19:00 – 23:00
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Late Night Refreshment	Friday	23:00 – 05:00
	Saturday	23:00 – 05:00
<i>Hours open to the public (Not a licensable activity)</i>	<i>From 10:00 on Friday to 12:00 on Sunday</i>	

And subject to the following condition:

That an Event Management Plan is submitted to Wiltshire Council no later than 3 months prior to the event taking place.

The Sub Committee also wished to include the following Informative (if relevant).

That amnesty bins are placed on all the entrances to the campsite at Calne Recreational Ground

Reasons

In reaching its decision, the Sub Committee took account of and considered all the written evidence and the representations from all parties present at the hearing.

The Sub Committee heard no evidence that the Applicants would fail to promote the Licensing Objectives and included an Informative to place amnesty bins at all the entrances to the event site.

The Sub Committee held confidence in the Applicants' ability to follow the Licensing Objectives. Positive comments were made by the Sub Committee regarding the level of detail in the Event Management Plan.

The Sub Committee also considered the relevant provisions of the Licensing Act 2003 (Sections 4 and 18); the four Licensing Objectives; the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

Right to Appeal

The Premises Licence Holder, any Responsible Authority(ies) and Interested Parties who made representations were informed that they 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 written notification of the 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 made by the Magistrates Court.

A Responsible Authority or an Interested Party 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 an Interested Party will not normally be granted within the first 12 months except for the most compelling circumstances.

The meeting closed at 11:05.

(Duration of meeting: 10:15 – 11:05)

The Officer who has produced these minutes is Max Hirst of Democratic Services.

Press enquiries to Communications, direct line 01225 713114 or email communications@wiltshire.gov.uk