

Democratic Services

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Date: 9 December 2011

E-mail: Democratic_Services@bathnes.gov.uk

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

Councillors: Douglas Nicol (Chair), Gabriel Batt and Gerry Curran

Chief Executive and other appropriate officers
Press and Public

Dear Member

Licensing (Gambling and Licensing) Sub-Committee: Monday, 19th December, 2011

You are invited to attend a meeting of the **Licensing (Gambling and Licensing) Sub-Committee**, to be held on **Monday, 19th December, 2011** at **10.30 am** in the **Council Chamber - Guildhall, Bath**.

A private briefing session for Members will be held in the meeting room at 10.00am.

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, 19th December, 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: 4 NOVEMBER 2011 (Pages 5 - 10)

7. LICENSING PROCEDURE (Pages 11 - 14)

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

8. APPLICATION TO VARY A PREMISES LICENCE FOR THE GREYHOUND, 1 HIGH STREET, MIDSOMER NORTON, BA3 2LE (Pages 15 - 98)

9. APPLICATION TO VARY A PREMISES LICENCE FOR MIX GRILL, 4 CLEVELAND PLACE EAST, WALCOT, BATH BA1 5GJ (Pages 99 - 206)

10. APPLICATION FOR A PREMISES LICENCE FOR KEYNSHAM MEMORIAL PARK, KEYNSHAM, BRISTOL BS31 1DG (Pages 207 - 238)

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, 4th November, 2011

Present:- Councillors:- Douglas Nicol (Chair), Anthony Clarke and Gerry Curran

Also in attendance: Terrill Wolyn (Senior Licensing Officer) and Francesca Smith (Senior Legal Adviser)

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: 15 SEPTEMBER 2011

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 those attending the meeting.

8 APPLICATION FOR A PREMISES LICENCE FOR TEMPLE INN, MAIN ROAD, TEMPLE CLOUD, BRISTOL BS39 5DA

Applicant: Duncan Sheen

Responsible Authorities: Avon and Somerset Police, represented by Martin Purchase (Liquor Licensing Officer)

Interested Parties: Mr and Mrs Osborne, Mr and Mrs Dean

The Licensing Officer summarised the application. The licensable activities and hours applied for were set out in paragraph 4.2 of her report. The Police had proposed additional conditions, to which the applicant had agreed in writing.

Mr Sheen stated his case. He said that he had taken over the management of the Temple Inn in October 2010. He was the owner of the business that operated the premises, but he did not own the premises. The premises owner had gone into administration and he was considering purchasing the building. Before making his application he had had talks with the Police, Licensing Officers, the Fire Authority and other agencies. A new licence was required rather than a variation because of the number of changes he wished to make. The hours on the current licence were very restricted and the sale of alcohol was permitted only in the main pub building and not in the detached function room. The ordinary operation of the pub was losing money, but he had found that he made money with special events. However, he had used his full quota of Temporary Event Notices. There was a black and white CCTV system, but the Police had recommended the installation of a new colour system, which would cost £2,000. He could retain the old CCTV system if events only took place occasionally. However, to be financially viable, the pub needed to provide regulated entertainment as a standard feature. There were two local skittles teams and three pool teams who used the premises. Because skittles matches were held in the function room, which was not covered by the current licence, members of the skittles teams had to purchase drinks in the main pub and then carry them to the function room, which was inconvenient. There had been no complaints made by residents when events had been held at the premises, though when this application had been advertised someone had said that he thought that he had been disturbed by noise on one night. In fact there had been no event on the night he mentioned.

In response to a question from Mr Purchase, Mr Sheen said that he would accept the suggestion from the Police that the non-standard times for Christmas Eve, Christmas Day and Boxing should be deleted from the application, though by an oversight he had failed to state this in his letter to Mr Purchase of 28th September 2011.

Mr Dean asked whether it would be possible to stop customers going outside to smoke from taking drinks with them. The Licensing Officer drew attention to the condition proposed by the Police that prohibited alcohol being sold or consumed in the garden and all outside areas beyond 11pm each day.

Mrs Osborne asked Mr Sheen why he wished to change the character of a quiet village pub. Mr Dean replied that he had no intention of changing the character of the pub. The fact was that Temple Cloud once had four pubs and now had only one, which at present was dying on its feet. He had found that people came to the premises in sufficient numbers to make it profitable when events were held. When a petition in favour of the application had been placed in the bar, it had been signed by 100 people in one week, whereas the petition against the application had only received 9 signatures in a month. Since he had been running the premises most customers came from Temple Cloud and Farrington Gurney, though people from other villages came as well.

Mr Dean asked why the local bingo club had been locked out of the premises, leaving people knocking at the door for an hour. Mr Sheen said that this was not the case. The bingo club had been organised by the wife of the previous landlord.

People attending bingo sessions had been charged 25p for a cup of tea, producing an income of not more than £4.50 from a session, which was completely uneconomic. He had spoken to the lady who was running the club and given her notice that it would be discontinued. Under the previous landlord there were other uneconomic activities, such as providing the Carnival Club with free tea and coffee. He submitted that these issues had no relevance to the current application.

Mr Osborne asked why the premises needed later hours. He said that people dispersed slowly after closing time, sometimes lingering for up to an hour, which meant that residents faced the prospect of disturbance until 2.30-3.30am. Mr Sheen replied that other licensed premises in the area already had the hours for which he was applying.

A Member asked Mr Sheen whether the additional activities and hours for which he was applying would give him a chance of running a viable business. Mr Sheen replied that he thought they would. He had already used the maximum number of Temporary Event Notices he was permitted, and on each occasion he had made money. There had been live music, recorded music, discos and karaoke without any complaints being received. He also submitted there was more noise at night in the vicinity than many people might think. The A37 ran past the front of the pub, and he had counted that between 1am and 2am a lorry passed the premises on average every 4 minutes. Another road licensed for use by articulated lorries ran along the side of the pub. Nearby there was a site operated by BT, which was very busy at night.

The Interested Parties stated their cases.

Mrs Dean said that she thought the hours proposed for licensable activities were unreasonable in a small village like Temple Cloud. She thought that the hours should be in line with those of the other pubs. Mr Sheen responded that the Temple Inn was the only remaining pub in Temple Cloud and that pubs in neighbouring villages already had the hours and activities for which he was applying.

Mr Osborne said that he did not wish to deny the applicant the opportunity of making a living. However, Temple Cloud was a small village. He thought that customers would be more likely to come from other villages than from Temple Cloud and was concerned about the potential for disturbance and interrupted sleep for local residents.

A Member asked him how many times he had been disturbed when events had been held under Temporary Event Notices. He replied that he did not know how many events had been held under Temporary Event Notices.

A Member asked Mr Osborne whether he thought that the applicant might be able to control smokers outside the premises so that they did not create a disturbance. Mr Osborne replied that he thought that the best solution would be reasonable hours.

Mr Purchase asked Mr Osborne whether he seen the conditions agreed between the Police and the applicant. Mr Osborne said that he had not, and Mr Purchase provided him with a copy. The Senior Legal Adviser advised Mr Osborne that the Sub-Committee had the power to impose restrictions on the hours for consumption

of alcohol outside the premises. Mr Osborne commented that making rules was one thing, enforcement another.

Mr Sheen noted that Mr Osborne had stated in his written representation that he had not suffered disturbance since the premises had changed hands. Mr Osborne agreed that he had not suffered disturbance since Mr Sheen had taken over, though he had done when the premises had been under the previous landlord.

Mr Purchase stated the case for the Police. He invited the Sub-Committee to give careful attention to the proposed conditions agreed between the applicant and the Police. He believed that they addressed many of the concerns expressed by residents.

The parties were invited to sum up.

Mr Sheen said that the statements made by Interested Parties revealed ignorance that there were once 4 pubs in the village and that 3 of them had closed. The premises needed this application to survive and there were many residents who wanted it to survive. There had been no complaints since he had been running the premises, as confirmed by one of the Interested Parties in his written representation. He had used all the Temporary Event Notices available to him, yet one of the Interested Parties had been unable to say how many events had taken place at the premises.

Mr Dean said the main concern of residents were the proposed hours. People did not always disperse quickly after closing. There was sometimes disturbance at 2am. It was not always easy to identify the source, but he did not think that he had ever heard a lorry late at night. He believed that a terminal hour of 1.30am was just too late for a village pub.

Following an adjournment it was **RESOLVED** to grant the licence as applied for subject to the modifications relating to the non-standard timings proposed on the application, by the removal of any timings relating specifically to Christmas, together with the mandatory conditions (related to the sale of alcohol, the exhibition of films, door supervisors, the prevention of irresponsible drinks promotions, the dispensing of alcohol directly by one person directly into the mouth of another, free tap water, age verification policy, and the availability of alcohol in smaller measures) conditions consistent with the Operating Schedule and all conditions proposed by the Police, namely:

- 1 A CCTV system will be installed and maintained at the premise in consultation with the police. The images will be of evidential standard and recordings will be kept for 31 days and made available to the police on reasonable request. Notices are to be displayed at the premises stating that cctv is in operation.
- 2 The garden and all outside areas will not be used for the sale or consumption of alcohol beyond 11pm each day.
- 3 All staff to receive training related to alcohol sales and refresher training to be given at 6 monthly intervals. A record will be maintained of all persons trained. This record will be kept at the premises and made available to the police and licensing authority on request.

- 4 All refused sales are to be recorded together with the reasons for their refusal. This record to be kept at the premises and made available to the police and licensing authority on request.
- 5 At the written request of the police or following a risk assessment by the DPS, SIA door supervisors will supervise all patrons entering the premises, ensure good order and ensure patrons leave in a quiet and orderly manner. They will wear yellow reflective jackets at all times whilst on duty.
- 6 Noise shall not emanate from the premises so as to cause a nuisance at the façade of the nearest noise sensitive premises.
- 7 The function room will only be used for pre-arranged functions and activities and will not operate for licensable activities after midnight each day.

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

REASONS

Members have today determined an application for a new Premises Licence for Temple Inn, Main Road, Temple Cloud, Bristol. 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 is to be reluctant to regulate in the absence of evidence and that they must only do what is necessary and proportionate to promote the licensing objectives based on the evidence before them.

Members listened carefully to the oral representations made by the applicant, the Police and the Interested Parties. They also took account of the written representations and were careful to balance the competing interests of all the parties.

Members noted that representations had been made with regard to fire safety. They noted that such representations do not fall to be considered under the Licensing Act but are governed by The Regulatory Reform (Fire Safety) Order 2005. They therefore disregarded these representations.

They also noted that representations were made on traffic, noise and antisocial behaviour in the street away from the premises. These are also matters which do not fall within the Licensing Act and they therefore disregarded them.

Members noted that representations had been made on disorder, public safety, public nuisance and the protection of children from harm.

Members noted that no representations to the application had been made by Environmental Health, Health and Safety or the officer responsible for the protection of children.

The Members considered that the proposed measures contained in the Operating Schedule, together with the additional conditions proposed by the Police and agreed to by the applicant, would promote the licensing objectives.

They also noted that the Police had requested that the days for non-standard timings for the sale of alcohol and regulated entertainment were reduced, to which the applicant agreed at the hearing.

The applicant made much of the economic reasons as to why the application had been made, but Members acknowledged that market forces are not a licensing objective.

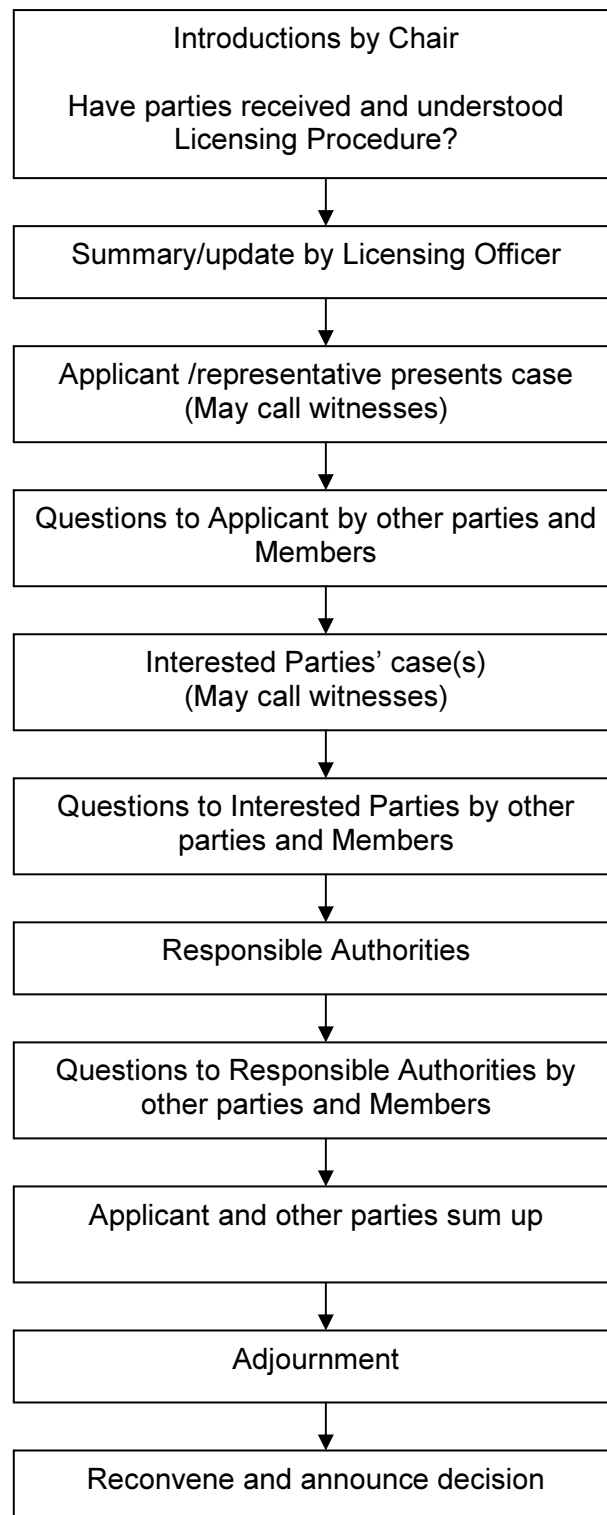
The meeting ended at 11.49 am

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.

Agenda Item 8

Bath & North East Somerset Council

MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER
MEETING DATE:	Monday 19 December 2011	
TITLE:	Application to Vary a Premises Licence for The Greyhound, 1 High Street, Midsomer Norton, BA3 2LE	
WARD:	Midsomer Norton	
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	Representation from the Police	
Annex E	Representations from Interested Parties	
Annex F	Applicant's agreement to Police condition	

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 The Greyhound, 1 High Street, Midsomer Norton, BA3 2LE (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 Wednesday 11:00 – 00:00

Thursday 11:00 – 00:30

Friday and Saturday 11:00 – 01:00

- 2) **Regulated entertainment** by way of the performance of **Live Music** and the provision of **Recorded Music** (indoors only) between the following hours:

Monday to Wednesday 11:00 – 00:00

Thursday 11:00 – 00:30

Friday and Saturday 11:00 – 01:00

Sunday 12:00 – 00:30

- 3) **Regulated entertainment** by way of **Other Entertainment** within the Act between the following hours:

Monday to Wednesday 11:00 – 00:00

Thursday 11:00 – 00:30

Friday and Saturday 11:00 – 01:00

Sunday 11:00 – 00:30

Non standard timings:

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

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

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

Monday to Wednesday 11:00 – 00:30

Thursday to Saturday 11:00 – 01:00

Sunday 12:00 – 01:00

Non standard opening times:

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

From normal opening time on New Year's Eve until normal closing time on New Year's Day.

- 5) The licence is subject to the **conditions** detailed in Annex 1 and Annex 2 of the current premises licence which is appended at Annex B of this report.

4.3 The variation applied for seeks:

- to extend the terminal hour for the sale of alcohol on a Friday and Saturday from 01:00 hours the following morning **to** 02:00 hours the following morning
- to maintain 30 minutes drinking up time following the last permitted sale of alcohol;
- to permit the premises to open at 08:00 hours every day;
- to remove the following duplicate condition:

"There shall be no discounted prices on drinks, no drinks promotions and no "Happy Hours"".

All other hours, licensable activities and conditions are to remain the same.

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 A representation has been received from the Police in relation to the prevention of crime and disorder objective (Annex D). The representation proposes that the following condition be added to the premises licence should it be granted:

“No alcohol will be consumed in any outside area after 12 midnight”

The applicant's solicitor has agreed in writing to this condition (Annex F).

4.14 Relevant representations have been received from interested parties living in or carrying out a business within the vicinity of the premises in relation to the following licensing objectives (Annex E):

- the prevention of crime and disorder;
- the prevention of public nuisance;
- public safety; and
- the protection of children from harm.

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

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS

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 Punch Taverns Plc

(Insert name(s) 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
11/02431/LAPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Greyhound
1 High Street

Post town	Midsomer Norton	Post code	BA3 2LE
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Telephone number at premises (if any)	01761 412974
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Non-domestic rateable value of premises	£10500
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Part 2 – Applicant details

Daytime contact telephone number	01283 501 600
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E-mail address (optional)	n/a
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Current postal address if different from premises address	Jubilee House Second Avenue
-----------------------------------------------------------	--------------------------------

Post Town	Burton Upon Trent	Postcode	DE14 2WF
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Part 3 - Variation

Please tick yes

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

☒

If not do you want the variation to take effect from

Day		Month		Year	

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

To extend sale of alcohol on a Friday and Saturday from 11:00h until 02:00h the following morning (currently permission from 11:00h until 01:00h the following morning)

To maintain thirty minutes drinking up time following the last permitted sale of alcohol.

To permit the premises to open at 08:00h every day.

To remove the following duplicate condition (already a mandatory condition):-

"There shall be no discounted prices on drinks, no drinks promotions and no 'Happy Hours'".

All other hours, licensable activities and conditions are to remain unchanged.

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

0

Section
M states
10:00-02:00
→
Section
M
amended
to sell

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.

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

Provision of late night refreshment (if ticking yes, fill in box L)

☐

Sale by retail of alcohol (if ticking yes, fill in box M)

☒

In all cases 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 or outdoors or both – please tick (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 performing plays (please read guidance note 4)			
Wed						
Thur			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)			
Fri						
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>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</u> (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 or outdoors or both – please tick (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 boxing or wrestling entertainment (please read guidance note 4)		
Thur					
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)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)	
Fri				
Sat			<u>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</u> (please read guidance note 5)	
Sun				

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

J

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (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 provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue					
Wed					
Thur			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) As per current permission.		
Fri	10:00				
Sat		02:00			
Sun		02:00			

N

<p>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)</p> <p>None.</p>

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur			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) As per current permission.		
Fri	11:00				
Sat		02:00			
	11:00				
Sun		02:00			

N

<p>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)</p> <p>None.</p>

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) As per current permission.
Mon		01:00	
	08:00		
Tue		00:30	
	08:00		
Wed		00:30	
	08:00		
Thur		00:30	
	08:00		
Fri		01:00	
	08:00		
Sat		02:30	
	08:00		
Sun		02:30	
	08:00		

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

To remove the following duplicate condition (already a mandatory condition):-

"There shall be no discounted prices on drinks, no drinks promotions and no 'Happy Hours'".

Please tick 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
The original Premises Licence was sent to the Local Authority with an application to vary the Designated Premises Supervisor on 14th October 2011.

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) (please read guidance note 9)

As per existing licence save for the conditions requested to be removed by this application.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

--

Please tick yes

- I have made or enclosed payment of the fee ☒
- 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 ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- 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 (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	IC. Macquford, TLT
Date	31.10.11
Capacity	Solicitor to Applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other 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) Paul Uren TLT Solicitors One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0117 917 7734		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) paul.uren@tltsolicitors.com			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Schedule 12 Part A

Regulation 33, 34

Premises Licence

Premises Licence Number	11/04013/LAPRE
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code Greyhound Hotel 1 High Street Midsomer Norton BA3 2LE	
Telephone number	01761 412974

Where the licence is time limited the dates	Not applicable
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Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities	
Sale of Alcohol	
Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30
Performance of Live Music	
Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30
Performance of Recorded Music (Indoors only)	
Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

Other Entertainment within Act

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	11:00 - 00:30

Non Standard Timings:

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday Weekend.

A further additional hour in to the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday Weekend.

A further additional hour every Christmas Eve and Boxing Day.

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

The opening hours of the premises

Monday to Wednesday	11:00 - 00:30
Thursday to Saturday	11:00 - 01:00
Sunday	12:00 - 01:00

Non Standard Opening Times:

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour in to the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve & Boxing Day.

From normal opening time on New Year's Eve until normal closing time on New Year's Day.

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

Punch Taverns Plc
Jubilee House
Second Avenue
Burton On Trent
Staffordshire
DE14 2WF
01283 501600
chet.greenslade@punchtaverns.com

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

Registered Business Number - 03752645

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

Mr Mark Ashman
Mallards
High Street
Midsomer Norton
BA3 2DR
01761 412974

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/05/03369/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 31 October 2011

Annex 1 – Mandatory conditions

From 6 April 2010:

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children: (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act); (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less; (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on (i) the outcome of a race, competition or other event or process, or (ii) the likelihood of anything occurring or not occurring; (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability). NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

From 1 October 2010:

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied

having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures (i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; and (b) customers are made aware of the availability of these measures. NB THIS CONDITION DOES NOT APPLY TO OFF SALES.

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.

Licensing Act 1964 Section 77 rules apply.

Music singing and dancing must be a licensable activity allowed on the premises; and

The premises are structurally adapted and bona fide intended to be used for the purpose of providing for persons resorting to the premises music and dancing and substantial refreshment, to which the sale of intoxicating liquor is ancillary.

The maximum number of persons allowed on the premises is 200.

No drinking shall take place in the decking area outside the public house after 23.00 hours.

CCTV to be installed and maintained and recordings kept for 31 days.

There shall be no discounted prices on drinks, no drinks promotions and no 'Happy Hours'.

Substantial food shall be available at all times the premises are open until one hour before closing time.

At least one door supervisor to be on duty when the premises are open till 00.30 hours or longer.

Doors and windows to be closed after 23.00 hours.

Subject to the standard terms and conditions attached to the public entertainment licence issued prior to the second appointed day.

Annex 2 – Conditions consistent with the Operating Schedule

Lighting installed and maintained in the exterior areas.

No unaccompanied children allowed on the premises.

No children allowed on the premises after 20.00 hours.

No striptease, nudity or exhibition of restricted films allowed.

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

Annex 4 – Plans

As submitted with application.

Part B

Premises Licence Summary

Premises Licence Number

11/04013/LAPRE

Premises Details

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

Greyhound Hotel
1 High Street
Midsomer Norton
BA3 2LE

Telephone number

01761 412974

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 Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

Performance of Live Music

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

Performance of Recorded Music (Indoors only)

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

Other Entertainment within Act

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	11:00 - 00:30

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

Registered Business Number - 03752645

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

Mr Mark Ashman

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

As per Operating Schedule at Annex 2.

Part B

Premises Licence Summary

Premises Licence Number

11/04013/LAPRE

Premises Details

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

Greyhound Hotel
1 High Street
Midsomer Norton
BA3 2LE

Telephone number 01761 412974

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 Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

Performance of Live Music

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

Performance of Recorded Music (Indoors only)

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 00:30

Other Entertainment within Act

Monday to Wednesday	11:00 - 00:00
Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:00
Sunday	11:00 - 00:30



Bath & North East Somerset Council

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

The Greyhound Variation



Scale 1/2500

Date 30/11/2011

Centre = 366328 E 154214 N

Drawn by:

Terrill Wolyn



Representation Form

Post Log No:
Receipt No:
CH/CA £:**Responsible Authority.** (Please delete as applicable.)Police / Fire / EP (noise) / Health and Safety / Child Protection / Weights and Measures /
Planning Authority / Marine Agency.

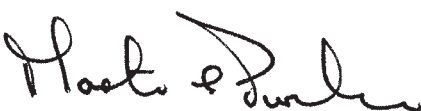
Your Name	Martin Purchase
Job Title	Liquor Licensing Officer
Postal and email address	Bath Police Station Manvers St. Bath. BA1 4BX
Contact telephone number	01225842475

Name of the premises you are making a representation about.	Greyhound Hotel
Address of the premises you are making a representation about.	1 High Street Midsomer Norton Bath BA3 2LE

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	Yes	<p>The premises is situated at the south end of the High street. The area does experience incidents of anti social behaviour, and crime and disorder. The problems are most frequent in the evenings and into the early hours of the morning and are alcohol related.</p> <p>The area is partially residential and would be vulnerable to noise nuisance. There is a condition on the Licence that requires that "no drinking shall take place in the decking area outside the public house after 23.00 hours"</p> <p>The premises has undergone refurbishment and the decking has been removed so the condition would be made obsolete. The Licence holder has agreed to a replacement condition that promotes the licensing objectives.</p>

Public safety		
To prevent public nuisance		
The prevention of harm to children		
<p>Suggested conditions that could be added to the licence to remedy your representation you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>1. No alcohol will be consumed in any outside area after 12 Mid Night.</p>	

N.B. If you do make a representation you will be expected to attend the Licensing Panel and any subsequent appeal proceeding.

Signed: 

Date: 23-11-11

Please return this form along with any additional sheets to:

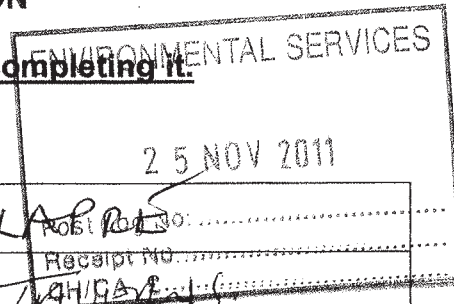
Bath and North East Somerset Council

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:	11/04357/LA
Applicant's name:	PUNCH
Premises name and address:	THE GREYHOUND HIGH ST. MIDSOMER NORTON.
Application for a:	LATE LICENCE 2AM.



Objector Details:

Objector's Name:	MR ANDY EDWARDS
Objector's Address:	CASSWELL HOME HARDWARE
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.	7-9 HIGH STREET MIDSOMER NORTON BA3 2NR
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



Making Bath & North East Somerset an
even better place to live, work and visit

ANNEX E

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

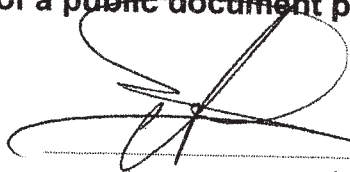
Try to be as specific as possible and give examples e.g. *On 1 February I could hear loud music from the premises between 10pm and 1 am. I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street.*

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

I AM FINDING THAT EVERY WEEKEND & SOME WEEKDAYS I AM HAVING TO CLEAN SICK & URINE FROM EXTERIOR OF OUR PREMISES, BEFORE BEING ABLE TO OPEN & TRY TO MAKE AN HONEST LIVING.

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

24/11/11

Contact telephone number(s)
(This is essential as we may need to contact you at short notice)

01761 413331

**Bath & North East
Somerset Council**

LICENSING ACT 2003

INTERESTED PARTY REPRESENTATION

ENVIRONMENTAL SERVICES

25 NOV 2011

Post Log No:

Receipt No:

CHURCH

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

I/We object to the following application:

Application number:	11/04357/LAPRE
Applicant's name:	
Premises name and address:	GREY HOUND High St. Midsomer Norton RADSTOCK
Application for a:	LATE LICENCE

Objector Details:

Objector's Name:	LE MANS S.A. BENDLE
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.	CHURCH 25 SQUARE Midsomer Norton RADSTOCK BA3 2HX
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 ☐

Feed up with the cleaning up mess. ^(since) outside of.
Shop - the shutters have been kicked in.

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

L. A. Berdell

Date

24-11-2011

Contact telephone number(s)

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

01761 417348

Cllr Linda Dunford
121 Charlton Park
Midsomer Norton
BA3 4BP

28th November 2011

Licensing Team
Bath & North East Somerset Council
9 – 10 Bath Street
Bath
BA1 1SN

Re: Greyhound, Midsomer Norton Extension of operation hours

Dear Sirs

I write in opposition to the above application. As a Midsomer Norton Town Councillor I have been approached by many local residents that would be adversely affected by the increase in the operating hours of these premises.

I would firstly like to draw the Licensing Teams attention to the fact that although the notice may have been placed in the window of the premises when stated, the premises were covered in scaffolding until Friday 25th November and a pressure washer was being used to clean the exterior of the building. The notice was not easily visible until the scaffolding was removed and the spray of water ceased. I would expect the notice period to now be extended to allow local residents to be able to make proper representation.

I object to the application on the grounds as follows:-

Crime, disorder and anti-social behaviour. The level of late night drinking in the town is already unacceptable and recognised to be so by both the town and B&NES council. The town council has just begun a new initiative along with B&NES council to try and find ways to reduce this. An increase in late night drinking in the town will only increase the already very high levels of drunk and disorderly behaviour that blights the town during the weekends. Drug taking and violence has occurred in the vicinity of the premises on a regular basis. Local residents have witnessed this on numerous occasions and they have found the police presence unable to cope with the situation even now let alone increasing it any further. Increasing the operating hours will just compound the problem and encourage a greater number of people into the town. I have been informed by a local resident that on a recent occasion the ambulance service refused to attend an incident until police were there as they felt that Midsomer Norton High Street was not safe for the ambulance crew on a Saturday night.

Public Safety. The pavement area outside the Greyhound is narrow and right on a roundabout and the main road through the town. Groups of drunks trying to cross the road often play 'chicken' with the traffic outside the premises. This causes great danger to motorists as well as the participants. There is no safe crossing to the other side of the road and this area of the town is difficult to access as the pavement and road is narrow. There is no suitable place to pull in by car or taxi without holding up the flow of traffic.

The Prevention of Public Nuisance. Residents throughout Midsomer Norton are already affected by late night noise and anti-social behaviour from drunk and disorderly people returning home through residential areas after a late night drinking. This issue needs to be reduced and not increased. I have been contacted by residents all over Midsomer Norton in Priory Close, Withes Park and Charlton Park who are woken up in the early hours of the morning by noisy drunks returning home after a night partying. Litter is thrown into residents gardens, drunks urinate on their front doors and vomit is a regular sight on an early Sunday morning. Midsomer Norton does not have the infrastructure to cope with an increase in late night drinking. A further venue offering late night drinking will only encourage more people to come into the town and return home later. The venue is close to a large number of residential properties as well as right next door to the main parish church.

I trust that the above will clearly show why this application should be refused.

Please can you inform me of the date and time this application will go before the licensing committee.

Yours sincerely

Cllr Linda Dunford
Midsomer Norton Town Council

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:	
Applicant's name:	
Premises name and address:	The Greyhound Hotel 1 High Street Midsomer Norton BA3 2LE
Application for a:	Extension of alcohol licensing hours

Objector Details:

Objector's Name:	Michael Evans
Objector's Address: <small>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.</small>	Orchard View Primrose Lane Midsomer Norton BA3 2UP
Organisation name if applicable:	B&NES

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

☐

As a ward councillor I speak to residents on their doorsteps, and a consistent topic of concern in Midsomer Norton is the loutish behaviour and unpleasant atmosphere in the town in the evenings. A number of people say they would not feel comfortable venturing into the public space of the town centre at this time.

Before the recent closure of the facility at the Greyhound for refurbishment I spent an evening observing the rowdyism and loutish behaviour for myself, from the vantage point of the Town Hall: people with beers in their hand holding up the traffic to chat (actually to shout) to their mates in a car; shouting to each other in language laced with obscenities which intimidates any sober and decent passers-by; scantily dressed women reeling along making screeching noises and pulling plants out of the planters; an idiot banging his head on the plate glass of Barons the Estate Agents; frequent public urination at Mansfield House and Hobbs the Gunsmiths. A lot of the unpleasantness in the public space was caused by pedestrian traffic between Moonjuice and the Wunderbar (Greyhound).

As a ward councillor I have found myself sympathising with Michael Goulds Estate Agents next to The Greyhound after their plate glass was smashed in. As a resident living just off the High Street I used to be woken regularly at 2.30 am by loud drunks making their way home.

While some of this behaviour continues, it has diminished of late, probably because we have enjoyed the services of only one night club for a couple of months. Meanwhile the Town Council is trying to do something about the whole situation, and a Community Alcohol Partnership is being set up led by the B&NES Community Safety department, with the cooperation of the Town Council and the police. If the pilot scheme in Midsomer Norton is successful, it may be rolled out across the Authority. This proposed extension in licensing hours would be a major setback to these efforts.

If we had a sophisticated clientele for nightclubs in Midsomer Norton this extension into the small hours in our town might be acceptable. We do not. The latest custom for homegoing revellers, for instance, is to push each other into hedges, damaging people's gardens and making their lives that bit more miserable.

You will hear representations from neighbours with details about the effect of the existing small hours licence, to 1am plus 30 minutes drinking up time. The proposed extension will push the disruption further into the middle of the night. At present I understand the police find it efficient to work with the staggered closing times of the local venues, with an hour's gap between The Greyhound and Fat Sams. The extension would make the exit more difficult to manage, I believe.

The evidence of the police will be crucial to this application, so I want to make public the fact that I had a conversation with the Beat Manager for Midsomer Norton, Tony Rogerson, on the morning of Sunday 27th November, and for whatever reason, the fact is that he had only just heard about the application. Because of the time constraint it may be that the police do not make an objection at this stage, so it is vital that a hearing occurs so that they have time to make a considered submission, if they wish and assuming the rules allow that.

I regret feeling compelled to make this objection, since in an ideal world this extension of licensing hours would be a simple economic boost for its projectors and for the community. Unfortunately, we have a culture which means that alcohol is accompanied by bad behaviour, and the downside of this application in my view easily outweighs the up.

I suppose the rules don't allow it, but from the public order point of view and in the interests of residents, if there is a competition issue, it would far better to take an hour off the closing time of Fat Sam's, than to extend by a further hour the supply of alcohol at the Wunderbar.

Midsomer Norton is a small rural town of 10,000 souls and the last thing it needs is another extension of alcohol supply into the middle of the night.

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

Michael Evans

Date

29/11/2011

Contact telephone number(s)
(This is essential as we may need to contact
you at short notice)

01761 235 996, 07711766415

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 Michael Evans

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>

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

Form to be returned to:

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

LICENSING ACT 2003

ENVIRONMENTAL SERVICES

25 NOV 2011

INTERESTED PARTY REPRESENTATION

Log No:

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:	
Applicant's name:	
Premises name and address:	THE GREYHOUND PUBLIC HOUSE 1 High Street Midsomer Norton. BA3 2LE
Application for a:	Extended Hours of Trading

Objector Details:

Objector's Name:	MR & MRS Shore.
Objector's Address: <small>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.</small>	THE OLD PRIORY HOTEL, CHURCH SQUARE MIDSOMER NORTON BA3 2HX
Organisation name if applicable:	MOODY GOOSE RESTAURANT @ THE OLD PRIORY

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 ☐

Dear Sirs;
Since moving here in 2006, to open a professional Hotel/Restaurant, we have had a number of incidents occur that have been disturbing to us and our paying guests:

- 1) On 21/10/11 a underage girl, with 3 friends, wandered up our lit driveway and collapsed (through Alcohol consumed we were told "in the Grayhound" she vomited twice regained consciousness and was helped away, it didn't wait an ambulance / police help.
- 2) Every Friday Evening, (unless Raining with Rain), & most Saturday's the abuse, noise, swearing, vomiting, urinating from the road in front, beer & linking us to the Grayhound is so low it is unacceptable & tells us how the pub is not "managing" its responsibility to the wider community at all.
- 3) We dread it when guests venture out, it's embarrassing & a massive let down to M.S.N.

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

24.11.11

Contact telephone number(s)

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

01761 416784

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 Jennifer + Stephen Shore

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>

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

Form to be returned to:

Licensing Team
Public Protection
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.



LICENSING ACT 2003

ENVIRONMENTAL SERVICES

INTERESTED PARTY REPRESENTATION

25 NOV 2011

Please read the notes at the back of this form prior to completing it.**I/We object to the following application:**

Application number:	
Applicant's name:	PUNCH TAVERNS PLC
Premises name and address:	THE GREYHOUND, HIGH STREET MIDSOMER NORTON
Application for a:	EXTENDING LICENSING HRS.

Objector Details:

Objector's Name:	DAVID & BRENDA FISHER
Objector's Address: <small>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.</small>	THE HOLE IN THE WALL CHURCH SQUARE MIDSOMER NORTON RADSTOCK BA3 2HX
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.*

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



We are objecting to the increased licensing hours at these premises and would recommend a reduction of licensing hours.

The present licensing hours until 1.00 a.m. have an adverse impact on our lives every Friday and Saturday nights plus Bank Holidays.

From midnight we experience extreme behaviour, arguing, screaming, shouting and on some occasions violence and sexual acts, all as a result of excessive alcohol and/or drugs.

With a drinking up time ending at 1.30 a.m. it can take another hour or more for these groups to disperse.

We have contacted the Police on many occasions.

At daybreak there is further evidence of these excesses.

Our garden will contain bottles, broken glass and 'take-away' food containers, though this irresponsible behaviour is evident for all to see in the surrounding streets. with the disgusting addition of vomit and urine.

We therefore strongly object to this application which will provide an even longer period for these irresponsible people to consume alcohol which will make our lives even more unbearable further into the early hours of the morning.

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

David Fisher
Brenda Fisher

DAVID FISHER
BRENDA FISHER

Date

23rd NOVEMBER 2011

Contact telephone number(s)

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

01761 418089

Terrill Wolyn

From: Shaun Hughes <shaun@pcc-limited.com>
Sent: 29 November 2011 13:04
To: Alan Bartlett; johntodd@amdsolicitors.com; licencing@BATHNES.GOV.UK
Cc: 'Geoffrey Cannon'; 'Anthony Rogerson'; Michael Evans (Cllr); Barry Macrae (Cllr); Paul Myers (Cllr); 'Martin Purchase'; Emma Stoneman; Terrill Wolyn; Andrew Jones; Aled Williams
Subject: The Greyhound Midsomer Norton

Dear Alan

With regard to the application made by The Greyhound, Midsomer Norton, to extend their licensing hours, I wish to make a formal representation as I am objecting primarily to prevent public nuisance.

I apologise for the lateness of this objection but we were only made aware of the application a few days ago as the notice was not clearly displayed at the venue, therefore I am sure you can understand we have not had much time to prepare.

I am both a local business located in Midsomer Norton High Street, and a local resident of Midsomer Norton, I also operate the Norton Radstock & District Pubwatch Scheme whose aims are to protect patrons and local residents from issues of anti-social behaviour and risk to public safety.

Therefore my objections are based of the following issues:

Prevention of crime and disorder.

We experience issues of anti-social behaviour in the High Street on a weekly basis, these issue is compounded by the lack of Police presence in the area, particularly on Friday and Saturday nights when there is often no Police presence and in the case of an incident officers need to be drafted in from Keynsham or further afield, it can often take more than 1 hour for officers to attend. Due to a lack of Police presence a large amount of these incidents go unreported.

This issue will increase with the patrons exiting two High Street venues at 2:30am.

Public Safety.

The venue in question has converted the first floor to a Dance Floor, this does not meet current fire regulations, according to licensing has a capacity of 200 people and has only a single stairway access and therefore would endanger public safety, there have been no checks by planning to ensure meeting building regulations.

Prevention of public nuisance.

The venue has a large amount of residential properties and a Hotel located all within 20 metres of the building, my own property is in close proximity to this venue, there have been no noise reports or tests produced to measure ambient noise levels and the impact on local residents, there are no provisions for noise leakage such as sound insulation of windows, door sound control, and no provision for noise metering. In summary no attempt to meet the requirements of the Environmental departments regulations on Noise Control.

Local residents in close proximity to this venue regularly experience disturbances from people exiting this venue in the early hours.

As you are aware our venue has been required to meet building, fire and noise regulations to ensure that we operate in these hours safely and without impact on local residents, none of which have been applied in this application.

Please confirm receipt and acceptance of this request to make a representation.

Your Sincerely
 Shaun Hughes

112 North Road
 Midsomer Norton
 Radstock
 BA3 2QW

Telephone: 01761 418268

Verbal permission to disclose given 30.11.11.

Mr J Harvey
4 High Street
Midsomer Norton
Radstock
BA3 2HS

24/11/11

ENVIRONMENTAL SERVICES
25 NOV 2011
Post Log No:
Receipt No:
CH/CA £

Dear Sir/Madame

I am writing in support of local residents, of which I am one and consequently will also be effected by the proposed late licence of the Greyhound Inn in Midsomer Norton

I am strongly against this licence law being passed for many reasons, believing passionately that the negatives far out weigh the positives in the Greyhound Inn having a late licence.

- Anti social behaviour historically has been from patrons leaving the premises and has been fuelled with excess alcohol
- Noise and abusive language, which as a resident I do not want to hear and be woken in the early hours of the morning.
- Longer opening hours, more alcohol = more violent behaviour and vandalism, which has become prevalent nationwide not only in Midsomer Norton.
- It's a residential area and I am sure you wouldn't want to live that close to a pub or bar with a late licence.

I would like to finish by saying that" to grant this licence would be a major concern for all the those and myself living in the area, and will make it a major no go area of Midsomer Norton, especially at weekends. Which would be of detriment to Midsomer Norton. Not a positive move forward to become part of Broken Britain

Yours Sincerely

Mr J Harvey

ENVIRONMENTAL SERVICES	
25 NOV 2011	
Post Log No
Receipt No
CH/GA

5 High Street
 Midsomer Norton
 Radstock
 BA3 2HS
 24.11.11.

Dear Sir/Madam

We strongly object to the application for an extension of the license to 2AM made by owners of the Greyhound Hotel Midsomer Norton.

Even under the current licencing time already granted there is a considerable amount of anti-social behaviour, excessive noise and damage to properties in the vicinity when turning out time occurs.

Yours faithfully,
 Barbara A Trever Bush

INTERESTED PARTY REPRESENTATION

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

I/We object to the following application:

ENVIRONMENTAL SERVICES
ANNEX E
25 NOV 2011
Post Log No:
Receipt No:
CH/CA E:

Application number:	11/04357/LAPRE
Applicant's name:	
Premises name and address:	GREYMOUND HIGH STREET MIDSOMER WORTON RADSTOCK
Application for a:	LATE LICENSE

Objector Details:

Objector's Name:	T ANDREWS
Objector's Address: <small>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.</small>	PARTY PLUS 6 HIGH STREET MIDSOMER WORTON RADSTOCK BA3 2LE
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

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

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 ☐

EVERY WEEKEND OUR SHOP FRONT IS USED AS PUBLIC TOILETS WE HAVE TO CLEAN SILET ETC EVERY WEEKEND. ALSO LIVING IN THE AREA WE HAVE PROBLEMS EVERY WEEKEND. WE FEEL THAT THE LATE LICENSE WILL CAUSE FURTHER PROBLEMS FOR ALL OF US. THERE IS ALREADY A LATE CLUB IN TOWN AND WE DO NOT NEED ANOTHER LATE VENUE

SEE ATTACHED PETITION

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

 24/11/011

Contact telephone number(s)

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

01761 - 414496.

To:
Licensing Services
Bath & North East Somerset Council
9-10 Bath Street
Bath
BA1 1SN

Application to extend the licensing hours at the Greyhound Hotel, Midsomer Norton.

We the undersigned wish to make representations regarding the requested application to extend the Friday and Saturday licence times to 2 am with 30 minutes additional drinking up time.

There is residential housing close to the premises and on the nearby routes taken by customers making their way home.

The principal reason for our representation is that residents already suffer problems of nuisance and disorder which cause disturbance late into the night as listed below, which deprives residents and their children of sleep and causes risks to health. The suggested extension of the opening hours would extend these problems into the early hours of the morning, 4 am and beyond, as customers gradually disperse. We regard this as totally unacceptable.

1. Excessive noise as customers leave the premises, shouting, singing, abusive language which may well constitute statutory nuisance.
2. Frequent fights and scuffles creating excessive noise and sometimes collision risking damage to private property and causing stress to residents
3. Urinating in the car park and in the residential areas
4. Customers being sick in the car park and residential areas
5. Late night drug dealing taking place particularly in the area around the Church car park.

As such to grant the application would be contrary to all of the four key licensing objectives central to B&NES Licensing Policy Statement:

1. the prevention of crime and disorder,
2. public safety,
3. prevention of public nuisance, and
4. the protection of children from harm.

We therefore ask the Licensing Authority to reject the requested extension.

If nevertheless they are inclined to allow it we request that it is made conditional upon:

1. Additional security cameras being installed in the affected areas
2. Continued police presence in the surrounding residential areas at closing times to take action against offenders
3. A commitment from BANES council to ensure a regular cleansing of the surrounding area
4. Agreement by applicant to make suitable contribution to the costs arising from the above.

Petition against the extension of licensing hours for the Greyhound Pub in Midsomer Norton

ENVIRONMENTAL SERVICES

25 NOV 2011

Post Log No:

Receipt No:

Below is a list of names of local residents who strongly disagree with the proposal of an extended licence for the Greyhound Inn in Midsomer Norton.









We protest against this on the grounds of social, residential concerns in the increase of anti-social behaviour and associated issues.

Print	Sign	Address
S. MOUNTY	S. M. Mounty	The Priory Close, Spinney, M.S.N.
M. H. CHAMBERLAIN	M. H. Chamberlain	9, Priory Close, M.S.N.
M. DENHAM	M. Denham	10 PRIORY CLOSE
A. " "	A. DENHAM	" " "
M. Grace	M. Grace	12 PRIORY CLOSE
C. Maggs	C. Maggs	13 PRIORY CLOSE
C. Maggs L. Maggs	L. Maggs	" " "
D. Williams	D. Williams	14 " Priory Close "
S. Williams	S. Williams	" " "
M. Brooks	M. Brooks	15 Priory Close M.S.N.
E. J. Brooks	E. J. Brooks	" " " "
A. C. Dunster	A. C. Dunster	17 Priory Close M.S.N.
N. Dunster	N. Dunster	17 Priory Close M.S.N.
J. S. Bowering	J. S. Bowering	18 Priory Close M.S.N.
S. Bowering	S. Bowering	" " "
D. S. Hall	D. S. Hall	21 Priory Close M.S.N.

**Petition against the extension of licensing hours for the
Greyhound Pub in Midsomer Norton**

Below is a list of names of local residents who strongly disagree with the proposal of an extended licence for the Greyhound Inn in Midsomer Norton.

We protest against this on the grounds of social, residential concerns in the increase of anti-social behaviour and associated issues.

Print	Sign	Address
MRS. HURST		3. Prior close m-sn.
MRS. FOWLER	B Fowler	35. Priory close m/s/n
MR WILKINS	L. Wilkin	36 PRIORY CLOSE MSN.
MRS APPELBYARD		37 — " —
MR Appleyard		— " —
MRS TURNER	M. Turner	38 PRIORY CLOSE BAZ 2 H.
MR TURNER		Do.
MR. D. TAYLOR	D. Taylor	39 PRIORY CLOSE MID. NOR
MR. M. STILL		TREETOPS PRIORY CLOSE
Mr Sims.	Mr. Sims	1. Priory Close.
MR. A. SIMS.	A. Sims	" "
MISS S. ROBINSON	S. J. Robinson	2, PRIORY CLOSE -
MISS M. Gilson	M. Gilson	MIDSOMER NORTON
MISS M. PRIOR	M. P. Prior	3, PRIORY CLOSE
G. Berry		" " "
M Smith	M S	4, Priory close
J K L B		5 Priory Close
MISS. T. R. WOODWARD		6 priory close.
Mary G. Woodward	M. G. Woodward	7 Priory Close
		— " —

**Petition against the extension of licensing hours for the
Greyhound Pub in Midsomer Norton**

Below is a list of names of local residents who strongly disagree with the proposal of an extended licence for the Greyhound Inn in Midsomer Norton.

We protest against this on the grounds of social, residential concerns in the increase of anti-social behaviour and associated issues.


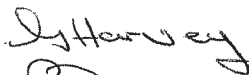



Print**Sign****Address**

G. HARVEY.	<i>G. Harvey</i>	4, HIGH STREET.
MR J HARVEY	<i>Julian Harvey</i>	" " "
MR PETE HAMBLIN	<i>Pete Hamblin</i>	22 PRIORY CLOSE.
MRS JILL HAMBLIN	J Hamblin	MIDSOMER NORTON.
MR TY BISHOP	T. Bishop	" " "
MRS BOB BISHOP	B. S. Bishop	25 PRIORY CLOSE.
MR STEVE BISHOP	S. S. Bishop	" " "
MRS M BRAIN	M Brain	26 " "
MR D BRAIN	<i>D. Brain</i>	26 " "
MR D. FLAGG.	D. Flagg	26 " "
MRS G FLAGG	G. Flagg	26 " "
MR N ROGERS	<i>N. Rogers</i>	27 PRIORY CLOSE
MRS J ROGERS	<i>J. Rogers</i>	" " "
MRS W BROOKS	W. M. B.	28 Priory Close
MR D STRAWBRIDGE	D. Strawbridge	30 " "
MR A STRAWBRIDGE	A. Strawbridge	30 " "
MRS P. JAMES.	P. James	31 " "
MR DA JAMES	<i>DA James</i>	31 " "
MR P.J. CLARKE	<i>P.J. Clarke</i>	32 Priory Close MS.
MRS J. CLARKE	J. Clarke	" " "

Petition against the extension of licensing hours for the Greyhound Pub in Midsomer Norton

Below is a list of names of local residents who strongly disagree with the proposal of an extended licence for the Greyhound Inn in Midsomer Norton.

We protest against this on the grounds of social, residential concerns in the increase of anti-social behaviour and associated issues.

Print	Sign	Address
MARGARET HALL		21 PRIORY CLOSE
SHIRLEY HARVEY		4, High Street
BARBARA BUSH		5 High Street
TREVOR BUSH		5 High Street
M. COX		29 High Priory Close

11 Church Square
BA3 2HX

Mr Oliver Wood ~~Mrs Miranda Wood~~
O.W.

11 Church Square

Mrs Miranda Wood
M.Wood

5 Church Square

~~Robert~~

5 Church Square
BA3 2HX

~~Robert~~

17 Church Sq.
BA3 2HX

Tha

"

Th

"

B. Moon.

BA3 2HX

~~Tha~~

9. Church Square
BA3 2HX

T. Fourmen.

8 Church Square
BA3 2HX

A. Andrews

"

"

T. Andrews

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:	11/04357/WAPRE
Applicant's name:	
Premises name and address:	GREYHOUND HOTEL/BAR' HIGH STREET MIDSOMER NORTON
Application for a:	EXTENDED OPENING HOURS

Objector Details:

Objector's Name:	JOANNE ROWE
Objector's Address: <small>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.</small>	BUSINESS ADDRESS: 'OLIVER JOSEPH' 1, SOMER HOUSE HIGH STREET MIDSOMER NORTON BA3 2HN.
Organisation name if applicable:	OLIVER JOSEPH HAIRDRESSING

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

☒
☒
☐
☒

Making Bath & North East Somerset an
even better place to live, work and visit

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



1.

IN THE PAST, I HAVE EXPERIENCED VANDALISM TO MY SHOP WINDOW - IT HAS BEEN SCORN WITH A SHARP IMPLEMENT, SCRATCHING THE GLASS

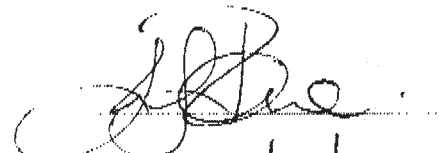
2. LITTER, VOMIT, URINE AND OTHER BODY FLUIDS HAVE BEEN FOUND AT THE FRONT DOORWAY TO MY BUSINESS PROPERTY.

DUE TO THIS, I FEEL BY EXTENDING THE PUBS OPENING HOURS COULD SUBJECT MY BUSINESS TO MORE POTENTIAL DAMAGE + GENERAL MISS USE + DESTRUCTIVE BEHAVIOUR.

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


24/11/11

Contact telephone number(s)

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

01761 / 416999

ANNEX F

Martin Purchase

From: Paul Uren [paul.uren@TLTsolicitors.com]
Sent: 14 November 2011 09:21
To: Martin Purchase
Cc: licensing@bathnes.gov.uk
Subject: FW: RESTRICTED: Condition on Licence at Greyhound PH Midsomer Norton. [TLT-TLT.FID1917374]

Hi Martin,

Further to your email below, I can confirm that that our Client is in agreement with the proposed condition below.

I trust that this is sufficient however please do not hesitate to contact me if you have any queries.

Kind regards

Paul Uren
Real Estate Group
for TLT LLP
Tel: 0117 9177734
Fax: 0117 9177566
www.tltsolicitors.com

From: Martin Purchase [mailto:Martin.Purchase@avonandsomerset.police.uk]
Sent: 11 November 2011 09:04
To: Paul Uren
Subject: RESTRICTED: Condition on Licence at Greyhound PH Midsomer Norton.

Paul

With ref to the Variation application for the above public house, on the current licence there is a condition " No drinking shall take place in the decking area outside the public house after 23.00hrs" The premises have undergone refurbishment and part of that has been to remove this decking . The Police request that this condition now reads:

" No alcohol will be consumed in any outside area after 12 Mid Night"
I would appreciate your agreement to this matter on behalf of the Licence holder.

Martin Purchase,

Liquor Licensing officer, Bath Police Station.

This message from TLT Solicitors is confidential and may also be privileged or otherwise

Bath & North East Somerset Council

MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER
MEETING DATE:	Monday 19 December 2011	
TITLE:	Application to Vary a Premises Licence for Mix Grill , 4 Cleveland Place East, Walcot, Bath, BA1 5DJ	
WARD:	Walcot	
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 Representation from Avon and Somerset Constabulary		
Annex E Representations from Interested Parties		

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 Mix Grill (aka Flames), 4 Cleveland Place East, Walcot, Bath, BA1 5DJ (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). **Late Night Refreshment** between the following hours:

Sunday to Thursday 23.00 to 01.00

Friday and Saturday 23.00 to 03.00

2) The **Opening Hours** for the premises are as follows:

Sunday to Thursday 23.00 to 01.00

Friday and Saturday 23.00 to 03.00

3) The licence is subject to the following conditions:

- Staff shall arrange for a taxi service if requested.
- Free drinking water shall be available.
- CCTV cameras shall be in operation at the premises.
- Customers shall not be permitted to bring bottles or glasses into the shop.
- A prominent sign shall be displayed telling customers to leave the shop in a quiet manner.
- The premises shall have an extract system which is designed to prevent noxious smells.
- Any individual employed to carry out a security activity must be licensed by the Security Industry Authority.

4.3 The **variation** application seeks to extend the permitted hours for the provision of late night refreshment and to include the sale of alcohol. The proposed activities and timings are as follows:

1) The **Sale of Alcohol** for consumption on and off the premises:

Every Day 00.00 to 00.00 (24 hours)

2) **Late Night Refreshment** between the following hours:

Every Day 23.00 to 05.00

3) The proposed **Opening Hours** for the premises are as follows:

Every Day 00.00 to 00.00 (24 hours)

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, 10, 16, 17, 18, 19, 20, 23(5), 24, 28, 30, 33, 35, 36, 37, 41 to 44 of the policy.
 - b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised October 2010)
 - 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. No representations have been received from any of the Responsible Authorities.
- 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 working days of submitting the application to the licensing authority.
- 4.13 A representation has been received from Avon and Somerset Constabulary in relation to the licensing objective of the prevention of crime and disorder (Annex D). The representation states that the Police are strongly opposed to the application.
- 4.14 The Police representation goes on to say that, in the event the Committee are minded to grant the application, then they would wish to see conditions imposed to ensure the promotion of the licensing objectives. The following steps have been recommended:
- 1. Alcohol will only be sold by way of delivery to the customers' residence 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 years or over.
 - 3. Photographic identity will be required for any person who appears under the age of 21 years.

4. A refusals register is to be maintained recording the details of any sales or deliveries that were fused. The register is to be kept at the premises and 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 a food order of £5 minimum.
 6. A digital CCTV system will be fitted to the premises in consultation with the Police. The system will be maintained and images retained for 31 days and made available to the authorities on request.
- 4.15 Relevant representations have also been received from local residents and businesses in relation to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance (Annex E).
- 4.16 This report has not been sent to the Trades Union because they would have no involvement in this application.

Contact person	Emma Stoneman, Senior Licensing Officer, 01225 396719
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.

11/04000

25/7/07

ANNEX A

ENVIRONMENTAL SERVICES

ENVIRONMENTAL SERVICES

Application to vary a premises licence under the Licensing Act 2003

OCT 2011

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 **Jamie Brian T/A Mixgrill**
 (Insert name(s) 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
 07/01519/LAPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
 4A Cleveland Place East

Post town	Bath	Post code	BA1 5DJ
------------------	------	------------------	---------

Telephone number at premises (if any)	07769724323
----------------------------------------------	-------------

Non-domestic rateable value of premises	£4000
------------------------------------------------	-------

Part 2 – Applicant details

Daytime contact telephone number	07769724323		
E-mail address (optional)	jamie_koc@hotmail.com		
Current postal address if different from premises address	4A Cleveland Place East		
Post Town	Bath	Postcode	BA1 5DJ

Part 3 - Variation

Please tick yes

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

☒

If not do you want the variation to take effect from

Day Month Year

--	--	--	--	--	--	--	--

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

Extended opening hours
sell of alcohol

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

0

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.

Provision of regulated entertainment**Please tick yes**

- | | |
|----------------------------------------------------------------------------------------------------------------|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|----------------------------------------------------------------------------------------------------------------|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

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

In all cases 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 or outdoors or both – please tick (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)		
Thur					
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 or outdoors or both – please tick (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 exhibition of films (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>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</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)			
Mon						
Tue						
Wed						
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)			
Thur						
Fri						
Sat						
			<u>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</u> (please read guidance note 5)			
Sun						

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
Thur					
			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Fri					
Sat					
Sun					
			<u>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</u> (please read guidance note 5)		

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)	
Fri				
Sat			<u>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</u> (please read guidance note 5)	
Sun				

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

J

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

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) N/A		
Mon	23.00	05.00			
Tue	23.00	05.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A		
Wed	23.00	05.00	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) N/A		
Thur	23.00	05.00			
Fri	23.00	05.00			
Sat	23.00	05.00			
Sun	23.00	05.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) N/A		
Mon	00.00	00.00			
Tue	00.00	00.00			
Wed	00.00	00.00			
Thur	00.00	00.00	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) N/A		
Fri	00.00	00.00			
Sat	00.00	00.00			
Sun	00.00	00.00			

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)

N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) N/A
Day	Start	Finish	
Mon	00.00	00.00	
Tue	00.00	00.00	
Wed	00.00	00.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) N/A
Thur	00.00	00.00	
Fri	00.00	00.00	
Sat	00.00	00.00	
Sun	00.00	00.00	

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

N/A

Please tick 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
Misplaced

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) (please read guidance note 9)

- * Our shop is strictly non-smoking premises
- * On the request of our customers we arrange a mini cab for them throughout the midnight until the early hours
- * We supply our customer free mineral drinking water

b) The prevention of crime and disorder

- * Our Premises are secured with 24hrs cctv system
- * Our staff are well trained and are able to pacify and control difficult customer and in emergency situation are able to report them to the police
- * Our food packaging are made from soft polymeric materials and are free from metals or any glasses
- * The safety our customers are paramount to us at all the time and our staff have been well trained
- * The cash monies are kept safe within our premises

c) Public safety

- * Our staff are responsible and would make sure that the shop floor is completely dry at all time
- * Our staff are well trained to use a fire extinguisher and the fire exit door in emergency situations within the premises
- * Our customers under no circumstances are allowed to enter the shop with glass bottles or metal objects with them
- * Those sections of the shop where our staff serve food are totally closed to our customers
- * The fire exist signs are clearly displayed inside are shop for the safety of are customers and staff.

d) The prevention of public nuisance

- * Our staff our responsible for clearing the tables and floor in the shop from unused food containers and immediately bin them inside the shop
- * A public bin is placed in front of our shop in which customers as well as public can bin their litter
- * For the attention of our customers the signs of leaving quietly from the shop are posted inside the shop
- * Our shop is equipped with a powerful, silent, and efficient extractor system which can effectively remove all food and any noxious smell from the enviroment inside the shop

e) The protection of children from harm

- * Our staff are well trained not to serve alcohol to people under 18 years old
- * Children without parents can be served differently in which our staff hand over food directly to them in the customer area of the shop rather to serve them behind the counter
- * Our staff are aware of those customers under 18 years old whom should be served first.
- * The cooking area of the shop is strictly closed to all customers at all time
- * Smoking is strictly prohibited inside our shop


Please tick yes

- I have made or enclosed payment of the fee ☒
- 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 ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- 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 (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	15.08.11
Capacity	

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other 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)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Schedule 12
Part A

Regulation 33, 34

Premises Licence

Premises Licence Number	07/01519/LAPRE
-------------------------	----------------

Part 1 – Premises Details

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

Mix Grill
4 Cleveland Place East
Walcot
Bath
BA1 5DJ

Telephone number 07738 556758**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****Late Night Refreshment**

Friday and Saturday	23:00 - 03:00
Sunday to Thursday	23:00 - 01:00

The opening hours of the premises

Friday and Saturday	23:00 - 03:00
Sunday to Thursday	23:00 - 01:00

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

Not applicable

Part 2

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

Mr Jamie Brian
Basement Flat
7 Cleveland Place East
Bath
BA1 5DJ
01225 443727

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

Registered Business Number - Not applicable

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

Not applicable

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

Not applicable

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 25 July 2007



Annex 1 – Mandatory conditions

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

Staff shall arrange for a taxi service if requested.

Free drinking water shall be available.

CCTV cameras shall be in operation at the premises.

Customers shall not be permitted to bring bottles or glasses into the shop.

A prominent sign shall be displayed telling customers to leave the shop in a quiet manner.

The premises shall have an extract system which is designed to prevent noxious smells.



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

Annex 4 – Plans

As submitted with application.



Part B

Premises Licence Summary

Premises Licence Number

07/01519/LAPRE

Premises Details

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

Mix Grill
4 Cleveland Place East
Walcot
Bath
BA1 5DJ

Telephone number 07738 556758**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****Late Night Refreshment**

Friday and Saturday	23:00 - 03:00
Sunday to Thursday	23:00 - 01:00

The opening hours of the premises

Friday and Saturday	23:00 - 03:00
Sunday to Thursday	23:00 - 01:00

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

Not applicable



Name, (registered) address of holder of premises licence

Mr Jamie Brian
Basement Flat
7 Cleveland Place East
Bath
BA1 5DJ

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

Registered Business Number - Not applicable

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

Not applicable

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

Mix Grill, 4 Cleveland Place East



Scale 1/1250

Date 8/12/2011

Centre = 375295 E 165738 N

Drawn by:

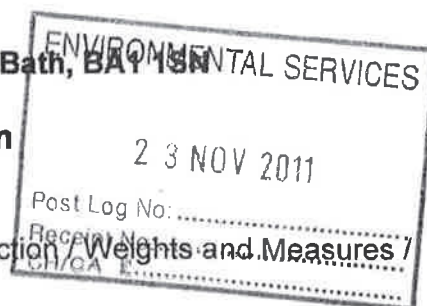
E Stoneman



Licensing Services, 9-10 Bath Street, Bath, BA1 1SN

Representation Form**Responsible Authority.** (Please delete as applicable.)

Police / Fire / EP (noise) / Health and Safety / Child Protection / Weights and Measures / Planning Authority / Marine Agency.



Your Name	Steven Mildren
Job Title	Police Inspector
Postal and email address	Bath Police Station Manvers Street Bath BA1 1JN
Contact telephone number	01225842425

Name of the premises you are making a representation about.	Mix Grill
Address of the premises you are making a representation about.	4A Cleveland Place East Bath BA1 5DJ

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	Yes	The Premises are a fast food takeaway situated to the east of the city centre within the Cleveland Bridge area. This area has a mix of residential and business properties.. This is a main arterial route in and out of the city centre both for vehicular and foot traffic. The premises and the area suffers from sporadic crime and disorder.(see log summary Fig 1)The application seeks to vary the premises licence to provide 24 hour alcohol and 24 hour hot food. This has the potential to increase both problems within the premises and its impact on the surrounding area.(see statement of the beat manager Fig 2) Fast food takeaway outlets are flashpoints for alcohol –related crime and disorder,they offer attractive cluster points for revellers after they have left licensed premises,in comparison with pubs,bars and nightclubs they lack the type of design and management provisions necessary to process the custom of an intoxicated late – night customer base, providing an illustration

		<p>of how street based crime and disorder in the night time economy occurs where there is a convergence of intoxicated persons competing often in stressful conditions at times where there is an absence of capable guardians. The availability of alcohol at this type of premises only further adds to what can be a very stressful environment late at night. The application that has been submitted does not in any respect promote the licensing objectives, no measures are proposed that give any guidance as to how 24 hour alcohol and food will be provided in a manner that ensures that these licensing objectives are promoted. The Police are strongly opposed to this application.</p>
Public safety		
To prevent public nuisance		
The prevention of harm to children		

<p>Suggested conditions that could be added to the licence to remedy your representation you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<p>The Police licensing officer made several attempts to discuss the application but was told by the applicant that he was far too busy to undertake a meeting. The following conditions could be considered should the committee take the view to grant the licence.</p> <ol style="list-style-type: none"> 1. Alcohol will only be sold by way of delivery to customers residents after 23.00hrs and not to customers attending at the shop premises. 2. All deliveries which include alcohol must only be received by a person aged 18 yrs or over. 3. Photographic identity will be required for any person who appears under the age of 21 years. 4. A refusals register is to be maintained recording the details of any sales or deliveries that were refused, the register is to be kept at the premises and 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 a food order of £5 minimum. 6. A digital CCTV will be fitted to the premises in consultation with the Police, the system will be maintained and images retained for 31 days and made available to the authorities on request.
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

N.B. If you do make a representation you will be expected to attend the Licensing Panel and any subsequent appeal proceeding.

Signed:


Steven Mildren

Date:

23/11/11

Please return this form along with any additional sheets to:

Bath and North East Somerset Council
Licensing Services
9-10 Bath Street
Bath
BA1 1SN

E-mail address: licensing@bathnes.gov.uk

This form must be returned within 28 consecutive days of the application being made to the Licensing Authority.

Incident Reports

Mixed Grill
4a Cleveland Place
Bath
BA1 5DJ

Beat EB105

12/11/2011 Produced by PC 1287 Gemma Kirby

Background Information

Quick Address lists 18 properties using the postcode BA1 5DJ.

There are 3 licensed premises recorded on Innkeeper for postcode area BA1 5DJ:

1. Mixed Grill – late night refreshment, no alcohol, until 03:00 latest
2. Crouching Tiger – late night refreshment, no alcohol, until 03:00 latest
3. London Road Stores – off premises sales of alcohol until 23:00 latest

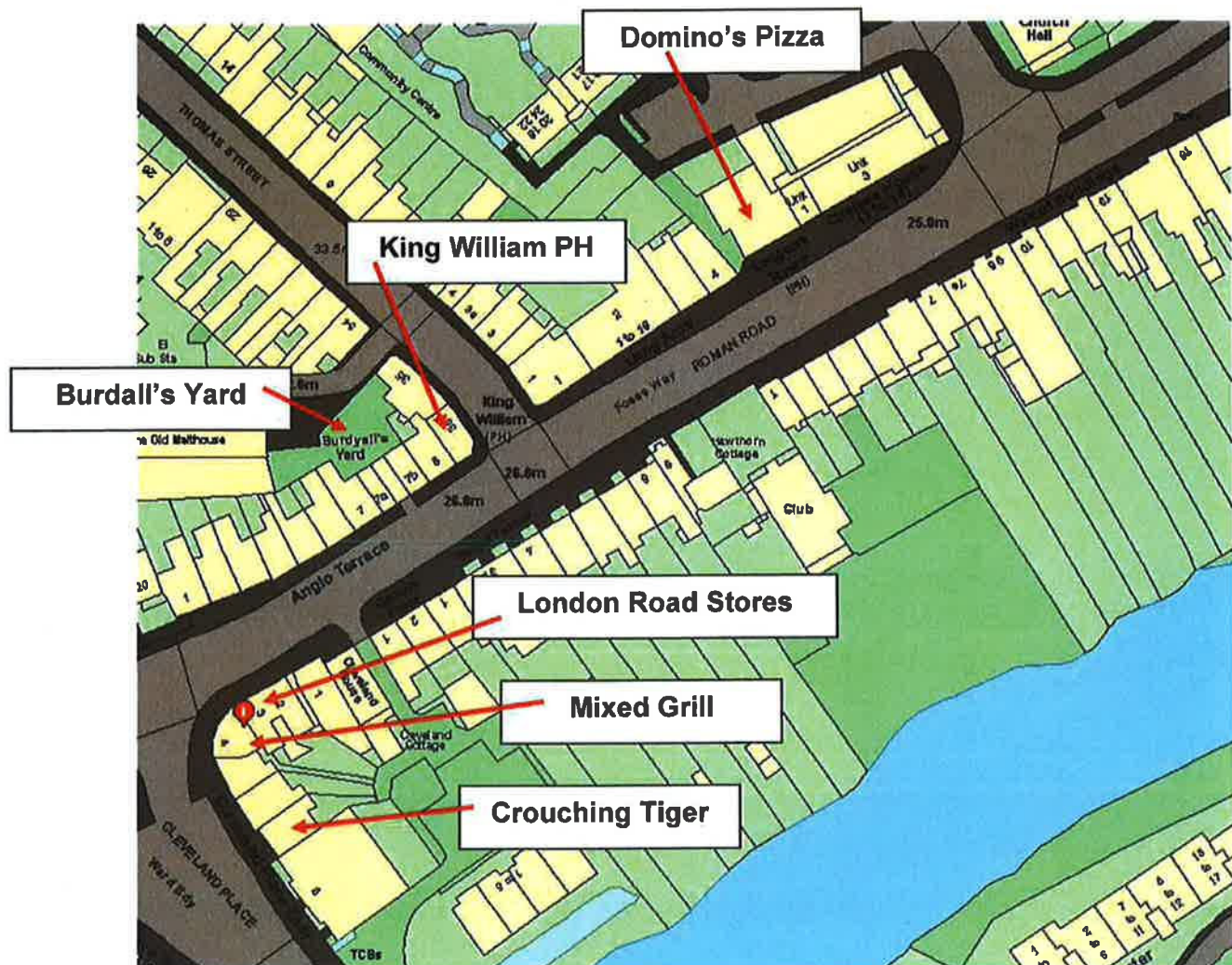
Other premises within the vicinity of Mixed Grill are:

1. Burdall's Yard – sales of alcohol, until 23:00
2. King William Public House – sales of alcohol, until 00:00 latest
3. Domino's Pizza – late night refreshment, no alcohol, until 01:30
4. Megabyte Takeaway – late night refreshment, off premises sales of alcohol, until 03:00
5. Morrison's Supermarket – off premises sales of alcohol

Refer to Figures 1 and 2 below which show the positioning of the above premises in relation to each other.

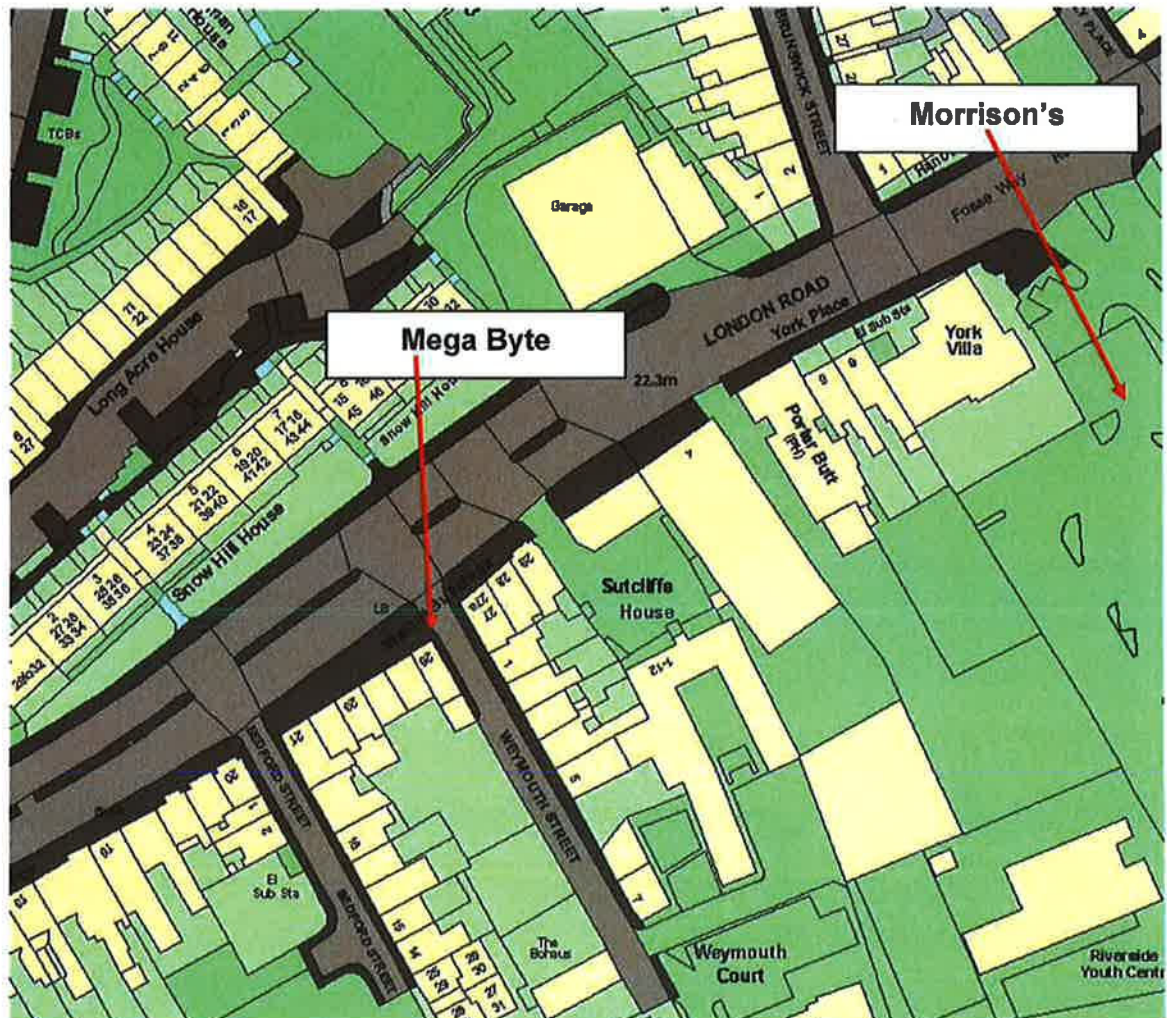
12/11/2011 Produced by PC 1287 Gemma Kirby

Figure 1. Map showing Mixed Grill and other premises of relevance within the vicinity.



12/11/2011 Produced by PC 1287 Gemma Kirby

Figure 2. Map showing position of other premises of relevance within the vicinity of Mixed Grill.



Brief Overview of Incidents

Police Logs raised for this postcode area from 01/11/10 to date:

- 01/11/10 – 01/12/10:
1 call – Chilli Hut re non-payment of electricity bill
- 01/12/10 – 01/01/11:
6 calls – All relate to Mixed Grill and are detailed below
- 01/01/11 – 01/02/11:
4 calls – All relate to Mixed Grill. 3 are detailed below and one is a Police generated log for an arrest attempt.
- 01/02/11 – 01/03/11:
1 call – Mixed Grill as detailed below.
- 01/03/11 – 01/04/11:
6 calls – 1 relates to Mixed Grill and is detailed below. 4 calls relate to Cleveland House and are Police generated for arrest attempts and searches. 1 relates to a drunk female in London Road Stores on 11/03/11 at 2052.
- 01/04/11 – 01/05/11:
2 calls – Both Police generated logs for arrest attempts at Cleveland House.
- 01/05/11 – 01/06/11:
0 calls.
- 01/06/11 – 01/07/11:
3 calls – 2 calls to Mixed Grill and detailed below. 1 call to Cleveland House for a welfare check.
- 01/07/11 – 01/08/11:
4 calls – All relate to Mixed Grill. 3 are detailed below and 1 is a request for a summons to be served.

12/11/2011 Produced by PC 1287 Gemma Kirby

- 01/08/11 – 01/09/11:
2 calls – 1 call relating to Mixed Grill but detailing the incorrect premises; request for a summons to be served. 1 call for a welfare check after an accidental 999 call.
- 01/09/11 – 01/10/11:
1 call – RTC at Cleveland Cottage.
- 01/10/11 – 11/11/11:
8 calls – 2 calls to Chilli Hut for a drunk female smashing a window 16/10/11 2120 hours. 1 Police generated log for an arrest attempt at London Road Stores. 5 calls relating to Cleveland House and detailing contact requests, fire alarm activation and an arrest attempt.

Total number of logs raised for the area covered by BA1 5DJ 01/11/10 to date: 39

Number of logs raised 01/11/10 to date that list Mixed Grill as the location address: 19

Number of calls received 01/11/10 to date where the actual location is Mixed Grill: 24 (some of these list London Road as the location address and this does not include logs raised by the Police)

Number of separate incidents these calls refer to: 23

Number of calls made by Mixed Grill staff: 10

Number of crimes recorded: 10

Day of the week the Police are most often called in relation to Mixed Grill: Thursday (see Figure 3)

Time of day the Police are most often called in relation to Mixed Grill: 0100 – 0200 hours (see Figure 4)

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Figure 3:

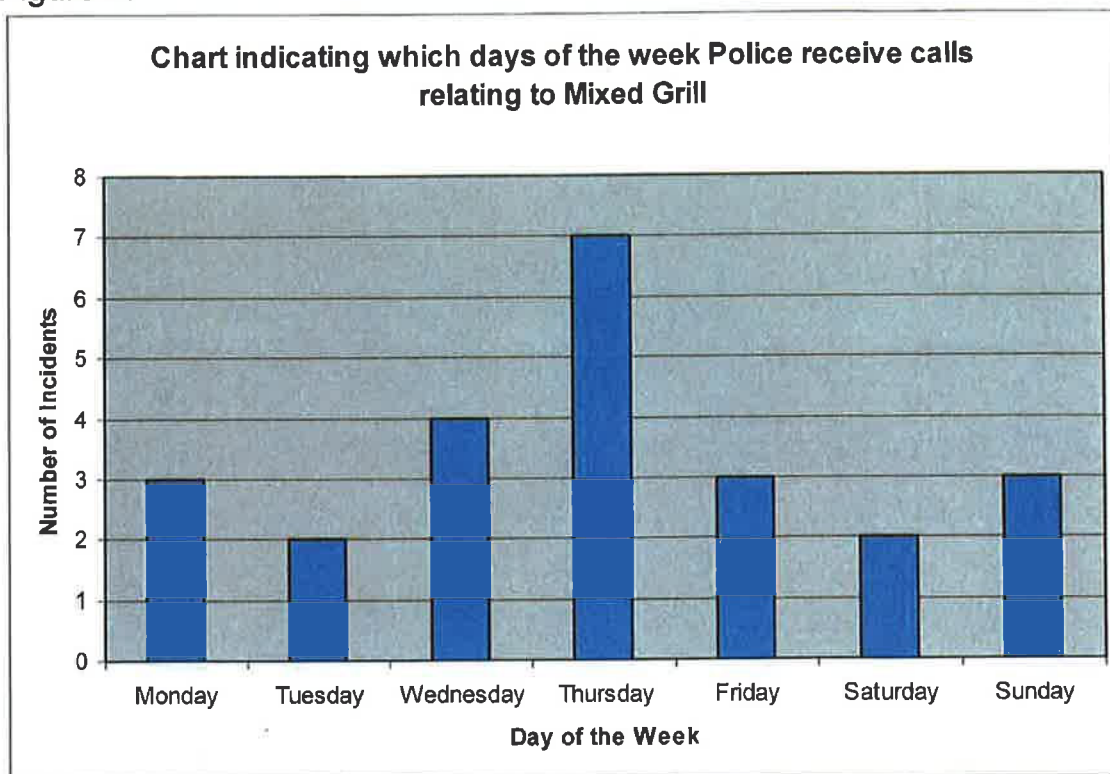
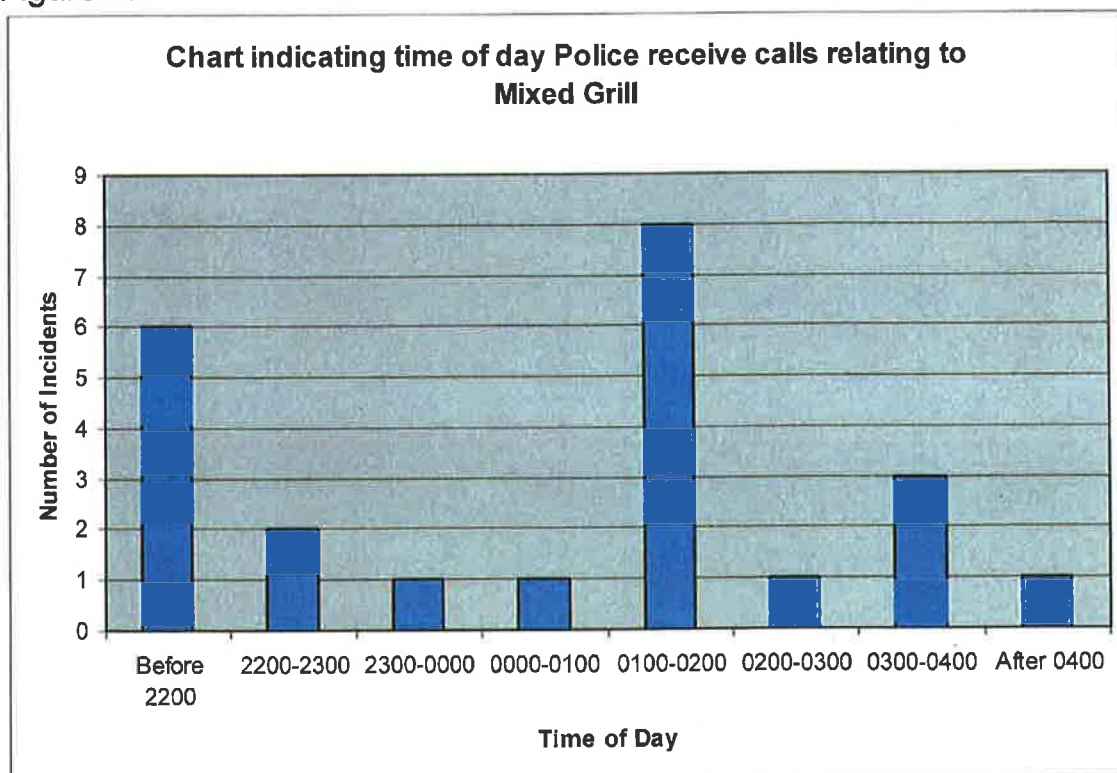


Figure 4:



12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	1 (linked to 2)
Date	06/10/11 - Thursday
Time	01:36
Informant	Member of staff from Mixed Grill
Log no.	AS-20111006-0053
Police Arrival	01:43 (7 minutes)
Incident	VAP - Assault Report of female being hit by a male on Cleveland Place. Information received that the offender is outside the Mixed Grill. Initial incident is followed by an assault on the informant's boss. Two arrested.
Guardian	118926/11 and 118924/11 ABH and Racially aggravated ABH (both male victims)
Arrest	2 arrested – 52SE/3050/11 and 3051/11
Disposal	Awaiting CPS result
Related	Yes. Staff from Mixed Grill involved and recorded as victims.

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Incident no.	2 (linked to 1)
Date	06/10/11 – Thursday
Time	01:42
Informant	MOP
Log no.	AS-20111006-0058
Police Arrival	01:43
Incident	Disturbance/Nuisance Informant details the location as outside the Curfew and Flames, 4 or 5 males fighting and the Police arriving. Transferred to working log above.
Guardian	Refer to incident 1.
Arrest	Refer to incident 1.
Disposal	Refer to incident 1.
Related	Yes. Staff from Mixed Grill involved and recorded as victims.

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Incident no.	3
Date	20/09/11 - Tuesday
Time	
Informant	Member of staff from City Tailors
Log no.	No log.
Police Arrival	
Incident	<p>Witness Intimidation</p> <p>Location of incident – London Road near Morrison's. Informant making a complaint that he is prosecuting for assault and criminal damage to his shop and has been approached by an associate of the defendant (member of staff at Mixed Grill). Told informant that it would be best if the case was withdrawn and that tomorrow they could come to his shop to ensure this took place.</p>
Guardian	112579/11 – Witness intimidation
Arrest	1 arrested
Disposal	NFA - Police
Related	Yes – as it involves staff from Mixed Grill

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	4
Date	30/07/11 - Saturday
Time	05:00
Informant	Member of staff from Mixed Grill
Log no.	AS-20110730-0354
Police Arrival	05:05 (5 minutes)
Incident	<p>Disturbance/Nuisance</p> <p>Informant states he is outside the Mixed Grill and male keeps following him. Description of the offender and vehicle provided. Police attend and words of advice given. Log closed stating that there appears to be problems between Mixed Grill and the owner of Mega Byte.</p>
Guardian	N/A
Arrest	N/A
Disposal	N/A
Related	Yes – at the location and call from member of staff.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	5 (linked to 6)
Date	14/07/11 – Thursday
Time	03:07
Informant	MOP
Log no.	AS-20110714-0102
Police Arrival	03:15 (8 minutes)
Incident	<p>VAP – Assault</p> <p>Location – Mixed Grill. Informant reporting that a friend has been asked to leave the kebab shop and has head has been stamped on by Greek kebab shop owners. The informant keeps the victim in a nearby telephone kiosk for safety. The informant leaves the location as he feels uneasy about making the call. The victim remains in the TK. BANES CCTV has not captured the incident. Police arrive and the victim is arrested after he assaults police. The suspect is taken to hospital prior to custody.</p> <p>Staff report to officers that the arrested male said “go back home!” as he left the shop and then swung a glass bottle towards the window, which missed.</p>
Guardian	83300/11 – Racially aggravated Public Order
Arrest	1 arrest – 52SB/2702/11
Disposal	Charged S5 POA
Related	Yes. Informant reporting that incident is taking place at the premises.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	6 (linked with 5)
Date	14/07/11 – Thursday
Time	03:10
Informant	MOP
Log no.	AS-20110714-0104
Police Arrival	X-ref to AS-20110714-0102
Incident	Disturbance/Nuisance MOP reporting a drunk male just went into the kebab house and then tried to throw a bottle at the window. He then fell over and hit his head and is claiming he's been assaulted by staff.
Guardian	N/A – as above
Arrest	N/A – as above
Disposal	N/A – as above
Related	Yes. Informant reporting that incident is taking place at the premises.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	7
Date	10/07/11 – Sunday
Time	20:53
Informant	Member of staff from Mixed Grill
Log no.	AS-20110710-1210
Police Arrival	Units committed so no Police attendance
Incident	<p>Disturbance/Nuisance</p> <p>Incident location given as Mixed Grill. Informant states there is an intoxicated male in the store and clears the line. A male could be heard shouting in the background. The informant is recalled and a description of the male is obtained. By this time the male has left the shop and is in the middle of the road. Police units are committed and call is downgraded as male has left.</p>
Guardian	N/A – no offences disclosed
Arrest	N/A
Disposal	N/A
Related	Yes. Informant is a member of staff at Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	8 (linked to 9)
Date	11/06/11 – Monday
Time	21:45
Informant	Male provides address as Mixed Grill
Log no.	AS-20110611-1279
Police Arrival	See linked log below
Incident	<p>Harassment/Threats</p> <p>Location given as London Road. Informant reporting that he is being followed by a white vehicle. The driver is believed to be a male involved with Mega Byte and the informant believes this male is trying to kill him. The informant states he has reported this previously to the Police but nothing has been done. Informant advised to attend Bath Police Station.</p>
Guardian	N/A
Arrest	N/A
Disposal	N/A
Related	Yes. Informant provides his address as Mixed Grill so believe he is an employee there.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	9 (linked to 8)
Date	11/06/11 – Monday
Time	21:53
Informant	Member of staff at Mixed Grill
Log no.	AS-20110611-1285
Police Arrival	00:04 (2 hours 1 minutes)
Incident	<p>Harassment/Threats</p> <p>Location provided as Mixed Grill. Informant reporting that he is being followed by the family of his partner's ex-partner, he is very scared and that he is at his uncle's shop. Informed that the other party is not at the location at the current time but he sees them walk past every now and again. The informant is spoken to and explains that this is the same male involved in an incident the previous night. Police attend and speak to both parties. Words of advice given.</p>
Guardian	Intel report submitted
Arrest	N/A
Disposal	N/A
Related	Yes. Call is from a member of staff at Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	10
Date	10/06/11 – Sunday
Time	22:58
Informant	Unknown
Log no.	AS-20110610-1437
Police Arrival	23:01 (3 minutes)
Incident	<p>Disturbance/Nuisance</p> <p>Location provided as Mixed Grill. Informant sounded out of breath and cleared the line. Recalled. A lot of shouting and a disturbance heard and the word "Police" shouted. Police arrive at the location. One male from the shop states that he has been threatened by males from the other kebab shop and one male pulled a knife on him. A vehicle is searched and no weapons found. The vehicle is linked to Mega Byte on PNC. A dog unit also attends (8 officers in total).</p>
Guardian	N/A
Arrest	No arrests made.
Disposal	N/A
Related	Yes. Location given as Mixed Grill and incident involves staff at the premises.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	11
Date	13/03/11 – Sunday
Time	01:30 - 02:30
Informant	MOP
Log no.	Reported via website
Police Arrival	Police attendance not required.
Incident	Theft Informant reporting that he left his bag in the shop after ordering some food. When he returned the bag had been stolen.
Guardian	29389/11 - Theft
Arrest	N/A
Disposal	Filed as no CCTV of incident.
Related	Yes. Informant providing location as Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	12
Date	02/03/11 – Wednesday
Time	18:13
Informant	Member of staff at Mixed Grill
Log no.	AS-20110302-0870
Police Arrival	Resolved without Police attending
Incident	<p>Assault</p> <p>Informant reporting that he has received threats from a male called “Dave”. The threats were to his life and happened a week ago. The informant states that he has already told the Police but wants to come to the station to discuss other matters. Provides a previous Guardian reference 7315/11 which doesn’t link to him. An appointment is booked for informant to attend Bath Police Station. Informant fails to attend the appointment. A Guardian is raised 04/03/11 and the log closed.</p>
Guardian	25727/11 – Threats to kill CRI only as victim failed to cooperate with investigation.
Arrest	N/A
Disposal	NFA – victim was uncooperative.
Related	<p>Yes. Reported by member of staff.</p> <p>The original Guardian was 7153/11 – see 19/01/11.</p>

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	13
Date	11/02/11 - Friday
Time	01:50
Informant	MOP
Log no.	AS-20110211-0073
Police Arrival	Police attendance not required.
Incident	Contact Informant reporting that Mixed Grill is still open and serving food and it does not have a licence. Informant has previously phoned the Council and they told him it should only be open until 01:00.
Guardian	N/A
Arrest	N/A
Disposal	N/A
Related	Yes. MOP stating location is Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	14
Date	25/01/11 - Tuesday
Time	17:30
Informant	Member of staff at Mixed Grill
Log no.	AS-20110125-0824
Police Arrival	18:37 (1 hours 7 minutes)
Incident	<p>Assault.</p> <p>Informant reporting he has been receiving calls all day and they have threatened to kill the informant and burn the shop. The log refers to an incident on 19/01/11 and that as a result calls should be treated as urgent. A further call is received stating that the men have phoned and told him they are going to be at his shop in a minute. Police attend. CCTV is aware and monitoring.</p>
Guardian	9925/11 – Malicious Communications
Arrest	N/A
Disposal	NFA – unable to identify caller has number withheld.
Related	Yes. Victim is a member of staff at Mixed Grill and provided this as the location.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	15
Date	19/01/11 – Wednesday
Time	03:11
Informant	Male at Mixed Grill
Log no.	AS-20110119-0075
Police Arrival	03:21 (10 minutes)
Incident	<p>VAP – Assault</p> <p>Informant provides the location as Mixed Grill kebab shop and states there are 4 or 5 males being violent and causing problems in the shop. Informant says the males are Turkish and think they have come to cause trouble, to hurt a member of staff and may have weapons. Informant refused to provide his name and cleared the call. CCTV operator can see 5 males inside the premises but no weapons. Police attend and 2 males are arrested for public order.</p> <p>Guardian states that 2 males entered the shop and purchased food and then returned with number of other males. The victim (member of staff at Mixed Grill) was told by the males that they had been sent to kill him and that if he didn't leave the country by Wednesday he would be dead and his body would go back to Turkey.</p>
Guardian	7153/11 – S5 Public Order
Arrest	2 arrested – 52SE/228/11 and 229/11
Disposal	NFA – CPS advice
Related	Yes. Male states the incident is at Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	16
Date	16/01/11 – Sunday
Time	22:59
Informant	Member of staff at Mega Byte
Log no.	AS-20110116-1221
Police Arrival	23:07 (8 minutes)
Incident	<p>Disturbance/Nuisance</p> <p>Location given as London Road. Stated he was in the kebab shop and 4-5 males were swearing at him and trying to fight him. He says they showed him a knife in the kebab shop and although the offenders are still there, he is safe in his vehicle. Police attend and cannot ascertain who caused the initial incident. Words of advice are given to all parties.</p>
Guardian	N/A – no offences disclosed. Intel submitted regarding the Community Tension.
Arrest	N/A
Disposal	N/A
Related	Yes. Informant states incident happened at Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	17
Date	12/01/11 – Wednesday
Time	01:04
Informant	MOP
Log no.	AS-20110112-0032
Police Arrival	Police attendance not required.
Incident	<p>Licensing</p> <p>Informant reporting that Mixed Grill is still open and that despite their licensing stating they are open until 01:00 they are staying open until 03:00 – 04:00. Call handler looks at previous logs and sees that as the premises is not selling alcohol the reported matter should be dealt with by the council.</p>
Guardian	N/A
Arrest	N/A
Disposal	N/A
Related	Yes. Informant stating the incident is at Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	18
Date	31/12/10 – Friday
Time	00:58
Informant	MOP
Log no.	AS-201001231-0046
Police Arrival	Police not required to attend
Incident	Contact Record. Informant reporting that Mixed Grill is opening later than its licence permits. Logged for info; as no alcohol is sold so not a Police issue.
Guardian	N/A
Arrest	N/A
Disposal	N/A
Related	Yes. Informant provides the location as Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	19
Date	29/12/10 – Wednesday
Time	23:57
Informant	Member of staff at Mixed Grill
Log no.	AS-20101229-1239
Police Arrival	00:04 (7 minutes)
Incident	<p>Disturbance/nuisance</p> <p>Informant stating that there is a drunk male in the shop trying to fight staff. The male usual comes in and gets free food just so staff can get rid of him but on this occasion he is drunk. Male leaves prior to Police arrival and BANES CCTV monitor the situation. Male is followed by CCTV and arrested following a foot chase.</p> <p>Statement provided by the victim stating he was punched to the face and racial comments were made.</p>
Guardian	156513/10 – Racially aggravated assault
Arrest	1 male 52SE/4522/10
Disposal	NFA – Police advice after the victim who is a member of staff at the shop failed to attend a VIPER viewing.
Related	Yes. Informant states the incident is inside the premises

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	20
Date	23/12/10 – Thursday
Time	19:02
Informant	MOP – relative of victim
Log no.	AS-20101223-0964
Police Arrival	Appointment made
Incident	<p>VAP – Assault</p> <p>Location given as London Road. Informant calling on behalf of his nephew, the victim. Victim attended the Mixed Grill to see two people who work there as one of them owes him money. When he got to the Mixed Grill he states he was assaulted by the male who owes him money and a second male. The victim provides the name and description of the male who owes him money. Victim taken to hospital by the informant.</p> <p>Guardian report details that victim was told he would be killed and cut and was punched to the head, chest and back causing bruising.</p>
Guardian	155098/10 – Assault ABH
Arrest	2 males arrested – 52SE138/10 and 188/10
Disposal	NFA – Police advice due to insufficient evidence.
Related	Yes. Victim states the incident took place at Mixed Grill and involved members of staff.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	21
Date	23/12/10 – Thursday
Time	01:27
Informant	MOP
Log no.	AS-20101223-0061
Police Arrival	Police attendance not required
Incident	<p>Contact Record</p> <p>Informant alleging that Mixed Grill is open beyond its licensed hours and should close at 01:00 but is still serving customers. As there is no alcohol licence involved it is not a Police matter and the log is closed.</p>
Guardian	N/A
Arrest	N/A
Disposal	N/A
Related	Yes. Informant provides location as Mixed Grill.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	22
Date	10/12/10 - Friday
Time	03:31
Informant	Member of staff from Mixed Grill
Log no.	AS-20101210-0083
Police Arrival	03:57 (26 minutes)
Incident	<p>Disturbance/Nuisance</p> <p>Informant reporting that there are four males outside the address who work at the takeaway down the road and are trying to fight them. Informant reluctant to provide descriptions of people involved. Police attend close the log stating that it was a dispute between employees from rival restaurants.</p>
Guardian	N/A – no offences disclosed. Intel report submitted.
Arrest	N/A
Disposal	N/A
Related	Yes. Call from Mixed Grill staff.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	23
Date	06/12/10 – Monday
Time	01:17
Informant	MOP
Log no.	AS-20101206-0032
Police Arrival	Police attendance not required
Incident	<p>Disturbance/Nuisance</p> <p>Informant reporting that there are sounds of a disturbance at Mixed Grill. States that he could hear 3-5 voices outside talking possibly in Arabic. Informant cannot see the front of the takeaway. A call is made to Mixed Grill ad staff inform the Police that nothing is happening and that it is just the night time economy.</p>
Guardian	N/A
Arrest	N/A
Disposal	N/A
Related	Tenuous. Informant provides location as Mixed Grill but cannot see from her location.

12/11/2011 Produced by PC 1287 Gemma Kirby

Incident no.	24
Date	06/12/10 – Monday
Time	01:46
Informant	Unknown
Log no.	AS-20101206-0037
Police Arrival	02:10 (24 minutes)
Incident	<p>Contact Record</p> <p>Informant is in the Mixed Grill and states that persons from another kebab shop across the road are trying to fight. Police arrive as the informant is on the line. There are no complaints and the attending unit submit an intelligence report stating that there are on going issues between Mixed Grill and Mega Bytes.</p>
Guardian	N/A - no offences disclosed. Intel report submitted
Arrest	N/A
Disposal	N/A
Related	Yes. Caller states incident is at Mixed Grill.

AVON AND SOMERSET CONSTABULARY

RESTRICTED (when complete)

MG11T

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN

Statement of Martin Michael Holliwell

Age if under 18 Over 18 (if over insert 'over 18') Occupation Police Constable

This statement (consisting of 6 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature

Date 2nd November 2011

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am Police Constable 1665 Martin Michael Holliwell of the Avon and Somerset Constabulary, currently stationed at Bath Police Station. I joined the Constabulary in 1990, and until 2003 was stationed in Bristol. In 2003 I became the Beat Manager for Weston village, Bath, and in 2006 I became the incumbent Beat Manager for the Walcot, Lambridge and Lansdown wards. I have been a uniformed Officer since 1990, and have worked as a Beat Manager in various locations for at least half my Service.

One of my current wards, Walcot, encompasses the area around London Road and Cleveland Bridge. This is an area with high volumes of traffic and pedestrians; the area is as busy during the night as it is in the day. London Road and Cleveland Bridge form the link between the A36 and the A46 and the M4 and the road is constantly busy. The limited parking spaces are now "Residents Only", severely limiting any visitors' ability to park legally on this busy thoroughfare.

The area is also densely populated, with flats above the shops on the bridge, and houses adjacent to both sides of the rank of shops. It is a main pedestrian route into and out of Bath city centre, for residents of Snowhill, London Road and Larkhall as well as places further afield.

Signature:

Signature witnessed by:

2006/07 (1)

RESTRICTED (when complete)

AVON AND SOMERSET CONSTABULARY

RESTRICTED (when complete)

MG11(CONT)

Page No 2 of 2

Continuation of Statement of: Martin Michael Holliwell

The area has a number of late night takeaways and late night establishments – it is possible to purchase alcohol in two nearby outlets, until 2200 hrs (Morrisons and London Road Stores), and I would describe these outlets as well run and well managed.

It has been my experience, both here and in Bristol, that serving alcoholic beverages in late night takeaways is downright dangerous. Many pedestrians walking home from the City Centre, especially on weekends, will have consumed a lot of alcohol. At the moment, they will stop off at a Takeaway and order a meal; I have had complaints from residents that matters have got out of hand whilst late night revellers are waiting for their food – I have witnessed this myself in the City Centre, where fights can break out at a moments' notice, over spurious reasons.

The presence of alcohol on the premises, in my opinion, would only serve to exacerbate the issue – at present there are no premises on this side of Bath that have a late night licence, and, again in my opinion, the presence of alcohol would serve as a catalyst for people to meet and linger and drink in the street outside; the potential for Public disorder, road traffic collisions, noise, anti social behaviour and disruption to local residents would be increased massively.

Signature:

Signature witnessed by:

2006/07 (1)

RESTRICTED (when complete)

16, Walcot Buildings,
Bath. BA1 6AD

The Licensing Team,
9-10, Bath Street,
BATH BA1 1SN.

17th November 2011.

Dear Sirs,

Ref: 11/0400/LAPRE.

Flames take away, 4, Cleveland Place East. Changes to late night licence.

I would like to register my formal objection to the published application to serve food at the above premises until 5 am every day and to sell alcohol for 24 hours every day.

My grounds for objection areas follows:

Prevention of Crime and Disorder.
Prevention of Nuisance.

There is ample evidence that late night and early hours food and alcohol premises often attract the attention of people who are already fuelled up on alcohol. The government has voiced its concerns over the late night binge culture evident in so many of our cities, and the local authority in Bath has already had to address this problem in the city centre by enforcement of more strict licensing on some premises and an almost total ban on street drinking in the city centre. The city has also found it necessary to employ city centre marshals to maintain order.

Although Cleveland Place is not classed as city centre, it is at the junction of the London Road and Bathwick Street, both are major public thoroughfares, both are main routes for revellers on their way hom. from the city centre and both are residential streets. Unfortunately, without the benefit of city centre marshals, residents have little protection against the low level disorder and petty crime and occasional more serious crime that affects the area in the early hours.

We already have late night food outlets at Dominoes and at Megabites. Neither is permitted to sell alcohol over the counter, although Megabites does offer a delivery service, which has recently drawn adverse comment.

The proposal at Flames to sell alcohol over the counter will only serve to increase a supply that is already amply served elsewhere during the day and early evening. The proposal to also supply alcohol in the early hours is really an invitation to those who most probably should not be consuming alcohol at all.

In recent press reports, the applicant representing Flames said that his staff are able to keep order on the premises. Whilst I do not doubt their abilities, these requirements stop at the front door of the premises. Once in the street, the licensee has little or no legal responsibility for the behaviour of their customers.

Some years ago, I drew the attention of Social Services to the number of vagrants who live in the woods across the river from Grosvenor. They remain there to this day. Since that time a second group has found a home under the arches on the northern approach to Cleveland Bridge.

Whilst fully acknowledging the plight of these individuals, the London Road is frequently treated to the spectacle of members of this group drunk on the pavements. It is both irresponsible and unkind for the authorities to consider the introduction of a facility to allow these unfortunates to acquire even more alcohol at every hour of the day and night.

On a more general point of comment: I am aware that local residents have found the staff at Flames quite uncooperative in providing the identity of the owner and or the manager. Whilst I am aware that the 2003 Licensing Act takes a somewhat open view of who can apply for both a personal and a premises licence; I would suggest that the B&NES licensing team satisfy themselves that the applicant, Mr Jamie Bryan, can demonstrate a sufficiently close interest in the premises to ensure that he can meet his responsibilities within the terms of the Act.

Yours sincerely,

Alex Schlesinger

From:
 Sent: 20 November 2011 22:13
 To: Licensing
 Subject: application 11/0400/LAPRE application 11/0400/LAPRE
 Flames / Mix Grill, Cleveland Place

As a local resident i wish to object to this application on the grounds that the hours requested are excessive and therefore likely to cause a public nuisance.

This is a largely residential area, and despite the London road is relatively quiet at night. Bath is not a 24 hour city.

Any license granted should be for broadly similar hours to those operated by local pubs etc. (typically closing 11pm weekdays and 1am weekends at the latest) Alcohol related disturbance has been a problem in this area in the past - I know from experience that being woken by a bottle smashing a bedroom window is not pleasant.

Notes:

- i. The license application appears to be in a different name to the trading name displayed on the shopfront.
- ii. Vehicles associated with this business regularly park inconsiderately - on yellow lines, pavements, and seemingly deliberate double parking to "reserve" spaces for each other. This also causes a problem for residents. Is it possible to add conditions to the license to reduce this ?

Thanks

Resident of Walcot Terrace

-----Original Message-----

From:
 Sent: 30 November 2011 23:15
 To: Emma Stoneman
 Subject: Re: application 11/0400/LAPRE

Ms Stoneman,

Thankyou for your mail.

My comment about parking relates to staff and delivery drivers, not customers - the vehicles seem to be there most of the evening or come and go, with the same ones there regularly. I attach a photo taken earlier this year to illustrate -

the three vehicles behind are all half on the pavement, and are then doubled up by others in front.

Thanks

Resident



From:

Sent: 17 November 2011 16:10

To: Licensing

Subject: Comments on the Flames Takeaway

To whom it may Concerned:

I am a resident at . My families and I have seen the notice about the Flames Takeaway and felt very unhappy about their plan.

We don't mind there will be a takeaway which opens until 5 am, however we do mind that they also will serve the alcohol 24 hours per day!!

There has been many pubs nearby. 3 days of a week, it can be seen that a lot of drunk people walking around nearby, shouting, yelling and laughing very loudly. If they also will sell alcohol, especially 24 hours per day, there would be more people making noises in the night around this area.

Also, a lot of young people go to the takeaway shops frequently. If they also sell the alcohol to them, it will harm their healthy as well as harm the society safety!

Therefore, we are against their plan!

Kind Regards!

-----Original Message-----

From:

Sent: 20 November 2011 18:22

To: Emma Stoneman

Subject: Flames- new licensing

Dear Emma,

I have received a letter through my door, ref the above 24 hour liqueur licensing and food until 5am. I am extremely concerned about this being bought into our community due to the society that we live in, being an alcohol fueled one. Then crimes and drugs are what comes from alcohol, and it is sad to say it but it is true.

You have to get to my apartment via the side ride behind Flames, being a single female who resides on her own, it is enough coming down a dark alley but not knowing what could be waiting, or glass on the floor etc.

Society tend to resort to alcohol for escapism and thus cause trouble, we are increasing the chance of someone's vulnerabilities as alcohol will be sold via an easy way.

Here are my concerns. I am not happy about it due to crime, noise, drugs, vandalism etc

Kind regards

From:

Sent: 25 November 2011 15:06

To: Licensing

Subject: 11/0400/LAPRE Flames Grill Cleveland Place East

Dear Sirs,

I have been informed that there has been an application for a 5am alcohol license for Flames Grill on Cleveland Place East.

I am strongly object to this application for the following reasons.

1) There is already a funnel neck effect that happens with people leaving night clubs and bars who head out towards the London road area, they are already drunk and noisy and giving them a chance to fuel their intoxication further isn't acceptable.

2) Violence is already prolific in this area on a Thursday Friday and Saturday night, which very often ends police called to the area, I thinking that when these yobs find out there is another place to purchase drink late at night it will only bring more of these yobs to the area. May I also add that on more than one occasion it has been the members of staff from Flames who have been involved in the violence.

Please can you advise me if my objection to this application will be anonymous

regards

Resident, BA1 5DG

From: Fabric Mills
Sent: 16 November 2011 12:11
To: Licensing
Subject: FLAMES Takeaway

11/0400/LAPRE

I am writing regarding the proposed late night opening for Flames Takeaway at: 4 Cleveland Place East Bath.

We are very concerned as we already have to clean the doorway of our shop in the mornings with rubbish left from customers leaving the takeaway. We also have had our windows broken in the last 3 months.

From a crime prevention and disorder point of view and also public nuisance we do not want the proposal to go ahead.

Kind Regards

Frances Farquhar
Manager of Fabric Mills
1 Cleveland Place East
London Road
Bath
BA1 5DJ

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:	11/0400/LAPRE
Applicant's name:	Flames Takeaway
Premises name and address:	4, Cleveland Place East [REDACTED]
Application for a:	24 hour alcohol license

Objector Details:

Objector's Name:	Graham Hudspith
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.	[REDACTED] 6 Cleveland Terrace [REDACTED] BA1 5DF
Organisation name if applicable:	[REDACTED]

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

☐

Dear Sirs,

I am objecting to the 24 hour alcohol license application by Flames takeaway. This area already suffers from the effects of the takeaway businesses in the area with the amount of litter that it strewn about the place.

Added to this is the social effect of drunks in the area. I have frequently returned from a night out myself to find somebody urinating in my doorway, my car has been vandalised on numerous occasions and I am frequently disturbed in the late evening by groups of people either shouting or fighting (on one occurrence this was so serious I had to call the police).

By granting this license you will be inviting every drunk in Bath to congregate in the area, thus making the place a no-go area in the evening for residents.

As I mentioned at the beginning, the area suffers from litter pollution, however, not once have I seen members of Flames staff dealing with this away from their shop frontage. Therefore I can only conclude that they do not actually care about the effect they are having on the local residents, a conclusion backed up by this ridiculous application.

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

G Hudspith

Date

19/11/2011

Contact telephone number(s)

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

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 G Hudspith

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):

-----Original Message-----

From:

Sent: 30 November 2011 20:34

To: Emma Stoneman

Subject: Licence Application 11/04000

The on line site is not working and ask that you take into account the following comments Re: Flames 4a Cleveland place East BA1 5DJ Application 11/04000

Dear sir,

I wish to make representation on the premises licence variation application 11/04000 to extend the hours for the sale and supply of alcohol and late night refreshment to permit 24-hour operation of these premises.

My concerns in regard to this application relate to the public nuisance and crime and disorder licensing key objective. I am concerned that this will result in a precedence being set, in that no other premises in this immediate area are current permitted to operate during this period. The late night atmosphere of the immediate area having been significantly improved following closure of both The Long Acre Tavern and Burdalls Yard.

The location is primarily residential, whilst I accept there is high traffic flow and commercial activity during the day, after midnight the location is a low background noise area, which permits these residents to have a acceptable balance of quiet enjoyment of their dwellings. By extending this premises licence this balance would be significantly tilted towards the commercial use and residents would in my opinion be negatively impacted.

I consider that the premises, due to its later operation would become a destination premises, attracting persons, who would not normally come to this area. This would result in persons loitering outside the premises, additional cars being attracted, parking up outside my property and other residential areas, as it can be difficult to park close to the premises at night. This an the incumbent noise will create a late night disturbance.

I also have concerns at the availability of alcohol on a 24-hour basis. Whilst I appreciate a condition that alcohol sales can be ancillary to a substantial take away meal this is likely to attract those seeking further alcohol late into the night which In my view would only exacerbate the problem and the crime and disorder issues that currently exist.

I consider that if the hours are extended as proposed in this application, this problem would become more prominent and have a severe detrimental impact on our area would arise. I consider this application is wholly inappropriate for the late night residential ambience of this area and would request that the application is refused.
yours sincerely

From: Jane Evans
Sent: 13 November 2011 17:39
To: Licensing
Subject: Application No 11 /0400/LAPRE

I write to record my objection to the application for the licence to serve food to 5.00am and alcohol for 24 hours a day.

The premise in question is located in a residential area and the encouragement of late night eating and drinking will only increase the level of disorder in this location. Anyone who is seeking to acquire alcohol in the early hours of the morning is likely to have been drinking at pubs and clubs already and therefore more likely to cause trouble and noise and disturbance. Even at other hours the provision of alcohol is only going to encourage the hanging around the premises causing a general nuisance.

There is already a tendency to hang around in the shelter of the toll houses on Cleveland Bridge which means that it can be intimidating for pedestrians to pass by and also leads to damage and litter. Provision of alcohol is only likely to increase this problem. The toll houses are listed buildings regularly photographed by tourists and others there damage and the loitering of drinkers does nothing for the image of Bath.

I therefore do not believe that this is an appropriate location for provision of an alcohol licence and indeed the late night provision of food is also likely to cause a nuisance and increase the likely hood of crime.

Jane Evans

4 Cleveland Bridge
Bath
BA1 5DH

16 NOV 2011

ANNEX E

14th Nov 2011

Post Log No:
Receipt No:
CH/CA £:

Application Number. 11/0400/LAPRE

Dear Sirs,

Re: application for a licence to serve food until 5 A.M. every night & to stay open to sell alcohol 24 hours per day.

I strongly oppose the granting of both licences to FLAMES Takeaway at 4 Cleveland Place East on the four grounds in your note. Clearly if the licences were granted, it would lead to people spilling out on to the pavement accompanied by their noise, possibly fighting & vomiting. & is there any real need for premises to be selling food until 5 A.M. & alcohol 24 hours per day?

Yours faithfully,

-----Original Message-----

From: Justine

Sent: 20 November 2011 22:31

To: Emma Stoneman

Subject: Flames takeaway Cleveland place east

I wish to register my objection to flames take away being allowed to sell alcohol until 5 am. The area is potentially vulnerable to anti social behaviour anyway so it seems folly to add this. I live at Cleveland reach which can be vulnerable down an alleyway and I would feel less safe at night if the takeaway became a magnet for those seeking more alcohol in the early hours.

Thank you

Justine hocking

1 Cleveland reach

Bath

Ba1 5db

-----Original Message-----

From:

Sent: 29 November 2011 13:03

To: Licensing

Subject: Licence Application: 11/04000/LAPRE

Dear Licensing Team,

My Husband and I are near by residents of Mix Grill (aka Flames). And I have two main concerns about the licence application 11/04000/LAPRE.

Prevention of Crime and Disorder:

Over the last eighteen months there have been numerous incidents outside Flames to which the police have been called. On at least one occasion an ambulance has been called out as a result of violence.

Prevention of Public Nuisance:

There have been a number of occasions this year where there has been shouting and arguments on the street in the evenings outside this business.

I'm alarmed that not only will there be off-sales of alcohol but that alcohol can be consumed on the premises all through the night. This is already a loud and raucous area attracting many late night drinkers I have concerns that these incidents will escalate.

I am concerned that Flames may be selling alcohol to intoxicated people late at night.

Kind regards,
Resident

BA1 5DG.

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:	11/0400/LAPRE
Applicant's name:	Flames Takeaway
Premises name and address:	4, Cleveland Place East Bath
Application for a:	24 hour alcohol license

Objector Details:

Objector's Name:	
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.	Cleveland Terrace
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

☐

Dear Sirs,

I am objecting to the 24 hour alcohol license application by Flames takeaway. This area already suffers from the effects of the takeaway businesses in the area with the amount of litter, noise and antisocial/druken behavoir from those frequenting the said takeaways.

This application show no consideration for existing residence of the area who do not wish to be disturbed until the early hours of the morning by drunken party goers who will be seeking out Flames as an area to congregate and continue drinking and revelling.

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

29/11/2011

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:	
Applicant's name:	Mix Grill
Premises name and address:	Cleveland Place, Bath
Application for a:	Licence to sell alcohol

Objector Details:

Objector's Name:	Dr Lavinia Byrne
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.	6 Cleveland Place West, Bath BA1 5DG
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

☐

I believe that there is perfectly good enough alcoholic provision with a well-regulated pub, The Curfew on Cleveland Place.
Any further provision would change the character of the area and lower the profile of this important gateway into central Bath.

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

Lavinia Byrne 12/11/2011

Date



Contact telephone number(s)
(This is essential as we may need to contact you at short notice)

20 November 2011

Licensing Team
Bath and North East Somerset Council,
9-10 Bath Street
Bath
BA1 1SN

By e-mail to: licensing@bathnes.gov.uk

Dear Sirs,

Application: 11/0400/LAPRE

Residents in the area surrounding *Flames Takeaway* at 4 Cleveland Place East, Bath, have to put up with high levels of noise from traffic, emergency vehicle sirens and arguments between pedestrians travelling along London Road and across Cleveland Bridge.

I object to the extension of a takeaway license until 05:00 and a 24-hour alcohol license on the following grounds:

1. *Prevention of Crime & Disorder.* When *Flames* first started operations at Cleveland Place East, they closed at 04:00 and at night there were often arguments and fights outside the premises. There were some incidents of serious crimes (grievous bodily harm) where groups of youths attacked customers who were waiting for food. Anything which increases the threat of alcohol-related crimes puts the residents of the area at risk.
2. *Public Safety.* In view of the above risk of Crime and Disorder, what precautions will be taken to prevent harm to members of the public? The levels of litter scattered around on the pavements, particularly if it is greasy, will put pedestrians at risk of falls. Large numbers of customers waiting to be served will increase the noise levels and the risk of aggression towards members of the public and cause congestion on the pedestrian area next to a busy road. There is still quite a high level of vehicle traffic on the A36 and A4, even in the early hours of the morning.
3. *Public Nuisance.* As in point 3. above.
4. *Threat to young persons.* The threat to young persons (particularly those of school age) at night might not be increased, but the risk of them having yet another means of access to alcohol at any time of day and night should not be granted. There have been incidents elsewhere in Bath of under-age persons buying alcohol from food outlets and it would be unwise of the Council to condone another threat to children. Those who wish to purchase alcohol to drink elsewhere than in licensed premises have sufficient other outlets in Bath during the daytime.

Yours faithfully

From:

Sent: Friday, November 11, 2011 4:34 PM

To: licensing@bathnes.gov.uk

Subject: 4 Cleveland Place - Application No. 11/0400/LAPRE

To: Licensing Team, B&NES Council

From:

As a local resident I am pretty horrified by the application by FLAMES takeaway for a licence to sell food to 5am and alcohol for 24 hours a day.

Because London Road is much used by people returning home in particular from the city centre late at night/in the early hours, we already experience a good deal of nuisance and disturbance from such people. I have no problem with people enjoying themselves or even getting a bit tiddly on alcohol on a good night out, but it is important not to let that nuisance expand into something more serious and damaging for local residents. This is after all a dense residential area. Currently it is common for some revellers to drop their food wrappings, bottles and cans on the street, into doorways and even into the basement areas of local houses. So, another potential stopping place on the route home where alcohol can be purchased/consumed and food bought in takeaway form is bound to exacerbate this problem.

Noise is also a nuisance with revellers passing along London Road at night when there is no traffic noise. It is the nature of the terraced buildings which magnify and echo the sound, so that even slightly noisy conversations can be heard clearly word for word over a considerable distance. My feeling is that more alcohol/late night food, available from a site nearby, is liable to add also to that noise disturbance.

I suspect too that the site of FLAMES selling fast takeaway food, and near a street corner, would encourage little groups to form and stand around as they consumed their purchases. Such behaviour promises even more noise and a lot more litter. Heaven forbid! We should have the street around Cleveland Place swept virtually every morning now, to try to keep the dirty litter down, but it is actually the shopkeepers and residents who currently clear up the recurring mess.

We have seen an increase in street violence overall since 24 hr licencing became more common. Most responsible citizens accept that there is rarely a good case for granting a 24/7 alcohol license, so why would we support this application anyway?

In my view there is already plenty of provision for food and drink in that part of the London Road in any case. Are we going to allow over time, a proliferation of all-night bars/cafes in the area? This promotes the kind of negative image this area of Bath is trying to escape from, not endorse.

From: Martin Robinson
Sent: 17 November 2011 19:55
To: Licensing
Subject: Flames Takeaway, 4 Cleveland Place East - Ref: 11/0400/LAPRE
Importance: High

Dear sir, .

I am lead to believe that the above referenced business has applied for a Licence to serve food until 0500 and to stay open 24 hours a day selling alcohol.

I would like to register my **extreme objection** to this licence request, on the following grounds:

1. Public Nuisance - Antisocial behaviour from the customers of both this establishment and others (local pub and other takeaways) in the area is already happening and giving them more access to alcohol (outside pub opening times) will only make things worse
 - a. Specifically: Drunken behaviour, littering and acts of fouling (urinating in the alleyway down to Cleveland Reach) are already happening and will only get worse with increased access to alcohol
2. Prevention of Crime & Disorder
 - a. As above, late night drunkenness and general antisocial behaviour in the area around the takeaway and down to Cleveland Reach already happens and allowing a takeaway to open all hours selling alcohol will only exacerbate the current situation
 - b. The police are already seen far too often in the vicinity and allowing this business to sell alcohol and food for extended hours will only cause increased incidents requiring police intervention

As a final comment, this is a residential area where the vast majority of residents do not need access to food and alcohol throughout the night. The vast majority should therefore not be made to suffer from the minority (who may not even live around the area) that will abuse the easy access to alcohol and be a public nuisance and commit crimes and disorder

Yours faithfully,

Martin Robinson
6 Cleveland Reach
Bath
North East Somerset
BA1 5DB

-----Original Message-----

From: Michael Jones

Sent: 12 November 2011 09:00

To: Licensing

Subject: Cleveland Place Mix Grill/Flames application

Dear Sirs,

As a local resident I am aware of the growing incidence of excessive drinking in the graveyard around of St. John's Church and the nearby Memorial Chapel graveyard. I therefore wish to register my strong opposition to giving an alcohol licence to Mix Grill/Flames in Cleveland Place.

There are already several local off licences, including McCalls in Bathwick Street and Argyll Street as well as the general store adjacent to Mix Grill, so the availability of alcohol during reasonable hours is not an issue. Making alcohol available throughout the night invites and exacerbates problems.

I intend to contact local councillors about this issue, but trust that as local officials you will appreciate and respond to the concerns of local residents.

Yours faithfully,

Michael Jones

1 Brompton House,
St. John's Road,
Bathwick

Tel. 01225 335988

From: michael jones

Sent: 17 November 2011 18:02

To: Emma Stoneman

Subject: Re: Cleveland Place Mix Grill/Flames application

Dear Emma,

My further comments are below:

The sale of food and refreshment at *Mix Grill* is not a matter of concern for us, much as we would like ALL commercial premises in Bath providing food to be responsible for clearing their vicinity of the litter they have originated.

- Our concern over alcohol is based on years of noting the use made by drinkers and drug takers of the graveyards either side of our property. (It was originally the rectory for St. John's Church.) We and our neighbours have seen the use made of the graveyard as a place to urinate and to copulate.
- One rough sleeper is currently using the porch on Cleveland bridge as a base and he and others can already be seen drinking late there in the evening, without the addition of another nearby alcohol outlet.
- We and neighbours have contacted the police on several occasions, particularly when there have been alcohol-fuelled fights or altercations which impinge on passers-by or endanger the participants. On one occasion someone who was 'merely' dead drunk was taken to be dead, and reported as such by a panicking resident.
- Our immediate locality is a site for drug taking that is often linked with alcohol. We find broken bottles and used syringes on a regular basis and they constitute a major hazard for the young children who use the path behind our property as a route to school. On one occasion the council workers clearing the graveyard found a concealed knife with a six-inch blade.
- In recent months the vacant site at the top of St. John's Road has become the place of preference for local drinkers and at times the elderly and infirm residents of Bridgemoor House have had to run (well...zimmer!) the gauntlet of drinkers on the path by the graveyard.
- The memorial graveyard at the top of Henrietta Street is a popular drinkers' venue, particularly in the summer months.

I hope that these concerns will be taken into account when reaching a decision and will be sending a copy of this email to local councillors.

Regards,

Michael Jones

From:
Sent: 20 November 2011 11:08
To: Licensing
Subject: 11/0400/lapre

I object strongly to this license being granted and fully reiterate the comments of my neighbour Mr. Martin Robinson at No.6. My objections are mainly to points 1,2 & 3. This area has already become an environmental health hazard through pollution, noise levels, and anti-social behaviour, without adding insult to injury!

Yours sincerely,
Resident of Cleveland Reach

From:
Sent: 28 November 2011 12:00
To: Licensing
Subject: Proposed license for Flames takeaway

Dear ms Stoneman,
Thanks for reply re-above with objections guidelines.
The potential for crime & disorder will be greatly increased by the availability of alcohol around the clock and consequently the public nuisance that this will ultimately cause i.e. out of control individuals using threatening behaviour, foul language, vomiting on, and littering of public places and residential areas nearby. Returning to homes during late evening will be greatly affected by the possibility of having to 'run the gauntlet' of groups of drunks and the fear of any intimidating action that might ensue even up to our front doors.
Sincerely,

Walcot Terrace,

Re: **Flames 4a Cleveland place East BA1 5DJ Application 11/04000**

Dear sir,

I wish to make representation on the premises licence variation application 11/04000 to extend the hours for the sale and supply of alcohol and late night refreshment to permit 24-hour operation of these premises.

My concerns in regard to this application relate to the public nuisance and crime and disorder licensing key objective. This application will result in a precedence being set, in that no other premises in this immediate area are current permitted to operate during this period.

The location is primarily residential, whilst I accept there is high traffic flow and commercial activity during the day, after midnight the location is a low background noise area, which permits these residents to have a acceptable balance of quiet enjoyment of their dwellings. By extending this premises licence this balance would be significantly tilted towards the commercial use and residents would in my opinion be negatively impacted.

I consider that the premises, due to its later operation would become a destination premises, attracting persons, who would not normally come to this area. This would result in persons loitering outside the premises, additional cars being attracted, parking up outside my property and other residential areas, as it can be difficult to park close to the premises at night. This would extend the noise footprint from the premises closer to my property and result in car stereos blaring, slamming of car doors and loud voices in the street. I would add that the later this occurs the greater the intrusion residents like myself will experience, especially if we have bedrooms overlooking the street.

I also have concerns at the availability of alcohol on a 24-hour basis. Whilst I appreciate a condition that alcohol sales can be ancillary to a substantial take away meal can be attached to the varied licence, this I still find unacceptable. I would add that especially during the weekends, my front area is usually littered with the uneaten remains of takeaway meals, mostly kebabs. The packaging confirms that they have been purchased from these premises. In my view the extension of the operation of the premises would only exacerbate the problem and the crime and disorder issues that currently exist.

I consider that if the hours are extended as proposed in this application, this problem would become more prominent and have a severe detrimental impact on our area would arise. I consider this application is wholly inappropriate for the late night residential ambience of this area and would request that the application is refused.

yours sincerely

Walcot Terrace

ENVIRONMENTAL SERVICES	
18 NOV 2011	
Post Log No:	Receipt No:
BRIAN A. CANNON	

BATH.

Dear Sir/Madam

Re:- application No. 11/0400/LAPPE.

We are writing to object to the strongest terms about the proposed extension of hours and application for an alcohol license of the 'Frames' takeaway on Cleveland Place Bath.

Page 197

As there are other alcohol outlets on this stretch of the London Rd we feel this would only cause a public nuisance in what is a largely residential area. Aside from the noise & possible public disorder due to drunkenness it could also cause a public health hazard if broken

are glass & possibly people being strewn across the highway. We also feel this could cause unsocial behaviour which the local police would then have to deal with, taking the resources away from other more genuine emergency situations. Finally, although we understand at this time that alcohol would only be served with food on the premises or delivered with food, feel this could very easily be turned into what would be nothing more than a 24/7 off license

Yours faithfully

INTERESTED PARTY REPRESENTATION

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

I/We object to the following application:

Post Log No:
No:
CH/CA £.....

Application number:	11/04000 25/7/07
Applicant's name:	JAMIE BRIAN T/A MIXGILL
Premises name and address:	FLAMES 44 CLEVELAND PLACE EAST BAI 5DJ
Application for a:	

Objector Details:

Objector's Name:	MR ASBURY
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.	FLAT 4 12 WALCOT PARADE BATH BA1 5NF.
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



Making Bath & North East Somerset an
even better place to live, work and visit

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 ☐

In the last six months I have witnessed three fights in or in front of the kebab shop, the last one only last week, Thursday 22nd Nov when the workers in the flames takeaway were fighting with the workers from Art Style Computers only ~~the door~~ next door. This was at about 9pm and actually took place within the flames premises.

Surely, it is crazy to extend a alcohol licence when there is already so much trouble resulting from intoxicated people, including staff of the actual flames takeaway.

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

RAO 

Date

28.11.11

Contact telephone number(s)
(This is essential as we may need to contact you at short notice)

07826 826 484

(Copy)

ANNEX E

Application NO. 11/0400/LAPRE.

14 NOV 2011

Post Log No:
Receipt No:
CH/CA £:

Dear Sir/Madam,

Thankyou for advising me off the premises of the owner of 'Home' Takeaway & Cleveland Place East. As you the Council will be very aware of the junction here as I am and many people who have homes here and on the London Rd.

I purchased my property four years ago. This area does not need another Take away of any description as you have more than one already on the London Rd., the staff who deliver from one bangs on my window with other peoples pizzas not even checking my bell number (late). I can see the trouble from drinkers and men that hang around at night - in this area as young girls have to make there ways ~~ago~~ home from functions.

I was told they were trying to raise the standards of this area as London road is a major entrance to Twickenham Bath Rd. In answer to all 4 questions its NO.

You have a public house - Curfew Drink Corner food shop / sells alcohol very late. Prices for food real high for local families. Milk very expensive.

There have been fights - Burdals Yard was drugs you could see the cruising cars dealing. Person jailed for dealing. They also had plans for lap dancing. The streets rubbish / Cars idling.

London Rd needs more competition of cost store's for the young people at competitive prices. Morrisons may be there but its a dreadful road to walk and take young children.

(2)

You will never make anything off the London Road for this Bath City on Pittman and more drinking places, it will just need more cruising police cars as I see them doing now.

I am sorry to take so long and be so blunt but my children are adults and I watch the young people do sad what is offered for them

fatty foods late at night and yet more alcohol. Then there will be the extra something yes from the Friday nights and Saturdays there it is.

It's just encouragement for yet more trouble off and on for the Police resources.

Thanking you for notifying me

I remain yours sincerely

From: Nick Setchfield
Sent: 18 November 2011 13:14
To: Licensing
Subject: Application Number: 11/0400/LAPRE

Dear Sir/Madam,

I am writing to register my strong objection to the application by Flames Takeaway at 4 Cleveland Place East for a licence to serve food until 5 am and sell alcohol 24 hours a day.

I believe that if such a licence was granted it would be seriously detrimental to the nature of what is essentially a residential area. There is already a problem with late-night noise and rowdiness from the Bathwick Street bridge area, which will only be exacerbated by the granting of this licence.

I also believe that the easy availability of alcohol will attract an undesirable element of social nuisance, and will make the area feel considerably less safe and welcoming for local residents.

I urge you to turn this application down.

Yours sincerely,

G N Setchfield
3 Cleveland Reach
Bath
BA1 5DB

From:**Sent:** 21 November 2011 14:08**To:** Emma Stoneman**Subject:** Re: Flames Take Away

Dear Sir / Madam,

Re. Application No. 11/0400/LAPRE

I object to the application by Flames Take Away for all-night alcohol licensing for the following reasons:

1. Crime.

1A) A laptop computer was stolen from my shop. This was a situation where someone must have been hanging around the vicinity and seen a very brief opportunity to run in and take it. If these sort of incidents happen in daylight, I dread to think what may ensue if late night alcohol were to be available in this area late at night.

1B) I have had two bicycles stolen despite having padlocked them to the adjacent bike stands provided by the council.

2. Vandalism

2A) This area is already subject to high levels of vandalism. On one occasion 6 shop windows were smashed in one night, to be followed by another 5 two nights later; the five included two where the glass had already been replaced, and my own shop window.

2B) On several other occasions shop windows have smashed. The Police were informed.

2C) I had a bicycle damaged severely; I had secured it with a very robust lock including both wheels, so my guess is that the would-be thief, frustrated at being unable to steal it, kicked in the wheels instead.

2D) It is not uncommon to see drunks and or drug addicts in a terrible condition staggering around in this part of town. I feel that late night alcohol is the last thing we need here.

As a footnote, I would like to suggest that it may be helpful if the Police could make their presence known more frequently in this part of town.

Yours faithfully, Local Business

-----Original Message-----

From:

Sent: 16 November 2011 14:53

To: Licensing

Subject: Re application for extension of opening hours selling alcohol 24 hours at FLAMES 4 Cleveland Place East

RE EXTENSION OF LICENSING HOURS AND OPENING HOURS AT FLAMES 4 CLEVELAND PLACE EAST BATH

I strongly oppose the application for Flames to sell alcohol 24 hours a day and food until 5 am. I live in [redacted] and plan to let out my house as a large self catering premises for families and groups. I have already noticed a tendency for drunk people to wander around London Road at the junction of Cleveland Place and gather around Nexus Methodist Chapel. I object on the following grounds:

1. Prevention of Crime and Disorder. If Flames becomes a place for 24 hour alcohol sales it is clear that people wanting to buy alcohol in the middle of the night are very likely to have already consumed a considerable amount and are quite possibly going to consume what they buy near the premises. As this is a high population residential area, it is very likely that 24 hour alcohol sales will result in drunken disorder throughout the night disturbing residents.

2 Public Nuisance The shop being open all night for sales of alcohol and til 5 am for food will certainly attract people who wish to stay up all night drinking or who are returning from parties or clubs in the early hours of the morning. Inevitably this will cause noise which will affect nearby residents. As flames is not a restaurant with large seating capacity it is very probably the takeaway food will be eaten in the area immediately outside the premises. In order for the business to be successful, they must be expecting fairly constant customers and as there is no other late night food outlet, it will certainly draw people to the area increase noise nuisance to residents.

3. Threat to young people Excessive alcohol consumption often leads to aggressive behaviour. If this area becomes known as one of the few places in BATH where alcohol can be bought 24 hours it will certainly draw people who need to drink throughout the night. Drunkenness very frequently leads to aggressive behaviour. Many young people live in this area and if there is a point known for selling alcohol 24 hours a day which attracts drunken behaviour, young people returning home late could be put at risk having to pass this area on their way home.

I strongly oppose this application as it is not providing a necessary service to the locality and will only attract and encourage excessive alcohol consumption in the immediate vicinity.

From:

Sent: 30 November 2011 13:04

To: Licensing

Subject: Application No: 11/0400/LAPRE

Dear Sirs

I am writing to object to the application made by FLAMES Takeaway at 4 Cleveland Place East.

I am objecting on three grounds:

1. Property damage
2. Drunken behaviour
3. Discarded rubbish

Please can you respond to my objection.

Thank you

From:

Sent: 18 November 2011 08:44

To: Emma Stoneman

Subject: Flames Takeaway, 4 Cleveland Place East - Ref: 11/0400/LAPRE

Dear Ms Stoneman,

I gather that the business above has applied for a licence to serve food until 0500 hours and to stay open 24 hours a day selling alcohol.

Frankly, this proposal fills me with horror. On a more general note, there are too many foul smelling fast food takeaways in this area which do nothing to improve living conditions for the residents. In fact, they actually make life somewhat unpleasant as we are the ones who have to clear up the mess and listen to screaming and yelling. It also makes it feel unsafe to walk home at night.

More specifically, I wish to object to this application on the grounds of:

1. Adding to the already unacceptable levels of noise late at night from rowdiness in this area which are clearly the result of too much to drink. People don't realise the decibel level as they carry out screaming conversations and have alcohol fuelled arguments. This is regular, not occasional.
2. The litter of both the wrappings and half eaten contents (it would seem that the drunks have difficulty hanging on to their purchases) are left for the residents to clear up.
3. Vomit to be sidestepped.
4. Feeling of safety. It is already a worry that antisocial behaviour is rising in this area. It is not difficult to judge that 24 hour availability of alcohol and virtually all night fast food will make matters worse.
5. Precedent. For all the reasons above. There are other outlets who would probably wish to follow suit.

Thank you for notice of this application.

I write for:

Resident, Cleveland Reach

Finally, I appreciate that you need to have the names of people who object but need your assurance that our names, and those of our neighbours, will not be passed to the people applying for this licence.

Bath & North East Somerset Council		
MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER
MEETING DATE:	Monday 19 December 2011	
TITLE:	Application for a Premises Licence for Keynsham Memorial Park , Keynsham, Bristol, BS31 1DG	
WARD:	Keynsham East	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for Premises Licence		
Annex B Site Plan		
Annex C Representation from Environmental Health		
Annex D Applicant's written agreement to conditions proposed by Environmental Health		

1 THE ISSUE

1.1 An application has been received for a new Premises Licence under the Licensing Act 2003 in respect of Keynsham Memorial Park, Keynsham, Bristol, BS31 1DG.

2 RECOMMENDATION

2.1 That the sub committee determines this application.

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 a new Premises Licence (Annex A).

4.2 The application is for:

- 1) The **Provision of Regulated Entertainment** by way of **Plays, Films, Live Music, Recorded Music, Dance, Similar Entertainment** and **Provision of Facilities for Making Music and Dancing** both Indoors and Outdoors between the following hours:

Every Day 09.00 to 21.00

2) The **Opening Hours** are not specified as the premises is an open public space.

4.3 A site plan is attached at Annex B.

4.4 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
- d) The Protection of Children from Harm.

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

4.5 The Licensing Authority may grant the application with or without additional conditions.

4.6 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, 24, 28, 33 - 37, 41 to 44 of the 2008 policy.
- b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised on 28 June 2007).
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, 183, and Schedule 2 of the Act.

4.7 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 in accordance with the direction of the court. The court may make such order for costs as it thinks fit.

4.8 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.

4.9 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.

4.10 A representation has been received from Environmental Health in relation to the licensing objective of public safety (Annex C). The representation requests that two of the conditions proposed within the operating schedule are reworded in order to clarify the meaning and ensure the promotion of the licensing objective.

4.11 The representation recommends that, in respect of events with an estimated 500 persons or more, the following statements should be reworded and placed as conditions on the premises licence:

1. Original wording:

2 months' notice of each event shall be given to the Police and Licensing Authority and site visits shall be undertaken should the Responsible Authorities feel it necessary. Responsible Authorities have the right to veto should they be satisfied that any of the four licensing objectives would be breached if the event were to go ahead. In such circumstances it is expected that negotiations will take place between the Licence Holder and the Responsible Authority to resolve the matter.

Suggested rewording:

2 months' notice of each event should be given to the Licensing Authority and all Responsible Authorities. If deemed appropriate by one of the Responsible Authorities, the event may be referred to Bath & North East Somerset's Safety Advisory Group for consultation.

2. Original wording:

Provision of Council staff as attendees at all events.

Suggested rewording:

Provision of Keynsham Town Council staff as attendees at all events.

4.12 The applicant has submitted a written statement which confirms they are in full agreement with the Environmental Health Officer and happy to accept the proposed changes as above (Annex D).

4.13 This report has not been sent to the Trades Union because they would have no involvement.

Contact person	Emma Stoneman, Senior Licensing Officer, 01225 396719
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

21 JUN 2011

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Post Log No:
Receipt No: 336383
CH/CA £100

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 TOWN COUNCIL

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description KEYNSHAM MEMORIAL PARK KEYNSHAM BRISTOL BS31 1DG			
Post town	KEYNSHAM	Post code	BS31 1DG

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|-------------------------------------------------|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input checked="" type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
 - statutory function or ☐
 - a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name KEYNSHAM TOWN COUNCIL
Address 15 - 17 TEMPLE STREET KEYNSHAM BRISTOL BS31 1HF
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) LOCAL COUNCIL
Telephone number (if any) 0117 986 8683
E-mail address (optional) deputytownclerk@keynsham-tc.gov.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
0	8	0	7	2	0
1	1				

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	

Please give a general description of the premises (please read guidance note1)

LOCAL PARK AND OPEN AIR BANDSTAND

SKATE BOARD PARK AND OPEN AIR SPORTING FACILITIES - TENNIS & FIVE-A-SIDE FOOTBALL

PROPOSED ACTIVITIES:

ANNUAL YOUTH FESTIVAL - YOUTH GROUPS/ ASSOCIATIONS OF KEYNSHAM COMING TOGETHER TO SHOW OF THEIR SKILLS AND TALENTS. PERFORMANCES OF DANCE, DRAMA, MUSIC AND SINGING. SPORTING ORGANISATIONS GIVING DISPLAYS AND HOLDING COMPETITIONS E.G. FOOTBALL SKILLS AND SKATE BOARDING COMPETITIONS.

SMALL EVENTS (INCLUDING PICNICS AND CELEBRATIONS

PERFORMANCES ON THE BAND STAND BY LOCAL SINGING, DANCING, BRASS BANDS, MUSICIANS, CIRCUS SKILLS AND ACTING GROUPS PLUS STORY TELLING SESSIONS

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

0

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment**Please tick yes**

- | | |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of entertainment facilities:

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

Provision of late night refreshment (if ticking yes, fill in box L) ☐**Supply of alcohol** (if ticking yes, fill in box M) ☐

In all cases 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 or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) PERFORMANCES TO BE MAINLY DURING THE SPRING/SUMMER/AUTUMN MONTHS AT THE BANDSTAND. PERFORMANCES BY LOCAL DRAMA GROUPS/ORGANISATIONS AND SCHOOLS THERE MAYBE A MARQUEE PROVIDED OFFERING THE OPPORTUNITY FOR AN INDOOR PERFORMANCE		
Mon	09.00	21.00			
	-	-			
Tue	09.00	21.00			
	-	-			
Wed	09.00	21.00	State any seasonal variations for performing plays (please read guidance note 4)		
	-	-			
Thur	09.00	21.00			
	-	-			
Fri	09.00	21.00	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)		
	-	-			
Sat	09.00	21.00			
	-	-			
Sun	09.00	21.00			
	-	-			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) OPEN AIR SCREENING WITHIN THE PARK GROUNDS TO SHOW FILMS INTENDED MAINLY FOR SHOWING FAMILY FILMS THERE MAYBE A MARQUEE PROVIDED OFFERING THE OPPORTUNITY FOR AN INDOOR PERFORMANCE		
Mon	09.00	21.00			
	-	-			
Tue	09.00	21.00			
	-	-			
Wed	09.00	21.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
	-	-			
Thur	09.00	21.00			
	-	-			
Fri	09.00	21.00	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)		
	-	-			
Sat	09.00	21.00			
	-	-			
Sun	09.00	21.00			
	-	-			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			
Fri			<u>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</u> (please read guidance note 5)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	09.00	21.00	Please give further details here (please read guidance note 3) ACOUSTIC AND AMPLIFIED MUSIC PERFORMANCES ON THE BANDSTAND		
	-	-			
Tue	09.00	21.00	THERE MAY BE A MARQUEE PROVIDED FOR THE OPPORTUNITY OF AN INDOOR PERFORMANCE		
	-	-			
Wed	09.00	21.00	State any seasonal variations for the performance of live music (please read guidance note 4)		
	-	-			
Thur	09.00	21.00			
	-	-			
Fri	09.00	21.00	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	09.00	21.00			
	-	-			
Sun	09.00	21.00			
	-	-			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	09.00	21.00	<u>Please give further details here</u> (please read guidance note 3) BACKGROUND MUSIC FOR DANCE AND DRAMA PERFORMANCES		
	-	-			
Tue	09.00	21.00	THERE MAY BE A MARQUEE PROVIDED FOR THE OPPORTUNITY FOR AN INDOOR PERFORMANCE		
	-	-			
Wed	09.00	21.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) A MARQUEE MAY BE HIRED FOR EVENTS SUCH A SILENT DISCO FOR YOUTHS		
	-	-			
Thur	09.00	21.00			
	-	-			
Fri	09.00	21.00	<u>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</u> (please read guidance note 5)		
	-	-			
Sat	09.00	21.00			
	-	-			
Sun	09.00	21.00			
	-	-			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) PERFORMANCES OF DANCE BY PROFESSIONALS ON THE BANDSTAND		
Mon	09.00	21.00			
	-	-	THERE MAYBE A MARQUEE PROVIDED OFFERING THE OPPORTUNITY FOR AN INDOOR PERFORMANCE		
Tue	09.00	21.00			
	-	-	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Wed	09.00	21.00			
	-	-			
Thur	09.00	21.00			
	-	-	<u>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</u> (please read guidance note 5)		
Fri	09.00	21.00			
	-	-			
Sat	09.00	21.00			
	-	-			
Sun	09.00	21.00			
	-	-			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u> STORY TELLING SESSIONS AT THE BANDSTAND SKATE PARK ACTIVITIES/COMPETITIONS INFLATABLES/CLIMBING WALL - FOR YOUTH FEST AND OTHER SIMILAR EVENTS ART AND CRAFT ACTIVITIES		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	09.00	21.00		Outdoors	<input type="checkbox"/>
	-	-		Both	<input checked="" type="checkbox"/>
Tue	09.00	21.00	<u>Please give further details here</u> (please read guidance note 3) A MARQUEE MAY BE HIRED FOR ART AND CRAFT ACTIVITIES TO TAKE PLACE		
	-	-			
Wed	09.00	21.00			
	-	-			
Thur	09.00	21.00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
	-	-			
Fri	09.00	21.00			
	-	-			
Sat	09.00	21.00	<u>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</u> (please read guidance note 5)		
	-	-			
Sun	09.00	21.00			
	-	-			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> USE OF THE BANDSTAND FOR PRE-ARRANGED MUSIC PERFORMANCES THAT WILL BE ADVERTISED THROUGH THE TOWN COUNCIL	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both	<input checked="" type="checkbox"/>
Mon	09.00	21.00	<u>Please give further details here</u> (please read guidance note 3) THERE MAYBE A MARQUEE PROVIDED OFFERING THE OPPORTUNITY FOR AN INDOOR PERFORMANCE	
	-	-		
Tue	09.00	21.00		
	-	-		
Wed	09.00	21.00	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
	-	-		
Thur	09.00	21.00		
	-	-		
Fri	09.00	21.00	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
	-	-		
Sat	09.00	21.00		
	-	-		
Sun	09.00	21.00		
	-	-		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u> USE OF THE BANDSTAND FOR PRE-ARRANGED DANCE PERFORMANCES AT THE BANDSTAND TO BE ADVERTISED THROUGH THE TOWN COUNCIL	
Day	Start	Finish		
Mon	09.00	21.00	<u>Please give further details here</u> (please read guidance note 3) THERE MAYBE A MARQUEE PROVIDED OFFERING THE OPPORTUNITY FOR AN INDOOR PERFORMANCE	
	-	-		
Tue	09.00	21.00		
	-	-		
Wed	09.00	21.00	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)	
	-	-		
Thur	09.00	21.00		
	-	-		
Fri	09.00	21.00	<u>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</u> (please read guidance note 5)	
	-	-		
Sat	09.00	21.00		
	-	-		
Sun	09.00	21.00		
	-	-		

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)			<u>Please give a description of the type of entertainment facility you will be providing</u>	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)	
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)	
Fri				
Sat			<u>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</u> (please read guidance note 5)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read 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					
Thur					
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)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

P Describe the steps you intend to take to promote the four licensing objectives:

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

FOR EVENTS WITH AN ESTIMATED 500 PEOPLE OR MORE

2 MONTHS' NOTICE OF EACH EVENT SHALL BE GIVEN TO THE POLICE AND LICENSING AUTHORITY AND SITE VISITS SHALL BE UNDERTAKEN SHOULD THE RESPONSIBLE AUTHORITIES FEEL IT NECESSARY. RESPONSIBLE AUTHORITIES HAVE THE RIGHT TO VETO SHOULD THEY BE SATISFIED THAT ANY OF THE FOUR LICENSING OBJECTIVES WOULD BE BREACHED IF THE EVENT WERE TO GO AHEAD. IN SUCH CIRCUMSTANCES IT IS EXPECTED THAT NEGOTIATIONS WILL TAKE PLACE BETWEEN THE LICENCE HOLDER AND THE RESPONSIBLE AUTHORITY TO RESOLVE THE MATTER.

A SITE PLAN SHOWING THE LAYOUT OF THE EVENT WILL BE INCLUDED WITH THE 2 MONTH'S NOTICE

ALL EVENT ORGANISERS SHALL COMPLETE A RISK ASSESSMENT

PROVISION OF REGISTERED SECURITY STAFF FOR EVENTS THAT WE ANTICIPATE LARGE GROUPS OF PEOPLE ATTENDING.

SIGNAGE SHALL BE IN PLACE FOR TOILETS, EXITS, FIRST AID POSTS AND LOST CHILDREN POINTS

SIGNS SHALL BE ERECTED AT THE GATE REQUESTING NO GLASS BOTTLES TO BE BROUGHT ONTO THE SITE.

b) The prevention of crime and disorder

ANY PERSON FOUND USING ILLEGAL DRUGS SHALL BE ASKED TO LEAVE THE SITE AND THE POLICE SHALL BE INFORMED

PERSONS RESPONSIBLE FOR THE RUNNING OF CHILDREN'S EVENTS SHALL BE CRB CHECKED

FOR EVENTS WITH AN ESTIMATED 500 PEOPLE OR MORE:

PRIOR NOTIFICATION TO LOCAL POLICE AND PCSO'S OF FORTHCOMING EVENTS. IF AVAILABLE, REQUEST THE ATTENDANCE OF PCSO

PROVISION OF COUNCIL STAFF AS ATTENDEES AT ALL EVENTS.

PROVISION OF REGISTERED SECURITY STAFF FOR EVENTS THAT WE ANTICIPATE LARGE GROUPS OF PEOPLE ATTENDING. NUMBERS OF SECURITY STAFF TO BE AGREED IN ADVANCE WITH THE POLICE.

c) Public safety

THE SITE LAYOUT SHALL BE DESIGNED TO ALLOW FREE MOVEMENT OF THE PUBLIC IN AND AROUND THE PARK

NO VEHICLES OTHER THAN EMERGENCY VEHICLES AND TOWN COUNCIL VANS SHALL BE ALLOWED ON SITE ONCE AN EVENT HAS STARTED

AN EMERGENCY EVACUATION PLAN SHALL BE IN PLACE

AN INCIDENT BOOK SHALL BE KEPT

FOR EVENTS WITH AN ESTIMATED 500 PEOPLE OR MORE:

CAPACITY LIMIT OF 4999 ATTENDEES

FIRST AID PROVISION SHALL BE PROVIDED FOR EVENTS WITH AN ESTIMATED 500 PEOPLE OR MORE, ST. JOHN'S AMBULANCE OR SIMILAR SHALL BE PROVIDED

THERE SHALL BE ADEQUATE NUMBERS OF STEWARDS AT LARGE SCALE EVENTS, THE NUMBER OF WHICH SHALL BE DETERMINED IN CONSULTATION WITH THE POLICE

STEWARDS SHALL BE EASILY IDENTIFIABLE WITH A TWO WAY RADIO SYSTEM AND WILL BE SIA REGISTERED

STEWARDS SHALL BE VISIBLE AND SHALL BE BRIEFED ON THE PROCEDURE REGARDING LOST CHILDREN

PROVISION OF ATTENDANTS - NUMBER ALLOCATED TO SUIT THE CAPACITY OF ATTENDEES AT THE EVENT.

d) The prevention of public nuisance

SOUND LEVELS SHALL BE MONITORED AND MUSIC WILL BE PLAYED AT A LEVEL WHICH WILL NOT CAUSE ANNOYANCE

PROVISION OF LITTER CLEARANCE DURING/AFTER EVENTS

ENSURE CONSIDERATE LOADING/UNLOADING ARRANGEMENTS ARE IN FORCE

FOR EVENTS WITH AN ESTIMATED 500 PEOPLE OR MORE:

NOTIFICATION TO LOCAL RESIDENTS OF FORTHCOMING EVENTS.

e) The protection of children from harm

STAFF INVOLVED IN LOOKING AFTER YOUNG CHILDREN /YOUTHS WILL BE CRB CHECKED

SUFFICIENTS NUMBER OF CRB CHECKED ATTENDANTS WILL BE PRESENT WHEN CHILDREN'S ACTIVITIES ARE TAKING PLACE.


Please tick yes

- I have made or enclosed payment of the fee ☒
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☐
- I understand that I must now advertise my application ☒
- 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 4 – Signatures (please read guidance note 10)

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

Signature	
Date	1 st June 2011
Capacity	DEPUTY TOWN CLERK

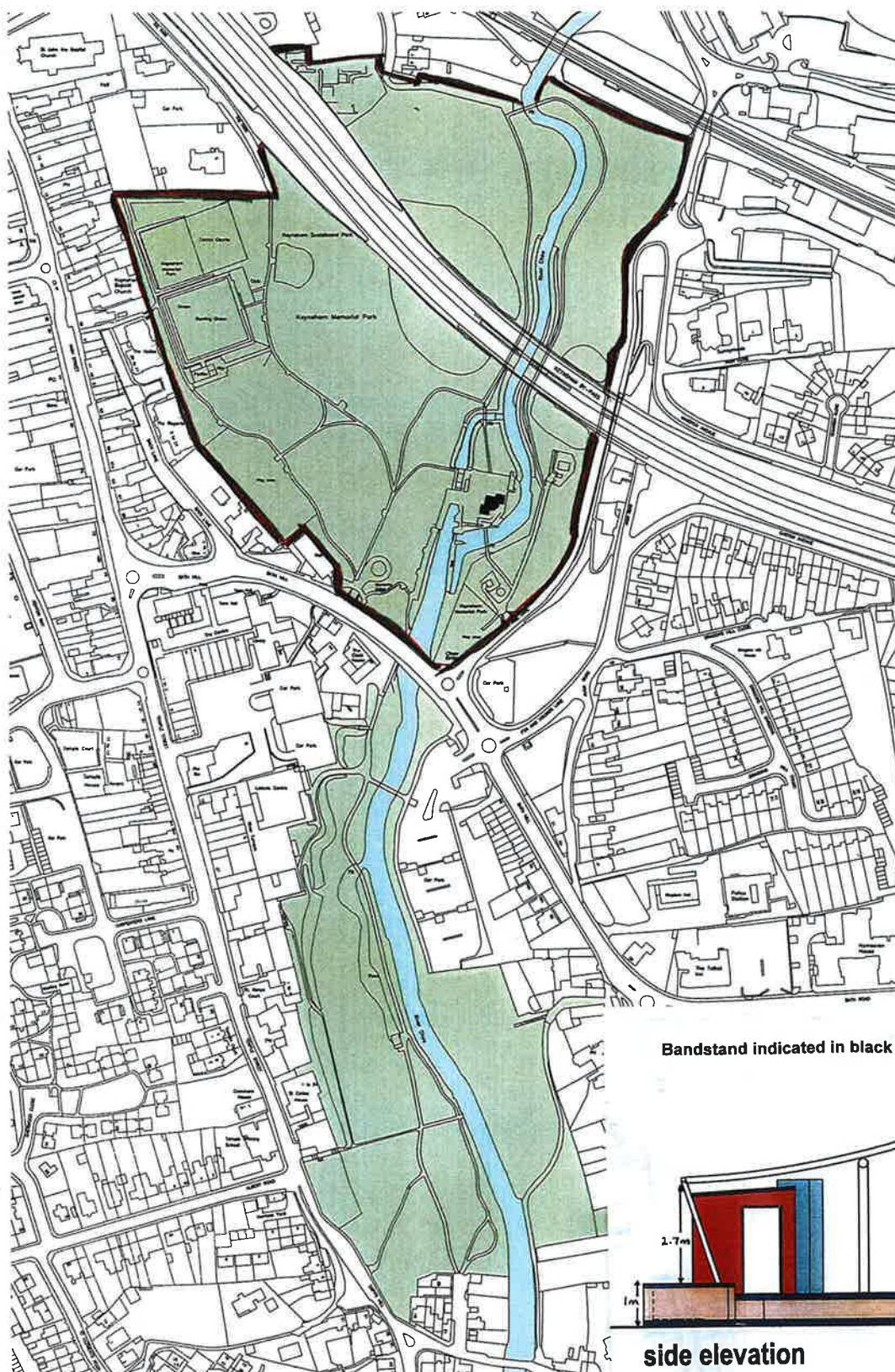
For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

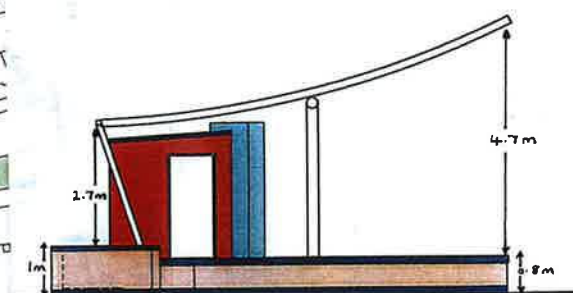
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Bandstand indicated in black on the plan



side elevation

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**Bath & North East
Somerset Council**

Property Services
Northgate House,
Upper Borough Walls,
Bath BA1 1RG

PROPERTY
KEYNSHAM MEMORIAL PARK
BATH HILL
KEYNSHAM BS31 1LF
DRAWING TITLE

PSR No PF15	Site No
Drawn DW	Date
Scale 1:2500 @ A3	Rev
Drawing No PF15	



Licensing Services, 9-10 Bath Street, Bath, BA1 1SN

Representation Form**Responsible Authority.** (Please delete as applicable.)

–EP (noise)/ Health and Safety

Your Name	David Carter
Job Title	Senior Environmental Health Officer
Postal and email address	Environmental Protection Team 9/10 Bath Street Bath BA1 1SN David_carter@bathnes.gov.uk
Contact telephone number	01225 477644

Name of the premises you are making a representation about.	Keynsham Memorial Park
Address of the premises you are making a representation about.	Keynsham Memorial Park Keynsham Bristol BS31 1DG

Which of the licensing objectives does your representation relate to?	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
Public safety	<p>This representation does not seek to object to anything specific within the application, however there are a couple of statements which require clarification as they appear to be ambiguous.</p> <p>Given that this license if granted, will enable a wide range of events/activities to take place it is important to ensure that the conditions within the license are clear and achievable and that if necessary, there is sufficient consultation with the responsible authorities to ensure that an event can proceed safely</p> <p>The statement under P(a) general:</p> <p>2 MONTHS' NOTICE OF EACH EVENT SHALL BE GIVEN TO THE POLICE AND LICENSING AUTHORITY AND SITE VISITS SHALL BE UNDERTAKEN SHOULD THE RESPONSIBLE AUTHORITIES FEEL IT NECESSARY. RESPONSIBLE AUTHORITIES HAVE THE RIGHT TO VETO SHOULD THEY BE SATISFIED THAT ANY OF THE FOUR LICENCING OBJECTIVES WOULD BE BREACHED IF THE EVENT WERE TO</p>

	<p>GO AHEAD. IN SUCH CIRCUMSTANCES IT IS EXPECTED THAT NEGOTIATIONS WILL TAKE PLACE BETWEEN THE LICENCE HOLDER AND THE RESPONSIBLE AUTHORITY TO RESOLVE THE MATTER.</p> <p>This statement proposes to give 2 months notice to the Police and the Licensing Authority, but NOT to any of the other Responsible Authorities. It then goes on to state that Responsible authorities have the right to veto the event, and are expected to negotiate with the license holder to resolve any issues, however they are not included within the 2 month notice period.</p> <p>It is proposed to re-word the statement to say: 2 months notice of each event should be given to the Licensing Authority and all responsible authorities. If deemed appropriate by one of the responsible authorities, the event maybe referred to Bath & North East Somerset's Safety Advisory Group for consultation.</p> <p>(B) prevention of crime and disorder</p> <p>PROVISION OF COUNCIL STAFF AS ATTENDEES AT ALL EVENTS.</p> <p>This is unclear whether this applies to BANES Council Staff or Keynsham Town Council Staff. It is assumed that this would refer to Keynsham Town Council Staff and it is suggested that the condition is reworded to state this specifically.</p>
To prevent public nuisance	

Signed:

Date: 1/11/2011

This form must be returned within 28 consecutive days of the application being made to the Licensing Authority.



Response to the Representation Form

**of David Carter (Senior Environmental Health Officer – Bath & North East
Somerset Council)**

in relation to the hearing in respect of the Licensing Act 2003

Premises Licence - Keynsham Memorial Park

on 19th December 2011 at 10.30 a.m.

at the Guildhall, High Street, Bath BA1 5AW.

Dawn Drury

Dated: 7th December 2011

Deputy Town Clerk - Keynsham Town Council

[This is the Statement in response to the Representation Form on behalf of **Keynsham Town Council** (hereinafter referred to as “KTC”)]

1. Introduction

My name is Dawn Drury. I am Deputy Town Clerk of Keynsham Town Council and produced and submitted the application for a Premises Licence for Keynsham Memorial Park on behalf of Keynsham Town Council.

2. Representation

2.1 Prior to submission of the Town Council's Licence application I liaised with all Responsible Authorities, corresponding and meeting with the same, to agree the application document. On 3rd May 2011, I received the attached response to the Town Council's Draft License application, Appendix A, from Diarmid Henry, Environmental Health Officer, Environmental Protection Team, Bath & North East Somerset Council. I made the amendment, under section d of the four licensing objective on the application, as requested in his email and took from his comment that there was nothing else to add and that the Environmental Protection team were happy with the Town Council's application.

2.2 Having considered the amendments to the Premises License proposed by David Carter, Senior Environmental Health Officer in his Representation Form I can confirm that the Town Council are happy to agree such changes, as follows:

2.2.1 that the statement under P (a) general should be re-worded to say:

'2 months notice of each event should be given to the Licensing Authority and all responsible authorities. If deemed appropriate by one of the responsible authorities, the event maybe referred to Bath & North East Somerset's Safety Advisory Group for consultation'.

2.2.2 that the statement (B) prevention of crime and disorder should be re-worded to say:

'Provision of Keynsham Town Council staff as attendees at all events.

APPENDIX A**Email response from Diarmid Henry, Environmental Health Officer,
Environmental Protection Team, Bath & North East Somerset Council****Dated 3rd May 2011**

From: Diarmid Henry [mailto:Diarmid_Henry@BATHNES.GOV.UK]
Sent: 03 May 2011 09:06
To: 'deputytownclerk@keynsham-tc.gov.uk'
Subject: RE: License for Keynsham Memorial Park

Dear Dawn,

Thank you for your email, I've had a look at the application and in particular the hours applied for regulated entertainment and the licensing objective of prevention of public nuisance. I note that you have said that music will be kept to a reasonable level however I think it would be better to state that music will be played at a level which will not cause annoyance. Otherwise I have nothing to add.

Kind regards,

Diarmid Henry,

Environmental Health Officer
Environmental Protection
Bath & North East Somerset Council
Telephone: 01225 477555
Facsimile: 01225 477596
Email: Diarmid_Henry@bathnes.gov.uk
www.bathnes.gov.uk

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