

## Bath & North East Somerset Council

MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER
MEETING DATE:	Friday 22 July 2011	
TITLE:	Application for a Review of Premises Licence for the <b>Guss and Crook, South Road, Timsbury, Bath, BA2 0LD</b>	
WARD:	Timsbury	

### AN OPEN PUBLIC ITEM

#### List of attachments to this report:

- Annex A Application for the Review of a Premises Licence
- Annex B Additional Information submitted by the Review Applicant
- Annex C Copy of Current Premises Licence
- Annex D Site Plan
- Annex E Representation from the Licence Holder
- Annex F Additional Information submitted by the Licence Holder
- Annex G Representations from Interested Parties

## 1 THE ISSUE

- 1.1 An application has been received from an Interested Party for the review of a Premises Licence under the Licensing Act 2003 in respect of the **Guss and Crook, South Road, Timsbury, Bath, BA2 0LD**

## 2 RECOMMENDATION

- 2.1 That the Sub Committee determines the application to review the Premises Licence.

## 3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

## 4 THE REPORT

- 4.1 An application for the review of the Premises Licence for the **Guss and Crook, South Road, Timsbury, Bath, BA2 0LD** has been received from a local resident (**Annex A**).

The application relates to the **prevention of crime and disorder and the prevention of public nuisance** licensing objectives. The grounds for the review, as detailed in the application, are;

- Constant anti-social behaviour at weekends and odd weeknights.
- Malicious damage being caused on a weekly basis.
- Drink driving to and from the public house resulting in criminal damage to cars and property.
- Under age drinking.
- Drug taking and dealing.
- Noise pollution on a daily basis.
- Serving customers who are already drunk.

The application summarises that ‘the Guss and Crook is acting like a magnet for drunkenness and disorder resulting in anti-social behaviour due to having and using their late licence. Once surrounding pubs close the Guss and Crook is swamped with already drunk people turning up.’

- 4.2 The applicant has provided additional information in the form of a follow up letter from the Criminal Justice System, an incident log and photographs of damage to a vehicle (**Annex B**).
- 4.3 The Licensing Authority may, having had regard to the application and any relevant representations, take any of the following steps (if any) as it considers necessary for the promotion of the licensing objectives:
- a) Modify the conditions of the Licence
  - b) Exclude a licensable activity from the scope of the Licence
  - c) Remove the Designated Premises Supervisor
  - d) Suspend the Licence for a period not exceeding three months
  - e) Revoke the Licence

Where the Licensing Authority takes a step mentioned in 4.5 (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

**Any determination made by the Licensing Authority does not have effect until the end of the period given for appealing against the decision, or, if the decision is appealed against, until the appeal is disposed of.**

- 4.4 The Licensing Authority will also have regard to the Council’s Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, the Licensing Act itself, and, in particular, to:-
- a) Sections 4, 9, 10, 13, 51, 52, 53, 182, and 183 of the Act.
  - b) Chapters 8 - 11 of the Statutory Guidance (as revised on October 2010).
  - c) Paragraphs 3, 5, 6, 15, 18 - 20, 33 - 37 and 40 - 45 inclusive of the Policy.
- 4.5 An appeal may be made to the Magistrates’ Court within 21 days of the notification of the decision by the Council to the applicant for the review, the holder of the premises licence or any other person who made relevant

representations in relation to the application.

On appeal the court may either; dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court. The court may make such Order for costs as it thinks fit.

4.6 The current Premises Licence (**Annex C**) permits the following licensable activities:

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

Monday to Thursday	11:00 to 00:30
Friday and Saturday	11:00 to 02:00
Sunday	12:00 to 00:30
Christmas Eve	11:00 to 06:00
New Year's Eve:	11:00 to 06:00

2) The provision of **Regulated Entertainment** by way of **Live Music (Indoors Only), Facilities for Dancing, and Facilities for Making Music** between the following hours:

Friday to Sunday	20:00 to 00:00 (midnight)
New Year's Eve	20:00 to 01:00

3) The current **Opening Hours** are:

Monday to Thursday	11:00 to 01.00
Friday and Saturday	11:00 to 02.15
Sunday	12:00 to 00:45

Non Standard Timings

Christmas Eve and New Year's Eve – open until 06:00 hours the following morning.

4.7 The following **conditions** are attached to the Premises Licence:

- No supply of alcohol may be made under the premises licence:
  - a) at a time when there is no designated premises 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. (See Annex B)
- CCTV to be used and maintained when the premises are open. Tapes to be kept for one month. Any equipment faults to be reported to the Council's Licensing Office.
- The maximum number of persons allowed on the premises is 70.
- Free drinking water to be available at all times when the premises are open.
- No all inclusive or irresponsible drinks promotions to be allowed.
- Customers are not allowed to bring their own drinks bottles on to the premises.

4.8 A site plan is attached at **Annex D**.

4.9 In accordance with the requirements of the Act the applicant has served copies of the application upon the Licence Holder, Police, Fire Authority, Environmental Health, Development Control, Trading Standards, and the Child Protection Agency.

4.10 Notices were placed by the Licensing Officer outside the premises and in the public area of the Licensing Office at 9-10 Bath Street, Bath, BA1 1SN, for a period of 28 days.

4.11 The Premises Licence Holders, Admiral Taverns, have submitted a representation in the form of a statement and also two letters of support for the premises (**Annex E**). The statement addresses the concerns raised and also details the following existing practices which they would be happy to have endorsed on the premises licence:

- 'There is a "No New Entry" policy after 11.30pm to alleviate the problem of people leaving the Star public house (local pub that closes at 11.30pm) and coming to the Guss and Crook.
- A strict Challenge 21 policy is in place and the staff are only permitted to accept photographic ID in the form of a passport, driving licence or PASS logo approved ID card. Challenge 21 posters are displayed at the site.
- If any customers are found to be underage and attempting to buy alcohol and refused by staff, the said persons are then banned from the premises indefinitely.
- Mr Flood [the DPS] adopts a zero tolerance to drugs and has a policy in place to ensure that all staff are trained and alert to the possibility of customers using or dealing in illegal substances. Regular walk arounds and toilets checks are already in operation.'

4.12 On behalf of the Premises Licence Holder, the DPS has also provided three

letters of support for the premises and a newspaper clipping (**Annex F**).

4.13 A petition has been submitted by the DPS with the following statement:

'We the undersigned would like to register our opposition to the forthcoming License Review relating to the Guss and Crook, Timsbury. We firmly believe that the Guss and Crook makes a valuable contribution to the village community and to the best of our knowledge the activities of the Public House is unrelated to the grounds under which the Licence Review has been raised.'

There are just over 300 signatures on the petition, which will be circulated on the day of the hearing. Addresses given by the signatories are from a wide range of locations including Timsbury, Camerton, Paulton, Radstock, Peasedown St John, Temple Cloud, Bath, Frome, Gosport, Dunkerton. Writhlington, Midsomer Norton, Haydon, Westfield, Scotland and Cornwall.

4.14 Fourteen representations have been received from local residents in relation to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance (**Annex G**). The letters support the statements made in the review application and provide detail of individual experiences.

All of the residents have provided their addresses to the Licensing Office, and all reside in the vicinity of the premises, however there was considerable concern about the potential for reprisals as a result of the comments. In light of this, names and addresses have been removed prior to the representations being included in the public documents.

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

<b>Contact person</b>	Emma Stoneman, Senior Licensing Officer, 01225 396719
<b>Background papers</b>	The Licensing Act 2003, Guidance issued under s.182 of the Act, Regulations issued under the Act, BANES Licensing Policy



Application for the review of a premises licence or environmental services premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST - 1 JUN 2011

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.

1 PETER GREENLEES

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description GUSS + CROOK SOUTH ROAD TIMSBURY	
Post town BAZ OLD	Post code (if known)

Name of premises licence holder or club holding club premises certificate (if known) ADMIRAL TAVERNS
---

Number of premises licence or club premises certificate (if known) 10/04268 LAPRE
--

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
  - a) a person living in the vicinity of the premises
  - b) a body representing persons living in the vicinity of the premises
  - c) a person involved in business in the vicinity of the premises
  - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

- 3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

Surname

GREENLEES

First names

PETER

I am 18 years old or over

Please tick yes



Current postal  
address if  
different from  
premises  
address

THE YEWES  
1 SOUTH VIEW  
TIMSBURY

Post town

BATH

Post Code

BAZ 0LZ

Daytime contact telephone number

0780 3169956

E-mail address  
(optional)

pgreenlees@mac.com

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)



**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address
Telephone number (if any)
E-mail address (optional)

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

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

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

**Please state the ground(s) for review** (please read guidance note 1)

CONSTANT ANTI-SOCIAL BEHAVIOUR AT WEEKENDS  
AND ODD WEEKNIGHTS

MALICIOUS DAMAGE BEING CAUSED ON A WEEKLY  
BASIS

DRINK DRIVING TO + FROM PUBLIC HOUSE RESULTING  
IN CRIMINAL DAMAGE TO CARS + PROPERTY

UNDER-AGE DRINKING

DRUG TAKING + DEALING

NOISE POLLUTION ON A DAILY BASIS

SERVING CUSTOMERS WHO ARE ALREADY DRUNK

Please provide as much information as possible to support the application  
(please read guidance note 2)

### CONSTANT ANTI-SOCIAL BEHAVIOUR

BEING WOKEN EVERY FRI/SAT/SUN + ODD WEEKDAY NIGHTS BETWEEN 12-3am WITH DRUNK + DISORDERLY CONDUCT, SWEARING, URINATING IN GARDEN, AGAINST WALLS. A COUPLE HAVING SEXUAL INTERCOURSE IN OUR SIDE ENTRANCE.

LEAVING BROKEN GLASS + BEER BOTTLE IN HEDGES, GARDEN, PATH WHERE OUR CHILD PLAYS.

ABUSE + FOUL LANGUAGE WHEN ASKED TO BE QUIET. VOMIT ON PAVEMENTS.

CRIMINAL DAMAGE (GATES REMOVED, LIGHTS PULLED OFF)

CARS BEING BANGED AS WALKING PAST.  
" " VANDELISED (SEVERAL TIMES)

DRINK DRIVER SMASHING INTO MY CAR + DRIVING OFF  
" " " " MY WALL

FRONT + SIDE GATES REMOVED + THROWN OVER WALL

### DRINK DRIVING

PEOPLE DRIVING TO + FROM PUB

NO CARS EARLY IN MORNING. LATE LICENCE IS ENCOURAGING + ATTRACTING PEOPLE TO MIGRATE FROM SURROUNDING AREAS TO DESCEND TO PUB + IS ACTING LIKE A MAGNET.

NEIGHBOURS CAR SERIOUSLY DAMAGED DUE TO DRINKING DRIVER WHICH HAD BEEN DRINKING ALL EVENING IN PUB (SEE ATTACHED EVIDENCE)

### UNDER AGE DRINKING

YOUTHS DRUNK + BEING SERVED - NO PROOF OF AGE POLICY IN.

DRUGS WITNESSED PEOPLE ~~TO~~ SMOKING DOPE OUTSIDE PUB. SOME CUSTOMERS DEAL IN DRUGS.

### SUMMARY

THE GUSST CROOK IS ACTING LIKE A MAGNET FOR DRUNK + DISORDER RESULTING IN ANTI-SOCIAL BEHAVIOUR DUE TO HAVING + USING THEIR LATE LICENCE. ONCE SURROUNDING PUBS CLOSE THE GUSST CROOK IS SWAMPED WITH ALREADY DRUNK PEOPLE TURNING UP.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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**If you have made representations before relating to this premises please state what they were and when you made them**

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

1/6/11

Capacity

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

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

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

Mr Peter Greenlees  
1 South View  
Timsbury  
Bath  
BA20LZ

Witness Care Unit  
Froomsgate House  
Rupert Street  
Bristol  
BS1 2QJ

0117 930 2940

0800 - 1730 Monday - Friday

16th May 2011

Dear Mr Greenlees

**Case Against  
Unique Reference Number 52SD/312/11**

I am writing to give you an update on this case in which you are a witness. A hearing took place on 6th May, 2011 at Bath Magistrates Court, where appeared in relation to the following offences:

- 1 Use a motor vehicle without third party insurance on 23.01.11
- 2 Attempt to drive motor vehicle - alcohol level above limit on 23.01.11

The outcome of that hearing was that [REDACTED] has pleaded Guilty to the above offences but has stated that there are extenuating circumstances as to why she was behind the wheel. Therefore a Special Reasons hearing will be held on 3<sup>rd</sup> June 2011 at Bath Magistrates Court.

In the normal course of events, when a Defendant is guilty of an offence their licence will be endorsed. Special reasons occur when the Court concludes that there are particular circumstances that relate to the offence that are sufficient not to order an endorsement or disqualification. If the Court finds that there are Special Reasons, although the Defendant will be found guilty, no penalty points will be endorsed. Accordingly, a person could admit that an offence has been committed, but argue that there are special reasons as to why there should be no endorsement.

The procedure is similar to a trial, subject to all the rules of evidence and procedure, but at a special reasons hearing the burden is on the defendant (not the prosecution) to prove his case. In this case no witnesses are being called to court.

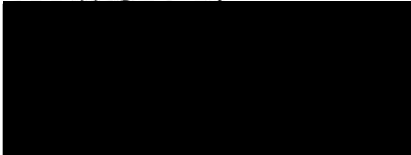
[REDACTED] is on unconditional bail.

This letter is for information only and you **don't** need to do anything further **at this stage**. I will let you know if anything changes.

In the meantime if there is anything else I can help you with, please call me on the number at the top of this letter during our usual opening hours. Alternatively, you can e-mail or write to me at the above addresses.

Thank you again for providing a statement to the police. Your help is very important to the criminal justice process and it is greatly appreciated.

Yours sincerely

A large black rectangular redaction box covering the signature of the Witness Care Officer.

Witness Care Officer

Mr Peter Greenlees  
1 South View  
Timsbury  
Bath  
BA20LZ

*PAPER 1*

Witness Liaison Unit  
Fromsgate House  
Rupert Street  
Bristol  
BS1 2QJ

0117 930 2940

0800 - 1730 Monday - Friday

16th June 2011

Dear Mr Greenlees

**Case Against  
Unique Reference Number 52SD/312/11**

I am writing to let you know what has happened in this case in which you are a witness.

At the hearing on 3rd June, 2011 at Bath Magistrates Court, the Magistrates ruled that did not have extenuating circumstances regarding the following offences:

- 1 Use a motor vehicle without third party insurance
- 2 Attempt to drive motor vehicle - alcohol level above limit

She was therefore sentenced as follows:

- 3 year driving disqualification
- Ordered to pay £100 fine, £100 costs and £15 surcharge

The case is now concluded. It is possible for [redacted] to appeal against the conviction and sentence. If that happens it will be dealt with at the Crown Court. There are however few appeals and an offender has to let the court and the prosecution know within 21 days if they are going to appeal. If that happens I will let you know.

In the meantime if there is anything I can help you with, please call me on the number at the top of this letter during our usual opening hours. If you prefer, you can write to me or e-mail me at my addresses above. I can provide you with contact information for Victim Support or other organisations that may be able to help you if you think that would be useful.

I would like to thank you for your assistance as a witness in this case. Your evidence was very important in bringing this case to justice and your help is greatly appreciated.

Yours sincerely

[Redacted signature]

Witness Care Officer





**RECORD OF DISTURBANCE/NUISANCE**

Bath & North East  
Somerset Council

Name of Premises: Cross + Crook

Page: 2

Date	Start Time	Finish Time	Nature of Nuisance/Disturbance  Give as full a description as possible - you may find it helpful to write down which licensing objective(s) the nuisance/disturbance relates to
26/4/11	11-15	11ish	CAUSED NOISE. ALOT OF PEOPLE HANGING AROUND PUBS, UNDERAGE drinking and constant loud swearing till 1ish.
Most Weekends			
22/1/11			DRINK DRIVER CRASHES INTO NEIGHBOURHS CARS. (SEE PHOTOS) LADY BEEN DRINKING ALL EVENING AT CROSS + CROOK. ALSON SEE PAPER 1 FOR SENTENCE.
MAY 08			CAR CRASHES INTO MY WALL. BUSIEN OUT AS SPOTTER GUY FROM CROSS + CROOK, DRIVING OFF. (SEE PICS 2)

ENVIRONMENTAL SERVICES

27 JUN 2011

Post Log No: .....

Receipt No: .....

CH/GA £ .....

RECORD OF DISTURBANCE/NUISANCE

Name of Premises: Gusst Crook

Page: 1

Date	Start Time	Finish Time	Nature of Nuisance/Disturbance
2002/3?			Give as full a description as possible - you may find it helpful to write down which licensing objective(s) the nuisance/disturbance relates to
			DRINK DRIVER CRASHES INTO BERRY CAR AND PUSHES INTO CAR IN FRONT. DRIVER HAD BEEN DRINKING IN GUSST. HAD NO INSURANCE + WAS TANNED ALREADY.
Dec 10	1ish		MASSIVE ARGUMENT GOING ON BETWEEN A MAN + WOMEN AFTER DRINKING IN PUBS
MAY 11	12ish		CAR ROOF'S BERRY SMACKED ON ROUTE TO PUBS + BACK. POLICE CALLED AS ARGUMENT + GLASS BROKEN BUT NEAR PHONE BOX. MORE STATING AROUND TOWN.
3/8/10	11	11.45	DISTURBANCE - FIGHT BREAKS OUT IN STREET. BEEN DRINKING IN PUBS.
MAY -			CALL POLICE AS MAN SNEEZING + SMOKING DOPE (CIGARETTES) OUTSIDE OF PUB.

Pissz





# Bath & North East Somerset Council

## Schedule 12 Part A

Regulation 33, 34

### Premises Licence

<b>Premises Licence Number</b>	10/04268/LAPRE
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#### Part 1 – Premises Details

<b>Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code</b>	
Guss & Crook South Road Timsbury Bath BA2 0LD	
<b>Telephone number</b>	01761 470373

<b>Where the licence is time limited the dates</b>	Not applicable
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<b>Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities</b>	
<b>Sale of Alcohol</b>	
Monday to Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 02:00
Sunday	12:00 - 00:30
Christmas Eve	11:00 - 06:00
New Year's Eve	11:00 - 06:00
<b>Performance of Live Music (Indoors only)</b>	
Friday to Sunday	20:00 - 00:00
<b>Facilities for Dancing</b>	
Friday to Sunday	20:00 - 00:00
<b>Facilities for Making Music</b>	
Friday to Sunday	20:00 - 00:00
<b>Non Standard Timings for Entertainment:</b>	
New Year's Eve 20:00 - 01:00	

**The opening hours of the premises**

Monday to Thursday	11:00 - 01:00
Friday and Saturday	11:00 - 02:15
Sunday	12:00 - 00:45

**Non-standard opening Times:**

Christmas Eve and New Year's Eve - open until 0600 hours the following morning.

**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**

Admiral Taverns (Portfolio No 2) Limited  
150 Aldersgate Street  
London  
EC1A 4EJ

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

Registered Business Number - 05072654

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

Mr Laurence Flood  
Flat 3  
19 The Esplanade  
Weymouth  
Dorset  
ST4 8DN

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

WSPBC/05/0476  
Weymouth And Portland Borough 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 22 December 2010





# **Bath & North East Somerset Council**

## **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.

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

The maximum number of persons allowed on the premises is 70.

Free drinking water to be available at all times when the premises are open.

CCTV. to be used and maintained when the premises are open. Tapes to be kept for one month. Any equipment faults to be reported to the Council's Licensing Office.

No all inclusive or irresponsible drinks promotions to be allowed.

Customers are not allowed to bring their own drinks/bottles on to the premises.

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**Bath & North East  
Somerset Council**

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

**Annex 4 – Plans**

As submitted with application.

# **Bath & North East Somerset Council**

## **Part B**

### **Premises Licence Summary**

**Premises Licence Number**

10/04268/LAPRE

#### **Premises Details**

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

Guss & Crook  
South Road  
Timsbury  
Bath  
BA2 0LD

**Telephone number** 01761 470373

**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 Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 02:00
Sunday	12:00 - 00:30
Christmas Eve	11:00 - 06:00
New Year's Eve	11:00 - 06:00

#### **Performance of Live Music (Indoors only)**

Friday to Sunday	20:00 - 00:00
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#### **Facilities for Dancing**

Friday to Sunday	20:00 - 00:00
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#### **Facilities for Making Music**

Friday to Sunday	20:00 - 00:00
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#### **Non Standard Timings for Entertainment:**

New Year's Eve 20:00 - 01:00

## **Bath & North East Somerset Council**

### **The opening hours of the premises**

Monday to Thursday	11:00 - 01:00
Friday and Saturday	11:00 - 02:15
Sunday	12:00 - 00:45

### **Non-standard opening times:**

Christmas Eve and New Year's Eve - open until 0600 hours the following morning.

### **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**

Admiral Taverns (Portfolio No 2) Limited  
150 Aldersgate Street  
London  
EC1A 4EJ

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

Registered Business Number - 05072654

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

Mr Laurence Flood

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

As per Operating Schedule at Annex 2.

**STANDARD TERMS, CONDITIONS AND RESTRICTIONS FOR  
PUBLIC ENTERTAINMENT & THEATRE LICENCES**

**CONTENTS**

<b>SECTION 1</b>	<b>GENERAL</b>
<b>SECTION 2</b>	<b>CONTROL AND CONDUCT</b>
<b>SECTION 3</b>	<b>FIRE PREVENTION &amp; MEANS OF ESCAPE</b>
<b>SECTION 4</b>	<b>TESTING AND CERTIFICATION</b>
<b>SECTION 5</b>	<b>HOLDERS OF SPECIAL HOURS CERTIFICATES</b>
<b>SECTION 6</b>	<b>HEALTH AND SAFETY</b>
<b>SECTION 7</b>	<b>THEATRE LICENCES</b>
<b>SECTION 8</b>	<b>OPEN AIR CONCERTS AND SIMILAR EVENTS</b>
<b>SECTION 9</b>	<b>SANITARY ARRANGEMENTS IN PLACES OF PUBLIC ENTERTAINMENT</b>
<b>SECTION 10</b>	<b>DEFINITIONS</b>
<b>GENERAL POLICY</b>	
<b>POLICY ON PREMISES OPENING AFTER MIDNIGHT</b>	
<b>POLICY ON SUNDAY LICENSING HOURS</b>	

**REVISED JULY 2002**

## **GUIDELINES FOR APPLICANTS IN RELATION TO PUBLIC ENTERTAINMENT LICENCES**

1. Applications for the grant renewal or transfer shall be made on a form obtainable from the Environmental and Consumer Services, 9-10, Bath Street, Bath BA1 1SN.
2. The notification which the applicant is required to give to the Chief Officer of Police and Fire Authority by Paragraph 6 of Schedule 1 to the Act shall be in the form of a copy of the application submitted to the Council including any plan or other accompanying documents.
3. Every application for the grant of an Entertainment's Licence (with the exception of an occasional licence) and every application for consent to alterations to the Premises shall be accompanied by a drawing or drawings to a scale of 1:100 showing the area, the subject of the application, coloured red and in the case of an application for consent to alterations showing in such detail as the Council may require the alterations intended to be carried out.
4. The appropriate fee shall accompany each application in accordance with the scale of fees then in force, subject to any statutory exemption and subject also to the power of the Council to remit the whole or any part of the fee in appropriate cases. No application will be considered before the appropriate fee has been paid.
5. The applicant shall place an advertisement in the attached format for all new and occasional applications for a Public Entertainment Licence in a local newspaper. A copy of the newspaper with the advertisement highlighted shall accompany the application.
6. An Entertainment's Licence will normally be granted for a period not exceeding one year and shall expire on the anniversary of the original grant every year but the Council reserves the right to grant a Licence for a shorter period as it deems fit.
7. An Entertainment's Licence will be granted to the person named therein in respect of the Premises named therein. Any changes in those particulars must be notified to the Council immediately. The Council's standard Terms, Conditions and Restrictions are issued with the first grant and renewal of a licence and may also be inspected at the offices of Environmental and Consumer Services, 9-10, Bath Street, Bath BA1 1SN between the hours of 8.30 am and 5.00 p.m. Monday to Thursday and 8.30 am to 4.30 p.m. on Fridays.
8. Applicants for the grant and renewal of licences must obtain from the Council and enclose with their applications an Inspection and Test Certificate for the electrical installation at the Premises completed by a competent person such as the manufacturer's appointed agent, the electricity supplier, a professionally qualified electrical engineer, a member of the Electrical Contractors' Association, a member of the Electrical Contractors' Association of Scotland, a contractor approved by the National Inspection Council for Electrical Installation Contracting, or a qualified person acting on behalf of one of the above.



**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Application for **THE GRANT OF A PUBLIC ENTERTAINMENTS LICENCE**

In Respect of: -

Take notice that application has been made to Bath & North East Somerset Council for the Grant of a **Public Entertainment's Licence** by...

The application is for entertainment by way of ...at the above premises between the hours of: -

**FOR A NUMBER OF PERSONS TO BE DETERMINED BY AVON FIRE BRIGADE**

A copy of the application may be inspected at the Council offices below during office hours for the period of 7 days from the date of application of this notification: -

Environmental and Consumer Services,  
9-10, Bath Street, Bath BA1 1SN  
Hours 8.30 am and 5.00 p.m. Monday to Thursday and 8.30 am to 4.30 p.m. on Fridays.

Any person wishing to make objection/representation about the application should make it in writing to the Council's Licensing Service, 9/10 Bath Street, Bath BA1 1SN.

*Under the provisions of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985, such representations will normally be made available for public inspection.*

Dated

## SECTION 1

### GENERAL

#### Notice

There shall be affixed and kept visible in some conspicuous position on the door or entrance, including the foyer of the premises, an inscription in capital letters not less than 25 mm in height, as follows: "LICENSED IN PURSUANCE OF ACT OF PARLIAMENT FOR PUBLIC ENTERTAINMENT"

#### Statutory Restrictions

Nothing in this licence purports to authorise any public dancing or music or any other public entertainment of a like kind which is otherwise prohibited by statute.

#### Additional Conditions

These terms, conditions and restrictions shall apply insofar as they are not varied by any special terms, conditions and restrictions appearing on the Licence, referred to as additional conditions.

#### Hours of Use

Subject to Para (ii) below:

- (i) The premises shall not without the written consent of the Council be opened and used for the purposes for which the licence is granted except during the hours shown on the Public Entertainment Licence.
- (ii) This condition will not apply where a Special Order of Exemption has been granted in respect of the premises under Section 74(4) of the Licensing Act 1964 and the premises are open in accordance with that Order.
- (iii) The premises shall not be opened or used for the purposes for which this Licence is granted on Christmas Day.

#### Admission of Authorised Officers

Any police officer or authorised officer of the Council or Fire Authority shall at all times, whilst in the course of their employment, have free access to the licensed premises. All parts of the licensed premises shall be open to inspection by such persons during the time the premises are being used for the purpose for which the licence is granted, or at any other time upon reasonable notice being given to the licensee.

**Change of Use**

No change of use of any portion of the premises from that approved by the Council shall be made until the Councils consent has been obtained.

**Alterations**

- \* The licensee shall not allow any alterations to the building, including works on the electrical installation, to be carried out on the licensed premises without the prior consent of the Council.
- \* In the event of the premises being closed for alterations, additions, repairs or decorating they shall not be reopened until the consent of the Council has been obtained.
- \* Except with the prior consent of the Council no work in connection with any alterations, repairs or decorating in areas occupied by the public or performers should be carried out whilst the public or performers are on the premises. If the Council so require, the premises shall be closed to the public until the work has been completed.

*N.B. any consent given by the Council for licensing purposes does not exempt you from the need to obtain Planning Permission or Building Regulations Approval. Nor does consent given by the Council relieve the licensee of the necessity to seek a variation in the terms of the licence e.g. increase in the permitted numbers or variation of hours, and if required by the Council, of advertising that application.*

**Revocation or Modification of Conditions**

The Council reserves the right, at any time, to revoke or modify, any of these conditions and/or to make such additional conditions as may be appropriate, either generally or in respect of any particular licence or occasion.

**Revocation of Licence**

If the Licensee is convicted of using the licensed premises otherwise than in accordance with these conditions the Council may revoke this licence.

**Young Persons**

The licensee shall comply with the provisions of Section 12 of the Children and Young Persons Act 1933 in all respects and shall comply with any requirement of the Council or the Police in respect thereof.

## SECTION 2

### CONTROL AND CONDUCT

#### Overcrowding

- a) The maximum number of persons present on the premises during the time the premises are being used for the purposes for which the Licence is granted shall not exceed the number specified on the Licence.

#### Nuisance

- a) Nothing which may be or becomes a nuisance or cause damage or unreasonable inconvenience to the occupiers of neighbouring properties shall be permitted on the licensed premises.
- b) The level of noise emanating from the premises must not be such as to cause a nuisance or annoyance to the occupiers of any other premises and any form of amplification shall be so controlled as to prevent such nuisance or annoyance.

#### Managers of Events

The licensee shall ensure that at all times when the licence applies there is a nominated person 21 years of age or over, in control of the premises. That person must be competent to assume the responsibilities of the licence holder and, in the absence of the licence holder, be granted the authority to make all necessary decisions concerning the operation of the premises under the terms of the licence. The nomination shall be in writing and signed by the licensee and must be kept on the premises and available for inspection.

#### Attendants

- a) There shall be sufficient competent adult attendants on the premises when public entertainment is taking place for the purposes of securing the health and safety of all persons occupying the premises.
- b) The Licensee, the person in charge of the premises and all **nominated** members of staff shall be properly instructed in the protection of the premises from fire, the use of the fire appliances provided and the method of summoning the Fire Authority.

**Conduct of Premises**

- a) The Licensee shall maintain good order and decent behaviour on the premises. Drunkenness or other disorderly conduct shall not be permitted.
- b) The Licensee shall take all reasonable steps to prevent the use of, distribution of, or dealing in controlled drugs taking place on the licensed premises.
- c) No part of the premises shall be used by prostitutes for the purposes of soliciting or of otherwise exercising their calling.
- d) The Licensee shall take all due precautions for the health and safety of the public, the performers and employees and except with the approval of the Council in writing shall retain control over all portions of the premises.
- e) The Licensee shall ensure that no poster, advertisement, photograph, sketch, synopsis or programme shall be displayed, sold or supplied anywhere by or on behalf of an entertainment which may cause offence to the public. If the licensee is notified by the Council of such a poster, advertisement, photograph, sketch, synopsis or programme such items shall not be displayed, sold or supplied.

**Performances**

- a) No exhibition, recitation, acting, singing or dancing or entertainment of a like kind, which is obscene, offensive to public decency or calculated to incite a breach of peace, shall be allowed on the licensed premises.
- b) No exhibition, demonstration or performance of hypnotism (as defined by Section 6 of the Hypnotism Act, 1952) shall take place at the licensed premises.
- c) Performances involving danger to the public shall not be given.
- d) Except with the permission of the Council in writing and in accordance with any conditions attached to such permission scenery or stage properties shall not be kept or used on any stage or platform or in any other part of the premises.
- e) No cotton wool or other highly inflammable material shall be used for decoration or costume.
- f) No naked flames, lasers, smoke producing effects, foam machines, light shows (strobe lights) or pyrotechnics should be introduced without the written consent of the Council which must be applied for at the time of application for the licence or, in the case of an occasional event, not less than 14 days prior to the date of the event.
- g) Except with the consent of the Council, explosives or highly inflammable substances shall not be brought on to or used in the premises.

- h) Balloons filled with inflammable gas shall not be used or sold or exhibited on the premises.

#### **Maintenance of Premises**

All parts of the premises and fittings therein, including the seating, door fastenings and notices, shall be maintained at all times in good order and condition.

- a) All floors, floor coverings and upholstery in the licensed premises shall be maintained in a clean condition.
- b) Mats, matting and other floor coverings shall be secured and maintained so that they will not ruck or be in any way a source of danger.
- c) The edges of the treads of steps and stairways shall be made conspicuous if so required by the Council. All gangways, exitways and the treads of steps and stairways shall be maintained with a non-slip surface.

#### **Heating and Ventilation**

- a) The public parts of the premises shall be kept properly and sufficiently ventilated.
- b) The type, positioning and guarding of all heating appliances shall be to the satisfaction of the Council.
- c) Portable Liquid Petroleum Gas is not a satisfactory form of heating and may only be used as a form of pre-heating before the arrival of the public when it should be removed from the premises.

#### **Sanitary Accommodation**

The sanitary installations in the premises shall at all times be kept in good order and repair, and be properly and effectively cleansed, ventilated, disinfected, and supplied with water, and the doors leading thereto shall be suitably marked. Adequate and separate sanitary conveniences shall be provided for persons of each gender and provision shall be made for suitable sanitary accommodation for disabled persons wherever practicable (more detailed requirements for sanitary accommodation are provided in Section 9 of these standard terms, conditions and restrictions).

## SECTION 3

### FIRE PREVENTION & MEANS OF ESCAPE

#### Exits

- a) All doors leading from exits into passages or the outside of the premises shall, where required by the Council, be kept open and fastened back by means of a padlock or other device, and be kept clear of obstruction. Temporary barriers shall not be fitted and any permanent barrier in exitways which may be provided with the approval of the Council for checking or controlling admission, shall be so arranged that the portion immediately in the line of exit will open automatically upon pressure being applied in the direction of the exit.
- b) All doors used for the purposes of exit must, if fastened during the time the public are in the building, be secured during such time only by automatic panic bolts and latches complying with British Standard 5725: Part 1. The crossbars shall, where practicable, be placed at the height of 900mm from the bottom of the door. Doors fitted with automatic bolts shall have the words "PUSH BAR TO OPEN" painted on them in block letters at least 50mm high complying with British standard 5499: Part 1. The pattern and position of automatic bolts may be varied with the written consent of the Council.
- c) All gangways, passages, staircases and exitways must be left entirely free from items or any other obstructions, whether permanent or temporary.
- d) The number, size and position of all doors or openings provided for the purpose of the egress of the public from the premises shall be to the satisfaction of the Council and shall comply with the following requirements:
  - i) All such doors or openings approved by the Council shall be clearly indicated by signs complying with the Health and Safety (Safety Signs and Signals) Regulations 1996 or fire safety signs conforming to BS5499 Part 1, 1990, large enough to be clearly seen from the furthest viewing point.
  - ii) Doors and openings, other than exits, which lead to parts of the premises accessible to the public shall have notices placed over them indicating the use of such parts or be marked "PRIVATE";
  - iii) Such notices and signs indicating the way out of the premises shall be provided, as the Council may consider necessary;
  - iv) Notices bearing the words "NO EXIT" shall not be exhibited without the consent of the Council;
  - v) All new EXIT signs shall comply with Health and Safety (Safety Signs and Signals) Regulations 1996 or fire safety signs conforming to BS5499 Part 1, 1990.

- e) Only such parts of the premises as have been approved by the Council shall be used as retiring rooms, or cloakrooms, and provision for hanging hats or coats shall not be made in corridors, passages gangways or exit ways used by the public.
- f) No fastenings, other than automatic bolts as described above, shall be fitted on exit doors used by the public without the consent of the Council in writing, except that cabin hooks or stops to keep the exit doors in an open position may be fitted. If the Council gives consent to the use of chains, padlocks or other locking devices for securing exit doors when the public are not in the premises, a responsible person shall be required to remove such chains, padlocks or other devices before admission of the public and such chains, padlocks or other devices shall not be replaced during the whole time the public are present in the premises.
- g) Where collapsible gates or roll-up shutters are used these must be locked in the open position whilst the public are present. Revolving doors shall not be used as exit doors.
- h) Suitable access and egress shall be provided for disabled persons wherever practicable possible and at the discretion of the Council.

#### **Fire Extinguishers and Access for Emergency Vehicles**

The number and accessibility of fire extinguishers on the licensed premises and access for emergency vehicles must be to the satisfaction of the Fire Authority.

#### **Outbreak of Fire**

Any outbreak of fire, however slight, shall be reported immediately to the Fire Authority.

#### **Fixtures and Fittings**

- a) The hanging curtains over exit doors or across gangways shall be made to part in the centre, to hang so as to be readily drawn aside and not to trail on the floor, and be arranged so as not to conceal notices.
- b) All fixed or permanent decorations shall be of inherently incombustible materials or shall be treated and so maintained so that they will not readily catch fire.
- c) Any seating in the licensed premises shall be so arranged as to allow free access to all exits.
- d) For a closely seated audience chairs shall be either securely fixed to the floor or alternatively shall be battened securely together in units of not less than four seats. Adequate gangways not less than 1.05m wide, unless otherwise approved by the Council, shall be provided. The gangways shall lead directly to each exit door and shall be kept free from obstruction. No seat shall be more than 15m from any exit measured along the line of travel.



**Fire Precautions**

- a) No rubbish, waste paper or other combustibles shall be stored or allowed to accumulate in any part of the licensed premises, so as to create a hazard.
- b) No acetylene gas installations, liquefied petroleum gas or any flammable liquids or substance for producing light, heat or explosion shall be kept or used in the premises except with the consent of the Council.

**Emergency Lighting**

- a) All premises regularly open to the public (that is on more than one occasion each year) shall be fitted with emergency lighting of a minimum of one hour duration:-

In the event of failure of the main lighting system the public should be instructed to leave the premises immediately if the emergency lighting is only of one hour duration. If the emergency lighting is available for a longer period then the entertainment may continue until there is one hour remaining of the emergency lighting at which point the entertainment should be stopped and the public should be instructed to leave.

- b) The premises shall be fitted with illuminated exit signs in accordance with British Standards 5266 Part II 1988 should the main lighting be dimmed or extinguished at any time.

## SECTION 4

### TESTING AND CERTIFICATION

#### Ceiling Certificates

- a) If required by the Council all ceilings and ornamental plasterwork in those parts of the premises to which the public are admitted shall be inspected at least once in every five years by a suitably qualified or other competent person, with relevant experience and a certificate concerning the condition of such ceiling and plasterwork shall, after each inspection, be forwarded to the Council.
- b) Notwithstanding the provisions of the previous paragraph the Council reserves the right in any instance to require the provision of a certificate as to the condition of the aforesaid ceilings and plasterwork at such lesser interval than five years as the Council shall deem necessary.

#### Electrical Installation

- a) An electrical inspection and test certificate shall be provided to the Council every year or upon request.
- b) All electric fittings, wiring, and appliances shall be constructed and maintained in a safe and satisfactory condition and to the satisfaction of the Council.
- c) Where the socket outlets from the electrical installation may be used for the connection of lighting, video or sound amplification equipment, display models and other portable equipment, the Council may consider that each socket outlet, particularly in the **stage area** (except for socket outlets which are controlled by a properly installed **stage** lighting installation), should be protected by an integral residual current device (RCD) (earth leakage circuit-breaker) having a rated tripping current not exceeding 30 milliamps. RCD's should comply with the provision of British Standard 4293.

**SECTION 5****\* HOLDERS OF SPECIAL HOURS CERTIFICATES****Holders of Special Hours Certificates**

- a) Where a Special Hours Certificate under Section 77 of the Licensing Act 1964 has been converted and forms part of the Premises Licence, all sleeve glasses in the premises shall be made of toughened material.
- b) In all premises subject to the Special Certificate granted under Section 77 of the Licensing Act 1964, the following additional Conditions shall apply:
  - i) In all premises where the licence is operated in conjunction with a Section 77 Certificate, granted under the provisions of the Licensing Act 1964, there shall be person(s) on duty to vet customers and maintain public order at any given time. Such person(s) shall be approved by the Security Industry Authority.
  - ii) Every person on duty to vet customers and maintain public order at any given time shall wear an identification badge issued by Security Industry Authority. Badges shall be worn in a conspicuous position on the upper body.
  - iii) A register of the names of persons on duty to vet customers and maintain public order at any given time shall be kept at the premises and made available for inspection upon request by a Police Officer or authorised officer of the Council. Such a register shall be in a format as approved by the Council. Registers shall be retained for at least 12 months.
  - iv) In all premises where the licence is operated in conjunction with a Section 77 Certificate granted under the provisions of the Licensing Act 1964, there shall be installed a Closed Circuit Television system to a standard approved by the Council.
  - v) Tape recordings made at any licensed premises will be retained for a period of 31 days. If required, they will be made available for viewing and copying to the Police and to an authorised officer of the Council. The original tape may be retained by the Police or the Council for evidential purposes.

\* These Certificates should not be confused with "Special Orders of Exemption" which are required for birthdays, engagements etc., or "Occasional Liquor Licences".

These conditions are applicable to all new Premises Licences issued to take effect on 24 November 2005 that have converted their former Public Entertainment Licence conditions.

## SECTION 6

### HEALTH AND SAFETY

#### **Risk Assessment**

The Management of Health and Safety at Work Regulations 1992 require you to make a suitable and sufficient assessment of the health and safety risks, which exist or may arise in your business. You must identify all hazards; assess the risks that they could cause; and put effective measures in place to either remove those risks altogether or if that is not practicable, reduce them to the lowest level practicable. The assessment and any revision of it must be brought to the attention of all staff, subcontractors' etc, who must fully understand its contents.

Again the Regulations require the assessment to be in writing only if you employ five or more people. However, because of the inherent risks in your operation and the large number of people using your premises, the assessment must be in writing, irrespective of the number of employees.

Both the health and safety policy and the risk assessment must be readily available to all staff who should have free and easy access to it, whether or not you are on the premises.

## SECTION 7

### THEATRE LICENCES

#### Seating and Gangways

- a) The seating assigned to each person should not be less than:-
  - i) 760mm deep where backs are provided to the seats or 600mm deep where backs are not provided
  - ii) 500mm wide where arms are provided to the seats or 450mm wide where arms are not provided.
- b) In fixed seats there should be a clear seatway or space of at least 305mm measured between the perpendiculars from the back of one seat to the front of the seat immediately behind it.

#### Stage Area

- a) Smoking and the use of naked lights or flame in the stage area is prohibited except so far as is necessary for the performance.
- b) Except with the permission of the Council in writing and in accordance with any conditions of such permission, scenery or stage properties shall not be kept or used on the platform or in any other part of the premises which are not provided with a safety curtain of a type approved by the Council.
- c) The safety curtain to the proscenium opening shall be lowered and raised in the presence of each audience.
- d) The words "SAFETY CURTAIN" shall be painted on the curtain in plain block letters not less than 300mm in height, in a position, which can be seen from all parts of the auditorium.
- e) In premises, which are not provided with a safety curtain, a proscenium will be permitted for occasional use if formed of heavy woollen material or similar substance, or incombustible sheeting on stout framing.
- f) Confetti paper or other inflammable material shall not be thrown about in the auditorium or in any rooms used as dressing rooms, nor shall there be any unnecessary accumulation of inflammable material in any part of the building.
- g) All drapery or scenery used in connection with a performance shall be made of material which is not readily inflammable, or of material which has been rendered flame retardant to standards particulars of which will be supplied, on request, by the Fire Authority or the Council.

**Occasional Theatre Licences**

No intoxicating liquor shall be sold on the premises unless a Licence to sell intoxicating liquor has been obtained from the Licensing Justices.

## SECTION 8

## OPEN AIR CONCERTS AND SIMILAR EVENTS

The policy and regulations below shall apply to entertainment held "*wholly or mainly in the open air*". They will apply in full or in part dependent upon the particular facts and circumstances, at the discretion of the Council.

**General**

The application, with all necessary supporting documents, must be submitted within the period set out below, before the date of the event:-

For up to 2,000 people	3 months
For above 2,000 people	6 months

Except as otherwise provided, the applicant, or licensee, shall submit for prior approval scale drawings to the Council showing: -

- a) The position of the site in relation to surrounding roads, residential areas, schools, hospitals or other potentially noise sensitive areas.
- b) The layout of the site showing:-
  - i) Car parking areas.
  - ii) Camping areas (if applicable).
  - iii) Access gates, perimeter roads and roads within the site.
  - iv) Stage and auditorium positions.
  - v) Sanitary accommodation, positions and drinking water positions.
  - vi) Maintained clear routes into the site for emergency use.
  - vii) Any other information relevant to the proposals or that may be requested by the Council.

The applicant shall submit, for prior approval of the Council, information in respect of the following items:-

- a) The anticipated audience numbers.
- b) The names of performers and a schedule of events.

- c) Details of security personnel and other attendants.
- d) Provision of fire fighting equipment.
- e) Means of calling the emergency services.
- f) The name and contact telephone number of the sound engineer.

**SAFETY**

The licensee shall meet all the fire precaution requirements (relevant to open air, or similar, events) as detailed in Section 3, of these standard terms, conditions and restrictions.

All temporary buildings, tented structures, stages, lighting rigs and any other structures used in connection with the event shall be positioned, constructed and maintained to be:-

- a) Fire resistant to the satisfaction of the Council.
- b) Structurally sound and not liable to collapse in the event of settlement, wind damage, crowd movement or other reasonably foreseeable course.
- c) Electrically safe.
- d) Otherwise safe for its intended use.

The licensee shall provide suitable and sufficient crowd barriers and other physical measures, to the satisfaction of the Council, to minimise dangers arising from audience movement. Similarly the licensee shall provide adequate numbers of attendants and security personnel to maintain good order.

No special effects shall be used as any part of the entertainment without the prior approval of the Council.

**WELFARE**

The licensee shall provide, in location to the approval of the Council:-

- a) Sanitary accommodation in accordance with the standard laid down in Section 9 of these standard terms, conditions and restrictions. The sanitary accommodation provided shall be maintained in good working order and kept clean at all times.
- b) Supplies of wholesome drinking water.
- c) Disposal facilities for waste water and litter.



## **NOISE CONTROL**

Generally the licensee shall undertake all reasonable measures to control noise from the event. They shall, in particular:-

- a) exercise control, at all time, over the level of amplification.
- b) be able to stop the entertainment in the event of an emergency or if permitted time restrictions are exceeded.

The licensee shall, if required by the Council, appoint acoustic consultants or, experts of similar standing, at the licensee's expense to:-

- a) act on behalf of the licensee to represent their interests in terms of noise control and to liaise with officers of the Council on matters of noise control.
- b) undertake sound level readings prior to the event, during rehearsals or sound checks, and during the event itself.

The Council may impose such conditions as it feels appropriate to control noise. In particular the Council may impose noise conditions to:-

- a) control the permitted times of entertainment.
- b) establish monitoring points to measure sound levels.
- c) set sound level limits in relation to particular monitoring points and during particular times.

## **DISPOSAL OF WASTE**

All waste shall be disposed of in an approved manner. No waste or other materials shall be burnt on site.

The site shall be cleared of litter, or other extraneous matter, within 24 hours of the close of the event.

## SECTION 9

## SANITARY ARRANGEMENTS IN PLACES OF PUBLIC ENTERTAINMENT

### General

Suitable and sufficient sanitary conveniences shall be provided in enclosed and private accommodation for male and female.

Suitable and sufficient hand washing facilities including bowls, hot and cold water, or warm water at a suitably controlled temperature, soap and hand drying facilities shall be provided.

Sanitary conveniences should be readily visible, well lit and should be clearly indicated by notices and signs.

The minimum recommended standard for sanitary accommodation should be based on British Standard BS 6465 (Code of Practice for Scale of Provision, Selection and Installation of Sanitary Appliances).

**Table 7 – Buildings used for public entertainment**

Appliances	Males	Females
WC	In single-screen cinemas, theatres, concert halls and similar premises without licensed bars: <b>1</b> for up to <b>250</b> males plus <b>1</b> for every additional <b>500</b> males or part thereof	For single-screen cinemas, theatres, concert halls and similar premises without licensed bars: <b>2</b> for up to <b>40</b> females <b>3</b> for <b>41</b> to <b>70</b> females <b>4</b> for <b>71</b> to <b>100</b> females plus <b>1</b> for every additional <b>40</b> females or part thereof
Urinal	In single-screen cinemas, theatres, concert halls and similar premises without licensed bars: <b>2</b> for up to <b>100</b> males plus <b>1</b> for every additional <b>80</b> males or part thereof.	
Wash basins	<b>1</b> per WC and in addition <b>1</b> per <b>5</b> urinals or part thereof	<b>1</b> , plus <b>1</b> per <b>2</b> WCs or part thereof
Bucket/cleaner's sink	Adequate provision should be made for cleaning facilities including at least one cleaner's sink	

NOTE 1 In the absence of more reliable information it should be assumed that the audiences will be 50% male and 50% female.

NOTE 2 In cinema-multiplexes and similar premises where the use of facilities will be spread through the opening hours the level or provision should normally be based upon 75% of total capacity and the assumption of equal proportions of male and female customers. (For single-screen cinemas 100% occupancy is assumed.)

NOTE 3 Where buildings for public entertainment have licensed bars, facilities should also be provided in accordance with Table 10, based upon the capacity of the bar(s) and assuming equal proportions of male and female customers.

NOTE 4 Attention is drawn to the necessity to provide facilities for the disposal of sanitary dressings.

NOTE 5 Attention is drawn to the Workplace (Health, Safety and Welfare) Regulations 1992. See also Table 4 and Annex A.

NOTE 6 For toilets for disabled people see clause 6.

### Sanitary Accommodation at Open Air Concerts and Similar Events

The table below shows a general guideline for sanitary accommodation at a music event, though these figures may be too high for short duration events such as country fairs and garden parties, or too low for events with high levels of fluid consumption.

For Events of <u>More</u> than 6 Hours		For Event of <u>Less</u> than 6 Hours	
Female	Male	Female	Male
1 toilet per 100 females	1 toilet per 500 males, plus 1 urinal per 150 males	1 toilet per 120 females	1 toilet per 600 males, plus 1 urinal per 175 males.

Wash-hand basins should be provided at each unit/block of sanitary accommodation on a scale of one basin per unit/block plus one for every five WCs or one for every five urinals.

**Facilities for People with Special Needs**

Sufficient and appropriate sanitary accommodation should be provided for the disabled. The WC and associated fitments including wash-hand basins should be sited close to the area set aside for entertainment, and should be designed to comply with the provisions of British Standard 5810 (Access for the Disabled to Buildings – General Recommendations). The provision of WCs should relate to the expected number of disabled people attending the entertainment.

**Drinking Water Supplies**

A sufficient number of drinking water outlets shall be distributed throughout the venue at locations approved by the Council.

**Disposal of Waste**

An adequate number of suitable refuse containers shall be placed in approved locations around the venue and clearly identified for the purposes of litter.

All waste receptacles shall be emptied sufficiently frequently to ensure that the site is maintained in a clean condition. All waste shall be disposed of in a manner approved by the Council. No waste or other materials shall be burnt on site.

## SECTION 10

### DEFINITIONS

**British Standards (BS):** includes British Standards Codes of Practice and Specifications issued by The British Standards Institution

**The public:** people resorting to places of entertainment and recreation, irrespective of payment and includes audiences, performers, contractors and other people who have a legal right to be present on the premises.

**Places of public entertainment:** means such places to which people resort, including places of recreation, whether as members of the public, members of a club or otherwise.

**Public Entertainment:** a licence is required under the Local Government (Miscellaneous Provisions) Act 1982, for public dancing or music or any other entertainment of a like kind. A licence is required whether or not the public are entertained by a performer or music or dancing, or where the public themselves take part in the dancing or music.

**Private Events:** these are events where the public does not have free access, e.g. events that are by invitation only.

**Licence:** means the document issued by the Council giving permission to the Licensee to hold either a performance of a play or public entertainment. The licence document shall comprise of all the conditions specified and any special conditions.

**Prior Approval:** means information submitted, in writing, to the Council, at least 28 days before the event, for approval by the Council.

**Building:** includes a temporary or movable building and also includes a permanent or temporary structure and any vessels remaining moored, or on, dry land.

**Council:** means Bath and North East Somerset District Council.

**Special Hours Certificates** (Licensing Act 1964, s.77)

This certificate is available for licensed premises which, are intended to be used for the regular provision of music and dancing and substantial refreshment.

It extends the permitted hours in a licensed premises.

**Special Orders of Exemption**

This order extends the permitted hours on a single "special occasion". The magistrates will decide whether or not the event is a "special occasion", in which they have wide discretion.

**Occasional Liquor Licences**

This licence allows the holder of a justice's "on licence" to sell any intoxicating liquor covered by their licence at a place other than their own licensed premises.

**Suitably Qualified/Competent Person:** for the purposes of this licence must be: -

1. **For the inspecting of Electrical Installations/Equipment**
  - a) a corporate member of the Institute of Electrical Engineers.
  - b) a contractor enrolled with the National Inspection Council for Electrical Installation Contracting.
  - c) a suitably qualified representative of the supply authority.
  - d) any other person deemed competent, with prior approval of the Council.
2. **For the Inspecting of Gas Installations/Equipment**
  - a) a member of the Confederation for Registration of Gas Installers (CORGI).
3. **For the Inspecting of Liquid Petroleum Gas (LPG) Installation Equipment**
  - a) an engineer from either the installation company or the manufacturers of the equipment.

## GENERAL POLICY

1. That Public Entertainment Licence and Theatre Licences are issued annually for 12 months from the date of current renewal or from the new application date or for a shorter period, if required.
2. That the following consultations are carried out on new applications and renewals: -
  - a) Avon and Somerset Constabulary
  - b) County of Avon Fire Brigade
  - c) The Council's Building Control Officer
  - d) The Council's Environmental Health Officer (Noise and Health and Safety)
  - e) The Council's Planning Officer
  - f) Parish Council
  - g) Ward Councillors
3. That the following checks are carried out on applications and renewals for Public Entertainment Licences and Theatre Licences: -
  - a) Receipt of satisfactory application form
  - b) Drawings (if new, or premises have been altered)
  - c) Test certificate for the electrical installation
  - d) Correct fee
4. That a test certificate for the electrical installation is required annually for all premises.
5. That the applicant shall place an advertisement in an approved format for all new and occasional applications for a Public Entertainment Licence in a local newspaper. A copy of the newspaper with the advertisement highlighted shall accompany the application.
6. That any contentious or "objected to" applications be referred to the Licensing Sub-Committee for determination.

**POLICY FOR THE GRANT OF PUBLIC ENTERTAINMENT LICENCES  
TO PREMISES WHICH PERMIT OPENING AFTER MIDNIGHT**

- 1 Each application for the grant, or renewal of a public entertainment licence, or a variation in the terms, conditions or restrictions on or subject to which the licence is held shall be considered on its merits.
- 2 In considering such applications, the Council will have due regard to the following:-
  - (i) The hours of operation applied for.
  - (ii) The proximity of residential/hotel/guest house accommodation.
  - (iii) Concerns of any residents, traders or institutions or other interested persons objecting to the application.
  - (iv) The comments of the appropriate Residents and Traders Associations.
  - (v) The observations/objections of consultees.
  - (vi) Evidence of complaints about noise and disturbance from the premises or its patrons, including any history of noise complaints.
  - (vii) The current planning permission.
  - (viii) The observations of the Licensing Officer regarding compliance with the licensing conditions.
  - (ix) The proximity of other late night music and dancing venues.
  - (x) Any other relevant factors.
- 3 (a) As a matter of general policy, places of Public Entertainment will not normally be licensed after 2.00 a.m.
  - (b) An application to permit opening after 2.00 a.m. will be referred to the Licensing Sub-Committee for determination\*. The principal concerns of the Licensing Sub-Committee in determining such applications will be the impact the proposals will have on the Environment and the effect of noise and disturbance of residents/traders in the vicinity.
  - (c) Any Public Entertainment Licence granted which permits opening after 2.00 a.m. will normally be subject to the following additional conditions in addition to the Councils standard terms and conditions: -
    - (i) No alcohol to be served after 2.00 a.m.
    - (ii) No admittance after 1.00 a.m.

*\*Applicants should be aware that where officers have concerns with regard to any application, such an application may be referred to the Licensing Sub-Committee **for determination.***



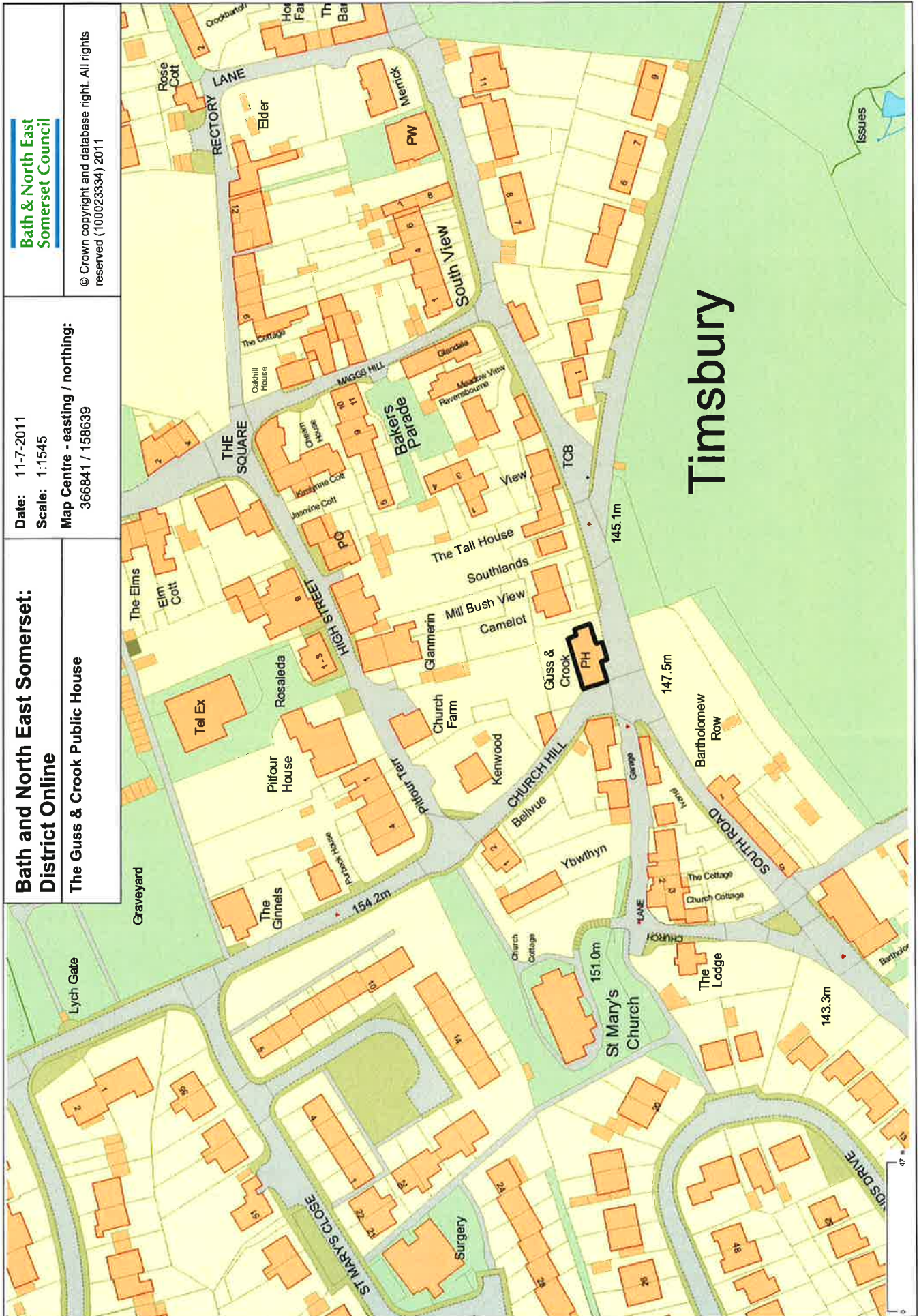
**POLICY FOR UNLIMITED PERMITTED HOURS FOR PUBLIC ENTERTAINMENT  
ON FRIDAY NIGHTS AND SATURDAY NIGHTS.**

On the 10 May 2001 the Council's Housing and Public Protection Committee resolved that unlimited permitted hours for public entertainment on Friday nights and Saturday nights be agreed subject to the standard terms, conditions and restrictions applied to public entertainment licences plus those specific additional conditions as follows:-

- a) The licensee will be responsible for the installation and maintenance of a closed circuit television system immediately inside and outside the club entrance, the system to be operated in accordance with the Council's approved code of practice. Tapes must show the time, date, camera location detail, be used a maximum of ten times and retained before reuse for a minimum period of 31 days in a secure place.
- b) The number of duty staff shall be such as to enable active monitoring in the immediate environment (i.e. staff outside the doors to the premises) and to take reasonable and appropriate steps to minimise the negative impact of customers arriving or leaving.
- c) There shall be no new admissions or re-admissions after 2 am.
- d) Freephones or payphones shall be made available to all customers and have displayed contact telephone numbers for a selection of hackney carriages and private hire taxi services.
- e) Advice on personal safety shall be displayed prominently within the premises.
- f) Any proof of age card initiative undertaken by the Council shall be actively promoted.
- g) The licensee will support initiatives by the Community Safety Partnership or other agencies, to address under age drinking and drug misuse.
- h) Reasonable steps shall be taken to bring to the notice of customers a request that they respect the needs of local residents and leave the premises and locality in a quiet and orderly fashion.
- i) The licensee shall notify the Police and the Council's Licensing Service of any variation in the hours specified in the licence.
- j) The licensee shall provide information on request to the group responsible for monitoring and reviewing the trial.

**POLICY ON SUNDAY LICENSING HOURS**

The Council, on application, will not normally permit an extension of Public Entertainment Licences on a Sunday, beyond 10.30pm





## **Representations following an application to review the premises licence for the Guss & Crook**

Westward Management Services Ltd are the tenants and operators of this site and are a very experienced pub management company.

The premises licence holder is Admiral Taverns (Portfolio No 2) Limited with the Designated Premises Supervisor being Laurence (Larry) Flood. Mr Flood has 10 years experience as a licensee and is a former professional sportsman having played rugby league for Warrington.

Westward Management along with Mr. Flood are more than willing to cooperate with all responsible authorities to resolve any issues within the pub so it can be enjoyed by the local community.

In reply to the allegations within the review application, Mr. Flood absolutely refutes the use of drug taking and underage drinking at the site.

Notwithstanding the above, Mr Flood has confirmed the pub already operates under the following conditions, and would be happy to have these endorsed on the licence:

- There is a "No New Entry" policy after 11:30pm to alleviate the problem of people leaving the Star public house (local pub that closes at 11:30pm) and coming to the Guss & Crook.
- A strict Challenge 21 policy is in place and the staff are only permitted to accept photographic ID in the form of a passport, driving licence or PASS logo approved ID card. Challenge 21 posters are displayed at the site.
- If any customers are found to be underage and attempting to buy alcohol and refused by staff, the said persons are then banned from the premises indefinitely.
- Mr Flood adopts a zero tolerance to drugs and has a policy in place to ensure that all staff are trained and alert to the possibility of customers using or dealing in illegal substances. Regular walk arounds and toilets checks are already in operation.

Mr. Flood also disputes the allegations of malicious damage caused on a weekly basis. Whilst this is difficult to prove as there are several pubs and youth gangs in the area it is hard to prove it is caused by customers leaving the Guss & Crook. The pub also wants to work with the complainant and signage will be provided on site along with staff encouraging customers to leave the site quietly and in an orderly fashion. All staff will be reminded to refuse serving anyone who is already intoxicated, which should always be the case in any event.

Mr. Flood advises there was a history of anti social behavior before his time running the pub, and since he and Westward Management have taken over the site they have not had to call the police out for any issues. They believe they are paying the price for the pubs past poor reputation.

Mr. Flood has the support from the local community and can provide a petition of over 300 names in support of the Guss & Crook and the way in which the site is run and managed. We have also enclosed two separate written letters from local customers expressing their support for the site.

Mr. Flood feels the site is not the sole cause of any anti social behavior in Timsbury and having massive support from the local community only demonstrates the site is a focal point for many locals in the area. Any reduction in licensing hours would seriously affect the pubs viability as a business and therefore its future of staying open.

## CONCERNING THE GUS + CROOK

Dear Sirs/

I am an 85 year old disabled pensioner and have been visiting the Gus + Crook farm the New Inn from a very early age playing darts dominos back etc, now as age is creeping on I like to go along and meet my old pals and have a chat about old times etc.

I don't know what we do should it close

Please keep the Gus + Crook open

13 June 2011

*Ms Stephanie Adams  
Admiral Taverns Ltd  
Suite H3  
Steam Mill Business Centre  
Steam Mill Street  
Chester  
CH3 5AN*

*Dear Ms Adams*

*Review of License - Guss & Crook - Timsbury*

*I write to you to support my local pub "The Guss & Crook" at the forthcoming review of its license. I have been a regular customer at this pub for over 50 years, initially, when it was known as the "New Inn". In that time this has been, for the large part, a well run establishment and never more so than today under the stewardship of its current management. It is a community pub visited regularly by mature drinkers, mostly of a mature age. The pub has, in my lifetime, served our community well and is much liked and needed by the people of Timsbury.*

*My understanding is that this forthcoming review relates to an incident within the local vicinity of the pub but not specifically related to the pub. Furthermore we have two other licensed premises in the village which are geographically close to the Guss & Crook which may be related to this incident but have not been subjected to the same scrutiny.*

*It would be a tragedy to the locals of Timsbury (and other clientele) if the "The Guss & Crook" had its activities restricted in anyway and I know that the support I offer has the additional support of many in our community. Please would you kindly offer my comments of support to "The Guss & Crook" at the forthcoming license review hearing?*

*Yours Sincerely*





RE: Review of licence for the Guss and Crook, Timsbury.

I have regularly enjoyed a drink at the Guss and Crook over a period of seventeen years, since 1994. During that time I have never witnessed any breaches of the peace, crimes or disorderly behaviour at the above premises. In my experience the majority of customers are mature people over the age of forty, who like to relax and enjoy each others company.

The Guss and Crook is also very much a community centre where events and charities are both initiated and supported. Regular donations are sent to the lifeboat appeal, which have been funded by local customers generosity. Both myself and my girlfriend amongst others have run in the Bath half marathon on several occasions to raise money for the Cheshire Home in Timsbury along with other local charities. A large proportion of the donations have again been raised in the Guss and Crook.

After the Tsunami disaster in Japan a local music group entertained us in the pub and all the proceeds were sent to help the unfortunate Japanese victims. That night two Japanese volunteer workers from the Cheshire Home in Timsbury, at their own expense, made local style Japanese delicacies and wrote cards with Japanese sayings on them to order. All profits were also sent to help the tsunami victims. Currently we are running a campaign to 'Help The Heroes'.

Many activity groups have been and still are formed using the pub as their base, such as fishing trips, fell walking and long distance running. Several customers have taken up interests that they would never otherwise have had the knowledge to know where to start. I, personally, have had the pleasure of taking part in motorcycle trips to Snowdonia where we have camped and walked in the mountains. The emphasis being on sensible riding, fitness and comeraderie. All of us met through the pub. Needless to say the Guss and Crook regularly fields teams for both darts and pool, both activities keeping alive old English traditions.

To close down the Guss and Crook would knock the heart out of the village as is happening all to often in our country. It is a meeting place for local people and in my experience has shown friendship and generosity of spirit to newcomers and foreigners alike. No public meeting place can be perfect all the time as there is no accounting for all types of people, however any form of misbehaviour is never condoned by either the landlord or us customers. I ask you: rather than shut down a much needed and appreciated business that instead you can find ways to help the publican to maintain the true values of this establishment and keep alive our proud heritage.

Thank you for taking the time to read my view on the subject.

Yours,

t (local resident).

ENVIRONMENTAL SERVICES	
29 JUN 2011	
Post Log No:	.....
Receipt No:	.....
CH/CA £:	.....

10<sup>th</sup> June 2011

ENVIRONMENTAL SERVICES
29 JUN 2011
Post Log No: .....
Receipt No: .....
CH/CA £.....

BANES Councillors on Licensing Committee

It has been brought to my attention that you are thinking about reviewing the licence for the Guss and Crook public house on South Road, Timsbury, with the possibility of revoking it. May I draw your attention to the fact that there has been a public house here for 308 years, which as you will know is circa 1703, when it was called the New Inn.

This public house plays its part in the local community and the wider community by holding fund raising events such as for the Japanese disaster, Help for Heroes, and collection boxes for RNLI and Fire Services Fund.

It is also a good place for meeting friends and making new ones. Other activities are playing pub games such as pool, darts, card games, shove ha'penny etc. The only other pub in the village is the Seven Stars, which is more of a food/wine bar and not so much a village local. In my opinion this village needs to keep the Guss and Crook to be able to service the local community. As for the age group, I would say it is 21 years and upwards and not the type of people who would go around doing mindless damage of any sort.

Also in my opinion, to close the Guss and Crook would be unjust and unfair to the law abiding persons who use this public house.

Local Timsbury resident

Licensing Team  
BANES

ENVIRONMENTAL SERVICES
29 JUN 2011
Post Log No: .....
Receipt No: .....
GH/CA £.....

13<sup>th</sup> June 2011

Dear Sirs/Madams

I am writing with reference to the forthcoming licence review for the Guss and Crook, Timsbury. I understand that due to where I live I may not qualify as an interested party under the terms of the 2003 Licensing Act and therefore am passing this letter directly to the landlord to include as part of his evidence.

I have been involved with the Guss and Crook for 28 years, being a member of various darts and pool teams over the years. Now that I have moved away from the village, I still visit regularly and have been recently been involved in charity fund raising events at the pub. The attached article from the Somerset Guardian details recent events to raise money for Japanese Tsunami victims. I have also brought a band to the pub to help raise money for a local stroke victim.

The Guss and Crook remains at the heart of the village community. In the years that I have been a patron of the pub I have come to appreciate the community spirit and the willingness to help and support others that is displayed on a regular basis.

Recent landlords have made great efforts to improve the reputation and standing of this pub in the community, with significant success.

I give my complete support to the Guss and Crook in opposing this Licence Review.

Yours Faithfully

BSG-E01-S2

Thursday, June 2, 2011



**GIG SUCCESS:** The members of the band Chill who helped raise money for Japanese earthquake and tsunami victims are from left, Jake Carder (keyboards), Alex Denning (guitar, vocals), Mark Day (guitar), Julie Edgell (vocals), Simon Carder (harmonica)

## Chill play to raise money for victims

A gig at the Guss and Crook in Timsbury has raised more than £160 for the Japanese victims of the tsunami.

It was organised by Simon Carder who plays in the band Chill and whose Japanese wife Akiko works as a volunteer at the local Cheshire Home.

Many of Mrs Carder's relatives still live in the Miyagi area of Japan where the earthquake and

tsunami struck and there were weeks of uncertainty before it was established that they were all safe.

Chill play acoustic covers of blues, soul and modern songs and its singer, Julie Edgell is also a member of the D'yell band. D'yell are an electric party band and they agreed to come along as well.

Mrs Carder provided platefuls of maki sushi (rolled sushi) which was

offered to the customers in return for a donation to the fund while Kaoru, another Japanese volunteer from the Cheshire Home raised more money with her examples of Japanese calligraphy which proved very popular.

At the end of the night a bucket was passed round and the final total raised was sent to the Japanese Red Cross via the Japanese Embassy.

ENVIRONMENTAL SERVICES

29 JUN 2011

Post Log No: .....

Receipt No: .....

CH/CA £ .....

ENVIRONMENTAL SERVICES	
- 8 JUN 2011	
Post Log No:	CC/AB21925C
Receipt No:	X
H/CA £:	

Date 7<sup>th</sup> June 2011

The Licensing Team  
B & NES Council  
9-10 Bath Street  
Bath BA1 1SN

Dear Sir,

**Ref: Guss and Crook License Review Application**

I must object in the strongest terms possible to any proposals to extend the licensing hours of the Guss and Crook.

Years ago it used to be a good village pub with a pleasant atmosphere. In recent years it has degenerated into a noisy and antisocial drinking den, attracting a badly behaved and anti social clientele.

Late at night we have to put up with the noise of drunken men shouting and swearing and girls screaming as they leave the pub and make their way along South Road and Radford Hill.

We are often woken up in the early hours by drunken men and women shouting at the top of their voices.

Any extension of the licensing hours would just attract more of this bad behaviour and prolong the noise later into the early hours of the morning. This would be totally unacceptable.

Yours faithfully,

The Licensing Dept.  
Bath and North East Somerset Council  
9-10 Bath Street  
Bath BA1 1SN

Ref. Guss and Crook, South Road, Timsbury, Bath BA2 0LD.

Dear Ms. Stoneman

I am writing to you about the present review for the above public house. I have lived in the area for about 12 years and in this time we have experienced a lot of noise nuisance and damage to cars on a couple of occasions. Currently with their extended license we are woken up on a regular basis around 2 to 3 am with large groups walking by talking, shouting and swearing. Occasionally it is more menacing with groups shouting threats back and forth to each other. It can be very intimidating and does cloud our experience of living in this area and hope that you won't renew their extended hours license.

Yours sincerely

Concerned resident

29<sup>th</sup> June 2011

To whom it may concern

I am a resident on Timsbury.

I understand that a review notice has been issued in respect of the Guss and Crook public house on South Road.

I have lived for four years and up until the permission to extend the opening hours for the pub, had not been given too many reasons for making a complaint.

However this is definitely not the current situation.

My weekends have been completely ruined since the extension was authorised.

I have lost count of the number of calls I have had to make to the police.

The following are just some of the concerns that I have.....

- Regular fighting along the road and outside of my home.
- Urinating up against my house.
- Damage to my neighbours cars.
- Damage to my car...of which I have had to pay an excess of £250 to have Key scratches removed.
- Shouting and brawling.
- Road traffic accident, involving 3 adults, who had left the Guss and Crook and proceeded to drive erratically down the road, crashing into my neighbour's car and causing a significant amount of damage. The disturbance that followed this was extremely unpleasant and involved several police cars, a police dog, multiple arrests, including the arrest of a further intoxicated adult male who had left the pub at closing time, walked along the road and taken it upon himself to be extremely rude and abusive towards all of the residents and very threatening towards the police, thus resulting in his arrest as well. This incident lasted for several hours and was extremely upsetting.
- Repeated late night arguments involving intoxicated adults and young people, who choose to stager around on the road, whilst screaming abusive and extremely threatening statements at each other.

- A constant drone of cars driving away from the pub in the early hours, with drivers who choose to open their windows and turn their music up to such a high volume, that my cottage windows rattle as they pass.
- Repeated inappropriate behaviour, including sexual acts and exposure of male genitals.
- On three separate occasions I have found intoxicated adults passed out on my path, having stopped to urinate on my cottage wall. On asking them to move, I have been subjected to torrents of both verbal abuse, including threats of violence.
- Groups of intoxicated young adults, who find it amusing to walk along the road hitting all of the wing mirrors or the roofs of the cars as they pass.
- Groups of intoxicated young adults who find it amusing to build barricades along the road, with the potential of causing a serious accident.
- Groups of intoxicate young adults who deliberately intimidate anybody who has the miss fortune to be returning to their home at the same time as they pass by.

I consider myself to be a reasonable individual, who moved into Timsbury four years ago, having been taken by its quite atmosphere and fantastic countryside. I am now saddened to say that myself and my son are so fed up of having our evenings and nights disturbed, that we are seriously considering moving out of the village.

The police have been extremely supportive, however they are clearly unable to prevent this sort of thing form happening, which is why I have chosen to write to you. Please reconsider the extension to the hours at the pub as it is having an extremely detrimental effect on the residents and community along the road.



14<sup>th</sup> June 2011

The Licensing Dept,  
Bath and North East Somerset Council,  
9-10 Bath Street, Bath.  
BA1 1SN

Ref : THE GUSS AND CROOK, SOUTH Rd, TIMSBURY.  
PREVENTION OF PUBLIC NUISANCE, CRIME AND DISORDER

Dear Sir

We have received your recent circular regarding the above reference and wish to comment on the matter.

We have lived at the above address for more than 4 years and in that time have on several occasions been subjected to noise, harassment and even criminal damage from people leaving the Guss and Crook late at night.

The main problem is the late opening times at weekends which seem to see teenagers being allowed to drink all day and then have no respect for the local residents when they leave. We cannot understand how this small village pub has been given an extension until 2am. We sleep in a front bedroom nearby and are quite often woken by shouting drunken youths leaving the pub on Friday and Saturday nights. Bottles and glasses have been thrown around the street which we end up cleaning up the following morning.

We have reported the actions on at least two occasions, the first being a hash pipe thrown through a window of our lounge, costing over £130 for repair and glass fragments in our carpets.

The second was particularly worrying as we had four irate drunken youths beating on our front door at just after 2am looking for someone. They only left after we had convinced them he did not live here.

On both occasions the police were contacted and visited us and on the second occasion I also confronted the landlord, as my wife was very frightened by the incident.

I really do wish we had a quiet local there, we could frequent but it is a no go area for decent residents while heavy drinkers and youths are allowed to spend all day and half the night getting into a stupor and taking it out on each other and the local law abiding householders.

I would like to state that although I have supplied my name and address in the first instance I do not want it revealed during this process for fear of reprisals.

Yours Sincerely

Local resident.



June 2011

The Licensing Department  
Bath & North East Somerset Council  
9-10 Bath Street  
Bath  
BA1 1SN

15-6-11

Dear Sir/Madam

As a resident of Timsbury, I am writing to confirm my support for the review currently taking place into the licensing of the "Gus and Crook". My reason for supporting this review is that recently my garden wall was seriously damaged by a vehicle, being driven by a driver over the limit, who I believe had left the aforementioned public house prior to the accident.

Yours faithfully

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

June 23 2011

To the Licensing Department

I am writing to express our concerns for the antisocial behaviour happening along South Road Timsbury. We believe this is closely linked to customers going to or leaving the Guss and Crook Public House between the hours of 11.00pm and 3.00am as most of the incidents occur between these hours. It seems that those who use regularly use the pub, rarely cause problems, but the pub is a magnet for people leaving other pubs in the village and surrounding area to get a late drink between 11.00 and 3.00.

We have lived for 10 years and there has always been the occasional incident relating to the pub on Friday and Saturday nights, but nothing too regular. The previous tenants, kept very close tabs on things and for a year we hardly had any problems. However, since the start of 2011 the incidents have increased and it is now beyond a joke. I have no problem with the pub or the people that go there, but I have real problems with the sheer lack of respect (mainly by a small minority) for local residents.

This came to a head for us personally when my car door was needlessly vandalised in the early hours of Friday May 13<sup>th</sup> 2011. This will cost £300-£400 to repair. I have reported this incident to the police and to the landlord, and I am in the process of finding out who is responsible. I am also prepared to pursue the brewery for damages if the culprit is not found. Here is a list of other incidents that have directly affected my family over recent months.

Sorry I can not give exact dates.

- I contacted the police to report a very violent incident that woke us up in the early hours where a man was attacking a woman
- My 3 children have been woken up on numerous occasions between 11.00pm and 3.00am with rowdy behaviour
- There was a very serious car accident out side our house with a drunk driver leaving the pub. A number of us assisted the police this incident, which escalated when other people in the pub needlessly got involved.
- We have had people urinating outside our house, one morning we even found human excrement on the pavement
- There have been numerous occasions when beer glassed (plastic and glass) are left on garden walls or in gardens where children play. Sometime the glasses are smashed and we have to clear up broken glass.

I don't want to see another village pub closed but I feel the late night licence needs reviewing in the light of the amount of incidents

Yours truly,

6th June '11

ENVIRONMENTAL SERVICES	
- 9 JUN 2011	
Post Log No:	CCAB 219261
Receipt No:	X
CH/CA £	

Re: Licence Application Review  
of Guss & Crook Public House  
Tunbury BA2 0LD

Dear Sir / Madam

I write to ask for the opening hours of this Public House to be reduced. At present, when ever we have warm fine nights, we have to endure shouting, screaming etc until the early hours of the morning. I strongly feel this is totally inappropriate in a village setting, especially with so many elderly residents living nearby. I myself have contacted the

police due to the disturbance x 2. II

ANNEX 6

We've had drunken young people  
walking down the middle of  
way past 1 o'clock, shouting

& arguing, only a short while  
ago, my husband & a neighbour

had to get out of bed at 2 AM

& stop 2 youngsters screaming  
at each other (due to drink) outside

our homes before a fight began.

The opening hours should be  
reduced to "normal" time of 10.30pm

& allow us all to get some

peaceful sleep. Please reconsider

the opening hours. It's unfair &  
unreasonable to expect our

village to be disrupted in this way

Sincerely yours

ENVIRONMENTAL SERVICES

17 JUN 2011

Post Log No: CC/AB 219365

Receipt No: X

CH/CA E

①

ANNEX G

Dear Miss Stoneham. 16<sup>th</sup> June 11

Further to our previous letter re:  
renew of Cuss & Crook licence

We would very much like our previous  
letter to be forwarded on to assist  
the licensing Sub Committee but are  
very concerned regarding reprisals  
from customers using this public house  
(other villages have attempted to speak  
to younkers, & ask the noise to be  
kept down in the early hours of the  
morning & have woken up to  
find car tyres let down, wing mirrors  
ripped off & we are very concerned  
this could happen to us)

My husband is away at times →

4 both he & I are very worried ②  
of our Name & Address is made ANNEX G  
public.

This may seem a cowardly act  
but we do feel we have no  
other option.

it We live in close proximity of  
the pub & really do hope something  
can be done to stop this continual  
disturbance - especially with the  
summer coming when the problems  
escalates even more.

Sincerely yours



ENVIRONMENTAL SERVICES	
23 JUN 2011	
receipt No:.....	.....
CH/CA £.....	.....

The Licensing Officer  
 Environmental Services  
 Bath & North East Somerset Council  
 9 - 10 Bath Street  
 Bath BA1 1SN

June 21 2011

Dear Licensing Officer,

**Prevention of Public Nuisance, Crime and Disorder**

We write in response to the public notice posted outside the "Guss & Crook" public house, South Road, Timsbury.

You may recall that we have been in contact with you in the past about the above premises. I refer to our telephone conversation and e-mail regarding incidents on 30/31 August 2008.

We have lived here since 1996 and in the early years of our residence, had very little trouble, but we note that the incidence of nuisance has increased to unacceptable levels since the introduction of extended licensing hours. As a rule, we make it our policy to support local businesses and are disappointed to have to complain about the "Guss & Crook".

Frequently, we have been disturbed from sleep in the early hours at weekends by shouting, foul language, drunken behaviour and fighting in the street outside our home. In the morning we have, from time to time, found broken glass, bottles, glasses, cans and litter including take-away food containers in the street and in our front garden.

For example, early in last December we were awoken at 1.30 a.m. on a Sunday morning by the noise of shouting. I looked out of my bedroom window and saw a young man and woman in the middle of the road, shouting and arguing about a mobile phone. The woman was screaming, the man attacked her and she fell. He kicked her as she lay in the road. I telephoned 999 from my bedside phone. By the time a police patrol car arrived twenty minutes later the couple had walked on down

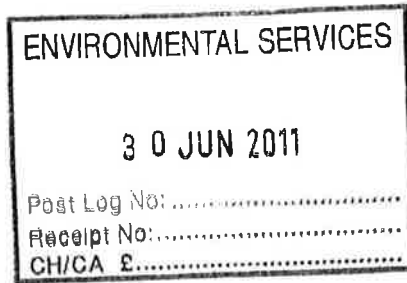
On another occasion we were asleep and heard a noise outside the house, again in the early hours of the morning. I looked out and saw a man, obviously intoxicated, swaying in our front garden. Someone from the pub was trying to get him to leave our premises, which eventually, he did.

One Saturday evening recently we were disturbed at 11.45 p.m. I looked outside and two men were arguing outside the ' opposite our house. One of the men had been ejected and was arguing with someone from the pub. There was some pushing, shoving and shouting. Eventually the customer went off and the person from the pub, saw me watching from the window and gave me a shrug of his shoulders as he returned past our house. Later the same night we were awoken by shouting outside just after 2 o'clock in the morning and looked outside. Two men and two women were in the street arguing,

obviously the worse for drink, near our front gate. One of the men went into the phone box, which is now a library. He came out and shouted to the others, "If anyone ruins that f\*\*\* ing library I'll kick their f\*\*\*ing head off because I haven't got internet!" Eventually, as I watched, at 2.30 a.m., a police patrol car came along South Road and stopped and spoke to the group. It was a good half an hour before the street was quiet again.

I am sorry that I have gone into some detail; I have not recorded everything but hope these examples give you some idea of the sort of nuisance we have had to endure regularly in recent years.

Yours faithfully,



The Licensing Officer,  
Environmental Services  
BAVES Council  
9-10 Bath St  
Bath, BA1 1SN

29 June 2011

RE: PREVENTION OF ~~CRIME~~ PUBLIC NUISANCE, CRIME & DISORDER, GUSS & CROOK,  
TIMSBURY.

Dear Licensing Officer,

We write in response to the public notice posted outside the 'Guss & Crook' & in support of letters we know that neighbours have sent to yourselves.

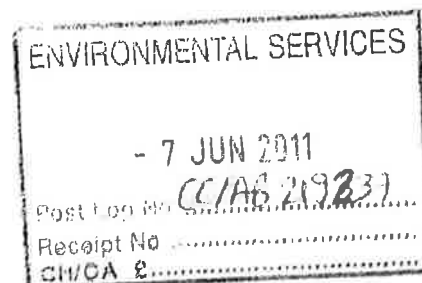
With reference to previous emails we sent, things improved for a while under the previous land lord, but sadly noise & disturbance have returned as a frequent event under the current landlord.

There have been many such events over the last few months that should at least result in the reduction of its licensing hours. As recent as Sunday night (26/06/11) there was loud shouting, swearing, arguing & disturbance up until 12.30 pm, including one individual leaving the pub, shouting & swearing & subsequently punching the wing mirror of my car. Fortunately there was no damage, but it is a good example of the mindless disturbance & nuisance that we have to put up with whilst trying to sleep. I have previously witnessed full-blown fights & would like to see the licensing hours reviewed & reduced to ~~min~~ cut out this late night disturbance.

Yours Sincerely,

NOTE: ALSO SENT VIA EMAIL 29/06/11

Licensing Dept.  
 Bath & North East Somerset Council  
 9 -10 Bath Street  
 Bath  
 BA1 1SN



**Re: Review of License**  
**Guss and Crook, South Rd., Timsbury**

4th June 2011

Dear Sirs,

I write with reference to the above review of the current license of the Guss and Crook public house in Timsbury on the grounds of ***'The prevention of Public Nuisance, Crime and Disorder'***.

As residents who may be affected by changes to a licensed premises, we live we were never consulted when the license was originally extended and since this time have had to deal with a number of issues.

- We regularly have to hose down vomit from my drive and the pavement adjoining our property.
- We have regularly had to remove glasses, sometimes empty - sometimes part filled but the contents may be questionable, often broken from our front drive/garden.
- We have had to remove broken glass from around our cars before they are able to be moved and on one occasion had to sweep the drive down on my return following a night shift in order to park my car on my drive.
- We have experienced pub users urinating on our property in the early hours of the morning.
- On one occasion a couple were having sex by one of our cars and then moved to our neighbours front steps and eventually moved on, leaving behind soiled underwear etc. for us to remove the following morning.
- We have had people using the pub sit on our garden wall whilst using their mobile phones. When our windows are open during the summer we can hear every word they say and the type of language is often a cause for concern.
- There is regularly noise and loud vocalisation outside the premises into the early hours.

- There have been numerous after hours arguments and fights including the threat from one person that they will 'go and get their shotgun and sort him out for good'.
- We dread the appearance of the 'Karaoke Here Saturday Night' or 'Live Music', sign as we know this will result in loud music and/or people singing in the street until 01.00 and beyond.
- The smoking ban, although I am totally in favour, has resulted in a significant increase in pub related litter, dog ends, crisp packets, cigarette packets and beer mats which, due to the location and the prevailing wind, end up on our drive.
- The smoking ban also has the added effect that smokers are concentrated at the front of the pub and the smell of cigarette smoke is often very strong. This, together with the excessive noise, means we often cannot have the bedroom windows open at the front of the house in the summer months.

We have elderly neighbours on one side and a couple with a young child on the other. Both have too experienced significant issues concerning early morning disturbance from pub users. Another single elderly lady in her 80's who lives on the opposite side of the road from the pub has expressed her fear on several occasions and now has sadly taken to padlocking her gate at eight o'clock every evening.

Parking is a major issue at the Guss & Crook as there is no car park. The result is that patrons park either directly outside or along the road side opposite the pub in contravention of sections 242 and 243 of the 'Highway Code' which states 'you MUST NOT leave your vehicle' 'in a dangerous position or where it causes any unnecessary obstruction of the road' (*section 242*) and '**DO NOT** stop or park' 'opposite or within 10 meters (32 feet) of a junction...' 'near the brow of a hill...' (*section 243*)

We are fortunate to have off road parking but access, road use and more importantly, safety of the use of this section of South Road to both road users and pedestrians is severely compromised by the clientele of the Guss & Crook on a daily basis.

I am a keen supporter of the facilities we have in Timsbury, these are vital for the survival of the village. There is a need for meeting and social premises and businesses such as the Guss & Crook and I do not want to see village businesses fail due to the thoughtlessness of a few.

The Guss & Crook (formerly the New Inn) has always been the 'working man's pub' of the village with the Seven Stars catering for the food and family needs of Timsbury. There is also the British Legion with another, possibly more elderly clientele. Timsbury has the capacity for all of these facilities.

The major issues for me has to be the late night drinking. Clients are often served to a point way beyond capable (*an issue which was stated to me by a former licensee was 'not their responsibility'*) and that many clients visit the Guss & Crook after other facilities have stopped serving.

These are very often patrons from out of the village who know that the Guss & Crook has a license into the early morning. They are then driving home in the early hours and I suspect are often over the limit. A situation highlighted by a collision involving a stationary car, the owners boundary wall and two people driving home to Camerton following a session at the Guss & Crook one Saturday evening / Sunday morning earlier this year.

In summary. there is a need for extended hour licenses in some areas, towns away from residential areas, cities after theatre and cinema performances etc. but not in a small village like Timsbury, there is simply no need and allowing such will just lead to disorder.

I offer these point in support of reducing the licensing hours of the Guss & Crook back to the standard hours to close at eleven o'clock nightly.

Regards,

ENVIRONMENTAL SERVICES	
- 9 JUN 2011	
Post Log No:	CC/AB 20260
Receipt No:	
CH/CA £	X

7-6-2011.

Dear Sir/Madam,

Re: License review, Guss + Crook  
BA20LD.

Since moving to Timbury in August 2009, we have experienced problems with patrons of the Guss + Crook. These are usually disturbed sleep on a Friday + Saturday night due to drunken behaviour. We did not expect this when we moved to this lovely village, and hope that the opening hours will be reduced.

Yours faithfully,

ENVIRONMENTAL SERVICES	
16 JUN 2011	
Post Log No.	CC/AB 219559
Receipt No.	
GH/GA £	

**Licence Review 11/02575/LAPRE**

Dear Sir or Madam,

I wish to make serious representations concerning the licence review, I have suffered 3 broken windows, loud noise and music to the early hours of the morning, fights in the street outside my property causing disturb sleep.

**Please can you register my objection**

Yours sincerely



28 JUN 2011

Post Log No: .....

Receipt No: .....

CH/CA £ .....

27.06.11.

GUSSE &amp; CROOK PUBLIC HOUSE.

Dear Sir,

Reference the proposal to review the licence for the above premises I would like the following to be considered.

I have lived close to the pub for nearly 30 years and for about the last 20, despite continual changes of licensee, the character of the pub has remained more or less the same. There have been disturbances, fights and excessive noise, most of which is later at night or early morning.

If the pub is going to stay open I feel the present licence which allows very late opening should be reconsidered.

Yours sincerely

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

ENVIRONMENTAL SERVICES	
- 8 JUN 2011	
Post Log No	CC/AB 219251
Receipt No	
CH/CA £	

ANNEX G

4 June 2011

Dear Sirs,

The Guss & Crook, South Road, Timsbury BA2 0LD

We are writing to express our concern regarding the above licensed premises, we understand that they have to go through a review of their license. We would like to make the following points:-

1. We live                      and are old age pensioners
2. During the last few months we have experienced:
  - a. Litter ( dog ends, glasses bottles and cans) left on our flower beds
  - b. Vomit on steps to our house
  - c. Using the space where we park our cars (on patio in front of our house) as a public toilet. On one occasion I have actually caught the person, and after a complaint to the landlord, he was banned.
3. But main reason for complaint is the excessive noise late at night, screams, loud laughter, car doors banging and occasional fights. we understand that                      to a public house since 1969 that some inconvenience to us is to be expected but recently this has become beyond acceptable.
4. The parking of the customers using the pub has become dangerous, especially the cars parked on the junction of South Rd and Church Hill causing problems for through traffic.

Timsbury needs a local and the Guss and Crook fills this requirement. But the licensing hours need to be reviewed, the late hours of opening in a sleepy village with young families and pensioners living close by, has caused a lot of local public unrest.

To try and remedy this is to have no after eleven o'clock drinking outside. Or if this does not work then the pub closes at eleven o'clock.

We firmly believe in trying to keep the trade in Timsbury and supporting the people who are trying to do the same

Yours faithfully