

Democratic Services

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Date: 3 September 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, 9th September, 2014

You are invited to attend a meeting of the **Licensing Sub-Committee**, to be held on **Tuesday, 9th September, 2014** at **10.00 am** in the **Brunswick 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 Riverside Offices Keynsham (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

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- 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, 9th September, 2014

at 10.00 am in the Brunswick Room - Guildhall, Bath

AGENDA

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 - 19TH AUGUST 2014 (Pages 7 - 14)

6. LICENSING PROCEDURE FOR A NEW PREMISES LICENCE OR FOR A VARIATION OF A PREMISES LICENCE (Pages 15 - 18)

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

7. APPLICATION FOR A PREMISES LICENCE ROSH LTD 5-6 SEVEN DIALS MONMOUTH STREET BATH BA1 1EN (Pages 19 - 56)

The Committee Administrator for this meeting is Enfys Hughes, Sean O'Neill who can be contacted on

democratic_services@bathnes.gov.uk.

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BATH AND NORTH EAST SOMERSET COUNCIL

LICENSING SUB-COMMITTEE

Tuesday, 19th August, 2014, 10.00 am

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

Officers in attendance: Carrie-Ann Rawlings (Senior Legal Adviser), Enfys Hughes and Kirsty Morgan (Public Protection Officer)

62 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

63 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

64 DECLARATIONS OF INTEREST

Councillor Manda Rigby declared an interest in the Bath Carnival item. She had been involved in discussions on the periphery but not in relation to the licensing issues and could determine the application on merit and without prejudice.

65 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

66 MINUTES: 28 JULY AND 5 AUGUST 2014

RESOLVED that the minutes of 28th July and 5th August 2014 be approved as a correct record and be signed by the Chairperson.

67 LICENSING PROCEDURE

68 APPLICATION FOR A PREMISES LICENCE FOR BATH CARNIVAL, SYDNEY GARDENS, SYDNEY PLACE, BATHWICK, BA2 6NF

Applicant: Robbie Verrechia, Sydney Gardens, Sydney Place, Bathwick, Bath, BA2 6NF.

Other persons present: Richard Brown, Stephanie Brown, Cllr David Martin (ward councillor) and Lizzie Milne (Friends of Sydney Gardens).

Responsible authorities: Katherine Jones (Environmental Health Officer) and Alan Bartlett (Public Protection Team Leader).

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

The Chair made introductions and explained that they would determine the application on its merits. There were some issues referred to in the representations that were covered by separate process which would not be considered relevant to

the licensing regime, though did operate in parallel – for example bye laws and designated public places order. It was made clear to them however, that those issues would be forwarded to the relevant parties for consideration.

The Public Protection Officer summarised the application. She referred to the additional documents which had been circulated to all parties.

The applicant, Mr Verrechia presented his case. He stated that this was an event for families and children providing a variety of activities throughout the day including making costumes, dance workshops, bands, a bar, leading up to the carnival procession which would start at 6pm. He proposed the day would start at 10am until 10pm and would take place on one day per year, not two as in the original application. There would be three main areas – workshops, stage (bands) and children's activities.

In response to questions Mr Verrechia made the following responses:-

- He had changed the times from 9am -12 midnight to keep local people happy;
- Sydney Gardens was a fantastic location and the procession would start there go around the city and return;
- The recent event had 7 stewards with 5 SIA trained, he acknowledged he had made a mistake in the original application by stating there would be a minimum of 4 stewards. He stated that he did not realise that stewards could also include SIA trained persons and had thought of them separately;
- The bar was for the adults and he hoped families would attend the day and stay on for a drink and listen to the bands while their children did the activities;
- He confirmed the music and bar would cease at 10pm;
- Sydney Gardens did have a number of entrances and paths across the park, it would be controlled by stewards at each entrance with clickers to monitor the numbers and check for alcohol;
- He was confident there was enough space for the event and the public using the park and the stewards would monitor this;
- If numbers exceeded the capacity then people would be asked to move to another area.

Representations:

Lizzie Milne

Lizzie Milne stated her case as a local resident and secretary of the Friends of Sydney Gardens) and referred to the points in her statement.

Richard Brown

Richard Brown summarised his main points and stated that the performance of live music at the weekend would cause a noise nuisance more like Glastonbury and the gardens were unsuited to this type of event. The sale of alcohol could result in anti-social behaviour in a residential area and make drinking in the park seem the 'norm'. Local residents had already experienced this and the event would be more suited to Victoria Park.

Stephanie Brown

Nothing further to add.

Councillor David Martin

Cllr Martin outlined his representation and stated it was relevant to three of the licensing objectives – the prevention of crime and disorder, the prevention of public nuisance and public safety. He explained that Sydney Gardens was bordered on four sides by residential properties some of which were 4/5 storey high, he queried how noise would be monitored. The entertainment and sale of alcohol could lead to anti-social behaviour which could be very distressing for residents. If there were up to 3,000 people in the gardens, there was an issue with public safety if there was a need to evacuate or access was required for emergency services. If members were minded to approve the application there should be conditions to address this.

The following responses were given to questions:-

- Yes Sydney Gardens had a history of being pleasure gardens and events like this were welcome as long as they met the licensing objectives and were controlled;
- The stage would cause problems for local residents;
- Previously there had been weekly events on a Saturday with music, dancing and alcohol but a bandstand and dancing were more appropriate;
- In respect of the licensing objectives being compromised, the railway and canal which bisected the gardens could be a hazard to those who drank too much; with reference to a recent event where there were about 500 people, if there were larger numbers there would be a risk of crushing which would be exacerbated if they had to evacuate; with a bar available for 12 hours there was the associated risk of anti-social behaviour and crime and disorder; with live entertainment there was a risk of public nuisance.

Katherine Jones (Environment Health Officer) made her representation and stated that the nature and location of the event needed further control to prevent nuisance. She stated having liaised with the applicant he was willing to implement further controls to prevent nuisance and she suggested the following conditions:-

1. Hours for all the licensable activities applied for to have an effect on no more than one day per calendar year on the following days and times:

Saturday 10.00hrs to 22.00hrs

Or

Sunday 10.00hrs to 22.00hrs
2. Within 28 days prior to an event, a detailed noise management plan shall be submitted to and agreed by the Environmental Protection Team at Bath and North East Council and shall be implemented as approved thereafter.

3. Within the noise management plan, a set noise limit at the mixing desk shall be agreed by the Environmental Protection Team at Bath and North East Somerset Council to ensure that music noise levels expressed as an LAeq should not exceed 65dBA over a 15 minute period within 1 metre from the façade of any noise sensitive receptor(s).

The applicant confirmed he had agreed to these conditions.

Alan Bartlett (Public Protection Team Leader) made his representation and stated his concerns and outlined the conditions to address them which had been agreed by the applicant:-

1. A minimum of 15 stewards to be on duty at the premises at all times (with the applicant having regard to rest breaks during which this minimum requirement of 15 must still be maintained) and consideration of the number of staff to be SIA trained; and
2. A minimum of three months' notice of the event in writing, to all relevant Responsible Authorities.

The following responses were given to questions:-

- Concern about the carrying of alcohol glasses/bottles off the site, the application was for consumption of alcohol on the premises only;
- If 3 months' notice was not given then the applicant would be in breach and subject to enforcement action.

In summing up the parties had nothing further to add. The applicant concluded that if the application was granted he wanted to work closely with the Friends of Sydney Gardens on planning the event to respect the needs of residents.

The meeting was adjourned for members to determine the application.

Following an adjournment it was

RESOLVED that the application for a new premises licence in respect of Bath Carnival, Sydney Gardens, Sydney Place, Bathwick, Bath BA 2 6NF be granted and the hours for all licensable activities applied for to have an effect on no more than one day per calendar year on the following days and times:

Saturday 10:00 hours to 22:00 hours

OR

Sunday 10:00 hours to 22:00 hours.

Members imposed the conditions consistent with the Operating Schedule subject to the following additions and amendments which are appropriate and proportionate in meeting the licensing objectives:

1. A minimum of 15 stewards including not less than 5 SIA Registered Staff to be on duty at the premises from at least 09:30 until 22.30 and at all times

(with the applicant having regard to rest breaks during which this minimum requirement of 15 must still be maintained).

2. 3 months' notice of the event to be given each year to the Relevant Responsible Authorities.
3. Within 28 days prior to an event, a detailed noise management plan shall be submitted to the Environmental Protection Team at Bath and North East Somerset Council.

Authority was delegated to the Public Protection Officer to issue the licence accordingly.

Reasons for decision

Members have determined an application for a new premises licence for the Bath Carnival at Sydney Gardens, Sydney Place, Bathwick, Bath, BA2 6NF. In doing so they took account of the Licensing Act 2003, Statutory Guidance, the Council's Statement of Licensing Policy and 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 appropriate and proportionate in the promotion of the licensing objectives based on the information before them.

The application was for the following licensable activities on a Saturday and Sunday on no more than 2 days per year:

- 1) The sale of alcohol for consumption on premises only between the following hours:

Saturday: 09:00 – 00:00

Sunday: 09:00 – 00:00

- 2) The provision of regulated entertainment by way of performance of dance, live and recorded music outdoors only:

Saturday: 09:00 – 00:00

Sunday: 09:00 – 00:00

- 3) Opening hours

The premises are an open public space.

In reaching a decision Members took account of all relevant oral and written representations and additional information submitted and balanced the competing interests of the applicant and interested parties.

Members noted the representations made by Mr Verrechia as the applicant for the proposal. He indicated that they wished to operate from 10am until 10pm with organised activities to prepare for a carnival to take place from 6pm. In terms of Sydney Gardens as a venue he said it represents a really nice location which is well

placed. Mr Verrechia confirmed that the sale of alcohol and regulated entertainment would end at 10pm and he confirmed that the event would be just one day per year.

Other parties were informed that matters relating to the Designated Public Places Order and peripheral issues were not relevant to the licensing regime and were not relevant representations. It was made clear to them however, that those issues would be forwarded to the relevant parties for consideration.

Members noted Mr Verrechia's explanation in relation to stewarding. He said that there was a SAGE approved plan for last weekend's event and there would be a steward on every entrance with event clickers to monitor numbers of people going in and coming out of the event in future; there would also be SIA Registered Security staff. It would be a free event so should not prevent any member of the public entering. Mr Verrechia said he thought there was enough space for the public and he was confident that he could monitor numbers. Miss Morgan (Public Protection Officer) clarified that the site plan red line defines the premises and that Mr Verrechia has offered a capacity limit of 3000 which means there can be no more than 3000 people on the premises when the event has effect.

Both oral and written representations were made by Councillor Martin and local residents expressing concern that the applicant's proposals would undermine all four of the licensing objectives. Representations were made with regard to the consumption of alcohol over a 12 hour period and resultant anti-social behaviour and crime and disorder; the impact of live and recorded music on local residents; inadequacy of on and off street parking and safety of pedestrians as well as concerns relating to the monitoring of the number of people entering the premises. The Other Parties felt the proposal would cause material noise nuisance for local residents. Mr Brown contended that cuts resulted in less money for events such as these to be overseen and managed.

Councillor Martin described the type and location of properties in the vicinity of the proposed premises. If minded to approve the application he requested that the Licensing Sub-Committee impose conditions relating to management so that the objectives relating to local amenity, crime and disorder and safety are achieved.

The Other Parties acknowledged that Sydney Gardens were called Pleasure Grounds but contended that any event must be controlled and managed to ensure the Licensing Objectives were met. It was suggested that a bandstand and dancing were more appropriate to the park than amplified music.

Councillor Rigby asked which aspects of public safety would be compromised if the application was granted. Miss Milne said that the park is dissected by a railway line and canal and that there is a risk for accidents to happen if someone has imbibed too much alcohol. Councillor Martin noted that this weekend the bandstand seemed very full and he is concerned about the crush of people.

Members heard and read representations from the Environmental Health Officer Katherine Jones, who expressed concerns that the proposal would undermine the prevention of public nuisance licensing objective. Miss Jones took into account the nature of the proposed event and location. Conditions were proposed, which were agreed by the applicant, in the following terms:

- 1) Hours for all licensable activities applied for to have an effect on no more than one day per calendar year on the following days and times:

Saturday 10:00 hours to 22:00 hours

OR

Sunday 10:00 hours to 22:00 hours

- 2) Within 28 days prior to an event, a detailed noise management plan shall be submitted to and agreed by the Environmental Protection Team at Bath and North East Somerset Council and shall be implemented as approved thereafter.

- b) Within the noise management plan, a set noise limit at the mixing desk shall be agreed by the Environmental Protection Team at Bath and North East Somerset Council to ensure that music noise levels expressed as an LAeq should not exceed 65dBA over a 15 minute period within 1 metre from the façade of any noise sensitive receptor(s).

Members also heard and read representations from the Public Protection Team Leader Alan Bartlett on behalf of the Licensing Authority, who expressed concerns that the proposal would seriously undermine all four of the licensing objectives. Mr Bartlett proposed the following conditions:

- 1) A minimum of 15 stewards on duty at the premises at all times (with the applicant having regard to rest breaks during which this minimum requirement of 15 must still be maintained).
- 2) 3 months' notice of the event to be given each year to the Relevant Responsible Authorities.
- 3) That the Licensing Sub-Committee determines the appropriate number of S.I.A registered staff appropriate for an event hosting up to 3000 people.

The Applicant verbally agreed to the conditions proposed by Mr Bartlett confirmed and he would be content with the proposal if the above conditions were imposed.

Members noted that in summing up Mr Verrechia said he would like to work more closely with the Friends of Sydney Gardens in the planning of the event.

Members resolved to grant the licence on the basis that the hours for all licensable activities applied for to have an effect on no more than one day per calendar year on the following days and times:

Saturday 10:00 hours to 22:00 hours

OR

Sunday 10:00 hours to 22:00 hours.

Members imposed the conditions consistent with the Operating Schedule subject to the additions under RESOLVED and amendments which are appropriate and proportionate in meeting the licensing objectives:

The meeting ended at 11.45 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

**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.

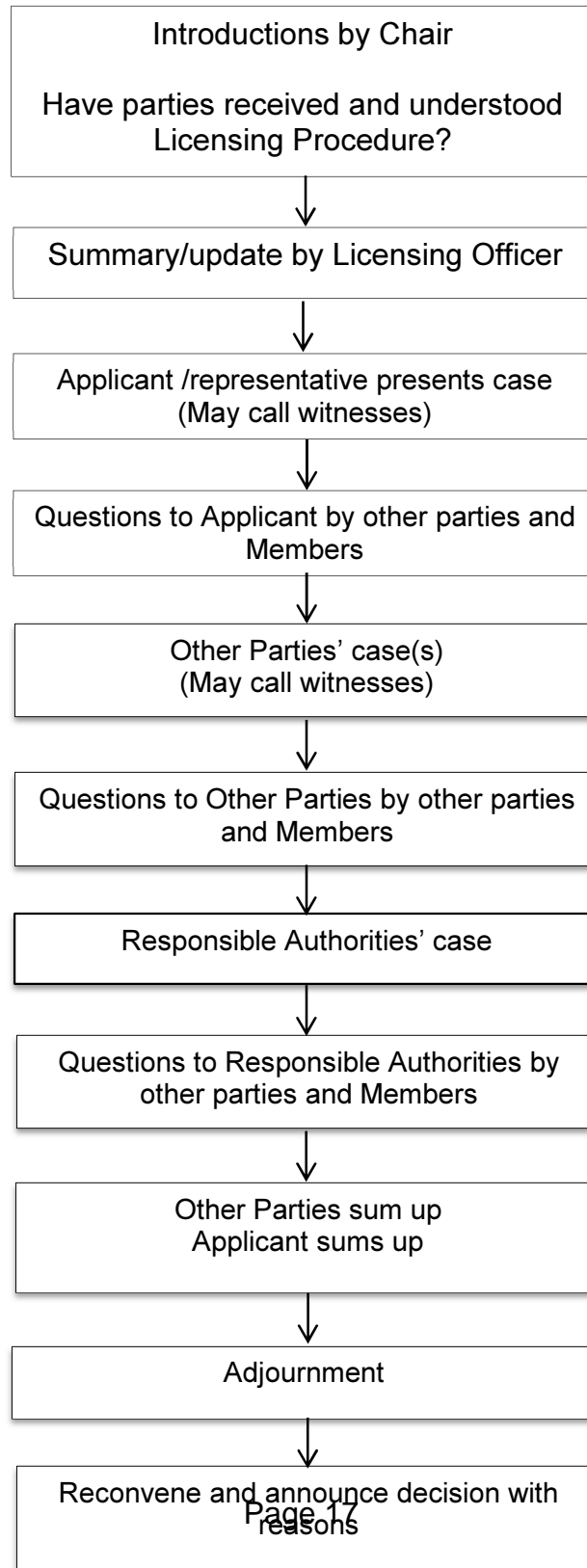
PLEASE NOTE:

- 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.

**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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Bath & North East Somerset Council		
MEETING:	Licensing Sub Committee	AGENDA ITEM NUMBER
MEETING DATE:	Tuesday 9 September 2014	
TITLE:	Application for a Premises Licence for Rosh Ltd , 5-6 Seven Dials, Monmouth street, Bath BA1 1EN	
WARD:	Kingsmead	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Annex A Application for a new premises licence</p> <p>Annex B Site plan</p> <p>Annex C Representations received from local business</p>		

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 **Rosh Ltd**, 5-6 Seven Dials, Monmouth Street, Bath BA1 1EN

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 £190.

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 application proposes the following licensable activities and opening hours:

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

Monday to Saturday 08:00 - 23:30

Sunday 10:00 - 22:00

2) **Late Night Refreshment:**

Monday to Saturday 23:00 - 00:00

3) **Opening Hours:**

Monday to Saturday 08:00 – 00:00

Sunday 09:00 – 22:00

5.3 A site plan is attached at *Annex B*.

5.4 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.

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

5.6 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, 15, 17, 18, 20, 23, 24, 28, 33 - 38, 41 to 44 of the 2011 policy.
 - b) Chapters 2, 8, 9 and 10 of the Statutory Guidance (as revised in June 2014).
 - c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.
- 5.7 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.
- 5.8 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.
- 5.9 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, health authority and the child protection agency.
- 5.10 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.
- 5.11 Representations have been received from **local businesses who state** that the application will undermine the prevention of crime and disorder, prevention of public nuisance and protection of children from harm licensing objectives (*Annex C*).
- 5.12 The premises lie within the cumulative impact area. As representations have been received there is a presumption that the application will be refused unless the applicant can demonstrate that the operation of the premises will not add to the cumulative impact already being experienced.
- 5.1 This report has not been sent to the Trades Union because they would have no involvement.

6. RATIONALE

- 6.1 As representations have been received the 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.

9 RISK MANAGEMENT

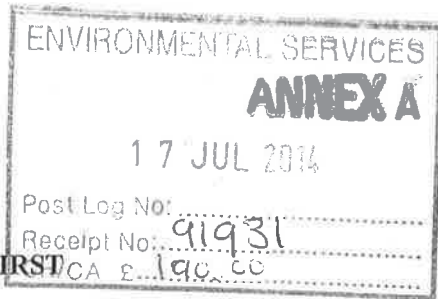
- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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.

Contact person	Kirsty Morgan, Public Protection Officer (Licensing) 01225 396939
Background papers	Licensing Act 2003 Guidance issued under s.182 of the Licensing Act 2003 Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005 B&NES Statement of Licensing Policy

1110362014142



**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 ROSH 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 5/6 SEVEN DIALS, MONMOUTH STREET			
Post town	BATH	Postcode	BA1 1EN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£31,250

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) 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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	<input type="checkbox"/>
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 ROSH LTD
Address 1 HARRINGTON PLACE, BATH BA1 1HF
Registered number (where applicable) 01711125
Description of applicant (for example, partnership, company, unincorporated association etc.) LTD COMPANY
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
 PREMISES ARE IN CITY CENTRE ON SHOPPING COMPLEX. CONSIST OF GROUND AND BASEMENT(USE AS STORE). LICENSED PREMISES OPERATED BY SAME APPLICANT OPPOSITE HAVE BEEN CLOSED LICENCE SURRENDERED(THE MARKET) FOR RE-DEVELOPMENT OF A CASINO. PREMISES WILL BE USED AS A WINE BAR WITH ONE DRAFT ALE, WITH A FOOD MENU. BOTH FOOD AND WINE WILL BE SOLD FOR CONSUMPTION ON AND OFF THE PREMISES. PART OF THE PREMISES INCLUDES A PRIVATE OUTSIDE AREA WHICH IS PARTLY SHARED IN ACCORDANCE WITH THE PREMISES LICENCE HELD NEIGHBOURING LICENSED PREMISES .

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

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 any that apply |
|---|----------------------------|
| 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 late night refreshment (if ticking yes, fill in box I)

X

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

X

In all cases complete boxes K, L and M

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					
Thur					
Fri					
Sat					
Sun					
			State any seasonal variations for performing plays (please read guidance note 4)		
			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)		

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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					
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				<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)
Fri				
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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				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 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 type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			State any seasonal variations for the performance of live music (please read guidance note 4)		
			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)		

F

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

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (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><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur					
Fri			<p><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)</p>		
Sat					
Sun					
			<p><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)</p>		

I

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	X
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	2300	2400			
Tue	2300	2400			
Wed	2300	2400	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) New years eve until 0100		
Thur	2300	2400			
Fri	2300	2400	<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)		
Sat	2300	2400			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0800	2330	State any seasonal variations for the supply of alcohol (please read guidance note 4) New Years Eve until the commencement of hours on New Years Day.		
Tue	0800	2330			
Wed	0800	2330			
Thur	0800	2330			
Fri	0800	2330			
Sat	0800	2330			
Sun	1000	2200			
			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 designated premises supervisor:

Name KAMBIZ SHAYEGAN	
Address 1 HARRINGTON PLACE, BATH	
Postcode	BA1 1HF
Personal licence number (if known) 05/03557/LAPER	

Issuing licensing authority (if known)
BANES

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

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)
Day	Start	Finish	
Mon	0800	2400	<p><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)</p>
Tue	0800	2400	
Wed	0800	2400	
Thur	0800	2400	
Fri	0800	2400	
Sat	0800	2400	

Sun	0900	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)

THESE PREMISES ARE SITUATED WITHIN THE CUMULATED IMPACT ZONE. THE PREMISES LICENCE AT THE MARKET OPPOSITE THE PROPOSED LICENCE PREMISES HAS BEEN SURRENDERED TO BE PART OF A NEW CASINO TO BE CONSTRUCTED. CCTV AND GOOD SUPERVISION OF THE OUTSIDE AREA IN PARTICULAR. THERE WILL ONLY BE ONE DRAFT ALE/LAGER AVAILABLE AND NO CANNED ALCOHOL OF BEER OR LAGER WILL BE SERVED. AS THIS APPLICATION IS VIRTUALLY REPLACING ANOTHER LICENSED PREMISES BUT IN MUCH REDUCED NUMBERS AND HOURS, THE CONDITIONS SUGGESTED WILL EXIST TO GIVE EFFECTIVE CONTROL AND NOT ADD DURING THE OPENING HOURS. THERE WILL BE A WASTE RANGE OF NON ALCOHOLIC DRINKS, COFFEE ETC, HOT AND COLD DRINKS.

b) The prevention of crime and disorder

CCTV TO BE INSTALLED IN ACCORDANCE WITH POLICE CRIME PREVENTION OFFICERS THE SYSTEM TO BE MAINTAINED AND STAFF TO BE TRAINED ON ITS USE AND TECHNIQUE IN PHOTO RETRIEVAL FOLLOWING A REASONABLE REQUEST BY POLICE. WAITER SERVICE TO TABLES . ENSURE THAT ALL EMPTY GLASSES ARE COLLECTED FOLLOWING USE, PARTICULARLY AT OUTSIDE TABLES. ALCOHOL SOLD FOR CONSUMPTION OFF PREMISES MUST BE IN SEALED CONTAINERS. RECORD OF INCIDENTS, SHOWING CAUSE AND ACTION TAKEN, IF ANY, TO BE MAINTAINED TO IMPROVE THE TRAINING OF STAFF AND MANAGEMENT AND PRODUCED UPON REASONABLE REQUEST TO POLICE. TO SECURE EXTERIOR TABLES AND CHAIRS OUTSIDE OF HOURS OF USE

c) Public safety

FIRE RISK ASSESSMENT TO BE AVAILABLE FOR INSPECTION ON THE PREMISES ENSURE THAT NO GLASSES ARE LEFT UNATTENDED IN PARTICULAR ON OUTSIDE TABLES. ENTRANCE/EXIT TO PREMISES NOT OBSTRUCTED BY TABLES AND CHAIRS.

d) The prevention of public nuisance

ALL COLLECTIONS OF ALCOHOL WASTE NOT TO BE COLLECTED BEFORE 9AM ENSURE THAT THE OUTSIDE AREA IS KEPT FREE AT ALL TIMES OF ANY ITEMS WHICH RENDER AREA TO BE UNTIDY AND UNSUPERVISED. NO USE OUTSIDE AREAS AFTER 2230 HOURS.

e) The protection of children from harm

Notices are displayed within the premises indicating age limits for the sale of Alcohol also that policy of of requiring identification from persons apparantly under 25 years of age Policy to be followed:

POLICY (MANDATORY)

1. All staff will receive training based on a robust training program relating to alcohol sales before being authorised to sell alcohol.
2. A record to be maintained of all persons so trained.
3. All sales which are refused to be recorded together with the reason for refusal.
4. Such proof of age will only be accepted if evidence of identification contains a photograph, date of birth, a holographic mark. Examples of acceptable ID are photocard driving licences, passports or proof of age cards bearing the PASS hologram and other forms of ID which meet the criteria already described.
5. Refresher Training to be considered at six monthly periods or at any time when an amendment is enacted relating to sales to young people.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

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	
Date	15 TH JULY 2014
Capacity	LICENSING AGENT.

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.

Notices are displayed within the premises indicating age limits for the sale of Alcohol also that policy of of requiring identification from persons apparently under 25 years of age Policy to be followed:

POLICY (MANDATORY)

1. All staff will receive training based on a robust training program relating to alcohol sales before being authorised to sell alcohol.
2. A record to be maintained of all persons so trained.
3. All sales which are refused to be recorded together with the reason for refusal.
4. Such proof of age will only be accepted if evidence of identification contains a photograph, date of birth, a holographic mark. Examples of acceptable ID are photocard driving licences, passports or proof of age cards bearing the PASS hologram and other forms of ID which meet the criteria already described.
5. Refresher Training to be considered at six monthly periods or at any time when an amendment is enacted relating to sales to young people.

Checklist:

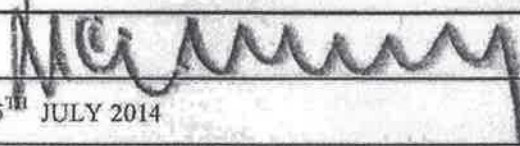
Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

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.

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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	15 TH JULY 2014
Capacity	LICENSING AGENT.

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) DAVID C HOLLEY 25 BROAD STREET, BATH			
Post town	BATH	Postcode	BA1 5LW
Telephone number (if any)	07710 272384		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Dholley_licensing@btinternet.com			

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.

Lauren Latta

From: Sue Holley <sueholley@btinternet.com>
Sent: 18 July 2014 11:14
To: Licensing
Cc: dholley_licensing@btinternet.com
Subject: seven dials
Attachments: seven dials page19etc186.pdf

Thankyou Lauren, please find detail, confirm sales on and off,

David Holley

Consent of individual to being specified as premises supervisor

KAMBIZ SHAYEGAN

[full name of prospective premises supervisor]

of

1 HARRINGTON PLACE, BATH BA1 1AF

[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

^{SEVEN DIALS}
5/6 MONMOUTH STREET, BATH

[type of application]

by

ROSH LTD

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for ^{SEVEN DIALS}

5/6 MONMOUTH STREET BATH

[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

ROSH LTD

[name of applicant]

concerning the supply of alcohol at
5/6 ^{SEVEN DIALS} MONMOUTH STREET, BATH

[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

05/03557/LAPER

[insert personal licence number, if any]

Personal licence issuing authority

BANES

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

Signed



Name (please print)

KAMBIZ SHAYEGAN

Date

11/7/2014

<p>Bath and North East Somerset: District Online</p>	<p>Date: 20-8-2014 Scale: 1:1000</p>	<p>Bath & North East Somerset Council</p>	
<p>Rosh Ltd, 5-6 Seven Dials</p>	<p>Map Centre - easting / northing: 374850 / 164823</p>	<p>© Crown copyright and database right. All rights reserved (100023334) 2014</p>	



Charlie Digney

The Garrick's Head

Bath

BA1 1ET

6-8-14

licensing@bathnes.go.uk

Ref. 14/03620lapre

Dear Sir

I am writing to register my objection to the application for a liquor license at 5/6 Seven Dials, Sawclose by Rosh Ltd

I am concerned of the risk of antisocial behaviour arising from a licensed premises with no kitchen. With no kitchen in place and no extraction on the site the unit will not be able to serve hot food, it is likely that such a bar will encourage heavy drinking, as selling drink will be its only source of revenue. It is likely that antisocial behaviour will follow from this, leading to public order offences.

I consider the unit in seven dials to be unsuitable for the purposes of a licensed premises, there is a risk of loud noise from inside creating a public nuisance to customers dining at the Garrick's Head, as well as other members of the public. The covered way separating the unit and Sawclose will become a rowdy area from the spill out of the proposed bar, smokers will inevitably stand there causing a public nuisance to members of the public wishing to use this right of way.

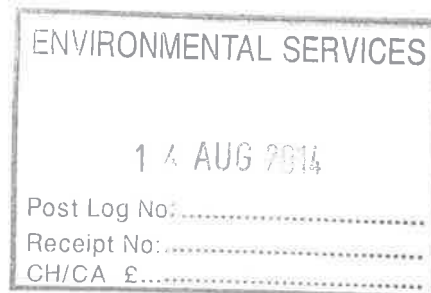
Further more I am concerned that the applicant is not a suitable person to hold an additional liquor license as his son was convicted of the sale of and use of class A drugs at Mr Shayegan's club the Blue Rooms.

Chief Superintendent Geoff Spicer said in a submission to the council: "It appears there has been a gross failure to promote the licensing objectives in respect of the prevention of crime and disorder.

I have worked hard to improve the ambience of the area around St John's Place, and have rigidly adhered to my commitment not to encourage excessive alcohol consumption. To date the Garrick's Head has had no public order issues in eight years and manages our customers without door staff by encouraging them to eat and drink responsibly.

I am concerned that by granting this application the council will send the wrong message and risk the safety of families using the theatre and my establishment.

Yours sincerely,

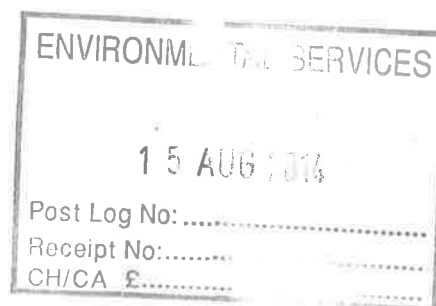


Charlie Digney

Charlie Digney

Michel Lemoine
La Barrique
31 Barton Street
Bath
BA1 1JG

15th August 2014



Dear Sir

REF: 14/03620LAPRE

I am writing to register my objection to the application for a liquor licence at 5.6 Seven Dial Close, by ROSH Limited, reference given above.

I am concerned at the risk of additional anti-social behaviour arising from licensed premises with no kitchen, meaning no food will be served; hence revenue will be purely driven from sale of alcohol, which must surely mean clients will be freely encouraged to drink.

We already have a number of licensed premises in the Saw Close/Barton Street area, and we regularly at my restaurant have to deal with the problems caused by excess drinking, i.e., vomit, urine, broken glass from the primarily alcohol focussed premises such as Malloys, £1.00 a pint on Monday night and believe another alcohol only establishment will only add to this.

The outside seating proposed will become a noisy area, with smokers also congregating here, and we believe this will negatively impact on the local environment and theatre goers, many of which are families and elderly citizens.

There has been recent planning approval for a further 4 licensed premises on the Saw Close site and we can only see the granting of another alcohol only licence will increase the impact on the local environment from the point of view of disorderly and unpleasant conduct and anti-social behaviour and contribute to turning Saw Close into a heavy drinking, non-family friendly area.

Yours faithfully

M A Lemoine



Martin Grant

Gascoyne Place

1 Sawclose

Bath

BA1 1EY.

14th August 2014

Marty.grant@gascoyenplace.co.uk

licensing@bathnes.gov.uk

Ref. 14/03620LAPRE

Dear Licensing Team,

I am writing to register my objection to the application for a liquor license at 5/6 Seven Dials, Sawclose by ROSH LTD.

I feel that there are already far too many licensed premises in the centre of Bath and indeed the Sawclose area. There is a danger that yet more additions of drink focused establishments will further negatively impact on the local environment and resident population.

As well as owning a business in the immediate vicinity, I am also a resident and have had to deal with many sleepless nights over the years as a result of anti-social behaviour in the neighbourhood most of which is directly linked to excessive alcohol consumption. There are many instances where I have not felt safe in my own neighbourhood as a direct result of alcohol related incidents. There is also the health and safety hazards this culture creates including for example fighting, vomit, urine and excrement, broken glass, vandalism and such like. The granting of yet another alcohol premises license will further impact negatively on the quality of life of those who live and work here as well as visitors.

The area of Sawclose simply cannot support more potential public nuisance and drink related public order offences and anti-social behaviour.

I also believe that the unit in Seven Dials is unsuitable for use as licensed premises. I understand the planning application also includes outdoor seating for 28 people. There is therefore the risk additional loud noise from both inside and outside the proposed site.

In addition, the covered way separating the unit and Sawclose will become a rowdy area from the spill out of the proposed bar. I believe smokers will inevitably congregate here which will cause potential obstruction and public nuisance to residents, the local working population and visitors wishing to use this already restricted public right of way.

Martin Grant

The Licensing Team
B&NES
Lewis House
Manvers Street
Bath BA1 1JG

13th August 2014

RE. Premise Licence application at 5/6 Seven Dials, Monmouth Street Bath BA1 1JG

Dear Sir/Madam,

The Theatre wishes to object to this application on the following grounds:-

The immediate area has several licensed premises already and the addition of another licensed premise will add to the noise and litter surrounding the Theatre that is a nuisance currently.

Additional loading on the busy pavements and routes to and around the Theatre will be incurred, possibly causing patrons to walk in roadways or experience difficulty in exiting the building during an emergency or evacuation.

The hours proposed for the sale of alcohol are excessive and will attract more vagrant and alcohol dependant people into the area. These issues are all the more important as the egg Theatre for children is in this vicinity.

Yours sincerely,



Eugene Hibbert
General Manager
Theatre Royal Bath
Sawclose Bath BA1 1ET

Bath And North East
Somerset Council

18 AUG 2014

Received

