

WESTERN AREA LICENSING SUB COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA LICENSING SUB COMMITTEE MEETING HELD ON 14 NOVEMBER 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE, BA14 0RD IN RESPECT OF AN PREMISES LICENCE - GLOVE FACTORY, HOLT

Present:

Cllr Peggy Dow, Cllr George Jeans and Cllr Nina Phillips

Also Present:

Pam Denton, Senior Democratic Services Officer
Maggie Jones, Licensing Officer
Paul Taylor, Senior Solicitor
Mr N Kirkham, Applicant
Mr and Mrs Mulvany, Interested Parties
Mrs Foster, Interested Parties

1. **Election of Chairman**

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

Resolved:

To elect Councillor George Jeans 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 – 6 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 Mr N R Marshall and Ms A M Kirkham for a Premises Licence at the Glove Factory Café, Glove Factory Studios, Brook Lane.

The Chairman sought clarity from the Applicant, Mr Kirkham, whether the Sub Committee were considering the application as detailed within the agenda as there had been reference in the correspondence to agreed amendments . Mr Kirkham clarified that this was the case.

The Licensing Officer introduced the purpose and scope of the application, the premises to which it related and the key issues for consideration. The background and the history of the premises is outlined within the report (page 7 and 11 of the agenda refer). During the consultation period relevant representations have been received from three Interested Parties.

In accordance with the procedure detailed in the agenda, the Applicant and the Interested Parties were given the opportunity to address the Sub-Committee.

Key points raised by Applicant were:

- The Glove Factory Studio is a managed workspace complex aimed at the higher skills and knowledge based small and micro businesses.
- The building is a refurbished heritage building in a rural setting and within this are 20 self contained office/studios, a business/meeting room and a bespoke café.
- Wiltshire Design Network supported by Wiltshire Council has approached the Applicant to develop and host monthly events and networking meetings/meals to encourage networking potential.
- The café holds the network of businesses together and a licence would make it more attractive to visitors and networking opportunities and events. Predominantly the Glove Factory Café is a business facility with business events being hosted until the early evening. They encourage the use of the café courtyard garden and paddock for use as a village facility.
- The site previously was a light industrial unit with a tannoy system and lights. However these have been removed at the request of local residents.
- There will be no events with amplified music. They will want to occasionally show films as part of a cultural or local event.
- They want the flexibility to be able to run interesting local and cultural events.
- Holt has 40,000-50,000 visitors a year to two National Trust properties at Great Chalfield Manor and The Courts Gardens. The Courts Gardens have an agreement with the local Village Hall for 35 parking spaces but this is not enough and parking takes place all along the Midland bend. If the

Glove Factory was fully let there would be a need for further parking. Since the summer they have an agreement to use an additional 16 places which will remain until the determination of the factory site. The parking issues in Holt cannot be blamed on the Glove Factory and the use of its café.

Members of the Sub-Committee sought clarity on a number of points;

- Whether cultural events that would take place would need amplified music to be played outside. The applicant did not think that the playing of amplified music would be necessary.
- Whether the building was listed. The applicant clarified that the building was not listed.
- Whether, if the building is not listed, there may be opportunity for further sound proofing. The applicant explained that there was no intention to have any amplified music inside to any level.

The interested parties were then given an opportunity to question the applicant. Mrs Foster explained that an e-mail had been sent to Mrs Jones the Licensing Officer to explain that a meeting had taken place on Friday with Mr Kirkham regarding the working arrangements of the café and as such they were withdrawing their objections to the application. Mr Mulvany explained that they were in agreement with Mr Kirkham taking this application forward. Their concerns were if the Glove Factory should change ownership. Mrs Jones explained that the licence can be passed on to someone else but there is legislation in place through the Review process. Mr Taylor, Senior Lawyer, Wiltshire Council, informed the Interested Parties that should the premises change ownership and the nature of the activities change, then local residents would have the opportunity to seek a review of the licence, if they had concerns about those activities.

The Sub-Committee members retired 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 10.50am

The Hearing reconvened at 11.15am

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

Resolved:

To grant the application with operating hours and proposed conditions as applied for i.e.

Licensable Activity	Timings	Days
Provision of regulated entertainment (Indoors & Outdoors) Plays, Films, Live music, Performance of Dance, Anything of a similar description –	1000 – 2300 1000 – 1800	Monday to Saturday Sunday
Recorded Music	1000 – 2300	Monday – Sunday
Sale by retail of alcohol (on & off the premises)	1000 – 2300 1000 – 1800	Monday to Saturday Sunday

Subject to the following conditions:

1. During any performance of live music, the Designated Premises Supervisor (DPS) or other person authorised by the DPS shall, by standing in the vicinity of the nearest dwelling to the premises being Garlands Farm BA14 6RL, monitor and carry out a subjective assessment of the sound levels at the location of the premises and where as a result of that assessment the music is deemed to be too loud, action shall be taken to reduce the sound to an acceptable level. The following details shall be recorded in a log book: (a) the name of the person undertaking the sound assessment; (b) the date of the performance of live music; (c) the time of each assessment; the location or locations of each assessment; (d) the observations of the person carrying out the assessment; and (e) details of any action taken.
2. The windows in the café/restaurant area of the premises shall be kept closed during any performance of live music.
3. A notice will be placed on the entrance asking the public to leave quietly from the venue.

4. The licence holder will notify Wiltshire Council Public Safety Group of any events that are likely to exceed 500 people, sixty days prior to the event taking place.
5. There will be a notice prominently displayed with the contact details, including telephone number, of the licence holder.

Evidence:

The Sub-Committee considered the written evidence attached to the agenda. In addition the Sub-Committee heard evidence from the applicant.

The Sub-Committee also received evidence from the following individuals who had made representations:

Mr and Mrs Mulvany
Mrs J Foster
Mr and Mrs Stevens

Reasons

The sub-committee considered that the conditions attached to the licence addressed the issues that had been raised by the interested parties and are necessary to meet the licensing objective of preventing public nuisance.

Right to Appeal

All parties have the right to appeal to the Magistrates Court within 21 days.

An interested party or responsible authority may apply to the Licensing Authority for a review of a premises licence, whether or not a review hearing takes place is in the discretion of the Licensing Authority but will not normally be granted within the first 12 months except for the most compelling circumstances.

(Duration of meeting: 10.00 - 11.15 am)

The Officer who has produced these minutes is Anna Thurman, of Democratic Services, direct line 01225 718379, e-mail

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