

## NORTHERN AREA LICENSING SUB COMMITTEE

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### MINUTES OF THE NORTHERN AREA LICENSING SUB COMMITTEE MEETING HELD ON 29 NOVEMBER 2012 AT CIVIC CENTRE, ST STEPHENS PLACE, TROWBRIDGE, BA14 8AH IN RESPECT OF AN REVIEW OF PREMISES LICENCE - WOMAD FESTIVAL

#### **Present:**

Cllr Trevor Carbin, Cllr Jonathon Seed and Cllr Ernie Clark

#### **Also Present:**

Linda Holland, Paul Taylor (Senior Solicitor) and Stuart Figini (Democratic Services Officer)

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#### 1 **Election of Chairman**

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

#### **Resolved:**

**To elect Councillor Jonathan Seed as Chairman for this meeting only.**

#### 2 **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 – 8 of the Agenda refers).

#### 3 **Chairman's Announcements**

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

#### 4 **Declarations of Interest**

There were no interests declared.

#### 5 **Licensing Application**

**Application by Wiltshire Police for a Review of the Premises Licence in respect of WOMAD, Charlton Park Estate, Charlton Park, Malmesbury, Wiltshire, SN16 9DG.**

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

The Sub-Committee heard from Mr Simon Taylor representing WOMAD who requested an adjournment on the grounds that there was significant evidence supplied by Wiltshire Police on 16 November that WOMAD had not had the opportunity to respond to for this meeting. Mr Taylor referred to the Councils procedure rules for the hearing of Licensing Act 2003 applications, in particular paragraph 3.2.3 which states that 'the Applicant has an adequate opportunity to consider and respond to any submission made by a Responsible Authority/Authorities and /or an Interested Party/Parties.' He felt that the procedure would be flawed and WOMAD would be disadvantaged if they were not given sufficient time to respond to the evidence submitted by the Police.

The Sub-Committee also heard from Ms Sarah Le Fevre, representing the Police, who confirmed that the evidence submitted on 16 November would be relied upon extensively during their submission.

The Sub-Committee adjourned the meeting between 10:45am and 11:30am to consider the request for an adjournment.

**Resolved:**

**That the Application by Wiltshire Police for a Review of the Premises Licence in respect of WOMAD, Charlton Park Estate, Charlton Park, Malmesbury, Wiltshire, SN16 9DG be adjourned until 9:30am on Friday 14 December 2012 at Monkton Park Offices, Chippenham.**

**Note –**

**In considering the adjournment the Sub-Committee wished to register its concern at the protracted nature of the negotiations and reminded both parties that Wiltshire Council was the Licensing Authority and furthermore it was expected that both parties undertake full disclosure of relevant evidence by 5 December 2012. The Chairman emphasised that the Sub-Committee would make a decision on the Licence at the reconvened hearing on Friday 14 December 2012.**

(Duration of meeting: 9.30 - 11.33 am)

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