

Bath & North East Somerset Council

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

1 THE ISSUE

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

2 RECOMMENDATION

2.1 That the Licensing Sub-Committee determines the application.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

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

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

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

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

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

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

5 THE REPORT

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

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

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

Friday and Saturday 11:00 – 23:59

Sunday to Thursday 11:00 – 23:00

2) **Indoor Sporting Event**

Everyday 19:00 – 23:00

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

Friday and Saturday 19:00 – 23:59

Sunday to Thursday 19:00 – 23:00

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

Friday and Saturday 19:00 – 23:59

Sunday to Thursday 19:00 – 23:00

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

24 & 26 December 19:00 - 23:59

Bank Holiday Sundays 19:00 – 23:59

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

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

24 & 26 December 19:00 - 23:59

Bank Holiday Sundays 19:00 – 23:59

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

7) **Opening Hours**

Sunday to Thursday 11:00 – 23:00

Friday and Saturday 11:00 – 23:59

8) **Non-Standard Opening Times**

24 & 26 December 19:00 - 23:59

Bank Holiday Sundays 19:00 – 23:59

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

9) Conditions attached to the premises licence

Annex 1 – Mandatory conditions

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

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

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

From 28 May 2014

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

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

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

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

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

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

where:

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

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

From 1 October 2014

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

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

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

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

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

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

Annex 2 – Conditions consistent with the Operating Schedule

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

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

5.3 The variation application seeks to:

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

5.4 A site plan and plans of the premises are attached at Annex C.

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

- a) The Prevention of Crime and Disorder.
- b) Public Safety.

- c) The Prevention of Public Nuisance, and
- d) The Protection of Children from Harm.

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

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

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

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

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

6 RATIONALE

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

7 OTHER OPTIONS CONSIDERED

7.1 None

8 CONSULTATION

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

9 RISK MANAGEMENT

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

10 ADVICE SOUGHT

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

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

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We Midsomer Norton Cricket Club

(Insert name(s) of applicant)

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

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

Part 1 – Premises Details

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

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

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

If not, from what date do you want the variation to take effect? **N/A**

DD	MM	YYYY

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

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

The variation application proposes the following:

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

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

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

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

Part 4 Operating Schedule

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

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

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

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

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

In all cases complete boxes K, L and M

A Not applicable

Plays Standard days and timings (please read guidance note 7)			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			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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)		
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	Yes
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11:00	23:00	Please give further details here (please read guidance note 4)		
Tue	11:00	23:00			
Wed	11:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	11:00	23:00			
Fri	11:00	23:00	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) N/A		
Sat	11:00	23:00			
Sun	11:00	23:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	23:00	
Tue	11:00	23:00	
Wed	11:00	23:00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Thur	11:00	23:00	
Fri	11:00	23:00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6) N/A
Sat	11:00	23:00	
Sun	11:00	23:00	

D Not applicable

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment 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 boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

E

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

F

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

G Not applicable

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"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
Sun					

H Not applicable

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

I

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

J

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

K

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

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

Please tick as appropriate

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

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

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

L

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

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

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

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

M

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

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

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

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

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

b) The prevention of crime and disorder

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

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

c) Public safety

d) The prevention of public nuisance

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

e) The protection of children from harm

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

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or (please call to take card payment) Y
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. n/a
- I have sent copies of this application to responsible authorities and others where applicable. Emailed to Licensing Authority who will serve the relevant R.A.s n/a
- I understand that I must now advertise my application. Y
- I have enclosed the premises licence or relevant part of it or explanation. Y
- I understand that if I do not comply with the above requirements my application will be rejected. Y

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

Part 5 – Signatures (please read guidance note 11)

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

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

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

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

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

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

**Schedule 12
Part A**

Regulation 33, 34

Premises Licence

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

Part 1 – Premises Details

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

Midsomer Norton Cricket Ground
Withies Lane
Midsomer Norton
BA3 2JE

Telephone number 01761 412833

Where the licence is time limited the dates Not applicable

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

Sale of Alcohol

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

Indoor Sporting Event (Indoors only)

Every Day	19:00 - 23:00
-----------	---------------

Performance of Live Music (Indoors and Outdoors)

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

Performance of Recorded Music (Indoors and Outdoors)

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

Non standard Timings

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

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

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

15/00756/LAPRE

ANNEX B

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

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

The opening hours of the premises

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

Non standard timings:

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

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

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

Alcohol is supplied for consumption both on and off the premises

Part 2

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

Midsomer Norton Cricket Club
Withies Lane
Midsomer Norton
BA3 2JE

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

Registered Business Number - Not applicable

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

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

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

14/04951/LAPER
Bath & North East Somerset Council

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

Signed for and on behalf of

Bath & North East Somerset Council: *Terrill Wolyn*.....

Dated **23 February 2015**

Annex 1 – Mandatory conditions

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

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

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

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

From 28 May 2014:

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

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

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

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

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

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

where:

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

(a)* 1979 c. 4. Section 1 was amended by regulation 2 of the Excise Duty (Amendment of the Alcoholic Liquor Duties Act 1979 and the Hydrocarbon Oil Duties Act 1979) Regulations 1992 (S.I. 1992/3158), section 162 of and Part 1 of Schedule 29 to the Finance 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.

From 1 October 2014:

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

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

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

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

ANNEX B

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

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

Annex 2 – Conditions consistent with the Operating Schedule

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

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

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

Free drinking water to be made available at all times.

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

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

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

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

Outside music to end no later than 23.00 hours.

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

ANNEX B

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

Annex 4 – Plans

As submitted with application.

Part B
Premises Licence Summary

Premises Licence Number

15/00756/LAPRE

Premises Details

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

Midsomer Norton Cricket Ground
Withies Lane
Midsomer Norton
BA3 2JE

Telephone number 01761 412833

Where the licence is time limited the dates Not applicable

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

Sale of Alcohol

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

Indoor Sporting Event (Indoors only)

Every Day 19:00 - 23:00

Performance of Live Music (Indoors and Outdoors)

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

Performance of Recorded Music (Indoors and Outdoors)

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

Non standard Timings

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

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

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

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

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

The opening hours of the premises

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

Non standard timings:

24th and 26th December of each year, times to be 19.00 to 23.59 hours.
Bank Holiday Sundays, times to be 19.00 to 23.59 hours. Annual Club Dinner held on a date in February or March of each year, times to be 11.00 to 02.00 hours.

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

Alcohol is supplied for consumption both on and off the premises

Name, (registered) address of holder of premises licence

Midsomer Norton Cricket Club
Withies Lane
Midsomer Norton
BA3 2JE

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

Registered Business Number - Not applicable

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

Mr Thomas Webb

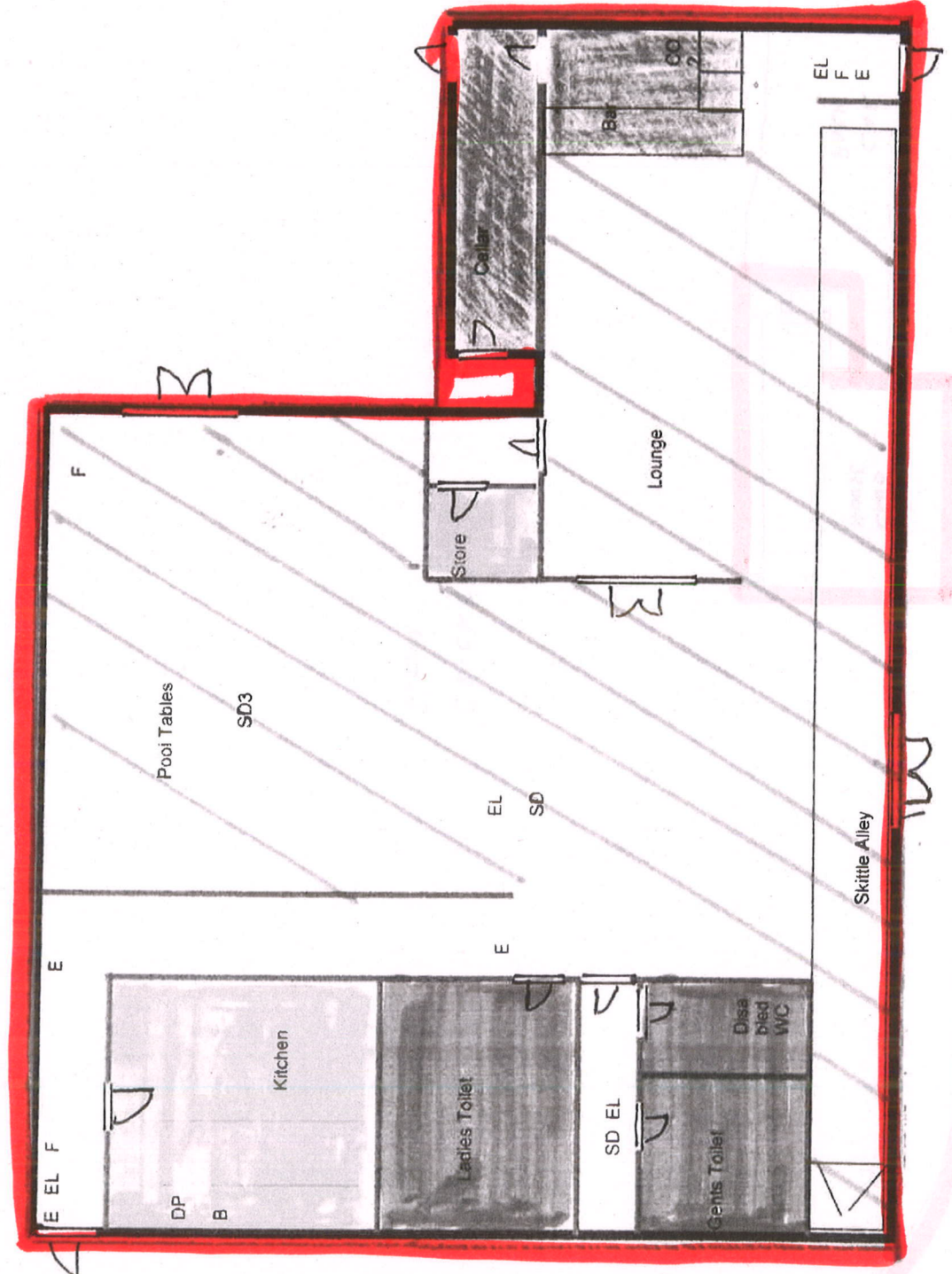
State whether access to the premises by children is restricted or prohibited

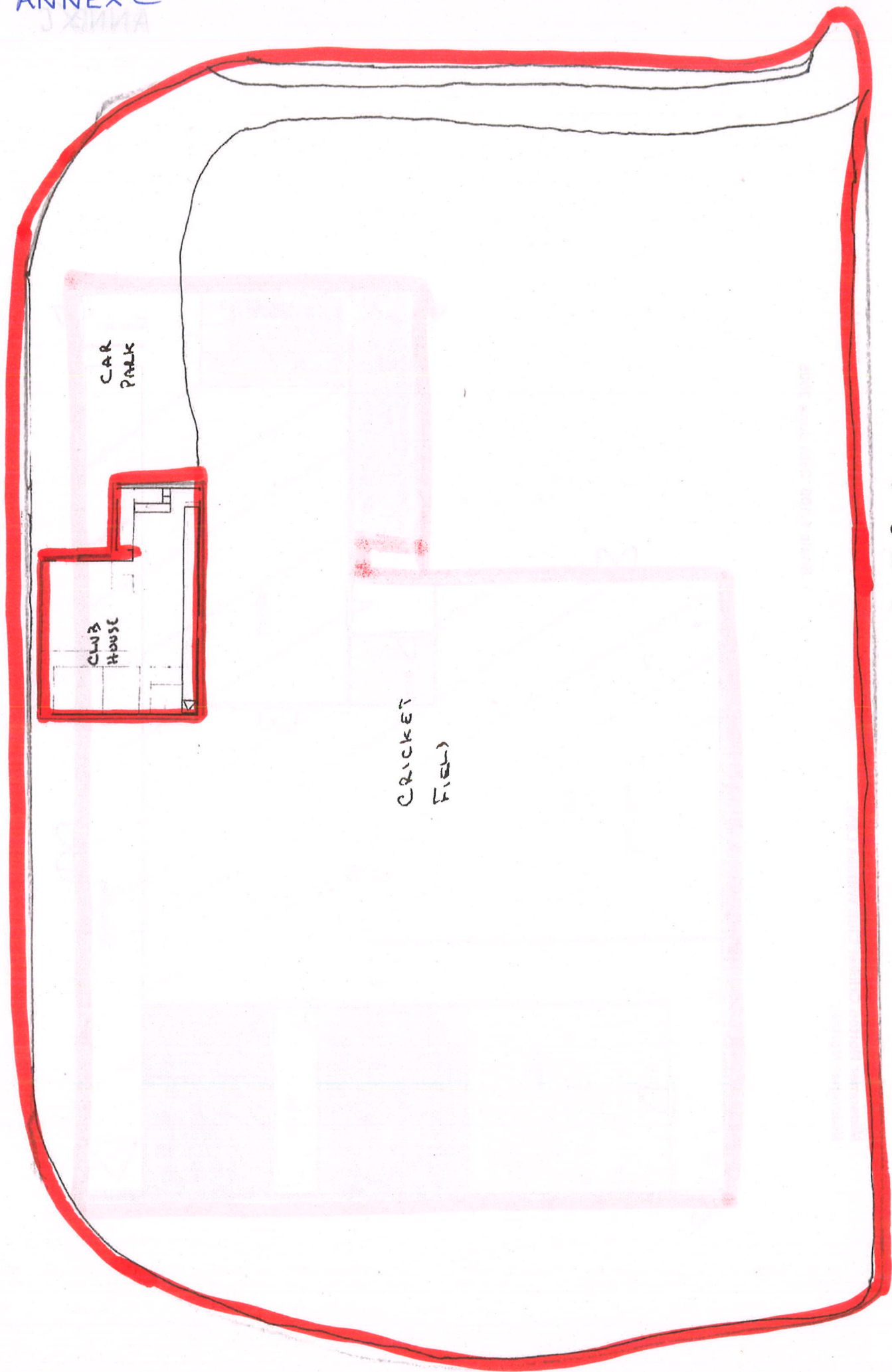
As per Operating Schedule at Annex 2.

Midsomer Norton Cricket Club Withies Lane
Midsomer Norton.

Produced by P. Ephgrave. SMB Licensing

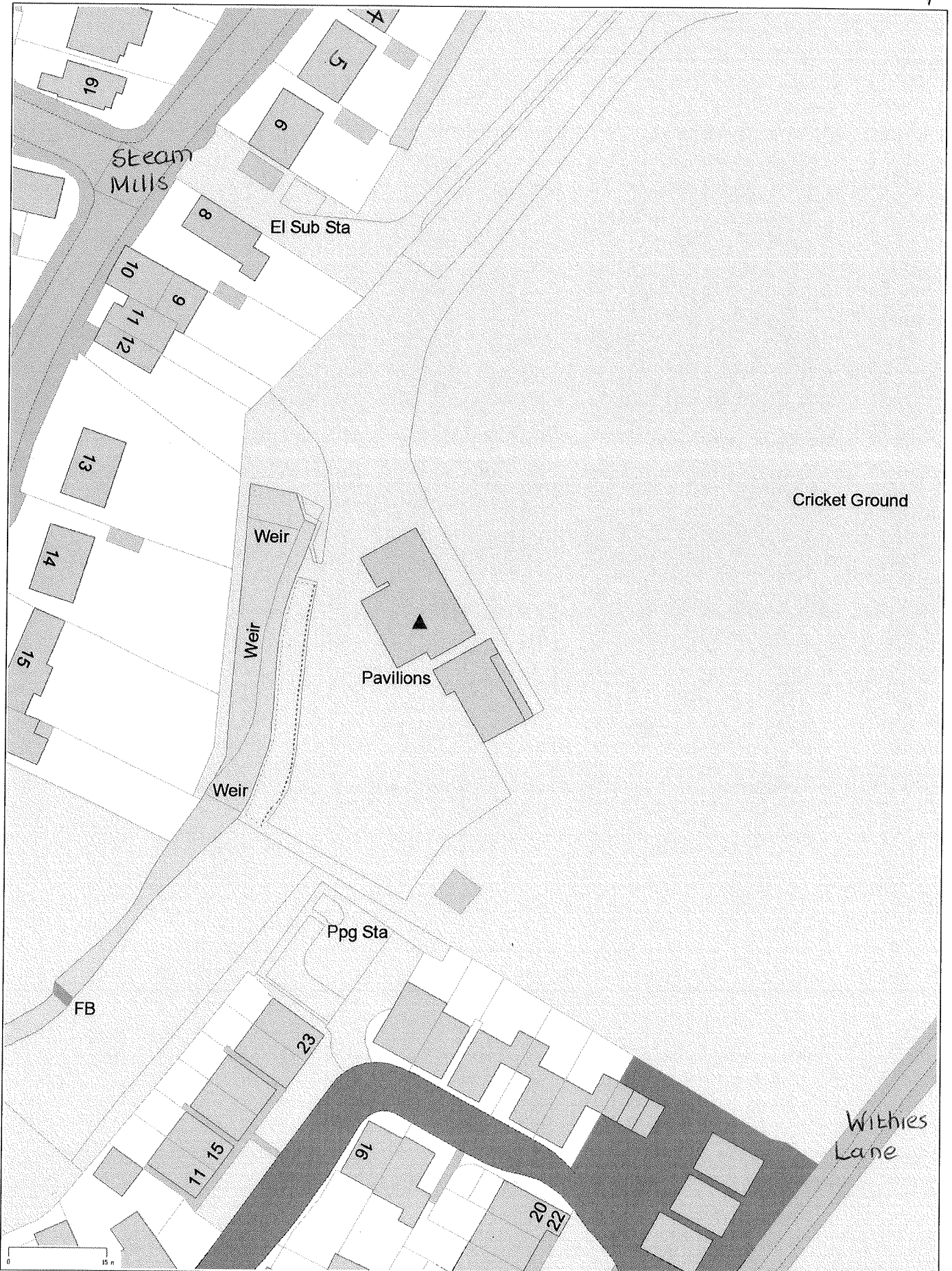
Scale 1:100 26th June 2005





MIDSUMMER NORTON CRICKET CLUB
WITTHIES LANE
T1-9-11

NOT TO SCALE
26.6.05



Terrill Wolyn

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

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

Dear Sir / Madam,

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

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

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

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

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

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

Yours sincerely

Martyn Russell JP

Terrill Wolyn

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

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

Dear Sir/Madam,

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

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

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

Yours faithfully

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

Terrill Wolyn

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

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

Dear Sir.

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

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

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

Judith and Brian Tolfree

Terrill Wolyn

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

From: [\[redacted\]](#)
Sent: 21 February 2015 10:12
To: Licensing
Subject: Midsomer Norton Cricket Club REPRESENTATION - TOLFREE & EARLE

Dear Sir.

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

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

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

Vicky E

Terrill Wolyn

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

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

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

Dear Ms Latta,

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

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

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

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

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

Yours sincerely

Guy Worsdall

Terrill Wolyn

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

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

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

Dear Chris Watt

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

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

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

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

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

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

Yours sincerely

Hugo & Annette Stearn
Steam Mills

Terrill Wolyn

From: Licensing
Subject: FW: Midsomer Norton cricket club

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

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

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

I have grave concerns with this proposal.

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

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

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

Many thanks

Phil jones
27 jubilee close
Midsomer Norton
Ba3 2py

Sent from my Sony Xperia™ smartphone

Terrill Wolyn

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

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

To the Environmental Monitoring and Licensing dept.

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

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

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

Yours sincerely.

Mr & Mrs Maggs.

Withies Park.

Bath And North East
Somerset Council

- 9 MAR 2015

Received

Mr and Mrs Weeks

5th March 2015

B&NES at: Environmental Monitoring and Licensing.

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

Dear Sir / Madam

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

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

Yours sincerely

AC Weeks.

Ann Weeks

BWeeks.

Brian Weeks

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

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

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

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

Explanation of Reasons for this Resolution

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

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

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

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

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

Terrill Wolyn

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

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

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

Re. Application 15/00763/LAPRE

Good morning

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

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

