

WILTSHIRE COUNCIL

EASTERN AREA LICENSING SUB COMMITTEE

1 August 2017

Application for a Variation of a Premises Licence; Greyhound Inn, High Street, Bromham, Chippenham, SN15 2HA

1. Purpose of Report

- 1.1 To determine an application for a variation of a Premises Licence in respect of Greyhound Inn, High Street, Bromham, Chippenham, SN15 2HA made by Wadworth & Co Ltd, Northgate Brewery, Devizes.

2. Background Information

- 2.1 An application for a variation of a Premises Licence in respect of Greyhound Inn, High Street, Bromham, Chippenham, SN15 2HA has been made by Wadworth & Co 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 35(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 modify the conditions of the licence.
 - ii) To reject the whole or part of the application.
 - iii) To grant the application as applied for.
- 2.5 On 5 June 2017 an application for a variation to the premises licence at Greyhound Inn, High Street, Bromham, SN15 2HA was received and accepted as a valid application.

2.6 The details of the original variation applied for is summarised as follows:

- Extend the hours for the sale of alcohol, live and recorded music and hours open to the public.

Licensable Activity	Proposed Days and Timings
Sale of alcohol ON and OFF the premises	Sunday – Thursday 10:00 - 00:00 (Midnight) Friday & Saturday 10:00 – 01:00 (Next Day)
Live and Recorded music Indoors	Sunday – Thursday 10:00 – 23:00 Friday & Saturday 10:00 – 00:00 (Midnight)
Late Night Refreshment	Monday – Sunday 23:00 – 00:00 (Midnight)
Hrs premises open to the public	Monday – Sunday 09:00 – 01:00 (Next Day)

The applicant has also described in the application, the additional steps they intend to take to promote the licensing objectives.

- Windows and doors to be kept closed after 23:00hrs except for access and egress.
- To undertake regular noise monitoring to the outside area.
- Display prominent notices requesting patrons to leave the premises quietly.

A copy of the original application is attached as **Appendix 1**.

2.7 Since 24 November 2005, the premise has benefited from a premises licence issued under the Licensing Act 2003. The current premises licence authorises the following:

Licensable Activity	Current Days and Timings
Sale of alcohol ON and OFF the premises	Monday – Sunday 10:00 – 00:00 (Midnight)
Live and Recorded music Indoors	Monday – Sunday 10:00 – 23:00
Late Night Refreshment	Monday – Sunday 23:00 – 00:00 (Midnight)

Hrs premises open to the public	Monday – Sunday 10:00 – 01:00 (Next Day)
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2.8 The current Premises Licence is attached as **Appendix 2**.

2.9 During the consultation period, the applicant made amendments to the original variation application as a result of representations received; As follows:-

Licensable Activity	Amended Days and Timings
Sale of alcohol ON and OFF the premises	Sunday – Thursday 10:00 - 00:00 (Midnight) Friday & Saturday 10:00 – 00:00 (Midnight)
Live and Recorded music Indoors	Sunday – Thursday 10:00 – 23:00 Friday & Saturday 10:00 – 00:00 (Midnight)
Late Night Refreshment	Monday – Sunday 23:00 – 00:00 (Midnight)
Hrs premises open to the public	Monday – Sunday 09:00 – 01:00 (Next Day)

2.10 In light of the agreed amendments detailed in the above table, three of the representations were subsequently withdrawn. These representations have therefore not been included in this report. Amendment confirmation from applicant attached as **Appendix 3**.

2.11 For reference, current premises which are licensed for alcohol sales and regulated entertainment within the vicinity, are detailed as follows:

Premises	Licensable activities	Licensed Hours
Bromham Social Club (the Owl @ Bromham included), New Road, Bromham, Chippenham, SN15 2JB	Live and Recorded Music	Monday to Thursday 08:00 hrs to 01:00 hrs (Next Day) Friday & Saturday 08:00 hrs to 02:00 hrs (Next Day) Sunday 08:00 hrs to 22:30 hrs

	Alcohol Sales ON and OFF the premises	Monday to Thursday 10:30 hrs to 00:30 hrs (Next Day) Friday & Saturday 10:30 hrs to 01:30 hrs (Next Day) Sunday 10:30 hrs to 22:00 hrs
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2.12 Attached as **Appendix 4** is a location plan of the premises.

3. Consultation and Representations

3.1 The application process requires a public notice to be posted on the premises for a period of 28 days together with a copy of the notice advertised in a newspaper circulating the area of the premises. During the consultation period one relevant representation has been received from one Interested Party.

3.2 Responsible Authorities

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

3.3 Representation against the application

- Miss Karen Hobbs – 31 Minty’s Top, Bromham, Chippenham, SN15 2HB

3.4 The relevant representation and correspondence is attached as **Appendix 5**.

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 those 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 Premises Licence Holder and the Party who has made a representation 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 someone other than a Responsible Authority, will not normally be granted within the first 12 months except for the most compelling circumstances.

Report Author: Lisa Grant, Public Protection Officer (Licensing)

10 July 2017

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. **Premises Variation Application Form**
2. **Current Premises Licence**
3. **Amendment Confirmation from applicant**
4. **Location Plan**
5. **Relevant Representation and correspondence**