

Minutes

Meeting of : Western Area Licensing Sub-Committee
Meeting held in : Committee Room 1, The Council House, Bourne Hill, Salisbury
Date : 1 March 2006
Commencing at : 9.30am

Present:

District Councillors:

Councillor T Couper
Councillor E Draper
Councillor P Edge

Officers

Ms A Davies (Democratic Services)
Ms S Draper (Democratic Services)
Mrs L James (Legal & Property Services)

26. Election of Chairman:

Resolved – that Councillor Edge be elected Chairman for the duration of the meeting.

27. Minutes of Previous meeting

The minutes of the last ordinary meeting held on 26th October 2005 be approved as a correct record and signed by the Chairman.

28. Explanation of Procedure:

The Chairman explained the procedure for the hearing for all present.

29. Declarations of Interest:

There were none

30. Old Wardour Castle, Tisbury

The Committee considered the previously circulated papers, together with the revised operating schedule submitted by the applicant via e-mail dated 28th February 2006.

Mr Hughes, an interested party at the hearing, requested that he be allowed to produce additional information however, the lawyer representing the applicant withheld his consent and therefore the document was not circulated.



Awarded in:
Housing Services
Waste and Recycling Services



The Committee were informed that as a result of the revised operating schedule and conditions offered in the original operating schedule, the Environmental Health Department was prepared to withdraw its objection.

The Committee heard verbal representations from a Mr Graham, the lawyer representing English Heritage, in support of the application and Mr Hughes, on behalf of the interested parties, in objection to the application.

Resolved – The committee resolved that, having taken into consideration the representations made in writing, at the hearing and the licensing objectives with the guidance issued under section 182 along with the Council’s Statement of Licensing Policy, the committee resolved to:

Grant the application as per agenda and including the applicant’s amendments received by e-mail on 28th February, namely:

1. Off sales will be limited to English Heritage Branded goods, for the gift market.
2. Non Standard functions will be limited to 6 per year that will include alcohol and regulated entertainment - including live music, recorded music, provision of facilities for making music and dance (or similar) that will cease at 23.30 with the site cleared by midnight.
3. Additional Non Standard functions will be limited to an additional 6 per year that will include alcohol and regulated entertainment - including live music, recorded music, plays and films - that will cease at 23.00 with the site cleared by 23.30.
4. To cover other events, the standard times for all activities will cease at 20.00 on all days.
5. That a condition will be inserted to indicate that Weddings will cease at 20.00 and family days and re-enactment days will cease at 18.00 and the premises will close at 20.30

Subject to the following amendment:

- 1) That all non-standard functions constituting regulated entertainment totalling 12 per year, as referred to in paragraphs 2 and 3 above, be restricted to terminating at 2300 with the site cleared by 2330.

The reasons for this decision are

- 1) Based on the representations received, in particular those representations made at the hearing in relation to noise disturbance, the Committee considers that there is a real risk of public nuisance as a result of noise disturbance from the provision of regulated entertainment given the open-air nature of the venue and the characteristics of the location. Therefore the Committee considers that the above restriction will reduce the likelihood of such disturbance for local residents as events will not go on as late into the evening.
As a consequence of this, a standard terminal hour for evening events will enable residents to monitor those events.
In reaching the above decision the members have balanced the business needs of the applicant and the tenor of the legislation together with the needs of local residents.

All parties have the right to appeal to the magistrate’s court.

There is a right to a review of a premises license once the licence has taken effect.

The meeting closed at 11.40am

Members of the public: 7