
Bath & North East Somerset Council

Democratic Services

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Date: 19 March 2015

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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: Friday, 27th March, 2015

You are invited to attend a meeting of the **Licensing Sub-Committee**, to be held on **Friday, 27th March, 2015** at **1.30 pm** in the **Brunswick Room - Guildhall, Bath**.

Briefing

Members of the Sub-Committee are reminded that the meeting will be preceded by a briefing at 1.00pm.

The agenda is set out overleaf.

Yours sincerely

Emma Bagley
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 Emma Bagley 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 Emma Bagley as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Reception: Civic Centre - 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 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 - Friday, 27th March, 2015
at 1.30 pm in the Brunswick 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: 3RD MARCH 2015 (Pages 7 - 14)

6. MINUTES: 17 MARCH 2015 (Pages 15 - 16)

7. LICENSING PROCEDURE (Pages 17 - 20)

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

8. APPLICATION FOR A PREMISES LICENCE FOR WETHERSPOONS, 110 HIGH STREET, MIDSOMER NORTON, BA3 2DA (Pages 21 - 82)

9. APPLICATION TO VARY THE PREMISES LICENCE FOR THE WINE BAR, 19 HIGH STREET, KEYNSHAM BS31 1DP (Pages 83 - 130)
10. APPLICATION TO VARY THE PREMISES LICENCE FOR MIDSOMER NORTON CRICKET GROUND, WITHIES LANE, MIDSOMER NORTON BA3 2JE (Pages 131 - 190)

The Committee Administrator for this meeting is Emma Bagley who can be contacted on democratic_services@bathnes.gov.uk.

LICENSING SUB-COMMITTEE

Tuesday, 3rd March, 2015, 10.00 am

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

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

132 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

133 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

134 DECLARATIONS OF INTEREST

There were none.

135 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

136 MINUTES: 3RD FEBRUARY 2015

RESOLVED that the minutes of the meeting of 3rd February 2015 be approved as a correct record and signed by the Chair(person).

137 LICENSING PROCEDURE

The Chair confirmed that the procedure to be followed for that part of the meeting had been read and understood.

138 APPLICATION FOR A PREMISES LICENCE FOR SUBWAY, 31 SOUTHGATE STREET, BATH BA1 1TP

The Sub-Committee considered the report which sought determination of an application for a new Premises Licence under section 17 of the Licensing Act 2003 in respect of Subway, 31 Southgate Street, Bath.

Those present for the applicant:-

Michael Parrott (Greg Latchams LLP) – representing the applicant
Stuart House – Franchisee and Development Administrator
Sue Pasco – Subway Franchisee

Those present having made representations:-

Brian Hussey – BCH Camping and Leisure and The Bryan and Christopher Hussey Partnership

Emily Luff - neighbour

The Public Protection Officer presented the report and stated that the application proposes:

Late Night Refreshment (indoors and outdoors)

Fridays - Saturdays 23:00 - 03:00 the following morning with;

Opening Hours

Mondays – Thursdays	07:00 – 23:00
Fridays – Saturdays	07:00 – 03:00 the following morning
Sundays	09:00 – 21:00.

She went on to state that representations had been received relating to public nuisance. She stated that no representations had been made from the responsible authorities.

The Chair referred to the Bath and North East Somerset (B&NES) Licensing Policy 2014, relating to the Cumulative Impact Policy, paragraph 16.8 which stated that:-

“Currently the Council’s evidence base in relation to the Cumulative Impact Area does not relate to off-sales of alcohol and late night refreshment.”

Michael Parrott put the case on behalf of the applicant. He stated that an application for the premises had been submitted to Sub-Committee previously 6 months ago. At that time the premises had not opened and the impact of hot drinks and food was the issue. Now they had been trading for 6 months and had trading figures for cold food. They were already able to serve cold food and drinks up until 03:00 hours. He pointed out that a nearby McDonalds on Southgate had a 24 hour licence and had not received any representations. He stated that an important feature of Subway was that they were a health conscious quality operation and there was a degree of interaction between staff and the customer when ordering. He referred to the letters of representation and made the following points. He stated that the freezer would not be used after 10pm; the bins were now inside, the freezer was now smaller to accommodate this; rubbish for collection was put outside and collected daily by Sita between 5.30-6.30pm; the 2 fire doors now had mag locks and soft closers; and the first floor area would not be used after 10pm except for staff members using the toilets. He stated that they had liaised with Environmental Health re units on the roof and an inspection had been made with no recommendations.

He referred to the trading figures circulated before the meeting which were from Subway Southgate and a comparable store in Montague Street Bristol in a similar location, near the bus station, residential accommodation and with night clubs in the vicinity. These were now actual figures not estimated like the last Sub-Committee. The figures demonstrated that there would be approximately 10 extra customers per hour between 12:00 and 03:00. There was already customer flow in the area at this time anyway.

He referred to the B&NES Licensing Policy relating to Cumulative Impact which had changed and re-affirmed that it did not relate to late night refreshment.

He introduced Sue Pasco the franchisee. She stated that Subway was all franchised and was a family-run company. She stated that they were part of the community, were aware of their near neighbours and were trying to be co-operative in responding to the objections raised.

Mr House was responsible for the day-to-day operation. He added that there were usually two staff working at night. He had met Mr Byrd in the shop to have a discussion as there had also been an invitation to neighbours to come to the premises to discuss any issues. They had put in place measures to address some of his issues.

During questions the following points were made:-

- Toilets were upstairs, this area would be open until 10pm after which time only staff could use the toilets;
- The bins were inside the back door and there was a waste receptacle at the front of the premises;
- Mr House stated staff should clear up the litter and that could be a condition on the licence;
- Their trade was predominantly (70%) at lunch time;
- To have hot food late at night could attract those late night drinkers to stay in the city for longer;
- Not all night time revellers had drunk a lot of alcohol and customers were passing the shop anyway;
- The main issue was hot food and drink and opening hours would remain the same;
- If only 10 more customers were attracted to the shop with 2 staff would the operation be worthwhile;
- Many people would switch from cold food to hot (80%) and some would make a purchase as opposed to walking out when there was not hot food;
- Environmental health has visited the premises and made no recommendations therefore the only issues were from neighbours;
- Would the previous problems actually stop when the remedial measures were implemented?

Representations – Mr Bryan Hussey

Mr Hussey explained his background, he owned the shop next door and the flats and maisonette. He had nothing in principle against Subway but was a landlord and had responsibilities to his tenants who were disturbed and needed their sleep. They expected to hear hustle and bustle living in a city but during reasonable hours. In the early hours sound was amplified. The premises attracted people who had consumed alcohol and were often louder than usual. His properties had windows over the street which were affected more so in summer time. He had received complaints from his tenants since Subway had opened. He had enquired whether the shop could be open until this time for cold food and had been informed that it could.

Miss Emily Luff

She stated she endorsed the comments made by Mr Hussey. She felt it was disingenuous to state that they were a local sandwich shop with a discerning customer when in reality in the early hours the customer was likely to have drunk a lot and want a 'hot meatball sub'. This created noise and nuisance and they already had that when cold food was served. They did not want the situation to get worse as it was difficult to live life normally with the disturbance.

During questions the following points were made:-

- Yes the situation would be worse with hot food as there would be more noise and litter. Mr Hussey did not respond to the invite to the premises as he felt they could not address the problem of customer noise;
- The noise would get worse as people would be attracted to the hot food;
- Miss Luff explained that their living room was above the freezer room, with bedroom above that, their bathroom was above the stairwell and the noise seemed to travel up the internal walls;
- Mr Hussey confirmed his properties were in the adjoining terrace.

The people making representations did not wish to sum up but the applicant did. Michael Parrot stated that the increase in customers would be modest and the figures backed this up. Some of the existing customers would choose hot food instead of cold. People were already in the area passing through to the bus station. CCTV was available. To remove the litter around the premises could be added as a condition.

RESOLVED that the application for a new premises licence at Subway, 31 Southgate Street, Bath be granted subject to the standard terms and conditions as follows:-

Late Night Refreshment (indoors and outdoors)

Fridays - Saturdays 23:00 - 00:00 the following morning.

Opening hours as in the report.

With an amendment to the CCTV condition, see below.

Reasons for decision

Members have today determined an application for a new premises licence for Subway at 31 Southgate Street, Bath. In doing so they have taken into consideration the Licensing Act 2003, Statutory Guidance, the Council's Policy and the Human Rights Act 1998.

Members were aware that the proper approach under the Licensing Act is to be reluctant to regulate in the absence of evidence and must only do what is appropriate and proportionate in the promotion of the licensing objectives based on the information put before them.

Members were careful to take account of the relevant written and oral representations made and were careful to balance their competing interests. Members were however careful to disregard irrelevant matters.

Members noted that there had been no representations from Responsible Authorities.

Applicant

The application was for the provision of late night refreshment on Friday and Saturday night from 23:00-03:00. It was stated that the store had been operating providing cold food late into the night since August.

Michael Parrott, Susan Pasco and Stuart House in support of the application noted that Subway, Bath have been trading for some months now and have the benefit of trading figures. Reference was made to the place of Subway in the market and positive public health considerations that they, as a business, have regard to. In relation to noise, Mr Parrott addressed representations that had been received and stated that there is no need for the freezer to be used beyond 10.00pm. In terms of the use of bins there should be no issue with them being moved about beyond approximately 8.30pm. Addressing representations in relation to tables and chairs being moved about on the upstairs seating area of the premises, it was indicated that these areas should not be used by the public or staff beyond 10.00pm, save for staff accessing the toilets.

Based on the trading figures submitted with the application Subway anticipates an additional 10 customers over an hour in terms of impact on licensing objectives. It is anticipated that the customers will be primarily students heading to the bus station who would be in the area in any event.

It was made clear by the chair that the Council's Cumulative Impact Policy does not apply in respect of this application for the provision of late night refreshment.

Mrs Pasco stated that Subway Bath are very aware of their neighbours and have made a special area in the rear of the premises to store rubbish and reduced the size of the freezers in order to accommodate the bins. Following a question from members Mrs Pasco indicated that 70% of trade related to lunchtime but the applicants would like to extend their offering to the consumer. She does not anticipate consumers lingering on the premises and noted that they have to engage with staff in order to place an order.

Mr House explained the trading figures submitted and explained that they have identified what they consider to be a comparable Subway premises in Bristol. He indicated that staff should not be at the back of store they should be at the front of the store serving customers. He went on to explain to Members that the 3.00am termination time for provision of late night refreshment was informed by discussions with the police.

It is anticipated that there would be an increase in sales but they have found that customers have been coming in and leaving because they cannot purchase hot food or drinks. It is expected that 80% of customers will migrate to hot food and some additional customers will make purchases of hot food.

The applicants indicated that they would agree to a condition that staff should go outside and clear up litter.

Interested Parties

The Interested parties objected under the prevention of public nuisance objective.

Mr Hussey stated that he has no objection in principle to Subway but he referred to his written representations. His concern as a landlord related predominantly (90%) to noise disturbance to his tenants in the early hours of the morning from inebriated customers and felt that this problem would only be exacerbated in the summer. He did note there was an issue relating to litter. Whilst he was thankful to Subway for the steps that had been taken and the notices displayed within the premises which had been circulated as part of the application, he expressed reservations about whether these would be adhered to. Mr Hussey noted that Subway can open until 3.00am to serve cold food but asked that issues with public nuisance are not made worse by the granting of this licence and stated that if the hours sought for the provision of late night refreshment was until say, midnight, he did not think he would be objecting.

Miss Luff endorsed the representations made by Mr Hussey.

Members

Members considered the premises were likely to have an effect on the licensing objective of public nuisance however they felt that between 23:00 and midnight conditions would be effective in the prevention of public nuisance. However beyond midnight they felt that customers would more likely be inebriated night revellers who were highly likely to cause public nuisance in on and around the premises which is a highly residential area. Members considered that conditions would not be effective in the prevention of public nuisance beyond midnight.

Accordingly members resolved to approve the application subject to conditions consistent with the operating schedule and the mandatory conditions save for the following amendments to proposed hours for the licensable activity and a condition:

Late Night Refreshment

Fridays and Saturdays 23:00 to 00:00

Condition:

CCTV system to be installed and maintained *throughout the premises including the staff areas* in good working order at all times. Images to be retained for a period of 30 days. The correct time and date to be generated on recorded and real time images.

Members made those amendments on the basis that they were appropriate and proportionate and promoted the licensing objective of preventing public nuisance.

Members noted that the applicants had confirmed their agreement to a condition relating to litter however such a condition had in fact already been offered as part of the application.

Members further noted from oral submissions on by the applicants that there are 10 CCTV cameras throughout the premises which includes a camera located at the rear in the freezer area.

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

The meeting ended at 12.24 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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LICENSING SUB-COMMITTEE

Tuesday, 17th March, 2015, 10.00 am

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

Officers in attendance: Alan Bartlett (Public Protection Team Leader), John Dowding (Senior Public Protection Officer) and Carrie-Ann Evans (Senior Legal Adviser)

139 EMERGENCY EVACUATION PROCEDURE

The Democratic Services explained the procedure.

140 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

141 DECLARATIONS OF INTEREST

There were none.

142 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

143 MINUTES - NONE TO BE CONSIDERED

144 LICENSING PROCEDURE - HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE DRIVER APPLICATION

The Chair drew attention to the procedure to be followed for the hearing of the application.

145 EXCLUSION OF THE PUBLIC

RESOLVED that, the Sub-Committee 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 of business, because of the likely disclosure of exempt information as defined by paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act as amended.

146 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE: MR F V

The Sub-Committee considered the report, which sought determination of an application by Mr FV for the grant of a combined Hackney Carriage/Private Hire Driver's licence.

Mr FV was present and confirmed that he had read the procedure for the meeting.

The Senior Public Protection Officer presented the report and stated that as part of the application process a Disclosure and Barring Service check had been undertaken, which had revealed a previous conviction. He circulated the Disclosure and Barring Service certificate and a personal statement from Mr FV. He also circulated a reference for Mr FV. The applicant, the Public Protection Team Leader and the Senior Public Protection Officer withdrew from the meeting while Members took some time to consider these documents.

After the meeting had reconvened, Mr FV put his case and explained the circumstances of the conviction. He said that it had been a very silly mistake, but it had happened ten years ago and he had matured and now had family responsibilities. He explained why he wanted the licence. He was questioned by Members, and then made a closing statement.

Following an adjournment it was

RESOLVED that Mr FV be granted a combined Hackney Carriage/Private Hire Driver's licence subject to the standard terms and conditions.

Reasons

Members have had to determine an application for a combined Hackney Carriage/Private Hire Driver's Licence. In doing so they took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

In making a determination Members took account of the applicant's oral representations, his statement, and reference and balanced these against the information provided by the Disclosure and Barring Service.

Members noted that Mr F V's conviction was for a serious motoring offence however the offence took place nearly 10 years ago; it appeared from the nature of the sentence imposed to be at the lower end of the scale of seriousness and seemed to be an isolated incident. Members further noted that the offence fell outside of the 5 year period specified in the Council's Policy.

Members felt the applicant presented himself as a responsible citizen who gave them reason to believe that he had learnt his lesson.

Members found Mr F V to be a fit and proper person.

The meeting ended at Time Not Specified

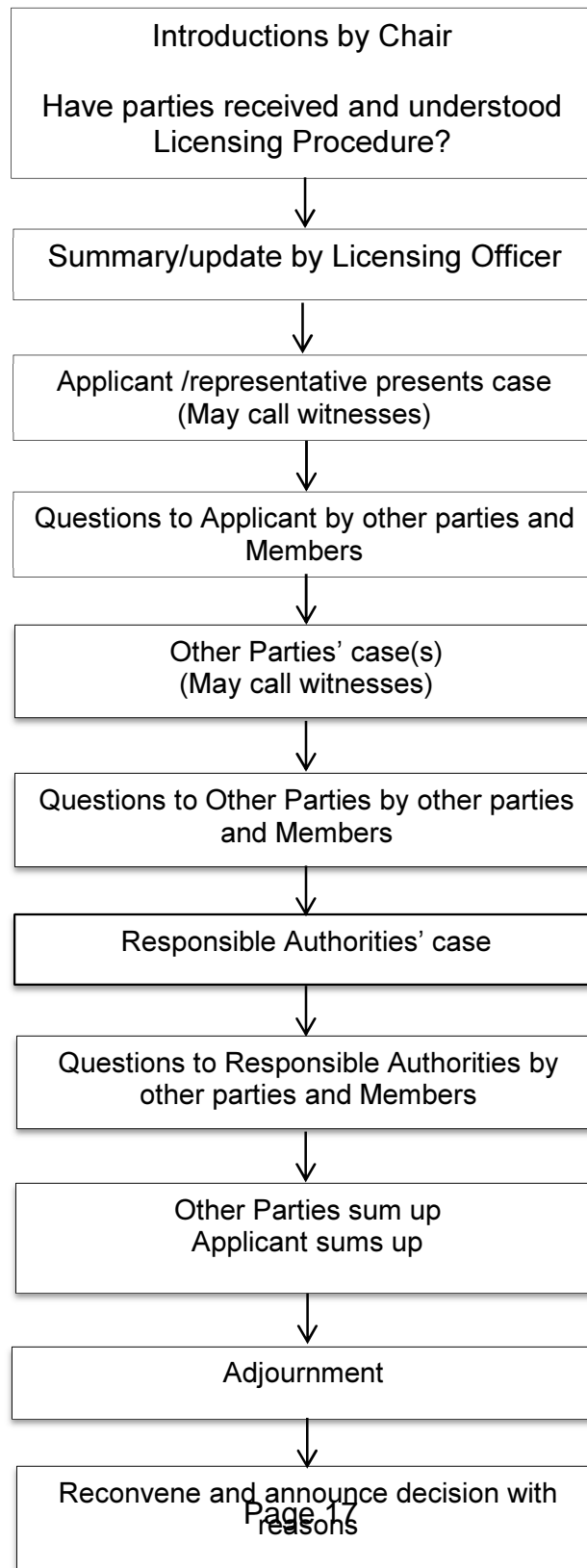
Chair(person)

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.

Bath & North East Somerset Council		
MEETING:	Licensing Sub Committee	AGENDA ITEM NUMBER
MEETING DATE:	Friday 27 March 2015	
TITLE:	Application for a Premises Licence for Wetherspoons , 110 High Street, Midsomer Norton, BA3 2DA.	
WARD:	Midsomer Norton North	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A	Application for a new premises licence	
Annex B	Code of Best Conduct for Retailing (J D Wetherspoon)	
Annex C	Site plan and plans of the proposed premises	
Annex D	Representation received from Environmental Health	
Annex E	Representation received from the Police	
Annex F	Representation received from other Person	

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 Wetherspoons, 110 High Street, Midsomer Norton, BA3 2DA.

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 £100.

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:

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

Sunday to Wednesday 09:00 - 00:00

Thursday to Saturday 09:00 - 01:00 the following morning

An additional hour on Christmas Eve, Maundy Thursday, Good Friday, Sundays preceding Bank Holiday Mondays, and New Year's Eve.

- 2) The provision of **Late Night Refreshment** indoors only:

Sunday to Wednesday 23:00 - 00:00

Thursday to Saturday 23:00 - 01:00 the following morning

An additional hour on Christmas Eve, Maundy Thursday, Good Friday, Sundays preceding Bank Holiday Mondays, and New Year's Eve.

- 3) The **opening hours** proposed are:

Sunday to Wednesday 07:00 - 00:30 the following morning

Thursday to Saturday 07:00 - 01:30 the following morning

An additional hour on Christmas Eve, Maundy Thursday, Good Friday, Sundays preceding Bank Holiday Mondays, New Year's Eve, and the morning BST commences.

5.3 A "Code of Best Conduct for Retailing" has been supplied by the applicant and is attached at Annex B.

5.4 The proposed premises as depicted within the application shall consist of a two storey public house with an external customer area on the ground floor and an external customer area on the first floor. A site plan and plans of the proposed premises are 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 3-6, 8-10, 13-14, 17-24, 29, 33 - 36, 38-41 of the 2015 policy.
- b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as 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 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.

5.11 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 EHO Katherine Jones on behalf of **Environmental Protection** (Annex D). It expresses concern that the applicant's proposed use of the large external customer area is likely to undermine the Prevention of Public Nuisance licensing objective, given the close proximity of the venue to residential properties. The following condition has been proposed by Environmental Protection to mitigate the potential of public nuisance:

- **“The external beer garden of the premises shall only be used between the hours of 09:00 hrs and 21:00 hrs on Mondays to Sundays, (inc. Bank or Public Holidays)”.**

5.13 A representation has been received from the **Police** (Annex E) expressing concern that the applicant's operating schedule lacks detail and clarity. It recommends more robust conditions are required to prevent the applicant's proposals having a detrimental effect on **the prevention of crime and disorder** licensing objective and proposes the following conditions:

- **“Where a risk assessment by the licence holder and/or at the written request of the police or licensing authority , SIA door supervisors will be employed at the premises and used at such times and in such numbers as required to supervise all patrons entering and leaving, and to ensure good order of the premises”.**
- **“Customers shall not take open vessels from the premises except for the purposes of consumption in any external area under the control of the premises licence holder”.**
- **“There will be no entry or re-entry to the premises after 12.30 am on any morning”**

5.14 A representation has been received from a local resident (Annex F) urging the Committee to refuse the application. It expresses concern that the applicant's proposal to offer cheap alcohol from 09:00 to 01:00 hours the following day, without any appropriate regulation in respect of the use of door-staff, the use of plastic glasses, restricting access to the premises at a certain time, restricting use of the outside areas after a certain time, or regulating alcohol sold for consumption off the premises, will have a detrimental impact on the town, reverse all the hard work of the CAP and Town Council, who collated evidence to warrant the introduction of a DPPO, and will undermine the following licensing objectives:

- the prevention of crime and disorder;

- the prevention of public nuisance; and
- the protection of children from home

5.15 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	Terrill Wolyn, Senior Licensing Officer 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

ENVIRONMENTAL SERVICES

30 JAN 2015

Post Log No:
Receipt No: 119843
CH/CA £100.00**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 JD Wetherspoon plc

(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			
Wetherspoons (formerly Palladium Cinema) 110 High Street			
Post town	Midsomer Norton	Postcode	BA3 2DA
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£0	

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 | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

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

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

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name JD Wetherspoon plc
Address Wetherspoon House Central Park Reeds Crescent Watford WD24 4QL
Registered number (where applicable) 01709784
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Company
Telephone number (if any) 01923 477 804
E-mail address (optional) bmorrice@jdwetherspoon.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start? *on grant.*

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

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

A proposed two storey public house and restaurant with customer area, office, bottle store, staff facilities and external customer area on the ground floor. Kitchen, cellar, female and male customer toilets and external customer area are located on the first floor.

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) ☒

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded 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			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
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			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<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)		
Sun					

H

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

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	<input checked="" 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) Hot food together with hot drinks including tea and coffee		
Mon	2300	0000			
Tue	2300	0000	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	2300	0000			
Thur	2300	0100	<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) Christmas Eve / Maundy Thursday / Good Friday / Sundays preceding Bank Holiday Mondays / New Year's Eve – an additional hour		
Fri	2300	0100			
Sat	2300	0100			
Sun	2300	0000			

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 checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	0900	0000			
Tue	0900	0000			
Wed	0900	0000			
Thur	0900	0100	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) Christmas Eve / Maundy Thursday / Good Friday / Sundays preceding Bank Holiday Mondays / New Year's Eve – an additional hour		
Fri	0900	0100			
Sat	0900	0100			
Sun	0900	0000			

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

Name Deborah Hay	
Address 6 Roehampton Court Queens Ride Barnes	
Postcode	SW13 0HU
Personal licence number (if known) 30659	
Issuing licensing authority (if known) London Borough of Richmond upon Thames	

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)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) Christmas Eve / Maundy Thursday / Good Friday / Sundays preceding Bank Holiday Mondays / New Year's Eve / the morning BST commences – an additional hour.
Mon	0700	0030	
Tue	0700	0030	
Wed	0700	0030	
Thur	0700	0130	
Fri	0700	0130	
Sat	0700	0130	
Sun	0700	0030	

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)

1. The premises licence holder will ensure that all staff at the premises have been trained in accordance with established JD Wetherspoon plc training procedures. Specifically the premises licence holder will ensure that all employees are trained in their responsibilities to prevent alcohol being served to anybody who is under the legal age limit or to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf.

b) The prevention of crime and disorder

1. The premises licence holder will ensure that there are sufficient staffing levels including managers to encourage responsible behaviour on the premises at all times.
2. CCTV shall be installed in the premises in compliance with any reasonable requirements of the police. Images will be retained for a minimum of 30 days and will be available to the police upon request. Members of the management team will be trained in the use of the system.
3. Non-alcoholic beverages including soft drinks, water, coffee and tea shall be available at all times, sale by retail of alcohol carried out at the premises.

c) Public safety

See conditions 1 to 3 Box B above.

d) The prevention of public nuisance

See conditions 1 to 3 Box B above.

e) The protection of children from harm

1. The premises licence holder will operate a "Challenge 21" Policy at all times.
2. Suitable food and non-alcoholic beverages shall be available at all times children are allowed on the premises.

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>W. Anderson, LLC</i>
Date	<i>2.9.1.15</i>
Capacity	APPLICANT

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)

Barbara Morrice
c/o Legal Department
Wetherspoon House
Central Park
Reeds Crescent

Post town	Watford	Postcode	WD24 4QL
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Telephone number (if any)	01923 477 804
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
bmorrice@jdwetherspoon.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.



J D Wetherspoon

Code of Conduct for Responsible Retailing

Updated October 2013

Contents

Overview	3
1 Prevention of Crime and Disorder	4
1.1 Food.....	4
1.2 Responsible Drinks Retailing.....	5
1.3 Price Structure	6
1.4 Highly Trained Staff.....	6
1.5 Management Structure.....	7
1.6 Preventing Drunkenness and Disorderly Behaviour	7
1.7 Zero Tolerance to Drug Use	8
1.8 CCTV	9
1.9 Door Staff.....	9
1.10 Toughened Glassware & Polycarbonates.....	9
1.11 Pubwatch and Best Bar None	10
1.12 Drinkaware.....	11
2 Maintaining Public Safety	12
2.1 High Quality Design	12
2.2 Fully Accessible Facilities.....	12
2.3 Electrical and Gas Safety	12
2.4 Health and Safety.....	13
2.5 Fire Safety.....	13
3 Prevention of Public Nuisance.....	14
3.1 Dispersal Policy.....	14
3.2 Liaison with Our Neighbours	15
3.3 Music and Dancing.....	15
3.4 Standards Monitoring Visits (CQSM)	15
3.5 Pavement Cafés and Outside Areas	16
3.6 Preventing Odour Escapes	17
3.7 Refuse Collections and Deliveries	17
4 Protection of Children from Harm	18
4.1 Family-Friendly Environment.....	18
4.2 Proof of Age Policy.....	18
4.3 Gambling.....	19

Overview

J D Wetherspoon began trading in 1979. Over time we have developed a sophisticated range of practices and procedures aimed at providing a safe and convivial environment in which our customers can enjoy the wide range of facilities which we offer. The procedures that we have put in place are subject to constant review and improvement and are the result of careful consideration by our experienced team of directors, managers and professional advisors.

Overall, our aim is to provide a distinctive kind of pub which attracts a broad range of customers. We aim to retain the congenial atmosphere of the traditional pub and couple it with features found in modern cafés, restaurants and bars. We successfully achieve this through a combination of high-quality design, good management and the provision of an all-day menu and a range of quality products.

J D Wetherspoon was the first company to develop a Code of Conduct for Responsible Retailing. This Code sets out the operational procedures that we as a company have put in place to ensure we are actively promoting the four licensing objectives; the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. At all times we operate to ensure that our commercial imperatives do not override the core values set out in the Code. The Code was developed in April 2004 and formed an integral part of all applications that we submitted to convert and vary licenses prior to the introduction of the new licensing regime. The Code is regularly reviewed as a result of our experience in dealing with local authorities, police forces and various other statutory bodies to ensure it reflects best practice.

The Code is divided into four sections, one for each of the four licensing objectives, with specific practices and procedures identified under the relevant objective. There is, however, considerable overlap between our practices and the objectives so that some of our procedures simultaneously address more than one of the objectives. For example, our staff training procedures address all four objectives and our CCTV policy meets both the crime prevention and the prevention of public nuisance objectives.

Our approach has always been to work closely with the statutory authorities and with local residents to ensure that the licensing objectives are being actively promoted. We appreciate that the success of the licensing regime depends on the continuation of strong partnerships between the licensed trade, responsible authorities and local communities.

1 Prevention of Crime and Disorder

1.1 Food

- 1.1.1 At J D Wetherspoon the provision of good quality food at reasonable prices is at the core of our business. A full menu is available in our premises from opening until 2300, 7 days of the week.
- 1.1.2 Food has become an increasingly important element of our operation in recent years and in particular since the introduction of the smoking ban in England and Wales in 2007. Our experience is that a smoke-free pub provides a much more conducive atmosphere in which to eat, especially for families with children. As a consequence, in the past few years we have seen our food sales increase significantly. Food currently amounts to 34% of the total sales across the estate. In a number of our pubs a figure of 50% and higher is achieved. Including bar purchases made in association with table meals, diners now account for approximately two-thirds of sales.
- 1.1.3 The majority of our pubs open from 0800 and some even earlier to cater for customers who want to join us for breakfast. We pioneered the availability of breakfasts across all our pubs. We now sell approximately 425,000 breakfast items per week. In a similar vein, we now sell over 725,000 hot drinks every week including 400,000 cups of Lavazza coffee.
- 1.1.4 Our Curry, Chicken, Steak and Sunday Clubs are key offers available in all of our pubs. These promotions are typical of our approach to responsible drinks retailing where we link drinks promotions with the sale of affordable food. During all our club promotions, customers are offered a drink inclusive with their meal and can choose from a pint of lager, bitter, Guinness or cider, a bottled lager, a glass of wine, a single spirit and mixer, or they can choose a coffee or tea, a bottle of water or a non-alcoholic soft drink such as Pepsi or J2O.
- 1.1.5 We always use high quality ingredients and increasingly offer regional dishes and locally sourced products. We also take great care to ensure that artificial ingredients are avoided wherever possible. For example we use free range eggs, cod from sustainable stocks, the beef in our burgers is 100% British and our cooking oils are without trans-fats.
- 1.1.6 Our award winning children's menu is available throughout our trading hours. A number of our children's meals use only organic ingredients. We have no preservatives or sugar or artificial colours or flavours in any of the meals in the children's menu. All of our children's meals come with a bag of fresh fruit as well as milk, orange juice drink or water as the drink options. We provide nutritional information about the meals offered on the children's menu to help parents make informed decisions about what their children are eating.

1.2 Responsible Drinks Retailing

- 1.2.1 J D Wetherspoon takes the issue of responsible drinks retailing extremely seriously. We understand that we are in the business of selling alcohol but we strive to operate our pubs in such a way that we create a safe and welcoming atmosphere which encourages people to behave well and consume alcohol in a responsible fashion. We work closely with the statutory authorities to ensure that any local initiatives designed to achieve these goals are fully supported by our pubs. We are continually looking for new ways to ensure that the facilities and promotions offered in our pubs do not encourage the excessive consumption of alcohol and the health harms and anti-social behaviour that can go with it.
- 1.2.2 The provision of food for a high percentage of our trading hours is a vital component of our approach to responsible drinks retailing. The consumption of food both before and during the consumption of alcohol is widely recognised to slow down its absorption into the blood stream. We encourage adults to drink in moderation and to enjoy alcoholic beverages in a sensible manner.
- 1.2.3 We do not engage in irresponsible drinks promotions. We do not offer 'all inclusive' promotions where our customers can drink unlimited amounts for a set fee. Neither do we offer promotions that entice customers with free alcoholic drinks such as "buy-one-get-one-free" promotions. The majority of our drinks promotions form part of our food promotions. Our practices and procedures are frequently held-up by the police and local authorities as 'best practice' for others to follow.
- 1.2.4 We sell a wide range of soft drinks, fruit juices, tea and coffee. Where drinks form part of a promotion, we always offer a range of drinks including ones of different alcoholic strengths, soft drinks, tea and coffee. The mandatory condition requiring the provision of small measures is fully complied with.
- 1.2.5 We concentrate on the provision of cask conditioned beers and sell more than any other pub company. Our premises regularly feature in the CAMRA "Good Beer Guide". In 2013 we had 283 pubs in the Guide; more than any other pub company. Throughout the year we run national and regional festivals showcasing the very best ales from local microbrewers as well as larger provincial brewers. The vast majority of our premises are accredited by Cask Marque for the quality of their ales. Real ale typically attracts a broader, often older, cross-section of customers. This broad customer base creates an atmosphere within our pubs that we believe leads to better behaved customers.
- 1.2.6 We are the only pub company in the United Kingdom to produce a comprehensive, bi-monthly customer magazine called Wetherspoon News. The print run per issue is 250,000 however there is an estimated readership of 1,000,000 (4 readers per copy). Wetherspoon News is distributed nationally throughout all our pubs, Wetherspoon Hotels, the company's head office and via our website. It is provided free-of-charge to customers. Wetherspoon News is an invaluable method of communicating responsible retailing messages to our customers. We also devote a large proportion of this

publication to recognise and highlight our staff who have worked hard to promote responsible retailing and sensible drinking messages in their pubs. We encourage charities such as the Drinkaware Trust to contribute articles and information.

- 1.2.7 We recognise the importance of informing customers about the alcoholic strength of products and unit measurements. All of our drinks lists and menus record the ABV content for draught ales, lagers, spirits & bottled beers & ciders.
- 1.2.8 We adopt a socially responsible approach to marketing. We ensure that low-alcohol and non-alcoholic beverages are prominently advertised in our table talker/drinks lists.
- 1.2.9 We support the Responsibility Deal between the alcohol industry and the government and are a signatory to a number of its key pledges, the delivery of which are monitored on an annual basis.

1.3 Price Structure

- 1.3.1 J D Wetherspoon offers competitive prices across the full range of products on offer to our customers and not just on alcoholic drinks. This approach has always been an attractive part of our offer from the customer point of view. In our view, customer behaviour is primarily influenced by strong management, highly trained staff, and a robust approach to responsible drinks retailing rather than the pricing of alcoholic products. We do however keep under review the pricing structure of our alcoholic and non-alcoholic products to ensure that we are encouraging sensible drinking at all times.
- 1.3.2 Our approach to the sale of alcohol is to concentrate on the range and quality of the products on offer rather than to use price as an incentive. Our approach has been both welcomed and supported by the police and other statutory authorities around the United Kingdom. In 2005 we won the national 'Responsible Drinks Retailer - Pub Chain Company' award organised by the Morning Advertiser and supported by the Home Office and were short listed for the same award in 2006. We won the award again in 2008 and 2009.

1.4 Highly Trained Staff

- 1.4.1 At J D Wetherspoon there is a very strong culture of thorough induction training and on-going refresher training increasingly by e-learning and other interactive methods. Training is provided for all employees regardless of their role, their age or their hours of work. It is widely recognised that the level and quality of staff training is a significant factor in controlling the behaviour of customers on licensed premises. Our employees are extensively trained on their obligations under licensing law particularly the legal requirement not serve drunks and the restrictions of the sale and consumption of alcohol to and by under 18s.
- 1.4.2 Our training systems have been consistently praised by employees and by the industry. We have won many awards including the Supreme Training Award from the British Institute of Innkeeping ('BII') for two consecutive years.

Section 1 – Prevention of Crime and Disorder

We have also won the National Inn-keeping Training awards for Best Catering Training, Best Training in Managed Estates and in 2007 the Best Training Scheme by Institutions of Further and Higher Education in Partnership within the Licensed Retail Industry.

- 1.4.3 Training of our management personnel is conducted on a modular basis with continuing assessment throughout their employment period. Bar staff training is primarily carried out on site by management personnel coupled with on-line training modules
- 1.4.4 An essential element in having a well trained staff is our ability to retain our employees. Turnover of Pub Managers is around 12% which is less than half the industry average. Moreover, 75% of all management employees began with J D Wetherspoon as hourly paid employees and, typically, anyone appointed to run one of our pubs for the first time is likely to have been employed by the Company for at least 5 years.
- 1.4.5 The quality of our training, recruitment and employment practices have been recognised by J D Wetherspoon being included in "Britain's Top Employers" for 9 consecutive years.

1.5 Management Structure

- 1.5.1 Our management structure is designed to ensure that we encourage responsible behaviour on our premises. Our pubs each have an average of five managers and the majority of these hold personal licence qualifications or are working towards them. There is always at least one manager, often more, on duty in every pub throughout trading hours and at peak times there will be a designated manager supervising the bar and 'walking the floor'.
- 1.5.2 Pub managers have the support of their area manager who in turn reports to a general manager. The operations director maintains regular contact with management at all levels. This management structure ensures that if any employee has any question or requires further support they can immediately ask for assistance from their management team. Area managers look after an average of only 12 pubs each which is a low number of pubs in comparison to regional managers in competitor pub companies.

1.6 Preventing Drunkenness and Disorderly Behaviour

- 1.6.1 We have taken numerous positive steps to ensure that the facilities and promotions offered in our pubs do not encourage the excessive consumption of alcohol. All of our employees are provided with intensive induction and refresher training on our Don't Do Drunk policy. This policy is designed to ensure that alcohol is not served to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf. Our employees are trained to continually assess the state of sobriety of any customer purchasing alcoholic drinks or consuming alcohol within the premises. As part of this training we reassure our employees that if they ever feel uncomfortable dealing with a situation then they must notify the pub manager and ask for their assistance. Our management teams are asked to support the decision of any employee not to serve a customer who appears to be drunk or disorderly.

We monitor the effectiveness of this training by reviewing the use of the 'Refusal' button on the EPOS till system (pressed whenever a customer is refused alcohol) and from feedback given by enforcement authorities, customers and company representatives. Adherence to our Don't Do Drunk policy is closely monitored through regular visits to all pubs at any time during trading hours. These visits are completed by senior J D Wetherspoon managers and also independent "mystery" visitors.

- 1.6.2 All employees are trained to immediately notify the pub manager if any customer becomes insulting, threatening or aggressive. The pub manager is then able to act to prevent this behaviour escalating into violence. If such disorderly behaviour does occur on our premises the pub management team will take immediate action to diffuse the situation. If the disorderly individual refuses to leave the premises then, if necessary, the police will be called to assist in the ejection.
- 1.6.3 Details of disorderly customers are circulated to other licensed venues via the Pubwatch or similar local intelligence systems. We will always support 'Banned from One - Banned from All' or similar initiatives which ensure that a consistent approach is taken by licensed premises in a town or city to refuse entry to anyone who has been included on the Pubwatch 'banned list'.

1.7 Zero Tolerance to Drug Use

- 1.7.1 J D Wetherspoon operates a zero tolerance policy towards drug use and we will take whatever measures are necessary to ensure this policy is being actively promoted. In particular, we co-operate with the police to ensure that wherever a risk has been identified appropriate action is taken and where illegal substances are found, they are confiscated, securely stored and given to the police at the earliest opportunity in accordance with any protocol requested by the police.
- 1.7.2 Where a search policy is in place, we make every effort to ensure that customers are aware that this is a voluntary procedure and that they have the right to decline this condition of entry. If a customer does decline and our door staff or employees remain concerned that the person is in possession of illegal substances, they will make every effort to notify the police of these concerns so that a police search can be considered.
- 1.7.3 Employees are expected to be extra vigilant to prevent drug use occurring and all receive specific training on how to deal with such issues should they arise. Our pub managers will always welcome any additional site specific training that local police wish to offer that may be particularly relevant to their locality.
- 1.7.4 Toilet checks are carried out by employees at frequent intervals during peak trading times and they are carried out at least once every hour during all other trading hours. These checks help ensure that no illegal activities take place in these areas.

Section 1 – Prevention of Crime and Disorder

1.8 CCTV

- 1.8.1 CCTV is provided throughout our premises. It has proved to be an active deterrent for anti-social behaviour and we are committed to continuing its provision. The vast majority of our existing premises and all our new premises are fitted with digital equipment and the camera locations are selected in conjunction with the local police crime prevention officer whenever possible. A project to replace existing analogue video systems in our estate will be completed shortly.
- 1.8.2 We are committed to training adequate numbers of employees in each pub in the use of the CCTV system so that immediately following an incident a trained member of staff is always available to replay footage, download material or provide a VHS tape where the CCTV is recorded on an analogue system. This material will always be made available to the statutory authorities without delay.
- 1.8.3 All CCTV footage will be retained for a period of at least 30 days and is subject to the required Data Protection Act processes.
- 1.8.4 Where given the opportunity, we participate in local CCTV initiatives such as Facewatch.

1.9 Door Staff

- 1.9.1 The vast majority of our premises operate successfully without the need for door supervisors. We continually risk assess the need to provide door supervision and are willing to follow any reasonable recommendations of the police to engage door supervisors where that is deemed necessary.
- 1.9.2 Where door staff are engaged they work in accordance with our policies and procedures under the control of a head door supervisor. Their primary function is to ensure that the points of exit and entry and outside areas remain under supervision while also monitoring the interior of the premises to maintain a safe and relaxing environment for customers and employees alike. We would always expect door staff to meet the high standards of service and behaviour that we would expect from our own staff. We expect them to give customers confidence in their ability and our ability to create a safe environment. We expect that they behave in an appropriate manner in any situation where customers are rude, aggressive, violent and know how, when deemed necessary, to use proportionate force in controlling a situation. We ensure that all door supervisors are registered and in possession of an SIA badge and refuse to allow any unlicensed door supervisors to work on our premises.

1.10 Toughened Glassware & Polycarbonates

- 1.10.1 J D Wetherspoon is 100% committed to working with the police and other authorities to improve industry standards for customer safety in licensed premises and in particular reduce the risk of glass related injuries.

1.10.2 We strive to eradicate glass-related incidents in our pubs through strong front-of-house management, staff training, effective door and customer management policies, regular glass collection, well-maintained premises and the use of toughened glass. Wherever possible the glassware used in our pubs is toughened glass. Due to the methods employed in the manufacture of toughened glass, the glass, if broken, tends to break into very small pieces thereby reducing the possibility of it being used as a weapon. Our employees are trained to ensure that when customers leave our premises they do not leave taking glassware or bottles with them. Our employees are also tasked to ensure empty drinking vessels are cleared away in a timely fashion so as to reduce the risk of breakages and their use as weapons. Most importantly, however, J D Wetherspoon, unlike the vast majority of pub companies, has an extensive food offer which is available to customers throughout trading hours from opening to at least 2200 hours, 7 days a week. In the majority of our pubs this means food is available from 0800 or even 0700 up to 2300. The result of this is that our pubs attract a much broader range of age groups and types of clientele than many of our competitors. We consider that this is a significant factor in reducing the potential for alcohol-related violence and anti-social behaviour which can result in injury.

1.10.3 We will always consider whether polycarbonates should be introduced on a premises-by-premises basis. When problems have been identified with a particular pub or location then we accept that this approach may assist to address those problems. Similarly, there may be specific occasions when a temporary use of polycarbonates is appropriate, for example, on match days in premises that are situated close to major football grounds. The issue of whether we are willing to adopt polycarbonates involves a very delicate balancing exercise between our desire to work with the authorities to reduce the risk of glass-related injury, the need to promote customer and staff safety whilst at the same time accommodating and respecting the expectations of our customers.

1.11 Pubwatch and Best Bar None

1.11.1 J D Wetherspoon is a member of the National Pubwatch organisation and a senior representative of J D Wetherspoon sits on the National Pubwatch committee. We are the only national pub company that is involved in this organisation at a national level whom we also support financially via an annual contribution and one off funding for particular projects. National Pubwatch is an entirely voluntary organisation that is set up to support local Pubwatch schemes and encourages the creation of new schemes. The National Pubwatch organisation has the key aims of achieving a safe, secure and responsible social drinking environment in all licensed premises throughout the United Kingdom and helping to reduce alcohol-related crime.

1.11.2 Our pub managers are expected to take an active role in their local Pubwatch scheme. We will support the establishment of a local Pubwatch where one is not already in existence. The type of support we can provide includes providing expertise on how to set up a local Pubwatch scheme and/or Pubwatch online, offering our premises as venues in which Pubwatch meetings can be held and chairing those meetings.

Section 1 – Prevention of Crime and Disorder

- 1.11.3 We always support initiatives introduced by local Pubwatch schemes to reduce crime and disorder in town centres. For example, many of our premises operate the 'Banned from One - Banned from All' initiative and subscribe to the Radio-Link scheme which provides radio contact with other licensed operators and with the town centre CCTV operators.
- 1.11.4 We provide national support for the Best Bar None Award scheme. The UK-wide scheme, which is backed by the Home Office, was piloted in Manchester in 2003 and has since been adopted by over 100 other towns and cities with great success. Best Bar None aims to promote the responsible management and operation of alcohol-licensed premises with the ultimate intention of offering and maintaining a safer, more welcoming, attractive and lively drinking experience. The scheme encourages local operators to act responsibly and take pride in their premises and surroundings and, in so doing, put something back into the town and their local community. Wetherspoon pubs have won numerous awards throughout the UK in the Best Bar None Awards scheme.
- 1.11.5 We also actively back other partnership based initiatives to promote safe, vibrant and welcoming late night economies such as late night Business Improvement Districts and Purple Flag schemes.

1.12 Drinkaware

- 1.12.1 J D Wetherspoon is one of only four pub companies in the UK who was a founding supporter of the Drinkaware Trust ('the Trust'). We fully support its strategic aims and hope to raise its profile and highlight its valuable work by communicating its sensible drinking messages within our pubs. We also provide a significant annual subscription to fund the Trust.
- 1.12.2 We actively promote the Trust by including a reference to their website www.drinkaware.co.uk on the vast majority of our alcohol-related point-of-sale and marketing materials. Their website is recognised as the leading public source of information on sensible drinking behaviour. A link to their website is provided on our own company website. The website is also advertised on our table-talker/drinks list, our front-of-house posters and all single-issue flyers/mail-drops/vouchers. The website is advertised on any promotional materials for our bi-annual beer and wine festivals. The link features routinely in the header of the 'responsible drinking' section of Wetherspoon News. We offer the Trust a free page to support campaigns such as "Why Let T251he Good Times Go Bad" in Wetherspoon News.
- 1.12.3 We are continually working with the Trust to update our own sensible drinking messages and develop marketing material which can be used in our pubs to reinforce this message. We are pleased to be actively supporting the Trust to achieve their key objective, namely, change the United Kingdom's drinking culture in order to help reduce alcohol misuse and alcohol-related harms.

2 Maintaining Public Safety

2.1 High Quality Design

2.1.1 J D Wetherspoon works closely with planning officers, listed building specialists and where appropriate, English Heritage to ensure that each new pub is designed and built to the highest specification. We aim to provide comfortable and efficient dining facilities and accessible customer areas suitable for all types of customer.

2.1.2 Customer areas are designed aesthetically and surfaces are carefully chosen to ensure safety. The majority of our premises are spacious and this allows us to provide ample seating space which in turn prevents overcrowding and creates a safer and more welcoming atmosphere. All floor coverings are assessed for suitability and are slip resistant so as to minimise slips and trips. The sanitary accommodation consists of ceramic tiles and either quarry tile flooring or non-slip flooring similar to the kitchen and behind the bar. Again, consideration is given to maximising slip resistance when choosing flooring.

2.2 Fully Accessible Facilities

2.2.1 We are fully aware of our obligations in respect of accessibility for disabled persons and we aim to make all new developments as accessible to everyone as is possible within the constraints of the building.

2.2.1 J D Wetherspoon is highly respected by consumer and enforcement bodies interested in the provision of services and facilities for those with disabilities. Significant emphasis is placed on designing premises which will provide easy access to toilet facilities and also lifts for customers with disabilities where they are required.

2.2.2 All new buildings meet the requirements of Part M of the Building Regulations 2002.

2.3 Electrical and Gas Safety

2.3.1 All electrical systems are installed in accordance with Part P Building Regulations and are under the supervision of an electrical services consultant. The Company follows good electrical practice guidance and ensures that all equipment is maintained in a safe condition in accordance with the Electricity at Work Regulations 1989.

2.3.2 All gas appliances are installed by Gas Safe registered engineers and thereafter maintained within a planned maintenance scheme.

2.3.3 Electrical safety procedures form part of our overall health and safety management system.

2.4 Health and Safety

- 2.4.1 All pub management staff and associates are trained in basic health and safety to a level commensurate with their job responsibilities.
- 2.4.2 A Safety Policy Statement is displayed on the staff notice board or in the staff room of every pub and detailed procedures in respect of safe working practices etc are contained in the written Safety Policy Manual.
- 2.4.3 Regular audits of all our pubs are carried out by senior managers and by independent consultants. These audits are often unannounced and are made throughout the entire estate.
- 2.4.4 An extensive accident and incident reporting and monitoring system is in place, with all accidents / incidents being reported to our independent health and safety consultants. Monthly records of types of accidents are collated using computer software. Accidents are investigated where necessary and RIDDOR reporting is undertaken.
- 2.4.5 We are developing a wide range of standard operating procedures which we call "SOPs" to ensure our policies and procedures are easily understood and implemented by our employees.
- 2.4.6 We work closely with our Primary Authority Partner, Reading Borough Council, across all relevant areas to ensure best practice is implemented and maintained.
- 2.4.7 We are the highest scoring pub company in the Food Standards Agency maintained food hygiene "Scores on the Doors" scheme. As of October 2013, 87% of our pubs had a 5 Star rating and we are seeking to improve that going forward. Our aim is that all our pubs will hold such a rating.

2.5 Fire Safety

- 2.5.1 All Wetherspoon premises comply with the terms of the Regulatory Reform (Fire Safety) Order. We engage independent consultants to conduct regular fire risk assessments focusing on the safety of all relevant persons in situations of fire. We identify and define the nature and extent of both the fire precautions that must be put in place to protect against fire and the inherent risks that remain, and take steps to remove or reduce those risks where appropriate.
- 2.5.2 All employees are trained in basic fire safety and regular refresher training is undertaken. Daily, weekly and monthly logs of fire safety checks are kept and all fire protection / precaution systems are regularly maintained.

3 Prevention of Public Nuisance

3.1 Dispersal Policy

3.1.1 A poorly managed pub can be a potential source of nuisance, anti-social behaviour and crime which may create concern for the immediate neighbourhood, its residents and the authorities. J D Wetherspoon places great importance on ensuring that our premises do not have such a negative impact. We accept that our responsibilities cannot simply end at our front door and that by operating a well-managed pub throughout the time that we trade, we can help deliver a quieter safer environment in the immediate vicinity of our premises.

3.1.2 We also implement a dispersal policy in our pubs through which we manage customers leaving the premises. The policy allows us to reduce any pressure on the authorities at the end of trading, ease customers' passage home and minimise the likelihood of local residents being disturbed. The key factors of that policy are:

- Where music is provided in our pubs, music levels will be reduced towards the end of the evening to assist in the quiet and orderly dispersal of customers. Our experience is that because customers have not been using raised voices against the background of loud music immediately prior to leaving the premises they tend to leave more quietly.
- Wherever possible, lighting levels are manipulated to become 'brighter' at the end of trading hours to encourage the gradual dispersal of patrons during the last part of trading and the drinking up period.
- On dispersal, our staff actively encourage customers not to congregate outside the venue, direct customers to the nearest taxi ranks or other transportation away from the area and ensure the removal of all bottles and glasses from departing customers.
- Our managers will not hesitate to speak to any groups that congregate in the vicinity of the premises after closing time and ask them to move on.
- A minimum of 30 minutes drinking-up time is incorporated in the premises licence as an aid to the gradual dispersal of all customers in the premises at the end of the evening.
- We ensure that there is strong management and staff presence in the customer area and at all exit points during the dispersal period.
- We routinely place signage at exit doors asking customers to respect the rights of our neighbours to the quiet enjoyment of their homes.
- Where it is deemed appropriate, we can provide customers with site-specific information on how they can get home safely. Where customers require individual assistance in obtaining safe transport from our premises, we do whatever is reasonably possible to help, for example by providing details of bus routes or contacting taxi and private hire operators on their behalf.

3.2 Liaison with Our Neighbours

- 3.2.1 We attach the utmost importance to the careful investigation and prompt resolution of any complaint made in relation to the day-to-day running of any of our pubs. This includes the effect any pub may have on its surrounding area. Over a third of our premises have residents living above or adjacent to them. We have always emphasised the importance of building close relationships with our neighbours, whether residents or local businesses. Our pub managers are expected to resolve any complaints from the local community quickly and effectively. If they cannot be resolved on a premises level they are referred to an area or general manager for resolution.
- 3.2.2 We are always willing to convene meetings with residents. These meetings provide a useful forum for residents to raise any concerns that they may have regarding our operation and provide our local management teams with an opportunity to become a better neighbour.

3.3 Music and Dancing

- 3.3.1 The vast majority of our premises do not have permission to provide regulated entertainment and operate without music of any kind, even background. For many that is a key appeal of a Wetherspoon pub. However, where music is provided in some of our Lloyds No. 1 branded pubs, it is provided by means of high quality sound systems controlled by central computers or carefully selected DJs so that we maintain control over the style of music played. Where it is deemed necessary sound limiters will be installed. The sound systems allow for music to be zoned within the premises. This means that the level of music can be varied in accordance with the use of each area and ensures that particularly sensitive parts of the premises can be kept quieter. Music levels are reduced towards the end of the evening to assist in the quiet and orderly dispersal of customers.
- 3.3.2 Designated dance floors are generally provided where customer dancing is allowed and, to ensure the safety of customers, it is company policy that drinks are not permitted in these areas.
- 3.3.3 All premises are developed to a high standard to ensure good sound attenuation.

3.4 Standards Monitoring Visits (CQSMA)

- 3.4.1 J D Wetherspoon sets very high operational standards and these standards are maintained through constant supervision and monitoring using a system of mystery visits to the premises to assess 'Cleanliness, Quality, Service, Maintenance and Atmosphere' (CQSMA).
- 3.4.2 All senior head office and operational employees including Directors are required to undertake between 15 and 60 'mystery visits' to Wetherspoon pubs every month. They are required to assess the premises in a number of areas varying from the cleanliness of the toilets to the friendliness of the staff.

In addition, Every single premises is visited and assessed by an independent third-party company on at least two occasions every month.

- 3.4.3 Every pub must receive at least five CQSMA visits each month but most will receive as many as 8-10 visits and every pub receives a minimum of 60 CQSMA visits per annum to assess quality and standards. Any pub which is assessed as being below standard in any way is highlighted and revisited the following week. Monthly bonuses based on the CQMSA results are paid to all employees in the pubs, including bar staff.
- 3.4.4 The CQSMA results assist in maintaining high standards but also allow pubs experiencing operational difficulties to be identified so that improvements can be made.
- 3.4.5 The CQMSA scheme is the cornerstone of our business and employees at all levels are trained and incentivised to deliver the highest standards. Management staff earn around 40% of their total bonus through CQSMA and bar staff around 60%. As far as we are aware, no other company places so much emphasis (or awards such a high percentage of bonus) on this non-financial aspect of running a pub.
- 3.4.6 In addition, we operate an on-line customer feedback system called "My Customer Feedback" which in its first 6 months of operation from April 2013 generated 45000 responses.

3.5 Pavement Cafés and Outside Areas

- 3.5.1 Pavement cafes and outside areas have become an increasingly important part of our premises. Whatever the scope, size or location of these areas, we ensure that we always create carefully managed areas that are both sympathetic to the premises and the surrounding environment and, more importantly, are designed to ensure that minimal impact is caused to the public who are going about their business using the public highway.
- 3.5.2 While each area is developed specifically for the environment it occupies, we operate all our outdoor areas in accordance with the following principles; provision of sufficient furniture to discourage vertical drinking, allocation of staff to ensure the areas are kept clean and empty glassware and bottles are regularly removed, and in the case of pavement cafes, a clear pedestrian route is always maintained for those walking past the premises.
- 3.5.3 All outside areas that are specifically used by smokers are closely managed to prevent any noise or litter nuisance occurring. All areas are equipped with adequate cigarette disposal bins and employees ensure that these bins are regularly checked and that any smoking materials discarded on the ground are removed. Outside areas are managed at all times to ensure that customer behaviour outside the premises does not adversely affect our neighbours or the general public. Our outside areas are the pub equivalent of a shop window and it is therefore commercially important to us that they create a good impression of our premises.
- 3.5.4 We cannot legally prevent customers from smoking on the pavement in front of our premises but where we have alternative areas in which they can smoke,

Section 4 – Protection of Children from Harm

we actively encourage them to use such an area either by personal request from a member of staff or via signage.

- 3.5.5 All our pavement cafés and outside areas are covered by CCTV.

3.6 Preventing Odour Escapes

- 3.6.1 All our premises have independently connected mechanical ventilation systems incorporating fans and ducting which terminate above the level of the eaves where applicable.
- 3.6.2 All kitchen extract ventilation passes through grease eliminating baffles at a rate that reduces the risk of odour-nuisance occurring. Kitchen extracts are usually located away from neighbouring properties. Where it is deemed necessary and subject to site survey, odour control equipment is installed.

3.7 Refuse Collections and Deliveries

- 3.7.1 Provision for refuse is made according to the limitations of the premises; for example, sometimes external storage facilities are not available and so an internal store is created. Refuse collection is conducted at frequent intervals either via the local authority contract services or through the use of a private refuse collection company.
- 3.7.2 We are conscious of the noise that the late night disposal of glass and refuse into external bins can cause and where we have residential properties in close proximity, will voluntarily limit the times these can take place to ensure no disturbance is caused.
- 3.7.2 We control and operate our distribution network from our main hub in Daventry. This allows us to minimise the number of separate deliveries to our premises and also to dictate the time of those deliveries to minimise any potential noise or traffic impact.

4 Protection of Children from Harm

4.1 Family-Friendly Environment

- 4.1.1 The limited amount of entertainment provided in most of our pubs together with the range of products mentioned previously and an emphasis on drinks such as traditional ales means that a broad range of age-groups are attracted to our pubs. We encourage families to dine with us in all of our pubs which, together with our award-winning children's menu, further increases the age and range of our customers.
- 4.1.2 Unaccompanied young persons aged between 16 and 18 are welcome in the majority of our premises where they may order and consume food and non-alcoholic drinks. We do not permit them to consume alcohol even though the law does allow them to do so in certain circumstances
- 4.1.3 Children aged 16 or under age bracket are only permitted in our pubs provided they are accompanied by a responsible adult. If adults are visiting the pub with children and young people and purchasing alcoholic drinks then we operate a 'house rule' which requires them to purchase meals for each member of the group. Once the meals have been finished and the tables cleared we recommend that only one additional alcoholic drink be purchased per adult. This approach is designed prevent children and young people being neglected by their responsible adult whilst in our pubs. There is no requirement for food to be purchased if no alcohol is being consumed.

4.2 Proof of Age Policy

- 4.2.1 We abide by a Challenge 21 proof of age policy in all of our premises. Certain premises operate a Challenge 25 proof of age policy either because of a premises licence condition or at the request of the authorities. Under this policy, all of our employees are trained to ask any customer who appears to be under the age of 21 years (or 25 years as appropriate) to provide valid proof of age that they are 18 or older. We apply this policy not just to the sale of alcohol but also to the use of licensed premises gaming machines. Employees are also trained to be vigilant to ensure that customers buying drinks at the bar are not buying them for underage individuals.
- 4.2.2 All employees receive induction training on our relevant proof of age policy when they commence employment with J D Wetherspoon and then receive regular refresher training via on-line learning modules. All training records are retained on personnel files and these files are regularly reviewed by the pub management team and members of our Retail Audit department to ensure that the training system is being satisfactorily completed.
- 4.2.3 If any shortcomings are identified, the individual employee is required to undergo further training until the policy is satisfactorily understood by them and applied.

Section 4 – Protection of Children from Harm

- 4.2.4 Our proof of age policies are actively promoted within the premises using self-adhesive signs at entrances, staff badges and back-of-house posters throughout the premises. Every customer that is refused the sale of alcohol, entry to the premises or is asked to leave the premises should be logged via the 'Refusal' or 'Refused Service' button on the EPOS till system.
- 4.2.5 J D Wetherspoon has adopted the industry standards and recognises only the following forms of identification as valid forms of proof of age:
- National passport
 - Photographic Drivers' Licence
 - United Kingdom 'PASS' accredited age identification card with photograph.
 - UK Military ID
- 4.2.6 We were the first pub company to enter into an exclusive arrangement with CitizenCard, the United Kingdom's leading proof of age and ID card. Under this arrangement, any customer who does not possess any form of proof-of-age has the opportunity to purchase a CitizenCard at half the normal retail price.
- 4.3 Gambling**
- 4.3.1 J D Wetherspoon upholds the principles of the Gambling Act 2005. Our employees are trained to adopt a Challenge 21 (or Challenge 25 as appropriate) policy towards the use of licensed premises gaming machines and take proactive measures throughout trading hours to prevent children and young people from accessing these machines.

Licensing Ground Floor Plans

Scale as shown @A1



ditions to be minimum
stant

ghting to comply with

signs and notices to
5499

ipment to comply
ll and ceiling linings
surface spread of
d by BS 476)

n to be installed in
h BS 5839

e routes

Upholstered seating furniture to satisfy
the following

- Ignition source (cigarette test) as
specified in BS 5852 Part 1 Fire
test for furniture methods of test
for the ignitability by smokers
- BS 5852 Part 2 Fire test for
furniture-methods of test for the
ignitability of upholstered
composites for testing by
flamable source, minimum test to
be crib ignition source 5

Fabrics that have had a flame
retardant treatment to pass the water
soak test as detailed by BS5651, Test
certificate to be submitted to the fire
authority

Curtains and drapes to satisfy Type B
performance requirements to BS 5867
Part 2

Artificial foliage and decorative
effects to be fire retardant to the
satisfaction of the fire authority.

TOILETS
All walls tiled to full height.
Sanitary facilities have been designed
to BS 6465 Part 1 1994 Code of
Practice for the scale and provision.
Selection and installation of sanitary
appliances.

GENERAL NOTES:

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE AND
REPORT ANY DISCREPANCIES IN WRITING TO ABSOLUTE DESIGN BEFORE
COMMENCING WITH THE WORK.

ALL DRAWINGS ARE THE PROPERTY OF ABSOLUTE DESIGN AND SHALL NOT BE
REPRODUCED WITHOUT THE CONSENT OF THE DESIGNERS

CHANGES SHALL NOT BE ESCALATED

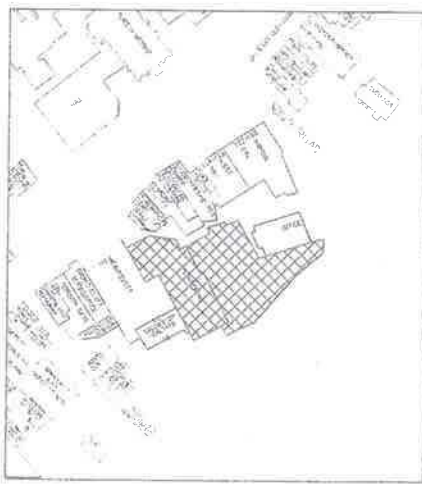
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE RELEVANT
SPECIFICATION OF BUILDING WORKS

ALL DIMENSIONS ARE IN MM UNLESS OTHERWISE NOTED

THIS DRAWING MAY INCORPORATE INFORMATION FROM OTHER PROFESSIONS
ABSOLUTE DESIGN CANNOT ACCEPT RESPONSIBILITY FOR THE INTEGRITY AND
ACCURACY OF SUCH INFORMATION

IF IN DOUBT ASK !

F30	Half Hour Fire resistant door with smoke seals & intumescent strips
F60	One Hour Fire resistant door with smoke seals & intumescent strips
VP	Vision Panel
PB	Panic Bolt
SC	Self Closing
SCA	Self Closing Automatic Release
FL	Fusible Link
DS	Door Selector
■	Illuminated Suspended "FIRE EXIT" sign 75mm letters
313	"FIRE DOOR KEEP SHUT" 100mm letters to both sides of door leaf
314	"FIRE DOOR KEEP LOCKED" 100mm letters to both sides of door leaf
320	"FIRE ESCAPE KEEP CLEAR" 100mm letters to both sides of door leaf
322	"FIRE EXIT" 200mm letters
325	"PUSH BAR TO OPEN" 200mm letters
326	Directional Arrow (Green)
RG	Fire Resistant Glazing Element
■	Area Covered by Escape Lighting to BS.5266.PART 1
SD	Smoke Detector
HD	Heat Detector
■	Fire Alarm Call Point
AP	Fire Alarm Indicator Panel
■	Fire Blanket In Container
■	Fire Extinguisher (Carbon Dioxide)
■	Fire Extinguisher (9 Litre Water)
■	Fire Extinguisher (Dry Powder)
■	Fire Extinguisher (Foam)
■	Fire Alarm Warning Device
■	Flashing Alert Beacon



02 LOCATION PLAN
1:1250 @A1

Drawing status: LICENSING



Drawing title
Licensing Ground Floor GA

contract name
The Palladium
110 High Street
Midsomer Norton, Radstock
Somerset - BA3 2DA

Pub number
6817

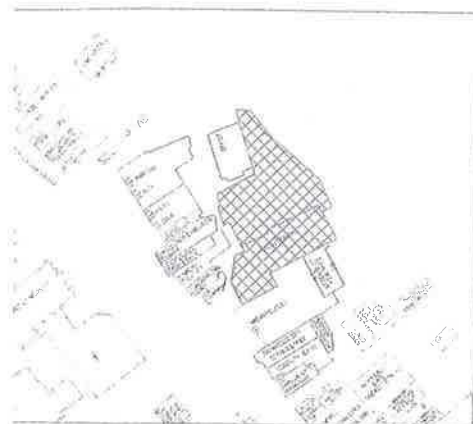
drawing no & revision
6893 - 260 B

scale
1:100@A1

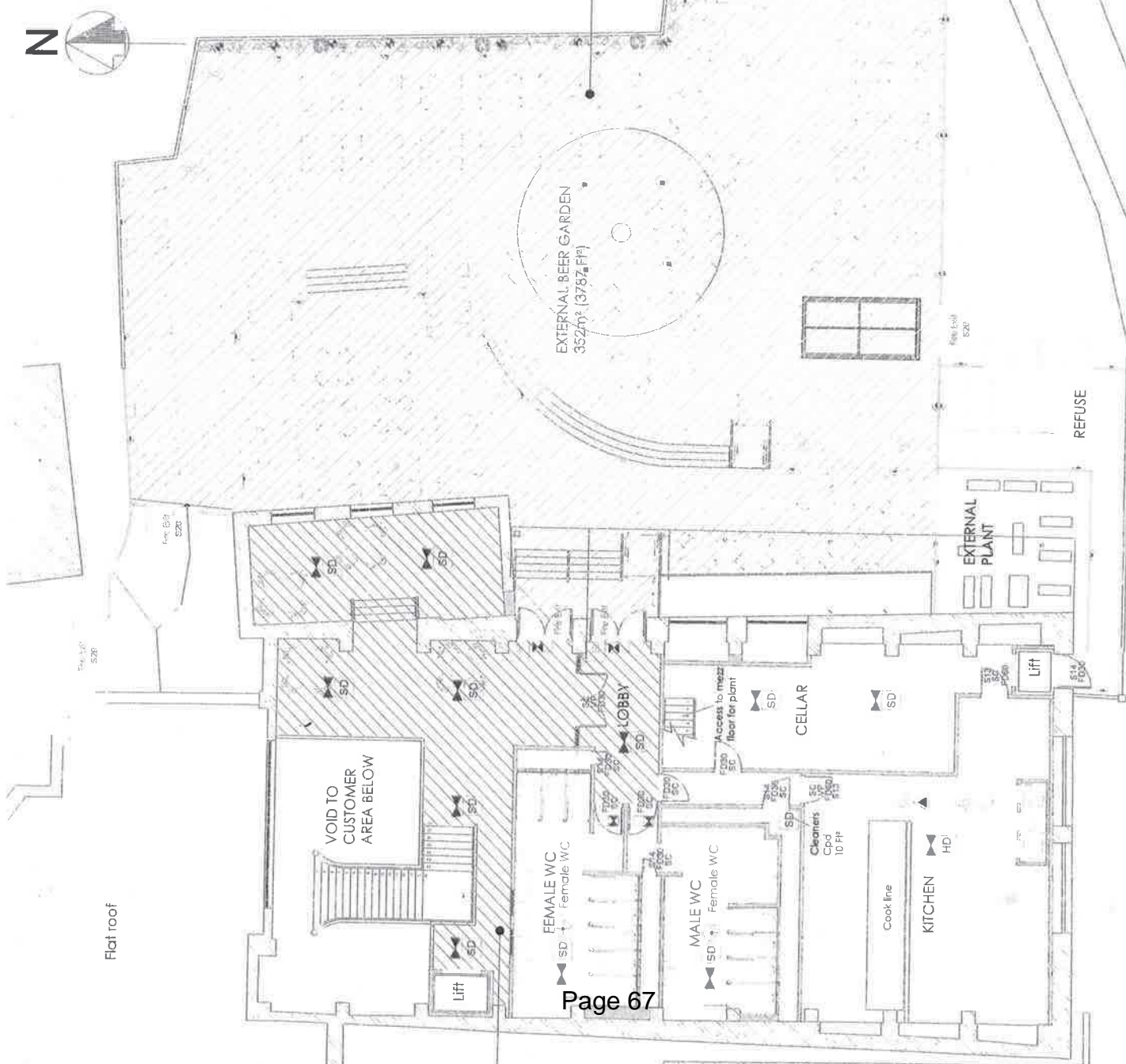
drawn by
NJB

date
07-01-15

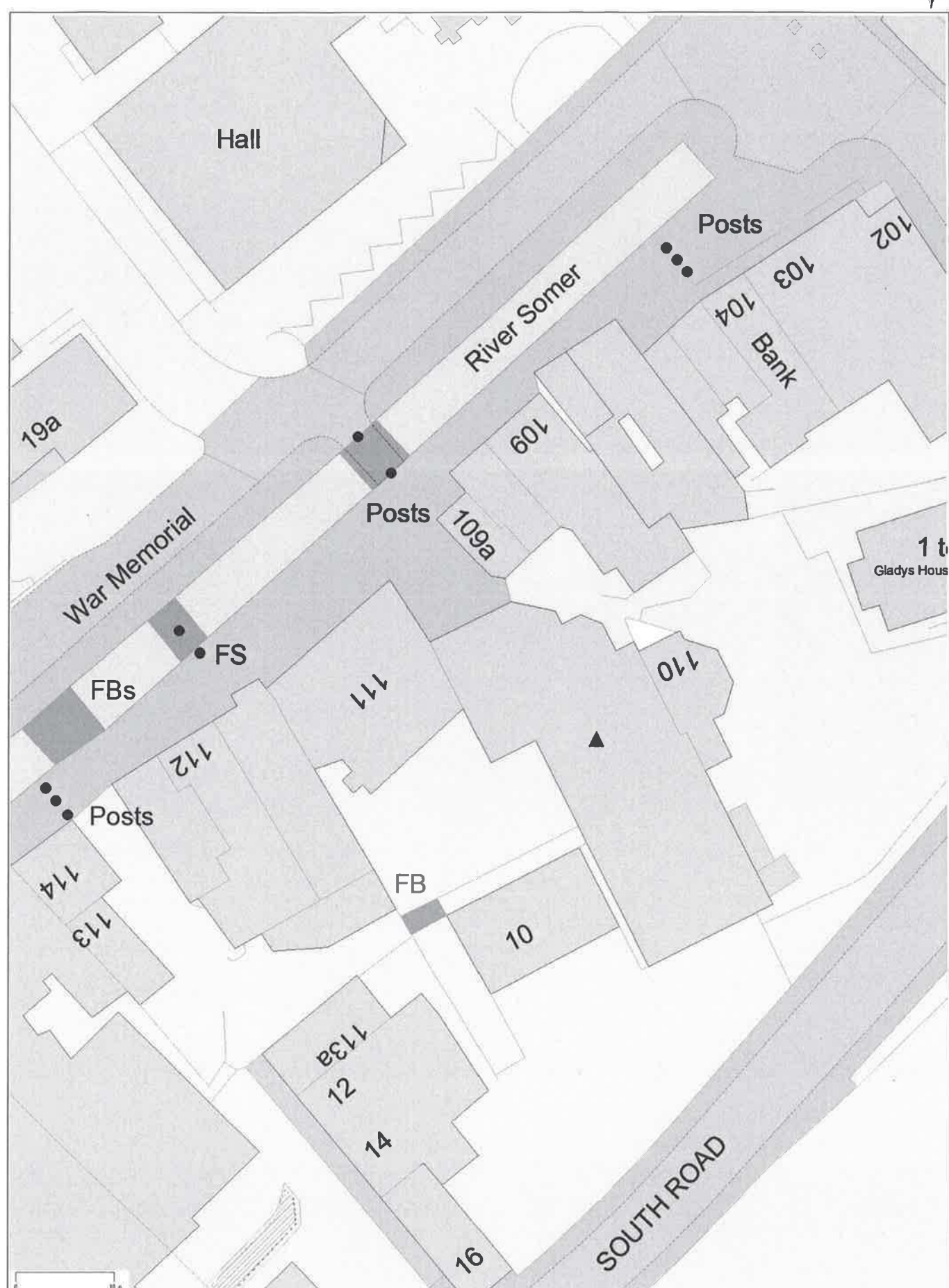
SC	Self Closing
SCA	Self Closing Automatic Releases
FL	Fusible Link
DS	Door Selector
☒	Illuminated Suspended "FIRE EX" sign 75mm letters
S13	"FIRE DOOR KEEP SHUT" 100mm letters to both sides of door leaf
S14	"FIRE DOOR KEEP LOCKED" 100mm letters to both sides of door leaf
S20	"FIRE ESCAPE KEEP CLEAR" 100mm letters to both sides of door leaf
S22	"FIRE EXIT" 200mm letters
S25	"PUSH BAR TO OPEN" 200mm letters
S26	Directional Arrow (Green)
FRG	Fire Resistant Glazing Element
☒	Area Covered by Escape Light BS.5266.PART 1
SD	Smoke Detector
HD	Heat Detector
☐	Fire Alarm Call Point
FAP	Fire Alarm Indicator Panel
☐	Fire Blanket In Container
☐	Fire Extinguisher (Carbon Dioxide)
☐	Fire Extinguisher (9 Litre Water)
☐	Fire Extinguisher (Dry Powder)
☐	Fire Extinguisher (Foam)
☐	Fire Alarm Warning Device
☐	Flashing Alert Beacon



02 LOCATION PLAN
1:1250 @ A1



01 FIRST FLOOR PLAN
1:100 @ A1



Representation Form

Responsible Authority. (Please delete as applicable.)

EP (noise)

Your Name	Katherine Jones
Job Title	Environmental Health Officer
Postal and email address	Bath and North East Somerset Council 1 st Floor Lewis House Manvers Street Bath BA1 1JG
Contact telephone number	01225 396628

Name of the premises you are making a representation about.	Wetherspoons (formerly Palladium Cinema)
Address of the premises you are making a representation about.	110 High Street, Midsomer Norton, BA3 2DA

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	No	
Public safety	No	
To prevent public nuisance	Yes	<p>This is a new application and consequently there is no historic evidence of public nuisance associated with the Premises. However, I have taken into consideration the following and from which I have concerns regarding the potential for public nuisance:</p> <ul style="list-style-type: none"> • Location of the venue being in relative close proximity to residential properties. • The proposed large outdoor area that is adjacent to residential dwellings.

		<ul style="list-style-type: none"> The length of time applied for outdoor use <p>The main concern is relation to the external area and the potential for public nuisance. Being outdoors, there is little form of control of noise available, other than to restrict the hours of use. It is considered that the high street can be used for patrons to comply with smoke-free legislation.</p> <p>Upon reviewing the application, I consider the following conditions could minimise disturbance:</p> <p>The external beer garden of the premises shall only be used between the hours of 09.00hrs and 21.00hrs on Mondays to Sundays, (inc Bank or Public Holidays)</p>
The prevention of harm to children	No	
Suggested conditions that could be added to the licence to remedy your representation you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.		The external beer garden of the premises shall only be used between the hours of 09.00hrs and 21.00hrs on Mondays to Sundays, (inc Bank or Public Holidays)

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

Signed: KJones

Date: 5.2.15

Please return this form along with any additional sheets to:

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

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

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



Printed on recycled paper



Licensing Services, Manvers Street, Bath.

Representation Form

Responsible Authority. (Please delete as applicable.)

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

Your Name	Martin Purchase	
Job Title	Police Licensing Officer	ENVIRONMENTAL SERVICES
Postal and email address	Bath Police Station Manvers St, Bath BA1 4BX	25 FEB 2015 Post Log No:
Contact telephone number	07810555373	Receipt No: CH/CA £.....

Name of the premises you are making a representation about.	Wetherspoons
Address of the premises you are making a representation about.	110 High Street Midsomer Norton BA3 2DA

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	Yes	The premises were the former Palladium Cinema within the High Street at Midsomer Norton. This area does experience sporadic crime and disorder and anti social behaviour. The problems are most frequent in the early to late evenings and continue into the early hours at weekends they are alcohol related. There are incidents of young person's obtaining alcohol and causing anti-social behaviour within the area, persons move from one venue to another during the late evening, this causes stress points as persons drink more alcohol and alter the dynamics of venues with groups coming and going. The operating schedule lacks detail and clarity to further the licensing objectives, conditions that are proportionate but robust additional to those offered are needed to rectify this position. The area of the High Street has through considerable hard work of all the agencies and the support of licensees come a long way as far as crime and disorder, anti-social behaviour and public

		nuisance are concerned, but remains very much a work in progress, and cannot be permitted to fall back into its old ways., (see statement of sgt Cannon)
Public safety		
To prevent public nuisance		
The prevention of harm to children		
Suggested conditions that could be added to the licence to remedy your representation you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<p>1Where a risk assessment by the licence holder and / or at the written request of the police or licensing authority SIA door supervisors will be employed at the premises and used at such times and in such numbers as required.to supervise all patrons entering and leaving, and to ensure good order of the premises.</p> <p>2. Customers shall not take open vessels from the premises except for the purposes of consumption in any external area under the control of the premises licence holder.</p> <p>3 There will be no entry or re-entry to the premises after 12.30am on any morning..</p>	

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

Signed:

Paul & Paul

Date:

Page 74

23/2/15.

RESTRICTED (when complete)

MG11

WITNESS STATEMENT**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of Geoffrey Arthur William CANNON

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

This statement (consisting of 4 page(s), each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature

Date 18/02/15

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

I am Sergeant 461 Geoffrey Cannon currently based at Radstock Police Station. I am the Neighbourhood Sergeant for Radstock, Midsomer Norton and the surrounding area. I have held this position for the last 4 years and 3 months. During my time as Neighbourhood Sergeant for this area I have developed a very good working relationship with the local community, including members of Midsomer Norton Town Council and the local Licensing Trade. I have worked tirelessly as a member of The Midsomer Norton Community Alcohol Partnership and with members of the local Pubwatch to minimise crime and disorder during the Night – Time Economy in the area.

Midsomer Norton is a rural town and the High Street is the main focal point for the night – time economy particularly on Friday and Saturday evenings. The High Street and nearby Town centre areas contains 6 pubs and a Night – Club all in relatively close proximity. The main hot – spot for crime and disorder centres around the middle of the High Street with Mallards Public House virtually opposite Fat Sam's Night Club and The charcoal Grill fast food take-away next door. These premises stay open on a Friday and Saturday night until at least 2am or later and many of the problems happen after midnight.

The Midsomer Norton Community Alcohol Partnership was set up in 2012 with a number of objectives including to "reduce Anti – Social Behaviour associated with alcohol consumption" and "Develop a responsible retailing partner ethos in the CAP area and raise

Signature:

Signature witnessed by:

2010/11

RESTRICTED (when complete)

Continuation of Statement of: Geoffrey Arthur William CANNON

awareness of traders responsibility with regard to their customers and the local community".

In addition to these objectives, the Community Alcohol Partnership has looked at the drinking culture in Midsomer Norton High Street and has been working towards changing the culture that existed prior to the instigation of the Partnership.

Due to this close proximity there has always been a distinct migration of night – time drinkers from licensed premises located away from Midsomer Norton High St to licensed premises located in Midsomer Norton High Street that stay open late at night. A large number of drinkers will have reached their maximum alcohol consumption at the end of their night out in Midsomer Norton High Street in the centre of the town. As a result of this migratory pattern, more incidents of Anti – Social Behaviour and Alcohol related crime occur in the centre of the High Street than anywhere else. The Community Alcohol Partnership recognises this and Midsomer Norton Town Council introduced Street Marshals who patrol the High Street and surrounding area between 10pm to 3a.m. The detail contained in reports that Street Marshals complete at the end of their shifts on a Friday and Saturday night reflect my observations above. The Community Alcohol Partnership also recognised that the consumption and carrying of alcohol in open containers was a contributory factor to crime and disorder. A Designated Public Places Order was introduced covering Mid – Somer Norton High Street and the surrounding areas and has proved successful in helping reduce the number of incidents related to alcohol consumption.

The Police fully support the local Pubwatch forum with the majority of the members being responsible for premises in Midsomer Norton High Street or close by. Pubwatch actively targets people who have caused problems or committed offences in licensed premises and seeks to ban them from all member premises for a specified period of time.

Signature:

Signature witnessed by:

RESTRICTED (when complete)

MG11

Page No 3 of 4

Continuation of Statement of: Geoffrey Arthur William CANNON

In 2014 a major Police drugs Operation took place in Midsomer Norton that targeted the Stones Cross pub located at the top of Midsomer Norton High Street. 35 people were convicted of drug related offences in Bristol Crown Court and the pub was closed down.

All of the above work and measures introduced over time illustrates that there is a need and willingness by partner agencies and members of the Licensing trade to continue to reduce alcohol related crime and disorder in the area and in particular Midsomer Norton High Street. It also shows a willingness to change what was once an embedded drinking culture in the town and to make Midsomer Norton High Street more accessible to all members of the community late at night. The Community Alcohol Partnership recognises that this culture change is happening and can demonstrate that people feel safer when out and about in the High Street late at night than they did 3 years ago and that crime and disorder has reduced.

The introduction of a large licensed premise in Midsomer Norton High Street in the shape of Weatherspoon's needs to recognise and understand what has been achieved by the combined efforts of the Town Council, the Police and a variety of partner agencies. It is important that any new licensed premise fits into the current night – time economy and joins in the continuing progressive positive development of that economy. At least one other licensed premise close to the proposed Wetherspoon's site has restrictions imposed on their license that prevents entry by customers after 1230a.m. This condition was imposed to prevent customers, who will have been drinking earlier in the evening, constantly moving between the premises mentioned earlier. This location is a key pinch point for drinkers late at night as they choose which licensed premise to enter and / or to purchase fast food from the take-away. It has been proven that by placing a restriction on last entry time, the footfall

Signature:

Signature witnessed by:

2010/11

RESTRICTED (when complete)

Continuation of Statement of: Geoffrey Arthur William CANNON

in the High Street decreases and customers are contained in premises where there is an element of supervision and control which helps reduce incidents of crime and disorder. It is my belief that a similar condition is not included on Wetherspoon's License it will not only seek to undermine the work carried out and results achieved as detailed in this statement but would create an opportunity for late night drinkers to remain in Midsomer Norton High Street longer and re-introduce the constant footfall between premises late at night. This is likely to result in a rise of incidents of crime and disorder in Midsomer Norton High Street and reverse the trend towards a safer and more crime free town centre during the Night – Time Economy period. It is also likely to increase the fear of crime amongst many members of the local community and visitors to the town and therefore goes against the will to make Midsomer Norton High Street more accessible to all.

The risk assessed door staff with an ability to require door staff should it become necessary is part of the furtherance of the Crime and Disorder Objective and is in no way an inference that this company will not run and manage in a satisfactory way. It is however a necessary measure given the dynamics of the town and the likely effect this additional licensed premise will have.

Signature: 

Signature witnessed by:

2010/11

LICENSING ACT 2003

INTERESTED PARTY REPRESENTATION

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

I/We object to the following application:

Application number:	15/00600/LAPRE
Applicant's name:	JD Wetherspoon
Premises name and address:	110 High Street Midsomer Norton BA3 2DA
Application for a:	Premises Licence

Objector Details:

Objector's Name:	Mark Ashman
Objector's Address:	20 High Street Midsomer Norton BA3 2DR
Organisation name if applicable:	

Objection Details:

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

- | | |
|----------------------------------|-------------------------------------|
| Prevention of crime and disorder | <input checked="" type="checkbox"/> |
| Prevention of public nuisance | <input checked="" type="checkbox"/> |
| Protection of children from harm | <input checked="" type="checkbox"/> |
| Public safety | <input type="checkbox"/> |

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

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

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

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

☐

I object to this license application on the following grounds:

1) Prevention of crime & disorder - JD Wetherspoons are well known for offering cheap alcoholic drinks. They promote this throughout their venues. Offering cheap alcohol from 9am all day until 1am the following morning will have a detrimental impact on the town. It will encourage people to drink more and this will lead to an increase in anti social behaviour. This will not save people money. People go out with a set amount of money e.g £20 / £30 etc. They will spend all of this money. If they can purchase more drinks for their money they will naturally do so, and become more drunk as a result. Late night disorder is at an all time low, it would be a shame to revert the town to the "dark" times of the past.

There is no mention of using door staff to control the public, no mention of using plastic glasses to prevent injury, no mention of restricting access after a certain time, no mention of restricting use of the external areas after a certain time, no mention of preventing alcohol leaving the building

There seems to be few controls in place at all.

2) Prevention of public nuisance - Again the supply of cheap alcohol from early in the morning will result in drunk people congregating in that area of the high street. This will occur all day and all night, progressively getting worse as the day goes on. This will create an unwelcome and negative view of the town, to shoppers and visitors.

As the capacity for this venue is internally over 600 people and externally over 300 people, there will be a large amount of noise and disorder emanating from this venue especially when they close at 1am, causing a nuisance to people who live close to the venue.

3) Protection of children from harm - This venue is located directly opposite a primary school. With the supply and promotion of cheap alcohol, this will encourage children to start drinking from a young age and glamourise the unhealthy nature of binge drinking. It will make access to alcohol easier.

The local CAP and town council have worked hard over the last 18 months to make Midsomer Norton a safe, fun place to visit. they have introduced a DPPO (street drinking ban), implemented street marshalls and street pastors, and have come down hard on other licensed venues in the town.

In flys in the face of all that they have achieved to allow this application to be succesful. It will have a negative impact on the town and reverse the hard work these people have achieved.

I would urge the committee to refuse this license on these grounds.

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

Mark Ashman

Date

11/2/15

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

01761 411514

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 Mark Ashman

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

I will be represented at the hearing by _____

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

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

Form to be returned to:

Licensing Team
Public Protection and Health Improvement Service
Lewis House
Manvers Street
Bath BA1 1JG

Bath & North East Somerset Council

MEETING:	Licensing Sub-Committee	AGENDA ITEM NUMBER
MEETING DATE:	Friday 27 March 2015	
TITLE:	Application to Vary the Premises Licence for The Wine Bar, 19 High Street, Keynsham, BS31 1DP	
WARD:	Keynsham North	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application to Vary the Premises Licence		
Annex B Current Premises Licence		
Annex C Site Plan		
Annex D Representation from the Police		
Annex E Conditions agreed between the Police and Applicant		
Annex F Representations received from Other Persons		

1 THE ISSUE

- 1.1 An application has been received for the variation of an existing premises licence under Section 34 of the Licensing Act 2003 in respect of The Wine Bar, 19 High Street, Keynsham, BS31 1DP.

2 RECOMMENDATION

- 2.1 That the Licensing Sub-Committee determines the application.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The costs of processing licences are covered by the fees charged. The fee for this application is £190.00.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 An Equality Impact Assessment (EqIA) 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 Licensing Sub-Committee has 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 to vary an existing premises licence (Annex A).

5.2 The current premises licence as detailed in Annex B, authorises the following:

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

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday 12:00 – 22:30

2) **Performance of Dance**, indoors and outdoors:

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday 12:00 – 22:30

3) **Performance of Live Music**, indoors and outdoors:

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday 12:00 – 22:30

4) **Performance of Records Music**, indoors and outdoors:

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday 12:00 – 22:30

5) **Other Entertainment within the Act**, indoors and outdoors:

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday

12:00 – 22:30

6) Non-Standard Timings for all licensable activities:

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

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

A further additional hour every Christmas Eve and Boxing Day

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

7) Opening Hours:

Monday and Tuesday 10:00 – 23:30

Wednesday to Saturday 10:00 – 00:30

Sunday 12:00 – 23:00

8) Non-Standard Opening Times:

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

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

A further additional hour every Christmas Eve and Boxing Day.

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

9) Conditions attached to the current premises licence:

Annex 1 – Mandatory conditions

- No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or

b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- Any individual employed to carry out a security activity must be licensed by the Security Industry Authority.
- Subject to the standard terms and conditions attached to the public entertainment licence issued prior to the second appointed day.
- The maximum number of persons allowed on the premises is 150.
- The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a)*;

(b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

where:

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b)*.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

(a)* 1979 c. 4. Section 1 was amended by regulation 2 of the Excise Duty (Amendment of the Alcoholic Liquor Duties Act 1979 and the Hydrocarbon Oil Duties Act 1979) Regulations 1992 (S.I. 1992/3158), section 162 of and Part 1 of Schedule 29 to the Finance 1995 (c. 4), section 7 of and paragraph 2(a) of Schedule 2 to the Finance Act 1991(c. 31), section 3 of the Finance Act 1993 (c. 34), section 227 of and paragraph 51 of Schedule 39 to the Finance Act 2012 (c. 14), section 1 of the Finance Act 1995, section 1 of and Part 2 of Schedule 1 to the Finance Act 1988 (c. 39), section 5 of the Finance Act 1997 (c. 16) and Article 2 of the Alcoholic Liquor Duties (Definition of Cider) Order 2010 (S.I. 2010/1914). Section 2 was amended by article 6 of the Alcoholic Liquors (Amendment of Enactments Relating to Strength and to Units of Measurement) Order 1979 (S.I. 1979/241), regulation 2 of S.I. 1992/3158, section 11 of and Part 2 of Schedule 8 to the Finance Act 1981 (c. 35), section 7 of and paragraph 3 of Schedule 2 to the Finance Act 1991 and section 5 of the Finance Act 1997. Section 3 was amended by article 7 of S.I. 1979/241. Section 4 was amended by article 8 of S.I. 1979/241, section 15 of and paragraphs 2 and 3 of Schedule 1 to the Finance Act 2011 (c. 11) and section 227 of and paragraphs 51 of Schedule 39 to the Finance Act 2012 (c. 14). Section 5 was amended by section 1 of the Finance Act 1982 (c. 39) and section 180 of the Finance Act 2013. Section 36 was amended by section 7 of the Finance Act 1991, section 4 of and paragraph 1 of Schedule 1 to the Finance Act 2002 (c. 23), sections 14 and 15 of paragraphs 2 and 4 of Schedule 1 to the Finance Act 2011, section 180 of the Finance Act 2013 and section 1 of and paragraph 9 of Schedule 1 to the Finance Act (No. 2) Act 1992 (c. 48). Section 37 was amended by section 15 of and paragraph 1 of Schedule 1 to the Finance Act 2011 and section 180 of the Finance Act 2013. Section 54 was amended by section 1 of and paragraph 12 of Schedule 1 to the Finance (No. 2) Act 1992 and section 5 of the Finance Act 1985 (c. 54). Section 55 was amended by section 1 of the Finance Act 1984 (c. 43) and section 1 of

and paragraph 13 of Schedule 1 to the Finance (No. 2) Act 1992. Section 62 was amended by section 3 of the Finance Act 1996 (c. 8), section 10 of the Finance (No.2) Act 1997 (c. 58), section 180 of the Finance Act 2013, section 4 of the Finance Act 1998 (c. 36) and section 3 of the Finance Act 1997. There are other amendments which are not relevant to this Order.

(b)* 1994 c. 23. Section 2 was amended by section 3 of the Finance (No.2) Act 2010 (c.31). Section 7 was amended by section 76 of and Part 1 of Schedule 36 to the Finance Act 2009 (c. 10) and section 203 of and paragraphs 2 and 3 of Schedule 28 to the Finance Act 2012 (c. 14). Section 24 was amended by section 19 of and paragraph 1 of Schedule 8 to the Finance (No.3) Act 2010 (c.33). There are other amendments which are not relevant to this Order.

- The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014:

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises: (a) games or other activities which require or encourage, or are designed to require or encourage individuals to i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or, ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified under the policy) to

produce on request, before being served alcohol, identification bearing their photograph, date of birth and either - a) a holographic mark, or b) an ultraviolet feature.

4. The responsible person must ensure that: a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures - i) beer or cider: ½ pint; ii) gin, rum, vodka or whiskey: 25ml or 35ml; and iii) still wine in a glass: 125ml; b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 – Conditions consistent with the Operating Schedule

- CCTV installed and maintained covering the internal trading areas and the outdoor patio area.
- No unaccompanied children allowed on the premises.
- No children allowed on the premises after 18:00 hours unless dining.
- No striptease, nudity or exhibition of restricted films allowed.

5.3 The variation application seeks to:

- **Extend** the terminal hour in respect of the sale of alcohol, recorded music, and anything of a similar description to live, recorded music and performance of dance on Friday and Saturday from midnight, to 02:00 hours the following morning;
- **Vary** the time the premises closes to the public on Friday and Saturday to 02:30 the following morning to allow for 30 minutes “drinking up time” after the last permitted sale of alcohol;
- **Add** the following condition to the existing premises licence:

“There will be no entry or re-entry (with the exception of customers partaking in a cigarette) after 23:00 hours on a Friday or Saturday”;

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, and
- d) The Protection of Children from Harm.

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

- 5.6 The Licensing Authority may vary and grant the application with or without additional conditions if they consider it appropriate and proportionate to do so.
- 5.7 The Licensing Authority can refuse the variation, or part of the variation, for the promotion of the licensing objectives.
- 5.8 The Licensing Authority may not however do anything to reduce the effect of the rights granted by the existing premises licence.
- 5.9 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 3-6, 8-10, 13-14, 15, 17-23, 27, 33-36, 38-41 and 43 of the policy as revised in 2015.
 - b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised October 2014)
 - c) Sections 4, 9, 10, 13, 34, 35, 36, 182 and 183 of the Act.
- 5.10 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.
- 5.11 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates Court.

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

On appeal the court may either dismiss the appeal; substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to

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

5.12 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, the Health Authority and the Child Protection Agency.

5.13 The applicant is required to place a notice at the premises for a period of 28 days starting the day after the application is made and place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.

5.14 A representation has been received from the Police (Annex D) in respect of the Prevention of Crime and Disorder licensing objective. It reports of sporadic incidents of crime, disorder and anti-social behaviour within the locality of the premises, and proposes the following conditions to promote this objective:

- A digital CCTV system will be fitted and maintained at the premises in consultation with the Police. The images will be of evidential quality and will be kept for a minimum of 31 days. The images will be made available to the Police on request.
- Signage requesting patrons to leave quietly will be displayed at all exits from the premises.
- All off sales of alcohol to be sold in sealed containers unless it is to be consumed in an area covered by a table and chairs permit.

5.15 The applicant has agreed in writing to the conditions proposed by the Police to promote the Prevention of Crime and Disorder licensing objective (Annex E).

5.16 Representations have been received from other persons living within the vicinity of the premises who are concerned that the Public Nuisance they already experience in respect of music and noise emanating from the premises, will increase should the proposed extension be granted. They also express concern that the applicant's proposals are likely to lead to an increase in anti-social behaviour and therefore be likely to undermine the Prevention of Crime and Disorder licensing objective (Annex F).

5.17 This report has not been sent to the Trades Union because they would have no involvement in this application.

6 RATIONALE

6.1 As relevant representations have 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 the 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), s.151 Officer (Divisional Director – Finance) and the Divisional Director have had the opportunity to input to this report and have cleared it for publication.

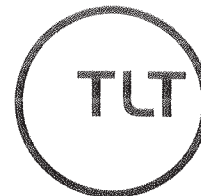
Background papers	Licensing Act 2003; Guidance issued under s.182 of the Licensing Act 2003; Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005; B&NES Statement of Licensing Policy.
Contact person	Terrill Wolyn, Senior Public Protection Officer (Licensing) Tel: 01225 396939

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Our ref 303L/PU01/77345/10801
 Your ref



Bath & North East Somerset Council
 Licensing Section
 Lewis House
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Bath And North East
 Somerset Council

6 FEB 2015

Received

By special delivery

Direct tel +44 (0)333 006 0213 Date 3 February 2015
 Direct fax +44 (0)333 006 1492 Email paul.uren@TLTsolicitors.com

Please note telephone calls may be recorded for training or regulatory purposes

Dear Sirs

**Licensing Act 2003: Application to vary the premises licence
 Wine Bar 19 High Street Keynsham Bristol BS31 1DP**

Further to the above application submitted to you via email today, please find enclosed:

- Original application form to vary the premises licence with related documentation; and
- Original premises licence

Should you wish to discuss the enclosed application then please do not hesitate to contact us.

Yours faithfully

TLT LLP

enc Original application form
 Premises licence

pu01307

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **Punch Taverns Plc**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 08/03760/LAPRE
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Wine Bar 19 High Street			
Post town	Keynsham	Postcode	BS31 1DP
Telephone number at premises (if any)		0117 9861974	
Non-domestic rateable value of premises		£6,825	

Part 2 – Applicant details

Daytime contact telephone number	01283 501600		
E-mail address (optional)	risk@punchtaverns.com		
Current postal address if different from premises address	Jubilee House Second Avenue		
Post town	Burton Upon Trent	Postcode	DE14 2WF

Part 3 - Variation

Please tick as appropriate

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

☒ Yes☐ No

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

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) ☐ Yes ☒ No**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

This is an application to extend the hours for the sale of alcohol, recorded music and anything of a similar description to live, recorded music and performance of dance on a Friday and Saturday from 11:00h until 02:00h the following morning (current permission 11:00h until 00:00h).

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

To add the following condition "There will be no entry or re-entry (with the exception of customers partaking in a cigarette) after 23:00h on a Friday or Saturday".

All other hours, activities and conditions are to remain unchanged by this application.

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

n/a

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all 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 checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of 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 Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Fri					
Sat					
Sun					
			<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 6)		

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri					
Sat			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 6)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3) <input checked="" type="checkbox"/>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Both			
Mon			Please give further details here (please read guidance note 4) As per current permission.		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri	11:00		Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) As per current permission.		
Sat		02:00			
	11:00				
Sun		02:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) As per current permission.		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri	11:00				
Sat		02:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) As per current permission.		
	11:00				
Sun		02:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing As per current licence permission.		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4) As per current licence permission.		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	11:00				
Sat		02:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6) As per current licence permission.		
	11:00				
Sun		02:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri	11:00				
Sat		02:00			
	11:00		<u>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</u> (please read guidance note 6) As per current permission.		
Sun		02:00			

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) As per current permission.
Day	Start	Finish	
Mon			
Tue			
Wed			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) As per current permission.
Thur			
Fri	11:00		
Sat		02:30	
Sun		02:30	

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

None.

Please tick as appropriate

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☒

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

As per current licence permission plus the addition by way of this application.

b) The prevention of crime and disorder

There will be no entry or re-entry (with the exception of customers partaking in a cigarette) after 23:00h on a Friday or Saturday.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

IT IS AN OFFENCE, LIABLE ON 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 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	K Hachford, TLT
Date	02.02.2015
Capacity	SOLICITORS FOR THE APPLICANT

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

Paul Uren
TLT Solicitors
One Redcliff Street

Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	+44 (0) 3330 060 213		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
paul.uren@tltsolicitors.com

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. 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'.
9. 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.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

Schedule 12 Part A

Regulation 33, 34

Premises Licence

Premises Licence Number	08/03760/LAPRE
--------------------------------	----------------

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
The Wine Bar 19 High Street Keynsham, BS31 1DP	
Telephone number	0117 9861974

Where the licence is time limited the dates	Not applicable
--	----------------

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities	
Sale of Alcohol	
Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30
Performance of Dance (Indoors and Outdoors)	
Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30
Performance of Live Music (Indoors and Outdoors)	
Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30
Performance of Recorded Music (Indoors and Outdoors)	
Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30
Other Entertainment within Act (Indoors and Outdoors)	
Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30

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

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

A further additional hour every Christmas Eve and Boxing Day.

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

The opening hours of the premises

Monday and Tuesday	10:00 - 23:30
Wednesday to Saturday	10:00 - 00:30
Sunday	12:00 - 23:00

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

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

A further additional hour every Christmas Eve and Boxing Day.

From normal opening time on New Years Eve until normal closing time on New Years Day.

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

Alcohol is supplied for consumption both on and off the premises

Bath & North East Somerset Council

Part 2

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

Punch Taverns Plc
Jubilee House
Second Avenue
Burton Upon Trent
Staffordshire
DE14 2WF

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

Registered Business Number - 03752645

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

Mr Paul Brunsdon
The Wine Bar
19 High Street
Keynsham
Bristol
BS31 1DP

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

B&NES/08/03718/LAPER
Bath & North East Somerset Council

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

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



Dated 1 December 2008

Annex 1 – Mandatory conditions

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

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

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

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

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

The maximum number of persons allowed on the premises is 150.

Annex 2 – Conditions consistent with the Operating Schedule

CCTV installed and maintained covering the internal trading areas and the outdoor patio area.

No unaccompanied children allowed on the premises.

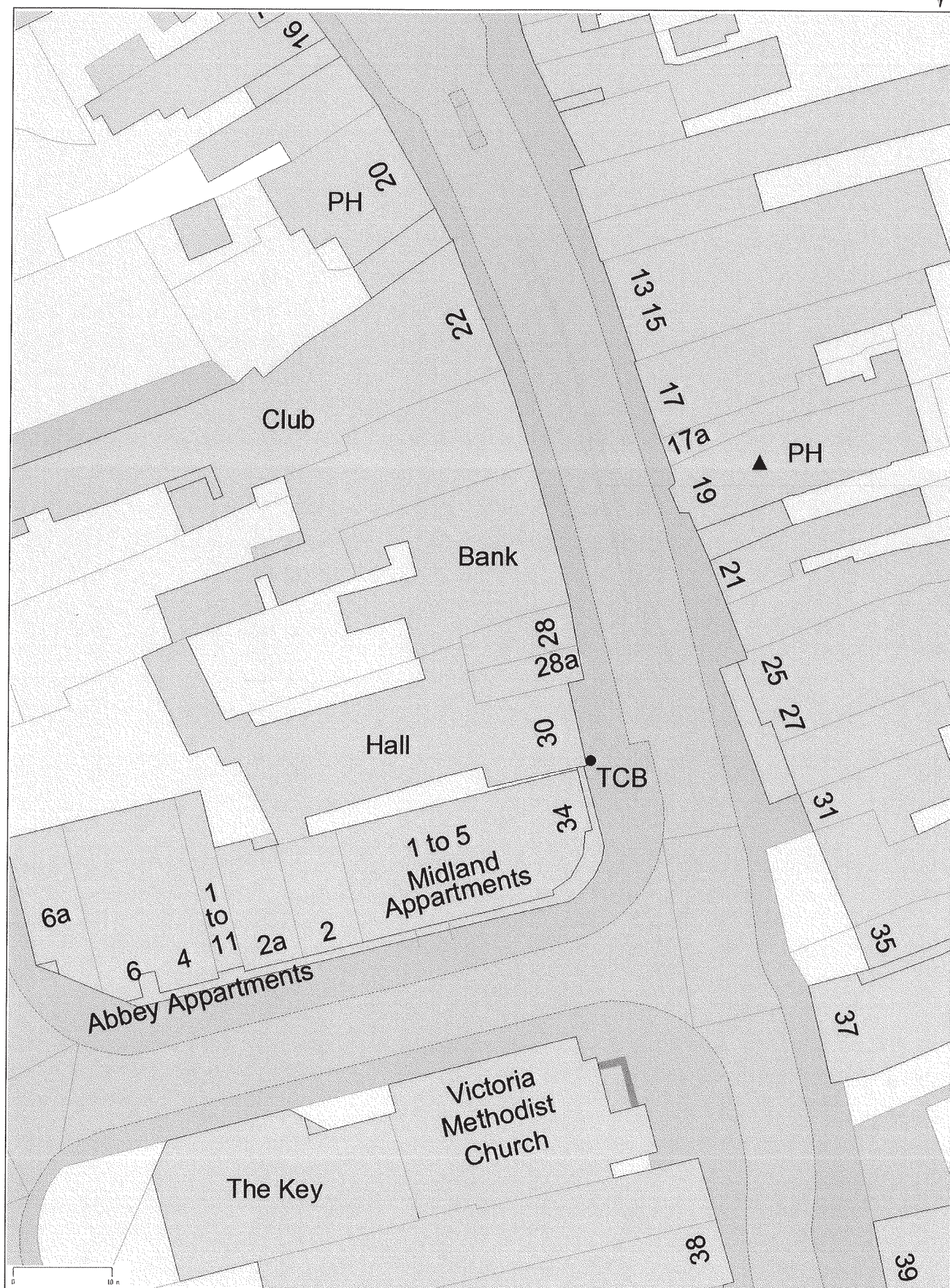
No children allowed on the premises after 18.00 hours unless dining.

No striptease, nudity or exhibition of restricted films allowed.

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

Annex 4 – Plans

As submitted with application.





Licensing Services, Manvers Street, Bath.

Representation Form

ENVIRONMENTAL SERVICES

19 FEB 2015

Post Log No:

Receipt No:

CH/CA £.....

Responsible Authority. (Please delete as applicable.)Police / Fire / EP (noise) / Health and Safety / Child Protection / Weights and Measures /
Planning Authority / Marine Agency.

Your Name	Martin Purchase
Job Title	Liquor Licensing Officer
Postal and email address	Bath Police Station Manvers St. Bath. BA1 4BX
Contact telephone number	07810555373

Name of the premises you are making a representation about.	The Wine Bar
Address of the premises you are making a representation about.	19 High Street Keynsham Bristol BS31 1DP

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	Yes	The premises are situated within the high Street in Keynsham Town Centre. This area does experience sporadic crime and disorder and anti social behaviour. The problems are most frequent in the early to late evenings and are alcohol related. There are incidents of young persons obtaining alcohol and causing anti social behaviour within the area. The operating schedule, measures within the application and conditions within the licence lacks detail and clarity to further the licensing objectives A number of conditions have been offered and agreed with the applicant to rectify this position,
Public safety		

To prevent public nuisance	Yes	
The prevention of harm to children	Yes	
Suggested conditions that could be added to the licence to remedy your representation you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<p>1A digital CCTV system will be fitted and maintained at the premises in consultation with the Police. The images will be of evidential quality and will be kept for a minimum of 31 days. The images will be made available to the Police on request .</p> <p>2. Signage requesting patrons to leave quietly will be displayed at all exits from the premises,</p> <p>3 All off sales of alcohol to be sold in sealed containers unless it is to be consumed in an area covered by a tables and chairs permit.</p>	

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

Signed:

Date:

Please return this form along with any additional sheets to:

Bath and North East Somerset Council
Licensing Services
Manvers Street
Bath.
E-mail address: licensing@bathnes.gov.uk

Terrill Wolyn

From: Licensing
Sent: 13 February 2015 08:32
To: Terrill Wolyn
Cc: Kirsty Morgan
Subject: FW: wine bar keynsham.doc [TLT-TLT.FID3342786]
Attachments: wine bar keynsham.doc

From: Paul Uren [<mailto:paul.uren@TLTsolicitors.com>]
Sent: 12 February 2015 15:27
To: Martin.Purchase@avonandsomerset.police.uk
Cc: Licensing
Subject: FW: wine bar keynsham.doc [TLT-TLT.FID3342786]

Hi Martin,

I can confirm that the applicant agrees with the conditions you have proposed in the attached document.

I have copied in Licensing however I trust you will confirm separately.

If you have any further queries, please do not hesitate to contact me.

Kind regards

Paul Uren
 Real Estate Group
 for TLT LLP

D: +44 (0)333 006 0213

F: +44 (0)333 006 1492

www.TLTsolicitors.com

Top five national law firm for client service - Legal Week Client Satisfaction Survey 2013

From: Martin Purchase [<mailto:Martin.Purchase@avonandsomerset.police.uk>]
Sent: 11 February 2015 08:52
To: Paul Uren
Subject: wine bar keynsham.doc

Paul

I would seek your agreement for the attached conditions to be placed on the licence for the Wine Bar at 19 High St, Keynsham.

Martin Purchase, Police Liquor Licensing Officer.
 Mobile 07810555373

This e-mail is intended for the named individual(s) only and may contain information which is

protected in law. If you have received this e-mail in error, you may not read, copy, disseminate or otherwise deal with it. In this case, please delete the e-mail and contact the sender immediately. Internet e-mail is not secure. Therefore Avon and Somerset Constabulary does not accept legal responsibility for the contents or distribution of this message including file attachments. Any views or opinions presented are solely those of the author and do not necessarily represent those of Avon and Somerset Constabulary. All reasonable efforts have been made to check that any attached software or other material is/are free of computer viruses, but Avon and Somerset Constabulary accepts no responsibility for any damage, howsoever arising, as a result of their transmission to the recipient's computer or network.

Avon and Somerset Constabulary

Working to make the communities of Avon and Somerset feel safe and be safe

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Conditions agreed between Police and Applicant

1. A digital CCTV system will be fitted and maintained at the premises in consultation with the Police. The images will be of evidential quality and will be kept for a minimum of 31 days. The images will be made available to the Police on request.
2. Signage requesting patrons to leave quietly will be displayed at all exits from the premises.
- 3 All off sales of alcohol to be sold in sealed containers unless it is to be consumed in an area covered by a tables and chairs permit.

Strictly Private and Confidential

Bath & North East Somerset District Council
Licensing Authority
Lewis House
Manvers Street
Bath
BA1 1JG

One Glass Wharf
Bristol BS2 0ZX
Tel: +44 (0)117 939 2000
Fax: +44 (0)117 902 4400
email@burges-salmon.com
www.burges-salmon.com
DX 7829 Bristol

Direct Line: +44 (0)117 939 2259
richard.knight@burges-salmon.com

Our ref: RK01/KNIGH

Your ref:

2 March 2015

When telephoning please ask for: Richard Knight

Dear Sirs

The Wine Bar 19 High Street Bristol BS31 1DP

I write in relation to the application made by Punch Taverns Plc for a variation to the premises licence under the Licensing Act 2003.

I strongly object to the proposed variation for the following reasons:

- 1 I live at The Coach House, 3 The Park Keynsham BS31 2BL which is in close proximity to The Wine Bar and have a young family.
- 2 I already suffer disturbance from music and related noise from The Wine Bar's current extension (11:00h until 00:00h).
- 3 An extension until 02:00h on a Friday and Saturday, particularly in relation to live and recorded music and dance would cause much more significant disruption to sleep, and would cause nuisance in a residential area generally.
- 4 I would be concerned that anti-social behaviour would inevitably increase given that customers of The Wine Bar could be drinking until 02:30h and then leaving en masse from that time.
- 5 An extension could encourage a "domino effect" across other establishments on The High Street, inevitably leading to widespread nuisance and anti-social behaviour.

For all the reasons given above I would urge the Council to reject the application for an extension to the current licence.

Yours faithfully


Irene Knight

ENVIRONMENTAL SERVICES
03 MAR 2015
Post Log No:
Receipt No:
CH/CA £.....

SECURE\22321871\ v.2

Also at: 6 New Street Square, London, EC4A 3BF
Tel: +44(0)20 7685 1200 Fax: +44(0)20 7980 4966

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Fax: +44 (0)117 902 4400
email@burges-salmon.com
www.burges-salmon.com
DX 7829 Bristol

Direct Line: +44 (0)117 939 2259
richard.knight@burges-salmon.com

Our ref: RK01/KNIGH

Your ref:

2 March 2015

When telephoning please ask for: Richard Knight

Dear Sirs

The Wine Bar 19 High Street Bristol BS31 1DP

I write in relation to the application made by Punch Taverns Plc for a variation to the premises licence under the Licensing Act 2003.

I strongly object to the proposed variation for the following reasons:

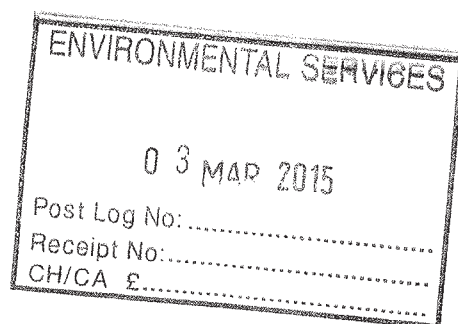
- 1 We live at 3 The Park Keynsham BS31 2BL which is in close proximity to The Wine Bar and have a young family.
- 2 We already suffer disturbance from music and related noise from The Wine Bar's current extension (11:00h until 00:00h).
- 3 An extension until 02:00h on a Friday and Saturday, particularly in relation to live and recorded music and dance would cause much more significant disruption to sleep, and would cause nuisance in a residential area generally.
- 4 We would be concerned that anti-social behaviour would inevitably increase given that customers of The Wine Bar could be drinking until 02:30h and then leaving en masse from that time.
- 5 An extension could encourage a "domino effect" across other establishments on The High Street, inevitably leading to widespread nuisance and anti-social behaviour.

For all the reasons given above I would urge the Council to reject the application for an extension to the current licence.

Yours faithfully



Richard Knight



SECURE\22321871\v.1

Also at: 6 New Street Square, London, EC4A 3BF
Tel: +44(0)20 7685 1200 Fax: +44(0)20 7980 4966

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Agenda Item 10

Bath & North East Somerset Council

MEETING:	Licensing Sub-Committee	AGENDA ITEM NUMBER
MEETING DATE:	Friday 27 March 2015	
TITLE:	Application to Vary the Premises Licence for Midsomer Norton Cricket Ground , Withies Lane, Midsomer Norton, BA3 2JE	
WARD:	Midsomer Norton Redfield	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A	Application to Vary the Premises Licence	
Annex B	Current Premises Licence	
Annex C	Site Plan	
Annex D	Representations received from other persons	

1 THE ISSUE

- 1.1 An application has been received for the variation of an existing Premises Licence under Section 34 of the Licensing Act 2003 in respect of Midsomer Norton Cricket Ground, Withies Lane, Midsomer Norton, BA3 2JE.

2 RECOMMENDATION

- 2.1 That the Licensing Sub-Committee determines the application.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The costs of processing licences are covered by the fees charged. The fee for this application is £190.00.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 An Equality Impact Assessment (EqIA) 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 Licensing Sub-Committee has 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 to vary an existing premises licence (Annex A)

5.2 The current premises licence as detailed in Annex B authorises the following:

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

Friday and Saturday	11:00 – 23:59
---------------------	---------------

Sunday to Thursday	11:00 – 23:00
--------------------	---------------

2) **Indoor Sporting Event**

Everyday	19:00 – 23:00
----------	---------------

3) **Performance of Live Music**, indoors and outdoors:

Friday and Saturday	19:00 – 23:59
---------------------	---------------

Sunday to Thursday	19:00 – 23:00
--------------------	---------------

4) **Performance of Recorded Music**, indoors and outdoors:

Friday and Saturday	19:00 – 23:59
---------------------	---------------

Sunday to Thursday	19:00 – 23:00
--------------------	---------------

5) **Non-standard timings** for the Sale of Alcohol:

24 & 26 December	19:00 - 23:59
------------------	---------------

Bank Holiday Sundays	19:00 – 23:59
----------------------	---------------

Annual Club Dinner	11:00 – 02:00 the following morning in Feb/March
--------------------	--

6) **Non-standard timings** for Live and Recorded Music:

24 & 26 December	19:00 - 23:59
------------------	---------------

Bank Holiday Sundays	19:00 – 23:59
----------------------	---------------

For special events on field	11:00 – 23:00
-----------------------------	---------------

7) **Opening Hours**

Sunday to Thursday	11:00 – 23:00
--------------------	---------------

Friday and Saturday	11:00 – 23:59
---------------------	---------------

8) **Non-Standard Opening Times**

24 & 26 December	19:00 - 23:59
------------------	---------------

Bank Holiday Sundays	19:00 – 23:59
----------------------	---------------

Annual Club Dinner	11:00 – 02:00 the following morning Feb/March
--------------------	---

9) Conditions attached to the premises licence

Annex 1 – Mandatory conditions

- No supply of alcohol may be made under the premises licence:
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

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

From 28 May 2014

- The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014:

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a)*;

(b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

where:

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b)*.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

(a)* 1979 c. 4. Section 1 was amended by regulation 2 of the Excise Duty (Amendment of the Alcoholic Liquor Duties Act 1979 and the Hydrocarbon Oil Duties Act 1979) Regulations 1992 (S.I. 1992/3158), section 162 of and Part 1 of Schedule 29 to the Finance 1995 (c. 4), section 7 of and paragraph 2(a) of Schedule 2 to the Finance Act 1991(c. 31), section 3 of the Finance Act 1993 (c. 34), section 227 of and paragraph 51 of Schedule 39 to the Finance Act 2012 (c. 14), section 1 of the Finance Act 1995, section 1 of and Part 2 of Schedule 1 to the Finance Act 1988 (c. 39), section 5 of the Finance Act 1997 (c. 16) and Article 2 of the Alcoholic Liquor Duties (Definition of Cider) Order 2010 (S.I. 2010/1914). Section 2 was amended by article 6 of the Alcoholic Liquors (Amendment of Enactments Relating to Strength and to Units of Measurement) Order 1979 (S.I. 1979/241), regulation 2 of S.I. 1992/3158, section 11 of and Part 2 of Schedule 8 to the Finance Act 1981 (c. 35), section 7 of and paragraph 3 of Schedule 2 to the Finance Act 1991 and section 5 of the Finance Act 1997. Section 3 was amended by article 7 of S.I. 1979/241. Section 4 was amended by article 8 of S.I. 1979/241, section 15 of and paragraphs 2 and 3 of Schedule 1 to the Finance Act 2011 (c. 11) and section 227 of and paragraphs 51 of Schedule 39 to the Finance Act 2012 (c. 14). Section 5 was amended by section 1 of the Finance Act 1982 (c. 39) and section 180 of the Finance Act 2013. Section 36 was amended by section 7 of the Finance Act 1991, section 4 of and paragraph 1 of Schedule 1 to the Finance Act 2002 (c. 23), sections 14 and 15 of paragraphs 2 and 4 of Schedule 1 to the Finance Act 2011, section 180 of the Finance Act 2013 and section 1 of and paragraph 9 of Schedule 1 to the Finance Act (No. 2) Act 1992 (c. 48). Section 37 was amended by section 15 of and paragraph 1 of Schedule 1 to the Finance Act 2011 and section 180 of the Finance Act 2013. Section 54 was amended by section 1 of and paragraph 12 of Schedule 1 to the Finance (No. 2) Act 1992 and section 5 of the Finance Act 1985 (c. 54). Section 55 was amended by section 1 of the Finance Act 1984 (c. 43) and section 1 of and paragraph 13 of Schedule 1 to the Finance (No. 2) Act 1992. Section 62 was amended by section 3 of the Finance Act 1996 (c. 8), section 10 of the Finance (No.2) Act 1997 (c. 58), section 180 of the Finance Act 2013, section 4 of the Finance Act 1998 (c. 36) and section 3 of the Finance Act 1997. There are other amendments which are not relevant to this Order.

(b)* 1994 c.23. Section 2 was amended by section 3 of the Finance (No.2) Act 2010 (c.31). Section 7 was amended by section 76 of and Part 1 of Schedule 36 to the Finance Act 2009 (c. 10) and section 203 of and paragraphs 2 and 3 of Schedule 28 to the Finance Act 2012 (c. 14). Section 24 was amended by section 19 of and paragraph 1 of Schedule 8 to the Finance (No.3) Act 2010 (c.33). There are other amendments which are not relevant to this Order.

From 1 October 2014

- The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014:

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or

substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises: (a) games or other activities which require or encourage, or are designed to require or encourage individuals to i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or, ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified under the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either - a) a holographic mark, or b) an ultraviolet feature.

4. The responsible person must ensure that: a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures - i) beer or cider: ½ pint; ii) gin, rum, vodka or whiskey: 25ml or 35ml; and iii) still wine in a glass: 125ml; b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 – Conditions consistent with the Operating Schedule

- A person holding a personal licence will be on duty in the bar at all times when a special or private function is taking place, where alcohol is being served, or regulated entertainment is being provided.
- The maximum number of people allowed on the premises is 150.
- Seating available to accommodate 60% of the maximum capacity (90).
- Free drinking water to be made available at all times.
- Customers carrying open or sealed bottles are not permitted to the premises at any time.
- Customers are not permitted to take open containers from the premises.

- All doors and windows are to be kept shut after 23:00 hours.
- Notices to be displayed clearly at all exits requesting customers to leave quietly.
- Outside music to end no later than 23:00 hours.
- The placing of bottles into receptacles outside the premises is only permitted to take place between the hours of 09:00 and 17:00.

5.3 The variation application seeks to:

- **Add** the Exhibition of Film daily from 11:00 – 23:00 hours;
- **Add** the Provision of Late Night Refreshment on Fridays and Saturdays from 23:00 until 01:00 hours the following morning;
- **Amend** the current activity start time in relation to Live Music, Recorded Music and Indoor Sporting Events on Sunday through to and including Thursday to 11:00 (currently these activities are permitted from 19:00 hours);
- **Increase** the current terminal hour in respect of the Sale of Alcohol, Live Music and Recorded Music on Fridays and Saturdays to 01:00 hours the following morning (currently until 23:59 hours);
- **Amend** the non-standard timings relating to activities and opening times detailed on the current premises licence and replace with those proposed within the operating schedule;
- **Vary** the closing time on Sundays, through to and including Thursdays to 23:15;
- **Vary** the closing time on Fridays and Saturdays to 01:15 hours the following morning;
- **Remove** four Annex 2 conditions, namely:
 - A person holding a personal licence will be on duty in the bar at all times when a special or private function is taking place, where alcohol is being served, or regulated entertainment is being provided.
 - The maximum number of people allowed on the premises is 150.
 - Seating available to accommodate 60% of the maximum capacity (90).
 - Free drinking water to be made available at all times; and to
- **Replace** with additional measure offered following consultation with the Police.

5.4 A site plan and plans of the premises are 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, and
- d) The Protection of Children from Harm.

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

- 5.6 The Licensing Authority may vary and grant the application with or without additional conditions if they consider it appropriate and proportionate to do so.
- 5.7 The Licensing Authority can refuse the variation, or part of the variation, for the promotion of the licensing objectives.
- 5.8 The Licensing Authority may not however do anything to reduce the effect of the rights granted by the existing premises licence.
- 5.9 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 3-6, 8-10, 13-14, 15, 17-23, 27, 33-36, 38-41 and 43 of the policy as revised in 2015.
 - b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised October 2014)
 - c) Sections 4, 9, 10, 13, 34, 35, 36, 182 and 183 of the Act.
- 5.10 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.
- 5.11 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates Court.

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

On appeal the court may either dismiss the appeal; substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 5.12 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, the Health Authority and the Child Protection Agency.
- 5.13 The applicant is required to place a notice at the premises for a period of 28 days starting the day after the application is made and place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 5.14 Relevant representations have been received from several local residents concerned that the applicant's proposals will undermine the Prevention of Public Nuisance licensing objective. Midsomer Norton Town Council has expressed concern that the application will have an adverse effect on the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm licensing objectives (Annex D).

5.15 This report has not been sent to the Trades Union because they would have no involvement in this application.

6 RATIONALE

6.1 As relevant representations have 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.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and the 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), s.151 Officer (Divisional Director – Finance) and the Divisional Director have had the opportunity to input to this report and have cleared it for publication.

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
Contact person	Terrill Wolyn, Senior Public Protection Officer (Licensing) 01225 396939

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We Midsomer Norton Cricket Club

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number **05/02409/LAPRE**

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Midsomer Norton Cricket Ground Withies Lane			
Post town	Midsomer Norton	Postcode	BA3 2JE
Telephone number at premises (if any)		01761 412833	
Non-domestic rateable value of premises		Band B	

Part 2 – Applicant details

Daytime contact telephone number	01761 412833		
E-mail address (optional)	mnccbar@outlook.com		
Current postal address if different from premises address	N/A		
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? **Yes**If not, from what date do you want the variation to take effect? **N/A**

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) **No**

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The variation application proposes the following:

- **To add** the Exhibition of Film daily from 11:00 – 23:00 hours;
- **To add** the Provision of Late Night Refreshment on Fridays and Saturdays from 23:00 until 01:00 the following morning;
- **To amend** the current activity start time in relation to Live Music, Recorded Music and Indoor Sporting Events on Sunday through to and including Thursday to 11:00 hours (currently permitted from 19:00 hours);
- **To increase** the current terminal hour in respect of the Sale of Alcohol, Live Music and Recorded Music on Fridays and Saturdays to 01:00 hours the following morning (currently until 23:59 hours);
- **To amend** the non-standard timings relating to activities and opening times detailed on the current premises licence and replace with those proposed within the operating schedule;
- **To vary** the closing time on Sundays, through to and including Thursdays, to 23:15 hours;
- **To vary** the closing time on Fridays and Saturdays to 01:15 hours the following morning;

- **To remove** four Annex 2 conditions as detailed within the application and **replace** with the additional measures offered following consultation with the Police.

No change is proposed in respect of the Sale of Alcohol at the premises on Sundays through to Thursdays, the timings for which will remain unchanged.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment**Please tick all that apply**

- | | |
|--|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | Y |
| c) indoor sporting events (if ticking yes, fill in box C) | Y |
| 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) | Y |
| f) recorded music (if ticking yes, fill in box F) | Y |
| 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)

Y

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

Y

In all cases complete boxes K, L and M

A Not applicable

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>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</u> (please read guidance note 6)		
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	Yes
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	11:00	23:00			
Fri	11:00	23:00			
Sat	11:00	23:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	11:00	23:00			
			N/A		

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	23:00	
Tue	11:00	23:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed	11:00	23:00	
Thur	11:00	23:00	
Fri	11:00	23:00	<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 6) N/A
Sat	11:00	23:00	
Sun	11:00	23:00	

D Not applicable

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	Yes
Day	Start	Finish	Please give further details here (please read guidance note 4) There will be no change to the existing condition requiring “outside music to end no later than 23:00”		
Mon	11:00	23:00			
Tue	11:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed	11:00	23:00			
Thur	11:00	23:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) From normal activity start time on New Year’s Eve until normal activity start time on New Year’s Day; In respect of Club Dinners, the terminal hour shall be 02:00 hours On Bank Holiday Sundays the terminal hour shall be midnight. On occasion when Christmas Eve or Boxing Day fall on Sunday, Monday, Tuesday, Wednesday or Thursday, the terminal hour shall be midnight.		
Fri	11:00				
Sat	11:00	01:00			
Sun	11:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	Y
Day	Start	Finish	Please give further details here (please read guidance note 4) There will be no change to the existing condition requiring “outside music to end no later than 23:00”		
Mon	11:00	23:00			
Tue	11:00	23:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	11:00	23:00			
Thur	11:00	23:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00				
Sat	11:00	01:00	From normal activity start time on New Year’s Eve until normal activity start time on New Year’s Day;		
Sun	11:00	01:00			
			In respect of Club Dinners, the terminal hour shall be 02:00 hours On Bank Holiday Sundays the terminal hour shall be midnight. On occasion when either Christmas Eve or Boxing Day fall on Sunday, Monday, Tuesday, Wednesday or Thursday, the terminal hour shall be midnight.		

G Not applicable

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	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 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri					
Sat			<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 6)		
Sun					

H Not applicable

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	Yes
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri					
	23:00		<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 6)		
Sat	23:00	01:00			
Sun		01:00			
			From normal activity start time on New Year's Eve until normal activity start time on New Year's Day;		
			From 23:00 hours until 02:00 hours when the premises hosts Club Dinners;		
			From 23:00 hours until 00:00 on Bank Holiday Sundays;		
			From 23:00 until 00:00 on occasion when Christmas Eve or Boxing Day fall on Sunday, Monday, Tuesday, Wednesday or Thursday.		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	Yes
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) From normal activity start time on New Year's Eve until normal activity start time on New Year's Day; In respect of Club Dinners, the terminal hour for the sale of alcohol shall be 02:00 hours; On Bank Holiday Sundays the terminal hour for the sale of alcohol shall be midnight. On occasion when Christmas Eve or Boxing Day fall on Sunday, Monday, Tuesday, Wednesday or Thursday, the terminal hour for the sale of alcohol shall be midnight.		
Fri					
	11:00				
Sat		01:00			
	11:00				
Sun		01:00			

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 9).

The premises may provide entertainment of an adult nature for persons aged 18 or over.

Please tick as appropriate

- I have enclosed the premises licence – **to be posted to Licensing Services** ☒ Y
- I have enclosed the relevant part of the premises licence ☐

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	23:15	
Tue	11:00	23:15	
Wed	11:00	23:15	<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 6) From normal opening time on New Year's Eve until normal opening time on New Year's Day; In respect of Club Dinners, the premises shall close at 02:15 hours On Bank Holiday Sundays the premises shall close at midnight. On occasion when Christmas Eve or Boxing Day falls on either Sunday, Monday, Tuesday, Wednesday or Thursday, the premise shall close at midnight.
Thur	11:00	23:15	
Fri	11:00		
Sat	11:00	01:15	
Sun	11:00	01:15	
	11:00	23:15	

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

This variation proposes the removal of the following **Annex 2** conditions:

- A person holding a personal licence will be on duty in the bar at all times when a special or private function is taking place, where alcohol is being served, or regulated entertainment is being provided;
- The maximum number of persons allowed on the premises is 150
- Seating available to accommodate 60% of the maximum capacity (90)
- Free drinking water to be made available at all times

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

All staff will be trained in the sale and supply of alcohol when involved in these matters, with records of training kept on the premises and made available to the Police or the Licensing Authority upon request.

A digital CCTV system will be fitted and maintained at the premises in consultation with the Police. The images shall be of evidential quality and will be kept for a minimum of 31 days. The images will be made available to the Police upon request.

A register will be maintained at the premises and made available to the Police and/or the Licensing Authority detailing the Club Dinners, and, all events where the hall is hired to any persons. The name and address of such persons, together with the nature of the event, will be recorded in the register.

b) The prevention of crime and disorder

Where a risk assessment by the DPS and/or at the written request of the Police or the Licensing Authority, SIA registered door staff will be on duty to supervise all patrons entering and leaving, and to ensure the good order of the premises.

The maximum number of persons allowed in the club at any given time is 150

c) Public safety

d) The prevention of public nuisance

All outside areas shall be cleared of patrons by midnight on each day.

e) The protection of children from harm

A “Challenge 21” scheme shall be operated at all times when the premises are selling alcohol. Proof of age will be required from any person who appears to be under the age of 21.

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or (please call to take card payment)
 I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.

Y
 n/a
- I have sent copies of this application to responsible authorities and others where applicable.
 Emailed to Licensing Authority who will serve the relevant R.A.s

n/a
- I understand that I must now advertise my application.

Y
- I have enclosed the premises licence or relevant part of it or explanation.

Y
- I understand that if I do not comply with the above requirements my application will be rejected.

Y

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 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Thomas Webb
Date	9 February 2015
Capacity	Committee Member – premise licence holder

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Ken Bowen-Jones
Date	9 February 2015
Capacity	Committee Member – premises licence holder

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

Post town		Post code	
Telephone number (if any)	Mr Webb 07939 638778 Mr Bowen-Jones 07970 114336		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
mnccbar@outlook.com			

**Schedule 12
Part A**

Regulation 33, 34

Premises Licence

Premises Licence Number	15/00756/LAPRE
--------------------------------	----------------

Part 1 – Premises Details

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

Midsomer Norton Cricket Ground
Withies Lane
Midsomer Norton
BA3 2JE

Telephone number 01761 412833

Where the licence is time limited the dates Not applicable

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

Sale of Alcohol

Friday and Saturday	11:00 - 23:59
Sunday to Thursday	11:00 - 23:00

Indoor Sporting Event (Indoors only)

Every Day	19:00 - 23:00
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Performance of Live Music (Indoors and Outdoors)

Friday and Saturday	19:00 - 23:59
Sunday to Thursday	19:00 - 23:00

Performance of Recorded Music (Indoors and Outdoors)

Friday and Saturday	19:00 - 23:59
Sunday to Thursday	19:00 - 23:00

Non standard Timings

Sale of Alcohol - 24 and 26 December: 19:00 to 23:59 hours.

Bank Holiday Sundays: 19:00 to 23:59 hours. Annual Club Dinner held on a date in February or March of each year 11:00 to 02:00 hours.

Performance of Live Music - 24 and 26 December of each year 19:00 to 23:59 hours.

Bank Holiday Sundays 19:00 to 23:59 hours. For Special Events held on Cricket Field 11:00 to 23:00 hours.

Performance of Recorded Music - 24 and 26 December of each year 19:00 to 23:59 hours.
Bank Holiday Sundays 19:00 to 23:59 hours. For Special Events held on Cricket Field 11:00 to 23:00 hours.

The opening hours of the premises

Sunday to Thursday	11:00 - 23:00
Friday	11:00 - 23:59
Saturday	11:00 - 23:59

Non standard timings:

24th and 26th December of each year, times to be 19.00 to 23.59 hours.
Bank Holiday Sundays, times to be 19.00 to 23.59 hours.

Annual Club Dinner held on a date in February or March of each year, times to be 11.00 to 02.00 hours.

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

Alcohol is supplied for consumption both on and off the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Midsomer Norton Cricket Club
Withies Lane
Midsomer Norton
BA3 2JE

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

Registered Business Number - Not applicable

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

Mr Thomas Webb
17 Wellow Brook Court
Millards Hill
Welton
Midsomer Norton
Radstock
BA3 2DJ

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

14/04951/LAPER
Bath & North East Somerset Council

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

Signed for and on behalf of

Bath & North East Somerset Council: *Terrill Wolyn*

Dated **23 February 2015**

Annex 1 – Mandatory conditions

Mandatory conditions in respect of premises supplying alcohol for consumption on the premises only, or both on and off the premises:

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

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

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

From 28 May 2014:

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a)*;

(b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

where:

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b)*.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

(a)* 1979 c. 4. Section 1 was amended by regulation 2 of the Excise Duty (Amendment of the Alcoholic Liquor Duties Act 1979 and the Hydrocarbon Oil Duties Act 1979) Regulations 1992 (S.I. 1992/3158), section 162 of and Part 1 of Schedule 29 to the Finance 1995 (c. 4), section 7 of and paragraph 2(a) of Schedule 2 to the Finance Act 1991(c. 31), section 3 of the Finance Act 1993 (c. 34), section 227 of and paragraph 51 of Schedule 39 to the Finance Act 2012 (c. 14), section 1 of the Finance Act 1995, section 1 of and Part 2 of Schedule 1 to the Finance Act 1988 (c. 39), section 5 of the Finance Act 1997 (c. 16) and Article 2 of the Alcoholic Liquor Duties (Definition of Cider) Order 2010 (S.I. 2010/1914). Section 2 was amended by article 6 of the Alcoholic Liquors (Amendment of Enactments Relating to Strength and to Units of Measurement) Order 1979 (S.I. 1979/241), regulation 2 of S.I. 1992/3158, section 11 of and Part 2 of Schedule 8 to the Finance Act 1981 (c. 35), section 7 of and paragraph 3 of Schedule 2 to the Finance Act 1991 and section 5 of the Finance Act 1997. Section 3 was amended by article 7 of S.I. 1979/241. Section 4 was amended by article 8 of S.I. 1979/241, section 15 of and paragraphs 2 and 3 of Schedule 1 to the Finance Act 2011 (c. 11) and section 227 of and paragraphs 51 of Schedule 39 to the Finance Act 2012 (c. 14). Section 5 was amended by section 1 of the Finance Act 1982 (c. 39) and section 180 of the Finance Act 2013. Section 36 was amended by section 7 of the Finance Act 1991, section 4 of and paragraph 1 of Schedule 1 to the Finance Act 2002 (c. 23), sections 14 and 15 of paragraphs 2 and 4 of Schedule 1 to the Finance Act 2011, section 180 of the Finance Act 2013 and section 1 of and paragraph 9 of Schedule 1 to the Finance Act (No. 2) Act 1992 (c. 48). Section 37 was amended by section 15 of and paragraph 1 of Schedule 1 to the Finance Act 2011 and section 180 of the Finance Act 2013. Section 54 was amended by section 1 of and paragraph 12 of Schedule 1 to the Finance (No. 2) Act 1992 and section 5 of the Finance Act 1985 (c. 54). Section 55 was amended by section 1 of the Finance Act 1984 (c. 43) and section 1 of and paragraph 13 of Schedule 1 to the Finance (No. 2) Act 1992. Section 62 was amended by section 3 of the Finance Act 1996 (c. 8), section 10 of the Finance (No.2) Act

1997 (c. 58), section 180 of the Finance Act 2013, section 4 of the Finance Act 1998 (c. 36) and section 3 of the Finance Act 1997. There are other amendments which are not relevant to this Order.

(b)* 1994 c. 23. Section 2 was amended by section 3 of the Finance (No.2) Act 2010 (c.31). Section 7 was amended by section 76 of and Part 1 of Schedule 36 to the Finance Act 2009 (c. 10) and section 203 of and paragraphs 2 and 3 of Schedule 28 to the Finance Act 2012 (c. 14). Section 24 was amended by section 19 of and paragraph 1 of Schedule 8 to the Finance (No.3) Act 2010 (c.33). There are other amendments which are not relevant to this Order.

From 1 October 2014:

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises: (a) games or other activities which require or encourage, or are designed to require or encourage individuals to i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or, ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified under the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either - a) a holographic mark, or b) an ultraviolet feature.

4. The responsible person must ensure that: a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures - i) beer or cider: ½ pint; ii) gin, rum, vodka or whiskey: 25ml or 35ml; and iii) still wine in a glass: 125ml; b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

Annex 2 – Conditions consistent with the Operating Schedule

A person holding a personal licence will be on duty in the bar at all times when a special or private function is taking place, where alcohol is being served, or regulated entertainment is being provided.

The maximum number of persons allowed on the premises is 150.

Seating available to accommodate 60% of the maximum capacity (90).

Free drinking water to be made available at all times.

Customers carrying open or sealed bottles are not permitted to the premises at any time.

Customers are not permitted to take open containers from the premises.

All doors and windows to be kept shut after 23.00 hours.

Notices to be displayed clearly at all exits requesting customers to leave quietly.

Outside music to end no later than 23.00 hours.

The placing of bottles into receptacles outside the premises is only permitted to take place between the hours of 09.00 and 17.00.

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

Annex 4 – Plans

As submitted with application.

Part B

Premises Licence Summary

Premises Licence Number

15/00756/LAPRE

Premises Details

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

Midsomer Norton Cricket Ground
Withies Lane
Midsomer Norton
BA3 2JE

Telephone number 01761 412833

Where the licence is time limited the dates Not applicable

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

Sale of Alcohol

Friday and Saturday 11:00 - 23:59
Sunday to Thursday 11:00 - 23:00

Indoor Sporting Event (Indoors only)

Every Day 19:00 - 23:00

Performance of Live Music (Indoors and Outdoors)

Friday and Saturday 19:00 - 23:59
Sunday to Thursday 19:00 - 23:00

Performance of Recorded Music (Indoors and Outdoors)

Friday and Saturday 19:00 - 23:59
Sunday to Thursday 19:00 - 23:00

Non standard Timings

Sale of Alcohol - 24 and 26 December: 19:00 to 23:59 hours.

Bank Holiday Sundays: 19:00 to 23:59 hours. Annual Club Dinner held on a date in February or March of each year 11:00 to 02:00 hours.

Performance of Live Music - 24 and 26 December of each year 19:00 to 23:59 hours.

Bank Holiday Sundays 19:00 to 23:59 hours. For Special Events held on Cricket Field 11:00 to 23:00 hours.

Performance of Recorded Music - 24 and 26 December of each year 19:00 to 23:59 hours.
Bank Holiday Sundays 19:00 to 23:59 hours. For Special Events held on Cricket Field 11:00 to 23:00 hours.

The opening hours of the premises

Sunday to Thursday 11:00 - 23:00

Friday and Saturday 11:00 - 23:59

Non standard timings:

24th and 26th December of each year, times to be 19.00 to 23.59 hours.

Bank Holiday Sundays, times to be 19.00 to 23.59 hours. Annual Club Dinner held on a date in February or March of each year, times to be 11.00 to 02.00 hours.

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

Alcohol is supplied for consumption both on and off the premises

Name, (registered) address of holder of premises licence

Midsomer Norton Cricket Club
Withies Lane
Midsomer Norton
BA3 2JE

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

Registered Business Number - Not applicable

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

Mr Thomas Webb

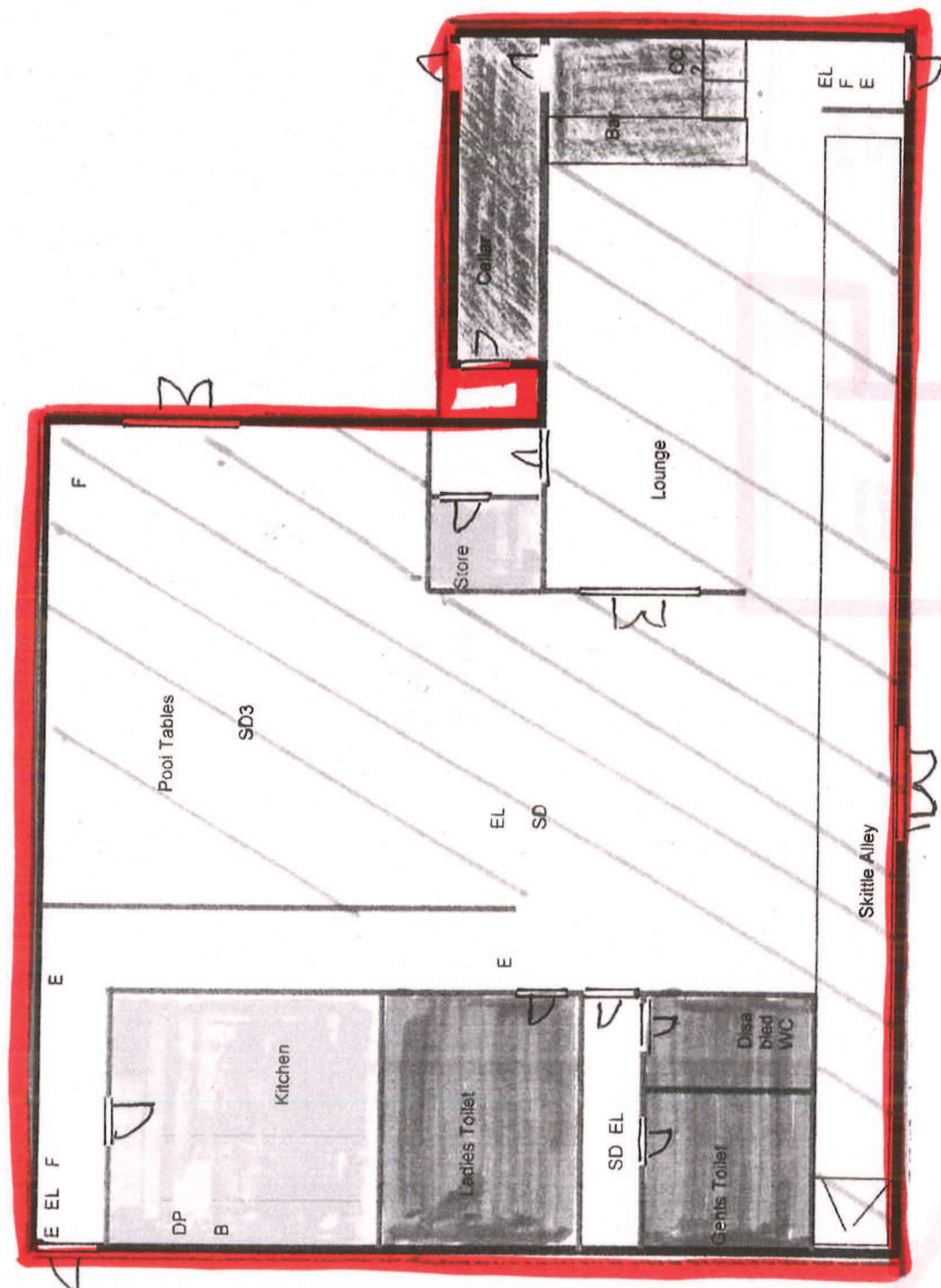
State whether access to the premises by children is restricted or prohibited

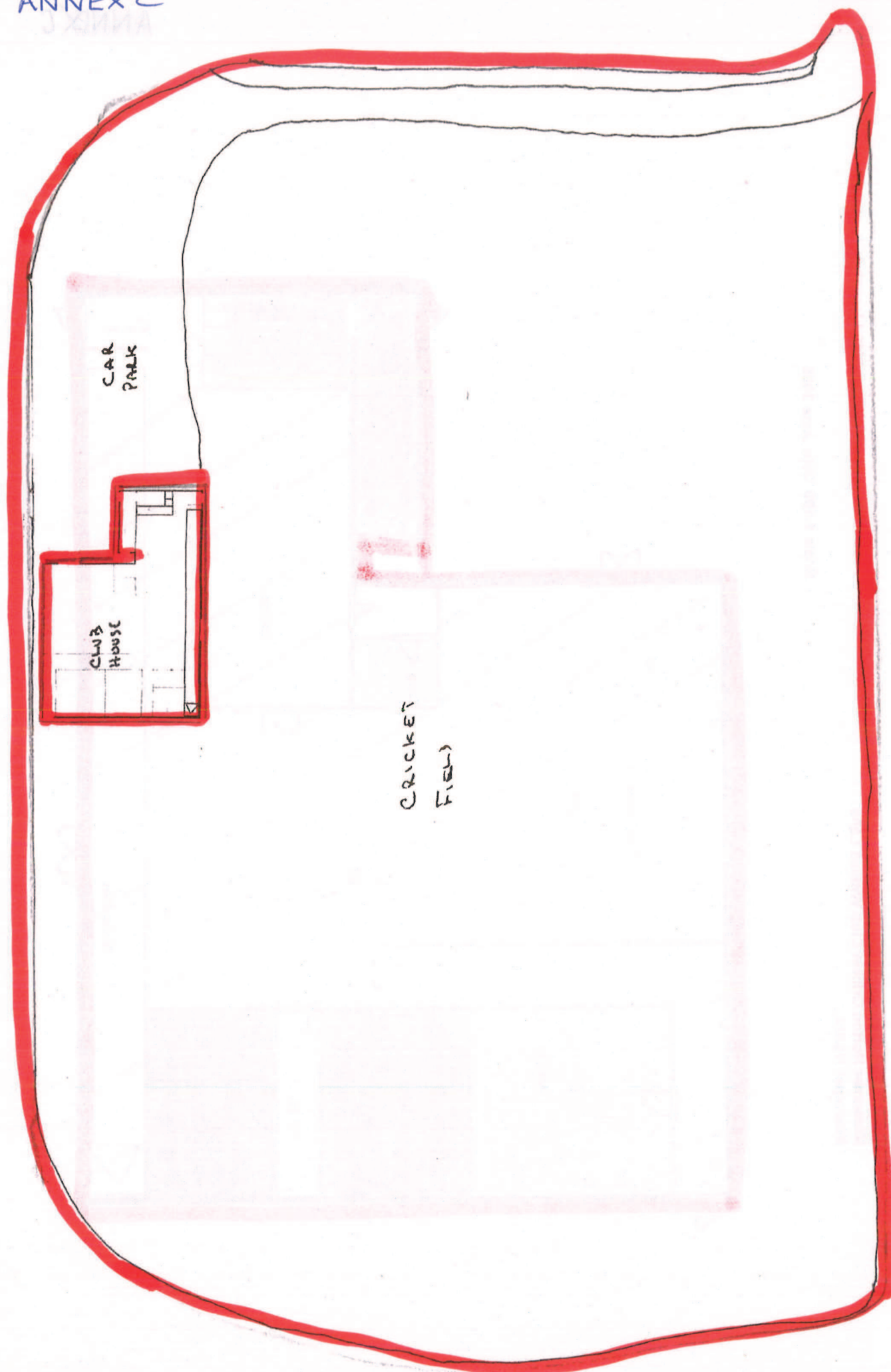
As per Operating Schedule at Annex 2.

Produced by P. Ephgrave. SMB Licensing

Scale 1:100 26th June 2005

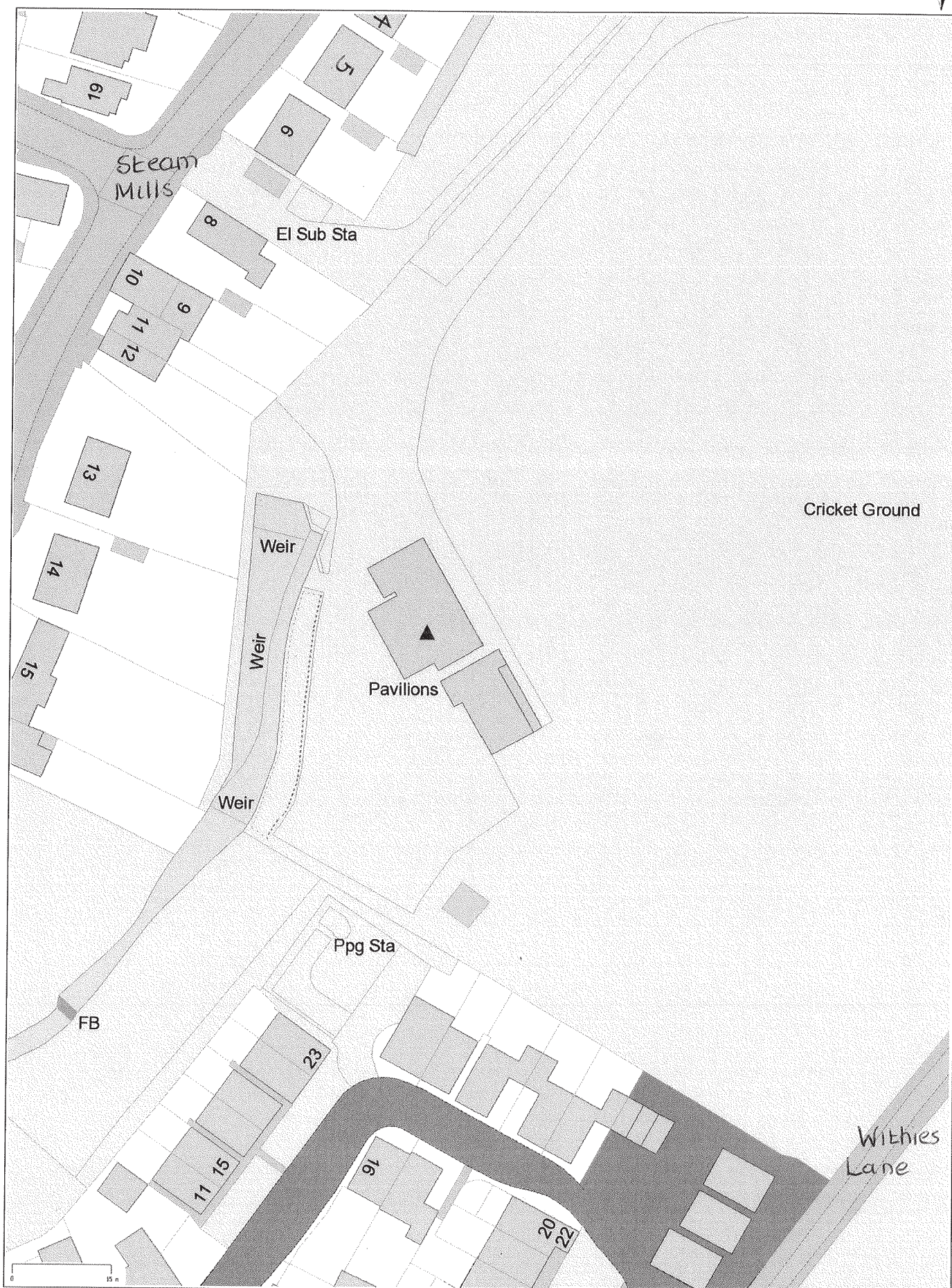
Midsomer Norton Cricket Club Withies Lane
Midsomer Norton.





MIDSUMMER NOTTON CRICKET CLUB
WITTHIES LANE N-S-N.

NOT TO SCALE.
26.6.05



Terrill Wolyn

From: Licensing
Subject: FW: MSN Cricket Club - REPRESENTATION - Martyn RUSSELL

From: martyn russell [<mailto:martynrussell44@hotmail.co.uk>]
Sent: 15 February 2015 11:07
To: Licensing
Cc: Chris Watt
Subject: Midsomer Norton Cricket Club Licence Application Objection

Dear Sir / Madam,

Re: Midsomer Norton Cricket Club - Licence Extension Application ref: 15/00/63/LAPRt

I am writing to you on behalf of my elderly parents who live at 5, Steam Mills, Midsomer Norton, BA3 2JX in respect of the above Licence Extension Application. My wife and I frequently act as their night carers so are fully aware of the prevailing situation and likely consequences of the Application being successful.

The fact that the Midsomer Norton Cricket Club are seeking to extend the Licencing hours for the sale of alcohol and the playing of music until 1am on Fridays and Saturdays is causing them great distress and concern on the basis that they are already enduring the inconvenience and annoyance from high volumes of noise emanating from the Club during their current events held at weekends and such an extension would further interrupt their quality of life and entitlement to a peaceful existence as a resident.

The recent Licence Extension Application also refers to the increase in operational hours during events including Thursdays evenings until 11.00 (currently 19.00) and extended closing times for the premises on Fridays and Saturday mornings until 01:15 the following day.

I would submit that the construction of the premises , it's location within a reverberating valley and historical lack of concern for the peaceful existence of all local residence during alcohol fueled functions; which have not been objectively addressed in the past ; will only increase the concern of my parents entitlement to a nuisance free existence.

On behalf of my parents I therefore fervently appose the Application.

Yours sincerely

Martyn Russell JP

Terrill Wolyn

From: Licensing
Sent: 17 February 2015 11:22
To: Terrill Wolyn
Subject: FW: 15/00756/LAPRE - Midsomer Norton Cricket Club

From: Brian [<mailto:bcml@hotmail.co.uk>]
Sent: 17 February 2015 11:21
To: Licensing
Cc: Chris Watt
Subject: 15/00756/LAPRE - Midsomer Norton Cricket Club

Dear Sir/Madam,

I am writing to object to the application by Midsomer Norton Cricket Club to vary their Premises licence. I live near to the ground and so have direct experience of the nuisance the use of the cricket club has had late in the evening. The extension of the licence to serve alcohol and play music would have a severe impact on the local area. The extension of late night music will be especially disturbing. The club house is a small wooden building and not at all suitable for late night events. The noise from music and revellers is not confined within the building but reverberates through the neighbouring houses. Allowing this to go on until 1am would cause upset to many residents, many of whom are elderly. I have called the council noise department on several occasions when the "music" has over-run as it is impossible to sleep but by the time anything can be done it has always been too late. As well as the music problems, the sale of alcohol there causes problems with noise (shouting) etc. when the clients spill out onto the ground, either for fresh air or as they make their way away from the site. The new David Wilson houses have been built very close to the cricket club and will also be affected by the noise of late events.

It is not clear from the application whether the extended times refer to just the club house or the whole ground but obviously if late events are held in the outside, the impact will increase. The club will presumably hope that the extension to the licence will encourage more use than they currently attract and this will make the nuisance even worse.

I hope the committee will take notice of the concerns of local residents when considering this licence application and I give my permission for you to publish my details and this letter of objection in the report to the Committee and other interested parties.

Yours faithfully

Brian Lawrence
The Cottage
21 Steam Mills
Midsomer Norton
BA3 2JZ

Terrill Wolyn

From: Licensing
Subject: FW: Midsomer Norton Cricket Club REPRESENTATION - TOLFREE & EARLE

From:]
Sent: 21 February 2015 10:12
To: Licensing
Subject: Midsomer Norton Cricket Club REPRESENTATION - TOLFREE & EARLE

Dear Sir.

We are residents of Steam Mills and objecting to the extension of late night refreshment, alcohol and music at the Midsomer Norton Cricket Club.

We have tolerated the loud music once a year but feel that is enough in a residential area, we are all elderly.

We have had problems with drunken lads coming up from town using our gardens as toilets so this will be much worse.

Judith and Brian Tolfree

Terrill Wolyn

From: Licensing
Subject: FW: Midsomer Norton Cricket Club REPRESENTATION - TOLFREE & EARLE

From: [REDACTED]
Sent: 21 February 2015 10:12
To: Licensing
Subject: Midsomer Norton Cricket Club REPRESENTATION - TOLFREE & EARLE

Dear Sir.

We are residents of Steam Mills and objecting to the extension of late night refreshment, alcohol and music at the Midsomer Norton Cricket Club.

We have tolerated the loud music once a year but feel that is enough in a residential area, we are all elderly.

We have had problems with drunken lads coming up from town using our gardens as toilets so this will be much worse.

Vicky E

Terrill Wolyn

From: Licensing
Subject: FW: MSN Cricket Club - REPRESENTATION - Guy WORDSALL

From: guyworsdall@doctors.org.uk [mailto:guyworsdall@doctors.org.uk]
Sent: 04 March 2015 21:26
To: Licensing
Subject: MSN Cricket Club - REPRESENTATION - Guy WORDSALL

Subject: Licensing Applications. (Reference:15/00756/LAPRE)

Dear Ms Latta,

We wish to register our strenuous objection to any extension in licensing for Live or Recorded music at the Midsomer Norton cricket club.

The building is of thin wooden construction, and immediately adjacent to our property. Inevitably the windows are left open when there is entertainment, and many musical groups/discos unfortunately directly equate output of noise to perceived customer satisfaction.

The music is often clearly audible above the noise of our television, and I feel that this is a completely intolerable form of pollution and is hard to reconcile with the Councils stated aims of making BANES "an even better place to live work or visit."

We are fed up with the existing hours, and know there have been many local objections to changing a cricket club to a music venue in the evenings, without any attempt to mitigate the noise nuisance by better or more suitable construction of the building.

Sadly the NHS still seems to need some Doctors to work at weekends and bank holidays, and I am struggling to see how keeping me awake, listening to incessant thumping, is compatible with providing quality care to the patients and residents of BANES the next day.

Yours sincerely

Guy Worsdall

Terrill Wolyn

From: Licensing
Subject: FW: MSN Cricket Club REPRESENTATION - Hugo and Annette STEARN

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

From: Hugo Stearn [mailto:_____] |
Sent: 04 March 2015 21:10
To: Chris Watt
Cc: Licensing
Subject: MSN Cricket Club REPRESENTATION - Hugo and Annette STEARN

Dear Chris Watt

We are writing to you as local residents to express our very strong objection to this application, on the grounds of prevention of public nuisance.

We live just behind the cricket club on the other side of the river. Over the 10 + years we have lived in Steam Mills we have had to endure weekend noise coming from the club, with music events typically lasting until midnight or later. The club building, as you may know, is wooden and to our knowledge has no form of sound proofing. Sound therefore readily leaks from the building and this is made worse in better weather when doors are left open. Noise levels do vary from event to event, but have on many occasions prevented us from sleeping. After-event noise levels and general 'rowdiness' by revellers leaving the premises have also caused ourselves, and neighbours, some distress. As there is no line for in-coming calls at the cricket club, we cannot ring and protest at the time, only make representations afterwards.

Over the years we have expressed concerns about noise levels from music events to Bath & N E Somerset Council and others, as have neighbours. We would urge the committee, in considering this new application, to take account of the documented history of complaints from citizens of Midsomer Norton made in respect of the current licensing arrangements.

We are very concerned, but not surprised, that the cricket club should have made this application without any pre-consultation with residents. You will know that a new housing development now also abuts the club grounds and, as a result, noise from music events in particular is likely to disturb an even larger number of residents. Further down the road from us are a number of bungalows occupied by elderly people and we are anxious for their well-being should this application be granted. A typical weekend already sees broken glass and food waste along the pavement from the above mentioned 'revellers' going to, or coming from, local pubs and clubs.

The strap line of our Council refers to Bath & North East Somerset as being an even better place to work, live and visit. Should this application be granted our professional lives, which involve supporting children in early years settings and schools, and our personal lives, will be adversely affected, primarily by noise late at night - very late at night!

We urge the committee to listen to our voice and that of other local residents, and reject this application.

Yours sincerely

Hugo & Annette Stearn
Steam Mills

Terrill Wolyn

From: Licensing
Subject: FW: Midsomer Norton cricket club

From: Licensing
Sent: 09 March 2015 10:38
To: Terrill Wolyn
Subject: FW: Midsomer Norton cricket club

From: Phil Jones [<mailto:philjones27@live.co.uk>]
Sent: 08 March 2015 20:48
To: Licensing
Subject: Midsomer Norton cricket club

I'm an writing to express my concern with the application by the cricket club to extend its operating hours, application no. 15/00763/lapre.

I have grave concerns with this proposal.

Firstly we live on the boundary of the cricket club, in a new build estate, we knew of the existence of the club at the time and had no issue with it. Although we sometimes do currently hear the music it's not a problem as it finishes at a reasonable time, however my children's bedroom is overlooking the cricket ground and I feel any longer opening hours will cause disruption to their sleep and I know this to be the case for my neighbours also. Also currently the club's lights shine directly into the bedroom, if they were to stay open longer these would be on longer again potentially causing sleep disruption. Finally I do not see why a cricket club within a heavily populated residential area would need to stay open longer when there are already the same facilities in the local pubs.

Furthermore I do not see how the wooden construction of the building would be sufficient to dampen the noise of late night parties and I can imagine that the elderly residents of many of the neighbouring houses will be in fear of more drunken late night disturbances.

So I would like to voice my opposition to the application.

Many thanks

Phil jones
27 jubilee close
Midsomer Norton
Ba3 2py

Sent from my Sony Xperia™ smartphone

Terrill Wolyn

From: Licensing
Sent: 09 March 2015 10:38
To: Terrill Wolyn
Subject: FW: Planning ref: 15/00763/LAPRE. M-S-N Cricket Club.

From: dean maggs [[mailto:](#)]
Sent: 08 March 2015 17:21
To: Licensing
Subject: Planning ref: 15/00763/LAPRE. M-S-N Cricket Club.

To the Environmental Monitoring and Licensing dept.

As a neighbouring property of MSN cricket club I feel that the above planning application is totally unreasonable due to the position and lack of sound proofing against its neighbouring properties. Although ours is not the closet of the surrounding properties the noise from events/parties held at the club are at times quite loud.

The club is not the most structurally sound building and severely lacking when it comes to sound proofing to hold more frequent and no doubt louder events, surely the interests of the people who live close to the building (many of whom are elderly and also with the addition of the new development at Withies Bridge families with young children) need to be considered seriously. I understand that the club needs to hold outside events to generate extra income, but not at the expense of those who's properties and indeed lives are effected in such a negative way. There must also be cause for concern with the extra traffic generated using such a small lane (Withies Lane) leading to the club, a lane which is also a pedestrian footpath.

I urge the council to show respect to those people who live close to the cricket club and object to this application.

Yours sincerely.

Mr & Mrs Maggs.

Withies Park.

Bath And North East
Somerset Council

- 9 MAR 2015

Received

Mr and Mrs Weeks

5th March 2015

B&NES at: Environmental Monitoring and Licensing.

Ref: 15/00763/LAPRE: MIDSOMER NORTON CRICKET CLUB.

Dear Sir / Madam

We strongly object to the variation of License Extension to late night refreshments, alcohol sales and music at Midsomer Norton Cricket Club. Allowing music in the early hours of the morning until 1.am; in a wooden building with proven inadequate noise prevention, is totally unacceptable.

These new variations of times would possibly lead to an increased public nuisance.

Yours sincerely

AC Weeks.

Ann Weeks



Brian Weeks

Representation from Midsomer Norton Town Council – Reference 15/00763/LAPRE

At its meeting on Monday March 2nd 2015, the Town Council made the following resolution:

Resolved: That the Town Council submit the following comments to the Environmental Information Officer:

Midsomer Norton Town Council objects to the variation of Premises Licence reference 15/00763/LAPRE based on preventing public nuisance from noise from events and from revelers leaving the premises in a residential area, particularly given the unsuitable nature of the building in terms of controlling noise. Also to prevent the risk of exposing children in the area to uncontrolled access to alcohol and the risk of crime and disorder due to the extension of hours applied for.

Explanation of Reasons for this Resolution

The premises are situated outside of the area covered by the town's Designated Public Place Order in what is predominantly a quiet residential area with the Cricket Ground bordering housing on three sides. A number of houses in Withies Park and Steam Mills are within 30-50m of the cricket pavilion.

Residents have complained on a number of previous occasions about noise from the premises and from people leaving the premises and the Town Council is also aware that complaints have been made direct to B&NES Council as well as to Town Councillors. The Town Council considers that the pavilion itself is not a suitable building for late night functions involving the sale of alcohol and live or recorded music to be permitted. It has poor sound insulation and is not ventilated for such activity resulting in windows being left open allowing noise to escape, particularly in the summer.

Extending the opening hours and those for the sale of alcohol, live music and recorded music on Fridays and Saturdays to 01:00 hours the following morning (currently 23:59 hours) will exacerbate the problems experienced by residents which have been the basis of complaints. A Public House located nearby and on the corner of the access road to the Cricket Club closes at 1200 midnight despite it being a brick built building with better noise insulation.

The cricket ground itself is used by children for play and use of it for late night functions could expose people under the age of 18 to a risk of access to uncontrolled alcohol. Unlike town centre premises, people under the age of 18 may well be around the area and functions may not be adequately controlled.

The Town Council funds a Street Marshal scheme to support the DPPO and although they occasionally visit the Cricket Club premises earlier in their shift, extending the opening hours to 0100 will add to the area to be patrolled after midnight. The location is remote and is more difficult for the Police and Street Marshals to patrol as it consists of a large unlit area and is not covered by any of the town's CCTV cameras.

Terrill Wolyn

Subject: FW: MSN Cricket Club - REPRESENTATION - Kirsty JONES
Attachments: untitled.png

From: Kirsty Jones
Sent: 09 March 2015 09:33
To: Licensing
Cc: Chris Watt
Subject: Objection to extended license application 15/00763/LAPRE

Mrs Kirsty Jones
 27 Jubilee Close
 Midsomer Norton
 Bath
 BA3 2PY

Re. Application 15/00763/LAPRE

Good morning

I would like to oppose the application for extended alcohol and entertainment licence for Midsomer Norton Cricket Club (Withies Lane, Midsomer Norton) for the reasons stated below.

- 1) As you can see from the picture provided, the Cricket Club "pavilion" is just behind my property, within yards of our back fence. This photo was taken from my children's bedroom. I am very concerned that an extended licence will be a significant disturbance to my children at night. The vast majority of my neighbours have young children too and I have no doubt that they will also be affected.
- 2) The cricket club is a wooden building with very poor sound insulation. I dread to think how bad the noise would be mid-summer when the windows and doors are open and/or people are continually going in and out for a cigarette. It is not designed to contain noise!
- 3) I have previously had to call the Police when youths have been congregating within the grounds playing loud music from car stereos, shouting and boy racers revving their engines. I fear that the problem of congregating outside causing a nuisance will be a recurring one if the club is allowed to open later. Having groups of people congregating behind our property has disturbed my children before and I find it very uncomfortable- not unlike having teenagers hanging around outside houses or shop doorways.
- 4) As we all know, people under the influence of alcohol seem to lose their inhibitions. Bearing this in mind I am very concerned with groups of loud, drunk people acting inappropriately within meters of not just my house and car but my neighbour's and the residents of the bungalows also backing onto the club. I genuinely feel that the potential for crime and public nuisance will increase if the alcohol/entertainment licenses are extended.
- 5) Midsomer Norton Cricket Club is at the rear of the Crossways pub which already has entertainment etc... I struggle to accept that two venues with entertainment licences are needed in such close proximity, bearing in mind that we are within a stone throw from the High Street itself which has numerous pubs etc... The Crossways never causes issues, even in the summer when patrons are outside or if there is live music inside, the building is equipped to keep the noise level at a minimum. The cricket club simply cannot do this.
- 6) There was an event held at the Cricket Club yesterday in the afternoon. From my property I could hear (and feel) the music clearly. This was not a problem during the day but if this was at night it would be a real problem.
- 7) Following on from my previous point, the music can be *felt* inside the neighbouring properties. When there is a lot of bass, my windows vibrate. This is not acceptable.

