

DECISION NOTICE

Eastern Area Licensing Sub Committee

Decision made on 12 December 2018

Application for a Premises Licence in respect of The George Narrowboat, Devizes Wharf, Devizes

Decision:

The Eastern Area Licensing Sub Committee resolved to GRANT the application for a Premises Licence to 15 March 2019 which will only be permanently extended if the Applicant provides evidence to the satisfaction of Wiltshire Council as Licensing Authority of a permanent mooring licence within the Devizes Wharf by 15 March 2019.

The Premises Licence is to include the activities and timings detailed below:

Licensable Activity	Timings	Days
Provision of late night refreshment	23.00 – 23.30	Mon - Sun
Sale by retail of alcohol (OFF sales)	11:00 – 23:30	Mon – Sun

Subject to the following condition:

1. That there be no public access onto The George Narrowboat whilst the premises are trading to the public.

Advisory:

That the Applicant is requested to inform the Canals and River Trust of the dates that she intends to trade from the Devizes Wharf.

Reasons

As the Applicant was not present at the hearing, in accordance with Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005 the Sub Committee resolved that it would hold the hearing in the absence of the Applicant and would make its determination based on consideration of the application and the written representations that had been received from the Devizes Town Council ('The Town Council') and the representations made by a representative of the Town Council at the hearing.

The Town Council had expressed concern about the potential for public nuisance and public safety and the protection of children from harm. The Town Council representative raised concerns for public safety due to the lack of light and proximity to deep water and narrowness of the tow path which could result in an unacceptable impact on other users of the tow path. The Town Council also highlighted the lack of toilet facilities in the Devizes Wharf area which could lead to anti-social behaviour and the potential for harm to children using the tow path as a school route.

The Sub Committee noted that the Applicant had been trading for 21 days in the Devizes Wharf area under the permission of Temporary Event Notices with no issues reported to Wiltshire Council Licensing Team.

In reaching its decision the Sub Committee also considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); the guidance issued under Section 182 of the Act, the Licensing Policy of Wiltshire Council and the conditions offered by the Applicant within the application.

Right to 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.