

# WILTSHIRE COUNCIL

## WESTERN AREA LICENSING SUB COMMITTEE

9 June 2021

---

### Application for a Variation of a Premises Licence; Woolley Grange Hotel, Woolley Green, Bradford On Avon, Wiltshire, BA15 1TX

#### 1. Purpose of Report

- 1.1 To determine an application for a variation of a Premises Licence in respect of Woolley grange Hotel made by LFH (Woolley Grange) Ltd

#### 2. Background Information

- 2.1 An application for a variation of a Premises Licence in respect of Woolley Grange Hotel has been made by LFH (Woolley Grange) Ltd for which 2 relevant representation have been received.
- 2.2 Wiltshire Council (as the Licensing Authority) must hold a hearing to consider the application having regard to the representations. In accordance with Section 35(3) of The Licensing Act 2003 the Licensing Sub Committee is required to take such of the steps listed in 2.4 below as it considers necessary for the promotion of the licensing objectives. In considering the application and the relevant representations, the Sub Committee must also have regard to relevant Government guidance and the Council's Licensing Policy.
- 2.3 The licensing objectives are:
- i) The Prevention of Crime and Disorder;
  - ii) Public Safety;
  - iii) The Prevention of Public Nuisance; and
  - iv) The Protection of Children from Harm.
- 2.4 Such steps are:
- i) To grant the licence as applied for.
  - ii) To modify the conditions of the licence.
  - iii) To reject the whole or part of the application.
- 2.5 On the 9<sup>th</sup> April 2021 an application for a variation to the premises licence was received and accepted as a valid application.
- 2.6 The details of the variation applied for, are summarised below:

Licensable Activities	Hours
Increase the licenced area to include the Glamping Field and Outdoor Pool where a Restaurant/ Bar will be sited	As current Licence

2.7 A copy of the application form and plan is attached as **Appendix 1**.

2.8 Since November 2005 the premises has benefited from a premises licence issued under the Licensing Act 2003. The current licence authorises the following:

Licensing Activities	Hours
Supply of Alcohol (ON and OFF Sales)	Monday – Sunday 09:00 – 01:00 24 Hours to residents and Bona fide guests
Late Night Refreshment (Indoors and Outdoors)	Monday – Sunday 23:00 – 01:00
Performance of Plays, Live Music, Performance of Dance (ON and OFF the premises)	Monday – Sunday 09:00 – 01:00
Exhibition of Film, Recorded Music (Indoors)	Monday – Sunday 09:00 – 01:00
Recorded Music (OFF Premise – The Spa)	Monday – Sunday 07:00 – 21:00
Hours Open To The Public (The Spa)	Monday – Friday 07:00 – 21:00 Saturday – Sunday 08:00 – 20:00

2.9 The Current premises licence including the plans and current conditions are attached as **Appendix 2**.

2.10 An amendment was made after the consultation period to reduce the hours permitted in the Restaurant/Bar for the sale of alcohol to; Monday – Sunday 09:00 – 23:00 this email is attached as **Appendix 3**

2.11 Attached as **Appendix 4** is a location plan of the premises.

2.12 Details of other licenced premises in the vicinity of the area are as follows:

Premises	Licensable Activity	Hours
The George Woolley Street, Bradford-On-Avon Wiltshire, BA15 1AQ	Alcohol Sales (ON and OFF sales)	Monday – Saturday 11:00 – 23:00 Sunday 12:00 – 22:30 On Good Friday and Sundays other than Christmas Day 12:00hrs to 22:30 On Christmas day 12:00hrs until 15:00hrs and again 19:00hrs until 22:30hrs On New Years Eve from the end of permitted hours until the start of permitted hours the following day
	Recorded Music (Indoors)	Monday – Sunday 00:00 – 00:00
	Live Music Performance of Dance	Monday – Saturday 11:00 – 23:00 Sunday 12:00 – 22:30 On Good Friday and Sundays other than Christmas Day 12:00hrs to 22:30 On Christmas day 12:00hrs until 15:00hrs and again 19:00hrs until 22:30hrs On New Years Eve from the end of permitted hours until the start of permitted hours the following day

2.13 The location of the two premises in relation to each other is attached as **Appendix 4a.**

2.14 It is important to note that Late Night Refreshment from 11.00pm are exempt from the provisions of the 2003 Act if there is no admission to the public to the premises involved and they are supplies to: persons staying overnight in a hotel, guest house, lodging house, hostel, a caravan or camping site or any other premises whose main purpose is providing overnight accommodation; and therefore this was removed from the variation. Guidance on late night refreshment is attached as **Appendix 5**

### 3. Consultation and Representations

3.1 The application process requires the application to be advertised, by the Applicant, in a local news publication within 10 working days, starting on the day after the authority receives it and for a public notice (on blue paper) to be posted on the premises. In addition the Licensing Authority advertises the application on its website, for a period of 28 consecutive days, starting the day after the authority receives the application.

3.2 During the consultation period 2 relevant representations against the application were received from local residents

#### 3.4 Responsible Authorities

No Responsible Authority has made a representation in connection with this application.

#### 3.5 Interested Parties

3.6 A summary of the representations made is detailed in the table below:

<b>Representation</b>	<b>Licensing Objective</b>
Mr Tim Darsley 7 Grange View, Bradford On Avon, BA15 1BQ	Public Nuisance
Mrs Caroline Watson 3 Grange View, Bradford On Avon, BA15 1BQ	Public Nuisance

3.7 The relevant representations are attached as **Appendix 6**. Attached as **Appendix 6a** is a plan which shows the locations from where representations have been made.

3.8 Further correspondence between the Applicant and Objectors can be found in **Appendix 7 – 7a**

### 4. Legal Implications

4.1 This hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

4.2 The Applicant and all Responsible Authorities and Interested Parties who have made representations have been informed of the date, time and location of the hearing and their right to attend and be represented.

4.3 At the hearing all those Responsible Authorities and Interested Parties who have made representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

## **5. Officer Recommendations**

- 5.1 Officers are not permitted to make a recommendation – the decision is to be reached by the members of the Licensing Sub Committee.

## **6. Right of Appeal**

- 6.1 It should be noted that the Premises Licence Holder, the Responsible Authority(ies) and 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.
- 6.2 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 made by the Magistrates Court.
- 6.3 A Responsible Authority or an Interested Party may apply to the Licensing Authority for a Review of a Premises Licence. Whether or not a Review Hearing takes place is in the discretion of the Licensing Authority, but, if requested by an Interested Party will not normally be granted within the first 12 months except for the most compelling circumstances.

---

Report Author:

Emma Batchelor, Public Protection Officer – Licensing 01249 706414

Date of report: 25<sup>th</sup> May 2018

### **Background Papers Used in the Preparation of this Report**

- **The Licensing Act 2003**
- **The Licensing Act (Hearings) Regulations 2005**
- **Guidance issued under Section 182 of the Licensing Act 2003**
- **Wiltshire Council Licensing Policy**

### **Appendices**

- 1 Application form and plan**
- 2 Current Licence and plan**
- 3 Amendment to application**
- 4 Location plan**
- 4a Location of premise in vicinity**
- 5 Late Night Refreshment exemption**
- 6 Relevant representations**
- 6a Location of representations**
- 7 - a Further correspondence between applicants and objectors**