

DECISION NOTICE

Northern Area Licensing Sub-Committee

Meeting held 11 August 2011, in respect of Application for a Review of a Licence at: The Black Horse Public House, 62 New Road, Chippenham

The Northern Area Licensing Sub-Committee resolved to vary the premises licence by the addition of the following condition:

- 1) That a noise management plan is submitted to, and agreed in writing by, the licensing authority's Environmental Protection Team prior to any outdoor music event being held on the premises, and that once approved this plan is adhered to by the premises licence holder.

INFORMATIVE: The Licence Holder's attention is drawn to the expectation that the licence holder continues to work closely with the licensing authority to ensure that responsible management of the premises in terms of noise control is maintained henceforth, pursuant to the following licensing objective:

- iii) The Prevention of Public Nuisance

The Sub-Committee have considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 52); the guidance issued under Section 182 of the Act and the licensing policy of Wiltshire Council.

Reasons:

The Sub-Committee have considered the written evidence presented in the agenda, together with the oral evidence given at the hearing. In reaching their decision, the Sub-Committee considered:

- That there were no substantiated complaints of noise nuisance caused by the premises outside the weekend of the Chippenham Folk Festival;
- That the premises licence holder has actively attempted to negotiate with residents to mitigate nuisance and has discussed the issues with the Environmental Protection Team;
- That any potential noise problems that might arise from the external music events at the premises could be adequately addressed by a noise management plan, approved by the Environmental Protection Team. The addition of a condition to this effect would be sufficient to meet the licensing objective of prevention of public nuisance.

Right of Appeal

All parties have the right to appeal to the Magistrates Court within 21 days of this decision. Any additional conditions imposed on the licence will not come into effect until this period has expired, or until any appeal, if made, has been finally disposed of.