

WILTSHIRE COUNCIL

NORTHERN AREA LICENSING SUB COMMITTEE

15th October 2019

Application for a Premises Licence; Calne Town Football Club, Bremhill View, Calne, Wiltshire, SN11 9DS

1. Purpose of Report

- 1.1 To determine an application for a Premises Licence in respect of Calne Town Football Club made by Calne Town Football Club Committee.

2. Background Information

- 2.1 An application for a Premises Licence in respect of Calne Town Football Club has been made by Calne Town Football Club Committee for which six relevant representations have been received.

- 2.2 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) of The Licensing Act 2003 the Licensing Sub Committee is required to take such of the steps listed in 2.4 below as it considers appropriate for the promotion of the licensing objectives. In considering the application and the relevant representations, the Sub Committee must also have regard to relevant Government guidance and the Council's Licensing Policy

- 2.3 The licensing objectives are:

- i) The Prevention of Crime and Disorder;
- ii) Public Safety;
- iii) The Prevention of Public Nuisance; and
- iv) The Protection of Children from Harm.

- 2.4 Such steps are:

- i) To grant the licence subject to such conditions as are consistent with those included in the operating schedule submitted with the application, modified to such extent as the Sub Committee considers appropriate for the promotion of the licensing objectives, together with any mandatory conditions required by the Licensing Act.
- ii) To exclude from the scope of the application any licensable activity.
- iii) To refuse to specify a person as the designated premises supervisor.
- iv) To reject the application.

2.5 On 16th September 2019 an application for a new Premises Licence was received and accepted as a valid application.

2.6 The application as applied for is as follows:

Licensable Activity	Timings	Days
Films – Outdoors – Max 15 per annum	12:00hrs to 23:00hrs	Friday to Monday
Live music – Outdoors – Max 15 per annum	12:00hrs to 23:30hrs	Friday to Monday
Recorded music – Outdoors – Max 15 per annum	12:00hrs to 23:30hrs	Friday to Monday
Performance of dance – Outdoors – Max 15 per annum	12:00hrs to 23:30hrs	Friday to Monday
Anything of a similar description – Outdoors – Max 15 per annum	12:00hrs to 23:30hrs	Friday to Monday
Provision of late-night refreshment -	23:00hrs to 23:30hrs	Monday to Sunday
Sale by retail of alcohol ON sales	10:00hrs to 23:30hrs	Monday to Sunday

A copy of the application from Calne Town Football Committee is attached as **Appendix 1**.

2.7 Following consultation with the Environmental Health Officer on 5th September 2019 the application was amended to:

Licensable Activity	Timings	Days
Films – Outdoors – Maximum of 2 a year.	12:00hrs to 23:00hrs	Friday to Monday
Live music / Recorded music / Performance of dance/ Anything of a similar description – Outdoors – Maximum of 2 events per year with Regulated Entertainment.	12:00hrs to 23:00hrs	Friday to Monday
Provision of late-night refreshment	23:00hrs to 23:30hrs	Monday to Sunday
Sale by retail of alcohol ON Sales	10:00hrs to 23:30hrs	Monday to Sunday

The following conditions were also added to Section M;

- Noise Management Plan is to be submitted to and agreed by the Licensing Authority/ Public Protection Environmental Control and Pollution Team at least 8 weeks prior to any event which includes regulated entertainment. Noise must be managed in accordance with the agreed Noise Management Plan.
- The number of attendees permitted in any event to a maximum of 500 persons.

A copy of the confirmation email is attached as **Appendix 2**.

3. Consultation and Representations

3.1 The application process requires the application to be advertised, by the Applicant, in a local news publication within 10 working days, starting on the day after the authority receives it and for a public notice (on pale blue paper) to be posted on the premises. In addition, the Licensing Authority advertises the application on its website, for a period of 28 consecutive days, starting the day after the authority receives the application.

3.2 During the consultation period six relevant representations have been received from six local residents.

3.3 Representations Received

- Ms Sarah Cleverley – 11 Bremhill View, Calne, SN11 9EE
- Ms Jade Stockley – 7 Bremhill View, Calne, SN11 9EE
- Mr and Mrs Baker – 15 Bremhill View, Calne, SN11 9EE
- Ms Georgia Holmes – 13 Bremhill View, Calne, SN11 9EE
- Mr Terry Thomas – 87 North End, Calne, SN11 9EE
- Mr Michael Holmes – 13 Bremhill View, Calne, SN11 9EE

3.4 Responsible Authorities

No Responsible Authority has made a representation in connection with this application.

3.5 A summary of the representations made is detailed in the table below:

Representation	Licensing Objective
Ms Sarah Cleverley	Public Nuisance / Crime and Disorder
Ms Jade Stockley	Public Nuisance / Crime and Disorder
Mr and Mrs Barker	Public Nuisance / Crime and Disorder
Ms Georgia Holmes	Public Nuisance / Crime and Disorder
Mr Terry Thomas	Public Nuisance / Crime and Disorder
Mr Michael Holmes	Public Nuisance / Crime and Disorder

3.6 The relevant representations are attached as **Appendix 3**. Attached as **Appendix 4** is a plan which shows the locations from where representations have been made.

4. Legal Implications

- 4.1 This hearing 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.
- 4.2 The Applicant, and all persons who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.
- 4.3 At the hearing all those who have made representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

5. Officer Recommendations

- 5.1 Officers are not permitted to make a recommendation – the decision is to be reached by the members of the Licensing Sub Committee.

6. Right of Appeal

- 6.1 It should be noted that the Applicant and those persons who have made representations may appeal the decision made by the Licensing Sub Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision.
- 6.2 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 made by the Magistrates Court.
- 6.3 A Responsible Authority or any person 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, if requested by a person other than a Responsible Authority it will not normally be granted within the first 12 months except for the most compelling circumstances.

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Date of report: 2nd October 2019

Background Papers Used in the Preparation of this Report

- **The Licensing Act 2003**
- **The Licensing Act (Hearings) Regulations 2005**
- **Guidance issued under Section 182 of the Licensing Act 2003**
- **Wiltshire Council Licensing Policy**

Appendices

- 1 New Premises Licence Application**
- 2 A copy of emails confirming the amendments to the application**
- 3 Representations**
- 4 Location of representations**