

DECISION NOTICE

Northern Area Licensing Sub-Committee

Meeting held 18 April 2011, in respect of Licensing Application: Domino's Pizza, 16-17 New Road, Chippenham, Wiltshire SN15 8JN

The Northern Area Licensing Sub-Committee resolved to approve the application to vary the premises licence, as follows:

Provision of Late Night Refreshment

Daily

23:00 hrs to 05:00 hrs

And subject to the following conditions:

- 1) The Premises Licence Holder will adhere to the Operational Plan as submitted to the Authority;
- The counter service will only be open to the general public until 0200 hours.
 Thereafter no public access will be permitted to the premises and the premises will only be used for the provision of late night refreshment via the delivery service;
- 3) Any deliveries from the premises will only be made to a customer's place of residence or customer's place of business;
- 4) CCTV coverage is to be maintained from at least six cameras on the premises, in line with the Operational Plan, including coverage of the counter service area and immediate vicinity of the premises. CCTV recordings are to be kept for at least 31 days and made available to Wiltshire Council and Wiltshire Police on reasonable request; and
- 5) For the avoidance of doubt, the exclusion of 'mopeds' from the delivery service as detailed in the Operational Plan will also include motorised scooters, motorcycles, etc, with the exception of fully electrically-powered vehicles.

In reaching its decision, the Committee took into account the representation from the applicant and the interested parties, 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. The Sub-Committee also noted that the Police raised no objection to the application, subject to the agreed conditions.

Reasons

The Sub-Committee considered the evidence given at the hearing by Mr Jonathan Smith and Cllr Chris Caswill. The evidence presented indicated to the satisfaction of the Sub-Committee that the applicant has considered the implications of a varied licence and offered robust strategies to manage these.

The Sub-Committee noted the concerns of Cllr Caswill with regard to delivery vehicles and amended the condition accordingly and also amended the condition with regard to CCTV to ensure that there is evidence captured of any anti-social behaviour by customers.

The Sub-Committee considered 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 and prevention of crime and disorder.

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.