

DECISION NOTICE

Western Area Licensing Sub Committee

Application for a Variation of a Premises Licence in respect of The Three Daggers, 47 Westbury Road, Edington, Westbury

Decision made on 22 June 2016:

The Western Area Licensing Sub Committee has resolved to grant the variation of the Premises Licence in respect of The Three Daggers, 47 Westbury Road, Edington, Westbury, as applied for, subject to the four events (additional to the Hop Fest and Music Brew) per year during which the sale of alcohol is permitted outside until 23:00 hrs, not exceeding a period of 48 hours each.

Reasons:

The Sub Committee noted that some of the representations concerned the playing of live and recorded music within the outside areas at the premises. However, given the times that they would take place, these activities were now deregulated and were not, therefore licensable. However, they could still be subject to action under environmental health legislation, if they became a nuisance to neighbours.

The main concerns that fell to be considered by the Sub Committee were, therefore, those relating to noise from patrons using the proposed outside bars. It was argued by those who had made representations that noise levels arising from the sale of alcohol in the outside area were considerably louder than if that area was only being used for consumption.

However, bearing in mind that the sale of alcohol in the outside areas was to cease at 21:30 (other than for the limited number of special events) the Sub Committee did not consider it appropriate to refuse the variation or add any further conditions to the licence.

Therefore, having considered the written evidence presented in the agenda and the oral representations received at the hearing the Sub Committee concluded that the variation was acceptable and adequately met the licensing objectives with the added restriction on the maximum duration of the additional events (48 hours), for which the sale of alcohol outside could take place until 23:00 hours.

Right of 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.