

DECISION NOTICE

Western Area Licensing Sub Committee

Decision made on 16 April 2018

In respect of an application for a Premises Licence made by Simon Wilsher for Waterhouse Hotel, 5 Waterhouse Lane, Monkton Combe, Bath

Decision:

The Western Area Licensing Sub Committee has resolved to GRANT the variation, subject to the amendment of condition 1 (as agreed at the hearing on 22 October 2013)

The amendment of condition 1 is detailed in bold below:

1a. The sale of alcohol shall only be permitted between the hours of 11:00 – 23:59 to persons who are:

- i. Residing at Waterhouse and their bona fide guests;**
- ii. Attending pre-booked conference/training events at the premises, or**
- iii. Who are members of any other pre-booked groups attending the premises.**

1b. The sale of alcohol may be made to any person on Saturdays and Sundays between 12:00 and 19:00 hours.

Conditions numbered 2 – 4 (below) to remain unchanged.

2. No alcoholic beverages sold at the premises are to be taken to, or consumed in, any of the outside areas after 21:30 hours.
3. The windows and external doors to all public areas are to be closed and remain closed after 21:30 except for access and egress.
4. Clear and legible notices are to be prominently displayed at all exits from the premises requesting that all persons respect the needs of people living in the area and to leave the area quietly.

In reaching their decision, the Sub Committee considered all the written evidence presented in the agenda together with the oral evidence given at the hearing.

The Sub Committee considered the four licensing objectives; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm and also took into account the relevant provisions of the Licensing

Act 2003 (in particular Sections 4 and 35); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

Reasons

The Sub Committee noted that the Applicant wished to increase the business revenue to ensure the continued sustainability of the business and he wanted to vary the 2013 conditions to be able to sell alcohol to people using the footpath/cycle path along the canal or visitors to the village who may wish to stop for a drink at lunchtime or during the afternoon over the weekends.

The Sub Committee noted the issue of noise had been raised but having heard from the Applicant felt that the variation would be unlikely to cause a significant or inappropriate increase in noise bearing in mind the village location of the premises and considered that the proposed variation to the conditions would not cause a significant increase in noise during the day between the hours of 1200 and 1900 on Saturdays and Sundays.

The Sub Committee considered the comments that had been made regarding the use and condition of the access road to the premises, but felt that the variation of the licence would not adversely impact on the traffic movement to and from the Waterhouse Hotel. The Applicant confirmed the Hotel undertook regular maintenance of the access road.

The granting of this licence is without prejudice to any other consents or approvals that may be required.

Right to Appeal

All parties have the right to appeal to the Magistrates' Court within 21 days of receipt of this 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.