

**DECISION NOTICE**

**Eastern Area Licensing Sub-Committee**

**Meeting held 15 November 2011, in Respect of Premises Licence Application - Chicoland, 3 Sidmouth Street, Devizes SN10 1DL**

**Decision**

The Sub Committee has considered all of the submissions made to it today and the written representations together with the Licensing Act 2003, statutory Guidance and Regulations and the Licensing Policy of the Council and has

**Resolved:**

To grant the application with operating hours as amended by the Applicant at the hearing i.e.

<b><i>Licensable Activity</i></b>	<b><i>Timings</i></b>	<b><i>Days</i></b>
<u>Provision of late night refreshment</u> (Indoors & Outdoors)	2300 - 0300	Thursday, Friday and Saturday nights

**Subject to the following conditions:**

1. CCTV shall be installed, operated and maintained in agreement with the Police and Licensing Authority. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept for a minimum of 31 days. Recording shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.
2. An incident book shall be used to record all instances of public disorder and be made available for inspection by the Police and Licensing Authority.
3. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly and not loiter close to the entrance.
4. The shop frontage to be kept clear of litter during operating hours and the internal bin to be regularly emptied and maintained at all times.

**Evidence:**

The Sub-Committee considered the written evidence attached to the agenda. In addition the Sub-Committee heard evidence from the applicant.

The Sub-Committee also heard evidence from the following Interested Persons who had made representations:

Patrick Stevens and Robin Smart

The Sub-Committee also heard evidence from Responsible Authorities who had made representations:

Jacqui Gallimore, Police Licensing Officer

**Reasons**

The Sub-committee noted the concerns of the police and the Interested Parties that the presence of a late night refreshment venue operating until 3.00 a.m. in this location would lead to an increase in crime, disorder and anti-social behaviour. However, the Sub-committee considered that there was insufficient evidence that there would be such an increase, to not grant the application as applied for and amended to 23.00 – 3.00. The sub-committee considered that the conditions to be attached to the licence addressed the concerns that had been raised by the interested parties and are necessary to meet the licensing objectives.

**Right to Appeal**

All parties have the right to appeal to the Magistrates Court within 21 days.

An interested party or responsible authority may apply to the Licensing Authority for a review of a premises license, whether or not a review hearing takes place is in the discretion of the Licensing Authority but will not normally be granted within the first 12 months except for the most compelling circumstances.

**Informative:**

The licence-holder is responsible for ensuring that the operation of the premises complies with all other legal requirements. In particular the applicant's attention is drawn to the current restrictions on opening times imposed by the existing planning conditions within the planning permission.