

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

## **1 THE ISSUE**

- 1.1 An application has been received for a new Premises Licence under s.17 of the Licensing Act 2003 in respect of **Rosh Ltd**, 5-6 Seven Dials, Monmouth Street, Bath BA1 1EN

## **2 RECOMMENDATION**

- 2.1 That the Sub Committee determines this application.

## **3 RESOURCE IMPLICATIONS**

- 3.1 The costs of processing licences are covered by the fees charged. The fee for this application is £190.

## **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

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

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

## 5 THE REPORT

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

5.2 The application proposes the following licensable activities and opening hours:

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

Monday to Saturday      08:00 - 23:30

Sunday                      10:00 - 22:00

2) **Late Night Refreshment:**

Monday to Saturday      23:00 - 00:00

3) **Opening Hours:**

Monday to Saturday      08:00 – 00:00

Sunday                      09:00 – 22:00

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

5.4 The Licensing Act 2003 (Section 4) states that it is the duty of all Licensing Authorities to carry out their functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:

- a) The Prevention of Crime and Disorder
- b) Public Safety
- c) The Prevention of Public Nuisance
- d) The Protection of Children from Harm.

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

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

5.6 Section 4(3)Licensing Act 2003 states that the Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:-

- a) Paragraphs 3, 5, 6, 9, 10, 15, 17, 18, 20, 23, 24, 28, 33 - 38, 41 to 44 of the 2011 policy.
  - b) Chapters 2, 8, 9 and 10 of the Statutory Guidance (as revised in June 2014).
  - c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.
- 5.7 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.
- 5.8 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates' Court. If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates' Court. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 5.9 In accordance with the requirements of the Act the applicants served copies of the application upon the police, the fire authority, environmental health, development control, trading standards, health authority and the child protection agency.
- 5.10 The applicant is required to place a notice at the premises for a period of 28 consecutive days starting the day after the application is made, and to place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 5.11 Representations have been received from **local businesses who state** that the application will undermine the prevention of crime and disorder, prevention of public nuisance and protection of children from harm licensing objectives (*Annex C*).
- 5.12 The premises lie within the cumulative impact area. As representations have been received there is a presumption that the application will be refused unless the applicant can demonstrate that the operation of the premises will not add to the cumulative impact already being experienced.
- 5.1 This report has not been sent to the Trades Union because they would have no involvement.

**6. RATIONALE**

6.1 As representations have been received the Sub Committee must determine the application in accordance with the Licensing Act 2003.

**7 OTHER OPTIONS CONSIDERED**

7.1 None.

**8 CONSULTATION**

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

**9 RISK MANAGEMENT**

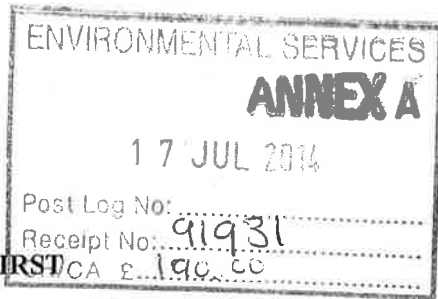
9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

**10 ADVICE SOUGHT**

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

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

11105620141414



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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We **ROSH LTD**

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description <b>5/6 SEVEN DIALS, MONMOUTH STREET</b>			
<b>Post town</b>	BATH	<b>Postcode</b>	BA1 1EN

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

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

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

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

Please tick yes

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

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

## SECOND INDIVIDUAL APPLICANT (if applicable)

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

## (B) OTHER APPLICANTS

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

Name ROSH LTD
Address 1 HARRINGTON PLACE, BATH BA1 1HF
Registered number (where applicable) 01711125
Description of applicant (for example, partnership, company, unincorporated association etc.) LTD COMPANY
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

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

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

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

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

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- |   |                          |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |



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

X

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

X

In all cases complete boxes K, L and M

**A**

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

## B

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

C

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

**D**

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

## E

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

## F

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

G

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

## H

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



I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	2300	2400	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	2300	2400			
Wed	2300	2400	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4) New years eve until 0100		
Thur	2300	2400			
Fri	2300	2400	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	2300	2400			
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0800	2330	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) New Years Eve until the commencement of hours on New Years Day.		
Tue	0800	2330			
Wed	0800	2330			
Thur	0800	2330	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	0800	2330			
Sat	0800	2330			
Sun	1000	2200			

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

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

Issuing licensing authority (if known)  
BANES

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**

NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0800	2400	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)</p>
Tue	0800	2400	
Wed	0800	2400	
Thur	0800	2400	
Fri	0800	2400	
Sat	0800	2400	

# ANNEX A

Sun	0900	2200	

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

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

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

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

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

**c) Public safety**

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

**d) The prevention of public nuisance**

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

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

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

**POLICY (MANDATORY)**

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

**Checklist:**

**Please tick to indicate agreement**

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

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).  
If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	15 <sup>TH</sup> JULY 2014
Capacity	LICENSING AGENT.

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

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

**POLICY (MANDATORY)**

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

**Checklist:**

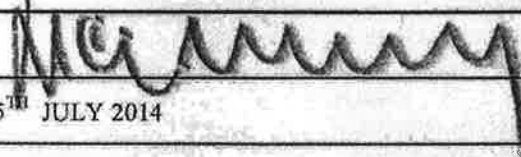
Please tick to indicate agreement

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

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**Part 4 – Signatures (please read guidance note 10)**

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	15 <sup>TH</sup> JULY 2014
Capacity	LICENSING AGENT.

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) DAVID C HOLLEY 25 BROAD STREET, BATH			
Post town	BATH	Postcode	BA1 5LW
Telephone number (if any)	07710 272384		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Dholley_licensing@btinternet.com			

#### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**Lauren Latta**

---

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

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

David Holley



Consent of individual to being specified as premises supervisor

KAMBIZ SHAYEGAN

-----  
[full name of prospective premises supervisor]

of

1 HARRINGTON PLACE, BATH BA1 1AF

-----  
[home address of prospective premises supervisor]

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

<sup>SEVEN DIALS</sup>  
5/6 MONMOUTH STREET, BATH

-----  
[type of application]

by

ROSH LTD

-----  
[name of applicant]

relating to a premises licence

-----  
[number of existing licence, if any]

for <sup>SEVEN DIALS</sup>

5/6 MONMOUTH STREET BATH

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

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

ROSH LTD

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

concerning the supply of alcohol at  
5/6 <sup>26103 DIACS</sup> MONMOUTH STREET, BATH

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

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

Personal licence number

05/03557/LAPER

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

Personal licence issuing authority

BANES

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

Signed



Name (please print)

KAMBIZ SHAYEGAN

Date

11/7/2014

**Bath and North East Somerset:  
District Online**

**Date:** 20-8-2014  
**Scale:** 1:1000

Bath & North East  
Somerset Council



**Rosh Ltd, 5-6 Seven Dials**

**Map Centre - easting / northing:**  
374850 / 164823

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Charlie Digney

The Garrick's Head

Bath

BA1 1ET

6-8-14

licensing@bathnes.go.uk

Ref. 14/03620lapre

Dear Sir

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

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

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

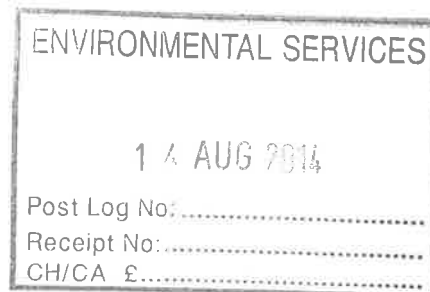
Further more I am concerned that the applicant is not a suitable person to hold an additional liquor license as his son was convicted of the sale of and use of class A drugs at Mr Shayegan's club the Blue Rooms.

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

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

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

Yours sincerely,



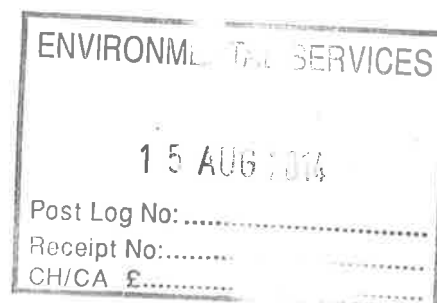
Charlie Digney

Charlie Digney



Michel Lemoine  
La Barrique  
31 Barton Street  
Bath  
BA1 1JG

15<sup>th</sup> August 2014



Dear Sir

REF: 14/03620LAPRE

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

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

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

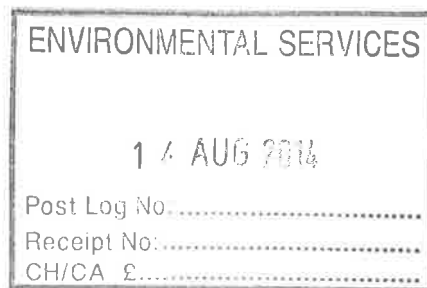
The outside seating proposed will become a noisy area, with smokers also congregating here, and we believe this will negatively impact on the local environment and theatre goers, many of which are families and elderly citizens.

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

Yours faithfully

M A Lemoine





Martin Grant

Gascoyne Place

1 Sawclose

Bath

BA1 1EY.

14<sup>th</sup> August 2014

Marty.grant@gascoyenplace.co.uk

licensing@bathnes.gov.uk

Ref. 14/03620LAPRE

Dear Licensing Team,

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

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

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

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

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

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

Martin Grant



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

13<sup>th</sup> August 2014

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

Dear Sir/Madam,

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

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

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

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

Yours sincerely,

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

Bath And North East  
Somerset Council

18 AUG 2014

Received

