

Date of Meeting	21 December 2010
Title of Report	Premises Licence Queen Elizabeth Gardens, Salisbury
Link to Corporate Priorities	None - this is a statutory requirement
Public Report	Yes – This matter is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

Summary of Report

An application for a premises licence has been made for which there are relevant representations.

Wiltshire Council (as the Licensing authority) must hold a hearing to consider the application having regard to the representations.

In accordance with Section 18 (3) the Licensing Sub Committee is required to take such steps as it considers necessary to promote the licensing objectives.

The licensing objectives are:

- (a) the prevention of crime and disorder
- (b) public safety
- (c) the prevention of public nuisance and
- (d) the protection of children from harm.

Such steps are: - To modify the conditions of the licence or to reject the whole or part of the application.

Officer Recommendations

None. Officers are not permitted to make a recommendation – the decision is to be reached by members of the Licensing Sub Committee.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
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None	Yes	None	None	None
Contact Officer	Mrs Debbie Mulvey Licensing Officer 01722 434234 debbie.mulvey@wiltshire.gov.uk			

1. Introduction

An application for a premises licence has been made for which there are a relevant representations.

Wiltshire Council (as the Licensing authority) must hold a hearing to consider the application having regard to these representations.

In accordance with Section 18 the Licensing Sub Committee is required to take such steps, as it considers necessary to promote the licensing objectives. These steps are

- a) To grant the licence subject to conditions modified to such extent as the authority considers necessary for the promotion of the licensing objectives.
- b) To exclude from the scope of the licence any licensable activities
- c) To refuse to specify a person as the premises supervisor, or
- d) To reject the application

2. Options and Options Appraisal

In accordance with Section 18 the Licensing Sub Committee is required to take such steps, as it considers necessary to promote the licensing objectives, as set out above.

3. Background Information

On 26 October 2010 an application for a premises licence was received.

An officer of the Licensing team checked the application, the application was accepted

This application is for the following activities:

- Regulated entertainment, outdoors

4. Summary of Information

Activity	Day	Times
Plays	Friday & Saturday Sunday	09:00 to 22:00 11:00 to 20:00
Live Music	Friday & Saturday Sunday	09:00 to 22:00 11:00 to 20:00
Recorded Music	Friday & Saturday Sunday	09:00 to 22:00 11:00 to 20:00
Performance of dance	Monday & Saturday Sunday	09:00 to 22:00 11:00 to 20:00

Anything of a similar description to that falling within (e), (f) or (g)	Monday & Saturday Sunday	09:00 to 22:00 11:00 to 20:00
Provision of facilities for making music	Monday & Saturday Sunday	09:00 to 22:00 11:00 to 20:00
Provision of facilities for dancing	Monday & Saturday Sunday	09:00 to 22:00 11:00 to 20:00
Provision of facilities for entertainment of a similar description to that falling within (i) or (j)	Monday & Saturday Sunday	09:00 to 22:00 11:00 to 20:00

Regulated entertainment shall not take place in the park on more than eight days in any 12 month period.

Premises open 24 hours a day because this is a public park

5. Relevant Representations

During the consultation period several representations from interested parties were received.

6. Negotiations during Consultation Period

After negotiations with Environmental Services the applicant amended the application To state that **“Regulated entertainment shall not take place within the park on more than eight days in any 12 month period”**. The application has been amended accordingly.

Several representations have been withdrawn after the amendment had been made to the application.

7. Legal Implications

It should be noted that both the premises licence holder and the interested parties may appeal the decision made by the licensing sub committee. The decision made by the Licensing sub committee however takes immediate effect.

The Premises Licence Holder and the interested parties have been informed of the date, time and location of the hearing and their right to be represented.

8. Risk Analysis

Not applicable.

Appendices:	<ul style="list-style-type: none"> • 1. Application for a premises licence under the Licensing Act 2003 • 2. Map • 3. Copy of the relevant representations
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none"> • The Licensing Act 2003 • The Licensing Act (Hearings) Regulations 2005 • Guidance issued under sect 182 of the Licensing Act 2003 • Licensing Policy