

# Licensing Sub-Committee

**Date: Thursday, 21st March, 2024**

**Time: 10.00am**

**Venue: The School Room, 1<sup>st</sup> Floor - Guildhall, Bath**

**Councillors:** Steve Hedges, Toby Simon and Ann Morgan

Chief Executive and other appropriate officers  
Press and Public

**A briefing session for Members will be held at 9.30am**



**Mark Durnford**

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## NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

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. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds live via the internet [www.bathnes.gov.uk/webcast](http://www.bathnes.gov.uk/webcast). The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group.

**Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.**

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

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

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

**Licensing Sub-Committee - Thursday, 21st March, 2024**

**at 10.00am in the The School Room, 1<sup>st</sup> Floor - 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.

(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 4.4 Appendix 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 OF PREVIOUS MEETING: 22ND FEBRUARY 2024 (Pages 5 - 12)

6. LICENSING PROCEDURE (Pages 13 - 16)

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

7. PAVEMENT LICENCE APPLICATION - DECISION MAKING (Pages 17 - 20)

Due to a change in officer structure it will be necessary to re-allocate the decision making officer on a Pavement Licence Panel. The Sub-Committee is asked to agree that the Environmental Protection & Licensing Manager be the decision maker for Pavement Licence applications.

8. APPLICATION FOR A VARIATION OF A PREMISES LICENCE FOR SPAR, CHELSEA ROAD, NEWBRIDGE, BATH. BA1 3DU (Pages 21 - 62)

The Committee Administrator for this meeting is Mark Durnford who can be contacted on 01225 394458.

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**LICENSING SUB-COMMITTEE**

Thursday, 22nd February, 2024, 10.00 am

**Councillors:** Steve Hedges (Chair), Toby Simon and Ann Morgan

**Officers in attendance:** John Dowding (Lead Officer - Licensing), Geoff Cannon (Public Protection Officer (Licensing)) and Donna Marks (Legal Services Manager and Deputy Monitoring Officer)

**86 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer drew attention to the Emergency Evacuation Procedure.

**87 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**88 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

**90 MINUTES OF PREVIOUS MEETING: 11TH JANUARY 2024**

The Sub-Committee **RESOLVED** to approve the minutes of the meeting held on 11<sup>th</sup> January 2024.

**91 LICENSING PROCEDURE**

The Chair referenced the procedure that would be followed during the course of the meeting.

Those that were present confirmed that they had received and understood the licensing procedure.

**92 APPLICATION: ONE STOP SHOP, KEYNSHAM**

The Public Protection Officer (Licensing) introduced the report to the Sub-Committee and highlighted the following information from it.

The application proposes the following licensable activities:

- The sale of alcohol for consumption off the premises every day between the hours of 06:00 and 23:00.

The application proposes the following opening times:

- Every day between the hours of 06:00 and 23:00.

He explained that there were three written representations of objection from local residents and one written representation on behalf of St Monica's Trust in support of the application.

He explained that following a consultation with the police, the applicant agreed to a series of measures, as set out in the report, which will replace those offered by the applicant in the original application.

The Chair asked if any of the Responsible Authorities had made any objection to the application.

The Public Protection Officer (Licensing) that they had not.

Hardish Purewal addressed the Sub-Committee on behalf of the applicant, she was accompanied by a current store manager Debbie Stacey.

She informed the Sub-Committee that One Stop have over 700 stores nationally and employ around 10,000 people. She added that they have 30 stores in the South West area.

She explained that the company has a Good Neighbour Policy and would like to become part of the neighbourhood when it opens. She added that they would want to hear from local people should any problems concerning the store occur.

She stated that all staff training is documented and that they would receive refreshed training on age related sales twice a year. She said that the store strongly follows the Think 25 policy and that appropriate forms of ID must be shown for sales to be approved.

She informed the Sub-Committee that there would be between 12 – 18 cameras in the store, mainly covering the main door and checkout areas. She added that they would also have panic alarms in place.

She thanked the residents for sharing their concerns and said that they hoped to be able to have an open dialogue with them regarding the store.

She stated that having agreed a number of conditions with the police and having received no formal objections from them or other Responsible Authorities that they believe that the application should be granted on its own merits.

Councillor Toby Simon asked if alcohol sales were a necessary element required for the store to open.

Hardish Purewal replied that they were.

Councillor Ann Morgan asked what procedure would be followed if abuse was directed towards a member of staff.

Hardish Purewal replied that the expectation would be for the store manager to intervene and that if the abuse did not cease then the police would be contacted. She added that at least two members of staff would be present on site at all times.

Caron Mills, who had formally objected to the application, asked how the store would deal with repeat offenders.

Debbie Stacey replied that they would contact their Head Office and seek to write to those persons and issue them with a store ban.

Caron Mills asked what would staff do if such a person were to then return to the store.

Debbie Stacey replied that they would be asked to leave the store and that staff would be able to link their communication equipment to the store tannoy system to make all staff aware of the situation.

Hardish Purewal added that if a person has been banned from the store and tried to return, this would be a matter of trespass that the police would be able to follow up on.

The Chair commented that to some degree he felt that the store was a little remote and asked if they had considered the use of security staff at all at the premises.

Hardish Purewal replied that any additional security would be introduced on a risk assessment basis and said that at the present time they did not anticipate the need for such measures.

Caron Mills addressed the Sub-Committee and said that she was heartened by what she had heard from the applicant in their statement and in response to questioning.

She stated that she lives opposite the proposed premises and has witnessed incidents of anti-social behaviour in the past in the area. She said that the premises is next door to a care home that provides palliative care and has residents who suffer from dementia and would not want them to be disturbed by an increased level of activity.

She said that she does retain her concerns over potential bad behaviour and questioned whether the hours for the sale of alcohol needed as late every day of the week.

Councillor Toby Simon asked the nature of the anti-social behaviour that she has witnessed in the area.

Caron Mills replied that she had seen vehicles with young people in continually driving around the area causing a disturbance and young people taking over the children's playground area and behaving in a noisy manner.

Councillor Ann Morgan asked if the local school or the St. Monica's Trust had raised an objection to the application.

Caron Mills replied that they had not.

Hardish Purewal made a closing statement to the Sub-Committee. She began by informing them that staff would also wear body cameras whilst working in the store.

She stated that One Stop was a good operator with a track record of upholding the licensing objectives. She added that there was no evidence in place for them to amend their hours for the sale of alcohol and that no objections to the application had been received from the Responsible Authorities.

She said that the store would be willing to work with residents on any issues that may occur.

Caron Mills made a closing statement to the Sub-Committee. She said that she welcomed the measures that had been agreed with the police and that if granted that the store would be run as responsibly as been stated.

### Decision & Reasons

The Members of the Sub-Committee have carefully considered the Council's Licensing Policy, the Legislation around the granting of a New Premises licence, the Local Government Miscellaneous Provisions Act, appropriate case law and the Human Rights Act.

In particular, the Sub-Committee considered the Licensing Officers' report, the Applicant's written and oral representations, the written and oral representations from the Objector, other written objections made and the written representation in support of the application.

There was an opportunity for all parties to ask questions of each other on the relevant oral submissions.

It was noted the additional measures as discussed with the Applicant and the Police that have been adopted by the Applicant.

It also noted that the Applicant would be happy to engage with the Community should any issues arise should the Premises Licence be granted.

The Sub-Committee after carefully considering the application and hearing all of the representations, noting that this is a new premises licence, does consider that the licensing objectives have been met and therefore grants the Premises Licence as set out in the Application.

The full decision, which will have the representations discussed today at the hearing, will be published on the Council's website.

## **93 EXCLUSION OF THE PUBLIC**

The members of the Sub-Committee agreed that they were 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.



It was **RESOLVED** that the public be excluded from the meeting for the following items of business and the reporting of the meeting be prevented under Section 100A(5A), because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

#### **94 CONSIDERATION OF FIT AND PROPER STATUS - 22/00290/TAXI**

The Lead Officer (Licensing) introduced the report to the Sub-Committee. He stated that they were being asked to determine whether a licensee remains fit and proper to hold their combined Hackney Carriage/Private Hire Driver's licence.

The licensee was asked by the Chair to address them on the matters raised within the report and why he felt that he remained fit and proper to hold his licences.

The licensee stated that he felt that quite a lot of the allegations made against him were spurious as they had resulted in no further action being taken. He added that he was sorry any offence that had occurred as a result of his behaviour.

Councillor Toby Simon acknowledged that a number of the allegations were historical, but asked if the licensee could offer any reason why three incidents had occurred in the past year.

The licensee replied that he does take a mild mood corrective medication, but did not think that he has a bad attitude in general. He added that he had submitted letters of reference from parents that have praised his work with their children whilst doing school runs.

The Chair reminded the licensee that when driving his taxi he is representing the Council. He said that he was most concerned by his reported interactions with children (Annex I) and disabled people (Annex E).

The licensee said that he was not a vindictive or vicious person. He added that the incident that occurred with the disabled driver was when their vehicle was blocking an entrance to a car park. He said that at the time the vehicle was not displaying any disabled identification and that he had simply asked the driver to move the vehicle out of the way. He stated that he would not use bad language unless it was used towards him in the first place.

One of the complainants was present and he addressed the Sub-Committee. He explained that he was crossing the road (Orange Grove) and became aware of a vehicle moving towards him on purpose. He said that this was the licensee in question and that the licensee also verbally abused him and made offensive hand gestures.

He said that he then noticed the vehicle again a few minutes later having come around Grand Parade / Pierrepont Street. He explained that he approached the vehicle and that the altercation did not go well.

The Chair asked if he knew the licensee personally.

The complainant replied that he did not.

The Chair asked if he was 100% sure that the vehicle changed direction towards you.

The complainant replied yes.

The licensee said that as he was driving away from the Abbey taxi rank towards the High Street a pedestrian crossed in front of him. He stated that he did not change his direction towards them and that his window was closed and therefore could not have shouted the alleged abuse.

He said that when the complainant approached him after the incident it was the complainant that was abusive towards him.

The complainant said that a heated argument did take place, but he did not swear at the licensee and informed him that he would be reporting him to the Council.

The Lead Officer (Licensing) commented that there were a number of independent reports referring to the language and behaviour of the licensee. He asked the licensee to confirm that they had met numerous times over the years and that in his opinion the licensee does swear in day-to-day life.

The licensee replied by saying that he would not swear at any member of the public, but acknowledged that it was part of his used vocabulary.

### Decision & Reasons

Members have had to consider whether or not the licensee is a fit and proper person to continue to hold his combined Hackney Carriage/Private Hire Driver's licence in the light of complaints about his behaviour as referred to in the Licensing Officer's report. In doing so Members took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council Policy.

The Fit and Proper Person test is a statutory test, but there is no statutory definition, however the Sub-Committee needs to be mindful of the Council Policy on Licensing and the Fit and Proper person test, as follows:

### **POLICY ON HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING STANDARDS FOR DRIVERS, VEHICLES AND OPERATORS 2023**

Under the Policy Section 5.12 – 5.14

“Licensing It is a legal requirement that driver's and operators must be ‘fit and proper’ for a licence to be granted under the Local Government (Miscellaneous Provisions) Act 1976. In determining fit and proper the B&NES Licensing Sub-Committee has used the following term of authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a ‘fit and proper’ person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper to pose oneself the following question:

Without prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?”

Members have asked themselves if they would allow their friends, loved ones and indeed all members of the community to travel alone in a vehicle driven by this person which is considered to be substantively the same as the suggestion in the Standards Guidance. Members of the Licensing Sub-Committee are aware that decisions on the suitability of an applicant or licensee are made on the balance of probabilities.

There are a number of incidents including historical incidents, but the 3 latter incidents as set out in the Licensing Officer's report are where the Sub-Committee have given the most weight too. In particular, the Licensee's behaviour and the licensee's driving safety as demonstrated when in a situation with a member of public.

Members heard from the Licensing Officer, the licensee in oral and written representations and the complainant in written oral and representations.

It was noted by the Sub-Committee that the licensee did not give reasonable or adequate explanations into the recent incidents or provide any insight and rationale as to what led to that behaviour.

On balance, the Members of the Sub-Committee find that the licensee is not a fit and proper person to continue to hold the combined Hackney Carriage/Private Hire Driver's Licence and hereby revoke his licence.

The Sub-Committee notified him that he has 21 days to Appeal their decision to the Magistrates Court on receipt of the written decision by the Council.

The meeting ended at 12.48 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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

The Sub-Committee will reconvene the meeting and the Chair will announce the Sub-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.

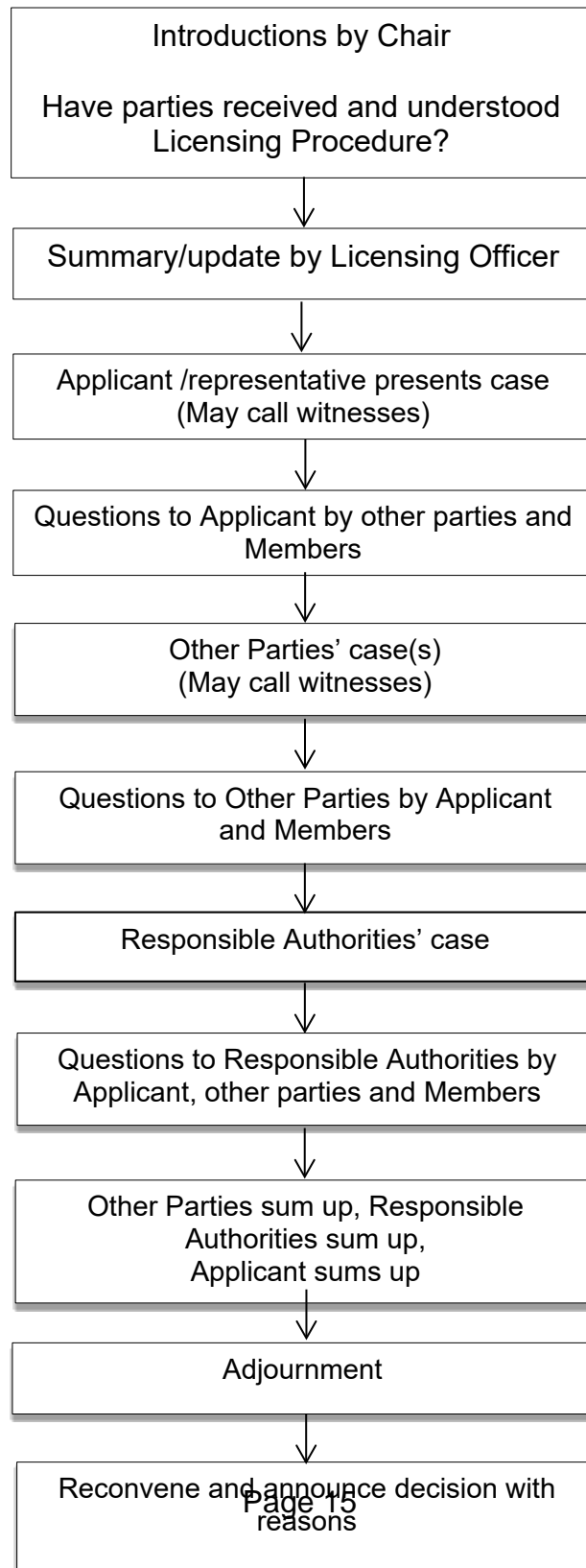
**PLEASE NOTE:**

- Where the Sub-Committee considers it necessary to do so, it may vary this procedure.
- In circumstances where a party fails to attend the Sub-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 Sub-Committee take into account any additional late documentary or other information produced by an existing party in support of their application/representation. This will be at the discretion of the Chair and with the agreement of all the other parties. No new representations will be allowed at the hearing.
- The hearing will take the form of a discussion and parties will be able to ask questions as set out above. However, formal cross examination will be discouraged.
- The Authority will disregard any information or representation given by a party which is not relevant to the Application and the Licensing Act 2003.
- Where there is more than one party making relevant representations the time allocated will be split between those parties.
- Where several parties are making the same or similar representations it is suggested that one representative is appointed to avoid duplication and make efficient use of the allocated time.
- Where an objection is made by an association or residents group, a duly authorised person – as notified to the Licensing Authority – may speak on behalf of that association or group.
- The Chair may request that persons behaving in a disruptive manner should leave the hearing and their return refused, or allowed subject to conditions. An excluded person is however, entitled to submit the information they would have been entitled to present had they not been excluded.

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

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

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



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<b>Bath &amp; North East Somerset Council</b>		
MEETING	<b>Licensing Sub Committee</b>	
MEETING DATE	<b>Thursday 21st March 2024</b>	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	<b>Pavement Licence application decision making</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<p><b>List of attachments to this report:</b></p> <p><a href="#"><u>Business &amp; Planning Act 2020 (internet link)</u></a></p> <p><a href="#"><u>Levelling Up and Regeneration Act 2024 (internet link)</u></a></p>		

**1 THE ISSUE**

1.1 Due to a change in officer structure it will be necessary to re-allocate the decision making officer on a Pavement Licence panel.

**2 RECOMMENDATION**

2.1 The Sub-Committee is asked to agree to the Environmental Protection & Licensing Manager to be the decision maker for Pavement Licence applications.

**3 THE REPORT**

3.1 Under the Business & Planning Act 2020, introduced during the COVID pandemic, local authorities were given powers to allow businesses which sold (or proposed to sell) food and drink, to apply for a Pavement Licence to be able to continue to operate outside and place removeable furniture on the highway in an expedited process.

3.2 Previous to the Business and Planning Act being enacted, removeable furniture was allowed to be placed on the highway under the Highways Act 1980, known as Tables and Chairs permits. This involved a significantly longer consultation period, 28 days, and the potential need to also gain Planning permission.

- 3.3 The Business and Planning Act was proposed to be temporary legislation and was originally only intended to remain in place until the end of September 2022, but since then the Government has extended the provisions twice to 30<sup>th</sup> September 2023 and now to 30<sup>th</sup> September 2024.
- 3.4 The charge for making a Pavement Licence application was set under statute at £100 in 2020 and has remained the same to date. The application and decision process is carried out online as much as possible to maximise efficiency.
- 3.5 The public consultation period for a Pavement Licence application is currently just 7 days and then local authorities are given a further 7 days to determine the application.
- 3.6 Due to the significantly shortened timescale on the decision making process it was decided at the time it wasn't practical or feasible to bring every decision to the Licensing Sub-Committee, but to allow an officer to make the decision on a Pavement Licence application where there were any relevant objections to the application. This was undertaken with the setup of a decision making panel including the Head of Service, a Legal Services officer and Licensing officers who had processed the application. As noted above, the decision rested with the Head of Service for Building Control & Public Protection.
- 3.7 There is no statutory right of appeal against a decision made by the Decision Panel.
- 3.8 To date, since the introduction of the Pavement Licence regime the Council has dealt with 396 applications. 309 granted, 22 refused, 19 withdrawn, 4 surrendered, 4 cancelled, 18 superseded, 18 invalid, with 2 pending.
- 3.9 The current Head of Building Control & Licensing is due to retire from the Council at the end of March 2024. Due to a re-organisation of the Council's officer structure occurring at the same time this post is not being directly replaced.
- 3.10 The Sub-Committee is therefore being asked to agree for the Environmental Protection & Licensing Manager to be the decision maker on Pavement Licence panels. This would be at least until September 2024 when the relevant provisions of the Levelling and Regeneration Act 2024 are expected to come into force. At this point a further report will be brought to the Licensing Sub-Committee explaining the changes to the pavement licence regime and seeking a further decision.
- 3.11 The provisions in the Levelling and Regeneration Act 2024 referring to Pavement Licence applications will make the provisions in the Business and Planning Act 2020 permanent with some alterations to charges, the consultation and decision periods. It will also repeal the Tables and Chairs permit Highways Act process.

## **4 STATUTORY CONSIDERATIONS**

- 4.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found.

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 This decision would have no adverse impact on Council budgets and would continue to be a business efficient way to deal with Pavement Licence

applications.

## **6 RISK MANAGEMENT**

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

## **7 CLIMATE CHANGE**

- 7.1 There are no adverse impacts on climate change as a result of this report.

## **8 OTHER OPTIONS CONSIDERED**

- 8.1 To require the Licensing Sub-Committee to decide on Pavement Licence applications which have received objections.
- 8.2 This option has been rejected due to the short 7 day determination period which would make constituting a sub-committee each time impractical and costly.

## **9 CONSULTATION**

- 9.1 The Council's Monitoring Officer (Head of Legal & Democratic Services and Council Solicitor), Section 151 Officer (Director of Finance) have had the opportunity to input to this report and have cleared it for publication.
- 9.2 This report has not been sent to the Trades Union because they would have no involvement.

<b>Contact person</b>	Phil Mansfield Head of Building Control & Public Protection 01225 477541
<b>Background papers</b>	
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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<b>Bath &amp; North East Somerset Council</b>		
<b>MEETING</b>	<b>Licensing Sub Committee</b>	
<b>MEETING DATE</b>	<b>Thursday 21 March 2024</b>	EXECUTIVE FORWARD PLAN REFERENCE:
<b>TITLE:</b>	Application for a Variation of a Premises Licence for:  Spar Chelsea Road Newbridge Bath BA1 3DU	
<b>WARD:</b>	Newbridge	
<b>AN OPEN PUBLIC ITEM</b>		
<p><b>List of attachments to this report:</b></p> <p><b>Annex A</b> Application for a Variation of the Premises Licence.</p> <p><b>Annex B</b> Current Premises Licence.</p> <p><b>Annex C</b> Plan of existing Licensable activities area.</p> <p><b>Annex D</b> Premises Plan submitted with the Variation application.</p> <p><b>Annex E</b> Representation of objection to the application</p>		

**1 THE ISSUE**

1.1 An application to vary the Premises Licence for Spar, Chelsea Road, Newbridge Bath BA1 3DU has been made under s.34 of the Licensing Act 2003. The premises is not located within the B&NES Cumulative Impact Area and the Cumulative Impact Policy is not relevant to this application.

1.2 A relevant representation of objection has been received from a local resident.

**2 RECOMMENDATION**

2.1 The Committee is asked to determine the application.

**3 THE REPORT**

3.1 An application has been received from Wessex Retail Ltd to vary the Premises licence for Spar, Chelsea Road, Newbridge Bath BA1 3DU (**Annex A**)

3.2 The application proposes the following variations to the existing licence:

- To extend the hours for the sale of alcohol (for consumption off premises) and opening times from 08:00 – 23:00 Monday to Saturday and 08:00 – 22:30 on Sundays to:

0600 – 23:00 every day.

- The removal of restrictions on Christmas Day and Good Friday sale of alcohol and opening hours (in line with the above proposed hours). This is also in reference to outdated Annex 1 (mandatory) conditions attached to the current Premises Licence carried over from the 1964 Justices Act. These no longer apply and mandatory conditions in general have been updated to reflect this.
- Submission of an updated plan of the premises.

3.3 Additional measures have been offered by the applicant to promote the licensing objectives in addition to existing conditions attached to the operating schedule as follows:

- The Premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days. Recordings shall be made available upon the receipt of a request by an authorised officer of the police or the local authority to the DPS or Manager.
- There shall be CCTV in Operation signs prominently displayed at the premises.
- An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised officer of the police or local authority.
- The premises shall operate a proof of age scheme, such as Challenge 25, whereby the only forms of acceptable identification shall be a photographic driving licence, a valid passport or any other recognised form of photographic identification incorporating the PASS logo, with instore challenge signage on display.
- The premises will be fitted with a burglar alarm system.
- The premises will be fitted with a panic button system for staff to utilise in case of an emergency.
- All online/telephone delivered and collected sales to follow a set procedure to ensure that any order placed was made by and received by customers aged over 18 and only delivered to proper addresses, residential or commercial, or orders and/or deliveries to be refused.
- The premises licence holder will endeavour to eliminate or minimise any nuisance arising out of its licensable activities. In doing so the premises licence holder will work with enforcement authorities where any issues are identified. A complaints procedure will be maintained in order that local residents have a means of contact if necessary.

- Notices will be displayed asking customers to leave the premises quietly.
  - All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol with records kept for 12 months with a recorded ongoing 6 monthly alcohol refresher training regime with records to be made available to appropriate officers upon request to the DPS or manager. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.
  - An age till prompt system will be utilised at the premises in respect of age restricted sales.
  - A refusal register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised officer of the police or the local authority.
  - Staff trained in fire safety procedures and the use of fire safety equipment, firefighting equipment.
- 3.4 A copy of the current Premises Licence is attached (**Annex B**).
- 3.5 The floor plan(s) showing the extent of the current licensable activities areas is attached (**Annex C**).
- 3.6 A copy of the premises plan submitted with this application is attached (**Annex D**).
- 3.7 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.
- 3.8 Each objective is of equal importance and 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.
- 3.9 The Licensing Authority may grant the application with or without additional conditions.
- 3.10 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 2020 policy;
  - b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised December 2023;
  - c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.
- 3.11 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.

- 3.12 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.
- 3.13 In accordance with the requirements of the Act, copies of the application were forwarded to the Police, the Fire Authority, the Environmental Protection Team, Development Control, Trading Standards, Health Authority and the Safeguarding Children and Young Persons Team.
- 3.14 The applicant was required to place a notice at the premises for a period of 28 consecutive days starting the day after the application was deemed valid, and to place an advert in a local newspaper within 10 working days of submitting a valid application to the licensing authority.
- 3.15 A representation of objection has been received within the statutory period from a local resident which expresses concern that the applicant's proposals are likely to undermine the Prevention of Public Nuisance, Licensing Objective (**Annex E**).
- 3.16 As a relevant representation has been received, the Licensing Sub Committee must determine the application in accordance with the Licensing Act 2003.

#### **4 STATUTORY CONSIDERATIONS**

- 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 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 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

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

#### **6 RISK MANAGEMENT**

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



## 7 CLIMATE CHANGE

- 7.1 The licensing objectives do not require the applicant to specify steps to mitigate the impact of climate emergency. However, the applicant is encouraged to consider locally sourced ingredients and reducing single use plastic in the operation of their business.

## 8 OTHER OPTIONS CONSIDERED

- 8.1 None.

## 9 CONSULTATION

- 9.1 The Council's Monitoring Officer (Head of Legal & Democratic Services and Council Solicitor), Section 151 Officer (Director of Finance) and Head of Building Control and Public Protection have had the opportunity to input to this report and have cleared it for publication.
- 9.2 This report has not been sent to the Trades Union because they would have no involvement.

<b>Contact person</b>	Geoff Cannon Public Protection Officer (Licensing) 01225 396719
<b>Background papers</b>	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
<b>Please contact the report author if you need to access this report in an alternative format</b>	

## Annex A

### 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 WESSEX RETAIL LIMITED

*(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**

<b>Premises licence number</b>
24/00097/LAPRE

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description SPAR CHELSEA ROAD 6 CHELSEA ROAD NEWBRIDGE			
Post town	BATH	Postcode	BA1 3DU

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

#### Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	APPLEBY WESTWARD FORGE LANE MOORLANDS TRADING ESTATE		
Post town	SALTASH	Postcode	PL12 6LX

**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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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)

EXTEND THE HOURS FOR THE SUPPLY OF ALCOHOL AND DEPOSIT A MODIFIED PLAN AMENDING HOURS CONDITIONS AS NECESSARY AND REMOVING ANY RESTRICTIONS ON CHRISTMAS DAY AND GOOD FRIDAY ALSO DEFINING LICENSABLE ACTIVITY OPENING HOURS TO MATCH PROPOSED LICENCE HOURS AND DELETING ANY UNNECESSARY STATUTORY CONDITIONS IN PARTICULAR ADJUSTING THE MANDATORY CONDITIONS AT ANNEX 1 TO REFLECT THE NEW APPLIED FOR HOURS

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.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b> |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 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) X

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed					
Thur					
			<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 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Tue					
			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 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Mon					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Tue					
			<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 7)		
Wed					
Thur					
Fri					
Sat					
Sun					



E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Mon					
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Tue					
			<b><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></b> (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 5)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)</p>		
Fri					
Sat			<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Wed			<b><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></b> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	X			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)					
Mon	06.00	23.00						
Tue	06.00	23.00						
Wed	06.00	23.00						
Thur	06.00	23.00				<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri	06.00	23.00						
Sat	06.00	23.00						
Sun	06.00	23.00						

K

<p><b>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</b> (please read guidance note 10).</p> <p>NONE</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6)
Day	Start	Finish	
Mon	06.00	23.00	
Tue	06.00	23.00	
Wed	06.00	23.00	
Thur	06.00	23.00	
Fri	06.00	23.00	
Sat	06.00	23.00	
Sun	06.00	23.00	
			<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)

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.

**ANY CHRISTMAS DAY AND GOOD FRIDAY ALCOHOL RESTRICTIONS AND AMEND HOURS RESTRICTING SALE OF ALCOHOL DAILY AND OPENING HOURS AND RELEVANT EMBEDDED CONDITIONS AT ANNEX 1 – AMEND DEPOSITED PLAN**

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

HARD COPY IN THE POST



**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 11)**

MANDATORY CONDITIONS TO REMAIN WHERE STILL RELEVANT PLUS ALARM SYSTEM, CCTV SYSTEM WITH 28 DAY RECORDING FACILITIES WITH COPIES TO BE MADE AVAILABLE TO THE POLICE OR RESPONSIBLE AUTHORITIES UPON REQUEST TO THE DPS OR MANAGER, STAFF TRAINED IN THE SALE OF ALCOHOL WITH RECORDS KEPT FOR 12 MONTHS WITH RECORDED ONGOING 6 MONTHLY ALCOHOL REFRESHER TRAINING REGIME WITH RECORDS TO BE MADE AVAILABLE TO APPROPRIATE OFFICERS UPON REQUEST TO THE DPS OR MANAGER, CHALLENGE 25 IN PLACE AND PROOF OF AGE INITIATIVE EMBRACED, INSTORE CHALLENGE SIGNAGE, REFUSALS SYSTEM WITH REFUSALS BOOK AND INCIDENT LOG, TILL PROMPTS FOR ALCOHOL PRODUCTS TO BE UTILISED TO AVOID UNDER AGE SALES, ALL ONLINE/TELEPHONE DELIVERED AND COLLECTED SALES TO FOLLOW A SET PROCEDURE TO ENSURE THAT ANY ORDER PLACED IS MADE BY AND RECEIVED BY CUSTOMERS AGED OVER 18 AND ONLY DELIVERED TO PROPER ADDRESSES RESIDENTIAL OR COMMERCIAL OR ORDERS AND OR DELIVERIES TO BE REFUSED.

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

1. The Premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days. Recordings shall be made available upon the receipt of a request by an authorised officer of the police or the local authority to the DPS or Manager.
2. There shall be CCTV in Operation signs prominently displayed at the premises.
3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised officer of the police or local authority.
4. The premises shall operate a proof of age scheme, such as Challenge 25, whereby the only forms of acceptable identification shall be a photographic driving licence, a valid passport or any other recognised form of photographic identification incorporating the PASS logo, with instore challenge signage on display.
5. The premises will be fitted with a burglar alarm system.
6. The premises will be fitted with a panic button system for staff to utilise in case of an emergency.
7. ALL ONLINE/TELEPHONE DELIVERED AND COLLECTED SALES TO FOLLOW A SET PROCEDURE TO ENSURE THAT ANY ORDER PLACED IS MADE BY AND RECEIVED BY CUSTOMERS AGED OVER 18 AND ONLY DELIVERED TO PROPER ADDRESSES RESIDENTIAL OR COMMERCIAL OR ORDERS AND OR DELIVERIES TO BE REFUSED.

**c) Public safety**

STAFF TRAINED IN FIRE SAFETY PROCEDURES AND THE USE OF FIRE SAFETY EQUIPMENT, FIRE FIGHTING EQUIPMENT

**d) The prevention of public nuisance**

1. The premises licence holder will endeavour to eliminate or minimise any nuisance arising out of its licensable activities.  
In doing so the premises licence holder will work with enforcement authorities where any issues are identified. A complaints procedure will be maintained in order that local residents have a means of contact if necessary.
2. Notices will be displayed asking customers to leave the premises quietly

**e) The protection of children from harm**

1. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol WITH RECORDS KEPT FOR 12 MONTHS WITH A RECORDED ONGOING 6 MONTHLY ALCOHOL REFRESHER TRAINING REGIME WITH RECORDS TO BE MADE AVAILABLE TO APPROPRIATE OFFICERS UPON REQUEST TO THE DPS OR MANAGER. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.
2. An age till prompt system will be utilised at the premises in respect of age restricted sales.
3. A refusal register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised officer of the police or the local authority.

Checklist:


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or X
- 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. X
- I understand that I must now advertise my application. X
- I have enclosed the premises licence or relevant part of it or explanation. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	02 02 2024
Capacity	LICENSING SOLUTIONS – DULY AUTHORISED AGENT

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 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15)			
[Redacted]			
Post town		[Redacted]	Post code
Telephone number (if any)		[Redacted]	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[Redacted]			

**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 for 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Combined fighting sports – defined as a contest, exhibition or display which

combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

Live music: no licence permission is required for:

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
5. 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.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. 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.
9. 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'.
10. 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.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Licensing Act 2003  
Premises Licence

Premises Licence Number

24/00097/LAPRE

Premises Details

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

Spar Chelsea Road  
6 Chelsea Road  
Newbridge  
Bath  
BA1 3DU

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

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

**Sale of Alcohol**

Monday to Saturday 08:00 - 23:00  
Sunday 08:00 - 22:30

Sale of Alcohol - Good Friday: 08:00 - 22:30  
Christmas Day: 12:00 - 15:00 and 19:00 - 22:30

**The opening hours of the premises**

Monday to Friday 07:00 - 23:00  
Saturday and Sunday 08:00 - 23:00

Non-standard timings:

Bank Holidays 08:00 - 23:00 hours

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

Alcohol is supplied for consumption off the premises

**Name of holder of premises licence**

Wessex Retail Limited

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

Registered Business Number - 12205715

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

As per Operating Schedule at Annex 2.

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 30 January 2024

PUBLIC REGISTER COPY

## Annex 1 – Mandatory conditions

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

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The Licensing Act 2003 hours will be as:

Licensing Act 1964 - Sections 60, 63, 86. Off licences.

Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:

- a) On weekdays, other than Christmas Day, 8 am to 11 pm
- b) On Sundays, other than Christmas Day, 10 am to 10.30 pm
- c) On Christmas Day, 12 noon to 3 pm and 7 pm to 10.30 pm
- d) On Good Friday, 8 am to 10.30 pm

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
  - b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - c) the sale of alcohol to a trader or club for the purposes of the trade or club;
  - d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
- 

Mandatory conditions relating to the sale of alcohol for consumption off premises only:

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.

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From 1 October 2014:

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

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 ultra violet feature.

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PUBLIC REGISTER COPY

**Annex 2 – Conditions consistent with the Operating Schedule**

PUBLIC REGISTER COPY

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

PUBLIC REGISTER COPY

**Annex 4 – Plans**

As submitted with application.

PUBLIC REGISTER COPY

GROCERY SHELVING TO HAVE YELLOW EPOS AND  
100mm CLEARANCE TO SLOTTED KICK PLATES

CREAMBOARD AM DEDGING

Annex C

PROMO ENDS TO HAVE YELLOW EPOS AND  
MMEUE=A&&105&%M

BAKERY SHELVING TO HAVE TIMBER EPOS AND  
LAMMERITE RED KICKPLATES

WINE SHELVING TO HAVE TIMBER EPOS AND  
LAMMERITE WINE RED KICKPLATES

GABLE ENDS TO BE BRUSHED ALUMINIUM FINISH  
INSERT YELLOW

SUPPLY 12x 1250mm SIGN HOLDERS IN YELLOW  
SUPPLY 6x 1250mm EXTRASHELVES COMPLETE FOR DAIRY  
SUPPLY JOINTS SASSHELVES 4x 1250mm REBEEZER  
SUPPLY ILLUMINATED CANOPY BOXES OVER A-B-C

LIGHTBOXES TO  
FRUIT & VEG (3)  
BAKERY (5)  
WINES AND SPIRITS WALL (9)  
BEHIND COUNTER EXCEPT (5)

WAREHOUSE

REDUCE BACK PANELS TO INFILL

ATM  
420mm x 400mm

MIRROR SLATWALL (OFFCUIS)  
TEHDWTHSERT

PANORAMIC GABLE END

DAIRY CABINET

DAIRY CABINET

CHILLED CONVENIENCE FOODS

CHILLED FRUIT & VEG  
WITH SLOPING BASES

AMBIENT FRUIT & VEG  
3H3Dmmje 750mm

MIRROR SLATWALL  
(LANDSCAPE)  
WITH GREEN INSERT

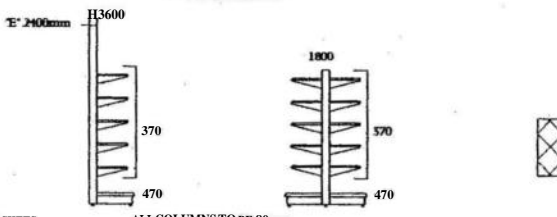
ALIGNMENT BOARD AND EDGING

PROPOSED PROFILES

Epo 110° CH 2810mm, (2475mm Bfc) HJNDCOuN1HK  
PROPOSED CH 2660mm

- E → Fire safety sign  
fire exit sign  
directional - Right
- E ↑ Fire safety sign  
fire exit sign  
directional
- E ↓ Fire safety sign  
fire exit sign  
directional
- E ← Fire safety sign  
fire exit sign
- M1 Fire safety sign

- Fire warning system electrical  
audible warning device
- Fire warning system electrical  
fire alarm call print
- Fire warning system electrical  
hydrator panel
- Portable fire extinguisher  
See note 1



INEB CATESSIELYINGINKAJ-BIERNE WINE RED COLOUR COEE 512

NISA SUPERMARKET  
6 CHELSEA RD.  
BATH  
BA13DU

NBA STORE DEVELOPMENT	
Client:	COOPER FOODS LTD
Title:	HATCHED FLOOR PLAN - BATH
Drawing no.:	IS0207
Date:	21st MAY 2002
Scale:	1:100
Revision:	4XKT84H2

DIAGONAL LINE INDICATES 1000mm BAY  
ALL OTHERS ARE 1250mm, EXCEPT WHERE SHOWN

Annex D



Client  
WESSEX RETAIL LTD

Address  
6 CHELSEA ROAD,  
LOWER WESTON,  
BATH,  
BA1 3DU

Drawing Title  
WESSEX - CHELSEA RD, BATH

Store Size  
1,990 sq ft  
Format  
CONVENIENCE

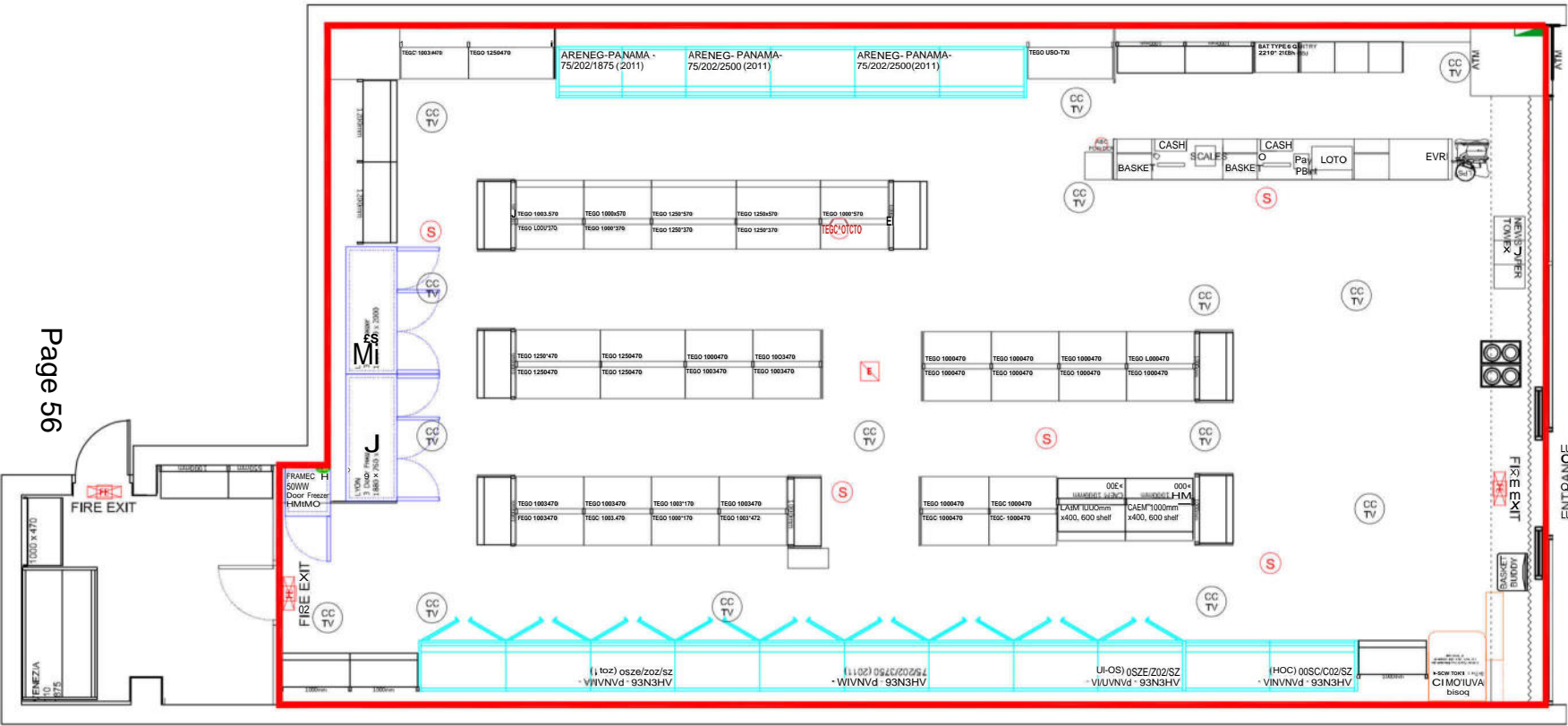
Scale  
1:100@A4  
Drawn by  
DK  
Date  
10.01.24  
Rev  
OFF

Drawing No.  
WES-CHE-2024-OFF APP

Notes

- FIRE EXTINGUISHERS 
- FIRE EXIT 
- EMERGENCY LIGHTS 
- SMOKE DETECTOR 
- SECURITY CAMERAS 

ALCOHOL TO BE DISPLAYED  
THROUGHOUT THE STORE  
WITHIN THE RED BORDER





## Annex E

**From:** T F [REDACTED]  
**Sent:** Sunday, February 18, 2024 8:34 AM  
**To:** Licensing <licensing@bathnes.gov.uk>  
**Subject:** Re Spar Chelsea road extending licensing hours.

**CAUTION:** This email originated from outside of the organisation. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madam,

I am a resident on Park Road (4 Park Road ba1 3ee) adjacent to Chelsea Road and object the planned extended licensing hours for the Spar store.

It is a quiet family friendly area and I believe the extended licensing hours to sell alcohol will attract antisocial behavior in the area and noise at antisocial hours disturbing what is currently a quiet family environment.

I strongly object to this application.

Kind regards

Thomas Friend

**LICENSING ACT 2003  
REPRESENTATION FORM**

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

**I/We object to the following application:**

Application number:	<b>Spar Chelsea Road Ref. 24/00194/LAPRE</b>
Applicant's name:	<b>Spar Chelsea Road Ref. 24/00194/LAPRE</b>
Premises name and address:	<b>Spar Chelsea Road 6 Chelsea Road Newbridge Bath BA1 3DU</b>
Application for a:	<b>Extension of licensing hours</b>

**Objector Details:**

Objector's Name:	<b>Thomas Friend</b>
Objector's Address:	<b>4 Park Road, Bath, BA13EE</b>
Organisation name if applicable:	

**Objection Details:**

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

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm
- Public safety

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

Try to be as specific as possible and detail how the applicant's proposal will have an adverse effect on one or more of the licensing objectives.

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

I am a resident on Park Road adjacent to Chelsea Road and object the planned extended licensing hours for the Spar store.

It is a quiet family friendly area and I believe the extended licensing hours to sell alcohol will attract antisocial behavior in the area and noise at antisocial hours disturbing what is currently a quiet family environment.

I am worried it will set a precedent in a road where the majority of the shops are shut in the evening.

It will change the nature of the area if shops selling alcohol are open at later hours.

There may be noise disturbances at antisocial hours with the delivery of stock to the store.

I and other households on park Road strongly object to this application.

Kind regards

Thomas Friend

**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 Thomas Friend

Date 22/2/24

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

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

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

Name Thomas Friend

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@bathnes.gov.uk](mailto:licensing@bathnes.gov.uk) or:

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

## **Important Information About Your Representation**

### **Why do I need to fill in this form?**

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

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

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

Anonymous representations will not normally be accepted.

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

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

### **What do I need to know when writing my representation?**

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

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

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

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

### **I want to make a representation about traffic/planning issues**

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

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