

BATH AND NORTH EAST SOMERSET COUNCIL LICENSING SUB-COMMITTEE 12 JULY 2016: APPLICATION FOR VARIATION OF PREMISES LICENCE

Villa Magdala, Henrietta Road, Bathwick, Bath BA2 6LX

STATEMENT OF: Jonathan Walker

CAPACITY: Managing Director for Eiderdown Limited

ADDRESS: c/o Abbey Hotel, North Parade, Bath BA1 1LF

This statement is true to the best of my knowledge and belief

INTRODUCTION

I have been in the hotel business for 34 years. I have worked as a Hotel General Manager, Area Director, Operations Director and Director of Hotel Performance and Operations Support for Europe (in this role I was responsible for licensing for 65 hotels in the UK). I therefore have significant experience in the successful running of hotels in various locations, including in residential neighbourhoods, where it is important to ensure we work in conjunction with the local community. I also know Bath relatively well, having been a resident of Bradford in Avon for 12 years and in the local area for 20 years in total. I therefore understand the importance to the community in ensuring the character of the area is preserved.

I have recently joined the group of hotels owned by Ian and Christa Taylor. I will be responsible for the opening and management of the new hotel due to open later this year on Great Pulteney Street and have been liaising with the neighbours for several months now in relation to our proposals for that hotel. I also have a wider support role in relation to the licensing operations of the other hotels in the group, including Villa Magdala. This includes overseeing the group's policies and procedures in relation to licensing and the provision and management of licensable activities.

PREMISES LICENCE APPLICATION

We are applying for the variation of the premises licence at Villa Magdala to approve refurbishment works to the hotel including the installation of a bar/ servery in the dining room / lounge area as shown on the plans submitted with the application. The servery will be a cabinet – style dispense bar as Caroline Browning has explained in her statement. There is no extension to the current dining room / lounge and there will be no increase in the current capacity of this room (around 40 persons).

We are also applying to remove the condition previously volunteered on the licence which restricts the sale of alcohol to residents only. This is to allow us some flexibility to offer licensable activities to guests of our residents and members of the local community from time to time. We have restricted the times that alcohol will be available to non-residents to what we believe to be reasonable and appropriate times, bearing in mind the residential nature of this neighbourhood and the times of other licensed premises both in the immediate vicinity and in other residential areas of Bath.

Before we submitted the application for Villa Magdala, I instructed our solicitors to check the authorised times for other licensed premises in the area on the Council's licensing register. Having reviewed those details, I was aware are also other hotels in the area licensed to 23.00 or midnight (for example the Redcar hotel and Duke's Hotel). HPRA have indicated to us that in practice those hotels don't open their bars to non-residents, but nevertheless they do have that

flexibility under their licences. The pub at the end of the road, the Pulteney Arms, is also licensed until 23.00 Monday to Wednesday, midnight Thursday to Saturday and until 22.30 on Sundays. I attach to my statement a map of the area, which I have annotated to show the locations of these premises in relation to the Villa Magdala.

Those businesses are, of course, different to the operation we propose for Villa Magdala, but I believe this does give an indication that the times we are seeking are not unreasonable of themselves in a residential area, if the provision of licensable activities is properly managed. The times we are seeking for Villa Magdala also reflect those we have agreed with the neighbours of our new hotel in Great Pulteney Street for sales of alcohol non-residents. I have also indicated the location of No.15 Great Pulteney on the map.

In terms of other hotels in residential areas of Bath, the Royal Crescent Hotel, for example, is authorised to sell alcohol to non-residents until midnight Monday to Saturday and until 23.30 on Sundays. Therefore, we are not looking to set a 'precedent' in the City.

In relation to the start time, sales of alcohol in the morning period between 08.00 and 11.00 am daily shall only be permitted to non-residents if they are attending a bona fide pre-booked event or meal at the hotel and must be ancillary to food (for example if we want to offer a champagne brunch).

Given the nature of the Villa Magdala hotel, the proposed operation and management which will be in place, I believe the times applied for are appropriate for this area, particularly given that there are already other licensed premises permitted to sell alcohol in fairly close proximity.

In terms of the garden area, the licence already permits the consumption of alcohol between midday and 21.30 daily. We are not looking to change these times, which are in any event shorter than the hours permitted externally in other licensed premises (the condition attached to the licence for the Pulteney Arms, for example, is that outside areas must be cleared by 23.00).

As set out in the statement of Caroline Browning, the service of alcohol in the garden area will be by waiter or waitress service only and there will be no more than 42 seats in total between the front and rear garden areas, which is the number of residents in the hotel if the hotel is at capacity. In practice, it will often be fewer than that because the weather in Bath does not always favour use of the external areas! The letters from HPRA and the statement from Mrs Glyde support that as they note there are usually only a few people using the garden at any one time.

We included a number of conditions in the variation application, following discussions between our solicitors and the licensing authority, police and environmental health service in advance. Those parties indicated that they would have no objection to an application in these terms as they do not have any records of incidents or complaints in relation to these premises. Now we have met with Ian Herve and Ceris Humphreys from HPRA to discuss their concerns, we propose a number of additional conditions over and above those set out in the application. These conditions are detailed within Caroline's statement, but I attach a list summarising those and the existing conditions for ease of reference.

LICENSING POLICIES AND PROCEDURES

The policies and procedures in relation to the sale of alcohol which I am reviewing across the group, including at the Villa Magdala, include training on licensing and the licence conditions on induction for new staff, which will be re-visited every six months and recorded. We operate a challenge 21 proof of age policy (as per the current conditions of the licence) and staff who may be required to serve alcohol are trained on the requirements of this policy. All of our hotels are, of

course required to keep the copy premises licence on site under the legislation and I have briefed Caroline to ensure that all existing staff will be re-trained on the amended conditions of the licence if this application is granted.

I will be carrying out unannounced checks on the premises and the employees on at least two occasions per year, this will include a check of the legal information on site, licence training records, refusals logs and questioning staff who may be on duty and serve liquor in relation to their overall knowledge and challenge 21.

Caroline will be required to ensure staff receive refresher training every 6 months as required under the new licence condition we have agreed with the police licensing officer. I will provide Caroline with a licensing training pack to give her the tools to give this training effectively. Staff training at this hotel will also include the requirement to monitor noise levels in the garden area when the garden is in use and how to approach guests and manage this effectively.

The staff members will be required to complete and pass a test after each refresher training session and Caroline will be required to sign the training record to confirm the training has been completed. As part of my audits, I will be checking this information and a summary of this information will be presented to the board.

I have also worked with Ian and Caroline to devise the Operation and Dispersal policy which is attached to Caroline's statement. This is a working document which summarises our ways of working and covers our approach in relation to the dispersal of customers, use of the bar, the garden area and our general approach at Villa Magdala. Employees will also be trained on this operation and dispersal policy on induction and every six months thereafter. The dispersal policy will be included in employee offer letters and on display in employee areas to ensure that it is implemented in practice. This is a public document and we will use it as a base to discuss with HPRA and other local residents if they have any concerns over our day-to-day operation.

CONCLUSION

This application was submitted following discussions with the Council's licensing team and the responsible authorities; and after consideration of the Licensing Policy for B&NES Council and other licensed times in the area. The application is subject to numerous conditions and we have proposed further conditions following our meeting with the representatives of the HPRA. The number of seats available for non-residents will be very limited both internally and externally, particularly when the hotel is fully booked.

We understand from our meeting with the representatives from HPRA that their biggest concern is the potential for noise escape from people who are using the garden. However, we believe that this risk will be limited because of the limited times for consumption (as per the current licence), the proposed limit on numbers of covers in the garden and the fact that staff will monitor use of the garden area at all times (staff training will include this).

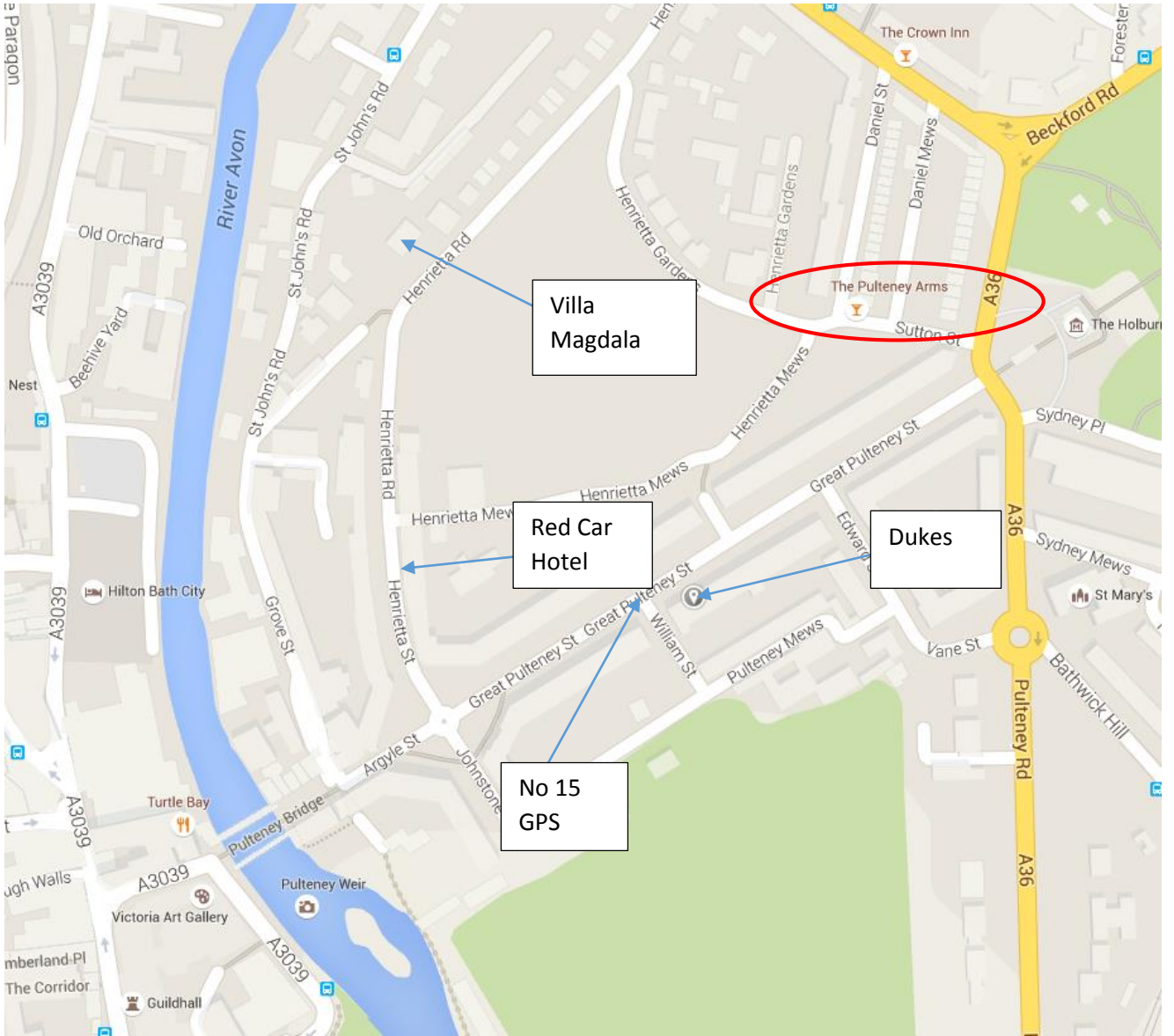
The application will not change the nature of our operation which is a luxury boutique bed and breakfast hotel with ancillary facilities. In my experience, the measures proposed by the manager and the group's policies and procedures will ensure that the provision of licensable activities in these circumstances can be managed without causing undue nuisance or disturbance for the hotel's neighbours. For these reasons, I would invite the Committee to grant the application, subject to the conditions proposed.

Jonathan Walker

Dated: 29th June 2016

Annex A: Map of the local area showing location of Villa Magdala and other licensed premises

Annex B: Summary of Conditions proposed



Annex B: Summary of Conditions Proposed

Conditions to remain from Current Licence:

- 1 The small quantity of stock will be stored in the kitchen area of the premises.
- 2 The premises will operate a Challenge 21 age verification policy.
- 3 Children staying as guests of the hotel have to be accompanied by an adult.
- 4 There shall be no consumption of alcohol in the car park at any time.
- 5 No alcohol shall be consumed in the garden between 9.30 pm and midday on any day.

Conditions included in Operating Schedule of Variation Application:

- 6 Except for hotel residents and bona fide guests, to whom the sale of alcohol shall be permitted without restriction, sales of alcohol in the morning period from 08.00 to 11.00 daily shall only be made to persons attending a bona fide pre-booked event at the hotel and shall be ancillary to food.
- 7 The licence holder shall ensure that waiter / waitress service shall be available at all times (*nb proposed amendment to require that all sales of alcohol by waiter/ waitress service set out below*).
- 8 All alcohol sold for consumption off the premises shall be restricted to consumption in the hotel garden areas only. The garden area may only be used for table service and consumption of alcohol between 12.00 midday and 21.30 daily.
- 9 All food and beverage staff will undergo internal training on induction as to the requirements under the Licensing Act 2003 including underage sales and the hotel's proof of age policy and will receive refresher training every 6 months.
- 10 The licensee shall ensure that all such training and the related checks carried out around the age restrictions applicable to the retail supply of alcohol shall be documented and made available to the police or other responsible authority on request.

Additional Conditions Proposed by Licence Holder following Meeting with HPRA:

- 11 All service of alcohol will be by waiter or waitress service only.
- 12 All consumption of alcohol in the garden area shall be served by waiter or waitress only.
- 13 The number of chairs in the garden area shall not exceed 42.
- 14 No consumption of alcohol shall be permitted in the section of garden between the car park and Henrietta Lodge.

BATH AND NORTH EAST SOMERSET COUNCIL LICENSING SUB-COMMITTEE 12 JULY 2016: APPLICATION FOR VARIATION OF PREMISES LICENCE

Villa Magdala, Henrietta Road, Bathwick, Bath BA2 6LX

STATEMENT OF: Caroline Browning

CAPACITY: General Manager and Designated Premises Supervisor at Villa Magdala

ADDRESS: c/o Villa Magdala, Henrietta Road, Bathwick, Bath BA2 6LX

This statement is true to the best of my knowledge and belief

INTRODUCTION

I am the General Manager of the Villa Magdala Hotel. I have been employed at the hotel since 18th November 2015 and my responsibilities include the day-to-day running of the hotel, management of our on-site team and ensuring compliance with company procedures. I obtained my personal licence in May this year and have now been named as Designated Premises Supervisor on the premises licence for the hotel (the application was submitted to the Council on 22 June 2016 after the representations were received to this variation application). I am therefore also responsible for ensuring day-to-day compliance with the licence conditions.

I am based full time at the hotel, live locally in Bath and am contactable by my duty managers at any time. In my absence my deputy Jean-Luc Bouchereau oversees the day to day operation, he also has over 10 years of management experience and holds a personal license. I am only a 10 minute drive from Villa Magdala should my presence be required.

Prior to my role at Villa Magdala, I held positions over a 25 year period at management level with many 5 red star properties such as Le Manoir aux Quat'Saisons, The Bath Priory, Lucknam Park. I therefore have an in-depth knowledge of the practices and procedures required to operate licensed premises in residential areas lawfully and successfully at an operational as well as at management level.

OPERATION AT VILLA MAGDALA

Villa Magdala is a privately owned, luxury 5 Star Boutique Bed and Breakfast hotel located in the Henrietta Park area of Bath. We have 21 individually styled bedrooms. I attach internal and external photographs of the hotel, grounds and the dining room (the dining room being the only internal area which will be open to non-residents).

Our bedroom prices range from around £150 to £350 per room per night, depending on availability and the room chosen by guests. The nearest residents to the areas where alcohol may be served are of course our own guests. It is therefore in our own interests to ensure that the provision of licensable activities does not cause any undue noise or disturbance; and our ongoing relationship with the local community in preventing that is also very important to me.

I have visited Mrs Glyde (Henrietta Lodge) and both Ian Taylor and I have recently had a meeting with David Tucker (1 Henrietta Villas) our immediate neighbours to communicate our wishes for the business and endeavour to answer any questions/concerns. The owner of the hotel, Mr Taylor and the Managing Director for Eiderdown Hotels, Jonathan Walker, have also met with Ian Herve and Ceris Humphreys from HPRa to reassure them that this application will not change the entire nature of our operation, as they appear to fear. We will remain as a hotel with ancillary

facilities: we do not operate a standalone bar or restaurant and this will not change. We will be inviting local residents who may be concerned about this application to the hotel over the next two weeks to explain the reason for the application, the limited extent of the changes proposed and to discuss and address any concerns they may have. I will continue to engage with local residents in the future to work as a business that is part of the community. I attach a copy of the letter that we have sent to the residents.

I was not previously aware that Mr and Mrs Glyde had undue concerns over noise from our glass bins, but since receiving the copy representation I have spoken to Mrs Glyde and assured her that going forward we are going to keep our glass re-cycling bin in our garage which should omit a lot of the noise, we have agreed to review this in one weeks' time to ensure that she is happy with our new procedure. I shall be following up with Mrs Glyde WC 27th June 2016.

AREAS AND PROPOSAL FOR THE SALE AND CONSUMPTION OF ALCOHOL

Internal Areas

The only communal area in the hotel is the dining room/ lounge area on the upper ground floor of the hotel, which will have no more than 40 seats. There is no extension to this room proposed as part of this application. The dining room is located in the Villa Magdala part of the house (not in the original Avondale part, which the copy planning permission submitted by HPRA states to be for bedroom accommodation or private residential use only). We have no restaurant operation at the hotel: the dining room/ lounge area is used for the service of breakfast to residents in the mornings and for residents to relax in the evenings.

This is the only area inside the hotel to which non-residents will have access. All other areas are bedroom accommodation or back of house / staff areas (the lounge on the lower ground floor of the hotel is annexed to the adjacent bedroom and is part of the bedroom suite).

The proposed 'bar' in the dining room will be a dispense bar only with no 'over the counter' service or draught beer. The bar we propose to install will be along the lines of a drinks cabinet and I attach an artist's impression of the proposed cabinet for clarity. **It is proposed that all service of alcohol will be by waiter or waitress service only (we are happy to agree a licence condition on this basis if the Committee determine that such a condition is appropriate).**

This restriction and the limited capacity of the dining room means that it is not the case that allowing the sale of alcohol to non-residents will result in a 'public bar' or a significant influx of people into the hotel. I understand that the existing restriction on the licence regarding the supply of alcohol to residents only was volunteered by the applicants when the licence was applied for in 2012, but we would like some flexibility to serve to non-residents, so that we can welcome guests of hotel residents and members of the community into the hotel from time to time, and supply alcohol to them for the limited times set out in the application.

External Areas

We do have an attractive garden area in which the consumption of alcohol is already permitted under the licence from midday until 9.30 p.m. There is no proposal to extend these times. We do manage use of this area and will continue to do so. I note from the copy letters of representation and the statement from Mrs Glyde that the neighbours acknowledge that this is a quiet area, despite the fact that we are already permitted to serve alcohol to our guests in the garden and I believe this demonstrates that we are a responsible business.

We are, of course, also already permitted to serve non-residents in the garden area for tea, coffee and soft drinks, as no licence is required for this. The number of tables and chairs we put in the garden varies depending on the weather. **However, the number of chairs in the garden area will never exceed 42 (the number of hotel guests if all of our 21 bedrooms are booked) and we are happy for this to be a condition of the licence if the Committee determine that such a condition is appropriate.**

Use of the garden area will continue to be supervised by myself and my team to ensure that there is no disturbance caused to nearby residents. Staff will, of course, be out in the garden to clear tables and serve food/snacks and drinks in the garden area so will actively manage use of the garden area. There is also good visibility of the garden area from inside of the hotel as there are large windows in the dining room on the upper ground floor looking out onto the garden and from the staff room on the lower ground floor, looking out onto the rear garden. If any customer is particularly noisy, we will remind them that we are in a residential area and ask them to respect our neighbours or move inside. **We will agree that all consumption of alcohol in the garden area shall be by waiter or waitress service only.**

The representation from HPRA suggests that we have allowed alcohol to be consumed in the car park which is contrary to our licence conditions. This is not the case. During one of my visits to see Mrs Glyde, she had mentioned that on a couple of occasions, prior to my employment at Villa Magdala several hotel residents had sat out on deck chairs on the strip of grass between the car park and Mr and Mrs Glyde's home and Mrs Glyde mentioned to me that they had been disturbed by the conversation of these guests. Mrs Glyde commented to me that she was very pleased that we did not have deck chairs on this strip of grass this year and I reassured her that this area would remain free from any garden furniture. **We will agree a condition that no consumption of alcohol shall be permitted in the section of garden between the car park and Henrietta Lodge.**

The licence variation includes a proposed condition that all alcohol sold for consumption off the premises shall be for consumption in the hotel garden only. Alcohol consumed in the garden shall be served by waiter or waitress service only (as above) and shall not be in sealed containers. As such I do not believe there is any risk of this encouraging the consumption of alcohol in Henrietta Park or the wider area generally. The garden has been available for the consumption of alcohol by hotel guests since the licence was granted and there is no evidence that this has resulted in alcohol consumption outside of the hotel grounds.

IMPLEMENTATION OF POLICIES AND PROCEDURES

The statement of Jonathan Walker sets out the company's approach in relation to staff training and implementation of policies and procedures for the promotion of the licensing objectives. I am responsible for ensuring that these policies and procedures are implemented at Villa Magdala.

I have a team of 17 staff members at Villa Magdala. There is always a duty manager on site during the night, together with regular patrols from the night team from our sister property. Our staff members have, of course, already undergone training including in relation to their responsibilities under the licensing regime (for example in relation to underage sales) and in relation to the restrictions on our licence. If the licence variation is granted, all staff who may be required to serve food and drinks will receive refresher training including in relation to any additional conditions on the licence and the permitted times for the sale of alcohol to non-residents.

Following discussions between our solicitors and the police before submitting this application, we have proposed an additional condition to be attached to the licence that all food and beverage

staff will undergo internal training on induction as to the requirements under the Licensing Act 2003 including underage sales and the hotel's proof of age policy (Challenge 21) and will receive refresher training every 6 months. In addition, we have agreed that all such training and the related checks carried out around age restrictions shall be documented and made available to the police or other responsible authority on request. I understand that the police are satisfied with the application subject to these conditions.

With the support of Jonathan Walker, we have updated our operation and dispersal policy to underline our proposed operation and the measures we will take to promote the licensing objectives if this application is granted. I will ensure this policy is communicated to my team and applied at the hotel on an ongoing and day-to-day basis. I attach a copy of the current policy to this statement.

CONCLUSION

Given the nature of our operation and customer base at the Villa Magdala, the policies and procedures that we will have in place to promote the licensing objectives and my continued plans to work with the local community, I am confident that the grant of this application will not have a negative impact on our neighbours. I believe this is underlined by our experience, good compliance record and the fact that there is no objection to this application from the responsible authorities.

Caroline Browning

27th June 2016

Annex A	Photos of hotel and dining room
Annex B	Artist Impression of dispense bar/ cabinet
Annex C	Copy letter to local residents inviting them to the hotel for an open meeting
Annex D	Copy of Operation and Dispersal Policy



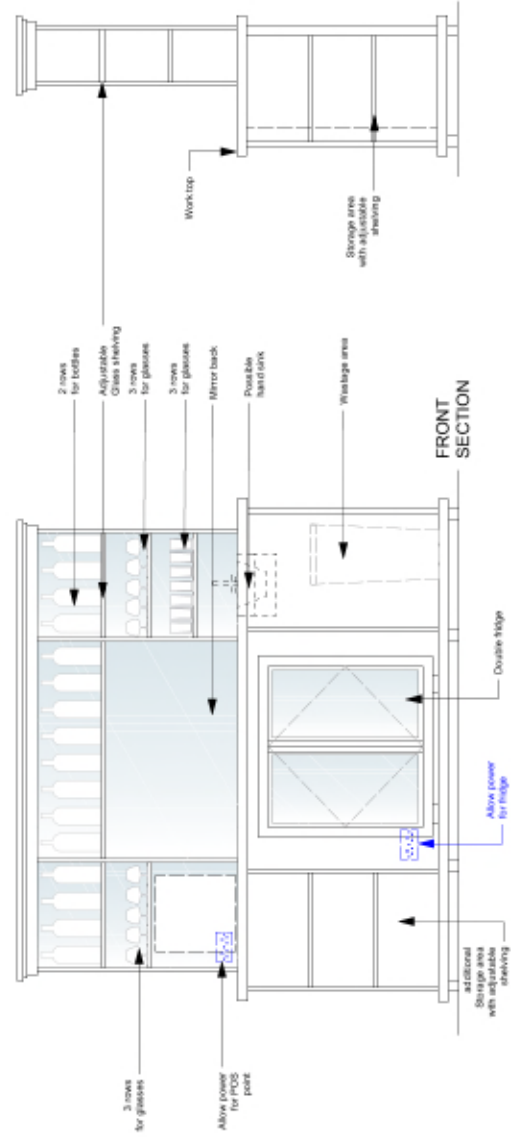
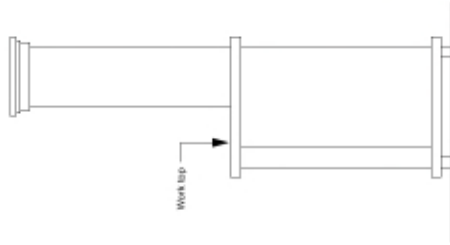
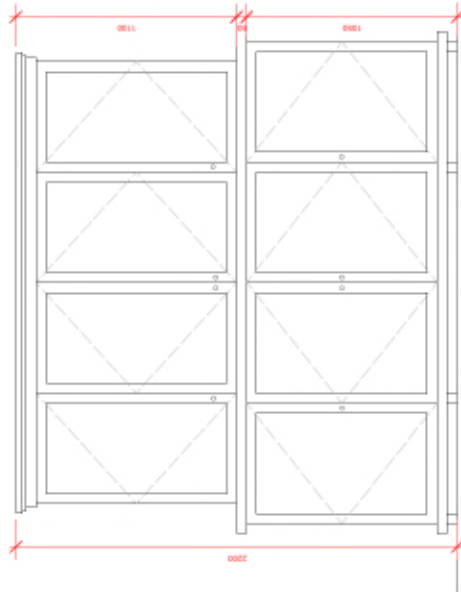
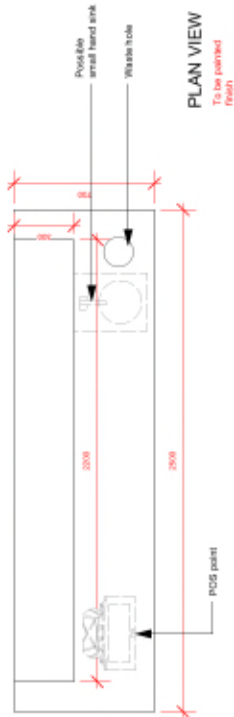








Inspiration



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SIDE SECTION

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Dear Neighbour

You may be aware that we have recently applied to vary the premises licence at Villa Magdala and I understand that there is some concern locally as to what these changes may entail.

I would like to invite you to an open meeting at the hotel to explain more about our operation and the application. We will be holding two meetings at Villa Magdala at the times specified. If you would like to attend, I would be grateful if you could confirm to Caroline Browning, General Manager at the Villa Magdala on the contact details below which meeting you will be attending, so that we can ensure we can accommodate all.

Meeting Dates

- **6th July 2016 @ 11am with myself and Caroline Browning**
- **7th July 2016 @ 6pm with Jonathan Walker, Company Operations Director and Caroline Browning**

I would like to reassure you that we will continue to operate as a luxury boutique bed and breakfast hotel with ancillary facilities: we do not operate a standalone bar or restaurant and this will not change. We are happy to explain the reason for the application, the limited extent of the changes proposed and to discuss and address any concerns you may have.

We look forward to hearing from you if you would like to attend.

Your sincerely

Ian Taylor, Owner of Villa Magdala

Contact Details for Confirmation of Attendance:

Caroline Browning

Telephone – 01225 466329

Generalmanager@villamagdala.co.uk

Villa Magdala – Operation and Dispersal policy

The purpose of this document is to share our approach to the management of guests visiting and staying in the hotel.

We are proud to employ the people of Bath, work with local suppliers and welcome guests to this great City. We are particularly proud to be part of the Henrietta and Bathwick environment, we recognize and fully respect the need to integrate and work in liaison with our local residents.

The document is separated into key areas:

- Departure of Guests
- Use of the dining room
- Garden area
- General

Departure of guests

- When guests leave in the evening they will be encouraged by the front of house team to leave the premises quietly and staff will monitor this
- Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents
- For all taxis booked by hotel staff, two reputable and local taxi companies will be used. The companies will be educated / briefed to understand the importance of guests leaving quietly and turning off engines whilst waiting, part of this agreement would include the closing of taxi doors
- A service level agreement will be drafted and signed by both the hotel and taxi company directors
- In the evening, after 21.00 guests will be asked to wait inside before being collected rather than wait on Henrietta Road

Use of the dining room

We recognize that non-residents may visit the hotel to use the dining room.

- Guests will be informed of the end of the liquor license period in accordance with the premises license. Service staff will undertake training in licensing hours and the premises license with specific focus on the evening team.
- The sale of alcohol licensing hours are: Sunday to Thursday from 08.00 to 22.30 and 08.00 to 23.00 on Friday and Saturday
- Waiter/waitress service will be provided at all time during licensing hours
- The sale of alcohol in the morning period between 08.00 and 11.00 daily shall only be made to persons attending a bona fide pre-booked event or meal at the hotel (except for residents / bona fide guests).
- Employees will be trained on the Challenge 21 approach to young persons under the age of 18 potentially buying alcohol

Villa Magdala – Operation and Dispersal policy

- All alcohol sold for consumption off the premises shall be restricted to consumption in the hotel garden, staff will be trained on this specific point
- All food and beverage staff will be trained on induction and thereafter every 6 months on the Licensing Act 2003 including underage sales and the hotels proof of age policy
- All such training will be recorded and documented and this along with refusal to serve record will be made available to the police or other responsible person on request

Garden area

- The garden may only be used for the consumption of alcohol between 12.00 midday and 21.30 daily, employees will be trained on this point
- When in use, guests will be asked to leave the garden at 21.15 and reminded at 21.30 when the garden will be cleared
- The garden will be monitored through the day and any items removed (glasses etc.). At the end of operating hours the area will be cleared of all items
- Waiter/waitress service will be provided at all time during licensing hours
- There will be no consumption of alcohol allowed in the car park areas or in the strip of grass between the car park and Henrietta Lodge, employees will be trained on this point
- Employees will be inducted and trained on the importance of controlling noise in this area. This will include how to approach guests with a request to lower the volume and also to ask guests to leave the area, should increased levels of noise persist. A log book will be introduced to record any potential issues

General

- Employees will be trained on this dispersal policy on induction and every six months thereafter. The dispersal policy will be included in employee offer letters and on display in employee areas.

■ END –

BATH AND NORTH EAST SOMERSET COUNCIL LICENSING SUB-COMMITTEE 12 JULY 2016: APPLICATION FOR VARIATION OF PREMISES LICENCE

Villa Magdala, Henrietta Road, Bathwick, Bath BA2 6LX

STATEMENT OF: Ian Taylor

CAPACITY: Owner of Villa Magdala

ADDRESS: c/o Abbey Hotel, North Parade, Bath BA1 1LF

This statement is true to the best of my knowledge and belief

INTRODUCTION

I own the Villa Magdala hotel with my wife, Christa Taylor. I purchased the hotel on the 3rd June 2015. I also own and operate the Abbey Hotel on North Parade in the City and No.15 Great Pulteney, which is due to open later this year (formerly the Carfax hotel). Before opening the Abbey Hotel, I also owned and operated 2 hotels in Chipping Campden, Gloucestershire, Cotswold House hotel and the Noel Arms hotels. Prior to that I worked for Intercontinental Hotels for 17 years and was the General manager of the Holiday Inn Gloucester, Holiday Inn Sutton, Crowne Plaza Cambridge and Crowne Plaza Heathrow. I therefore have many years' experience in both owning and operating hotels.

Villa Magdala has operated as a hotel in its current position since around 1984 when planning permission was granted to allow the adjacent house, Avondale, to be used as bedroom accommodation and / or private living quarters in association with the hotel, but Villa Magdala itself was a private hotel before that and indeed was in the local directory for 1970. An application for a premises licence to allow the sale of alcohol to hotel residents was granted in 2012.

I made a long-term commitment to the local area when I purchased Villa Magdala. I am investing around £150,000 in refurbishing the hotel and rebranding the property as a luxury boutique hotel and fully intend to work with the local community to ensure that the hotel continues to operate successfully. I will employ 120 people in Bath across the three hotels, with 17 being employed at Villa Magdala. The vast majority of our staff are residents of Bath themselves. As such, both they and I are aware of the nature of the area and that neighbours are concerned that the business should be in line with the nature of the area

I am working with the management team to achieve this. I have met the representatives of HPRA and our local Ward Councillor to discuss the application and the operational controls which will be in place to address the concerns of local residents. I will also be attending the open meeting we are holding for other residents to explain the nature of this application and our proposed operation (as per Caroline Browning's statement).

COMMENTS IN RELATION TO REPRESENTATIONS

I am aware that HPRA have made reference to other hotels I have owned and operated. These are entirely different operations to Villa Magdala and the circumstances surrounding the matters referred to are very particular to those hotels.

For the avoidance of doubt, the Abbey Hotel is located in the centre of Bath and is adjacent to a number of other licensed premises, including several nightclubs. The hotel is a full service hotel with 62 bedrooms, a restaurant, bar and function business. I have checked with the management

team and neither they nor I are aware of any written complaints from local residents in relation to noise disturbance from the operation. We did receive two verbal complaints relating to the après ski bar which from operates from end of November to 1st week in January and those complaints were investigated and followed up and will be taken on board for the operation of the bar this year.

We are, however, very aware of the need to control noise disturbance as our hotel residents at the Abbey often make complaints to us in relation to noise from other licensed premises, especially with the dispersal of drinkers from PoNaNa and 2nd Bridge between 1.30am and 3pm. We work with the manager from PoNaNa and our night team are outside the hotel to help minimise the noise disturbance to our guests.

The Cotswold House Hotel was a 29 bedroom hotel with a wedding and function space for 80 people which was added to the property during our ownership. The copy letters provided by HPRA were objections to an application to extend the licence times to allow wedding receptions to run until the early hours of the morning. The Environmental Health Service did not object to the application and the Sub-Committee granted the application as having heard the evidence, they were satisfied that we would promote the licensing objectives. We provided a restriction that any function guests could not use the garden or outside area after 9pm.

In terms of my compliance record locally, neither the Abbey Hotel nor the Villa Magdala have ever failed a test purchase under our ownership. I have never faced any actual or threatened licence review at any of the hotels I have owned or operated and I have never been cautioned or prosecuted in relation to the breach of a licence.

I note that Mr and Mrs Herve have raised the issue of the horse which we installed on the terrace of Villa Magdala over the Christmas period. This is an artwork and had proved popular with guests and visitors at the Abbey Hotel. It has been situated outside the Abbey hotel for the last 18 months and is seen by a much wider audience and I have never had one complaint and is photographed every day, in fact I have 7 enquires to purchase the sculpture piece. I am, of course, disappointed that it seems to have offended local residents, which was far from our intention. When this was made known to us, we arranged for the horse to be re-located back to the Abbey Hotel, which I trust demonstrates that we took the comments of the neighbours on board.

As has been summarised in the statements of both Jonathan Walker and Caroline Browning, this application is for limited times and is not intended to create a 'public bar' or to significantly increase use of the garden area (we have agreed to limit the number of seats and that all service of alcohol will be by waiter or waitress service only). We do not believe that the proposed operation will impact upon the daily lives of our neighbours and have measures in place to prevent this. I would therefore ask the Sub-Committee to support our business and grant this application for the reasonable times that we have applied for.

Ian Taylor

Dated: 29 June 2016