

Democratic Services

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Date: 11 February 2011

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To: All Members of the Licensing (Gambling and Licensing) Sub-Committee

Councillors: Tim Warren (Chair), Bryan Chalker and Tim Ball

Chief Executive and other appropriate officers
Press and Public

Dear Member

Licensing (Gambling and Licensing) Sub-Committee: Monday, 21st February, 2011

You are invited to attend a meeting of the **Licensing (Gambling and Licensing) Sub-Committee**, to be held on **Monday, 21st February, 2011 at 10.30 am** in the **Council Chamber - Guildhall, Bath.**

The agenda is set out overleaf.

Yours sincerely

Sean O'Neill
for Chief Executive

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

NOTES:

1. **Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Sean O'Neill who is available by telephoning Bath 01225 395090 or by calling at the Riverside Offices Keynsham (during normal office hours).
2. **Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Sean O'Neill as above.

3. **Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Sean O'Neill as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

4. **Attendance Register:** Members should sign the Register which will be circulated at the meeting.
5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.
6. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

Licensing (Gambling and Licensing) Sub-Committee - Monday, 21st February, 2011

at 10.30 am in the Council Chamber - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5 on the previous page.

2. ELECTION OF VICE-CHAIR (IF DESIRED)

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

To receive any declarations from Members/Officers of personal/prejudicial interests in respect of matters for consideration at this meeting, together with their statements on the nature of any such interests declared.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. MINUTES: 17 DECEMBER 2010 AND 10 JANUARY 2011 (Pages 5 - 18)

7. LICENSING PROCEDURE (Pages 19 - 22)

The Chair will, if required, explain the licensing procedure.

8. APPLICATION TO VARY A PREMISES LICENCE FOR KEYNSHAM RUGBY FOOTBALL CLUB, BRISTOL ROAD, KEYNSHAM, BRISTOL BS31 2BE (Pages 23 - 72)

The Committee Administrator for this meeting is Sean O'Neill who can be contacted on 01225 395090.

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BATH AND NORTH EAST SOMERSET

LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE

Friday, 17th December, 2010

Present:- Councillors:- Tim Warren (Chair), Tim Ball and Bryan Chalker

Also in attendance: Emma Stoneman (Licensing Officer), Francesca Smith (Senior Legal Adviser) and Sean O'Neill (Democratic Services Officer)

1 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

2 ELECTION OF VICE-CHAIR (IF DESIRED)

RESOLVED that a Vice-Chair was not required on this occasion.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

4 DECLARATIONS OF INTEREST

There were none.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

6 MINUTES: 9 NOVEMBER 2010

These were approved as a correct record and signed by the Chair

7 LICENSING PROCEDURE

The Chair drew attention to the licensing procedure, copies of which had been made available to members of the public attending the meeting.

8 APPLICATION FOR A PREMISES LICENCE FOR THE RICHMOND ARMS, 7 RICHMOND PLACE, BEACON HILL, BATH BA1 5PZ

Applicant: Punch Taverns, represented by TLT Counsel and Punch Taverns representative

Responsible Authority: Environmental Health Officer Jeremy Lockley

The Interested Parties were not present and were not represented.

The parties present confirmed that they had received and understood the licensing procedure.

The Licensing Officer summarised the application, which sought to extend the existing activities, hours and conditions to the first floor of the premises. Representations had been received from local residents in relation to the licensing objectives of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. A representation had also been received from an Environmental Health Officer (EHO) in relation to the licensing objective of the prevention of public nuisance proposing that the first floor area should be used for dining only and that regulated entertainment should not take place there.

Counsel stated the case for the applicant. He apologised that no employee of the applicant had been able to be present at the meeting. He said that there was no application to extend hours, even though some representations had been based on a misconception that this was the case. The use of the term "extension of hours" in the application was a statutory requirement. He said that regulated entertainment took place on the premises only about twelve times a year. The upstairs area was small and was intended to be used for dining. The applicant was now prepared to withdraw that part of the application relating to the provision of regulated entertainment there. He noted that the representations contained a few references to incidents of noise nuisance. The applicant had had discussion with the Licensing Officer and the EHO and had responded to the EHO's concerns by withdrawing that part of the application relating to the provision of regulated entertainment on the first floor of the premises. He noted the references in representations to noise from taxis calling at the premises and said that, while this was not under the control of the premises supervisor, the applicant would, through the licensing officers, request the taxi firms to give their drivers appropriate advice.

In reply to questions from a Member, Counsel stated that

- the premises were not listed, but subject to a conservation order. If it were suggested that noise insulation should be fitted, the applicant would consider this
- a representation had been made about customers being present in the beer garden after the terminal hour of 23.00; the applicant would give more attention to enforcing the terminal hour in future

The Environmental Health Officer Jeremy Lockley stated his case. He highlighted that the premises was in a terrace and had residential properties immediately adjacent on both sides. The first floor would be on the same level as neighbours' bedrooms. Mr Lockley stated that, in his professional opinion, any provision of regulated entertainment on the first floor would cause a noise nuisance. He confirmed that, whilst he was not withdrawing his representation, his concerns would be addressed if a condition were to be imposed on the licence that regulated entertainment should not take place on the first floor.

Following an adjournment, the Sub-Committee resolved to grant the application as applied for, subject to the following additional amended condition proposed by the Environmental Health Officer and agreed to by the applicant:

“The First Floor area is not to be used for regulated entertainment.”

and subject to the mandatory conditions relating to the sale of alcohol and those contained within the Licensing Act (Mandatory Licensing Conditions) Order 2010 and with conditions consistent with the operating schedule.

Authority is delegated to the Licensing Officer to issue the licence accordingly.

REASONS

Members have determined an application for a new premises licence for The Richmond Arms. In doing so they have taken account of the Licensing Act, Human Rights Act, the Council's Policy and the Statutory Guidance.

Members are aware that the proper approach under the Licensing Act is only to do what is necessary and proportionate to promote the licensing objectives. Members considered the relevant representations and took account of the evidence put before them.

Members were careful to balance the competing interests of the applicant and those of the Responsible Authority and the Interested Parties in reaching a decision. Accordingly, Members have done only that which is reasonable and proportionate in the circumstances.

9 APPLICATION TO VARY A CLUB PREMISES CERTIFICATE FOR THE ROYAL BRITISH LEGION CLUB BATHFORD LTD, BATHFORD HILL, BATH BA17SN

Applicant: The Royal British Legion Club Bathford Ltd, represented by Luke Emmett (Secretary)

Responsible Authority: Environmental Health Officer Diarmid Henry

Interested Parties: Mrs Philippa Bevan and Ms Sarah Tinney

The parties confirmed that they had received and understood the licensing procedure.

The Licensing Officer summarised the application, which sought to extend the hours for the supply of alcohol, add permission to sell alcohol for consumption off the premises, extend the hours for live music, recorded music and facilities for dancing (for provision indoors and outdoors) and add permission for films (indoor only), indoor sporting events, dance (indoors and outdoors), facilities for making music (indoors and outdoors), provision of facilities for similar entertainment (indoors and outdoors).

Representations had been received from Environmental Health in relation to the licensing objective of the prevention of public nuisance and from the Parish Council and local residents in relation to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

Mr Emmett stated the case for the applicant. He explained that RBL Clubs were members' clubs and limited companies. He said that the representations received to the application had made him think carefully about the way in which the club communicated with local residents. When making the application he thought that he would make it as wide as possible to give the club maximum flexibility. In retrospect he did not think this had been a good idea. The club was surrounded by about twenty houses and he wanted the best for the club and for the local community and was prepared to compromise. After discussion with the Environmental Health Officer, he no longer wished to seek authority to provide regulated entertainment outside, even though there were only three outside events in the whole of the previous year, and only one was planned for the forthcoming year.

The EHO's representation stated that noise from the function room had been barely audible at the nearest residential premises when he had visited on 13 November 2010. That night the noise level did not go above 93db as measured by the club's sound meter. The application had offered a condition that noise should not go above 100db; on reflection he wished to amend this to 90db. He acknowledged that doors had on occasion been left open during the summer, despite a licence condition forbidding this. Compliance with the condition would be monitored more strictly in future. Patrons had also congregated on the fire escape; a club bye-law had been made restricting the use of the fire escape to ingress and egress. Signs would be placed on doors reminding patrons that the club was located in a residential area. He would be willing for drinking outdoors to cease earlier than had been stated in the operating schedule, to 10.30pm or 10pm if considered appropriate. Noise levels would be monitored with the club's sound meter. If performers or DJs did not keep music to an acceptable level, the event would be terminated.

Next year live music was booked for 20 Saturdays. The music sessions would last from 20.45-21.15, 21.15-22.30 and 22.45-23.30. Members could organise private events on other Saturdays. Most members were in their 40s-60s and there were very few younger members. He now considered that 01.00 was too late for the terminal hour for regulated entertainment, and would offer 00.00 (midnight) on Fridays and Saturdays and 23.00 Mondays to Thursdays.

He understood the concerns, expressed in the representations, about the role of alcohol in provoking anti-social behaviour, particularly among young people. However, there were few young people in the village and the club was a members-only club with a minimum membership age of 18. In addition customers who appeared to be under 21 were required to produce proof of ID. There were shops in the community that sold alcohol, with one nearby making sales of alcohol between 06.30 and 17.00. He also confirmed the mandatory conditions relating to off sales from a club premises. The club had no control over the times of deliveries or waste collections.

In response to a question from the Chair, Mr Emmett clarified that the hours he was now proposing were as follows:

Sale of Alcohol

Mon-Sat	11.00 to 00.00
Sun	10.00 to 23.30

Regulated Entertainment

Mon-Thu	09.00 to 23.00
Fri-Sat	09.00 to 00.00 (midnight)
Sun	10.00 to 22.30

Opening Hours

Mon-Sat	09.00 to 00.00 (midnight)
Sun	09.00 to 23.30

In reply to questions from Members, Mr Emmett stated

- there were 50-70 private parties a year, only 15 of which took place on Saturdays
- live music groups were no bigger than trios
- complaints had been received about one event, though generally he did not hear from local residents
- events at the club had been advertised in the village

The Environmental Health Officer Diarmid Henry stated his case. He said that he had visited the premises between 22.00 and 22.30 on 13 November 2010 during which time he had not observed any noise nuisance. He had no concerns about entertainment inside the premises, providing the licence required doors and windows to be kept closed whilst it was carried out, but would be concerned about the impact on residents of regulated entertainment outside as there would be no way of containing the sound. In response to a question, Mr Henry said he wouldn't wish to recommend a permitted sound level in decibels. He explained that such a level would be subjective and that the real test would be whether or not residents could hear the entertainment. If they were still disturbed then this would have to be dealt with as a noise nuisance.

Mrs Philippa Bevan, an Interested Party, stated her case. She said that she lived next door to the premises with her family and was regularly disturbed, particularly in the summer. She said that they put up with it at the moment as they at least knew it would stop at 11pm. She said that even an extension until midnight was too late,

Ms Sarah Tinney, an Interested Party, stated her case. She said that she lived a reasonable distance away from the premises, across the green, however she was still frequently disturbed by music coming from the club. She confirmed that she could at times sing-along to music being played whilst she was inside her home.

Following an adjournment the Sub-Committee **RESOLVED** to grant the club premises certificate as applied for with the amendments proposed by the applicant, subject to the mandatory condition in respect of the off sales of alcohol where the

club premises certificate authorises the consumption of alcohol off the premises as well as on the premises; subject to the mandatory conditions related to the showing of films and subject to conditions consistent with the operating schedule; and to a condition proposed by the Environmental Health Officer, namely:

1. All doors and windows are to be kept shut, save for ingress and egress, when live and recorded music is taking place on the premises

Hours for licensable activities shall be:

Supply of Alcohol for consumption both on and off the premises

Monday to Thursday – 11:00 to 23:00

Friday and Saturday – 11:00 to 00:00

Sunday – 12:00 to 22:30

Regulated Entertainment in the form of live and recorded music, dance, films, indoor sporting events, the provision of facilities for dancing, making music and similar entertainment – Indoors Only

Monday to Thursday – 19:30 to 23:00

Friday and Saturday – 09:00 to 00:00

Sunday – 10:00 to 22:30

Opening Hours

Monday to Thursday – 09:00 to 01:00

Friday and Saturday – 09:00 to 01:30

Sunday – 09:00 to 23:30

All non standard timings applied for are granted

Authority is delegated to the Licensing Officer to issue the certificate accordingly.

In response to a suggestion by the Chair, Mr Emmett agreed to give his mobile telephone number to local residents so that they could contact him if there were problems.

REASONS

Members have determined an application for the variation of a club premises certificate for The Royal British Legion, Bathford. In doing so they have taken account of the Licensing Act, Human Rights Act, the Council's Policy and the Statutory Guidance.

Members are aware that the proper approach under the Licensing Act is only to do what is necessary and proportionate to promote the licensing objectives.

Members considered the relevant representations and took account of the evidence put before them. They heard evidence that there was existing noise nuisance emanating from the premises.

Members also recognised that the applicant had taken responsibility for the problems experienced by the parties and had amended the application accordingly.

Members were careful to balance the competing interests of the applicant and those of the Responsible Authority, the Interested Parties and the Parish Council in reaching a decision. Accordingly, Members have done only that which is reasonable and proportionate in the circumstances.

10 APPLICATION FOR A PREMISES LICENCE FOR SAINSBURY'S, FROME ROAD, ODD DOWN, BATH BA2 5RE

Applicant: Sainsbury's Supermarkets Limited, represented by Winckworth Sherwood LLP and the Green Park Station store manager.

The Interested Parties were not present and were not represented.

The applicant's solicitor stated the Company's case. She said that the store was under construction and the scheduled opening date was 26 April 2011. She said that the applicant was aware of problems with anti-social behaviour of young people and welcomed an open dialogue with residents. Cashiers would be trained to challenge any one attempting to purchase alcohol who appeared to be under the age of 21. In response to a question from a Member about why the applicant wished to sell alcohol from 06.00 to 00.00, she replied that this would provide a service to people working shifts and non standard hours and would give the store flexibility with sales at Christmas.

Following an adjournment the Sub-Committee **RESOLVED** to grant the licence as applied for, subject to the mandatory condition related to the sale of alcohol, and to conditions consistent with the operating schedule.

Authority is delegated to the Licensing Officer to issue the licence accordingly.

REASONS

Members have determined an application for a new premises licence for Sainsbury's, Frome Road, Odd Down, Bath. In doing so they have taken account of the Licensing Act, Human Rights Act, the Council's Policy and the Statutory Guidance.

Members are aware that the proper approach under the Licensing Act is only to do what is necessary and proportionate to promote the licensing objectives. Members considered the relevant representations and took account of the evidence put before them.

Members were careful to balance the competing interests of the applicant and those of the Interested Parties in reaching a decision. Accordingly, Members have done only that which is reasonable and proportionate in the circumstances.

The meeting ended at Time Not Specified

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET

LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE

Monday, 10th January, 2011

Present:- Councillors:- Tim Warren (Chair), Bryan Chalker and Tim Ball

Also in attendance: Emma Stoneman (Licensing Officer), Shaine Lewis (Senior Legal Adviser) and Sean O'Neill (Democratic Services Officer)

1 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

2 ELECTION OF VICE-CHAIR (IF DESIRED)

RESOLVED that a Vice-Chair was not required on this occasion.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

4 DECLARATIONS OF INTEREST

There were none.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

6 LICENSING PROCEDURE

The Chair drew attention to the licensing procedure, copies of which had been made available to those attending the meeting.

7 APPLICATION FOR A NEW PREMISES LICENCE FOR MEGA BITE, 26 WALCOT BUILDINGS, WALCOT, BATH BA1 6AD

Applicant: Mr Bilal Sancı, represented by Mahir Kilic (National Association of Turkish Residents)

Responsible Authority: Martin Purchase (Licensing Officer, Avon and Somerset Constabulary)

Interested Parties: Dr David Dunlop, Mr Alex Schlesinger

The parties confirmed that they had received and understood the licensing procedure.

The Licensing Officer summarised the application. The applicant was seeking authority to supply alcohol for consumption on and off the premises between 17:00 and 03.00 every day. The Police had proposed five additional conditions, namely:

1. Alcohol will only be sold by way of delivery after 23.00 hours and not to customers attending at the shop premises.
2. All deliveries which include alcohol must only be received by a person aged 18 or over.
3. Photographic identity will be required for any person who appears under the age of 21.
4. A refusals register is to be maintained recording the details of any sales or deliveries that were refused. The register is to be made available for inspection to any Police Officer or authorised person at all reasonable times.
5. Alcohol will only be sold over the counter at the premises with food orders of £5 minimum.

The applicant had confirmed in writing that he agreed to the above conditions being imposed on the licence. Representations had also been received from local residents in relation to the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

Mr Kilic stated the case for the applicant. He began by clarifying the date on which the application had been submitted. The Licensing Officer confirmed that the statutory time limits had been complied with. Mr Kilic said that though many representations had been received to the application, no complaints had been previously received from local residents, though some of the representations referred to things that had allegedly occurred previously. He had visited the premises that morning and no litter had been visible in the immediate vicinity. There was a licence condition requiring the regular cleaning of the area immediately outside the premises; he referred to the Secretary of State's Guidance, which stated that licensees could not be held responsible for the behaviour of customers away from the premises. The applicant offered a condition that he would clean an area of litter up to 25 meters each side of the premises. In response to questions from Members, he stated

- deliveries would be made by car, not moped
- beer, wine and spirits would be sold, but not cider or alcopops
- the minimum food order of £5 would apply to orders for alcohol for delivery; it was not the applicant's intention to operate an off-licence; the average price of a meal was £3-£4.
- Mr Sancic held a personal licence, and would ensure that all staff, including drivers, would receive training on the sale and supply of alcohol

The Senior Legal Adviser clarified that the sale and supply of alcohol had to be authorised by the Designated Premises Supervisor, who had to ensure that alcohol was not sold or supplied to persons who were drunk or underage, but that delivery drivers were not required to hold personal licences.

In response to a question from the Chair, Mr Kilic explained that there was no seating in front of the takeaway counter and that customers would not have direct access to alcohol, but would have to be supplied by a member of staff.

Dr David Dunlop, an Interested Party, put questions to the applicant:

Q. Why do you wish to sell spirits? They are not refreshments.

A. The licence is to sell alcohol and the applicant does not have to justify selling a particular kind of alcohol.

Q. Will the applicant agree not to sell alcohol in glass bottles, which can be broken and pose a hazard to people and animals?

A. The applicant will sell beer in cans, but wine in bottles.

Q. (from a Member) would you agree to sell wine in corked bottles and not screw top bottles?

A. The applicant only knows the type of bottle when the product is supplied.

Mr Alex Schlesinger, an Interested Party, asked why the applicant had to sell alcohol when it was already available from a number of other outlets. The Senior Legal Adviser responded that under the Licensing Act 2003, unlike previous legislation, applicants did not have to demonstrate 'need'.

Mr Alex Schlesinger stated his case. He said that as a long-term local resident he had frequently experienced problems caused by intoxicated people on the London Road and by litter discarded by customers of takeaways. Anti-social behaviour occurred in the car park at the rear of Mega Bite. Many residents were afraid to go out at night. He feared that increased opportunities to purchase alcohol would lead to a rise in disorder in the area.

In response to a question from the Chair, Mr Kilic confirmed that there was already CCTV at the premises.

Dr David Dunlop said that there was already a worrying level of anti-social behaviour on London Road. He believed that many customers of Mega Bite had already been drinking before they visited the premises. Problems were caused by people vomiting in the street and entering the gardens of houses to relieve themselves. There was a lot of litter, which attracted rats and vermin. It was not uncommon for people to throw bottles over garden walls and he was greatly concerned about the hazards posed by broken glass. He urged the Sub-Committee to impose conditions prohibiting the sale of spirits and the sale of alcohol in glass containers and requiring the installation of CCTV. He read from a statement by Mr and Mrs Brett, Interested Parties who were unable to attend the meeting, which said that though they were opposed to the sale

of alcohol from the premises, the applicant had been open and transparent and had taken note of comments made by local residents.

A Member suggested to the applicant that wine might be available in waxed containers. Mr Kilic said that the applicant would check this.

Martin Purchase, Police Licensing Officer, confirmed that the applicant had agreed to the additional conditions proposed by the Police. He said that he would be in favour of wine being supplied in non-glass containers, but he believed that there was only limited availability of these at present. Responding to a question from the Chair, he said that there were many discarded beer cans in London Road and that he thought most wine sales would be orders for delivery. He noted that the applicant had included CCTV in the operating schedule.

The parties were invited to sum up.

Dr David Dunlop said that the problem of litter had been exacerbated by the Council removing litter bins from London Road. He wondered whether Mega Bite would be prepared to sponsor some public litter bins. Mr Kilic responded that Mega Bite already had waste containers in the car park and would consider placing a bin outside the premises.

Mr Schlesinger said that London Road was an area in which every property was residential or partly residential. There was a significant problem with litter from food wrappings and with broken glass. If litter was reported to the Council, it was sometimes removed quickly, but often remained for weeks. He submitted that greater availability of alcohol would give rise to an increase in problems for local residents.

Mr Kilic summed up for the applicant. He said that if there were problems in the area, residents should report them to the proper authorities. He submitted that the conditions offered by the applicant were sufficient to minimise any problems that might emanate from the premises.

Following an adjournment, the Sub-Committee **RESOLVED** to grant the application as applied for, subject to the mandatory conditions, the conditions agreed between the applicant and the Police, as offered by the applicant during the meeting and with the following additional conditions:

1. There shall be no display of alcohol on the premises after 23:00 hours.
3. Beer must not be sold in glass bottles.
4. Staff will clear the area of litter up to 25 meters each side of the premises to include the rear of the premises.
5. Wine shall not be sold in screw tops

Authority was delegated to the Licensing Officer to issue the licence accordingly.

REASONS

Members have determined an application to vary a Premises Licence at Mega Bite, Walcot Buildings, Bath. In doing so they have reminded themselves of the Licensing Act 2003, Statutory Guidance, the Council's Statement of Licensing Policy and the Human Rights Act 1998.

Members are aware that the proper approach under the Licensing Act 2003 is to be reluctant to regulate in the absence of real evidence. Further, they must only do what is necessary and proportionate to promote the licensing objectives in light of what is presented to them.

Members listened carefully to the Applicant, took account of the representations from the Interested Parties, the Responsible Authority and noted the applicant's written acceptance of the conditions suggested by the Police. Members were also careful to balance the competing interests of all the parties in reaching their decision.

The Interested Parties feared that if the application was granted it would result in increased noise, litter and anti social behaviour in what is an area already suffering major problems with litter, late night noise and disturbance. The Applicant stated that alcohol served after 23:00 hours will be by delivery only and further when it is served it would only be served with a food order over a £5 minimum. The Applicant stated he had been in consultation with the Police and was happy to agree conditions they suggested. Further, the Applicant offered a number of additional conditions in an attempt to address the fears of Interested Parties, namely the display of alcohol would be removed after 23:00 hrs, beer would not be sold in glass bottles and staff would clean litter from an area of 25 meters around the premises.

In determining the application Members found the premises is situated on the busy London Road with passing vehicular and pedestrian traffic. Further, the premises are located in an area with a number of other fast food outlets, shops, convenience stores, a supermarket and petrol filling station and that noise and litter could only be attributed to the premises in part. Members placed considerable weight on the representation of the Police who were content for the premises to sell alcohol with the attachment of the suggested conditions. Members consider therefore that the premises would not have a detrimental effect on the licensing objectives in all the circumstances and in the context of the London Road and therefore grant the licence as applied for with conditions consistent with the Operating Schedule, as suggested by the Police, offered by the Applicant and additional conditions imposed by the Committee as necessary and proportionate to promote the licensing objectives.

8 APPLICATION TO VARY A PREMISES LICENCE FOR BATH PIZZA, TRADING AS DOMINO'S PIZZA, LONG ACRE, LONDON ROAD, WALCOT BATH, BA1 5NL

Applicant: Bath Pizza Ltd T/A Domino's Pizza, represented by Jonathan Smith (Poppleston Allen Solicitors), Sigurd Wilberg (Franchisee), Daniel Barbatu (Store Manager)

Mr Smith stated the case for the applicant.

A Member noted that the operating schedule provided that delivery vehicles would be parked in the bay at the front of the store on London Road after 01.00 on Mondays to Saturdays and 23.30 on Sundays to reduce potential nuisance to residents, and asked Mr Smith whether this was not in fact on the public footpath. When Mr Smith replied that this area was outside the area demarcated by double yellow lines, the Senior Legal Adviser explained that the public highway was deemed to run from curtilage to curtilage and so included the public footpath. Mr Smith requested a short adjournment to consult with his client. This was granted by the Chair, and when the hearing resumed, Mr Smith requested that the hearing be deferred to allow the applicant time to clarify the arrangements for the parking of delivery vehicles after the specified hours. He undertook to provide this information to all the parties in advance of the next hearing and undertook not to take issue should those having already made representations wish to make further comment. The Chair asked the other parties whether they were content for the hearing to be deferred, and after discussion they indicated they were content.

The Sub-Committee **RESOLVED** that it would be in the public interest to defer the hearing of this application to enable the applicant to provide further information to Members and Interested Parties on the arrangements for parking delivery vehicles after 01.00 Mondays to Saturdays and 23.30 on Sundays. The matter was therefore deferred to a future meeting.

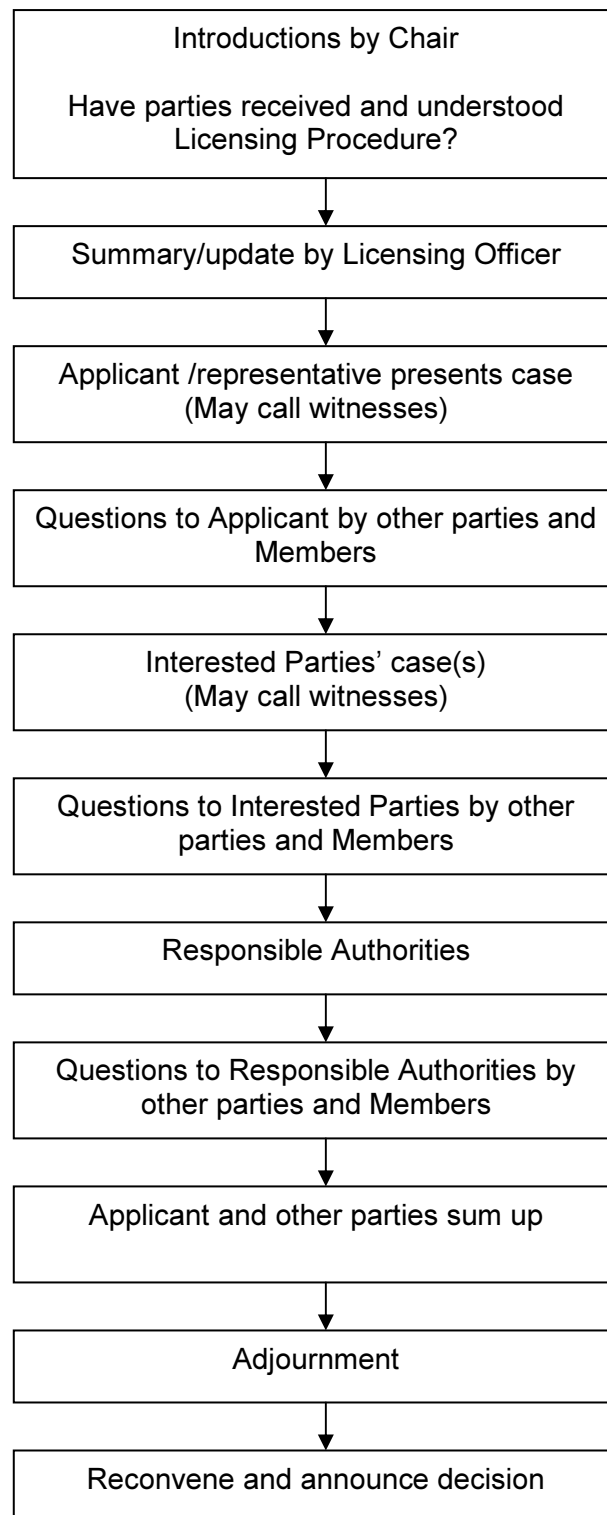
The meeting ended at 1.04 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

**LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE
PROCEDURE FOR NEW APPLICATIONS AND VARIATIONS**



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LICENSING ACT 2003

LICENSING COMMITTEE HEARING PROCEDURE ALCOHOL, LATE NIGHT REFRESHMENT AND ENTERTAINMENT

1. The Chair will introduce Members of the Sub-Committee and Officers present and explain the procedure to be followed.
2. The Licensing Officer will outline the nature of the matter to be considered by the Sub-Committee.

In the following paragraphs where the term "party" or "parties" is used in addition to other terms this will mean anyone to whom notice of this meeting has been given.

3. (i) The Applicant/Licence Holder ("the Applicant"), or representative, addresses the Sub-Committee. The Applicant may be asked relevant questions about the matters before the Sub-Committee by the other parties and the Members.
(ii) The Applicant, or representative, may call witnesses in support of the application and each witness may be asked relevant questions by the other parties and the Members.
4. (i) Any interested parties [defined in s.69(3)] making relevant representations, or representative, will take it in turn to address the Sub-Committee. You may be asked relevant questions by the other parties, the Applicant and the Members.
(ii) You (or your representative) may call witnesses in support of your representations and each witness may be asked relevant questions by the Applicant, the other parties and the Members.
5. Any Responsible Authority [defined in s.69(4)] making a representation will address the Committee. The Responsible Authorities may be asked relevant questions by the Applicant, other parties and the Members.
6. The Applicant will then be invited to briefly summarise the application.
7. The other parties will then be invited in turn to briefly summarise their points if they wish in the same order as before.
8. The Chair will invite the Sub-Committee to move into private session to enable the Sub-Committee to deliberate in private in accordance with Paragraph 14(2) of the Hearings Regulations 2005. The Sub-Committee will only reconvene to resolve any points of uncertainty on the evidence already given. During their deliberation the Sub-Committee will be accompanied *for advice only* by the Legal Advisor and the Committee Administrator. The Sub-Committee may retire to a private room or alternatively require vacation of the meeting room by all other persons.
9. When the Sub-Committee resumes, the Chair will announce the decision in public; this will include the reasons (or advise that the decision will be released in writing with reasons within the statutory time limit in this instance 5 working days).

PLEASE NOTE:

- Where the Sub-Committee considers it necessary to do so, it may vary this procedure.
- Decisions will generally be taken regardless of whether the Applicant is present. All notices and representations received from absent parties will be considered.
- Only in **exceptional circumstances** will the Committee take into account any additional late documentary or other information produced by an existing party in support of their application/representation. This will be at the discretion of the Chair and with the agreement of all the other parties. No new representations will be allowed at the hearing.
- The hearing will take the form of a discussion. However, the Council will allow all parties to ask questions of another party present, as set out above, but formal cross examination will be discouraged.
- The Authority will disregard any information or representation given by a party which is not relevant to the Application and the Licensing Act 2003.
- The Chair will allow the parties an equal maximum period of time in which to make representations. The amount of time will be at the discretion of the Chair, but in the interests of costs and efficiency will not normally exceed **twenty minutes**. This will include the time taken for the presentation and the summing up, but not the time taken for questions.
 - **N.B. Where there is more than one party making relevant representations the time will be split between those parties.** It is recommended that they arrive early to discuss the application with the other interested parties.
- The Chair may require any person attending the hearing who is behaving in a disruptive manner to leave the hearing and refuse to allow that person to return, or only allow them to return subject to certain conditions. Any person so excluded will however be entitled to submit to the Sub-Committee any information which they would have been entitled to give orally had they not been required to leave.
- Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion, but on occasion may find it necessary to exclude members of the press and public based upon the legal framework given in the Local Government Act 1972 Schedule 12 (a). On these occasions decisions based on the above framework will be given.

Bath & North East Somerset Council

MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER	
MEETING DATE:	Monday 21 February 2011		
TITLE:	Application to Vary a Premises Licence for Keynsham Rugby Football Club, Bristol Road, Keynsham, Bristol BS31 2BE		
WARD:	Keynsham North		
	AN OPEN PUBLIC ITEM		
List of attachments to this report:			
Annex A	Application to Vary the Premises Licence		
Annex B	Current Premises Licence		
Annex C	Site Plan		
Annex D	Representations received from Interested Parties		
Annex E	Applicants response to Representations		

1 THE ISSUE

- 1.1 An application has been received for the Variation of an existing Premises Licence under Section 34 of the Licensing Act 2003 in respect of Keynsham Rugby Football Club, Bristol Road, Keynsham, Bristol BS31 2BE (Annex A).

2 RECOMMENDATION

- 2.1 That the sub committee determine the application to vary the licence.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4 THE REPORT

- 4.1 An application has been received for the variation of a Premises Licence.
- 4.2 The current Premises Licence permits the following licensable activities:

- 1) Sale of alcohol for consumption on and off the premises between the following hours:

Monday to Friday	10:00 – 01:00
Saturday	08:00 – 01:00
Sunday	10:00 – 23:00

- 2) Regulated entertainment by way of the performance of Live Music; Recorded Music; Other Entertainment within the Act; the provision of Facilities for Making Music and the provision of Facilities for Dancing (indoors and outdoors) between the following hours:

Monday to Saturday 10:00 – 01:00

Sunday 10:00 – 23:00

To take place in function rooms and will include **two events per year in marquee on grassed sports field.**

Exhibition of a film is limited to a large screen televising system for showing of live sporting events (usually rugby).

Non Standard Timings

For special sporting national / international events that are televised at non GMT times, for the time period commencing half an hour prior and following.

From normal activity start time on New Year's Eve until normal activity finish time on New Year's Day.

- 3) The opening hours for the premises are as follows:

Monday to Thursday 10:00 – 02:00

Friday 11:00 – **00:20**

Saturday 08:00 – 02:00

Sunday 10:00 – 02:00

Non Standard Timings

From normal opening time on New Year's Eve until normal opening time on 1st January.

- 4) The licence is subject to the following conditions:

- No supply of alcohol may be made under the premises licence:
 - at a time when there is no designated premises supervisor in respect of the premises licence, or
 - at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- Admission of children is restricted in accordance with the recommendation by the British Board of Film Classification.
- If the film has not been classified the restriction of children must be approved by the Licensing Authority.

("Children" means any person under 18 years).

- Any individual employed to carry out a security activity must be licensed by the Security Industry Authority.
- The club rules regulate the conduct of members and the admission of members.
- An official of the club on the premises, will be responsible for regulating the non admission of persons who are not members, with the exception of those persons attending pre-booked functions.
- We have a capacity limit of 160 to prevent overcrowding which could lead to crime and disorder, and compromise safety.
- **Free drinking water will be available at all times when the premises is open to the public.**
- Seats are available to accommodate 60% of the maximum capacity of the premises i.e. 96.
- Customers carrying open or sealed bottles or glasses are not permitted to the premises at any time.
- Customers are not permitted to take open containers of alcoholic or soft drinks from the premises.
- All bottles and glasses are removed from public areas as soon as they are finished with or empty.
- We have an anti-drugs policy that has been agreed following discussion with Police.
- **We have conducted a suitable Fire Risk Assessment at the premise and implemented the necessary controls.**
- **All exit doors are easily operable without the use of a key, card, code or similar means.**
- **Exit doors are regularly checked to ensure they function satisfactorily.**
- **All fire doors are maintained effectively self closing and will not be held open other than by approved devices.**
- **Emergency lighting tests are conducted monthly.**
- **All fire exits and means of escape are signed in accordance with BS5499.**
- **An evacuation policy will be in place that is to the satisfaction of the Fire Authority. All staff members will be trained in the evacuation policy.**
- Adequate and appropriate first aid equipment and materials are available on the premises.
- **In the absence of adequate daylight suitable and sufficient lighting is provided and maintained in an area accessible to the public.**
- **Fire safety signs are adequately illuminated.**

- **Emergency lighting is installed and regularly maintained.**
- **The premises have a satisfactory NICEIC or ECA periodic electrical installation report. An inspection is carried out every year and new report obtained each time.**
- **The premises has a satisfactory NICEIC or ECA periodic emergency lighting report. An inspection is carried out every year and a new report obtained each time.**
- **The premises have a Corgi certificate of inspection in respect of any gas boiler, calorifier or appliance. An inspection is carried out every year and a new report obtained each time.**
- **The premises have a certificate of inspection for portable fire fighting equipment.**
- **The premises have a certificate of inspection for the fire detection alarm. An inspection is carried out every year and a new certificate obtained each time.**
- The Licensee, or a nominated deputy, shall effect full control over all sources of amplified music and shall, where necessary, arrange for the volume to be reduced or the playing ceased if, in the opinion of the Licensing Authority, a noise nuisance is likely to be caused or is occurring.
- Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties within the vicinity.
- Doors and windows will be kept closed whenever regulated entertainment is carried on and in event after 23:00 hours to reduce breakout of noise.
- All entrances and exits have a lobby entrance to minimise the breakout of noise.
- The premises are air conditioned and air filtration to avoid the need to open doors and windows for ventilation.
- Prominent, clear and legible notices are displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
- The placing of bottles into receptacles outside the premises is only permitted to take place between the hours of 09:00 and 17:00 to minimise the disturbance to nearby premises.
- **The club will give written notice to the Licensing Authority of the dates that the outside events are to be held.**
- All ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.
- The premises have a waste collection contract with Sita who remove waste weekly.
- We have a proof of age policy, requiring the production of Identity Cards. All staff will be trained in this policy.

- A sign will be displayed stating it is an offence for persons under the age of 18 to purchase or attempt to purchase alcohol.
- A separate room is put aside for use by children.

4.3 The Variation application seeks to:

- Amend a typing error on the initial application so that the closing time in respect of Friday reads 02:00 hours;
- Amend plans attached to the current licence to include the patio area within the boundary of the licensed premises;
- Remove all references to the use of marquees on the sports field, from the premises licence;
- Remove all obsolete conditions and those that duplicate existing legislation from the licence namely:
 - **Free drinking water will be available at all times when the premises is open to the public.**
 - **We have conducted a suitable Fire Risk Assessment at the premise and implemented the necessary controls.**
 - **All exit doors are easily operable without the use of a key, card, code or similar means.**
 - **Exit doors are regularly checked to ensure they function satisfactorily.**
 - **All fire doors are maintained effectively self closing and will not be held open other than by approved devices.**
 - **Emergency lighting tests are conducted monthly.**
 - **All fire exits and means of escape are signed in accordance with BS5499.**
 - **An evacuation policy will be in place that is to the satisfaction of the Fire Authority. All staff members will be trained in the evacuation policy.**
 - **In the absence of adequate daylight suitable and sufficient lighting is provided and maintained in an area accessible to the public.**
 - **Fire safety signs are adequately illuminated.**
 - **Emergency lighting is installed and regularly maintained.**
 - **The premises have a satisfactory NICEIC or ECA periodic electrical installation report. An inspection is carried out every year and new report obtained each time.**
 - **The premises has a satisfactory NICEIC or ECA periodic emergency lighting report. An inspection is carried out every year and a new report obtained each time.**

- **The premises have a Corgi certificate of inspection in respect of any gas boiler, calorifier or appliance. An inspection is carried out every year and a new report obtained each time.**
- **The premises have a certificate of inspection for portable fire fighting equipment.**
- **The premises have a certificate of inspection for the fire detection alarm. An inspection is carried out every year and a new certificate obtained each time.**
- **The club will give written notice to the Licensing Authority of the dates that the outside events are to be held.**

Please note that this application does **NOT** propose to increase licensable activities, or the timings for which they are permitted.

4.4 A site plan is attached at Annex C.

4.5 The Licensing Act 2003 (Section 4) states that it is the duty of all Licensing Authorities to carry out their functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:-

- a) The Prevention of Crime and Disorder.
- b) Public Safety.
- c) The Prevention of Public Nuisance, and
- d) The Protection of Children from Harm.

Each objective is of equal importance; there are no other licensing objectives so these four are of paramount consideration at all times. When considering applications/representations /notifications the Licensing Authority will have regard to these licensing objectives.

4.6 The Licensing Authority may vary and grant the application with or without additional conditions.

4.7 The Licensing Authority can refuse the variation or part of the variation as it considers necessary for the promotion of the licensing objectives.

4.8 The Licensing Authority may not however do anything to reduce the effect of the rights guaranteed by the existing premises licence.

4.9 The Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:

- a) Paragraphs 3, 5, 6, 9, 10, 15 - 20, 23.5, 24, 28, 30, 33, 35 – 37 & 41 - 44 of the policy.
- b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised on 28 June 2007)..
- c) Sections 4, 9, 10, 13, 34, 35, 36, 182 and 183 of the Act.

4.10 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates Court.

If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates Court.

On appeal the court may either dismiss the appeal; substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court. The court may make such order for costs as it thinks fit.

- 4.11 In accordance with the requirements of the Act the applicants served copies of the application upon the Police, the Fire Authority, Environmental Health, Development Control, Trading Standards, and the Child Protection Agency.
- 4.12 The applicant is required to place a notice at the premises for a period of 28 days starting the day after the application is made and place an advert in a local newspaper within 10 days for submitting the application to the licensing authority.
- 4.13 Representations have been received from interested parties living within the vicinity of the premises in respect of the licensing objective, the prevention of Public Nuisance (Annex D). These representations express concern that the proposal to include the patio area within the "licensed premises" will undermine the prevention of public nuisance objective, unless conditions are imposed to restrict its utility.
- 4.14 The applicant has emailed a response to the residents concerns and has offered the following conditions in respect of the patio area:
- 1. No regulated entertainment shall take place on the patio under the premises licence;**
 - 2. No consumption of alcohol shall take place on the patio after 23:00 hours.**
- 4.15 This report has not been sent to the Trades Union because they would have no involvement in this application.

Contact person	Terrill Wolyn, Licensing Officer, 01225 396939
Background papers	Licensing Act 2003, Guidance Notes issued under Section 182 of the Licensing Act 2003, Licensing Act 2003 Regulations, B&NES Statement of Licensing Policy

- 4 JAN 2011

Licensing Team, Public Protection,
9-10 Bath Street, Bath, BA1 1SN

Post Log No: CDAB 21832

Receipt No: 12355

CH/CA £.190

Application to vary a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We KEYNSHAM RUGBY FOOTBALL CLUB LIMITED (insert name of applicant)
being the premises licence holder, apply to vary a premises licence under section
34 of the Licensing Act 2003 for the premises described in part 1 below.

Premises licence number

10/02187/LAPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference, or
descriptionKEYNSHAM RUGBY FOOTBALL CLUB
BRISTOL ROAD
KEYNSHAM

Post town

BRISTOL

Post code

BS31 2BE

Telephone number at premises (if any)

Non-domestic rateable value of premises

£15,250-00

Part 2 – Applicant Details

Daytime contact telephone number

078666 86796

E-mail address (optional)

wettoncccj@aol.com

Current address If different from premises address

CRAIG WETTON
HIGH TREES, THE GLEN
SALT FORD

Post town BRISTOL

Post code BS 31 3JP

Part 3 – Variation

Please select for yes

Do you want the proposed variation to have effect as soon as possible?



If not, when do you want the variation to take effect from?

Day Month Year

			20		
--	--	--	----	--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To amend a typing error on the initial application so that the closing time in respect of FRIDAY reads 02:00 hours.

To amend the plans attached to the current licence to include the patio area within the boundary of the 'licensed' premises.

To remove all references to the use of marquees on the sports field, from the premises licence.

To remove all obsolete conditions and those that duplicate existing legislation, from the licence - as detailed on page 11.

Part 4 – Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please select for yes

Provision of regulated entertainment

- a) plays (if yes, fill in box A) ☐
- b) films (if yes, fill in box B) ☐
- c) indoor sporting events (if yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if yes, fill in box D) ☐
- e) live music (if yes, fill in box E) ☐
- f) recorded music (if yes, fill in box F) ☐
- g) performance of dance (if yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) ☐

(If yes, fill in box H)

Provision of entertainment facilities

- i) making music (if yes, fill in box I) ☐
- j) dancing (if yes, fill in box J) ☐
- k) entertainment of a similar description to that falling within (i) or (j) ☐

(if yes, fill in box K)

Provision of late night refreshment (if yes, fill in box L)
☐
Sale by retail of alcohol (if yes, fill in box M)
☐

In all case complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors, outdoors or both? please select (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 4)	
Thu				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors, outdoors or both? please select (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)	
Thu				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 6))			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thu			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors, outdoors or both? please select (please read guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)	
Wed				
Thu				
Fri				
Sat			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors, outdoors or both? please select (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)	
Thu				
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors, outdoors or both? please select (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)	
Thu				
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat				
Sun				

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors, outdoors or both? please select (please read guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)	
Thu				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6))			Please give a description of the type of entertainment you will be providing	
			Will this entertainment take place indoors, outdoors or both? Please select (please read guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue				
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please see guidance note 4)	
Thu				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
Day	Start	Finish	Will the facilities for making music be indoors, outdoors or both? Please select (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			Please give further details here (please read guidance note 3)	
Wed			State any seasonal variations for the provision of facilities for making music (please see guidance note 4)	
Thu			Non standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri				
Sat				
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors, outdoors or both? please select (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	
Mon				
Tue			Please give further details here (please read guidance note 3)	
Wed			State any seasonal variations for the providing dancing facilities (please read guidance note 4)	
Thu				
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
			Will the entertainment facility be indoors, outdoors or both? Please select (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon				
Tue			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please see guidance note 4)	
Wed			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Thu				
Fri				
Sat				
Sun				

L

Late night refreshment Standard timings (please read guidance note 1)			Will the provision of late night refreshment take place indoors, outdoors or both? please select (please read guidance note 2)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thu					
Fri					
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on the premises, off the premises or both? Please select (please see guidance note 7)	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Mon				
Tue				
Wed				
Thu				
Fri				
Sat				
Sun				
				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)

If varying to include the Sale of Alcohol on the licence for the first time please state the name and details of the individual whom you wish to specify as the premises supervisor. (Please read guidance note 14.)
(The proposed premises supervisor must sign the consent attached to the end of this form.)

Name _____

Address _____

Post Code _____

Personal Licence Number _____

Issuing Licensing Authority _____

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations for the opening times (please read guidance note 4)
Day	Start	Finish	
Mon			
Tues			
Weds			Non-standard timings. Where you intend to open the premises to the public at different times to those listed on the column on the left, please list (please read guidance note 5)
Thurs			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Annex 2 condition 4 as this is now mandatory
 Annex 2 conditions 10 - 16 inclusive (Fire Safety)
 Annex 2 conditions 18 - 20 inclusive (Lighting)
 Annex 2 conditions 21 - 25 inclusive (Safety Certificates)
 Annex 2 condition 33 relating to the two events in marquees

Please select for Yes

I have enclosed the premises licence

☐

I have enclosed the relevant part of the premises licence

☐ If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it below.

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d, e) (see guidance note 9)

We consider the remaining conditions are sufficient to promote the four licensing objectives.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please select for yes

- I have made or enclosed payment of the fee (170) ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application, by way of a notice at the premises for 28 days and a notice in a local newspaper within 10 working days of submitting a valid application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☐ N.A.
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing in behalf of the applicant please state in what capacity.

Signature



Date

21st DECEMBER 2010

Capacity

PREMISES LICENCE HOLDER

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or authorised agent. (Please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application. (please read guidance note 13)

CRAIG WETTON
HIGH TREES, THE GLEN, SALTFORD

Post town

BRISTOL

Postcode

BS 31 3JP

Telephone number (if any)

078666 86796

If you would prefer us to correspond with you by email, your email address

wettonccc@aol.com

Schedule 12
Part A

Regulation 33, 34

Premises Licence

Premises Licence Number	10/02187/LAPRE
-------------------------	----------------

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Keynsham Rugby Football Club
Bristol Road
Keynsham
BS31 2BE

Telephone number

Where the licence is time limited the dates Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale of Alcohol

Monday to Friday	10:00 - 01:00
Saturday	08:00 - 01:00
Sunday	10:00 - 23:00

Performance of Live Music (Indoors and Outdoors)

Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00

Performance of Recorded Music (Indoors and Outdoors)

Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00

Other Entertainment within Act (Indoors and Outdoors)

Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00

Other entertainment includes anything of a similar nature e.g. Comedians and Magician performances, showing of live sporting events (usually rugby) on large screens, instruments and equipment provided by persons engaged to provide entertainment, and an area designated to facilitate dancing.

To take place in function rooms and will include two events per year in marquee on grassed sports field.

Exhibition of a film is: Large screen televising system for showing of live sporting events (usually rugby).

Non Standard Timings:

For special sporting national/international events that are televised at non GMT times, for the time period commencing half hour prior and following.

From normal activity start time on New Year's Eve until normal activity finish time on New Year's Day.

The opening hours of the premises

Monday to Thursday	11:00 - 02:00
Friday	11:00 - 00:20
Saturday	08:00 - 02:00
Sunday	10:00 - 02:00

From normal opening time on New Year's Eve until normal opening time on 1 January.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol is supplied for consumption both on and off the premises

Bath & North East
Somerset Council

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Keynsham Rugby Football Club Limited
Crown Fields
Bristol Road
Keynsham
BS31 2BE
0117 987 2520

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Craig Anthony Wetton
High Trees
Middle Lane
The Glen
Saltford
BS31 3JP

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

B&NES/08/01959/LAPER
Bath & North East Somerset Council

This licence is issued by Bath & North East Somerset Council as licensing authority under Part 3 of the Licensing Act 2003 and regulations made thereunder.

Signed for and on behalf of
Bath & North East Somerset Council:



Dated 3 June 2010

Annex 1 – Mandatory conditions

No supply of alcohol may be made under the premises licence:

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Admission of children is restricted in accordance with the recommendation by the British Board of Film Classification.

If the film has not been classified the restriction of children must be approved by the Licensing Authority.

("Children" means any person under 18 years).

Any individual employed to carry out a security activity must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

Supervision

- 1) The Club rules regulate the conduct of members and the admission of members.
- 2) An official of the club on the premises, will be responsible for regulating the non admission of persons who are not members, with the exception of those persons attending pre booked functions.

Capacity Limits

- 3) We have a capacity limit of 160 to prevent overcrowding which could lead to crime and disorder, and compromise safety.

Customer Comfort

- 4) Free drinking water will be available at all times when the premises is open to the public.
- 5) Seats are available to accommodate 60% of the maximum capacity of the premises i.e. 96.

Bottles and Glasses

- 6) Customers carrying open or sealed bottles or glasses are not permitted to the premises at any time.
- 7) Customers are not permitted to take open containers of alcoholic or soft drinks from the premises.
- 8) All bottles and glasses are removed from public areas as soon as they are finished with or empty.

Drugs

- 9) We have an anti drugs policy that has been agreed following discussion with Police.

Fire Safety

- 10) We have conducted a suitable Fire Risk Assessment at the premise and implemented the necessary controls.
- 11) All exit doors are easily operable without the use of a key, card, code or similar means.
- 12) Exit doors are regularly checked to ensure they function satisfactorily.
- 13) All fire doors are maintained effectively self closing and will not be held open other than by approved devices.
- 14) Emergency lighting tests are conducted monthly.
- 15) All fire exits and means of escape are signed in accordance with BS5499.
- 16) An evacuation policy will be in place that is to the satisfaction of the Fire Authority. All staff members will be trained in the evacuation policy.

First Aid

- 17) Adequate and appropriate first aid equipment and materials are available on the premises.

Lighting

- 18) In the absence of adequate daylight suitable and sufficient lighting is provided and maintained in any area accessible to the public.
- 19) Fire safety signs are adequately illuminated.
- 20) Emergency lighting is installed and regularly maintained.

Bath & North East Somerset Council

Safety Certificates

- 21) The premises have a satisfactory NICEIC or ECA periodic electrical installation report. An inspection is carried out every year and new report obtained each time.
- 22) The premises have a satisfactory NICEIC or ECA periodic emergency lighting report. An inspection is carried out every year and a new report obtained each time.
- 23) The premises have a Corgi certificate of inspection in respect of any gas boiler, calorifier or appliance. An inspection is carried out every year and a new report obtained each time.
- 24) The premises have a certificate of inspection for portable fire fighting equipment.
- 25) The premises have a certificate of inspection for the fire detection alarm. An inspection is carried out every year and a new certificate obtained each time.

Noise and Vibration

- 26) The Licensee, or a nominated deputy, shall effect full control over all sources of amplified music and shall, where necessary, arrange for the volume to be reduced or the playing ceased if, in the opinion of the Licensing Authority, a noise nuisance is likely to be caused or is occurring.
- 27) Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
- 28) Doors and windows will be kept closed whenever regulated entertainment is carried on and in event after 23:00 hours to reduce breakout of noise.
- 29) All entrances and exits have a lobby entrance to minimise the breakout of noise.
- 30) The premises are air conditioned and air filtration to avoid the need to open doors and windows for ventilation.
- 31) Prominent, clear and legible notices are displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
- 32) The placing of bottles into receptacles outside the premises is only permitted to take place between the hours of 09:00 and 17:00 to minimise the disturbance to nearby premises.
- 33) The club will give written notice to the Licensing Authority of the dates that the outside events are to be held.

Noxious Smells

- 34) All ventilation and extract systems are designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.

Litter

- 35) The premises have a waste collection contract with Sita who remove waste weekly.

Proof of Age Cards

- 36) We have a proof of age policy, requiring the production of Identity Cards. All staff will be trained in this policy.
- 37) A sign will be displayed stating it is an offence for persons under the age of 18 to purchase or attempt to purchase alcohol.
- 38) A separate room is put aside for use by children.

Annex 3 – Conditions attached after a hearing by the licensing authority

As submitted with application.

Part B

Premises Licence Summary

Premises Licence Number

10/02187/LAPRE

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Keynsham Rugby Football Club
Bristol Road
Keynsham BS31 2BE

Telephone number 0117 987 2520

Where the licence is time limited the dates Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale of Alcohol

Monday to Friday	10:00 - 01:00
Saturday	08:00 - 01:00
Sunday	10:00 - 23:00

Performance of Live Music (Indoors and Outdoors)

Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00

Performance of Recorded Music (Indoors and Outdoors)

Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00

Other Entertainment within Act (Indoors and Outdoors)

Monday to Saturday	10:00 - 01:00
Sunday	10:00 - 23:00

Other entertainment includes anything of a similar nature e.g. Comedians and Magician performances, showing of live sporting events (usually rugby) on large screens, instruments and equipment provided by persons engaged to provide entertainment, and an area designated to facilitate dancing.

To take place in function rooms and will include two events per year in marquee on grassed sports field.

Exhibition of a film is: Large screen televising system for showing of live sporting events (usually rugby).

Bath & North East Somerset Council

Non Standard Timings:

For special sporting national/international events that are televised at non GMT times, for the time period commencing half hour prior and following.

From normal activity start time on New Year's Eve until normal activity finish time on New Year's Day.

The opening hours of the premises

Monday to Thursday	11:00 - 02:00
Friday	11:00 - 00:20
Saturday	08:00 - 02:00
Sunday	10:00 - 02:00

From normal opening time on New Year's Eve until normal opening time on 1 January.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Alcohol is supplied for consumption both on and off the premises

Name, (registered) address of holder of premises licence

Keynsham Rugby Football Club Limited
Crown Fields
Bristol Road
Keynsham
BS31 2BE

Registered number of holder, for example company number, charity number (where applicable)

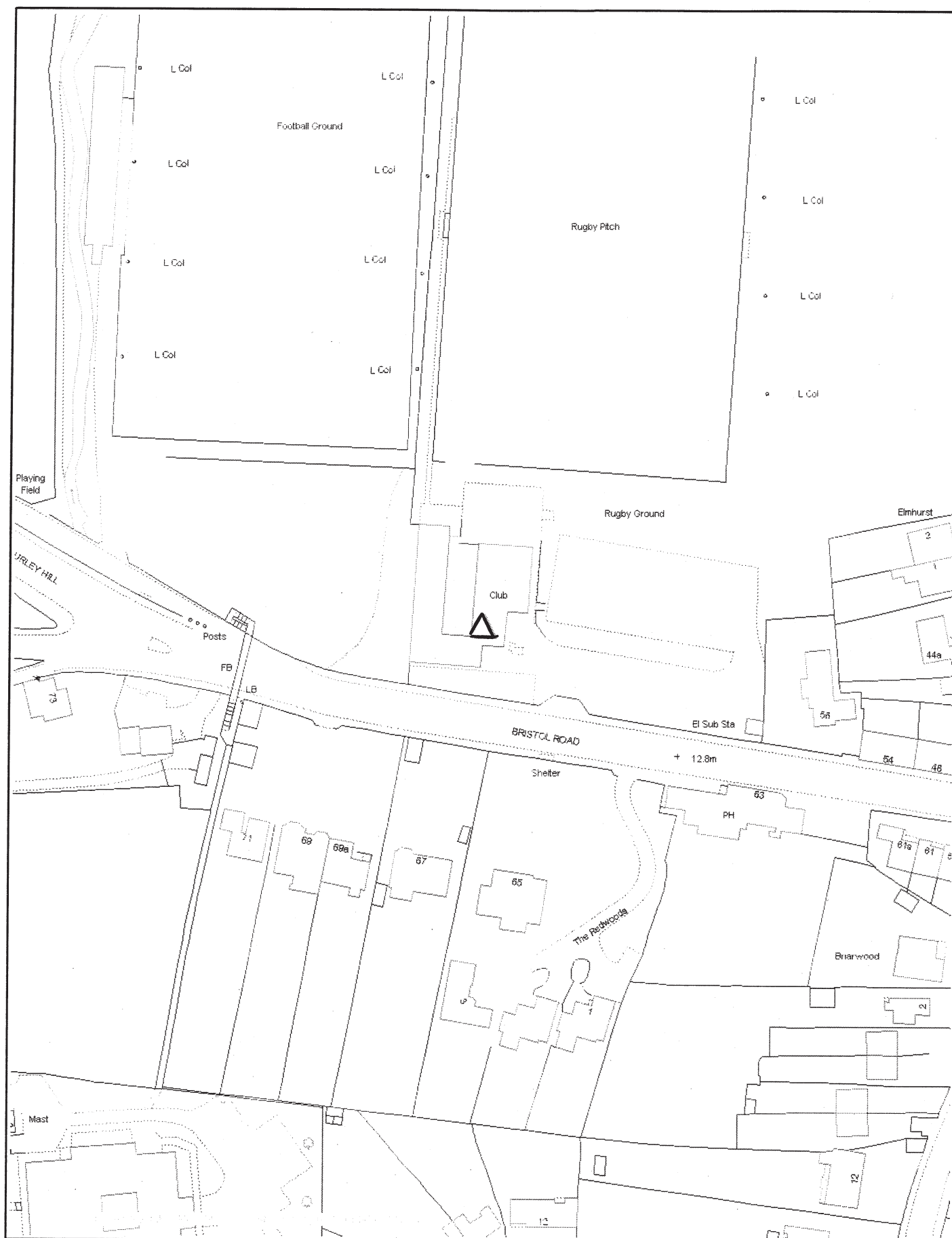
Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Craig Anthony Wetton

State whether access to the premises by children is restricted or prohibited

As per Operating Schedule at Annex 2.



**Bath & North East
Somerset Council**

Bath & North East Somerset Council,
Planning Services,
Trimbridge House,
Trim Street,
Bath BA1 2DP

Keynsham RFC



Scale 1/1250

Date 3/2/2011

Centre = 364873 E 168960 N

Drawn by:

Terrill Wolyn

LICENSING ACT 2003

INTERESTED PARTY REPRESENTATION

ENVIRONMENTAL SERVICES

ANNEX D

31 JAN 2011

Post Log No: 57/00 21/01/11

Receipt No:

Please read the notes at the back of this form prior to completing it.

I/We object to the following application:

Application number:	11/00140/LAPRE
Applicant's name:	KEYNSHAM R. F. C. LIMITED
Premises name and address:	KEYNSHAM R.F.C. BRISTOL ROAD KEYNSHAM BS31 2BE
Application for a:	VARIATION OF PREMISES LICENCE

Objector Details:

Objector's Name:	SYLVIA KEEP AND MICHAEL KEEP
Objector's Address: This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.	54 BRISTOL ROAD KEYNSHAM, BS31 2BE.
Organisation name if applicable:	

Objection Details:

My/our representation is relevant to the following licensing objective(s):

Prevention of crime and disorder

☐

Prevention of public nuisance

☒

Protection of children from harm

☐

Public safety

☐

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra pages.

Try to be as specific as possible and give examples e.g. On 1 February I could hear loud music from the premises between 10pm and 1 am. I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street.

I/We have already made a written representation and have no further comments ☐

The ~~change~~ closing time at The Keynsham Rugby Club will mean one more hour of drinking alcohol which may fuel anti social behaviour at certain functions held throughout the summer, and this could spill out onto the street when they are staggering home after the function is over. Allowing people to drink alcohol on the patio whilst going for a smoke will mean more people staying outside of the Club house rather than inside, especially in the warmer weather. This will mean the noise level outside will be much louder and with a South westerly wind blowing across the field we won't be getting much sleep at our house. This house fronts directly onto the pavement and people passing by seem to take great delight in banging on doors and windows. We have had a few panels of glass broken on occasions which happened after KRFC functions.

I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.

Signed

S. Keef. M. Keef

Date

27. January 2011.

Contact telephone number(s)

0117 986 4451

(This is essential as we may need to contact you at short notice)

INTERESTED PARTY REPRESENTATION

Please read the notes at the back of this form prior to completing it. - 1 FEB 2011

I/We object to the following application:

Post Log No: 9/AD 21/010
 Receipt No:
 CH/CA £:

Application number:	11/00140/LAPRE
Applicant's name:	KEYNSHAM R. F. C. LIMITED
Premises name and address:	KEYNSHAM R.F.C. BRISTOL ROAD KEYNSHAM BS31 2BF
Application for a:	VARIATION OF PREMISES LICENCE

Objector Details:

Objector's Name:	ROLAND + HAYLEY TRIM
Objector's Address: This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.	1 ELMHURST VILLAS KEYNSHAM BS 31 2BG
Organisation name if applicable:	_____

Objection Details:

My/our representation is relevant to the following licensing objective(s):

Prevention of crime and disorder

☐

Prevention of public nuisance

☒

Protection of children from harm

☐

Public safety

☐

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra pages.

Try to be as specific as possible and give examples e.g. *On 1 February I could hear loud music from the premises between 10pm and 1 am. I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street.*

I/We have already made a written representation and have no further comments ☐

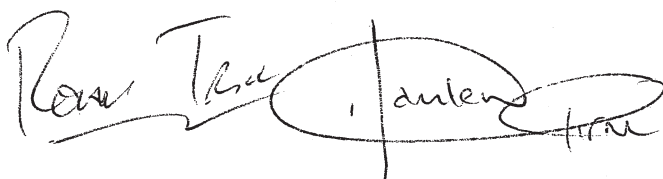
Whilst we support the work of our neighbours at the rugby club and reasonable use of the patio area, we are concerned by the unrestricted proposed amendment to "include the patio area within the boundary of licensed premises".

Gatherings on the patio are clearly audible from within our house. Additional late night activities in the patio area will interfere with sleep and general enjoyment of our property both internally and in the garden.

The current licence contains a provision for all doors and windows to be closed "whenever regulated entertainment is carried on and in any event after 23:00" to reduce breakout of noise. We request that this latter provision remains in place and that the patio is not used following 23.00 at the weekend and 2100 during the week (Sun-Thurs).

I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.

Signed



Date

21-01-2010

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

Work

0207 755 4246

MOB

07608 472547

25 JAN 2011

Post Log No: 07/AB 316849

Receipt No.

CH/CA £.....

LICENSING ACT 2003

INTERESTED PARTY REPRESENTATION

Please read the notes at the back of this form prior to completing it.

I/We object to the following application:

Application number:	11/00140/LAPRE
Applicant's name:	KEYNSHAM R.F.C. LIMITED
Premises name and address:	KEYNSHAM R FC BRISTOL ROAD KEYNSHAM BS31 2BE
Application for a:	VARIATION OF PREMISES LICENCE

Objector Details:

Objector's Name:	JEAN CHRISTINE BLACKWOOD
Objector's Address: This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.	VIRGINIA HOUSE 44 BRISTOL ROAD KEYNSHAM BS 31 2BE
Organisation name if applicable:	N/A

Objection Details:

My/~~our~~ representation is relevant to the following licensing objective(s):

Prevention of crime and disorder

☐

Prevention of public nuisance

☒

Protection of children from harm

☒

Public safety

☐

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra pages.

Try to be as specific as possible and give examples e.g. *On 1 February I could hear loud music from the premises between 10pm and 1 am. I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street.*

I/We have already made a written representation and have no further comments

☐

I have strong objection to extending Keynsham RFC's licence to their patio area unless severe restrictions are put in place to restrict use after 11pm every night, to preclude the playing of live or recorded music and to force the closure of the adjacent doors to the clubhouse except on entry and exit.

This patio area is only separated from the residences to the east side by the car park and adjoining playing fields and, as sound travels more in the evening and night than day, these are vulnerable to the noise generated by KRFC. Although I am protected slightly by a bungalow, my garden and upstairs, rear bedrooms are subject to such activity. Even the sound of loud, raucous laughter forthcoming in previous summers when this patio has been in use has forced the evacuation of ones garden and the closure of doors and windows, which are unacceptable intrusions in hot weather and present particular difficulties for my neighbours with young children.

I have no confidence that KRFC will do other than exploit any extension of their licence to the fullest extent and without any consideration for their neighbours as they have shown complete lack of regard in the past and have failed to respond positively to complaints from previous home owners. They annually site noise generating activity adjacent to neighbours' homes and frequently fail to ensure the club house doors are kept closed thus allowing noise to pollute the outside environment. The noise level generated from inside the club house has, on occasions, been so great that it vibrates off the surrounding buildings, particularly the high rise block in Trescothic Close, and sounds louder at the front of our houses than at the rear.

Not only do I object to this licence extension but I consider that there should be a review of the current licence in respect of the late night timings and the lack of restriction on the playing of music outside.

I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.

Signed

Jean E Blackwood

Date

20 January 2011.

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

0117 9041341

25 JAN 2011

LICENSING ACT 2003

 Post Log No: 07/AS.216850
 Receipt No:
 CH/CA £.....

INTERESTED PARTY REPRESENTATION

Please read the notes at the back of this form prior to completing it.

I/We object to the following application:

Application number:	11/00140/LAPRE
Applicant's name:	KEYNSHAM R. F. C. LIMITED
Premises name and address:	KEYNSHAM R.F.C. BRISTOL ROAD KEYNSHAM BS31 2BE
Application for a:	VARIATION OF PREMISES LICENCE

Objector Details:

Objector's Name:	MR + MRS BATEMAN
Objector's Address: This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.	44A BRISTOL ROAD. KEYNSHAM. BRISTOL BS31-2BE
Organisation name if applicable:	

Objection Details:

My/our representation is relevant to the following licensing objective(s):

Prevention of crime and disorder

☐

Prevention of public nuisance

☒

Protection of children from harm

☒

Public safety

☐

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra pages.

Try to be as specific as possible and give examples e.g. *On 1 February I could hear loud music from the premises between 10pm and 1 am. I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street.*

I/We have already made a written representation and have no further comments ☐

Although we are Supportive of Keynsham, Rugby, Football Club, we feel the need to object to the application for Variation of premise licence.

We have three children and are very concerned, that if the patio becomes part of the licensed premise, it will become a public nuisance.

We have evidence of this, as when a party is on in the Club, the doors are frequently opened, while people are going for a Cigarette. The noise of music, chatting and laughing, carries very loudly, especially in the Summer, as we live right in the vicinity of the Club and whilst we don't object to people having a good time, we are Strongly concerned, if the patio area have no restrictions put into place it will encourage people to gather outside longer.

Even more worrying for us as residents maybe until 2am, which we find completely unacceptable.

Our main concern is for our three children who need there sleep and rest. We don't want them suffering ill health effects due to possible sleep disturbance.

I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.

Signed

J. Bateman

Date

22/1/11

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

0117 9098165

0774 523 9668

0776 255 6321

There will be a hearing to determine this application. We will send you details of the time, date and location at least 10 working days before the hearing.


This section of the form must be returned to us a minimum of 5 working days before the hearing. If you wish, you may complete this now. Alternatively, you can keep this page and return it to us once you have received details of the hearing.

Name ROSSELIN BATHMAN

I will be attending the hearing ☒ I will not be attending the hearing ☐

I will be represented at the hearing by _____

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>
JEAN B. 44 BRISTOL RD Keynsham.	 History of noise complaints
Brett 48 BRISTOL RD Keynsham	Crime Ref numbers of incidents in past

Please delete as appropriate: I consider a hearing to be necessary / unnecessary

Form to be returned to:

Licensing Services
 9-10 Bath Street
 Bath
 BA1 1SN

Important Information About Your Representation

Why do I need to fill in this form?

While we can accept any written representation, we ask that you complete this form in order to assist the Licensing Sub Committee at the hearing.

Representations made under the Licensing Act must be made public, and by signing this form you give permission for your details to be disclosed. That is why we ask you to complete this form even if you have already made a written representation.

What if I do not want my details to be disclosed?

Anonymous representations will not normally be accepted.

If you think there are exceptional circumstances that would justify you making an anonymous representation, such as the threat of intimidation or violence from the applicant, then please contact the Licensing Office on 01225 396719 to discuss the matter.

Alternatively, you can ask your Parish Council or local Residents' Association to make a representation instead. If you choose to do this, there is no need to complete this form; the Parish Council or Residents' Association will do it if they decide to make a representation.

What do I need to know when writing my representation?

Representations can be made by people who live, or are involved with a business, within the vicinity of the premises. There is no given definition of vicinity and it is up to the Licensing Authority to decide how it applies in each case, taking into account things like the nature and location of the premises.

The Licensing Act 2003 sets out four 'licensing objectives', which are listed on the front of this form. Your representation should state how you think the application will affect one or more of these licensing objectives.

What if I want to supply extra information in support of my representation?

You can include the information with your representation form. If you have already made a representation and now want to give us extra information in support of it, you need to send copies of it to the Licensing Office *and* the applicant. This should be done at least 5 working days before the hearing.

If you arrive at the hearing with extra information that has not been sent to the Licensing Office and the applicant, it will only be considered if the applicant and the Committee agree to it. We recommend that you bring at least 10 copies of the information with you to the hearing.

I want to make a representation about traffic/planning issues

Unfortunately, representations about traffic or parking can not be accepted. This is because the licence holder can not be held responsible for the use of the public highway outside of the premises.

The licensing regime is separate from other local government functions, including the planning department. If a Premises Licence is granted for a building, this will not exempt the licence holder from having to obtain the necessary planning permission. We are therefore unable to accept representations that simply refer to the need for planning permission.

Terrill Wolyn

Subject: FW: Keynsham Rugby Football Club

From: Craig Wetton
Sent: 08 February 2011 11:50
To: Terrill Wolyn
Subject: Keynsham Rugby Football Club

Dear Terrill

Thank you for forwarding the Interested Party Representations received in respect of the Club's request for a variation of its premises licence.

I have read the comments made in respect of the variation of premises licence and would propose the following.

That no regulated entertainment will take place on the patio under the premises licence.

That the patio is closed for the consumption of alcohol after 11pm.

These proposals are made with the aim of addressing the concerns raised in respect of noise that could emanate from the patio area in the evening.

Please call me should you wish to discuss these proposals further

Many thanks

Kind regards

Craig

Craig Wetton
Honorary Treasurer
Keynsham Rugby Football Club Limited

