

NORTHERN AREA LICENSING SUB COMMITTEE

MINUTES OF THE NORTHERN AREA LICENSING SUB COMMITTEE MEETING HELD ON 12 OCTOBER 2016 AT THE WEST WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN IN RESPECT OF AN APPLICATION FOR A PREMISES LICENCE, CENTRE NEWS, 9 HIGH STREET, CALNE

Present:

Cllr Desna Allen, Cllr Ernie Clark and Cllr Sue Evans

Also Present:

Cllr Peter Evans (Reserve), Lisa Pullin (Democratic Services Officer), Jemma Price (Public Protection Officer – Licensing) and Paul Taylor (Senior Solicitor)

1 Election of Chairman

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

Resolved:

To elect Councillor Ernie Clark as Chairman for this meeting only.

2 Apologies for Absence/Substitutions

There were no apologies or substitutions.

3 Procedure for the Meeting

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 – 12 of the Agenda refers).

4 **Chairman's Announcements**

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

5 **Declarations of Interest**

There were no interests declared.

6 **Licensing Application**

Application for a Premises Licence in respect of 9 High Street, Calne, made by Centre News

The Sub Committee decided to delay the start of this hearing as neither party was present at the due start time of the meeting (10.00 hours). At 10.20 hours as there were still no parties present and in accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005 the Sub Committee resolved that it would hold the hearing in the absence of the parties and would make its determination based on consideration of the application and the written representations that had been received.

The Licensing Officer introduced the purpose and scope of the application, the premises to which it related and the key issues for consideration.

The Sub Committee noted the additional conditions relating to a refusals book; staff training, implementing Challenge 25 and CCTV that had been agreed with Wiltshire Police.

They considered the relevance of the representation made by Calne Town Council.

The Sub Committee then considered the application and it noted that the decision would be notified to all of the parties by telephone and in writing with a full decision notice.

The Hearing closed at 10.30 hours.

Resolved:

The Northern Area Licensing Sub Committee resolved to GRANT the application for a Premises Licence, as detailed below:

Licensable Activity	Timings
Sale by retail of Alcohol (for consumption Off the Premises)	24 hours daily

And subject to the additional conditions agreed with Wiltshire Police as follows:

Prevention of Crime and Disorder

- An incident/refusals book will be kept and staff made aware of its existence. Details recorded will include time and date, the name of the member of staff dealing with the incident/refusal, and action taken.
- Regular staff training will be undertaken on roles and responsibilities and the current Licensing objectives. A record will be made of the training provided.
- CCTV to be installed at the premises and is to be in operation during trading hours. The system is to be of sufficient quality as to enable identification. Images must be retained for a minimum of 28 days and be capable of being downloaded to disc or other media, and produced to a Police officer or Wiltshire Council Licensing officer on request.

Protection of Children from Harm

- A Challenge 25 Policy will be implemented. A recognised proof of age which includes a photograph is required for anyone who appears to be under the age of 25

Reasons

Neither of the parties attended the hearing. In accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005 the Sub Committee resolved that it would hold the hearing in the absence of the parties and would make its determination based on consideration of the application and the written representations that had been received.

The Sub Committee noted that, in its representation, Calne Town Council had expressed concern about the potential for incidents of anti-social behaviour in the local area, if this application were to be granted. They referred to previous problems that had occurred when a public house had been operating in the area and were concerned that the availability of

alcohol at the Applicant's premises would lead to similar issues in the future.

The Sub Committee noted that the type of premises involved in this application was different from the one that had led to problems in the past, as it was a shop rather than a public house. There was no evidence that the grant of this application would lead to the sort of issues raised by the Town Council.

The Sub Committee considered the nature of the establishment and felt that the conditions agreed with Wiltshire Police sufficiently addressed the concerns that had been raised.

In reaching its decision the Sub Committee took into account the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); 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 person has the right to request a Review of the Licence, in accordance with the provisions of section 51 of the Licensing Act 2003.

(Duration of meeting: 10.20 - 10.30 am)

The Officer who has produced these minutes is Lisa Pullin, Tel 01225 713015 or email lisa.pullin@wiltshire.gov.uk, of Democratic Services

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