

Northern Area Licensing Sub Committee

**MINUTES OF THE NORTHERN AREA LICENSING SUB COMMITTEE MEETING
HELD ON 15 OCTOBER 2019 AT WILTSHIRE COUNCIL OFFICES, MONKTON
PARK, CHIPPENHAM SN15 1ER.**

Present:

Cllr Allison Bucknell, Cllr Peter Evans and Cllr Stewart Palmen

Also Present:

On behalf of the Applicant

Trudy East – Chair of Calne Town Football Club
Simon Gardner – Vice Chair of Calne Town Football Club

Those who made a relevant representation

None

Wiltshire Council

Sarah Marshall - Senior Solicitor
Jemma Price - Public Protection Officer – Licensing
Lisa Pullin - Democratic Services Officer

Also in attendance

Lesley Elvin – Wiltshire Council observer
Julia Hijstek – Local Democracy Reporter

14 **Election of Chairman**

Nominations for a Chairman of the Licensing Sub Committee were sought and it was

Resolved:

To elect Councillor Allison Bucknell as Chairman for this meeting only.

15 **Apologies for Absence/Substitutions**

There were no apologies or substitutions.

16 **Procedure for the Meeting**

The Chairman explained the procedure to be followed at the hearing, as contained within the "Wiltshire Licensing Committee Procedural Rules for the Hearing of Licensing Act 2003 Applications" (Pages 5 – 11 of the Agenda refers).

17 **Chairman's Announcements**

The Chairman gave details of the exits to be used in the event of an emergency.

18 **Declarations of Interest**

There were no interests declared.

19 **Licensing Application**

Application by Calne Town Football Club Committee in respect of a Premises Licence at Calne Town Football Club, Bremhill View, Calne

Jemma Price (Public Protection Officer – Licensing) introduced the purpose and scope of the application, the premises to which it related and the key issues for consideration. Miss Price highlighted the following:

- This was an application for a Premises Licence. Following consultation with the Council's Environmental Health Officer, the application was amended and sought to request the following licensable activities:
 - i) Films – outdoors. A maximum of 2 a year. Friday to Monday from 12:00 to 23:00hrs
 - ii) Live music/recorded music/performance of dance/anything of a similar description – outdoors. A maximum of 2 events per year with Regulated Entertainment. Friday to Monday from 12:00 to 23:00hrs
 - iii) Provision of late-night refreshment. Monday to Sunday from 23:00 to 23:30hrs
 - iv) Sale by retail of alcohol on sales. Monday to Sunday from 10:00 to 23:30hrs
- Two additional conditions were also agreed with the Applicant in relation to a Noise Management Plan and the maximum number of attendees permitted at any event. These conditions were in addition to those offered by the Applicant at Section M of the application form; and
- Six relevant representations were received from local residents in objection to the application. Their representations were made regarding concerns about public nuisance and crime and disorder.

In accordance with the procedure detailed in the agenda, the Applicant's representatives were given the opportunity to address the Sub Committee.

Trudy East and Simon Gardner (Chair and Vice Chair of Calne Town Football Club) reported the following.

- The Club were not intending to be open every day, this was a blanket application to cover them for Saturday matches, evening matches or possible events on bank holidays. All the current Committee members work full time and do not have the capacity to be able to open/run the club 7 days a week. The Clubs priority is football and they would not want to do anything to damage the pitch;
- The Club is self-funding and currently their patrons leave the site to purchase alcoholic drinks from the two neighbouring clubs. The Club wishes to offer their own alcoholic refreshments to boost the income for the Club. The serving of alcohol (from a small hatch) was intended to be during half time of matches;
- This would not increase the traffic or footfall to the area as those spectators are already present, they are just not currently able to purchase alcohol from Calne Town Football Club and travel off site to purchase alcohol;
- The local residents appear to want to penalise them for what is happening in the local area with their concerns about public nuisance and possible crime and disorder – this application is simply to retain their patrons on site with an opportunity to purchase refreshments from them and increase the income stream for the Club;
- Possible charity fundraising events with music/and or an open-air cinema are planned in addition to serving alcohol at matches and these would be open to the community; and
- Mrs East (Chair) was intending to be the Designated Premises Supervisor the premises and had carried out the appropriate training.

The Sub Committee Members then asked the following questions of the Applicants:

Q How do your patrons enter the Club and how do you intend to control them not bringing in alcohol?

A Entry is via turnstiles and we will refuse entry if they are bringing in their own alcohol.

Q What security do you have in place?

A We don't have any security guards, but during our matches/events usually around 80% of our Committee members are on site dotted around. Usual attendance for matches is between 40 and 90 patrons so there are not large numbers. We use the North Star Club for hospitality following the matches.

Q Will you be using plastic glasses?

A Yes, it is an FA requirement that we use plastic/polycarbonate glasses and we will continue to decant all drinks.

None of the local residents that made a relevant representation were present at the meeting.

Simon Gardner on behalf of the Applicants wished to add in summation that Calne Town Council had commented that they were in support of their application and accordingly had renewed their lease of the grounds.

The Sub Committee then adjourned at 10:35am and retired with the Solicitor and the Democratic Services Officer to make a decision on the licensing application.

The Hearing reconvened at 10:50am.

Following the deliberations of the Sub Committee Members, it was

RESOLVED THAT:

The Northern Area Licensing Sub Committee resolved to GRANT the application for a Premises Licence for the activities and timings detailed below:

| Licensable Activity | Timings | Days |
|--|--|--------------------------------------|
| <u>Provision of Regulated Entertainment</u> Films – Outdoors – Maximum of 2 a year Live music/recorded music/ performance of dance/anything of a similar description – Outdoors – Maximum of 2 events per year with Regulated Entertainment of this nature. | 12:00 to 23:00hrs 12:00 to 23:00hrs | Friday to Monday Friday to Monday |
| Provision of late-night refreshment | 23.00 to 23:30hrs | Monday to Sunday |
| Sale by retail of alcohol ON sales | 10:00 to 23:30hrs | Monday to Sunday |

Subject to the following conditions in addition to those offered by the Applicant in their application:

1. Noise Management Plan is to be submitted to and agreed by the Licensing Authority/Public Protection Environmental Control and Pollution Team at least 8 weeks prior to any event which includes regulated entertainment. Noise must be managed in accordance with the agreed Noise Management Plan.
2. The number of attendees permitted in any event to a maximum of 500 persons.
3. Only polycarbonate glasses are to be used at **all** times throughout the premises and all drinks to be decanted into polycarbonate or plastic receptacles for consumption on the premises.

Reasons

After taking into account the written representations on behalf of the Applicant and the oral submissions received on behalf of the Applicant at the hearing, the Sub Committee also considered the concerns raised in writing by those who made a relevant representation who were not present at the hearing. Those concerns related to the perceived public nuisance arising from increased footfall and noise on the premises and anticipated low level anti-social behaviour. The concerns raised about the impact of increased traffic and parking were not considered as these do not relate to the Licensing Objectives.

The Sub Committee noted that the Applicant wished to host community and charity events and to have flexibility as dates and times of events or football matches may be required to be re-arranged at short notice.

The Sub Committee noted that the premises are open air and turnstiles would be in operation to control entry and exit to the site.

The Sub Committee considered it appropriate to grant the application as applied for and subsequently amended and to include the two conditions concerning the submission of a Noise Management Plan and the number of attendees being restricted to a maximum of 500 persons as offered by the Applicant and a further condition requiring the use of polycarbonate glasses on the premises and continuing to decant all bottles/cans.

In reaching its decision the Sub Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

Right to Appeal

All parties have the right to appeal to the Magistrates Court within 21 days of receipt of the written decision. Any person has the right to request a Review of

the Licence, in accordance with the provisions of section 51 of the Licensing Act 2003

(Duration of meeting: 10.15 - 10.52 am)

The Officer who has produced these minutes is Lisa Pullin of Democratic Services,
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