

Eastern Area Licensing Sub Committee

MINUTES OF THE EASTERN AREA LICENSING SUB COMMITTEE MEETING HELD ON 19 MARCH 2024 AT SALISBURY ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Andrew Davis and Cllr Peter Hutton

Also Present:

Max Hirst, Kieran Elliot, Jonathan McLaughlin, Teresa Isaacson, Claire Francis

13 **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.

14 **Apologies for Absence/Substitutions**

There were no apologies or substitutions.

15 **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 (other than those representing public bodies and Responsible Authorities).

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).

16 **Chairman's Announcements**

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

17 **Declarations of Interest**

There were no interests declared.

18 **Licensing Application**

**Application by the owner of Bishops Cannings Cricket Club
for a Premises Licence in respect of Bishops Cannings Cricket Club,
Coat, Wiltshire, SN10 3LB**

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) for which two relevant representations had been received. The application was for the following licensable activities:

- Sale by retail of alcohol (on sales only)

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

1. Grant the application, 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.
2. To exclude from the scope of the application any licensable activity.
3. To refuse to specify a person as the Designated Premises Supervisor.
4. To refuse the application in whole or in part.

The Public Protection Officer (Licensing) gave details of the appeals procedure for the parties following a decision made at the Sub Committee hearing.

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

On behalf of the Applicant

Representation 1 – Spaniels Bridge Road, Coate
Representation 2 – Spaniels Bridge Road, Coate

Relevant Representations

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

Applicant's submission

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

- The Applicant was confident that the application would not impact any of the licensing objectives.
- The Applicant described the cricket club as very busy, with many different games a week including youth team. It was detailed that guests could often be in attendance from 9am until night-time.
- The Applicant felt it would be appropriate to provide increased hospitality, however stressed there would not be a bar and drinks would be supplied prepackaged from a fridge.

Sub Committee Member's questions

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

- That there would be no draft beer. Only canned drinks or wine would be sold and would be decanted into plastic glasses.
- That there was "zero intention" of hosting parties, and that the landlord precludes them from having any non-cricket related activity.
- That there were 16 Years left of a 25 Year lease.

Questions from those who made a relevant representation.

In response to questions to the Applicant from those that had made a relevant representation, the following points of clarification were given:

There were no questions asked by representations to the applicant.

Submissions from those who made relevant representations.

Those who made representations highlighted the following concerns:

- It was stated that there was a considerable amount of noise during the evenings which would be made worse.
- The potential for excessive drinking.
- The risk of guests bringing their own alcohol, which could lead to higher states of drunkenness and disruption.
- That there was a local pub nearby which they could use instead which would benefit the community as well as keeping disturbance down.

Sub Committee Members' questions

In response to the Sub Committee Members questions to those that had made a relevant representation, the following points of clarification were given:

No questions were asked by the Sub Committee to those who made representations.

Questions from the Applicant:

No questions were asked by the Applicant to those who made representations.

Closing submissions from those who made relevant representations.

In their closing submission, those who made representations questioned whether the Applicant was always present to witness the goings on at the club and ensure the potential issues they had raised would not occur.

Applicant's closing submission

In their closing submission, the Applicant assured that they were almost always present at the club within reason.

Points of Clarification Requested by the Sub Committee

No points of clarification were requested by the Sub Committee.

The Sub Committee then adjourned at 10:14 and retired with the Senior Solicitor and the Democratic Services Officer to consider their determination on the licensing application.

The Hearing reconvened at 10:42.

The Senior Solicitor advised that he gave legal advice regarding the four licensing objectives particularly in relation to the prevention of public nuisance.

Decision:

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 Licence in respect of BISHOPS CANNINGS CIRCKET CLUB, COAT, WILTSHIRE, SN10 3LB be GRANTED for the licensable activities shown below:

Licensable Activities	Days	Timings
Sale by retail of alcohol (ON sales)	Monday to Sunday	12:00 – 20:00
Hours open to the public (<i>Not a licensable activity</i>)	Monday to Sunday	12:00 – 20:30

With the following informative:

To notify attendees, including away teams and supporters, that no alcohol is to be brought onto site, with a notice to be displayed on site to this effect.

Reasons for Decision

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 noted:

The Sub Committee heard no evidence that the Applicants would fail to promote the licensing objectives.

The Sub Committee considered that no representations were received from any Responsible Authorities.

The Sub Committee could only hear evidence concerning the licensing application and the promotion of the licensing objectives.

The Sub Committee also considered the relevant provisions of the Licensing Act 2003 (in particular 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.

(Duration of meeting 09:45 – 10:45)

The Officer who has produced these minutes is Max Hirst of Democratic Services, direct line 01225 713015 , e-mail committee@wiltshire.gov.uk

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