

**DECISION NOTICE**

**Northern Area Licensing Sub Committee**

**Decision made on 27 April 2021**

Application for a Club Premises Certificate in respect of Calne Bowls Club, Hillcroft, Calne, made by Calne Bowls Club Limited

**Councillors:**

Cllr Stewart Palmen (Chair) Cllr Allison Bucknell and Cllr Peter Hutton

**Decision:**

**The Northern Area Licensing Sub Committee RESOLVED to GRANT the application for a Premises Licence to include the activity and timings detailed below:**

<b>Licensable Activity</b>	<b>Timings</b>	<b>Days</b>
Sale by retail of alcohol (for consumption ON the premises)	12:00hrs to 22:00hrs	Monday to Friday
	10:00hrs to 22:00hrs	Saturday to Sunday

At the meeting, the Sub Committee highlighted to the Applicant that he had omitted to tick a box on the form under part 2 of the Club Operating Schedule with reference to the supply of alcohol to members to the club, although the intention was clear from the remainder of the application (which was completed in full), that it was the applicant's intention for alcohol to be supplied to both members of the Club as well as guest. The Applicant confirmed to the Sub Committee that this was a typographical error and it was his intention for alcohol to be supplied to both members of the Club as well as their guests. The Applicants representation regarding the application was accepted by the Sub Committee and Ms Cottrell.

**The Applicant**

In the past, Calne Bowls Club members had bought alcohol at the neighbouring Calne Recreation Club but the cost of Recreation Club membership had now risen to a prohibitive price which was now making it difficult for the Bowls Club to use this facility.

Calne Bowls Club had decided to apply for their own alcohol licence so that it would be easier for members and guests to enjoy a beer or glass of wine after a bowls match.

### **Responsible Authorities**

There were no representations received from Responsible Authorities.

### **Representations**

There was one representation from a resident living in the vicinity of the premises regarding the prevention of public nuisance and the possible issue of increased noise levels if patrons drank outside during the Summer months.

### **Reasons**

In reaching its decision the Sub Committee took account of and considered all the written evidence and representations from all parties and the oral submissions received from the Applicant Mr Wicks and Ms. F Cottrell who made a relevant representation at the hearing.

The Sub Committee considered the detailed representations made by the Applicant regarding the merits of his application and the steps the Applicant intended to take to ensure the promotion of the Licensing Objectives. The Sub Committee also considered the concerns raised at the hearing by Ms Cottrell relating to patrons causing noise and anti-social behaviour whilst drinking outside. No evidence of complaints regarding the noise of patrons attending Bowls Club was submitted to the Sub Committee and the Sub Committee noted no relevant representations were received from the responsible authorities. It was further noted by the Sub Committee that the Bowls Club is located adjacent to another establishment with a Club Premises Certificate – the Calne Recreation Club.

In reaching its decision, the Sub Committee took account of all representations made and was satisfied with the steps that the applicant proposed to promote the licensing objectives.

The Sub Committee had carefully considered the objections to the application, received from the local resident. However, it was established law that any decision to refuse the grant of a club premises certificate had to be evidenced based. Having regard to all the material before it, the Sub Committee did not consider there to be evidence that if the licence were granted, the likely affect would be that one or more of the licensing objectives would be undermined.

In particular, the Sub Committee gave weight to the following matters below:

- That none of the responsible authorities had raised concerns or made representations about the application
- That this was a new application for a club premises certificate with no history of any public nuisance on the premises

The Sub Committee further noted that if subsequently, there was evidence of noise nuisance, anti-social behaviour, public safety issues or similar arising from the use of the premises for the licensable activities with the potential effect of undermining the licensing objectives then it was open to any person (including Responsible Authorities) to request a review of the licence under the provisions of the Licensing Act 2003 and the matter would come back to the Sub Committee.

The Sub Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); the four Licensing Objectives; 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 the written decision. In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision is made by the Magistrates Court.

A Responsible Authority or interested party has the right to request the Local Authority to review the licence in accordance with the provisions of section 51 of the Licensing Act 2003. However, a review will not normally be held within the first twelve months of the licence.