

**Democratic Services**

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Date: 29 October 2014

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**To: All Members of the Licensing Sub-Committee**

**Councillors:-** Manda Rigby, Roger Symonds and Anthony Clarke

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Licensing Sub-Committee: Tuesday, 4th November, 2014**

You are invited to attend a meeting of the **Licensing Sub-Committee**, to be held on **Tuesday, 4th November, 2014 at 10.00 am** in the **Kaposvar Room - Guildhall, Bath.**

**Briefing**

Members of the Sub-Committee are reminded that the meeting will be preceded by a briefing at 9.30am.

The agenda is set out overleaf.

Yours sincerely

Enfys Hughes, 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.**

*This Agenda and all accompanying reports are printed on recycled paper*

## 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 Enfys Hughes, Sean O'Neill who is available by telephoning Bath democratic\_services@bathnes.gov.uk or by calling at the Guildhall Bath (during normal office hours).
- 2. 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 Enfys Hughes, 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.

### 3. Recording at Meetings:-

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator

The Council will broadcast the images and sound live via the internet [www.bathnes.gov.uk/webcast](http://www.bathnes.gov.uk/webcast) An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

- 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.

## **Protocol for Decision-making**

### **Guidance for Members when making decisions**

When making decisions, the Cabinet/Committee must ensure it has regard only to relevant considerations and disregards those that are not material.

The Cabinet/Committee must ensure that it bears in mind the following legal duties when making its decisions:

- Equalities considerations
- Risk Management considerations
- Crime and Disorder considerations
- Sustainability considerations
- Natural Environment considerations
- Planning Act 2008 considerations
- Human Rights Act 1998 considerations
- Children Act 2004 considerations
- Public Health & Inequalities considerations

Whilst it is the responsibility of the report author and the Council's Monitoring Officer and Chief Financial Officer to assess the applicability of the legal requirements, decision makers should ensure they are satisfied that the information presented to them is consistent with and takes due regard of them.

**Licensing Sub-Committee - Tuesday, 4th November, 2014**

**at 10.00 am in the Kaposvar Room - 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. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* **an other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

5. MINUTES: 7TH OCTOBER 2014 (Pages 7 - 10)

6. LICENSING PROCEDURE (Pages 11 - 14)

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

7. APPLICATION FOR A PREMISES LICENCE FOR THE LAVA COFFEE COMPANY LIMITED, 11 SOUTHGATE PLACE, UNIT SU15, BATH BA1 1AP (Pages 15 - 46)

The Committee Administrator for this meeting is Enfys Hughes, Sean O'Neill who can be contacted on [democratic\\_services@bathnes.gov.uk](mailto:democratic_services@bathnes.gov.uk).



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**BATH AND NORTH EAST SOMERSET COUNCIL**

**LICENSING SUB-COMMITTEE**

Tuesday, 7th October, 2014, 10.00 am

**Councillors:** Manda Rigby (Chair), Roger Symonds and Anthony Clarke

**Officers in attendance:** Carrie-Ann Rawlings (Senior Legal Adviser), Enfys Hughes, John Dowding (Senior Public Protection Officer) and Michael Dando (Public Protection Officer)

**76 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the procedure.

**77 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**78 DECLARATIONS OF INTEREST**

There were none.

**79 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none.

**80 MINUTES - 9TH SEPTEMBER 2014**

**RESOLVED** that the minutes of the meeting on 9<sup>th</sup> September 2014 be approved as a correct record and be signed by the Chair(person).

**81 LICENSING PROCEDURE - COMPLAINT HEARING**

The procedure for the meeting was explained.

**82 EXCLUSION OF THE PUBLIC**

**RESOLVED** that, having been satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

**83 CONSIDERATION OF COMPLAINTS AND BEHAVIOUR MR C D C**

The Sub-Committee considered the report which sought determination of whether Mr CDC was suitable to continue to hold a combined hackney carriage/private hire driver's licence.

Mr CDC was not present and officers had not heard from him in respect of his attendance. The Senior Public Protection Officer stated that he had personally

delivered the report and notified Mr CDC of the meeting. He confirmed that Mr CDC had moved address several times and was now of no fixed abode. Mr CDC had attended an interview with officers and was aware his case would go before the Sub-Committee.

The Senior Legal Adviser referred Members to the procedure in circumstances where a party fails to turn up. Members considered that Mr CDC had been made aware of the meeting and appropriate procedures had been followed. They considered that having received two complaints of dangerous driving, a formal caution for assault, failure to disclose the caution and pending criminal proceedings for three alleged offences of assaulting a police officer and having attended Sub-Committee in April of this year, they should go ahead in Mr CDC's absence without delay.

The procedure for the meeting was explained.

The Public Protection Officer outlined the circumstances of the case. He explained that Mr CDC had attended the office for interview on 28<sup>th</sup> August 2014 and circulated a copy of the contemporaneous notes of this meeting. Members considered these notes in evidence.

The Senior Public Protection Officer outlined the circumstances of the incident of dangerous driving on 29<sup>th</sup> May 2014 and stated that having seen the dangerous manoeuvre he had then passed the taxi in question as traffic had slowed down and confirmed that Mr CDC was the driver.

With respect to the information from the police regarding the caution for assault and criminal proceedings for three alleged offences of assaulting a police officer, it was confirmed that Mr CDC had not notified the authority. The Senior Legal Adviser stated that Mr CDC had originally been in custody but then been given unconditional bail by the Bath Magistrates' Court until the adjourned hearing in February 2015.

The Senior Public Protection Officer stated that the police had concerns regarding Mr CDC's alcohol consumption as this had been a factor in both incidents. He was also aware from other drivers in the trade that Mr CDC had a drink problem.

Member adjourned to consider their decision.

**RESOLVED** that the combined hackney carriage/private hire driver's licence in respect of Mr CDC be revoked with immediate effect.

#### Reasons for decision

Members have had to determine whether to take any action against a licensee following two complaints of dangerous driving, a formal caution for assault and pending criminal proceedings for three alleged offences of assaulting a police officer. In doing so they have taken account of the Local Government (Miscellaneous Provisions) Act 1976, the Human Rights Act 1998, the Council's Policy and case law.

Members noted that case law stated hearsay evidence is admissible, there was no necessity for there to be a finding of guilt before an authority could conclude that there was a reasonable cause to suspend [or revoke] a licence under s61 the Act,



the economic wellbeing of the licensee is irrelevant and when considering any action the protection of the public is of the utmost importance. Accordingly Members had to decide whether the licensee continued to be a fit and proper person to hold a licence taking into account all the circumstances including his driving history and character.

Members had to make a decision about whether or not to proceed in the absence of the licensee. Having heard from John Dowding Senior Public Protection Officer that Mr CDC was notified in person by him of the Licensing Sub Committee Meeting date and provided with a copy of the report, they took the decision to proceed in his absence. Members took the view that it was in the public interest to proceed without delay and noted that Mr CDC had provided no reason for his non-attendance however the decision was kept under review.

In making a determination Members took account of the applicant's Interview under Caution on 28.08.14 and balanced this against the information provided by BANES Licensing section and the Avon and Somerset Constabulary both orally and in writing and formed the view that there was sufficient evidence to proceed in Mr CDC's absence.

Members noted that the Senior Public Protection Officer stated that in his opinion the alleged incident of dangerous driving on 29.05.14 involved an unnecessary and dangerous manoeuvre and Mr Dowding was able to identify Mr CDC as the driver.

Members noted that in 2010 the Licensing Sub-Committee had refused to renew Mr CDC's licence having taken into account cautions for forgery in 2000, intimidation of a witness in 2006 and a conviction for common assault in 2009 as well as a breach of the conditions of his licence by failing to notify BANES of the witness intimidation caution. He also had a conviction for theft dating back to 1996.

Members had regard to the fact that in April of this year Mr CDC's application for a combined Hackney Carriage/Private Hire vehicle licence was granted as Members were "satisfied that Mr [CDC] realises the value of a licence and will not do anything to jeopardise it in the future". However, Members took a dim view of Mr CDC's actions since the grant of his licence in April.

Members found that within a very short period of time since the grant of his licence he had taken part in the dangerous driving as alleged on 29<sup>th</sup> May and 2<sup>nd</sup> August, he had committed an assault for which he had received a formal caution and was pending prosecution for 3 alleged offences of assaulting a police constable. Members noted that in breach of the conditions of his licence Mr CDC had not reported the formal caution or pending criminal proceedings in the requisite time and failed to notify the BANES licensing department of a change in his address on numerous occasions.

Members formed the view that there was good evidence of an increasingly chaotic lifestyle for Mr CDC and noted that alcohol was a worrying feature of the recent incidents involving the police.

Members noted that in his Interview under Caution on 28.08.14 Mr CDC had disclosed mental health issues and problems with alcohol and alcohol related incidents. Mr CDC should be an ambassador for BANES however his behaviour had brought the taxi licensing trade into disrepute.

In the light of the reasons above Members took the view that Mr CDC was no longer a fit and proper person. The Sub-Committee Members were aware of the range of options available but took the view that warning and suspension were not proportionate. Members considered that in all the circumstances and the seriousness of the case, revocation was proportionate and given the immediate danger to public safety immediate revocation would take place.

The meeting ended at 11.28 am

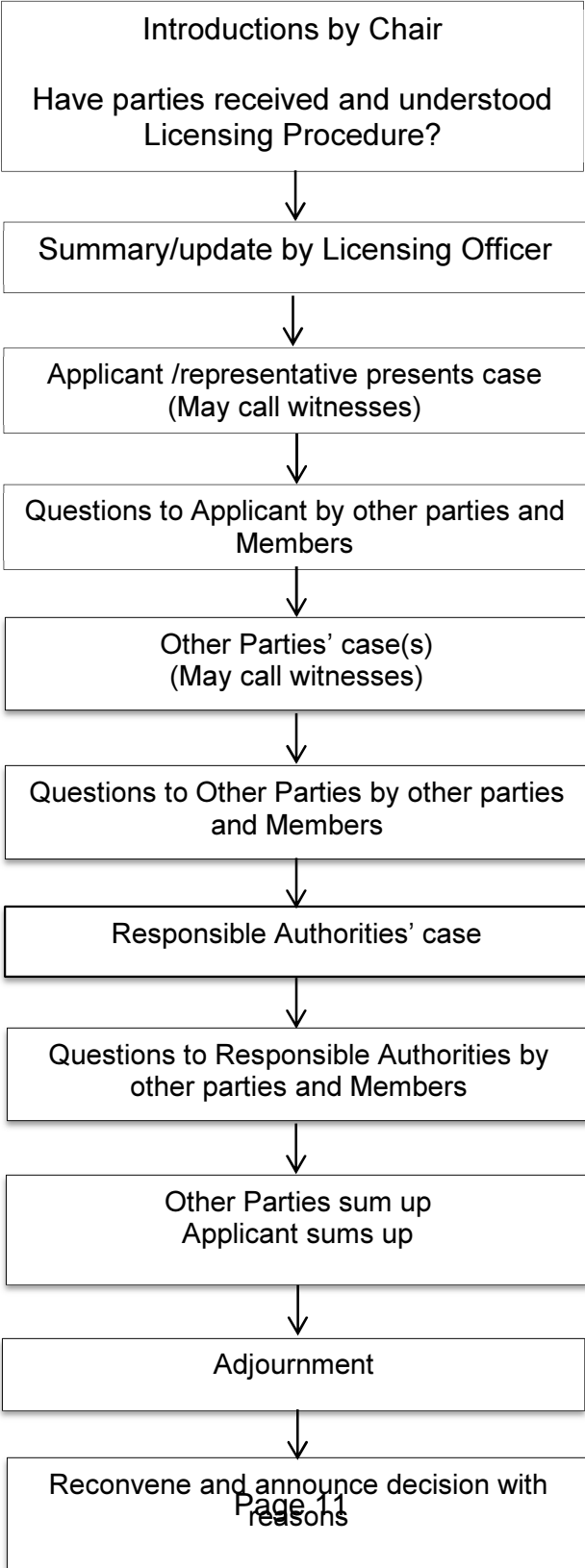
Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

**LICENSING SUB-COMMITTEE  
LICENSING ACT 2003  
PROCEDURE FOR NEW APPLICATIONS AND VARIATIONS**

*The parties will be allowed an equal maximum period of time not normally exceeding **twenty minutes**. Where more than one party make representations the time should be split equally between them. Where several parties make similar representations one representative should be appointed avoiding duplication and making the best use of the available time*



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**LICENSING SUB-COMMITTEE**  
**LICENSING ACT 2003**  
**PROCEDURE FOR HEARING AN APPLICATION FOR A NEW PREMISES**  
**LICENCE OR FOR A VARIATION OF A PREMISES LICENCE**

*The Chair will allow the parties an equal maximum period of time in which to make representations that will not normally exceed **twenty minutes**. Where more than one party makes relevant representations this time will be split between the parties and where several parties make similar representations it is suggested one representative is appointed to avoid duplication.*

*The term “party” or “parties” will mean anyone to whom notice of this meeting has been given.*

1. The Chair will introduce Members of the Sub-Committee, the 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.
3. (i) The Applicant/Licence Holder , or representative, addresses the Sub-Committee who may be asked relevant questions by the other parties and Members.  
(ii) witnesses may be called in support of the application who may be asked relevant questions by the other parties and Members.
4. (i) Any party making relevant representations, or representative, will address the Sub-Committee who may be asked relevant questions by the Applicant, other parties and Members.  
(ii) witnesses may be called in support of such representations who may be asked relevant questions by the Applicant, other parties and Members.
5. Responsible Authorities making representation will address the Committee and may be asked relevant questions by the Applicant, other parties and Members.
6. The other parties will be invited in turn to summarise their representations.

Responsible Authorities will be invited to summarise their representations

The Applicant/ Licence Holder will be invited to summarise the application.

8. *The Chair will invite the Committee to move into private session to enable the Members to deliberate in private. The Committee will reconvene publicly if clarification of evidence is required and/or legal advice is required. The Committee may retire to a private room, or alternatively require vacation of the room by all other persons.*

*Whilst in deliberation the Committee will be accompanied by Legal and Democratic Service Officers for the purpose of assisting them in drafting their reasoning for the decision.*

The Committee will reconvene the meeting and the Chair will announce the Committee’s decision with reasons and advise that the decision will be released in writing within the statutory time limits 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.
- In circumstances where a party fails to attend the Committee will consider whether to proceed in absence. Should a matter be deferred the deferral notice will state that the matter may proceed in a party's absence on the next occasion. In deciding whether to proceed all notices, communications and representations 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 and parties will be able to ask questions as set out above. However, 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.
- Where there is more than one party making relevant representations the time allocated will be split between those parties.
- Where several parties are making the same or similar representations it is suggested that one representative is appointed to avoid duplication and make efficient use of the allocated time.
- Where an objection is made by an association or residents group, a duly authorised person – as notified to the Licensing Authority – may speak on behalf of that association or group.
- The Chair may request that persons behaving in a disruptive manner should leave the hearing and their return refused, or allowed subject to conditions. An excluded person is however, entitled to submit the information they would have been entitled to present had they not been excluded.

Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion. On occasion however, it may be necessary to exclude members of the press and public pursuant to the Local Government Act 1972 Schedule 12 (a). In those circumstances reasons for such decisions will be given.

| <b>Bath &amp; North East Somerset Council</b>  |   |                          |
|--|---|--------------------------|
| MEETING:                                       | Licensing Sub Committee   | AGENDA<br>ITEM<br>NUMBER |
| MEETING<br>DATE:                               | <b>Tuesday 4 November 2014</b>  |                          |
| TITLE:   | Application for a Premises Licence for <b>The Lava Coffee Company Limited, 11 Southgate Place, Unit SU15, Bath, BA1 1AP</b> |                          |
| WARD:  | Abbey   |                          |
| <b>AN OPEN PUBLIC ITEM</b>                     |   |                          |
| <b>List of attachments to this report:</b>     |   |                          |
| Annex A Application for a new premises licence |   |                          |
| Annex B Plan of premises                       |   |                          |
| Annex C Site plan                              |   |                          |
| Annex D Representation                         |   |                          |

**1 THE ISSUE**

- 1.1 An application has been received for a new Premises Licence under s.17 of the Licensing Act 2003 in respect of **The Lava Coffee Company Limited**, 11 Southgate Place, Unit SU15, Bath, BA1 1AP

**2 RECOMMENDATION**

- 2.1 That the Sub Committee determines this application.

**3 RESOURCE IMPLICATIONS**

- 3.1 The costs of processing licences are covered by the fees charged. The fee for this application is £315.00

**4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

- 4.1 An Equality Impact Assessment (Eq1A) has been completed. No adverse or other significant issues were found.
- 4.2 Consideration must be given to the Human Rights Act 1998 and the "convention rights".
- 4.3 The Sub Committee have been delegated authority to determine the application on behalf of the Licensing Authority in accordance with the Licensing Act 2003.

4.4 When reaching a decision, the Licensing Authority must carry out its functions with a view to promoting the four licensing objectives.

## 5 THE REPORT

5.1 An application has been received for a new Premises Licence (*Annex A*).

5.2 The plan identifying the “premises” for the purpose of this application is attached at *Annex B*.

5.3 The application proposes:

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

|                  |               |
|------------------|---------------|
| Monday to Sunday | 07:00 - 22:00 |
|------------------|---------------|

2) **Opening Hours**

|                  |               |
|------------------|---------------|
| Monday to Sunday | 07:00 – 22:00 |
|------------------|---------------|

5.4 A site plan is attached at *Annex C*.

5.5 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
- 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.

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

5.7 Section 4(3)Licensing Act 2003 states that 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, 16, 17, 18, 20, 23, 24, 33 - 37, 41 to 44 of the 2011 policy.
- b) Chapters 2, 8, 9 & 10 of the Statutory Guidance revised October 2014
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.



- 5.8 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.
- 5.9 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.
- 5.10 In accordance with the requirements of the Act the applicant served copies of the application upon the police, the fire authority, environmental health, development control, trading standards, health authority and the child protection agency.
- 5.11 The applicant is required to place a notice at the premises for a period of 28 consecutive days starting the day after the application is made, and to place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 5.12 A representation has been received from a local resident, alleging that the applicant's proposals will undermine the prevention of public nuisance licensing objective (*Annex D*).
- 5.13 The application proposes the consumption of alcohol "on premises" and falls within the cumulative impact area. As a representation has been received, there is a rebuttable presumption that the application will be refused unless the applicant has demonstrated that the application promotes the licensing objectives and would be unlikely to add significantly to the cumulative impact.
- 5.14 This report has not been sent to the Trades Union because they would have no involvement.

## **6. RATIONALE**

- 6.1 As a representation has been received the Licensing Sub Committee must determine the application in accordance with the Licensing Act 2003.

## **7 OTHER OPTIONS CONSIDERED**

- 7.1 None

## 8 CONSULTATION

- 8.1 In accordance with the Licensing Act 2003 (Premises Licence and Club Premises Certificate) Regulations 2005, the applicant has given notice of the application to all the relevant Responsible Authorities and has advertised the application in the manner prescribed, both at the premises and within a local publication.
- 8.2 Issues relating to Safeguarding have been considered in respect of this application.

## 9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## 10 ADVICE SOUGHT

- 10.1 The Council's Monitoring Officer (Divisional Director-Legal & Democratic Services), section 151 Officer (Divisional Director-Finance) and the Divisional Director have had the opportunity to input to this report and have cleared it for publication.

|                          |   |
|--------------------------|---|
| <b>Report Author</b>     | Terrill Wolyn, Senior Licensing Officer 01225 396939  |
| <b>Case Officer</b>      | Kirsty Morgan, Licensing Officer 01225 396719   |
| <b>Background papers</b> | Licensing Act 2003<br>Guidance issued under s.182 of the Licensing Act 2003<br>Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005<br>B&NES Statement of Licensing Policy |

Bath &amp; North East Somerset Council

|                        |
|------------------------|
| ENVIRONMENTAL SERVICES |
| 18 SEP 2014            |
| Post Log No: .....     |
| Receipt No: 10187      |
| CH/TA £.315.00         |

(CC)

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We Mark Gerard Hassell Medley, The Lava Coffee Company Ltd

*(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<br><b>Trading Address: Unit SU15, Southgate Place, Bath, BA1 1AP</b><br><b>Postal Address: Canterbrook Cottage, Brook, Southampton, Hampshire SO43 7HD</b> |           |                 |           |
| <b>Post town</b>  | See above | <b>Postcode</b> | See above |
| Telephone number at premises (if any)   |           | N/A             |           |
| Non-domestic rateable value of premises   |           | £N/A            |           |

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| 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 checked="" 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 type="checkbox"/>            | please complete section (B) |

- c) a recognised club  please complete section (B)
- d) a charity  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)

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

**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)           |  |
| <b>Surname</b>  |                              |                               | <b>First names</b>          |  |  |
| I am 18 years old or over                                 |                              |                               |                             | <input type="checkbox"/> Please tick yes |  |
| Current postal address if different from premises address |                              |                               |                             |  |  |
| Post town   |                              |                               |                             | Postcode                                 |  |
| <b>Daytime contact telephone number</b>                   |                              |                               |                             |  |  |
| <b>E-mail address (optional)</b>                          |                              |                               |                             |  |  |

**(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<br>The Lava Coffee Company  |
| Address<br>Canterbrook Cottage<br>Brook<br>Lyndhurst<br>Southampton<br>Hampshire<br>SO43 7HD                               |
| Registered number (where applicable)<br>08831948   |
| Description of applicant (for example, partnership, company, unincorporated association etc.)<br>Limited liability company |
| Telephone number (if any)<br>07973228895   |
| E-mail address (optional)  |

**Part 3 Operating Schedule**

When do you want the premises licence to start?

|    |    |      |
|----|----|------|
| DD | MM | YYYY |
| 01 | 10 | 2014 |

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

|    |    |      |
|----|----|------|
| DD | MM | YYYY |
|    |    |      |

Please give a general description of the premises (please read guidance note 1)

Lavazza Espression brand is both a premium and aspirational coffee shop. The shops are contemporary, stylish, relaxing and interior design led with an emphasis on a fresh modern look with vibrant colours and artwork. There is a wider range of coffee based drinks, alcohol and food made fresh on the premises to standards created by award winning chefs. The unit is located between 'Hollister' and 'River Island' in Southgate Place The opening hours will likely be 1 to 2 hours before and after the standard opening times of the centre. The unit consists of a single ground floor with an open plan customer area of 96m<sup>2</sup>. There will also be a 16m<sup>2</sup> outdoor area directly adjacent to the property.

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

|     |
|-----|
| N/A |
|-----|

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)

- |  |  |
|--|--|
| <p>Provision of regulated entertainment</p> <ul style="list-style-type: none"> <li>a) plays (if ticking yes, fill in box A)</li> <li>b) films (if ticking yes, fill in box B)</li> <li>c) indoor sporting events (if ticking yes, fill in box C)</li> <li>d) boxing or wrestling entertainment (if ticking yes, fill in box D)</li> <li>e) live music (if ticking yes, fill in box E)</li> <li>f) recorded music (if ticking yes, fill in box F)</li> <li>g) performances of dance (if ticking yes, fill in box G)</li> <li>h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)</li> </ul> | <p>Please tick any that apply</p> <ul style="list-style-type: none"> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> <li><input type="checkbox"/></li> </ul> |
|--|--|

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

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

| Plays<br>Standard days and timings<br>(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"/> |
|---|-------|--------|--|----------|--------------------------|
| Day   | Start | Finish |  | Outdoors | <input type="checkbox"/> |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 3)  | Both     | <input type="checkbox"/> |
| Tue   |       |        |  |          |                          |
| Wed   |       |        | <b>State any seasonal variations for performing plays</b> (please read guidance note 4)  |          |                          |
| Thur  |       |        |  |          |                          |
| Fri   |       |        | <b>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</b> (please read guidance note 5) |          |                          |
| Sat   |       |        |  |          |                          |
| Sun   |       |        |  |          |                          |

**B**

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



C

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

D

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

E

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

F

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

## G

| Performances of dance<br>Standard days and timings<br>(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"/> |
|---|-------|--------|--|----------|--------------------------|
| Day   | Start | Finish |  | Outdoors | <input type="checkbox"/> |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 3)  | Both     | <input type="checkbox"/> |
| Tue   |       |        |  |          |                          |
| Wed   |       |        | <b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)  |          |                          |
| Thur  |       |        |  |          |                          |
| Fri   |       |        | <b>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</b> (please read guidance note 5) |          |                          |
| Sat   |       |        |  |          |                          |
| Sun   |       |        |  |          |                          |

H

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

## I

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

J

|  |       |        |   |                  |                                     |
|--|-------|--------|---|------------------|-------------------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)  | On the premises  | <input checked="" type="checkbox"/> |
|  |       |        |   | Off the premises | <input type="checkbox"/>            |
|  |       |        |   | Both             | <input type="checkbox"/>            |
| Day  | Start | Finish | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  |                  |                                     |
| Mon  | 0700  | 2200   |   |                  |                                     |
| Tue  | 0700  | 2200   |   |                  |                                     |
| Wed  | 0700  | 2200   |   |                  |                                     |
| Thur   | 0700  | 2200   |   |                  |                                     |
| Fri  | 0700  | 2200   |   |                  |                                     |
| Sat  | 0700  | 2200   |   |                  |                                     |
| Sun  | 0700  | 2200   | <b>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</b> (please read guidance note 5) |                  |                                     |

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

|   |         |
|---|---------|
| Name<br>David Medley  |         |
| Address<br>Flat 6 Stoneleigh Court<br>Lansdown Road<br>Bath |         |
| Postcode  | BA1 5TL |
| Personal licence number (if known)                          |         |
| Issuing licensing authority (if known)                      |         |



K

**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).**

None

L

| <b>Hours premises are open to the public</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>State any seasonal variations</b> (please read guidance note 4)  |
|--|-------|--------|---|
| Day  | Start | Finish |   |
| Mon  | 0700  | 2200   | <p><b><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></b> (please read guidance note 5)</p> |
|  |       |        |   |
| Tue  | 0700  | 2200   |   |
|  |       |        |   |
| Wed  | 0700  | 2200   |   |
|  |       |        |   |
| Thur   | 0700  | 2200   |   |
|  |       |        |   |
| Fri  | 0700  | 2200   |   |
|  |       |        |   |
| Sat  | 0700  | 2200   |   |
|  |       |        |   |
| Sun  | 0700  | 2200   |   |
|  |       |        |   |

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

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

Strong management controls and effective training of all staff so they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to the following:

- Alcohol to be consumed at the premises must be served by waiter/waitress service to person sat at tables
- All staff to be trained in the sale of alcohol with training records kept on the premises, these records are to be made available to the police and licensing authority for inspection
- There will be no bar at the premises at which persons may consume alcohol

We promise to support and uphold these objectives throughout our operating schedules and staff training.

**b) The prevention of crime and disorder**

- A CCTV system will be installed at the premises in consultation with the police. The system will be maintained in working order. The images will be of evidential standard and recordings will be kept for a minimum of 28 days and made available to the police on reasonable request

**c) Public safety**

- Well trained staff adherence to environmental health requirements.
- Training and implementation of underage ID checks including regular 'mystery shopper' checks, records of all checks will be kept within the unit available for inspection when required.
- The unit and all parts, fixings, furniture, sanitary ware etc therein will be maintained and checked on a regular basis in order to avoid any harm coming to members of the general public and staff

**d) The prevention of public nuisance**

- There will be signage clearly visible at all exits from the premises requesting persons to leave quietly

## e) The protection of children from harm

- |   |
|---|
| <ul style="list-style-type: none"> <li>• A refusal of sales register to be maintained and made available for inspection</li> <li>• A 'Challenge 25' policy will operate at the premises where any persons purchasing alcohol who appears under that age will be asked for identification that proves age</li> </ul> |
|---|

**Checklist:**

Please tick to indicate agreement

- 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 designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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 | <i>Mark Maden</i> |
| Date      | 18th Sept 2014    |
| Capacity  | Director          |

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)<br>Mark Medley<br>Canterbrook Cottage<br>Lyndhurst |             |          |          |
| Post town  | Southampton | Postcode | SO43 7HD |
| Telephone number (if any)  | 07973228895 |          |          |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional)<br>mark.medley@lavacoffee.co.uk  |             |          |          |

### 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 the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. 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 or 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

**Consent of individual to being specified as premises supervisor**

David Medley

.....  
*[full name of prospective premises supervisor]*

of

Flat 6, Stoneleigh Court  
Lansdown Road  
Bath  
BA1 5TL

.....  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises application

.....  
*[type of application]*

by

Mark Medley

.....  
*[name of applicant]*

relating to a premises licence

.....  
*[number of existing licence, if any]*

for

The Lava Coffee Company  
Unit SU15  
Southgate Centre  
Bath  
BA1 1AP

.....  
*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

Mark Medley

-----  
*[name of applicant]*

concerning the supply of alcohol at

The Lava Coffee Company T/A Lavazza Espression  
Unit SU15  
Southgate Centre  
Bath  
BA1 1AP

-----  
*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

Currently applying for personal licence

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

Bath & North East Somerset Council

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



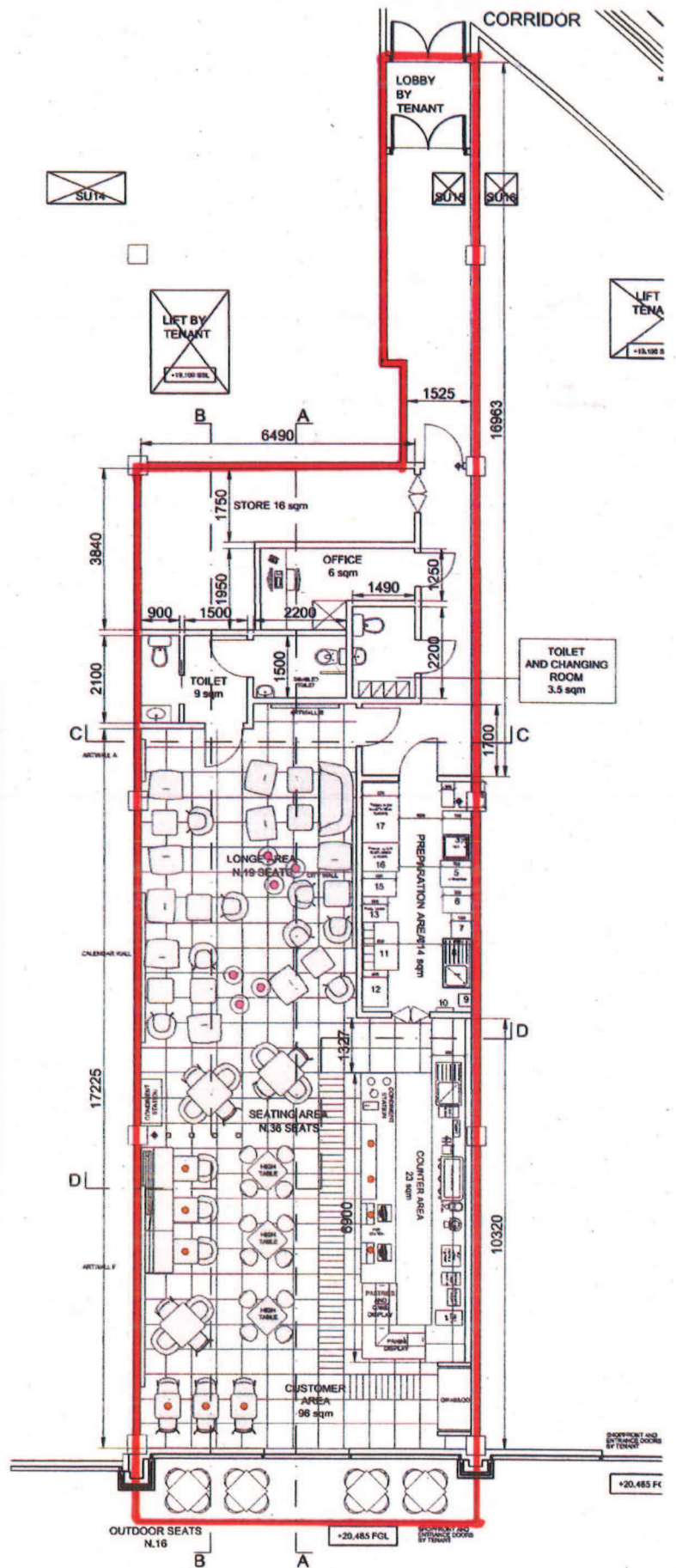
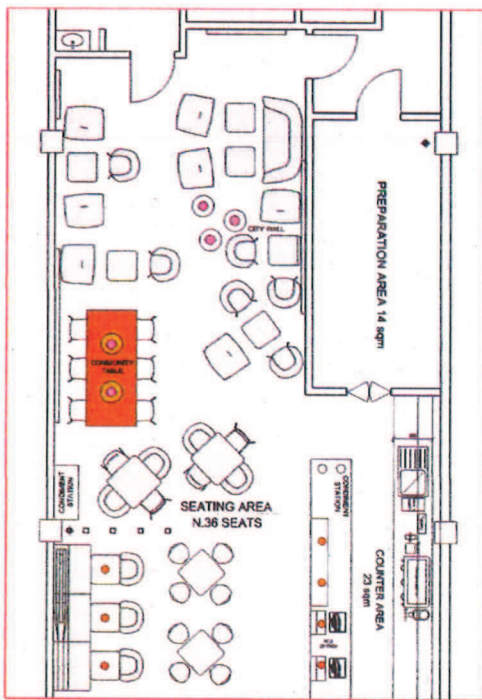
Name (please print)

David Medley

Date

18/09/2014

**SECOND OPTION:**  
community table in lounge area  
instead some armchairs



**LAYOUT**

Bath

© COPYRIGHT LAZZA COFFEE SHOPS S.R.L. EVERY USE, REPRODUCTION AND DISTRIBUTION ARE PROHIBITED.

REV  
8

SCALE  
1:100

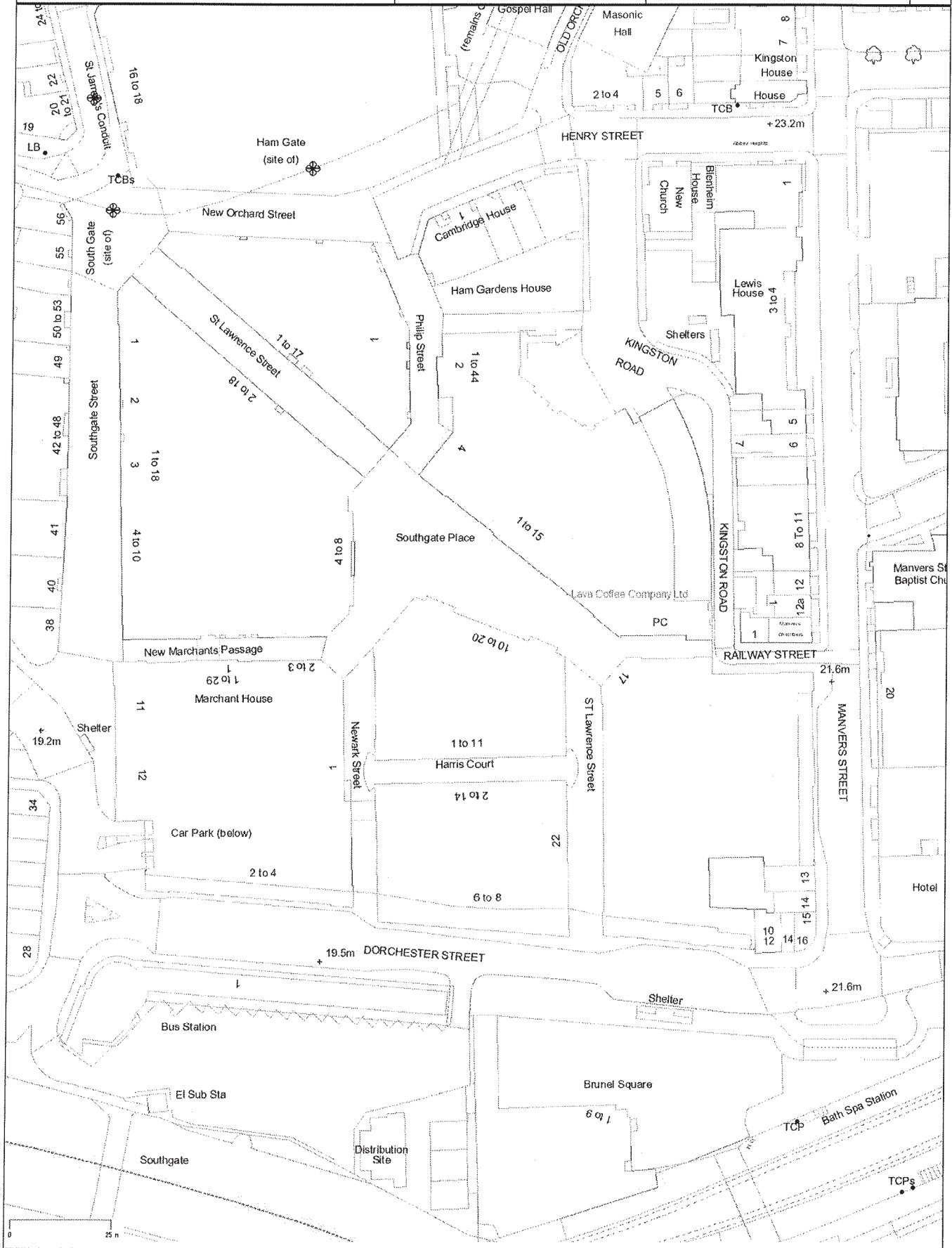
TAB  
01







|   |   |   |   |
|---|---|---|---|
| <p><b>Bath and North East Somerset:<br/>District Online</b></p> | <p>Date: 20-10-2014<br/>Scale: 1:1250</p>                   | <p>Bath &amp; North East<br/>Somerset Council</p>                                 |  |
| <p>Lava Coffee Company</p>                                      | <p>Map Centre - easting / northing:<br/>375157 / 164483</p> | <p>© Crown copyright and database right. All rights reserved (100023334) 2014</p> |   |





## LICENSING ACT 2003

15 OCT 2014

## INTERESTED PARTY REPRESENTATION

Received

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

|                            |                                  |
|----------------------------|----------------------------------|
| Application number:        | 14/04083/LAPRE                   |
| Applicant's name:          | Lava Coffee Company Ltd          |
| Premises name and address: | 11 Southgate<br>Bath             |
| Application for a:         | New Premises Licence Application |

**Objector Details:**

|   |  |
|---|--|
| Objector's Name:  | Sandra Wilcox  |
| Objector's Address:<br>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. | 31, Philip House<br>2 Philip Street<br>Bath<br>BA1 1AU |
| 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 live at 31 Philip House, which is directly above 11 Southgate.

I already suffer from noise from the Cosy Club opposite my home and the additional noise from Lava Coffee Company will cause a nuisance to me.

When I open my windows I will be able to hear the noise emitting from customers seated outside the premises.

I consider that it is totally unacceptable in a mixed commercial and residential area for a licence to be granted to allow alcohol to be served seven days a week between 7.00am to 10pm outside the premises.

The proposed condition that there will be signage at all exits requesting persons to leave quietly is pointless as some of the premises are outside directly under my windows.

If the application is granted in full I face the prospect of people sat outside drinking alcohol from 7.00am to 10pm. I have noticed at The Cosy Club the more people drink alcohol the louder they become and the more disturbance I face.

I would ask that it is borne in mind that Southgate is a residential area as well as a commercial area.

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

Signed

S. J. Wilcox

Date

15-10-14

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

07879342571

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 Sandra Wilcox

I will be attending the hearing  I will not be attending the hearing

