

**DECISION NOTICE**

**Northern Area Licensing Sub Committee**

**Decision made on 6 January 2012**

**In respect of an application for a Review of the Premises Licence made by Ms L Penfold for the Guildhall Bar, Malmesbury**

**Decision:**

The Northern Area Licensing Sub Committee has resolved to amend the Premises Licence for the Guildhall Bar, Malmesbury as follows:

**The Provision of Licensable Activities:**

**Films**

Monday to Saturday 11.00 hrs to 23.00 hrs  
Sunday 12.00 hrs to 23.00 hrs

**Indoor Sporting Events**

Monday to Saturday 11.00 hrs to 23.00 hrs  
Sunday 12.00 hrs to 23.00 hrs

**Live Music**

Sunday to Saturday 20.00 hrs to 23.00 hrs

**Recorded Music**

Sunday to Saturday 20.00 hrs to 23.00 hrs

**Performances of Dance**

Monday to Saturday 11.00 hrs to 23.00 hrs  
Sunday 12.00 hrs to 23.00 hrs

**Anything of a similar description to that falling within Live Music, Recorded Music, Performances of Dance**

Monday to Saturday 11.00 hrs to 23.00 hrs  
Sunday 12.00 hrs to 23.00 hrs

**Provide Facilities for Dancing**

Monday to Saturday 11.00 hrs to 23.00 hrs  
Sunday 12.00 hrs to 23.00 hrs

**Supply of Alcohol – for consumption both on and off the premises**

Monday to Saturday 11.00 hrs to 23.00 hrs  
Sunday 12.00 hrs to 23.00 hrs

**The opening hours of the premises**

Monday to Saturday 11.00 hrs to 23.30 hrs  
Sunday 12.00 hrs to 23.30 hrs

And subject to the following additional conditions:

- 1) All staff serving alcohol on the premises shall have undertaken the BII Social Responsibility Course. For the avoidance of doubt this applies to existing staff and any new staff as and when appointed. (This is to replace the existing condition regarding training as a clarification)
- 2) No alcohol will be permitted to be taken from the premises in unsealed or open containers and notices to this effect to be prominently displayed.
- 3) Notices are to be prominently displayed at all exits from the premises requesting that patrons respect the needs of people living in the area and to leave the area quietly.
- 4) All windows are to be kept closed and all doors to be kept closed except for access and exit whenever regulated entertainment is taking place.

The premises licence is to be suspended for a period of up to three calendar months to enable the premises to carry out required staff training. If the licence holder can satisfy the Police and Licensing Officer that the training requirements as set out in 1 above have been successfully met, then permission may be granted in writing by the Licensing Officer for the premises to open prior to the end of the three month period.

Mr Michael Lawford is to be removed as Designated Premises Supervisor and a new Designated Premises Supervisor be appointed.

### **Reasons**

The Sub-Committee accepted that there was a significant problem of noise nuisance and anti social behaviour outside and associated with the premises on Friday and Saturday nights. The Sub Committee considered that the reduction in hours would reduce these problems and was necessary to meet the licensing objectives. The Sub Committee considered that the additional conditions above would address the issue of noise and anti social behaviour.

Having heard evidence that the management of the premises is inadequate, the removal of the Designated Premises Supervisor and temporary suspension of the premises licence until such time as the required training had been undertaken were considered necessary to address these issues.

In reaching its decision the Sub Committee has 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.

The Sub Committee have also considered the written evidence presented in the agenda and the supporting evidence provided orally. After thorough consideration of the request from the Police and local residents to revoke the premises license, the Sub Committee

felt that on balance the decision reached was proportionate to meet the licensing requirements.

**Right to Appeal**

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of this decision. This decision does not come into effect until the appeal period has elapsed or, if an appeal is made, until that appeal has been finally disposed of.