

Appendix 3

DECISION NOTICE

Western Area Licensing Sub Committee

Decision made on 22 October 2013

In respect of an application for a Premises Licence made by Mr and Mrs Wilsher for Waterhouse, 5 Waterhouse Lane, Monkton Combe, Bath

Decision:

The Western Area Licensing Sub Committee has resolved to GRANT the Premises Licence for the following licensable activities:

Licensable Activity	Timings	Days
Supply of Alcohol (On the premises)	11:00 – 23:59	Every day of the week
Hours premises are open to the public	07:00 – 23:59	Every day of the week

Subject to the following additional conditions:

1. That the sale of alcohol shall only be made to persons:
 - a. residing at Waterhouse and their bona fide guests;
 - b. attending pre booked conference/training events at the premises, or
 - c. who are members of any other pre booked groups attending the premises.
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 the written evidence presented in the agenda together with the oral evidence given at the hearing, noting in particular the concerns in respect of noise disturbance.

The Sub Committee also took into account 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.

Reasons

The Sub Committee considered the concerns expressed in the representations that it would not be appropriate for the premises to be able effectively to operate as a public house, given its location and the narrowness of the access road. The Sub Committee noted the applicant's comments that he only wanted to be able to sell alcohol to persons residing at the premises or who were part of pre-booked events or groups. The Sub Committee therefore felt it appropriate not to allow the sale of alcohol other than to those detailed in condition 1 in order to prevent public nuisance to local residents that could occur if there were no such restrictions.

Given the setting of the premises within the valley, and the risks of noise from the premises causing a nuisance to nearby residents, the Sub Committee felt it was appropriate to restrict the use of the outside areas after 21:30 and to limit the escape of noise from the premises by requiring doors and windows to be closed to all public areas by 21:30.

The Sub Committee considered the comments that had been made regarding the use of the access road to the premises, but felt that the granting of the licence would not adversely impact on the traffic movement to and from Waterhouse.

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.