

WESTERN AREA LICENSING SUB COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA LICENSING SUB COMMITTEE MEETING HELD ON 26 JULY 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN IN RESPECT OF AN APPLICATION FOR A VARIATION OF A PREMISES LICENCE - FORESTERS ARMS, SANDRIDGE ROAD, MELKSHAM

Present:

Cllr Trevor Carbin, Cllr Ernie Clark and Cllr Peter Evans

Also Present:

Teresa Bray (Licensing Officer)
Jessica Croman (Democratic Services Officer)
Paul Taylor (Senior Solicitor)

Applicant

Karen Cochrane (Solicitor for Applicant)
Mrs Dempsey (Designated Premises Supervisor)
Mr Dempsey (Manager of the Forester's Arms)

1 Election of Chairman

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

Resolved:

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

2 Apologies for Absence/Substitutions

There were no apologies.

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 1 – 6 of the Agenda refers).

4 Chairman's Announcements

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

It was noted that page 14 of the agenda contained an error. The variation to the licensable activity to provide late night refreshments is requested until 00:30 hrs and not 03:00 hrs.

5 Declarations of Interest

There were no interests declared.

6 Licensing Application

Application by Star Pubs and Bars Limited for a Variation of a Premises Licence at The Foresters Arms, Sandridge Road, Melksham, SN12 7BN.

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

It was confirmed that a variation was sought to extend the opening hours as follows:

Licensable Activity	Hours
Live Music (indoors only) Recorded Music (indoors only) Performance of dance (indoors only)	Sunday to Thursday 09.00 hrs – 23.00 hrs Friday & Saturday 09.00 hrs – 00.30 hrs (Next Day)
Late Night Refreshment (indoors only)	Friday & Saturday 23.00 hrs – 00.30 hrs (Next Day)
Supply of Alcohol (on and off the premises)	Sunday to Thursday 09.00 hrs – 23.00 hrs Friday & Saturday 09.00 hrs – 00.30 hrs

	(Next Day)
Hours premises are open to the public	Sunday to Thursday 09.00 hrs – 23.30 hrs Friday & Saturday 09.00 hrs – 01.00 hrs (Next Day)

During the consultation period 1 relevant representation was received expressing their concerns about noise from customers leaving the premises in the early hours.

In accordance with the procedure detailed in the agenda, the Applicant was given the opportunity to address the Sub Committee.

Key points raised by Karen Cochrane , Solicitor on behalf of Star Pubs and Bars Ltd were:

- Star Pubs and Bars Ltd would like an number of variations as outlined in the report to be able to provide breakfast and for some sporting events and functions.
- No representations had been made against opening earlier
- Requested that a number of conditions be removed which had been converted from the Public Entertainment Licence which were no longer necessary or appropriate as they were covered by existing primary legislation.
- Currently The Forester’s Arms host local competitions; by extending the hours they could ensure they remained a venue to support those competitions.

The Sub Committee asked the following question of the Applicant:

Q In 2007 an application was made to extend the hours for Christmas and Boxing day. Would these additional hours be superseded?

A No change to non standard hours

Q Would door security be present?

A Door staff are not currently used as there had never been any problems before. Although the applicant is happy to undertake a risk assessment when needed to identify if door staff would be required.

The Sub Committee then retired to consider the application at 10:19 and were accompanied by the Solicitor for Wiltshire Council and the Democratic Services Officer.

The hearing reconvened at 10:38am.

Resolved:

The Western Area Licensing Sub Committee has resolved to grant the variation of the Premises Licence in respect of The Forester's Arms, Sandridge Road, Melksham, as applied for, Subject to an additional condition requiring risk assessments to be carried out prior to any live music or other special events to determine whether SIA door staff may be required.

The Sub-Committee agreed to the request to remove a number of conditions converted from the Public Entertainment Licence which they accepted are no longer necessary or appropriate. However, they decided that the condition requiring an incident log book to be maintained, should be kept on the licence.

Reasons:

The Sub Committee considered the variation application to be acceptable and that the additional conditions offered by the applicant would adequately address the concerns that had been raised regarding noise from persons leaving the premises.

Right of Appeal:

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of the written 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: 10.00 - 10.42 am)

The Officer who has produced these minutes is Jessica Croman, Tel 01225 718262 or email jessica.croman@wiltshire.gov.uk, of Democratic Services.

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