

DECISION NOTICE

Western Area Licensing Sub-Committee

Meeting held 6th January 2011, in respect of Licensing Application: Trowbridge Cricket Club, The County Ground, Lower Court, Trowbridge

The Western Area Licensing Sub-Committee resolved to grant the licence applied for, as follows:

Sale of Alcohol	1100 to 2300 Monday to Thursday 0900 to 0100 Friday 0900 to 0130 Saturday 1100 to 2400 Sunday	On sales
Live Music	2000 to 2330 Sunday - Thursday 2000 to 0130 Friday 2000 to 0200 Saturday Special Events inc New years Eve (time not specified)	Indoors
Recorded Music	1000 to 2300 Sunday to Thursday 1930 to 0130 Friday 1930 to 0200 Saturday Special Occasions/events Inc New Years Eve (time not specified)	Indoors
Anything of a similar Description/Provision of facilities for making music & dancing	1930 to 2300 Monday to Wednesday 1930 to 2330 Thursday to Sunday	
Late Night Refreshment	2300 to 0100 Friday 2300 to 0130 Saturday 2300 to 2400	

Sunday

subject to the following conditions:

- 1) That an additional CCTV camera is installed at the club premises oriented along Lower Court.

Reason: In the interests of public safety and the prevention of crime and disorder.

- 2) The conditions agreed to be added to the operating schedule, pursuant to the licensing objectives and namely:

- i. A noise limiting device shall be fitted on the first floor and all live music provided on this floor shall be played through this device. The noise limited shall be connected to the mains supply and prior to any live music being provided, the limiter shall be set at a level agreed with officers from the Environmental Protection Department of Wiltshire Council. This level shall not be altered and once agreed, access to the limiter shall be restricted to senior members of staff only for resetting purposes;
- ii. The applicant shall submit a noise management plan. The plan shall include a suitable monitoring regime when live music is being provided on the first floor, including exact locations, frequency and documentary evidence that monitoring is being carried out. The plan shall be agreed by the Council's Environmental Protection Department in writing before any regulated entertainment takes place at the premises. Any minor alterations to the noise management plan shall be submitted to and agreed in writing, by the Council;
- iii. Live music on the first floor shall be limited to two events per calendar month; and
- iv. Live music on the first floor shall cease at 23.30 hours.

Reason: Management of noise emanating from the premises is necessary and proportionate to prevent public nuisance.

- 3) That the application section headed 'Anything of a similar Description/Provision of facilities for making music & dancing' be subject to the same hours and locations as those applied for in Section A of the application form.

Reason: For the avoidance of doubt.

- 4) In addition, Mandatory Conditions will be imposed in accordance with s.19 of the Licensing Act 2003.

Evidence

The Sub-Committee has considered 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.

The Sub-Committee have considered the written evidence presented in the agenda, together with the oral evidence given at the hearing from Mr B Scrine, Mr C Poplett, Miss C Davies, Mr M Aldam and the Wiltshire Council Environmental Health Officer.

Reasons

The Sub-Committee heard evidence from the applicant, who accepted there had been a problem with noise nuisance in the past. The Sub-Committee was satisfied they had taken internal steps to address such nuisance but are satisfied it is necessary and proportionate to promoting the licensing objective of preventing public nuisance that the aforementioned conditions are imposed. Additionally, the Sub-Committee was satisfied that the installation of a CCTV camera orientated along Lower Court is necessary and proportionate to achieving the licensing objectives of ensuring public safety and preventing crime and disorder. The Sub-Committee was satisfied that the licensing objectives would not be offended by the licensable activities being carried out at the times specified in the Operating Schedule, save that live music on the first floor is to cease at 23.30 hours. In particular, the Sub-Committee noted that there has been no objection by the police to the application.

Right to Appeal

All parties have the right to appeal to the Magistrates Court within 21 days of this decision. A Responsible Authority or interested party has the right to request the Local Authority to review the licence. Such an application may be made at any time, but it is in the discretion of the Local Authority to hold the review, and a review will not normally be held within the first twelve months of a licence, save for the most compelling reasons.