

DECISION NOTICE

Western Area Licensing Sub-Committee

Meeting held 24th February 2011, in respect of Licensing Application: Canal Trust Café 15 Frome Road Bradford on Avon BA15 1LE

In reaching its decision, the Committee took into account the representation from Mr and Mrs H. Kisioglu and the interested parties and all written and oral representations, 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 and as subsequently amended.

The Western Area Licensing Sub-Committee has resolved to grant the premises license as applied for with the removal of the provision of recorded music as offered by the applicant as follows:

Supply of alcohol (on/off sales)	0900 to 2300	Monday to Sunday
Films (indoors)	0900 to 2300	Monday to Sunday
Live music (in & outdoors)	1000 to 2300	Monday to Sunday
Performance of dance (in & outdoors)	1000 to 2300	Monday to Sunday
Provision of facilities for dancing (indoors)	1000 to 2300	Monday to Sunday

Subject to the conditions in the operating schedule submitted by the applicant as follows:

- CCTV system to be installed within six months
- Notices to be placed at the exit requesting people to leave quietly
- Garden to be closed and outdoor lights to be switched off at 22.00
- Regular noise monitoring to take place during any live music events and to maintain a log recording noise activities, which should be available for inspection by the Licensing Authority as required

And subject to the following additional conditions:

- any live music outdoors must finish by 2200

- no amplified music at anytime recorded or otherwise
- toilet facilities to be available during opening hours
- two litter bins to be provided and regularly emptied.

Reasons

We have heard the evidence given at the hearing by Mr and Mrs H. Kisioglu, Mr J. Pearson, Mrs B. Tees, Mr B. Wilson, Mr M Wooldridge, Mr D. Williams, Mrs G. Williams and Mr A. Cook, some of which the committee felt were somewhat speculative. The committee considers that the conditions offered by the applicant together with the additional conditions imposed will address the legitimate concerns of the interested parties and will meet the Licensing Objectives in particular the prevention of public nuisance.

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.

Informative

The licence-holder is responsible for ensuring that the operation of the premises complies with all other legal requirements.