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**Your ref:**

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**Date:** 22 July 2010

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**To: All Members of the Licensing (Gambling and Licensing) Sub-Committee**

Councillors: Tim Warren (Chair), Bryan Chalker and Carol Paradise

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Licensing (Gambling and Licensing) Sub-Committee: Thursday, 29th July, 2010**

You are invited to attend a meeting of the **Licensing (Gambling and Licensing) Sub-Committee**, to be held on **Thursday, 29th July, 2010** at **10.30 am** in the **Brunswick Room - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely

Sean O'Neill  
for Chief Executive

**If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.**

## NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Sean O'Neill who is available by telephoning Bath 01225 395090 or by calling at the Riverside Offices Keynsham (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Sean O'Neill as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Sean O'Neill as above.

Appendices to reports are available for inspection as follows:-

**Public Access points** - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

**For Councillors and Officers** papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

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

**Licensing (Gambling and Licensing) Sub-Committee - Thursday, 29th July, 2010**

**at 10.30 am in the Brunswick Room - Guildhall, Bath**

**A G E N D A**

1. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5 on the previous page.

2. ELECTION OF VICE-CHAIR (IF DESIRED)

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

To receive any declarations from Members/Officers of personal/prejudicial interests in respect of matters for consideration at this meeting together with their statements on the nature of any such interests declared.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. MINUTES: 24 JUNE 2010 AND 9 JULY 2010 (Pages 1 - 14)

7. LICENSING PROCEDURE (Pages 15 - 18)

The Chair will, if required, explain the procedure.

8. APPLICATION FOR A PREMISES LICENCE FOR GOURMET SCOFFS, 9 TERRACE WALK, BATH BA1 1LN (Pages 19 - 38)

The Committee Administrator for this meeting is Sean O'Neill who can be contacted on 01225 395090.

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**LICENSING (GAMBLING & LICENSING) SUB-COMMITTEE**

**MINUTES OF THE MEETING OF 24 JUNE 2010**

Present: - Councillors: Gabriel Batt, Carol Paradise, Tim Warren (Chair)

Also in attendance: Emma Stoneman (Licensing Officer), Francesca Smith (Senior Legal Adviser)

**10 EMERGENCY EVACUATION PROCEDURE**

The Clerk read out the procedure.

**11 ELECTION OF VICE-CHAIR (IF DESIRED)**

**RESOLVED** that a Vice-Chair was not required on this occasion.

**12 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

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

There was none.

**14 LICENSING PROCEDURE**

At the request of the parties the Chair explained the procedure to be followed for the next item of business.

**15 APPLICATION TO VARY A PREMISES LICENCE FOR THE LOUNGE, GROUND FLOOR AND BASEMENT, 43 ST JAMES'S PARADE, BATH BA1 1UQ**

Applicant: RMH Property Ltd, represented by David Holley (Licensing Agent) and Salvatore Ciambrone (Director and Designated Premises Supervisor)

Interested Party: Mark Quigley

Responsible Authority: Jeremy Lockley (Environmental Health Officer)

The parties confirmed that they understood the licensing procedure.

The Licensing Officer outlined the application. She said that the licence currently authorised the following activities:

Sale of alcohol on and off the premises

Monday to Thursday	11:00 to 00:30
Friday and Saturday	11:00 to 01:30
Sunday	11:00 to 22:30

### Late-night refreshment

Monday to Saturday 23:00 to 00:00

### Opening Hours

Monday to Thursday 08.00 to 01.00

Friday and Saturday 08.00 to 02.00

Sunday 08.00 to 23.00

The variation sought to extend the terminal hour for the sale of alcohol to 01:30 every day, the terminal hour for late-night refreshment to 01.00 every day and the opening times to 02.00 every day...

She said that representations had been received from Environmental Health in relation to the licensing objective of the prevention of public nuisance and from Interested Parties in relation to the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.

Mr Holley stated the case for the applicant. He introduced Mr Ciambrone, who was both a Director of the company that owned the Lounge and the Designated Premises Supervisor, and had run the premises for the past seven years. Mr Holley said that the premises had become noted for cocktails and added colour and variety to the night time economy of Bath. However, he stated that the premises was not a nightclub and the management had no intention that it should become one; the provision of food was one of the most important aspects of the business. He stated that since the weekend hours of the premises had been extended eighteen months ago, there had been no complaints. The management had recently invested in a new kitchen and a new ground-floor bar. Mr Ciambrone stated that in the past seven years the Police had not once been called to the premises and there had only been three complaints about noise. Mr Holley drew attention to the condition in the licence giving the Police the power to require door staff to be employed at the premises by written request. This, he said, could be used if there were complaints, for example, of noise from smokers outside the premises. He noted that the Police had not made a representation to the application. He referred to the comments about noise from music in the representations and said that all music in the premises was background music only and was controlled from the bar on the ground floor. If the management wished to provide live music, they would apply for a Temporary Event Notice. In conclusion, he submitted that the premises were well-run and that there had been no complaints before those made in the representations.

The Chair noted the repeated comments in the representations that the music in the premises was more than background music. Mr Ciambrone said that he had nothing to say in response to these comments; he had run the premises for seven years and there had been no complaints until today. He added that he had removed a speaker from the ceiling in order to reduce the escape of noise. In response to further questions from Members Mr Ciambrone stated that:

- there were residents living immediately above the bar; the landlord of the building had said that he was willing to put sound insulation between the floor above and the ceiling of the bar

- he had no knowledge of a fight which had started inside the premises and had resulted in a prosecution – this may have happened before he had taken over the premises

In response to a question from the Environmental Health Officer, Mr Ciambone said that he would be willing to install a noise limiter for music in the premises.

Mark Quigley, an Interested Party, stated his case. He said that he was also representing the other resident who had made a representation. He said that he believed there would have been more representations if the application had been better publicised. He said that he was frequently disturbed by noise from within and outside the premises. He stated that there were sometimes fights outside the premises, that he thought the management exercised little control over customers; there was no sound proofing in the building, and that the bass from music played in the premises was often intrusive. He believed that noise had increased over the past six months and he sometimes went away at the weekends to escape disturbance. He stated that when the Licensing Officer had visited the premises she had said that the atmosphere outside the premises was threatening and the noise inside deafening. The Licensing Officer confirmed that she had said this, and stated that the time of her visit had been 23:30 on a Friday evening. In response to a question from the Chair Mr Quigley stated that the management had been indifferent when he had complained direct to them, so for several months he had been contacting Environmental Health when there had been noise problems. In response to questions from Mr Holley he said that:

- a noise limiter might help – any reduction in noise would help, but there was also a great deal of noise in the street outside the premises
- he did not think that the landlord would be willing to soundproof the building
- he had lived in the premises for 8 years and the applicant was aware that he had made many complaints about noise

The Environmental Health Officer (EHO) stated his case. He said that there had been three complaints about noise from the premises since March 2010, there was an ongoing investigation and the premises may be being monitored with recording equipment. He believed that any extension of hours could only lead to an increase in noise nuisance and to increased cumulative impact in the area. Mr Holley asked the EHO what he thought the best kind of noise limiter would be. He replied that it would be one where the maximum volume could be adjusted and the power was cut off if the maximum volume level was exceeded. The Senior Legal Adviser pointed out that a volume limiter should not be required for background music only, which was all that was provided in the premises.

The parties were invited to sum up.

Mr Quigley said that the noise from the premises was excessive and would become worse with an extension of hours for the premises. He stated that this would have a severe impact on himself and other residents.

Mr Holley acknowledged that effective points had been made in the representations. He said that the applicant would liaise with the EHO to ensure that music in the premises was played at a satisfactory volume. He stated that there had been an escape of noise when private party was held at the premises; the organisers had brought their own music equipment and that this would not happen again without a

Temporary Event Notice. He further re-iterated that the management had no intention of turning the premises into a nightclub.

The EHO said that he opposed any extension in the hours for the premises because, in his view, this would add to the cumulative impact in the area.

Following an adjournment, the Sub-Committee **RESOLVED** to refuse the application.

## **REASONS**

Members have today determined an application for the variation of a premises licence for The Lounge, Ground Floor and Basement, 43 St James's Parade, Bath. In doing so they have reminded themselves of the provisions of the Licensing Act, Human Rights Act, case law, Statutory Guidance and the Council's Statement of Licensing Policy which includes a Cumulative Impact Policy.

Members note that the proper approach under the Licensing Act is to determine an application on its own merits and be reluctant to regulate unless there is evidence that premises will have a negative impact on the licensing objectives. Members listened to and balanced the competing interests of the applicant, the Responsible Authority and the Interested Parties when reaching a decision.

The application attracted representations on the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. Members were careful to disregard representations falling outside the Licensing Act 2003.

Members have considered the representations and taken account of the evidence put before them, which included the nature of the premises, and the way in which it had been and was proposed to operate.

Members noted that the premises fell within the cumulative impact area according to the Council's cumulative impact policy contained in its Statement of Licensing Policy. This creates a rebuttable presumption that any applications for new premises licences, or variations, in the area of cumulative impact, will be refused where relevant representations are received, unless the applicant can show that the operation of the premises will not add to the cumulative impact already being experienced.

Members noted that the applicant had not demonstrated that the variation, if granted, would not add to the cumulative impact already being experienced in the area. They concluded that, if it was granted in accordance with the application, it would add to the cumulative impact in the area and would not promote the licensing objectives. They also considered that, if additional conditions were imposed to those already existing, it would not control the nuisance that had already arisen.

Members therefore refused the application accordingly.

The meeting finished at 2.35 pm.

Chairman.....

Date signed and confirmed.....



**LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE**

**Minutes of the Meeting held**

Friday, 9th July, 2010, 10.30 am

**Present:-** Councillors: Bryan Chalker, Carol Paradise, Tim Warren (Chair)

**Also in attendance:** Andrew Jones (Environmental and Licensing Manager), Shaine Lewis (Senior Legal Adviser)

**16 EMERGENCY EVACUATION PROCEDURE**

The Clerk read out the procedure.

**17 ELECTION OF VICE-CHAIR (IF DESIRED)**

**RESOLVED** that a Vice-Chair was not required on this occasion.

**18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**19 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

**21 MINUTES: 17 JUNE 2010**

These were approved as a correct record and signed by the Chair.

**22 LICENSING PROCEDURE**

The Chairman drew attention to the licensing procedure, copies of which had been made available to members of the public attending the meeting.

**23 APPLICATION FOR REVIEW OF A PREMISES LICENCE FOR BRIGHT STORES,  
16A WINDSOR VILLAS, LOWER WESTON, BATH BA1 3DJ**

Applicant for Review: Trading Standards, represented by Robin Wood, Senior Trading Standards Officer

Responsible Authority: the Police, represented by Martin Purchase (Police Liquor Licensing Bureau) and Inspector Steven Mildren,

Witnesses for the Police: PC Andrew Grabowski, Mrs Catherine Wilson

Bright Stores, represented by Zaheer Hussain (Licence Holder and Designated Premises Supervisor), Aftab Hussain

The parties confirmed that they had received and understood the review procedure.

The Environmental and Licensing Manager introduced the application. He explained that Bright Stores was currently authorised to sell alcohol for consumption off the premises between 10:00 and 23:00 every day. The review application had been brought by Trading Standards, who were seeking the revocation of the licence on the grounds that the licensing objectives of the protection of children from harm and the prevention of crime and disorder were being undermined by sales of alcohol to persons under the age of 18. The Police had made a representation to the application, and had also requested that the licence be revoked.

Robin Wood, Senior Trading Standards Officer, stated the case for the Applicant for Review. He said that the premises had failed test purchases on three occasions, once on 16 February 2010 and twice on 17 May 2010. He explained the procedure for test purchases. He stated that these were governed by strict Home Office guidelines and that only children who looked their age could be used to conduct them. Trading Standards worked closely with the Police in relation to test purchases. They were sometimes random, sometimes more targeted and related to intelligence received. He stated that this was only the second time that Trading Standards had initiated the review of a licence and the first time that they had sought the revocation of a licence. Trading Standards usually found that fixed penalties or prosecution were sufficient to bring about a change of behaviour. But in the case of Bright Stores further complaints had been received after a fixed penalty had been imposed following a failed test purchase in February 2010 and after the Designated Premises Supervisor had attended a meeting at Bath Police Station in March 2010, at which he had been given advice about requiring ID from those who appeared to be under age. A report had been received in April 2010 that alcohol was being sold to children, and further test purchases were made on 17 May 2010, which were both failed, resulting in the sale of a bottle of cider and a bottle of vodka to two 16-year old boys. Test purchases made at four other premises on the same day with the same boys had been refused. A further complaint about selling alcohol to children at the premises was received two weeks later. Mr Wood said that a picture had emerged of a premises that was regularly flouting the law. There was evidence that the premises had acquired a reputation among children as being a place where it was easy to buy alcohol. The application contained plentiful evidence of the serious harm that had been caused to children by alcohol sold to them at the premises. Trading Standards did not think that a prosecution would be effective in protecting children from further harm, but that only the revocation of the licence would be.

In reply to a question from a Member, Mr Wood stated that it had been difficult to assess the attitude of the Licence Holder to underage sales. On the one hand he had expressed regret, but it did not seem that he made efforts to prevent them happening again.

The Licence Holder had no questions to put to Mr Wood.

Martin Purchase stated the case for the Police. He invited PC Andrew Grabowski to make a statement. PC Grabowski referred to the incident log attached to the Police's representation and to the note of a meeting with the Licence Holder held at Bath

Police Station on 17<sup>th</sup> March 2010. He stated that he had issued a fixed penalty notice to Mr Shaznad Hussain, brother of the Licence Holder, on 9<sup>th</sup> February 2010 after a failed test purchase. He referred to the statement attached to the review application from a mother of a 13-year old boy, who had come home intoxicated on 1<sup>st</sup> May 2010. PC Grabowski had attended to take statements and had seen the boy, who in his opinion could not have been taken for an 18-year old. The boy had later identified the premises from which he had bought a bottle of cider as Bright Stores. The boy's friend, who was also 13, had purchased a bottle of cider from the premises at the same time. He had said that when he told the person serving that he wanted cider, he had been asked if he had a bag to put it in, and when he replied that he had, it was sold to him. On the 20<sup>th</sup> May 2010 the premises had been reported for summons. On 3<sup>rd</sup> June 2010 PC Grabowski had taken statements following the admission of a 14-year old boy to the Royal United Hospital on 1<sup>st</sup> June 2010 after he had consumed alcohol. Following a visit to the premises on 3<sup>rd</sup> June, Mr Purchase had written to the Licence Holder advising him of the extremely serious nature of the incident. PC Grabowski stated that many reports had been received from residents about problems involving young people occurring in the vicinity of the premises. There was an alley near the premises, which led to a play area next to the river. The play area was supposed to be for the use of children under the age of 14, but had become a gathering place for older youths. Reports had been received of groups of up to 20 youths drinking there. There were always empty drink cans and bottles scattered there. In June there had been a report that youths had bought drink from the premises and gone to the play area to consume it.

In reply to questions from Members, PC Grabowski and Mr Purchase stated:

- the next nearest premises selling alcohol was in Chelsea Road, about a quarter of a mile from Brights Stores
- they had not asked to see CCTV recordings made at the premises

Mr Purchase invited Mrs Catherine Wilson to make a statement. Mrs Wilson said that her son had been admitted to the Royal United Hospital on 1<sup>st</sup> June 2010 after consuming alcohol. He had gone out that night to attend an alcohol-free nightclub for young people in Bath. Her son was 14, did not shave, and his voice had not broken. She thought that there was no way that he could be mistaken for an 18-year old. On the evening of 1<sup>st</sup> June, she received a phone call from her friend's son, who told her that her son was about to be taken by ambulance to hospital and that he was unconscious but still breathing. She went immediately to Bath to see her son, who was covered in vomit, being put into the ambulance. She followed the ambulance to the RUH. Her son was put on a drip and remained unconscious for several hours. His blood pressure was low and he vomited several times during the night. She was told by her son's friend that they had gone skating in Victoria Park and then gone to Bright Stores. They knew that if they took their own bag, they would be able to buy drink from the store. Her son had drunk three quarters of a bottle of vodka. The nurse had said that she thought that if she had drunk that much she would probably have died. Her son had no access to alcohol at home.

Mr Purchase invited Inspector Steve Mildren to make a statement. Inspector Mildren submitted that Members had before them evidence of repeated disregard for licensing law and for the authorities. A 14-year old boy's life had been put at risk, and residents in the vicinity of the premises had had their lives blighted by anti-social

behaviour. There was evidence that the premises had a reputation among young people as being somewhere they could buy alcohol. The licence holder and his staff had totally disregarded their responsibilities, and had adversely affected the lives of a significant number of young people. He believed that there were no conditions that could be attached to the licence that would be effective, and therefore urged the Sub-Committee to revoke the licence.

In reply to a question from a member, Inspector Mildren stated that there was evidence that alcohol was sold to children with a mark-up of £1 or £2 on the usual selling price.

The Licence Holder had no questions to put to the Police or either of the witnesses.

Mr Zaheer Hussain stated his case. He apologised for what had happened and acknowledged that it had been unacceptable. He wished to retain the licence. He had appointed a new manager for the store with effect from 7<sup>th</sup> June 2010 and a challenge 21 policy had been introduced. He would try his best to work with the new manager to resolve any problems. He believed that there had been no problems since the new manager had been appointed. The CCTV was now working properly.

A Member asked what specific measures would be implemented to prevent underage sales. Mr Aftab Hussain replied that no sales would be made without proof of age. The Member asked why it had taken so long before positive measures to prevent underage sales had been introduced. Mr Zaheer Hussain replied that CCTV recordings had not revealed any problems. He had built on what had been agreed at his meeting with the Police. He stated that the local residents liked his store and that he had received a lot of support. He said that he sponsored local charities. In reply to further question from Members, he said that he had been involved with other businesses and had not been able to give his exclusive attention to Bright Stores. He remained as Designated Premises Supervisor, but was now there all the time and no longer visited just once a week. He said that staff would receive licensing training. He would work with the staff to resolve any problems. He apologised that he had not taken action sooner.

The parties were invited to sum up.

Mr Zaheer Hussain said that he had nothing to add.

Mr Wood said that Mr Hussain had made promises, but he had made promises in the past and not kept them. The overwhelming priority was the protection of children from harm. It would send a weak message to the licensed trade if the License Holder were allowed to retain the licence despite the evidence that the Sub-Committee had heard.

Mr Purchase said that the Sub-Committee had heard plentiful evidence of a total disregard of the law. There had been numerous interventions from the authorities, which had not produced any improvement. This was the worst case that he had been involved in during his ten years with the Police.

Following an adjournment, the Sub-Committee **RESOLVED** to revoke the premises licence for Bright Stores. Authority was delegated to the Licensing Officer accordingly.

## REASONS

Members have determined an application for a Review of a Premises Licence at Bright Stores, 16a, Windsor Villas, Bath. In doing so they have reminded themselves of the Licensing Act 2003, Statutory Guidance, the Council's Statement of Licensing Policy and the Human Rights Act 1998.

Members are aware that the proper approach under the Licensing Act 2003 is to be reluctant to regulate in the absence of real evidence. Further, they must only do what is necessary and proportionate to promote the licensing objectives based on the evidence presented to them.

Members listened carefully to the applicant, took account of the representations from the Police, the Interested Parties and also took account of the representations made by the licence holder. Members were careful to balance the competing interests of the parties.

Members heard that there were numerous calls to Trading Standards alleging that the premises were selling alcohol to children. This led to a Trading Standards investigation and during a test purchase on the 10/02/10 cider was sold to a 16 year old boy by the store manager witnessed by a Trading Standards Officer. On the 17/03/10 the Premises Licence holder/Designated Premises Supervisor attended Bath Police Station where the operation of the premises was discussed and the suggestion made that the DPS should exercise more day-to-day control. It was agreed that a proof of age scheme was to be adopted and that the DPS exercised better day-to-day management of the premises. On the 17/05/10 further test purchases were carried out and underage sales witnessed; a 500ml bottle of cider was sold to a 16 year old boy and a 2ltr bottle of cider sold to another 16 year old boy.

Members heard that the premises have become known in the locality as being premises where young people can purchase alcohol and this has resulted in a steady increase in alcohol related crime and disorder amongst young people as they are attracted to the premises and remain in the vicinity of the premises to consume their purchases. Members further heard that a Fixed Penalty Notice had been issued for underage sales, criminal proceedings have been issued by the police, a child had been hospitalised after consuming alcohol he had purchased from the premises and numerous other complaints had been received by Trading Standards and the Police about underage sales.

Members noted that the Premises Licence holder did not challenge any of the evidence they were presented with.

The Premises Licence holder said he was very sorry and wanted to keep his licence. He accepted that improvements could be made but said he did not know anything about the problems until he was told about them by the Police. He said that in the past he could only visit the shop about once a week but intended to exercise better management control of the premises. He further stated that he had appointed a new manager, had adopted a proof of age scheme and given training to staff.

Members found the applicant's evidence compelling that despite numerous interventions and advice from Trading Standards and the Police the premises continued to disregard the law. Members therefore revoked the Premises Licence because they do not consider a suspension would protect children from harm in the long term and further were not satisfied in the light of the evidence from all parties that the Premises Licence holder would be able to abide by any further conditions.

**24 APPLICATION FOR A PREMISES LICENCE FOR SOLO BURGER, 10 RIVERS STREET PLACE, JULIAN ROAD, BATH BA1 2RS**

Applicant: Mr Kambiz Shayegan Zadeh, represented by David Holley (Licensing Agent)

Interested Party: the Circus Residents Association, represented by Henry Brown

Witnesses for the Interested Party: Mrs Rothwell and Mr Plumstead

The Environmental and Licensing Manager introduced the application, which was for a new premises licence authorising the sale of alcohol, with food orders only, for consumption off the premises between the hours of 11.00 and 23.00 Monday to Sunday. Representations had been received from Interested Parties relating to the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

Mr Holley stated the case for the applicant. He said that the applicant, who had owned and operated a takeaway in Julian Road for six months, wished to offer his customers the option of buying wine or beer to consume with the food they purchased from him. He did not wish the premises to become an off-licence. Food was served at the shop or could be ordered for delivery to customers' homes. There were no other premises selling hot food in Julian Road, though there were other premises in the road selling alcohol up to 23.00. He said that the applicant had taken time to discuss the application with him before submitting it. As a result, he had decided not to store alcohol in the ground floor shop; customers would be able to consult a wine and beer list from which they could make their selection. He had also decided that it was best at present not to open beyond 23.00. Following an incident where a pile of rubbish left outside a shop in the road had been set on fire, the applicant had decided that no rubbish would be left outside the premises, but would be removed every day. Mr Holley noted that there had been no representations from residents living in Julian Road or neighbouring roads. He drew attention to the fact that the premises were on the very edge of the cumulative impact area, and referred to paragraph 16.11 of the Council's Statement of Licensing Policy, which states that applications will be decided in accordance with the individual circumstances of the case.

In response to questions from Members, Mr Holley and Mr Zadeh stated:

- there would be a minimum charge of £10 for food purchased at the premises
- the drinks sold would be wine and beer, but not cider or canned beer
- the strength of the beer sold would be 3.5-4%

- if people wanted cheap beer, they would be more likely to go to another outlet

In response to questions from Mr Brown, Mr Holley and Mr Zadeh stated:

- wine and beer would be sold in bottles
- it was expected that the sale of drink would account for 10% of the turnover of the premises
- the applicant had not sought support from local residents for the application

Mr Brown stated the case for the Circus Residents' Association. He introduced his witnesses, Sally Rothwell and John Plumstead, local residents who shopped regularly in Julian Road. Mr Brown said that Julian Road was a small shopping area, situated in a mixed residential inhabited by both the young and the elderly. There was a primary school nearby. A good deal of motor traffic used Julian Road as an alternative route. He noted that an Interested Party had said in his representation that Julian Road could be intimidating at night because of noise and disturbance from people gathering there. Mr Brown said that residents were concerned that more people would be attracted to the premises if they could buy alcohol there, and that there would be an increase in noise nuisance, litter and broken bottles. He referred to the information he had circulated to the parties before the meeting, which gave figures provided by the Police about crime and disorder in the area. This revealed that 23% of crime incidents around Julian Road were crimes against the person and that 57% of anti-social behaviour occurred between 18:00 and 02:00 and that there was a higher-level of anti-social behaviour between 18:00 and 00:00 on Friday to Sunday. There was already crime and disorder in the area, and residents feared that another outlet selling alcohol would make this worse. He suggested that customers who had bought food and drink from the premises would be likely to sit down nearby to consume them, which could lead to increased litter. Glass bottles which had they left behind might be broken by other people and become a hazard to children and dogs. He called his first witness, Sally Rothwell. She said that went to Julian Road two or three times a day. She often felt intimidated by people hanging around in the road for no obvious purpose and avoided going there at night. There was always a great deal of paper litter and broken glass in the road. Mr Brown then called Mr Plumstead, who said that he also went to Julian Road two or three times a day. With the consent of the applicant and by leave of the Chair, Mr Plumstead submitted a photograph showing a group of people sitting on the pavement by a building in Julian Road. Ms Rothwell said that this would not have been seen five years ago. Mr Brown said that he hoped that the Sub-Committee would reject the application. If Members felt unable to do this, he asked them to consider attaching the following conditions to the licence:

1. No special offers to be permitted.
2. Sales of alcohol to be with deliveries only.
3. Drink not to be supplied in glass bottles.

Mr Holley asked Mr Brown whether there was any evidence linking anti-social behaviour in Julian Road to the consumption of alcohol. Mr Brown replied that this

might be inferred from the fact that most anti-social behaviour occurred between 18:00 and 00:00 and was worse at weekends.

The parties were invited to sum up.

Mr Brown said that the premises appeared to have few customers at present, but residents were concerned that if an alcohol licence were granted, many more people would be attracted to them. There was a fear that the premises might try to attract customers by selling cheap drink and that there would be an increase in anti-social behaviour in the area. He urged the Sub-Committee to reject the application, or if they felt unable to do so, to impose the conditions he had suggested.

Mr Holley submitted that the representations contained a lot of opinion, but very little hard evidence. The Co-operative Store in Julian Road, which sold alcohol, had been there a long time and there was little to suggest that it had contributed to anti-social behaviour. The Council's Statement of Licensing Policy said that the impact of different kinds of premises would be different and that decisions should reflect the individual circumstances of each application. The premises were only just within the cumulative impact area. A good deal of thought had been given to the application before it was submitted and appropriate conditions had been included in the operating schedule.

Following an adjournment, the Sub-Committee **RESOLVED** to grant the licence, subject to the mandatory conditions, to conditions consistent with the operating schedule, and to the following conditions imposed by the Sub-Committee:

- There shall be no irresponsible drinks promotions
- Alcohol shall only be sold with food
- Alcohol shall only be provided with a minimum food order of £10
- Beer shall not be sold in glass bottles

Authority was delegated to the Licensing Officer to issue the licence accordingly.

## **REASONS**

Members have determined an application for a Premises Licence at Solo Burger, Rivers Street Place, Bath. In doing so they have reminded themselves of the Licensing Act 2003, Statutory Guidance, the Council's Statement of Licensing Policy, which includes the cumulative impact policy, and the Human Rights Act 1998.

Members are aware that the proper approach under the Licensing Act 2003 is to be reluctant to regulate in the absence of real evidence. Further, they must only do what is necessary and proportionate to promote the licensing objectives based on the evidence presented to them.

Members listened carefully to the applicant, took account of the representations from the Police, the Interested Parties and also took account of the representations made by the licence holder. Members were careful to balance the competing interests of the parties.



The applicant stated that the business had been operating successfully as a take-away food outlet for the last 6 months but in response to demand for deliveries of wine with food he wanted to be able to offer the off sale of alcohol. He suggested that the sale of alcohol with food raised only minor risks to the licensing objectives and that conditions would be able to deal with these. So far as the protection of children from harm was concerned a number of conditions relating to deliveries and the age of recipients were suggested.

Members noted that there were no representations from the Police regarding crime and disorder or from Children Services on the protection of children from harm. However, Members heard representations from interested parties who stated that Rivers Street is a densely populated area and anything that encouraged people to hang around with alcohol in glass bottles would lead to an increase in crime and disorder, public nuisance, litter and broken glass as residents already felt intimidated by people hanging around on Julian Road.

Members do not consider that these premises will add significantly to cumulative impact and grant the licence as applied for with conditions consistent with the operating schedule and as suggested by the applicant this morning. Members also add the following conditions as necessary and proportionate to promote the licensing objectives.

- There shall be no irresponsible drinks promotions
- Alcohol shall only be sold with food
- Alcohol shall only be provided with a minimum food order of £10
- Beer shall not be sold in glass bottles

Delegated authority to the licensing officer to issue the licence.

The meeting ended at 1.20 pm

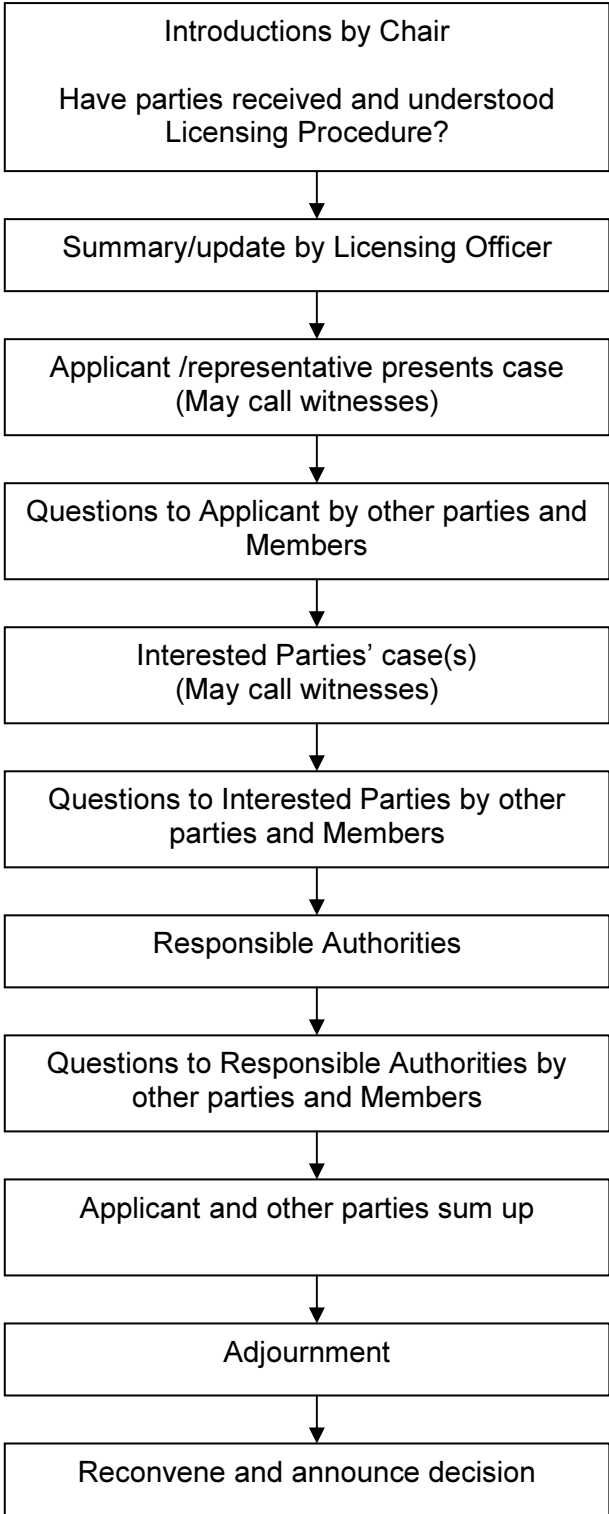
Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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**LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE  
PROCEDURE FOR NEW APPLICATIONS AND VARIATIONS**



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## LICENSING ACT 2003

### LICENSING COMMITTEE HEARING PROCEDURE ALCOHOL, LATE NIGHT REFRESHMENT AND ENTERTAINMENT

1. The Chair will introduce Members of the Sub-Committee and Officers present and explain the procedure to be followed.
2. The Licensing Officer will outline the nature of the matter to be considered by the Sub-Committee.

*In the following paragraphs where the term “party” or “parties” is used in addition to other terms this will mean anyone to whom notice of this meeting has been given.*

3. (i) The Applicant/Licence Holder (“the Applicant”), or representative, addresses the Sub-Committee. The Applicant may be asked relevant questions about the matters before the Sub-Committee by the other parties and the Members.  
(ii) The Applicant, or representative, may call witnesses in support of the application and each witness may be asked relevant questions by the other parties and the Members.
4. (i) Any interested parties [defined in s.69(3)] making relevant representations, or representative, will take it in turn to address the Sub-Committee. You may be asked relevant questions by the other parties, the Applicant and the Members.  
(ii) You (or your representative) may call witnesses in support of your representations and each witness may be asked relevant questions by the Applicant, the other parties and the Members.
5. Any Responsible Authority [defined in s.69(4)] making a representation will address the Committee. The Responsible Authorities may be asked relevant questions by the Applicant, other parties and the Members.
6. The Applicant will then be invited to briefly summarise the application.
7. The other parties will then be invited in turn to briefly summarise their points if they wish in the same order as before.
8. The Chair will invite the Sub-Committee to move into private session to enable the Sub-Committee to deliberate in private in accordance with Paragraph 14(2) of the Hearings Regulations 2005. The Sub-Committee will only reconvene to resolve any points of uncertainty on the evidence already given. During their deliberation the Sub-Committee will be accompanied *for advice only* by the Legal Advisor and the Committee Administrator. The Sub-Committee may retire to a private room or alternatively require vacation of the meeting room by all other persons.
9. When the Sub-Committee resumes, the Chair will announce the decision in public; this will include the reasons (or advise that the decision will be released in writing with reasons within the statutory time limit in this instance 5 working days).

## **PLEASE NOTE:**

- Where the Sub-Committee considers it necessary to do so, it may vary this procedure.
- Decisions will generally be taken regardless of whether the Applicant is present. All notices and representations received from absent parties will be considered.
- Only in **exceptional circumstances** will the Committee take into account any additional late documentary or other information produced by an existing party in support of their application/representation. This will be at the discretion of the Chair and with the agreement of all the other parties. No new representations will be allowed at the hearing.
- The hearing will take the form of a discussion. However, the Council will allow all parties to ask questions of another party present, as set out above, but formal cross examination will be discouraged.
- The Authority will disregard any information or representation given by a party which is not relevant to the Application and the Licensing Act 2003.
- The Chair will allow the parties an equal maximum period of time in which to make representations. The amount of time will be at the discretion of the Chair, but in the interests of costs and efficiency will not normally exceed **twenty minutes**. This will include the time taken for the presentation and the summing up, but not the time taken for questions.
  - **N.B. Where there is more than one party making relevant representations the time will be split between those parties.** It is recommended that they arrive early to discuss the application with the other interested parties.
- The Chair may require any person attending the hearing who is behaving in a disruptive manner to leave the hearing and refuse to allow that person to return, or only allow them to return subject to certain conditions. Any person so excluded will however be entitled to submit to the Sub-Committee any information which they would have been entitled to give orally had they not been required to leave.
- Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion, but on occasion may find it necessary to exclude members of the press and public based upon the legal framework given in the Local Government Act 1972 Schedule 12 (a). On these occasions decisions based on the above framework will be given.

<b>Bath &amp; North East Somerset Council</b>		
MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER
MEETING DATE:	<b>Thursday 29 July 2010</b>	
TITLE:	Application for a Premises Licence for <b>Gourmet Scoffs</b> , 9 Terrace Walk, Bath, BA1 1LN	
WARD:	Abbey	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		
Annex A Application for a Premises Licence		
Annex B Site Plan		
Annex C Representation from Avon and Somerset Constabulary		
Annex D Letter of agreement from Applicant		

**1 THE ISSUE**

1.1 An application has been received for a new Premises Licence under the Licensing Act 2003 in respect of **Gourmet Scoffs, 9 Terrace Walk, Bath, BA1 1LN**

**2 RECOMMENDATION**

2.1 That the sub committee determines this application.

**3 FINANCIAL IMPLICATIONS**

3.1 There are no financial implications arising from this report.

**4 THE REPORT**

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

4.2 The application is for:

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

Monday to Sunday                      10.00 to 20.00

- 2) The **Opening Hours** are not specified.

- 4.3 A site plan is attached at Annex B.
- 4.4 The Licensing Act 2003 (Section 4) states that it is the duty of all Licensing Authorities to carry out their functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:-
- a) The Prevention of Crime and Disorder.
  - b) Public Safety.
  - c) The Prevention of Public Nuisance, 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/notifications the Licensing Authority will have regard to these licensing objectives.

- 4.5 The Licensing Authority may grant the application with or without additional conditions.
- 4.6 The Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:-
- a) Paragraphs 3, 5, 6, 9, 10, 15-20, 23, 24, 28, 33-37, 41 to 44 of the policy.
  - b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised on 28 June 2008).
  - c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, 183, and Schedule 2 of the Act.
- 4.7 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.

- 4.8 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, and the child protection agency.
- 4.9 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 days of submitting the application to the licensing authority.
- 4.10 A representation has been received from Avon and Somerset Constabulary in relation to the licensing objective of the Prevention of Crime and Disorder (Annex C). The representation states that the operating schedule of the application does not contain any satisfactory measures to promote this particular licensing objective. Following



consultation and agreement with the applicant the following conditions have been proposed:

1. Alcohol will only be served by waiter or waitress service to persons seated at tables.

2. Alcohol will only be served with menu based foods, which will be available at all times that licensable activity takes place.

3. All staff will be trained in the sale of alcohol by a personal licence holder or approved trainer.

4.11 The applicant has confirmed in writing that he agrees to the proposed conditions (Annex D).

4/12 This report has not been sent to the Trades Union because they would have no involvement.

<b>Contact person</b>	Emma Stoneman, Licensing Officer, 01225 396719
<b>Background papers</b>	Licensing Act 2003, Guidance Notes issued under section 182 of the Licensing Act 2003, Licensing Act 2003 Regulations, B&NES Statement of Licensing Policy.



Bath & North East  
Somerset Council

27 MAY 2010

Post Log No: 211618  
Receipt No:  
CH/CA £:Licensing Team, Public Protection,  
9-10 Bath Street, Bath, BA1 1SN**Application for a Premises Licence to be granted  
under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

I/We GOURMET SCOFFS LTD apply  
(insert name of applicant)

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

**Part 1 – Premises Details**

Including name and postal address of premises or, if none, ordnance survey map reference or description

GOURMET SCOFFS  
9 TERRACE WALK

Post town BATH

Postcode BA1 1LN

Telephone number at premises (if any)

01225 471137

Non-domestic rateable value of premises

£ 9700

2010 - 13500

## Part 2 – Applicant Details

Please state whether you are applying for a premises licence as

*(Please select)*

- |   |   |
|---|---|
| a) an individual or individuals*  | <input type="checkbox"/> Please complete section (A)            |
| b) a person other than an individual*   |   |
| i. as a limited company   | <input checked="" type="checkbox"/> Please complete section (B) |
| ii. as a partnership  | <input type="checkbox"/> Please complete section (B)            |
| iii. as an unincorporated association or  | <input type="checkbox"/> Please complete section (B)            |
| iv. other (for example a statutory corporation)   | <input type="checkbox"/> Please complete section (B)            |
| <br>  |   |
| c) a recognised club  | <input type="checkbox"/> Please complete section (B)            |
| <br>  |   |
| d) a charity  | <input type="checkbox"/> Please complete section (B)            |
| <br>  |   |
| e) the proprietor of an educational establishment   | <input type="checkbox"/> Please complete section (B)            |
| <br>  |   |
| f) a health service body  | <input type="checkbox"/> Please complete section (B)            |
| <br>  |   |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> Please complete section (B)            |
| <br>  |   |
| h) the chief officer of police of a police force in England and Wales   | <input type="checkbox"/> Please complete section (B)            |

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

*(Please select)*

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - a statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(B) OTHER APPLICANTS**

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

Name	GOURMET SCOFFS LTD
Address	9 TERRACE WALK BATH BA1 1LN
Registered number (where applicable)	7086691
Description of applicant (for example partnership, company, unincorporated association etc)	LIMITED COMPANY
Telephone number (if any)	01225 471137
Email address (optional)	

**Part 3 – Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
01	08	2010

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

Day	Month	Year
		20

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

**Please give a general description of the premises (please read guidance note 1)**

THE PREMISES IS A SANDWICH SHOP / CAFE SITUATED OVER 2 FLOORS WITH SEATING ON THE FIRST FLOOR. WE SELL TAKE AWAY SANDWICHES & PASTRIES AND LUNCHES BREAKFASTS AND AFTERNOON TEAS. IT IS SITUATED CENTRALLY WITH OTHER RETAIL OUTLETS, CAFES AND PUBS IN THE IMMEDIATE PROXIMITY. THE BUILDING IS PART OF A TERRACE.

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

(Please select)

**Provision of regulated entertainment**

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

**Provision of entertainment facilities for:**

- i) making music (if yes, fill in box I)
- j) dancing (if yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)  
(if yes, fill in box K)

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

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

**In all cases complete boxes N, O and P**

M

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises <input checked="" type="checkbox"/>		
				Off the premises <input type="checkbox"/>		
				Both <input type="checkbox"/>		
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)			
Mon	10.00	20.00				
Tue	10.00	20.00				
Wed	10.00	20.00				
Thur	10.00	20.00			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Fri	10.00	20.00				
Sat	10.00	20.00				
Sun	10.00	20.00				

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

Name	PAUL McEVoy
Address	29 EASTOVER RD HIGH LITTLETON BRISTOL
Postcode	BS39 6HY
Personal Licence number (if known)	BANES-06-03794-LAPER
Issuing licensing authority (if known)	BANES



N

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

N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			N/A
Tue			
Wed			
Thu			Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			
			N/A

P

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

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

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

THE BUILDING IS SECURE AND ALL EXCESS STOCK WILL BE KEPT IN LOCKED STOREROOM. OUR CUSTOMERS ARE FAMILIES AND TOURISTS AND WILL ONLY BE DRINKING SMALL AMOUNTS WITH MEALS.

**c) Public safety**

THE PREMISES COMPLY WITH ALL STATUTORY FIRE CONTROLS & FOOD SAFETY REGULATIONS

**d) The prevention of public nuisance**

THERE WILL BE NO EXCESS NOISE, WE WILL NOT BE OPENING UNSOCIABLE HOURS

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

NO ALCOHOL WILL BE SOLD TO ANYONE WHO'S AGE IS IN DOUBT WITHOUT LEGITIMATE IDENTIFICATION

Please select for Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application, by way of a notice displayed at the premises for 28 days and a notice in a local newspaper within 10 working days of submitting a valid application
- I understand that if I do not comply with the above requirements my application will be rejected

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

#### **Part4 – Signatures** (please read guidance note 10)

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

Signature

Evans.

Date

25/05/10

Capacity

DIRECTOR

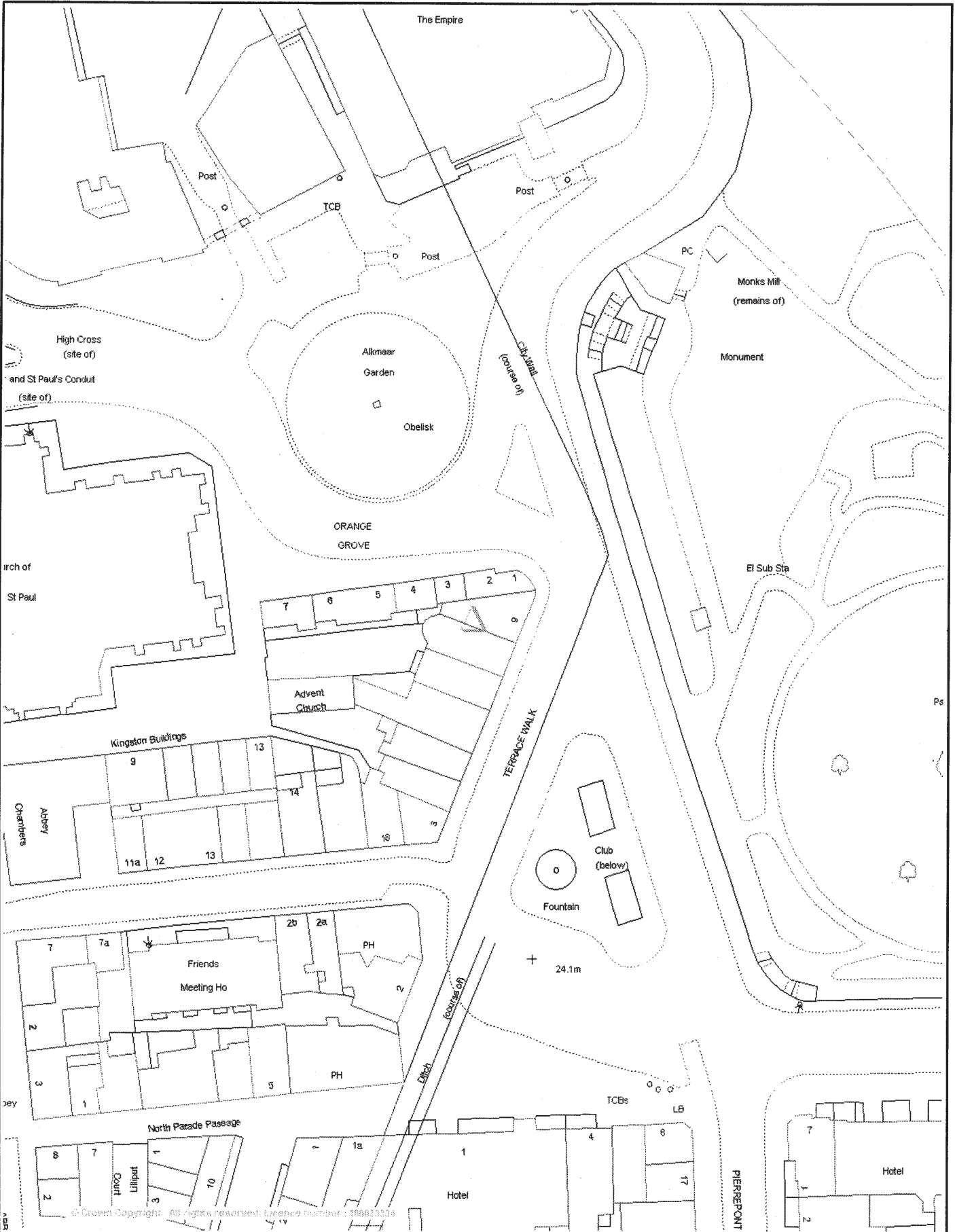
**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 12) **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity





**Bath & North East Somerset Council**  
 Bath & North East Somerset Council,  
 Planning Services,  
 Trimbridge House,  
 Trim Street,  
 Bath BA1 2DP

**Gourmet Scoffs, 9 Terrace Walk, Bath**

Scale 1/750  
 Date 15/7/2010  
 Centre = 375199 E 164764 N  
 Drawn by:  
 E Stoneman



Licensing Services, 9-10 Bath Street, Bath, BA1 1SN

### Representation Form

**Responsible Authority.** (Please delete as applicable.)

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

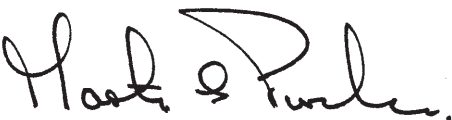
Your Name	Martin Purchase
Job Title	Liquor Licensing officer
Postal and email address	Bath Police Station Manvers St Bath.
Contact telephone number	012258462475

Name of the premises you are making a representation about.	Gourmet Scoffs
Address of the premises you are making a representation about.	9 Terrace Walk Bath BA1 1LN

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	Gourmet scoffs is situated within the city centre in the cumulative impact area. The area experiences sporadic crime and disorder and anti social behaviour. The problems are most frequent from early evenings and are alcohol related. The operating schedule does not contain any measures that would negative the type of application that has been applied for, in respect of crime and disorder. A number of conditions have been negotiated and agreed with the applicant to rectify this position.
Public safety		
To prevent public nuisance		

The prevention of harm to children		
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.	<ol style="list-style-type: none"> <li>1. Alcohol will only be served by waiter or waitress service to persons seated at tables.</li> <li>2. Alcohol will only be served with menu based foods, which will be available at all times that licensable activity takes place.</li> <li>3. All staff will be trained in the sale of alcohol, by a personal licence holder or approved trainer.</li> </ol>	

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

Signed: 

Date: 1-7-2010

Please return this form along with any additional sheets to:

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

E-mail address: [licensing@bathnes.gov.uk](mailto:licensing@bathnes.gov.uk)

***This form must be returned within 28 consecutive days of the application being made to the Licensing Authority.***



Gourmet Scoffs  
9 Terrace Walk  
Bath  
BA1 1LN  
Ref: Premises Licence application

Date: 30<sup>TH</sup> June 2010

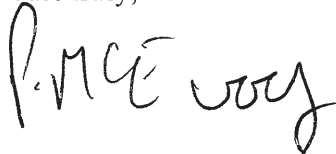
Dear Sir / Madam,

As you are aware, I am in the process of applying for a premises licence for the above named premises.

Having been in consultation with the Police ,I have decided that I want to amend my application.

As a result I wish to formally agree to the conditions suggested in the Police representation. Therefore, can I ask that this letter be submitted with my application for the consideration of the Licensing sub-committee, prior to the licence being granted.

Yours truly,



Paul McEvoy  
Gourmet Scoffs  
9 Terrace Walk  
Bath  
BA1 1LN.

