

NORTHERN AREA LICENSING SUB COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA LICENSING SUB COMMITTEE MEETING HELD ON 13 DECEMBER 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER IN RESPECT OF AN VARIATION OF THE PREMISES LICENCE AT RUDLOE HALL HOTEL

Present:

Cllr Desna Allen, Cllr Liz Bryant and Cllr Jacqui Lay

Also Present:

Jo Lloyd (Public Protection Officer – Licensing), Lisa Pullin (Democratic Services Officer) and Paul Taylor (Senior Solicitor)

47. **Election of Chairman**

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

Resolved:

To elect Councillor Desna Allen as Chairman for this meeting only.

48. **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 – 7 of the Agenda refers).

49. **Chairman's Announcements**

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

50. **Declarations of Interest**

There were no interests declared.

51. Licensing Application

Application by West Register (Hotels No.3) Limited for a variation of a Premises Licence in respect of Rudloe Hall Hotel, Leafy Lane, Rudloe, Corsham

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

The key issues for consideration were:

- That currently a Premises Licence was held for the supply of alcohol only at Rudloe Hall Hotel;
- That up until the point of applying for a variation to the licence, to accommodate weddings and parties the Applicant had applied for Temporary Event Notices (TENS) to allow for regulated entertainment. In 2010 four TENS were applied for and in 2011 eight TENS were applied for;
- That one relevant representation had been received from Interested Parties and related to concerns of loud music from previous functions; and
- No representations had been received from any Responsible Authorities.

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

Key points raised by Sarah La Fevre on behalf of the Applicant were:

- That the current owners were carrying out an extensive refurbishment and investment in the premises which was planned to be completed by Easter 2012;
- No complaints had been received by the Applicant from the occupants of their nearest neighbour at The Coach House;
- The Applicant was seeking to vary the licence to extend the sale of alcohol hours and to include provisions for regulated entertainment, entertainment facilities and late night refreshment;
- The Applicant was seeking the variation to allow for flexibility of services it could offer to its clients for their use of the premises;
- Until now a series of Temporary Events Notices had been applied for to host different events, but permanency was now sought to be able to offer the different entertainment provisions;

- No complaints had been received by the Applicant following any of the temporary events and there had been no issues raised by any Responsible Authorities to the TENS and to this application for variation;
- A plan of the premises edged in red was circulated to all those present which indicated the areas in which the proposed outside functions would take place;
- Because of the nature of the premises, the outdoor entertainment proposed would probably consist of chamber music, classical quartets, singers and plays; and
- In relation to the points raised by the Interested Party (Ms Macbeth) she had expressed concerns about previous late night events. The Applicant wished to clarify that none of their previous temporary events had continued past 23.30 and they were aware of other events in the locality that had taken place past this time which may have caused Ms Macbeth's concerns. As Ms Macbeth was not able to be present at the hearing they were unable to clarify this with her.

The Sub Committee members sought clarification on some points made by the Applicant as detailed below:

- You refer to appropriate noise monitoring in your application – what is your current practice?

A Noise Policy is currently in place which includes regular monitoring every 60/90 minutes by trained staff when events are taking place. If there are any concerns with the noise levels these are reported to senior management to address.

- You are applying for entertainment provisions 7 days a week – Are you planning to hold events every day?

We would like the ability to offer entertainment provisions 7 days a week to accommodate the requests of our clients, but it would be unlikely that we would hold more than 2 events per day due to demands on space and catering.

- The concerns raised by Ms Macbeth appear to be a fear of what might be if events were held every day, late and night and outside – what are your views on this?

The variation of the application is sought so that a Temporary Events Notice is not required for each event and that flexibility can be offered to clients. The Applicant recognised the concerns of the Interested Party and confirmed that events would not always be held outside and outside entertainment would be selected as appropriate for the venue and timings

considered. They were very conscious of working with their neighbours to maintain good relationships.

- Would the Applicant be prepared to open a dialogue with the Interested Party in an attempt to address her concerns?

The Applicant confirmed that attempts had been made to contact Ms Macbeth prior to today, but had not been successful, but they would be more than willing to contact her and offer contact numbers to her and another neighbours to use if there were any concerns to raise when events were taking place.

- Why have you requested recorded music from 6.30am?

This is for the provision of quiet background music to be played at breakfast time in the hotel.

The Interested Party, Ms Macbeth was not present at the meeting.

The Sub Committee then retired to consider the application at 11.05am and were accompanied by the Solicitor for Wiltshire Council and the Democratic Services Officer.

The Hearing reconvened at 12.15pm.

Resolved:

That the Northern Area Licensing Sub Committee has resolved to grant the application for a variation of the Premises Licence for Rudloe Hall Hotel, Leafy Lane, Rudloe, Corsham, to include the areas shown within the red line on the attached plan dated 13 December 2011 and for the provisions detailed below:

Regulated Entertainment

Plays

Monday to Sunday	10.00 to 00.00
------------------	----------------

Live Music

Monday to Thursday	10.00 to 00.00
Friday and Saturday	10.00 to 01.00
Sunday	10.00 to 23.30

Recorded Music

Monday to Thursday	06.30 to 00.00
Friday and Saturday	06.30 to 01.00
Sunday	06.30 to 00.00

Performance of Dance

Monday to Thursday	10.00 to 00.00
Friday and Saturday	10.00 to 01.00
Sunday	10.00 to 00.00

Entertainment facilities

Dancing

Monday to Thursday	10.00 to 00.00
Friday and Saturday	10.00 to 01.00
Sunday	10.00 to 00.00

Provision of late night refreshment

Monday to Sunday	23.00 to 23.30
------------------	----------------

Sale by retail of alcohol (on site and off site)

Monday to Thursday	10.00 to 00.00
Friday and Saturday	10.00 to 01.00
Sunday	10.00 to 23.30

And subject to the following additional conditions:

1. Contact numbers of the appropriate person responsible for the event to be made available to residents in the vicinity, during any events involving regulated entertainment.
2. The Premises Licence holder shall prepare and maintain a written policy on Noise Monitoring, to be approved by the Licensing Authority, to include regular monitoring of noise at the boundary of the premises during events involving regulated entertainment and the completion of noise monitoring sheets. These monitoring sheets shall be retained for at least six months and shall be made available for inspection by the Licensing Authority on reasonable request. The Policy shall also require the keeping of records of any noise complaints received.

Reasons:

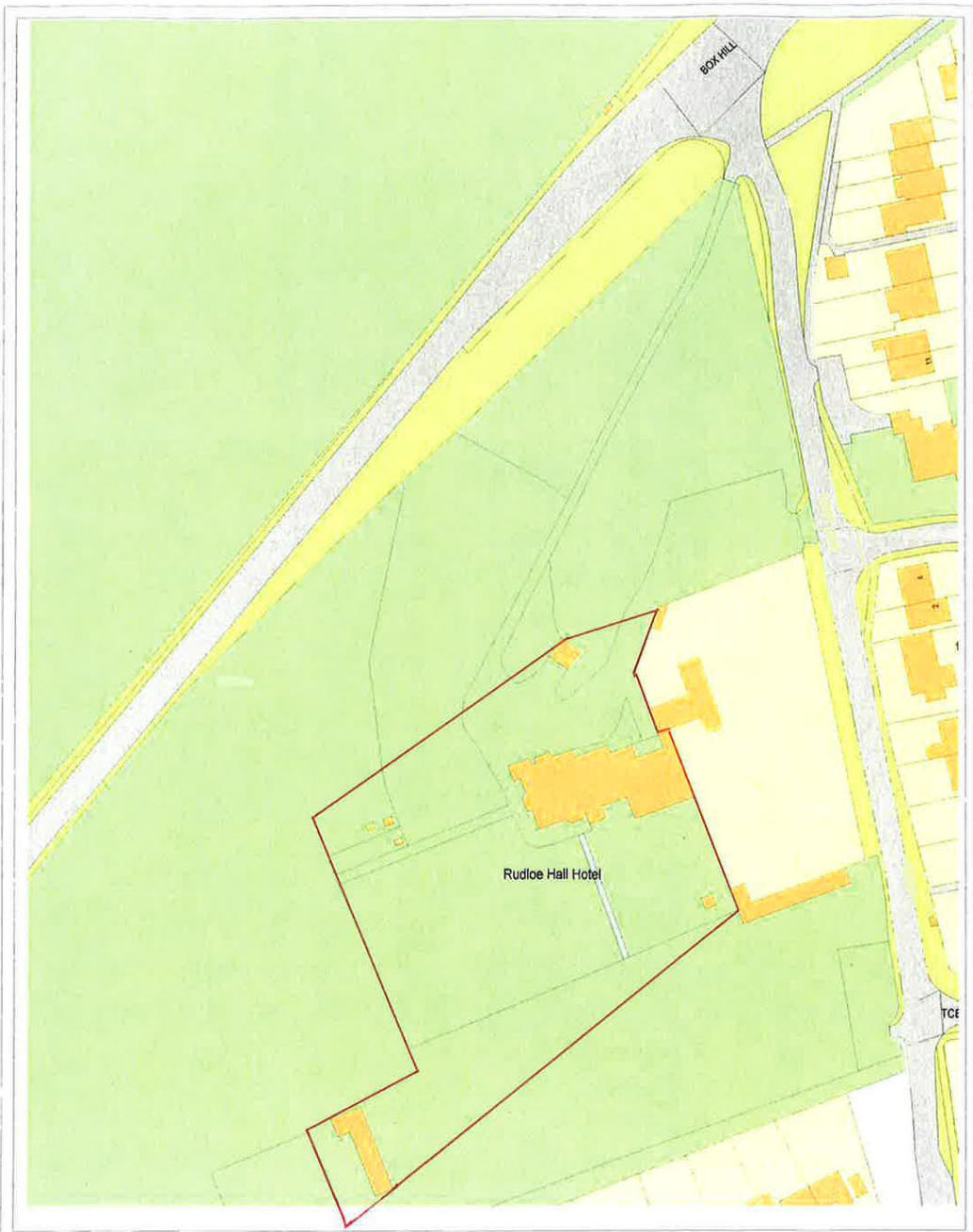
The Sub Committee considered the written representation from Ms. Macbeth presented in the agenda, together with the oral representations given at the hearing on behalf of the Applicant.

The Sub Committee noted the concerns raised by Ms Macbeth concerning noise but considered that the additional conditions imposed would adequately address those concerns and were necessary to promote the licensing objective of preventing public nuisance.

In reaching its decision the Sub Committee has considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 35); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

Right to Appeal

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of this decision. Any Responsible Authority or Interested Party has the right to request a Review of the Licence.



Walter Cord
[Faint text below logo]

(Duration of meeting: 10.30am – 12.20pm)

The Officer who has produced these minutes is Lisa Pullin (Democratic Services Officer) direct line 01225 713015 or email: lisa.pullin@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115