

SOUTHERN AREA LICENSING SUB COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA LICENSING SUB COMMITTEE MEETING HELD ON 7 AUGUST 2012 AT SALISBURY CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU IN RESPECT OF AN APPLICATION FOR A PREMISES LICENCE: WILTON DEVELOPMENT CENTRE FOR YOUNG PEOPLE

Present:

Cllr Trevor Carbin, Cllr Pip Ridout and Cllr George Jeans.

Also Present:

Debbie Mulvey (Senior Licensing Officer), Kieran Elliott (Democratic Services Officer), Lauren Kemple (Solicitor) and Kevin Sweeney (Area Manager, Integrated Youth Service – applicant)

11 **Election of Chairman**

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

Resolved:

To elect Cllr Pip Ridout as Chairman for this meeting only.

12 **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).

13 **Chairman's Announcements**

There were no announcements.

14 **Declarations of Interest**

There were no interests declared.

15 **Licensing Application**

Application by Wiltshire Council for a Premises Licence at Wilton Development Centre for Young People, The Hollows, Wilton, SP2 0JE

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

In accordance with the procedure detailed in the agenda, the Applicant was given the opportunity to address the Sub-Committee. There were no responsible authorities or interested parties in attendance.

Key points raised by Mr Kevin Sweeney on behalf of the Applicant were:

- It was accepted that some residents had objected to the opening of the Development Centre, but that it was deemed the best location and the hours limited to mitigate any concerns.
- There would not be regular live entertainment or other loud music on the site, but the licence application was to permit such activities to a reasonable degree throughout the year.
- No expansion of the site was planned.
- No formal complaints regarding noise, criminal damage or traffic had been received by police or Wiltshire Council officers.
- Wiltshire Council is happy to continue to meet with local residents to address any concerns.

Opportunity was given to ask questions of the Applicant and Wiltshire Council Officers by Members, and points including the following were raised:

- There were no plans to drastically change to functioning or activities of the existing centre on the site; the application was merely to meet the licensing obligations.
- Approximately 15-20 young people use the site on a daily basis, and the only cars using the site belong to the few staff members.
- The maximum capacity of the centre was approximately 45 due to fire regulations, but the numbers using the site were not expected to increase as the activities offered were not being altered, and would remain indoor activities only.
- Young people using the site were currently and would continue to be advised not to play music too loud.

The Sub-Committee members sought clarification on some points before retiring to consider the application and were accompanied by the Solicitor for Wiltshire Council and the Democratic Services Officer.

The Sub-Committee then retired to consider the application at 12:45.

The applicant was briefly recalled as the Sub Committee sought clarification on details of the site.

The Hearing then reconvened at 1320.

Following the deliberations of the Sub-Committee Members, the Solicitor for the Council made a statement of material legal advice given in closed session as follows:

That no specific legal advice had been given, other than to draw the Sub Committee’s attention to relevant guidance.

The Sub Committee considered all of the submissions made to it and the written representations together with the Licensing Act 2003, Statutory Guidance and Regulations and the Licensing Policy of the Council

Resolved:

The Southern Area Licensing Sub Committee has resolved to GRANT the licence for the following licensable activities:

Licensable Activity	Timings	Days
B - Films E - Live music F - Recorded music G - Performance of dance H - Anything of a similar description to that falling within (e), (f) or (g). I – Provision of facilities for making music J – Provision of facilities for dancing K – Provision of facilities for entertainment of a similar description to that falling within (i) or (j)	Monday to Friday	18:30 to 21:30
	All of the above regulated entertainment on five Saturdays throughout the year.	18:30 to 21:30

And subject to the following additional conditions:

1. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly and not loiter close to the entrance.

Reasons

The Sub Committee have considered the written evidence presented in the agenda together with the oral evidence given at the hearing, noting in particular the concerns of the representations in respect of noise disturbance, criminal damage and increased traffic.

The Sub Committee considered that no evidence was produced to substantiate these concerns and that no formal complaints had been received by the Police or Wiltshire Council.

The Sub Committee noted that it would be recommended that a contact number for any concerns regarding licensable activities be displayed on the premises.

The Sub Committee also considered the additional imposed condition would be sufficient to address the concerns of representations regarding noise levels, and therefore meet the licensing objectives.

In reaching its decision 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 granting of this licence is without prejudice to any other consents or approvals that may be required.

Right to Appeal

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of this decision.

(Duration of meeting: 12.30 - 1.25 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504 , e-mail kieran.elliott@wiltshire.gov.uk

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