

V
Bath & North East Somerset Council

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

1 THE ISSUE

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

2 RECOMMENDATION

2.1 That the Licensing Sub-Committee determines the application.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

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

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

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

4.2 Consideration must be given to the Human Rights Act 1998 and the "convention rights".

4.3 The Licensing Sub-Committee has been delegated authority to determine the application on behalf of the Licensing Authority in accordance with the Licensing Act 2003.

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

5 THE REPORT

5.1 An application has been received to vary an existing premises licence (Annex A).

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

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

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday 12:00 – 22:30

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

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday 12:00 – 22:30

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

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday 12:00 – 22:30

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

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday 12:00 – 22:30

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

Monday and Tuesday 11:00 – 23:00

Wednesday to Saturday 11:00 – 00:00

Sunday

12:00 – 22:30

6) Non-Standard Timings for all licensable activities:

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

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

A further additional hour every Christmas Eve and Boxing Day

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

7) Opening Hours:

Monday and Tuesday 10:00 – 23:30

Wednesday to Saturday 10:00 – 00:30

Sunday 12:00 – 23:00

8) Non-Standard Opening Times:

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

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

A further additional hour every Christmas Eve and Boxing Day.

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

9) Conditions attached to the current premises licence:

Annex 1 – Mandatory conditions

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

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

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

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

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

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

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

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

where:

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the Operating Schedule

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

5.3 The variation application seeks to:

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

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

5.4 A site plan is attached at Annex C.

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

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

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

- 5.6 The Licensing Authority may vary and grant the application with or without additional conditions if they consider it appropriate and proportionate to do so.
- 5.7 The Licensing Authority can refuse the variation, or part of the variation, for the promotion of the licensing objectives.
- 5.8 The Licensing Authority may not however do anything to reduce the effect of the rights granted by the existing premises licence.
- 5.9 Section 4(3) Licensing Act 2003 states that the Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:-
 - a) Paragraphs 3-6, 8-10, 13-14, 15, 17-23, 27, 33-36, 38-41 and 43 of the policy as revised in 2015.
 - b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised October 2014)
 - c) Sections 4, 9, 10, 13, 34, 35, 36, 182 and 183 of the Act.
- 5.10 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.
- 5.11 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates Court.

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

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

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

- 5.12 In accordance with the requirements of the Act the applicants served copies of the application upon the Police, the Fire Authority, Environmental Health, Development Control, Trading Standards, the Health Authority and the Child Protection Agency.
- 5.13 The applicant is required to place a notice at the premises for a period of 28 days starting the day after the application is made and place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 5.14 A representation has been received from the Police (Annex D) in respect of the Prevention of Crime and Disorder licensing objective. It reports of sporadic incidents of crime, disorder and anti-social behaviour within the locality of the premises, and proposes the following conditions to promote this objective:
- A digital CCTV system will be fitted and maintained at the premises in consultation with the Police. The images will be of evidential quality and will be kept for a minimum of 31 days. The images will be made available to the Police on request.
 - Signage requesting patrons to leave quietly will be displayed at all exits from the premises.
 - All off sales of alcohol to be sold in sealed containers unless it is to be consumed in an area covered by a table and chairs permit.
- 5.15 The applicant has agreed in writing to the conditions proposed by the Police to promote the Prevention of Crime and Disorder licensing objective (Annex E).
- 5.16 Representations have been received from other persons living within the vicinity of the premises who are concerned that the Public Nuisance they already experience in respect of music and noise emanating from the premises, will increase should the proposed extension be granted. They also express concern that the applicant's proposals are likely to lead to an increase in anti-social behaviour and therefore be likely to undermine the Prevention of Crime and Disorder licensing objective (Annex F).
- 5.17 This report has not been sent to the Trades Union because they would have no involvement in this application.

6 RATIONALE

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

7 OTHER OPTIONS CONSIDERED

7.1 None

8 CONSULTATION

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

8.2 Issues relating to Safeguarding have been considered in respect of this application.

9 RISK MANAGEMENT

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

10 ADVICE SOUGHT

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

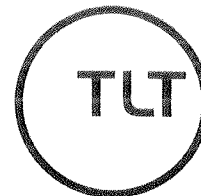
Background papers	Licensing Act 2003; Guidance issued under s.182 of the Licensing Act 2003; Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005; B&NES Statement of Licensing Policy.
Contact person	Terrill Wolyn, Senior Public Protection Officer (Licensing) Tel: 01225 396939

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3 FEB 2015

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

Dear Sirs

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

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

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

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

Yours faithfully

TLT LLP

enc Original application form
 Premises licence

pu01307

ANNEX A

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Punch Taverns Plc

(Insert name(s) of applicant)

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

Premises licence number 08/03760/LAPRE
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Part 1 – Premises Details

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

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

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

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

Please describe briefly the nature of the proposed variation (Please see guidance note 2)
This is an application to extend the hours for the sale of alcohol, recorded music and anything of a similar description to live, recorded music and performance of dance on a Friday and Saturday from 11:00h until 02:00h the following morning (current permission 11:00h until 00:00h).
To maintain thirty minutes drinking up time following the last permitted sale of alcohol.
To add the following condition "There will be no entry or re-entry (with the exception of customers partaking in a cigarette) after 23:00h on a Friday or Saturday".
All other hours, activities and conditions are to remain unchanged by this application.

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

n/a

Part 4 Operating Schedule

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

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

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4) As per current permission.	Both	<input checked="" type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri	11:00		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 (please read guidance note 6) As per current permission.		
Sat		02:00			
		11:00			
Sun		02:00			

H

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

1

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) As per current permission.		
Thur					
Fri	11:00				
Sat		02:00			
	11:00				
Sun		02:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

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

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.
None.

Please tick as appropriate

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

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

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

M

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

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

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

b) The prevention of crime and disorder

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

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 11)

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

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

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

Signature	
Date	
Capacity	

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

Paul Uren
TLT Solicitors
One Redcliff Street

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

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

Notes for Guidance

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

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

Schedule 12 Part A

Regulation 33, 34

Premises Licence

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

Part 1 – Premises Details

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

The Wine Bar
19 High Street
Keynsham, BS31 1DP

Telephone number 0117 9861974

Where the licence is time limited the dates Not applicable

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

Sale of Alcohol

Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30

Performance of Dance (Indoors and Outdoors)

Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30

Performance of Live Music (Indoors and Outdoors)

Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30

Performance of Recorded Music (Indoors and Outdoors)

Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30

Other Entertainment within Act (Indoors and Outdoors)

Monday and Tuesday	11:00 - 23:00
Wednesday to Saturday	11:00 - 00:00
Sunday	12:00 - 22:30

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

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

A further additional hour every Christmas Eve and Boxing Day.

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

The opening hours of the premises

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

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

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

A further additional hour every Christmas Eve and Boxing Day.

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

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

Alcohol is supplied for consumption both on and off the premises

Bath & North East Somerset Council

Part 2

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

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

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

Registered Business Number - 03752645

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

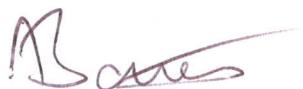
Mr Paul Brunsdon
The Wine Bar
19 High Street
Keynsham
Bristol
BS31 1DP

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

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

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

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



Dated 1 December 2008

Annex 1 – Mandatory conditions

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

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

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

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

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

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

Annex 2 – Conditions consistent with the Operating Schedule

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

No unaccompanied children allowed on the premises.

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

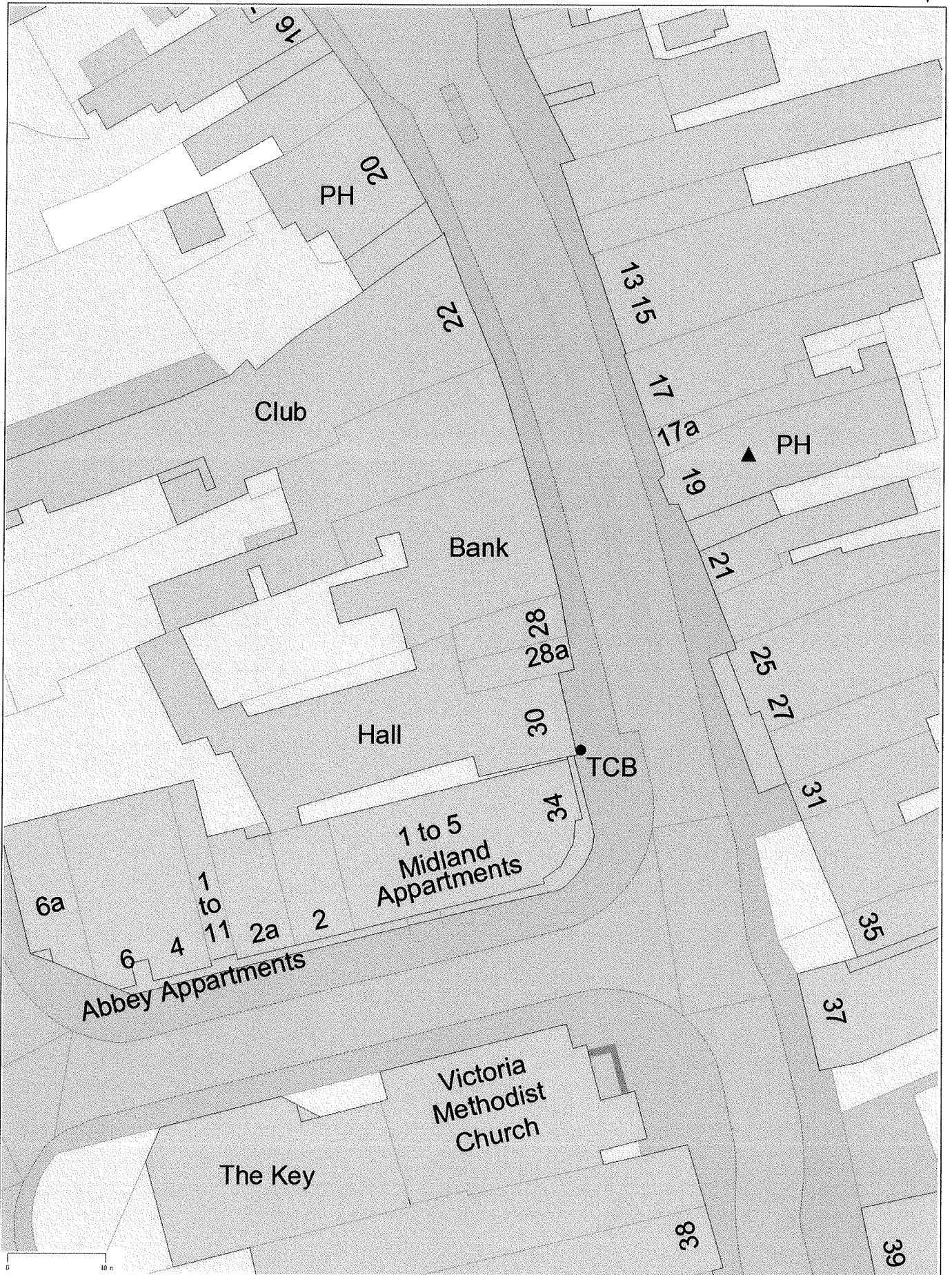
No striptease, nudity or exhibition of restricted films allowed.

Bath & North East Somerset Council

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

Annex 4 – Plans

As submitted with application.





Licensing Services, Manvers Street, Bath.

Representation Form

ENVIRONMENTAL SERVICES

19 FEB 2015

Post Log No:

Receipt No:

CH/CA £.....

Responsible Authority. (Please delete as applicable.)

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

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

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

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

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

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

Signed:

Date:

Please return this form along with any additional sheets to:

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

Terrill Wolyn

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

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

Hi Martin,

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

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

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

Kind regards

Paul Uren
Real Estate Group
for TLT LLP

D: +44 (0)333 006 0213

F: +44 (0)333 006 1492

www.TLTsolicitors.com

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

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

Paul

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

Martin Purchase, Police Liquor Licensing Officer.
Mobile 07810555373

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

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

Avon and Somerset Constabulary

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

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Conditions agreed between Police and Applicant

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

ANNEX B

ANNEX B - [Illegible Title]

[Illegible text block]

Strictly Private and Confidential

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

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

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

Our ref: RK01/KNIGH

Your ref:

2 March 2015

When telephoning please ask for: Richard Knight

Dear Sirs

The Wine Bar 19 High Street Bristol BS31 1DP

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

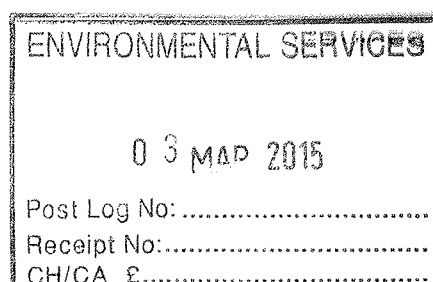
I strongly object to the proposed variation for the following reasons:

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

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

Yours faithfully


Irene Knight



SECURE\22321871\1.v.2

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

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Strictly Private and Confidential

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

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

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

Our ref: RK01/KNIGH

Your ref:

2 March 2015

When telephoning please ask for: Richard Knight

Dear Sirs

The Wine Bar 19 High Street Bristol BS31 1DP

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

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

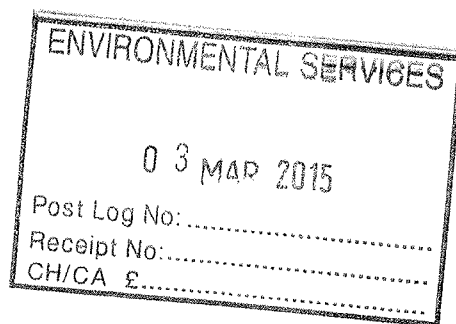
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For all the reasons given above I would urge the Council to reject the application for an extension to the current licence.

Yours faithfully



Richard Knight



SECURE\22321871\w.1

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

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