

**DECISION NOTICE**

**Southern Area Licensing Sub-Committee**

**Decision made on 31 March 2022**

**Application for a Premises Licence made by One Dream Amesbury Ltd with to the New Inn, 10-16 High Street, Amesbury, Wiltshire, SP4 7DL**

**Councillors: Cllr Trevor Carbin, Cllr Allison Bucknell and Cllr Kevin Daley**

**The Southern Area Licensing Sub Committee RESOLVED to GRANT the application for a Premises License made by One Dream Amesbury Ltd to include the activity and timings as detailed below and subject to the following conditions;**

<b>Licensable Activity</b>	<b>Timings</b>	<b>Days</b>
<b><u>Provision of regulated entertainment</u></b>		
<b>Films (indoors)</b>	<b>11:00 – 23:00</b>	<b>Mon – Sat</b>
<b>Indoor sporting events</b>	<b>12:00 – 22:00</b>	<b>Sun</b>
<b>Recorded music (Indoors and outdoors)</b>	<b>11:00 – 23:00</b> <b>11:00 – 24:00</b> <b>11:00 – 01:00</b>	<b>Mon-Wed</b> <b>Thur</b> <b>Fri – Sat</b>
<b>Outside music to cease at 23:00</b>	<b>11:00 – 22:30</b>	<b>Sun</b>
<b>Provision of late-night refreshment (Indoors only)</b>	<b>23:00 – 24:00</b> <b>23:00 – 01:00</b>	<b>Thur</b> <b>Fri - Sat</b>
<b>Sale by retail of alcohol (On site and off sales)</b>	<b>11:00 – 23:00</b> <b>11:00 – 24:00</b> <b>11:00 – 01:00</b> <b>11:00 - 22:30</b>	<b>Mon - Wed</b> <b>Thur</b> <b>Fri- Sat</b> <b>Sun</b>
<b>Hours Open to the Public</b>	<b>11:00 – 23:30</b> <b>11:00 – 00:30</b> <b>11:00 – 01:30</b> <b>11:00 - 23:00</b>	<b>Mon – Wed</b> <b>Thur</b> <b>Fri – Sat</b> <b>Sun</b>

**Conditions;**

- 1. The amended Licensed Area Plan (Supplement 1) is accepted subject to the removal of the car park area.**

2. The Applicant to provide a designated telephone number to be made available to local residents and operational during opening hours
3. A Noise Management Plan (NMP) shall be submitted within 30 days of the licence being granted for agreement in writing by the Environmental Health Officer and implemented fully thereafter. The NMP shall include details of how all noise related issues will be managed. Any changes to the NMP must be agreed in writing with the Environmental Health Officer. The agreed Noise Management Plan must be adhered to at all times.
4. Within 30 days of the licence being granted the Premises Licence Holder shall purchase and arrange for the installation of a noise limiting device in the main pub, the specification and design to be agreed with the Environmental Health Officer.
5. The device shall be fitted so that all regulated entertainment is channelled through the devices. The maximum noise levels shall be set in agreement with the Environmental Health Officer. The settings of the noise limiter(s) shall not be adjusted unless agreed by Environmental Health Officer and in the presence of the licence holder. External noise levels will not exceed normal conversation levels after 21:00 and be included within the Noise Management Plan.

**The Applicant:**

One Dream Amesbury Ltd.

**Responsible Authorities;**

Representations were received from the Wiltshire Police regarding the prevention of crime and disorder.

**Representations:**

Forteen representations were received from local residents regarding the prevention of of public nuisance with regards to noise, disturbance and the prevention of crime and disorder.

**Reasons for the Decision;**

In reaching its decision, the Sub Committee took account of and considered all the written evidence and the representations from all parties and the oral submissions received from four residents who made relevant representations in support and in objection to the application, the Applicant and the Applicant's representative and the Police.

The Sub Committee noted the concerns raised by the Police and the residents who made representations regarding public nuisance and crime and disorder arising from

patrons of the premises during the period the premises was open under the previous Licence Holder. Concerns were raised by the Police regarding the risk of the return of previous patrons and a significant increase in crime and disorder if that occurred. The Sub Committee noted that the premises licence was revoked at a hearing which took place on 26 January 2022. The Applicant was the new Licence Holder who had worked with Environmental Health regarding the management of noise arising from the premises and informed the Sub Committee that he would work with the Police to promote the licensing objective being the prevention of crime and disorder. The Applicant offered to reduce some of the timings by an hour which was accepted by the Sub Committee.

The Applicant acknowledged that he was willing to work with the local residents to alleviate their concerns and was an experienced Licence Holder as he managed another premises in Amesbury and he confirmed to the Sub Committee that the premises would be well managed and all the licensing objectives would be promoted.

The Sub-Committee took the view that it would be appropriate to require the applicant to provide an emergency phone number to be made publicly available. This along with a log of any noise complaints received would create a document which could be provided on the request of Responsible Authorities.

### **Conclusions**

In view of the evidence heard, the Sub-Committee concluded that they were satisfied the applicant as the new licence holder would properly and safely manage the premises and promote the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance.

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.

### **Effective date of Decision**

This decision will not take effect until the end of the period within which an appeal can be made or, if such an appeal is made, until that appeal has been finally determined.

### **Right to Appeal**

The Premises Licence Holder, the party that applied for the review and any Responsible Authority or Interested Parties who have made representations may appeal the decision made by the Licensing Sub-Committee to the Magistrates Court. The appeal must be lodged with the Magistrates Court within 21 days of the notification of the decision. The decision of the Licensing Sub-Committee does not take effect until the end of the period for appealing against that decision. In the event of an appeal being lodged, the decision made by the Licensing Sub-Committee does not take effect until any appeal is heard and finally determined.

