

**DECISION NOTICE**  
**Western Area Licensing Sub Committee**  
**Decision made on 16 April 2013**

**In respect of an application for a Premises License made by Adrian Jenkins for Three Daggers Micro Brewery and Farm Shop, Edington.**

**Decision:**

The Western Area Licensing Sub Committee has resolved to GRANT a premises licence for the following licensable activities:

**Brewery Bar**

<b>Licensable Activity</b>	<b>Timings</b>	<b>Days</b>
<u>Provision of regulated entertainment</u>		
Plays (Indoors)	18:00 – 23:00	Monday to Saturday
Films (Indoors)	18:00 – 23:00 14:00 – 22:00	Monday to Saturday Sunday
Indoor sporting events	18:00 – 23:00 18:00 – 22:00	Monday to Saturday Sunday
Live music (Indoors)	18:00 – 23:00 18:00 – 23:00 14:00 – 23:00 14:00 – 22:00	Thursday Friday Saturday Sunday
Recorded music (Indoors)	08:00 – 23:00 08:00 – 23:00 10:00 – 22:30	Monday to Thursday Friday & Saturday Sunday
Anything of a similar description (Indoors)	10:00 – 21:00	Monday to Sunday
<u>Provision of entertainment facilities</u>		
Entertainment of a similar description (Indoors)	18:00 – 23:00 18:00 – 23:00 14:00 – 23:00 14:00 – 22:00	Thursday Friday Saturday Sunday
Sale by retail of alcohol (Both)	08:00 – 23:00 10:00 – 22:00	Monday to Saturday Sunday

## **Farm Shop**

<b>Licensable Activity</b>	<b>Timings</b>	<b>Days</b>
<u>Provision of Regulated Entertainment</u>		
Live Music (Indoors)	14:00 – 23:00 11:00 – 16:00	Saturday Sunday
Recorded Music (Indoors)	08:00 – 23:00	Monday to Sunday
Sale by retail of alcohol (Both)	08:00 – 22:00 10:00 – 16:00	Monday to Saturday Sunday

And subject to the following additional conditions:

- No bottles to be emptied from the premises into bottle bins between 2100 and 0900.
- Staff will be trained in the Licensing Act 2003, proof of age, responsible drinking, health & safety, food hygiene and fire regulations.
- The Designated Premises Supervisor will be an active member of the local pub watch scheme where one operates.
- During the hours of darkness, when operating, the external public areas and car park will be well lit.
- Risk assessments will be undertaken as part of the overall health & safety policy.
- For all events taking place after 20:00, staffing levels will be increased as necessary, and neighbours who may be affected by the event will be informed when such events are due to take place at the premises.
- When events take place past 20:00, a responsible person nominated by the licence holder or DPS will monitor noise levels from the premises. Action will be taken to reduce noise levels if necessary. A record of the action taken and by whom, will be recorded together with the time and date, in the premises noise log book.
- During regulated entertainment, all doors and windows to remain shut except for access and egress.

- Proof of age will be required from any person seeking to purchase or consume alcohol and who appears to be under the age of 21. This evidence shall be photographic, such as a passport or photographic driving licence, until other effective identification technology (for example, finger print or pupil recognition) is adopted by the licence holder.

### **Reasons**

The Sub Committee considered the written evidence presented in the agenda together with the oral evidence given at the hearing, noting in particular the concerns of the representations in respect of noise and light nuisance. The sub-committee also took into account the fact that the premises were immediately adjacent to a public house, which held a premises licence allowing licensable activities until 01.00.

The Sub-Committee heard evidence from local residents that, whilst they had no issue with the farm shop or the micro-brewery in principle, they were concerned that the licence, if granted, would allow the premises to hold events until 23.00 hours. This raised concerns about noise and other disturbance, particularly from vehicles leaving such events late in the evening.

In response, the Applicant had stated that the proposed hours were intended to give flexibility to the licence-holder and that the nature and extent of proposed events would not cause a nuisance to neighbours.

In light of the submissions, the committee decided to grant the license application as amended by the applicants' submission dated 17 March 2013, with the additional conditions set out above.

These conditions are considered appropriate to meet the licensing objective of the prevention of nuisance.

In reaching its decision the Sub Committee has considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.

### **Right to Appeal**

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