

# Minutes

**Meeting of** : Western Area Licensing Sub-Committee  
**Meeting held in** : The Alamein Suite, The City Hall, Salisbury  
**Date** : Tuesday 13 March 2007  
**Commencing at** : 2.00pm

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**Present:**

**District Councillors:**

Councillors Mrs E A Chettleburgh, E Draper and P D Edge

**Officers**

Ms A Davies (Democratic Services)  
Mr J Chamberlain (Democratic Services)  
Ms Laura James (Legal & Property Services)

**36. Election of Chairman:**

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

**37. Minutes of Previous meeting**

The minutes of the last ordinary meeting held on 3 January 2007 be approved as a correct record and signed by the Chairman.

**38. Explanation of Procedure:**

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

**39. Declarations of Interest:**

There were none

**40. The Cross Inn, Tisbury**

Mr Pickering, the applicant, spoke in support of the application. Mr Pennant spoke in objection to the application. Following the receipt of these statements the Committee considered the previously circulated papers.

**Resolved** – that having taken into consideration the representations made in writing and at the hearing, and the licensing objectives stated in the Licensing Act 2003, with the guidance issued under section 182 (as of 22<sup>nd</sup> June 2006), along with the Council's Statement of Licensing Policy, the Sub-committee resolved to:



Awarded in:  
Housing Services  
Waste and Recycling Services



**Grant** the application

Subject to the inclusion of the following amendments to the operating schedule as per the email to the applicant of 6 February 2007:

- 1) Regulated entertainment will only be played indoors
- 2) That the regulated entertainment will not be audible at any residential premises
- 3) Unregulated entertainment (ie juke box, tv) will be limited to background level (not audible outside the premises).
- 4) That all windows should remain closed at or before 21.00
- 5) A notice will be prominently placed at exits requesting customers to leave quietly

And subject to the following conditions:

- 1) That all regulated entertainment should cease at 23.30 Monday to Thursday inclusive.
- 2) That the provision of facilities for dancing should cease at 23.30 Monday to Thursday inclusive.
- 3) That the supply of alcohol should cease at 00.00 on Mondays to Thursdays
- 4) That the hours the premises are open to the public should cease at 00.30 on Mondays to Thursdays
- 5) That customers should be supervised on their departure from the premises by the staff present at the time
- 6) That the non-standard timings for the supply of alcohol and the hours the premises are open to the public be removed from the application.
- 7) That all doors and windows should remain closed at or before 21.00 during the performance of all regulated entertainment.

**Reason:** in order to mitigate the possibility of public nuisance

The reasons to grant approval for this application were:

The Sub-Committee has taken account of the representation made by Mr Pennant, as well as the written objections (attached to the previously circulated agenda) and has noted that the evidence from the applicant, which the Sub-Committee accepts, is that the Cross Inn has not received any complaints in relation to noise nuisance from music, other than in March 2006, from local residents since Mr Pickering has been owner of the premises. Mr Pickering gave evidence that he had had a number of Temporary Events over the past ten months, comprising live music, as recent as 3 March 2007, which did not result in any complaints to him. The Sub-Committee also heard evidence from the applicant and Mr Pennant of noise nuisance in the past, and as referred to in some of the letters before the Sub-Committee.

In this context the Sub-Committee is satisfied that the application as presented and subject to the conditions detailed above, does not present any realistic risk of any of the licensing objectives being undermined.

During the consideration of this matter, the Sub-Committee had regard to:

The application and the letters of objection as attached to the agenda.

All parties have the right to appeal to the magistrate's court should they be dissatisfied with the decision.

*The meeting closed at 4.10pm*

*Members of the public: 3*