

West Wiltshire District Council

Licensing Sub-Committee Hearing

for the Application for a Review of Premises Licence

for the 7 Day Shop, 11 – 12 Roundstone Street, Trowbridge

Held on: Tuesday 18 December 2007

Held in: Council Chamber, Bradley Road Trowbridge

Present: Cllrs Brian Mudge - sub-chair (BB), Trevor Carbin (TC) and Andrew Davis (AD)

Mr A Nowogrodzki – On behalf of Premises Licence Holder (AM), Mr A Matharu – Premises Licence Holder (AM), Ms Y Bennet, Mr F Chalk and Mrs E Haselden – representing Wiltshire County Council Trading Standards, Ms J Gallimore (JG), Stuart Brady (SB) - representing Wiltshire Police

Officers: Policy & Licensing Officer – Maggie Jones (MJ), Lawyer (AH), Member Support Team Leader (PD) and Member Support Officer (KH)

The Chairman opened the meeting and welcomed all those present

1. Declarations of Interest

There were no declarations of interest.

2. Hearing Procedure

The Chairman guided all those present through the Hearing Procedure and confirmation was given that the Procedure was understood.

3. Application for Determination

The Chairman reported that an application for a review of premises licence under the Licensing Act 2003 in respect of the 7 Day Shop, 11 – 12 Roundstone Street, Trowbridge had been received.

The Policy and Licensing Officer presented the Committee report, which gave a summary of the application and the consultation undertaken by the applicant. It was noted that the review had been requested by Wiltshire Trading Standards.

The meeting was conducted in accordance with the Hearing Procedure.

The meeting was adjourned at 10.05am.

The meeting reconvened at 10.55am and the Chairman announced that he would now waive the hearing procedure and satisfy himself and the panel that there was evidence for the conditions.

The applicants and the respondents' representatives explained how the conditions had been reached.

The conditions were acceptable to all parties.

That the statement of intent 'after 20.00 hours only polycarbonate glasses are used to serve drinks' be accepted and noted.

The Chairman read out the decision.

.RESOLVED

As per the attached Decision.

(10.05am – 11.20am – including adjournment)

These minutes were prepared by
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Property : Buds Bar, 1 Lowbourne, Melksham

Decision

The Sub Committee has considered all of the submissions made to it today and the written representations together with the Licensing Act 2003, statutory Guidance and Regulations and the Licensing Policy of the Council and has

RESOLVED:

That after due consideration of the application for review, made by Wiltshire Police, of the Premises Licence, in respect of Buds Bar, 1 Lowbourne, Melksham the following step (s) shall be taken:

The conditions of the Premises Licence shall be modified in the following terms:

1. No person under the age of 18 years of age shall be admitted or allowed on to the premises after 20.00 hours save that this shall not apply to those events where persons under the age of 18 may be admitted or allowed after 20.00 hours but on such events the bars shall not be open to allow the sale of alcohol and no alcohol may be consumed in the premises during such events.
2. That after 20.00 hours the premises (with the exception of the events referred to in Condition 1 above) will operate an "ARE YOU 25 POLICY" which will require customers who appear to be under the age of 25 to provide evidence of identification as approved by the Wiltshire Police in writing prior to the premises re-opening to the public.
3. The conditions attached to the existing Premises Licence headed "CHILDREN" (for the sake of clarification appearing at page 4 of the Premises Licence) being conditions previously operating under the Licensing Act 1964 under the former Justice Licence shall be removed in their entirety to allow the conditions under the Licensing Act 2003 to apply in their place.
4. The Premises Licence shall be suspended from the close of business on the morning of the Session commencing 13 January 2007, and shall be reinstated at the start of licensing hours on Friday 9 February 2007.
5. During the 5 day period following the closure of the premises there shall be made an application for variation of the premises licence to change the name of the Designated Premises Supervisor from Stephen Yates to Lesley Fielding.
6. The condition on page 8 of the existing premises Licence Application which states 'after the hours of 23.20 any persons who appears 18 years old or under shall be checked as to their age and identity' shall be removed from the premises licence.

REASONS:

1. The Sub Committee considered the concerns of the Responsible Authority (Wiltshire Police) in relation to the Prevention of Crime and Disorder and the Protection of Children from Harm objectives
2. The action taken and/or the modifications made to the Premises Licence are proportionate and necessary and address the Prevention of Crime and Disorder and the Protection of Children from Harm objectives