

Decision Notice

At its meeting held on 8 June 2021, the Western Area Licensing Sub Committee resolved to GRANT the Variation to a Premises Licence at Woolley Grange Hotel, Woolley Green, Bradford On Avon, Wiltshire, BA15 1TX as detailed below:

<u>Licensable Activities</u> Woolley Grange Hotel	Timings
To increase the licenced area to include the Glamping Field and Outdoor Pool where a Restaurant/ Bar will be sited	
Restaurant / Bar	Monday – Sunday 09:00 – 23:00

The Applicant

An application for a variation of a Premises Licence in respect of Woolley Grange Hotel was made by LFH (Woolley Grange) Ltd for which 2 relevant representation had been received. The application was made due to the Woolley Grange Hotel seeking to include the Glamping Site with restaurant and bar facilities and outdoor pool within the licensed premises which would also be open to members of the public.

Responsible Authorities

No representations were received from Responsible Authorities.

Representations

Two representations were received from residents living within the vicinity of the premises concerned with public nuisance and increased noise levels arising from patrons drinking outside on the premises.

Reasons for the Decision

In reaching its decision, the Sub Committee took account of and considered all the written evidence and representations and oral submissions received from the Applicant and parties who made relevant representations at the hearing. The Sub Committee also

considered the concerns raised at the hearing by Ms Watson and Mr Dursley relating to patrons causing noise and anti-social behaviour whilst drinking outside on the premises. No evidence of complaints regarding the noise of patrons attending the licensed premises was submitted to the Sub Committee and the Sub Committee noted no relevant representations were received from the responsible authorities. However, the majority of the Sub Committee were satisfied there was no evidence before the Sub Committee that the variation to the licence would either increase the noise or cause anti-social behaviour on the premises. It was further noted by the Sub Committee that no noise complaints had been received by the Responsible Authority - Environmental Health. Several of the concerns raised by the parties were found by the Sub Committee to be outside of the remit of Licensing because they concerned planning matters or a statutory nuisance which were matters for Environmental Health or Planning. The Sub Committee were further satisfied that the parties who had made representations were notified by email of the amendment to the application to reduce the timings from 24 hours to Monday to Sunday 0900 to 2300. The Sub Committee also considered the photographic evidence contained on the Agenda pack.

The Sub Committee further noted that if subsequently, there was evidence of noise nuisance or anti-social behaviour, or similar arising from the use of the premises for the licensable activities with the potential effect of undermining the licensing objectives then it was open to any person (including Responsible Authorities) to request a review of the licence under the provisions of the Licensing Act 2003 and the matter would come back to the Sub Committee.

The Sub-Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); the four Licensing Objectives; 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 the written decision. In the event of an appeal being lodged, the decision made by the Licensing Sub Committee remains valid until any appeal is heard and any decision is made by the Magistrates Court.

A Responsible Authority or interested party has the right to request the Local Authority to review the licence in accordance with the provisions of s.51 of the Licensing Act 2003. Such an application may be made at any time, but it is in the discretion of the Local Authority to hold the review, and a review will not normally be held within the first twelve months of a licence.