

Democratic Services

Riverside, Temple Street, Keynsham, Bristol BS31 1LA
Telephone: (01225) 477000 *main switchboard*
Direct Lines - Tel: 01225 395090 Fax: 01225 394439
Web-site - <http://www.bathnes.gov.uk>

Your ref:

Our ref:

Date: 16 July 2012

E-mail: Democratic_Services@bathnes.gov.uk

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

Councillors: Douglas Nicol (Chair), Bryan Chalker, Gerry Curran and Gabriel Batt

Chief Executive and other appropriate officers
Press and Public

Dear Member

Licensing (Gambling and Licensing) Sub-Committee: Tuesday, 24th July, 2012

You are invited to attend a meeting of the **Licensing (Gambling and Licensing) Sub-Committee**, to be held on **Tuesday, 24th July, 2012 at 10.30 am** in the **Council Chamber - Guildhall, Bath**.

A private briefing session for Members will be held in the meeting room at 10.00am.

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. 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.

- 3. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 4. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 5. 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 - Tuesday, 24th July, 2012

at 10.30 am in the Council Chamber - 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 MAY 2012 (Pages 5 - 10)

7. LICENSING PROCEDURE (Pages 11 - 14)

The Chair will, if required, explain the licensing procedure.

8. APPLICATION FOR A PREMISES LICENCE FOR PKT STORES, 11 FORTESCUE ROAD, RADSTOCK, BATH BA3 3PJ (Pages 15 - 46)

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

This page is intentionally left blank

BATH AND NORTH EAST SOMERSET

LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE

Thursday, 24th May, 2012

Present:- Councillors:- Gerry Curran (Chair), Dine Romero and Tim Warren

Also in attendance: Andrew Jones (Environmental Monitoring and Licensing Manager), Kirsty Morgan (Licensing Officer) and Francesca Smith (Senior Legal Adviser)

1 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

2 ELECTION OF VICE-CHAIR (IF DESIRED)

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

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Cllr Douglas Nicol (substituted by Cllr Dine Romero) and Cllr Gabriel Batt (substituted by Cllr Tim Warren).

4 DECLARATIONS OF INTEREST

There were none.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

6 MINUTES: 23 APRIL 2012

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

7 LICENSING PROCEDURE

The Chair drew attention to the licensing procedure, copies of which had been made available to those attending the meeting.

8 APPLICATION TO VARY A LICENCE FOR BATH FRINGE - SPIEGELTENT RECREATION GROUND, PULTENEY MEWS, BATHWICK BA2 4DS

Applicant: Stephen Henwood (Co-Director of Bath Fringe)

Interested Parties: Pulteney Estates Residents' Association (represented by Nigel Websper, Chairman)

Witnesses for Pulteney Estates Residents' Association: Doug White, Caroline Greenwood, Rachel Hushon (in place of Paul Karakusevic, who had work commitments)

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

The Licensing Officer summarised the application as set out in the report.

Mr Henwood stated the case for the applicant. He said that the reason for the application for extended hours was to retain customers who might drift off to other licensed premises once events had ended, and to be able to put on more than one show in an evening. It was planned to have one show finishing at 21.30 to be followed by a break and then another show, which would be at a lower volume and would help customers to wind down before leaving.

He stated that there was no intention of having high-volume, high-intensity music of the kind provided at party and club venues. He said Spiegeltent would only be at the Recreation Ground for 11 days a year. Sound levels inside and outside the tent would be monitored with a decibel meter during performances, to ensure that they remained reasonable. He believed that the sound levels that emanated from Spiegeltent were not high when compared with other venues in Bath. Bath Fringe tried to work co-operatively with the Licensing Authority and Environmental Health and no complaints about events had been forwarded by these agencies to Bath Fringe. Local residents were provided with a contact number for the on-site event manager.

The Interested Parties put questions to Mr Henwood. Mr Websper stated that residents were able to hear the performances inside the tent quite clearly, and asked how the volume of performances was controlled. Residents had told him that, after they had made complaints about noise, the volume had been reduced only to be turned up again later. Mr Henwood replied that volume levels were monitored.

Mrs Hushon said that on occasion when individual residents had complained about noise they had been told that there had been no complaints from anyone else, but at a later date it had come to light that others had complained about the same performance. She had been told by Bath Fringe staff "we do try to control the sound, but the bands override our volume settings". She had small children who needed to sleep. Was Mr Henwood sure that the event managers could control the volume? Mr Henwood reiterated that no complaints had been received through Environmental Health, and that sound levels were monitored inside the tent and at the boundaries of the venue.

Mr White asked Mr Henwood whether he appreciated that the area in which the Recreation Ground was situated formed a natural amphitheatre, where sound, particularly the bass line of music, was amplified. Did Mr Henwood appreciate that many residents lived in listed buildings that could not be soundproofed? Mr Henwood replied that he would be happy to have a condition imposed on the licence requiring sound levels to be measured in particular locations. Mr Websper asked how the volume of music could be controlled if bands were able to turn it up. Mr Henwood replied there were two parts of the music system: the on-stage equipment and the public address system. Bath Fringe had direct control of the public address system. There was also a stage manager, who could ensure that the volume control of the stage music equipment was turned down, if this was required. He did not think that

the kind of music played should give rise to problems. Mr Websper pointed out that one of Mr Henwood's colleagues had told complainants that there was no control of the volume settings selected by bands.

Members put questions to Mr Henwood.

Q: Would it be possible to fit a device that would cut off the amplifier if the volume exceeded a certain level?

A: The problem with this was that separate amplifiers were used on stage and for the PA system. Cut-out systems were mostly used in nightclubs, and he did not think they were appropriate for live music.

Q: Would it be possible to soundproof the Spiegeltent more effectively?

A: He was not aware that the Spiegeltent was available with better sound proofing.

Q: How far in advance would the letter to residents about the event be sent out?

A: Within the next couple of days.

Q: What kind of performances would be given after 21.30?

A: It could be a soloist or a comedian.

Q: Was he aware that people had come to the premises during an event to complain about noise?

A: Yes. The letter sent to residents invited them to make comments.

Q: Did he understand the disturbance caused to residents by noise?

A: The usual trigger for a meeting with residents would be representations made to Licensing or Environmental Health and there had been none, so there was no framework for the discussion of specific noise issues. He did understand that residents had a general problem with noise.

The Interested Parties stated their cases.

Mr Websper said that the area around the Recreation Ground was 100% residential. Many properties were listed and could not have double glazing. The noise from bass was particularly intrusive. It had been admitted by the event staff that the bands performing controlled the volume. He noted that the applicant had offered a condition about noise, but the reduction in current levels of noise would have to be substantial to make life tolerable for residents. If the variation were granted, residents would have to put up with the noise to a later hour and for an extra day. The applicant had appeared to say that he would only talk to residents if required to do so.

Mrs Greenwood said that she was a long-term resident in the area, which was a wholly residential one. Her property was directly opposite the tent. Last year she had complained to Environmental Health, the Police and councillors about the level of noise from Spiegeltent. The noise reverberated through properties and disturbed residents' sleep. The playing of music outside the tent should be banned completely.

Mr White said that residents were subject to noise from events taking place in the Recreation Ground throughout the year. Every other Saturday the Rugby Club held an event. Noise could be heard from the public address system at 07:00 on

Sundays. Residents had had enough of it. The area was a natural amphitheatre, from which sound, particularly a thumping bass, was projected upwards. His wife had acute hearing and was much disturbed by it.

Mrs Greenwood read a statement on behalf of David Greenwood. She stated on his behalf that many elderly people lived in the vicinity of the premises and were affected by the noise. Last year complaints had been made to the organiser because music was played outside the tent. He felt that it was not acceptable that there was no independent monitoring of the noise from events.

Mrs Hushon said that if the programme of events was received in advance and it was known that the finish time was 23.00, residents at least had some chance of planning their evenings to minimise the impact on their families, including children being kept awake by the noise. She stated that residents could live with this but not with performances taking place after 23.00. In reply to a question from a Member, she said that noise was really bad on perhaps four or five days out of the ten days of the event. It was particularly bad when music had a strong bass. She added that the music did cease at the terminal hour.

A member asked the Senior Legal Adviser about the possibility of a condition regulating noise levels. The Senior Legal Adviser replied that the Sub-Committee could not impose such a condition today because case law had established that a condition to prevent noise nuisance had to be clear as to which location or premises had to be protected by such a condition and what was meant by inaudibility. Further as Environmental Protection had made no representation to the application and were therefore not present at the hearing, Members were not able to take their expert advice. Members could issue informal guidance to the applicant to have discussions with Environmental Protection.

The Interested Parties were invited to sum up. Mrs Hushon said that residents were already subjected to excessive noise and the nuisance should not be increased. Mr Websper said that he had been contacted by many residents about the application. The prospect having to put up with noise for longer hours was of real concern to residents. It was evident that despite good intentions, the applicant was in fact not able to control the level of noise.

Mr Henwood said that he had felt that he had already made his case.

Following an adjournment, the Sub-Committee **RESOLVED:**

- i. to grant the application for the extension by half an hour of the terminal hour for all licensable activities, save that this shall not apply to the performance of live and recorded music which is amplified;
- ii. to refuse the extra day sought for the period of operation.
- iii. to extend the terminal hour in relation to "other entertainment" to 19:00 hours.

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

REASONS

Members have today determined an application for the variation of a Premises Licence for Spiegeltent, Recreation Ground, Pulteney Mews, 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 is to be reluctant to regulate in the absence of evidence and that they must only do what is necessary and proportionate to promote the licensing objectives based on the evidence before them.

Members took account all of the relevant oral and written representations from the applicant, the Interested Parties and their witnesses, and were careful to balance the competing interests of the applicant and the IPs.

Members noted that the relevant representations made by the Interested Parties related to evidence of existing nuisance, from previous occasions when the events for the Bath Fringe had been held in the Spiegeltent. This was in the form of noise caused by amplified music emanating from the venue together with an excessive beat and tempo combined with the lateness of the hour.

Reference had also been made to Temporary Event Notices, but the Members noted that this was an application to vary a Premises Licence and not an application for a Temporary Event.

Members noted that the premises licence already had a condition imposed upon it stating that noise levels set by Environmental Health shall be complied with at all times and that regular checks on noise levels shall be made during practice and performance sessions and shall be recorded.

They also noted that the applicant had offered to give a mobile number for the venue manager for the use of residents in order that that any issues could be dealt with directly.

Members noted that no representations to the application had been made by the Police or Environmental Health.

However, Members decided that the representations carried much weight and that there was a real risk that the application would add to the existing noise nuisance already experienced by residents.

They therefore granted the variation in part in relation to the provision of regulated entertainment in the form of amplified live and recorded music as they considered that the impact of amplified music would undermine the licensing objective of the prevention of public nuisance and in doing so refused to grant that part of the application for an additional day as they considered that this would also undermine the objective.

They therefore granted the variation as applied for with modifications and imposed the conditions consistent with the Operating Schedule in addition to those already on the Premises Licence.

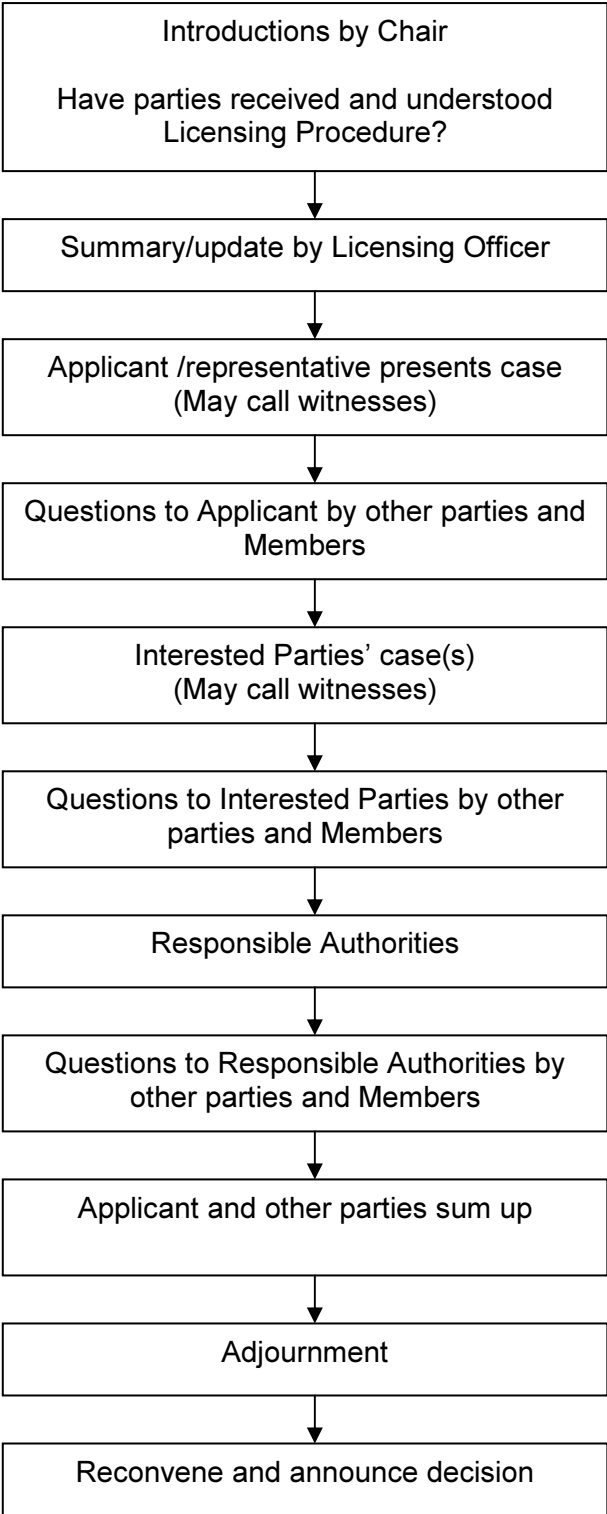
The meeting ended at 11.42 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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



This page is intentionally left blank

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.

- 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
 - d) The Protection of Children from Harm.

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

- 4.5 The Licensing Authority may grant the application with or without additional conditions.
- 4.6 Section 4(3)Licensing Act 2003 states that the Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:-
- a) Paragraphs 3, 5, 6, 9, 10, 15 - 20, 23, 24, 28, 33 - 37, 41 to 44 of the 2011 policy.
 - b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised April 2012).
 - c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, 183 and Schedule 2 of the Act.
- 4.7 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.
- 4.8 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates' Court. If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates' Court.

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

- 4.9 In accordance with the requirements of the Act the applicants served copies of the application upon the police, the fire authority, environmental health, development control, trading standards, and the child protection agency.
- 4.10 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 for submitting the application to the licensing authority.

- 4.11 A representation has been received from the Police (Annex C) on the grounds that the application does not sufficiently forward the licensing objectives. To promote the licensing objectives, the following conditions have been proposed by the Police and agreed in writing by the applicant (Annex D):

“A CCTV system will be installed and maintained at the premises in consultation with the Police. The images will be of evidential standard and recordings will be kept for 31 days and made available to the Police on reasonable request. Notices are to be displayed at the premises stating that CCTV is in operation.”

“All staff to receive training relating to alcohol sales and refresher training to be given at 6 monthly intervals. A record will be maintained of all persons trained. This record will be kept at the premises and made available to the Police and Licensing authority on request.”

“All refused sales of alcohol are to be recorded together with the reasons for their refusal. This record to be kept at the premises and made available to the Police and Licensing authority on request.”

“All spirits and fortified wines will be displayed at the rear of the serving area and will not be subject to self-service.”

“All customers who appear under 21 years of age will need to provide proof of age.”

- 4.12 This report has not been sent to the Trades Union because they would have no involvement.

5 RISK ASSESSMENT

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

6. EQUALITIES

- 6.1 An Equality Impact Assessment (Eq1A) has been completed. No adverse or other significant issues were found.

7 CONSULTATION

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

8 ISSUES TO CONSIDER IN REACHING A DECISION

- 8.1 When reaching a decision, the Licensing Authority must carry out its functions with a view to promoting the four licensing objectives.
- 8.2 Consideration must be given to the Human Rights Act 1998 and the “convention rights”.

9 ADVICE SOUGHT

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

Contact person	Kirsty Morgan, Licensing Officer, 01225 396719
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

12/02495

Licensing

ENVIRONMENTAL SERVICES
ANNEX A
 29 MAY 2012
 Post Log No:
 Receipt No: 1173015
 CH/CA £ 215
 Rectifier

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 Kajinthiy Kanesarasa
 (Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
P.K.T. STORES 11 Fortescue Road Radstock Bath. BA3 3PJ.			
Post town	Radstock	Post code	BA3 3PJ

Telephone number at premises (if any)	07931312372
Non-domestic rateable value of premises	£ -

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
 Please tick yes

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

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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Kanesarasa			First names Kajinthingy		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		1 A West Road Midsomer Norton Radstock Bath. BA3 2TP.			
Post Town Radstock			Postcode		BA3 2TP.
Daytime contact telephone number			07931312372		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
02	07	2012

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

Day	Month	Year

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

off licence

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

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

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sun					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
			<u>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</u> (please read guidance note 5)		

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			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 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
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 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
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 4)		
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 5)		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

J

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

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

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

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	6.00	23.00						
Tue	6.00	23.00						
Wed	6.00	23.00						
Thur	6.00	23.00				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 5)		
Fri	6.00	23.00						
Sat	6.00	23.00						
Sun	6.00	23.00						

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

Name	Kajinthiy Kanesarasa
Address	1 A West Road Midsomer Norton Radstock Bath BA3 2TP.
Postcode	BA3 2TP.
Personal licence number (if known)	B & NES / 08 / 03528 / LAPER
Issuing licensing authority (if known)	BNES

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)

None

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	6.00	23.00	<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 5)</p>
Tue	6.00	23.00	
Wed	6.00	23.00	
Thur	6.00	23.00	
Fri	6.00	23.00	
Sat	6.00	23.00	
Sun	6.00	23.00	

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

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

b) The prevention of crime and disorder

CCTV system will be in operation whilst licensable activities take place. Images will be retained for a maximum of 28 days made available on enforcement request.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Challenge 21 Policy
The store will display signage around premises informing both staff and customers of the #Think21 policy.

Please tick 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
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	<i>N. Fe</i>
Date	29/05/2012
Capacity	

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Consent of individual to being specified as premises supervisor

I Kajinthiy Kanesarasa
 [full name of prospective premises supervisor]

of
 Kajinthiy Kanesarasa
 1A West Road
 Midsomer Norton
 Radstock
 Bath.
 BA3 2TP.

[home address of prospective premises supervisor]

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

P-K-T STORES
 [type of application]

by

Kajinthiy Kanesarasa
 [name of applicant]

relating to a premises licence

[number of existing licence, if any]

for Costcutter
 Wells Road
 Radstock
 Bath.
 BA3 3SA.

Stop and Shop
 31, London Road
 Blackwater
 GU17 0AB.

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

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

Kajinthiny Kanesarasa
[name of applicant]

concerning the supply of alcohol at

P.K.T. STORES
11 Fortescue Road
Radstock
Bath.
BA3 3PJ

[name and address of premises to which application relates]

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

Personal licence number

B&NES/08/03528/LAPER
[insert personal licence number, if any]

Personal licence issuing authority

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

Signed

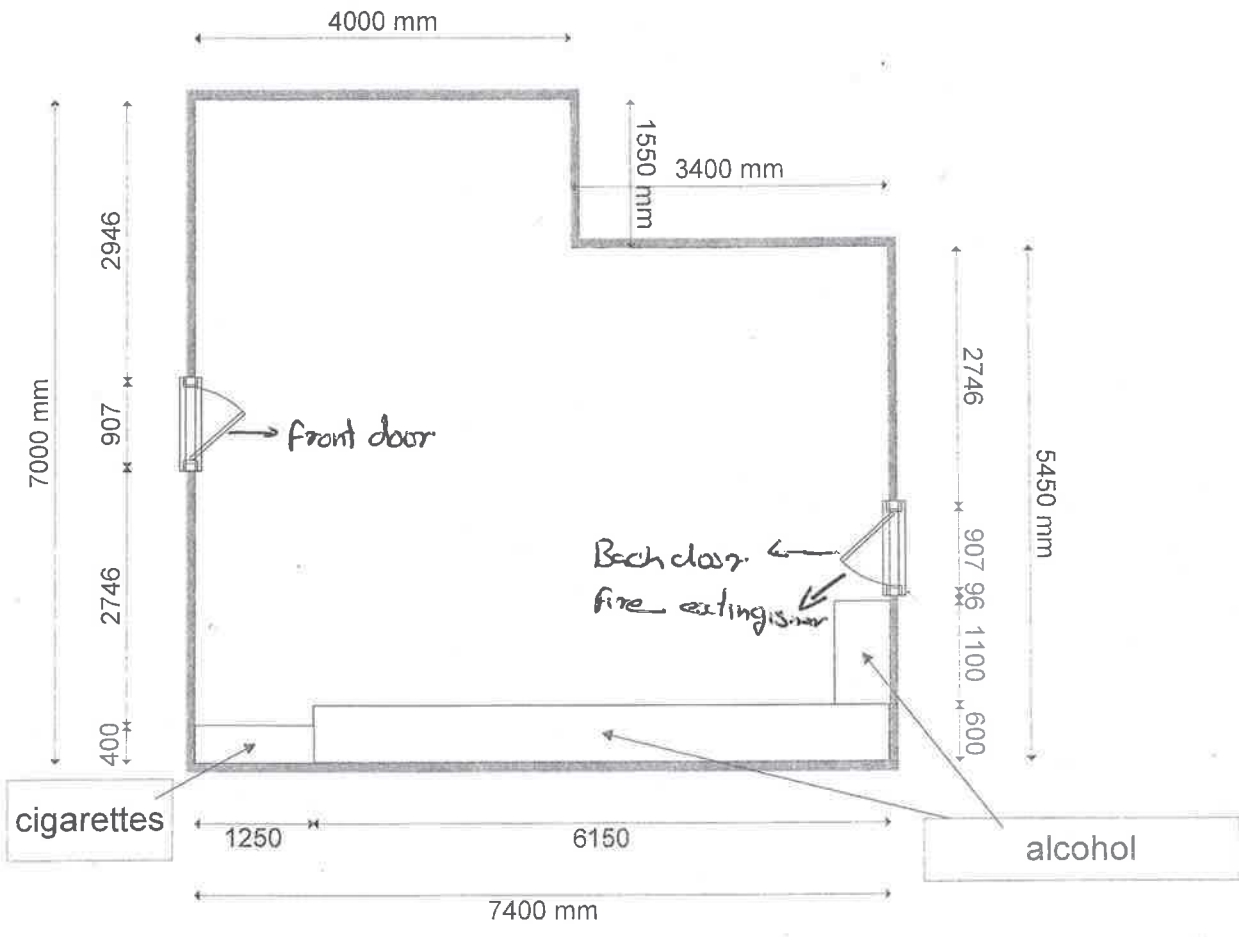
M. Kanesarasa

Name (please print)

Kajinthiny Kanesarasa

Date

29/05/2012



Filename:	Untitled	Client Address:	
Scale :	1:80		
Designer:			
Client Surname:		Company Address:	
Client Initials:			
Contact Number:			

Disclaimer: This drawing is a representation only and its printed scale is subject to the accuracy of your printer. All measurements should be checked prior to fitting and installation.





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. BA1 4BX
Contact telephone number	01225842475

Name of the premises you are making a representation about.	PKT Stores
Address of the premises you are making a representation about.	11 Fortescue Road Radstock BA3 3PJ

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	Yes	The premises are situated in the centre of Radstock. The area does experience incidents of anti social behaviour, and crime and disorder. The problems are most frequent in the evenings and are alcohol related. The area is partially residential. This type of premises can be a source of alcohol that fuels anti social behaviour and crime and disorder. The police feel that the application does not sufficiently forward the licensing objectives and needs conditions to ensure this. The Licence holder has agreed to conditions that promotes the licensing objectives.
Public safety		

ENVIRONMENTAL SERVICES

1 1 JUN 2012

Post Log No:

Receipt No:

21/6/12

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"> 1. A cctv system will be installed and maintained at the premises in consultation with the Police. The images will be of evidential standard and recordings will be kept for 31 days and made available to the Police on reasonable request. Notices are to be displayed at the premises stating that cctv is in operation. 2 All staff to receive training relating to alcohol sales and refresher training to be given a 6 monthly intervals. A record will be maintained of all persons trained. This record will be kept at the premises and made available to the Police and Licensing authority on request. 3 All refused sales of alcohol are to be recorded together with the reasons for their refusal. This record to be kept at the premises and made available to the Police and Licensing authority on request. 4 All spirits and fortified wines will be displayed at the rear of the serving area and will not be subject to self-service. 5 All customers who appear under 21 years of age will need to provide proof of age. 	

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

Signed: 

Date: 11-6-2012.

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

P.K.T.Stores
11 Fortescue Road,
Radstock
BA3 3PJ.

Ref: Premises Licence application

Date 8TH June 2012

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 Licensing department at Bath Police Station, I have decided that I want to amend my application.

As a result I wish to formally agree to the conditions below.

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.

1.A CCTV system will be installed and maintained at the premises in consultation with the Police. The images will be of evidential standard and recordings will be kept for 31 days and made available to the Police on reasonable request. Notices are to be displayed at the premises stating that cctv is in operation.

2 All staff to receive training relating to alcohol sales and refresher training to be given at 6 monthly intervals. A record will be maintained of all persons trained. This record will be kept at the premises and made available to the Police and Licensing authority on request.

3. All refused sales of alcohol are to be recorded together with the reasons for their refusal. This record to be kept at the premises and made available to the Police and Licensing authority on request.

4 All spirits and fortified wines will be displayed at the rear of the serving area and will not be subject to self-service.

5 All customers who appear under 21 years of age will need to provide proof of age.

Yours truly

M. Ka

Kajinthiny Kanessarasa

For and on behalf of the licence holder.

This page is intentionally left blank