

Appendix 5a

REPRESENTATIONS AGAINST APPLICATION

REPRESENTATION 1

To: The Licensing Officer, Licensing Department, Wiltshire Council, Monkton Park, Chippenham, Wiltshire, SN15 1ER.

Dear Sir/Madam,

I am writing in order to object to the terms of the new premises Licence Application

Type of Application New Premises Licence Application

Applicant's Name Simon Wilsher

Address of Premises to be Licensed Waterhouse Hotel, 5 Waterhouse Lane, Monkton Combe, Bath, Wiltshire, BA2 7JB

Licensable Activities: The application is to amend a condition currently on the licence, in order to allow the sale of Alcohol to non residents on any Saturday and Sunday.

My wife and I are neighbours of the premises concerned and, along with more than 50 other members of the local community, we were involved in very significant efforts to limit the terms of the original licence (granted in 2013). The terms that were granted at the time were considered to be fair and to provide the local community with some protection from massive increases in traffic (Waterhouse Lane is a privately adopted, single-track road with very few passing places) and also from potential noise nuisance from planned parties and outdoor social events at Waterhouse.

The terms of this license limited sales of alcohol to residents who were taking a meal or pre- booked event attendees. Any licensed activities taking place outdoors had to be ceased by 9.30pm at the latest.

The licensee now seeks to relax these agreed terms to allow alcohol sales to non-residents who have not booked in advance but 'walk-up' to the premises. We have exchanged letters with the applicant. Mr Simon Wilsher, and he has agreed that he will now only seek a new licence to allow him to sell alcohol to non-residents on Saturday and Sundays between noon and 7pm.

This is acceptable to my wife and I provided that such alcohol sales are only to accompany a meal. Mr Wilsher was clear that his objective was to sell alcohol to those having 'lunches and afternoon teas' at Waterhouse. In other words, only with a meal. We believe that this condition, together with the proposed time limit, will allow him to offer alcohol to 'walk-ups' who have come for lunch or tea, but not to operate as a bar selling alcohol to non-diners who may want to sit outside and drink throughout the afternoon.

I trust that you will take these reasonable objections into account when considering the above application.

Yours faithfully,

Patrick & Helen Donovan
Brook Cottage, Waterhouse Lane, Monkton Combe, Wiltshire BA2 7JA

Further submission;

Thank you for the clarification, Jemma. Very useful.

We have also completed the pdf form and submitted, but essentially our objections to the 'drinks only' aspect of the application are as follows:-

To prevent harm to children

- by attracting those who want to come for a drink only (passing pub trade) to drive down the single track road to the premises, we believe that traffic will pose a significantly increased danger to walkers (mainly families) using the lane and also those who live on Waterhouse Lane (two families with small children under 5 years old). This is very different to the current situation where residents or pre-booked groups are coming to the premises.
- The licensee's modification to the application to limit hours to noon to 7pm is welcome, but casual visitors, dropping in for a drink, are less likely to be familiar with the lane and more likely to drive faster and be unaware of the limited visibility that occurs at various points. This would certainly increase risk to children

To prevent public nuisance

- By allowing those who have come only to drink and may be seated outside the premises on Saturday and Sunday afternoons, it is quite likely that noise levels for neighbours will increase. The number who could visit are significantly greater if food is not provided - potentially a large number of drinkers could change the character of such a quiet valley

To prevent crime and disorder

- I have no reason to assume that any disorder would be engendered but those coming by car to drink without a meal are perhaps more likely to exceed the permitted alcohol limits for drivers.

To preserve public safety

- For the reasons mentioned above i.e.. the numbers of users, the fact that they are unfamiliar with the road, the fact that they are only drinking and the popularity of this lane (with no footpath) for walkers of all ages, all contributes to our fear that public safety will be compromised further than if only residents and diners are able to drink.

I hope that these points may allow you to consider our representations when the committee makes its decision about that amendment to the previous licence.

Best cards and thanks,

Patrick & Helen Donovan

Wiltshire Council

Where everybody matters

REPRESENTATION FORM

This form must be returned within the statutory period, which is 28 days from the date the notice was displayed on the premises or the date specified in the public notice in the newspaper. Please contact the Licensing team to confirm this date.

Any individual, body or business can make a Representation to the Licensing Authority in relation to an application, regardless of their geographic proximity to the premises. Any Representation must be relevant, in that the Representation relates to one or more of the Licensing Objectives.

Premises about which representation is being made	Waterhouse,.Waterhouse.Lane,.Monkton.Combe,.Wilts
Your Name	Patrick.&.Helen.Donovan
Postal Address	Brook.Cottage,.Waterhouse.Lane,.Monkton.Combe,.BA2.7JA
Contact Telephone Number and Email address	
Are you (please tick): <ul style="list-style-type: none"> • An individual? I • A person who operates a business? • A person representing residents or businesses? • A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)? 	
If you are representing residents or businesses who have asked you to represent them?	No

Your Representation must relate to one of the four Licensing Objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your Representation. If necessary, separate sheets may be used.

LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	Waterhouse.is.a.single.track.road.with.few.passing.places. Previous.licence.has.been.limited.to.residents.only.and.those with.events.or.meals.booked.at.Waterhouse. No.licensed.activities.outside.after.9.30pm. The.intention.was.to.limit.traffic.on.the.lane.and.thereby. prevent.potential.harm.to.families.walking.on.the.lane or.to.the.children.of.families.living.on.the.lane.(8.children)

<p>The prevention of public nuisance</p>	<p>Concerns over excessive traffic on the lane but also fears of 'drop in' users of the proposed bar who are not coming for a meal but groups of adults who are coming simply to drink at the premises.</p>
<p>The prevention of crime and disorder</p>	
<p>Public safety</p>	

Please list below any suggested actions that you feel the applicant could take to address your concerns:

We have discussed with the applicant a modification of his application and he has agreed to limit the times when alcohol could be sold to non-residents to noon til 7pm on Saturdays and Sundays only. We have further suggested that alcohol should only be sold to those taking a meal (lunch or tea). The latter limitation seems to us to align with his stated objectives. Alcohol should not be sold without a meal being taken.

If a hearing needs to be held to determine the Premises Licence Application, the Licensing Sub-committee will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

All Representations in their entirety, including your name and address, will be disclosed to the Premises Licence applicant. A copy of Representations will be annexed to the Licensing Officer's report, which is a public document published on the Council's website and circulated to the Licensing Sub-Committee and to all those who have made relevant Representations.

Signature..... Date.....

Please return this form, along with any additional sheets, to the relevant Wiltshire Council Office listed below or return by email to publicprotectionnorth@wiltshire.gov.uk:

Salisbury Area – (Salisbury, Amesbury, Downton, Mere, Hindon and Tilshead as well as the rest of the old Salisbury District Council Area), please send to:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Bourne Hill
Salisbury
Wiltshire, SP1 3UZ

All other areas please send to the address below:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Monkton Park
Chippenham
Wiltshire, SN15 1ER

REPRESENTATION 2

The Licensing Officer
Licensing Department
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

13/03/2018

Waterhouse Hotel - Premises licence application WK/201804070

Waterhouse Hotel, 5 Waterhouse Lane, Monkton Combe, BA2 7JB

Dear Licensing Officer,

With reference to the above application to amend the current licence conditions, I am writing to express my concern over the amended licensing conditions and the implications for public safety and nuisance resulting from the proposed change.

The current restrictions on the sale of alcohol appear to work well, and balance the amenity of nearby residents, However, the proposal to allow non-residents this facility, albeit that they be in pre-booked parties, and at weekends only, seems to open the door to the potential for large and noisy assemblies in the hotel and grounds.

This would be a significant nuisance to local residents, and in particular to many in Monkton Combe village, which overlooks the hotel and is very much within earshot of the grounds of Waterhouse.

There is in addition an increased risk to public safety on the road junction of Waterhouse Lane with the A36. This is a difficult entrance at the best of times, and any increase in traffic generated by the Hotel, especially at weekends, would make the junction even more dangerous.

Yours sincerely

Frank Dunn
5 Mill Lane
Monkton Combe

Wiltshire Council

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REPRESENTATION FORM

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Premises about which representation is being made	Waterhouse Hotel
Your Name	Edward and Abigail Johnson
Postal Address	
Contact Telephone Number and Email address	
Are you (please tick): <ul style="list-style-type: none"> • An individual? <input checked="" type="checkbox"/> • A person who operates a business? • A person representing residents or businesses? • A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)? 	
If you are representing residents or businesses who have asked you to represent them?	

Your Representation must relate to one of the four Licensing Objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your Representation. If necessary, separate sheets may be used.

LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	

<p>The prevention of public nuisance</p>	<p>The license application is to enable the hotel to offer alcohol at Sunday lunches and afternoon teas at the weekend. Therefore any license granted, should be restricted to people dining at the hotel in the afternoon and should not extend into the evening.</p>
<p>The prevention of crime and disorder</p>	
<p>Public safety</p>	<p>The hotel is accessed via a single track lane which also serves private properties. The lane, in its current state of disrepair, is not fit for the traffic demands of a commercial premises and access from the A36 is hazardous. The lane is poorly maintained, can't cope with existing levels of traffic and the passing places are inadequate, particularly if emergency vehicles should ever need access. There are families with young children living along the lane and there is no footpath. It is also used regularly by horse riders, ramblers and dog walkers. Our concern is that, by extending the alcohol license to include non residents at weekends, these problems will be exacerbated.</p>

Please list below any suggested actions that you feel the applicant could take to address your concerns:

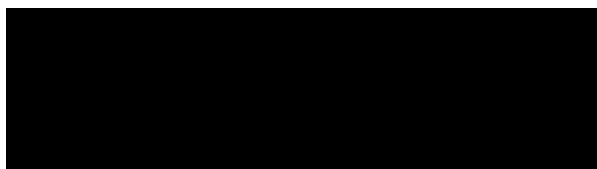
Resolve the safety issues of the single track lane.

If the amendment is granted, then the consumption of alcohol should be restricted to only being served as an accompaniment to food and only during afternoon hours. For example, a 12 pm to 6 pm time slot should be more than adequate for alcohol to be served with weekend lunches and afternoon teas.

If a hearing needs to be held to determine the Premises Licence Application, the Licensing Sub-committee will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

All Representations in their entirety, including your name and address, will be disclosed to the Premises Licence applicant. A copy of Representations will be annexed to the Licensing Officer's report, which is a public document published on the Council's website and circulated to the Licensing Sub-Committee and to all those who have made relevant Representations.



.....12/03/18..... Date

Please return this form, along with any additional sheets, to the relevant Wiltshire Council Office listed below or return by email to publicprotectionnorth@wiltshire.gov.uk:

Salisbury Area – (Salisbury, Amesbury, Downton, Mere, Hindon and Tilshead as well as the rest of the old Salisbury District Council Area), please send to:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Bourne Hill
Salisbury
Wiltshire, SP1 3UZ

All other areas please send to the address below:

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Monkton Park
Chippenham
Wiltshire, SN15 1ER

REPRESENTATION 4

From: Cori Ryan
Sent: 13 March 2018 16:52
To: PublicprotectionNorth
Subject: WK/201804070 Waterhouse Hotel

I wish to register my objection to the proposed amendment to licence conditions for Waterhouse Hotel.

Myself and my husband live directly underneath the hotel and already experience noise disturbance, especially during the summer months, when residents take their drinks outside the hotel.

By changing the licence conditions to allow a full licence, the number of people making noise at this venue will increase dramatically and our quality of life will be further impacted.

I request that the existing conditions are maintained:

ANNEX 3 – CONDITIONS ATTACHED AFTER HEARING

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.

Yours faithfully,

Corinna Ryan

Monkswell Cottage by Monkswell House, Mill Lane, Monkton Combe BA2 7HD

REPRESENTATION 5

RECEIVED

14 MAR 2018

PUBLIC PROTECTION

7, Mill Lane,
Markton Combe,
Bath BA2 7HD
12th March 2018

Dear Sirs,

Re. Mr. Simon Wilthire /
Waterhouse Conference Centre

I understand that the above has made an application to amend the terms of the existing drinks license.

My property is virtually opposite the applicant's property on the other side of the valley and thus very much influenced and affected by both noise and light pollution emanating from such a large property and its surrounds, and you will be aware that I objected to the original application in 2013.

If seems to me that this application seeks to retrieve some of the ground lost when the original application had conditions placed on it and I therefore object to this application as it stands.

If approved the premises would in effect have a full drinks licence on a par with a public house and in my experience soon attract stag parties, hen parties, birthday parties and weddings to name but a few. Notoriously difficult to control it is not difficult to work out that the potential for both increased light and noise pollution is real. I cannot see masses of people not wanting to go out into the gardens and from years of experience I can say that it only takes a few people chatting

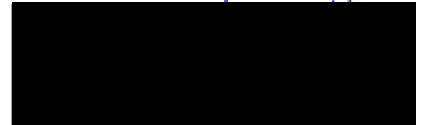
away to be heard this side of the valley. The prospects of large groups is worrying.

A further cause for concern is that vehicular access to / egress from the property is along Waterhouse lane. Not only is it already in poor condition but it joins the A36 on a dangerous bend, the scene of a fatality a few years ago. I would strongly urge the Licensing Officer to commission an Engineers Report on the likely increase in traffic on both the A36 and Waterhouse lane. It should also be noted that in the hours of darkness vehicle headlights on Waterhouse lane are clearly visible this side of the valley and any increase would be detrimental and unwelcome.

Had this application sought to supply alcohol to non-residents

only if they were dining there,
by which I mean a full
restaurant meal, and if the hours
permitted had been restricted to
meal times only, say 1200-1500 or
a little longer than I might have
been more sympathetic but as it
stands I must urge you to reject
it.

Yours faithfully,



(RAY FRANKS)

Wiltshire Council

Where everybody matters

REPRESENTATION FORM

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Premises about which representation is being made	Waterhouse Hotel
Your Name	Philip and Sara Gray
Postal Address	The Stables, Waterhouse Lane, Monkton Combe Bath BA2 7JA
Contact Telephone Number and Email address	[REDACTED]
Are you (please tick): <ul style="list-style-type: none"> • An individual? * ✓ • A person who operates a business? • A person representing residents or businesses? • A member of the Relevant Licensing Authority (ie, elected Councillor of the Licensing Authority)? 	
If you are representing residents or businesses who have asked you to represent them?	

Your Representation must relate to one of the four Licensing Objectives, which are detailed below. Please detail the evidence supporting your Representation and the reason for your Representation. If necessary, separate sheets may be used.

LICENSING OBJECTIVES	EVIDENCE
The protection of children from harm	

<p>The prevention of public nuisance</p>	<p>Any license applications regarding alcohol should be restricted to the guests only, whilst dining at the hotel not to members of the public and not to exceed into the evening hours.</p>
<p>The prevention of crime and disorder</p>	
<p>Public safety</p>	<p>As a resident of Waterhouse Lane we have already experienced a great increase of traffic which the lane is unable and currently unsafe to cope with. There is not enough passing points, the access from the A36 is not sufficient, there is no pathway for walkers especially with children, we have been riding horses along this lane for the past 10years, and now it is becoming very dangerous the traffic going to and from the Hotel do not abide to the speed limit or slow down An increase of traffic at weekends will make this worse also the maintenance to the lane is very poor ie; pot holes.</p>

Please list below any suggested actions that you feel the applicant could take to address your concerns:

If the License is ammended then alcohol should only be served from the hours of 12pm - 6pm which is adequate for Sunday lunches.

If a hearing needs to be held to determine the Premises Licence Application, the Licensing Sub-committee will generally only be able to consider matters that have previously been disclosed. However, additional information in support of your Representation may be considered if all parties at the Hearing agree. We advise that you detail all matters that you wish to be considered on this initial Representation, attaching additional sheets if necessary.

If you do make a Representation you will be invited to attend the Licensing Sub-Committee Hearings and any subsequent appeal proceedings relevant to your Representation.

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Signature...  Date 13/03/2018

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Wiltshire Council
Public Protection Services and Licensing
Bourne Hill
Salisbury
Wiltshire, SP1 3UZ

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The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Monkton Park
Chippenham
Wiltshire, SN15 1ER

REPRESENTATION 7

To whom it may concern

Re: Waterhouse, 5 Waterhouse Lane, Monkton Combe Application ref
WK/201804070

As residence of Waterhouse Lane we are aware of the above application and wish to make the following representation:

The latest application for a variation of the existing conditions has caused us concern, concern in our capacity as local residents and as a resident of Waterhouse Lane (the single track road that accesses the hotel).

The times requested (all Saturday and Sunday) do not match the applicant's stated intention to merely provide drinks with afternoon teas and lunches and therefore we would like the hours and provision of alcohol to be more strictly defined (and therefore aligned with his intentions) to allow the applicant to do as he requires but not risking the possibility of the venue becoming a late night destination / a pub in all but name.

We therefore suggest the allowed hours to be 12pm to 7pm on Saturdays and Sundays and for alcohol to only be served to those having a meal. We understand the applicant has informally agreed to the former (restricted hours) and will be amending the application accordingly. We strongly request the consideration of the latter re the provision of alcohol. Both these amendments would allow the applicant to meet his stated desire.

PUBLIC SAFETY

Our concerns lie with the single carriageway, Waterhouse Lane, which is the only access to the hotel. This is also a widely used public footpath with no pavement and therefore the residents (many with Children including our 4), pedestrians, cyclists (including myself) and the occasional equestrian have to use the lane itself. Any increase in traffic along this route will endanger anyone making use of this Lane, the Lane already being a tricky road to navigate along safely.

In addition the increased noise and general disturbance to the residents / general area would be increased, further exaggerated if the allowed hours went into the early evenings of Saturday and Sunday and especially if alcohol was available to sale for those not having a meal.

We suggest that if granted the licence variation, the applicant addresses the concerns of the local residents. We appreciate that this is not a matter the Licensing Committee can rule on but wanted it put on record.

Yours faithfully,

Mr M & Mrs A Aldridge Millbrook
Waterhouse Lane Monkton Combe BA2 7JA

Further submission:

Morning Jemma

Many thanks for your e-mail.

Whilst the concession on the hours is helpful our concerns still remain if the applicant were allowed to amend their applicant to still serve non-residents alcohol – our desire (for all reasons noted below) therefore (and in addition to the restriction on hours) would be for the sale of alcohol to be restricted to those having a meal.

Whilst it is clear that we'd see an increase in traffic and disturbance if this was granted we want to minimize this as much as possible (hence the additional request) and also want to work with the applicant (in the hope he will reciprocate re lane speeding, minimalising noise, litter and any anti-social behaviour etc etc). Anything more than this (i.e. more than restricting the hours to 12-7 and serving of alcohol with a meal) risks exaggerating the impact significantly more – if alcohol were allowed to be served to non-meal trade then it may as well be a pub, not to mention and crucially this goes beyond the stated intentions of the applicant to “merely provide drinks with afternoon teas and lunches”. Therefore along with the restriction to hours if there were a restriction to the serving of alcohol to only those having a meal the applicant also meets his desired objectives.

Please feel free to contact me if I've not made myself clear, appreciate I've rambled a little.

Many thanks in advance

Best

Mike

REPRESENTATION 8

Dunelm House
Mill Lane
Monkton Combe
BATH
BA2 7HD

The Licensing Officer
Wiltshire Council
Public Protection Services and Licensing
Monkton Park
Chippenham
Wiltshire SN15 1ER

13 March 2018

Dear Sirs,

Re: Waterhouse, 5 Waterhouse Lane, Monkton Combe
Application ref WK/201804070

The Parish Council of Monkton Combe is aware of the above application and wish to make the following representation:

PUBLIC NUISANCE

When the original licence for Waterhouse to supply alcohol was granted back in 2013 it was made with strict conditions to prevent unnecessary nuisance to the rest of the village . These conditions have since been adhered to and had the desired effect.

The latest application for a variation of those conditions has caused concern that the status quo will be disturbed and several residents have asked to Parish Council to consider making a representation.

Having consulted more widely with both villagers and the applicant the Parish Council has come to the following conclusions:

The times requested (all Saturday and Sunday) do not match the applicant's stated intention to merely provide drinks with afternoon teas and lunches and therefore we would like the hours to be more strictly defined to allow the applicant to do as he requires but not risking the possibility of the venue becoming a late night destination.

We therefore suggest the allowed hours to be 12pm to 7pm on Saturdays and Sundays. We understand the applicant has informally agreed to this and will be amending the application accordingly.

PUBLIC SAFETY

A number of residents have expressed concern over the condition of the single carriageway, Waterhouse Lane, which is the only access to the house. This is also

a public footpath with no pavement and therefore pedestrians, cyclists and the occasional equestrian have to use the lane itself. Any increase in traffic along this route will endanger walkers and children who live in the adjoining houses.

We suggest that if granted the licence variation, the applicant addresses the concerns of the local residents and works to make the lane a safer environment. We appreciate that this is not a matter the Licensing Committee can rule on but wanted it put on record.

Yours faithfully,

Cllr Des Wighton
Chairman, Monkton Combe Parish Council

REPRESENTATION 9

RECEIVED

15 MAR 2018

PUBLIC PROTECTION

2. Station Cottages

Mill Lane.

Marston Combe.

Bath. BA2 7HD.

13/3/2018.

Dear Sir / Madam,

We are writing in response to the application by Mr. Simon Wilsher / Waterhouse to amend the current restrictions on the sale of alcohol at their premises.

We would like to express our objections as follows:

As we have stated before, the unique acoustics of this valley mean that any sound from Waterhouse resounds across the valley - the events held there in the recent past sound as though they are taking place in our living room!

This is a quiet, country village with minimal noise and light pollution (which is why we have chosen to live here for over 60 years!) so any threatened change to that is obviously unwelcome.

And there is also the concern for the safety of those using the public footpaths around Waterhouse, if alcohol is sold to non-residents who may drive in (we are all aware of the dangers of drink-driving yet it still occurs.)

We do not wish to appear unreasonable and feel

that limited lunch &/or tea-time slots (on Saturdays and Sundays only) for non-residents to purchase alcohol, as long as they are consuming food, would be acceptable.

(More than that and Waterhouse is turning into a Public House - and we already have one in the village, which is sufficient!)

Yours Faithfully,

Mrs. Christa Demski +

Miss Ingrid Demski.

REPRESENTATION 10

The Barn,
Waterhouse Lane,
Bath
BA2 7JA

The Licensing Officer
Wiltshire Council Public Protection Services and Licensing
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Dear Sir,

**Re: Waterhouse, 5 Waterhouse Lane, Monkton Combe Application ref
WK/201804070**

We were informed by the owner of Waterhouse that they were wishing to amend their licence so that they could serve tea on Saturday afternoons and lunch on Sundays. We are prepared to accept this limited extension but we would object to anything beyond this for reasons outlined below.

The single track access lane remains in a very poor condition, as it has done throughout our time here. There is no indication that this will improve. Therefore any licence extension which encourages additional vehicular traffic would simply make this situation worse, as well as providing a danger to the walkers, cyclists and horseriders that use this public footpath and bridleway. There is also a lack of adequate passing places (one which is not wide enough for two emergency vehicles to pass each other and the other in a very poor state of repair which has still not been made good) and this, with the condition of the lane, may jeopardise the ability of emergency service vehicles to do the job for which they are intended, should such a situation arise.

We would, therefore, expect any amendment to the licence to be restricted from 12-6pm on these two days and would object to anything beyond this.

We are also concerned that this is another step towards converting what was originally a suite of offices with limited bed and breakfast rooms into a full-scale hotel/pub which would be completely inappropriate for the area.

We look forward to hearing from you.

Yours sincerely,

Jane Knight and Martin Boden