

**LICENSING
HEARING NO. 2**

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**Draft Minutes of the Licensing Hearing No. 2 Meeting held on Wednesday 17th
August 2005 at Monkton Park, Chippenham commencing at 2.00pm**

Hearing Councillors Present:

Councillors D.B. Allen, M.E.M. Groom and M.Rousell

Officers Present: P. Langcaster (Press & Media Officer), L. May (Policy & Democratic Services Assistant), B. Summerhayes (Technical Officer), P. Taylor (Assistant Solicitor), K. Tiley (Licensing Officer), J. Whittleton (Policy & Democratic Services Assistant)

LH2-1. Election of Chairman

Councillor D.B. Allen proposed and Councillor M.Rousell seconded that Councillor M.E.M. Groom be elected Chairman for this hearing only. There were no further nominations.

Resolved Councillor M.E.M. Groom be elected Chairman for the duration of the hearing.

Councillor M.E.M. Groom in the Chair.

LH2-2. Apologies for absence

There were no apologies for absence.

LH2-3. Declarations of Interest

There were no declarations of interest.

LH2-4. The White Hart, Market Place, Castle Combe

Consideration was given to Report No.4 (circulated on 9th August) which advised Members that relevant representations had been received in respect of an application by Wadworth & Company Limited to vary a premises licence at The White Hart, Market Place, Castle Combe, Chippenham.

Page one of a letter of representation that had been omitted from the Agenda was circulated at the meeting.

Following a brief summation of the information in the report by the Licensing Officer, the Hearing was addressed by the representative of Wadworth & Company Ltd – Mr S. LePage and the current Licensee Mr P.Dixon.

Representations were also received from Councillor A..P. Bishop of Castle Combe Parish Council and Mrs A. Chapman.

The Hearing was able to ask questions of the applicant and his representations. Opportunity was also given to the applicant and those making representations to address questions to each other through the Chair of the Hearing.

Issues discussed included:

- The application to vary the sale of alcohol had been further amended with it now intended that it would end at midnight each night of the week (with the exception of New Year's Eve when it would end at 2.00am on 2nd January);
- That entertainment would be applied for under Temporary Event Notices, except for quiz nights that would continue to be held no more than once a month;
- That no representations had been received from the Police or the Environmental Health Officer;
- Concerns with the levels of noise resulting from amplified music and when patrons left the premises which caused disturbance to local residents; and
- That the Police maintained responsibility for enforcing highway safety issues and this was not a matter in the control of the Licensee and not a matter for consideration by the Hearing.

Resolved

- 1) That the variation application for extended opening hours be granted, subject to the following amendments proposed by the applicant
 - a. All licensable activity, including the sale of alcohol, to cease at midnight each night of the week (with the exception of New Year's Eve when it would cease at 2.00am on the 2nd January) with the premises to remain open for no more than 30 minutes after licensable activity has ceased.

- 2) That the following additional conditions be made in the licence:
 - a. That the garden of the public house would not be used after 11.00pm.
 - b. That a notice be placed in a prominent place in the public house requesting that patrons give consideration to residents and leave the premises quietly.
 - c. No amplification equipment be used when quiz nights are held.

LH2-5. Waggon & Horses, 9 High Street, Wootton Bassett

Consideration was given to Report No.5 (circulated on 9th August) which advised Members that relevant representations had been received in respect of an application by Miss R.A. Lynne and Mr B.D. Wood to vary a premises licence at The Waggon & Horses, 9 High Street, Wootton Bassett.

Further representations that were submitted by the Applicant were circulated at the meeting.

Following a brief summation of the information in the report by the Technical Officer, the Licensee, Miss R.A. Lynne and her representatives Mr B.D. Wood and Mrs C. Reid addressed the Hearing.

Representations were also received from Mr J. Wilks and Mrs M. Penny.

The Hearing was able to ask questions of applicant and those making representations. Opportunity was also given to the applicant and those making representations to address questions to each other through the Chair of the Hearing.

Issues discussed included:

- Confirmation that the Police had withdrawn their representations following the amendment of the application withdrawing the adult entertainment and 30 days special event request;
- The application to vary the sale of alcohol had been further amended with it now intended that it would end at 12.30am Sunday to Thursday and 1.30am Friday and Saturday;
- That it was intended now that live music events would only be held on Friday and Saturday (a temporary events notice would be applied for if required on another day);
- Concerns with noise problems resulting from the amplified music and when patrons left the premises. Also the obstructions sometimes caused when patrons congregated around and used the benches on the pavement outside of the public house;

- The Licensee being aware of previous noise problems and making her own arrangements to monitor the noise levels which were adjusted as necessary;
- That no representations had been received from the Environmental Health Officer; and
- That the public house was situated in area that was mainly residential.

Resolved

- 1) That the variation application for extended opening hours be granted, subject to the following amendments:
 - a. Films & Video Entertainment to cease at 12:30am Sunday to Thursday and 1:30pm on Fridays and Saturdays.
 - b. Indoor sporting events to cease at 12:30am Sunday to Thursday and 1:30pm on Fridays and Saturdays.
 - c. Live music is not permitted from Sunday to Thursday and is permitted in the hours 8:00pm to 11:30pm on Fridays and Saturdays.
 - d. Recorded music is permitted between the hours of 10:00am to 1:00am Sunday to Thursday and between 10:00am to 2:00am on Fridays and Saturdays.
 - e. Performances of dance are permitted between the hours of 10:00am to 12:30am Sunday to Thursday and between 10:00am to 1:30am on Fridays and Saturdays.
 - f. Voice amplification at any event held on the premises is to be permitted between the hours of 10:00am to 12:30am Sunday to Thursday and between 10:00am to 1:30am on Fridays and Saturdays.
 - g. The provision of facilities for making music is to be permitted from the hours of 10:00am to 11:30pm on Fridays and Saturdays only.

- h. The provision of facilities for dancing is to be permitted between the hours of 10:00am to 12:30am Sunday to Thursday and between 10:00am to 1:30am on Fridays and Saturdays.
- i. Late night refreshment is permitted between the hours of 11:00pm to 1:00am Sunday to Thursday and 11:00pm to 2:00pm on Fridays and Saturdays.
- j. The supply of alcohol is permitted between the hours of 10:00am and 12:30am Sunday to Thursday and 10:00am to 1:30am on Fridays and Saturdays.
- k. Hours premises are open to the public are 9:00am to 1:00am Sunday to Thursday and 9:00am to 2:00am on Fridays and Saturdays.

2) That the following additional conditions be made in the licence:

- a. Windows to be closed from 8:30pm onwards during the hours of regulated entertainment.
- b. Interior curtains to be drawn from 10:00pm onwards during the hours of regulated entertainment.
- c. Interior door to be closed from 10:00pm onwards during the hours of regulated entertainment.
- d. Exterior door to be closed from 11:00pm onwards during the hours of regulated entertainment.
- e. That prominent notices are to be placed at the front and rear of the premises reminding patrons to behave in a quiet and respectful manner to local residents.

These conditions are to address the issue of noise nuisance to neighbours and are in addition to the terms and conditions of the public entertainment licence which will transfer to the new license

The meeting started at 2.00pm and finished at 5.20pm.

There were 11 members of the public present.