

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **INAUGURAL MEETING OF LICENSING COMMITTEE**

Held on: **TUESDAY 11 NOVEMBER 2003**

Held in: **THE COUNCIL CHAMBER, COUNCIL OFFICES,
BRADLEY ROAD, TROWBRIDGE**

Present:

Councillors: Burnan OBE (Chairman), Baker, Batchelor, Carbin, Davis,
Fortescue, Manasseh, Phillips, Repton,

Also in

Attendance: Cllrs Marion Clegg, Cox and Hawker

Officers:

Head of Regulatory Services, Principal Environmental Health
Officer (DB), Principal Lawyer, Licensing Officer and Member
Support Officer (YR)

1. APOLOGIES AND CHANGES TO THE CONSTITUTION

This Committee had been appointed by Council at its meeting on the 10 September 2003 when Councillor Burnan had been elected Chairman of the Committee.

Apologies for absence were received from Cllrs Chivers and Payne who was replaced by Cllr Baker for this meeting only.

2. APPOINTMENT OF VICE-CHAIRMAN

Cllr Davis was proposed and seconded and there being no other nominations, it was

RESOLVED:

That Cllr Davis be appointed Vice-Chairman of the Licensing Committee.

3. DECLARATIONS OF INTEREST

Cllr Manasseh reported that he knew the applicants and people who were both in support and opposing the application. Members reported that they had all been generally lobbied concerning the application.

4. **ANNOUNCEMENTS FROM THE CHAIRMAN**

No announcements were made.

5. **LATE NIGHT PUBLIC ENTERTAINMENT LICENCE AT THE LUDLOW ARMS, WESTBURY**

The Chairman started the meeting by confirming that this application was being considered under the procedure for dealing with important licence applications as laid down in the Constitution. This was because the renewal of the late night Public Entertainment Licence (PEL) for the Ludlow Arms was important to the local community in Westbury. The Chairman also explained that the application would be dealt with under the existing public entertainment licensing law and not the proposed new liquor licensing regime which was not yet in place.

The Chairman outlined the procedure to be used for the meeting and the rules relating to those wishing to address the Committee. He stressed that he would as Chairman ensure that all parties were given an equal hearing.

The following items were presented to the Committee:

- Report from the Principal Environmental Health Officer incorporating comments received from the consultation process
- Renewal application summary from the applicant together with an information pack which he circulated at the meeting
- Letter from Westbury Town Council
- Aerial photograph showing the location of Ludlow Arms
- Comments from the Councils Community Safety Officer

The Principal Environmental Health Officer presented his report in which the Committee was asked to consider an application for renewal of a late night PEL at the Ludlow Arms, Westbury. The premises currently had a licence to trade until 12 midnight on Thursdays and 2am on Fridays and Saturdays. This licence which had been granted on appeal by the Magistrates Court was now due for renewal. Slides were shown giving background to the application. The Committee was advised that the main issues to be considered was the effect, if any, of the late night licence on local residents and if that effect caused undue disturbance or nuisance which would need to be balanced against the licensee's right to operate a viable business. The Committee was asked to look at the possible effect of people queuing to enter the pub, of extraneous noise and the effect of people leaving the premises up to and after 2am at night and then dispersing.

The following representations were made:

The Applicant

Mr Paul Morris

Objectors:

Horace Prickett, Patrick Dunseath, Maureen Oliver, Colin Dunscombe

Supporters:

Mr Button, Mr Mead, Mr McDonald

The Police:

Sgt Stannard

Westbury Town Council:

Cllr Michael Hawkins

Local Ward Members:

Cllrs Marion Clegg and Russell Hawker

The applicant took up the opportunity to respond to the comments made by the above mentioned people.

Having listened to the evidence it was,

RESOLVED (unanimously):

- a) That the application to renew the 2am Public Entertainment Licence in respect of the Ludlow Arms at Westbury be refused.
- b) That instead a Public Entertainment Licence be granted for midnight on Thursdays, Fridays and Saturdays.

The reason for the above decisions are as follows:

Granting a 2am Public Entertainment Licence as per the application would have a detrimental impact on the local residents in respect of noise and disturbance.

(meeting started 7.00pm
meeting finished 9.10pm).

These minutes were prepared by Yamina Rhouati, Member Support Officer who can be contacted on direct line 01225 770322 or email yrhouati@westwiltshire.gov.uk.