

# Minutes

**Meeting of** : Western Area Licensing Sub-Committee  
**Meeting held in** : The Meeting Room, The City Hall, Salisbury  
**Date** : Wednesday 29 October 2008  
**Commencing at** : 10.00 am

---

**Present:**

**District Councillors:** E R Draper, Mrs C A Spencer, and M Tomlinson

**Officers:** Mr R Hodgkinson (Legal & Property Services) P Trenell (Democratic Services)

## 26. Election of Chairman:

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

## 27. Minutes of Previous meeting:

**Resolved** – that the minutes of the last ordinary meeting held on 5<sup>th</sup> March 2008 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. Peppers, Wilton:

**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 28th June 2007), along with the Council's Statement of Licensing Policy, the sub-committee resolved to:

- 1) **Grant** the application for the retail of alcohol between a 08:00 and 19:00 hours;
- 2) **Refuse** the application for a regulated entertainment licence and the extension of hours.



*Awarded in:*  
Housing Services  
Waste and Recycling Services



The reasons for this decision are as follows:

- i) Having considered the objections before them the sub-committee considered that the granting of an Alcohol Licence from 08:00 to 19:00 hours would be unlikely to lead to noise and public nuisance concerns;
- ii) The sub-committee noted the existence of present planning restrictions. Whilst they did not feel bound by these restrictions, particularly in light of a pending application for amendment, the committee viewed the restrictions and the reasons for their imposition as a significant factor to be considered with respect to regulated entertainment;
- iii) The sub-committee considered it unsatisfactory that the applicant did not attend the hearing. Their absence prevented the sub-committee from asking questions and hearing further information about the nature of the premises, the proposed entertainment and the presence of any procedures or devices to mitigate noise and vibration;
- iv) Having considered the letters of objection at pages C1 and D1 of the agenda and evidence of the Environmental Health Officer Mr Rhys Gilbert presented at the meeting the sub- committee believes that there is a real possibility of public nuisance by way of noise and vibration arising from regulated entertainment;
- v) In the absence of any evidence from the applicant to rebut these concerns the sub-committee decided to refuse the application for regulated entertainment;
- vi) Further, for the reasons outlined above the sub-committee has concerns about the extension of opening hours and the hours therefore remain as stated in existing planning permission.

*The meeting closed at 11:30  
Members of the public: 1*