
Bath & North East Somerset Council

Democratic Services

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Date: 7 March 2016

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To: All Members of the Licensing Sub-Committee

Councillors:- Paul Myers, Mark Shelford and Caroline Roberts

Chief Executive and other appropriate officers
Press and Public

Dear Member

Licensing Sub-Committee: Tuesday, 15th March, 2016

You are invited to attend a meeting of the **Licensing Sub-Committee**, to be held on **Tuesday, 15th March, 2016** at **10.00 am** in the **Kingston Room - Pump Room, Bath**.

Briefing

Members of the Sub-Committee are reminded that the meeting will be preceded by a briefing at 9.30am.

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.

This Agenda and all accompanying reports are printed on recycled paper

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 democratic_services@bathnes.gov.uk or by calling at the Guildhall Bath (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 - Reception: Civic Centre - 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. Recording at Meetings:-

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator

The Council will broadcast the images and sound live via the internet www.bathnes.gov.uk/webcast An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

- 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.

Protocol for Decision-making

Guidance for Members when making decisions

When making decisions, the Cabinet/Committee must ensure it has regard only to relevant considerations and disregards those that are not material.

The Cabinet/Committee must ensure that it bears in mind the following legal duties when making its decisions:

- Equalities considerations
- Risk Management considerations
- Crime and Disorder considerations
- Sustainability considerations
- Natural Environment considerations
- Planning Act 2008 considerations
- Human Rights Act 1998 considerations
- Children Act 2004 considerations
- Public Health & Inequalities considerations

Whilst it is the responsibility of the report author and the Council's Monitoring Officer and Chief Financial Officer to assess the applicability of the legal requirements, decision makers should ensure they are satisfied that the information presented to them is consistent with and takes due regard of them.

Licensing Sub-Committee - Tuesday, 15th March, 2016

at 10.00 am in the Kingston Room - Pump Room, 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. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

5. MINUTES: 2 FEBRUARY 2016 AND 1ST MARCH 2016 (Pages 7 - 20)

6. TAXI PROCEDURE (Pages 21 - 24)

The Chair will, if required, explain the procedure.

7. EXCLUSION OF THE PUBLIC

The Committee is asked to consider passing the following resolution:

“that having been satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the

following item(s) of business and the reporting of the meeting be prevented under Section 100A(5A) because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

8. APPLICATION FOR A COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - NMC (Pages 25 - 38)
9. LICENSING ACT PROCEDURE (Pages 39 - 42)
10. APPLICATION FOR A PREMISES LICENCE FOR EDMUNDS NEWS, 2A ST JAMES'S STREET, LANSDOWN, BATH BA1 2TW (Pages 43 - 82)
11. APPLICATION FOR A PREMISES LICENCE FOR WIDCOMBE SOCIAL CLUB, WIDCOMBE HILL, WIDCOMBE BA2 6AA (Pages 83 - 120)

The Committee Administrator for this meeting is Sean O'Neill who can be contacted on democratic_services@bathnes.gov.uk.

BATH AND NORTH EAST SOMERSET COUNCIL

LICENSING SUB-COMMITTEE

Tuesday, 2nd February, 2016, 10.00 am

Councillors: Paul Myers (Chair), Caroline Roberts and Mark Shelford

Officers in attendance: Alan Bartlett (Public Protection Team Leader), John Dowding (Senior Public Protection Officer), Terrill Wolyn (Senior Public Protection Officer) and Shaine Lewis (Principal Solicitor and Deputy Monitoring Officer)

112 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

113 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

114 DECLARATIONS OF INTEREST

There were none.

115 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

116 MINUTES: 5TH JANUARY 2016

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

117 TAXI PROCEDURE

The Chair drew attention to the procedure to be followed for agenda items 8 and 9.

118 EXCLUSION OF PUBLIC

RESOLVED that, the Sub-Committee having been satisfied that the public interest would be better served by not disclosing relevant information and in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for agenda items 8 and 9 and the reporting of these items be prevented under Section 100A(5A), because of the likely disclosure of exempt information as defined in paragraph 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

**119 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE
- MR LH**

Mr LH confirmed that he had received and understood the procedure to be followed for the hearing.

The Senior Public Protection Officer summarised the report. He said that a DBS check had revealed that Mr LH had previous convictions. He provided Members with copies of the DBS certificate, a statement from him and references given on his behalf. The Sub-Committee adjourned to allow Members time to read these documents.

After the Sub-Committee reconvened, Mr LH stated his case and was questioned by Members. Mr LH made a closing statement.

After a further adjournment, the Sub-Committee resolved to grant Mr LH a combined Hackney Carriage/Private Hire Driver's Licence.

Reasons

Members determined an application for a combined Hackney Carriage/Private Hire Driver's Licence. In doing so they took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

In making a determination Members took account of the applicant's oral representations, his statement, references and balanced these against the information contained in the Disclosure and Barring Service report.

The applicant stated that he has worked in a position of trust for 10 years and is looking to change career to do something more rewarding. He stated the incidents happened a long time ago and he had learnt many personal skills in the time since then.

Members noted that the offending occurred many years ago and he had moved on with his life. Accordingly Members find him a fit and proper person to hold a combined Hackney Carriage/Private Hire drivers licence.

120 CONSIDERATION OF CAUTION OBTAINED: MR DRJ

Mr DRJ confirmed that he had received and understood the procedure to be followed for the hearing.

The Senior Public Protection Officer summarised the report. He provided Members with copies of a police caution and a witness statement from Mr DRJ. The meeting was adjourned to allow Members time to study these documents.

Mr DRJ stated his case and was questioned by Members. He made a closing statement.

Following a further adjournment the Sub-Committee **RESOLVED** that Mr DRJ continued to be fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence. They did, however, give him a stern warning about this future conduct.

Reasons

Members determined what action to take against the holder of a combined Hackney Carriage/Private Hire Driver's Licence who obtained a conditional caution during the course of his licence. In doing so they took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

Members took account of the applicant's oral representations and the information provided with the conditional caution when deciding whether the licensee continued to be a fit and proper person to hold a licence. In doing so Members took account of all the circumstances including his driving history and character but not his economic wellbeing as this is irrelevant as it is the protection of the public that is of the utmost importance.

The licensee stated he regretted the impact his behaviour had had on the community and that his behaviour had changed as a result of the course he had attended.

Members took a dim view of the offending behaviour more especially so because it took place in a licensed vehicle. Members, however, accepted that he had learned his lesson and now recognised the effect this behaviour was having on the community and could have on his family and his ability to continue to act as a licensed driver.

In the circumstances Members find the licensee fit and proper to continue to hold a combined Hackney Carriage/Private Hire driver's licence and warn him as to his future conduct.

121 LICENSING ACT PROCEDURE

The Chair explained the procedure to be followed for the next agenda item.

122 APPLICATION TO VARY THE PREMISES LICENCE FOR SUBWAY, 31 SOUTHGATE STREET, BATH BA1 1TP

Applicant: Subway Store Development Ltd represented by Michael Parrott (Gregg Latchams Ltd), Sue Pasco (Director/Franchisee) and Stuart House (Franchise & Development Administrator)

Other Persons: Bryan Hussey, Daniel Byrd and Emily Luff

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

The Senior Public Protection Officer summarised the report. She explained that the applicant was seeking authorisation to provide late night refreshment from 23:00-03:00 on Thursdays and to extend the existing terminal hour for late night refreshment from 00:00 to 03:00 on Fridays and Saturdays. The applicant was also proposing additional conditions as set out in their operating schedule. Representations had been received in relation to the licensing objective of the prevention of public nuisance. Additional information from the applicant and the other persons had been received since the completion of the report and had been circulated to Members and the parties.

Mr Parrott stated the case for the applicant. Sue Pasco, the Director and Franchisee, said that she and her husband had a franchise which operates 25 Subway premises in the Bath and Bristol area. He invited the Sub-Committee to focus on the potential impact on the licensing objectives of the provision of hot food and drinks between 00:00 and 03:00 on Thursdays, Fridays and Saturdays. The premises were already open and serving cold food during these times, so the issue was what the impact on the licensing objectives would be of Subway being allowed to use a toaster and a kettle for an additional three hours on Thursdays and an additional two hours on Fridays and Saturdays

He drew attention to the sales projections attached to his email to Licensing of 26 January, which were based on the experience of the Bath premises after the licence had been varied to allow late night refreshment till 00:00, and on the experience of the Bristol Queens Road premises after a successful appeal against a decision of the licensing authority in Bristol. There had been a small increase in the number of sales made. He submitted that the increase in sales, if the application were granted, would be "reasonably modest" and the impact on the licensing objectives small or non-existent. The majority of sales (65-70%) were made during the day, but the ability to provide late night refreshment after 00:00 was important, because Subway customers expected to be able to obtain hot food and drinks. The availability of hot food and drink was an important part of the Subway brand.

He suggested that Subway differed from the majority of take-away establishments, because its customers had to answer 4-5 questions before their order could be prepared. He suggested that this required a certain standard of behaviour and understanding on the part of the customer.

He said that as the premises were located at the end of the Southgate shopping centre not far from the bus station, there were people, particularly students making their way home, in the area already. He suggested it was unlikely that many people would go to the area simply to visit Subway.

He noted the absence of representations to the application from the Police and Environmental Health.

He said there was a small amount of seating in the premises, which was advantageous in preventing customers from gathering in the street.

He noted that the licensing objective to which the representations of the Other Persons referred was the prevention of public nuisance in terms of litter and noise. He turned to each of these aspects in turn.

Litter

He said that Subway was not the only user of the yard at the back of the premises; it was also used by a Thai restaurant and there were also large university buildings situated at the back as well. Subway's obligation was to put rubbish out in the yard by 4pm for collection by the local authority. Subway placed their litter in transparent bags to differentiate it from rubbish from other premises, so the black bags visible in the photograph submitted by Mr Byrd and Ms Luff obviously did not emanate from Subway. If the rubbish was not collected by 8pm, it had to be brought back inside. There were problems with rubbish in the yard, to which other premises contributed,

but, he submitted, the key fact in relation to this application was that provision of hot food and drink for the additional hours would have no additional impact on the existing problems with rubbish.

Internal noise

He said that the freezer door, which could be a source of noise disturbance to other occupiers of the building, was not opened after 22:00; there was no need, because regulations required bread to be thawed for ten hours. The internal staircases had rubber fittings to reduce noise. The majority of tables on the first floor were screwed to the floor and chairs had rubber feet. The first floor area was closed to the public after 22:00 and was not included in the application.

The representatives of the applicant were questioned by Members. In response they stated:

- They did appreciate that the premises had neighbours and solicited feedback from them. There had been no complaints from neighbours until the variation applications had been made.
- The conditions offered in their operating schedule were being currently applied.
- They would dispute many of the comments made by the Other Persons about noise. There was no music on the premises, which were in any case situated a long way from residents. Mrs Pasco had visited neighbouring apartments and the only noise that could be heard from Subway had been the sound of the freezer door.
- Rubbish was put into bags and then into bins, which could not be locked. The bins were then moved from the courtyard to the edge of the road. The bins had to be moved back into the courtyard by 8pm. It was not possible to see the bins from within the premises. or to see when the rubbish collection took place. If there were too many bags to fit in the bin, then the surplus bags would be retained in the premises. There was dedicated space in the premises for this purpose. There had been problems with rubbish collection.
- Mrs Pasco was always ready to discuss any problems about noise or litter with the neighbours.
- The extra hours would not make it more likely that the freezer door would be opened after 22:00.

The Principal Solicitor advised that the details of rubbish collection and the photographs of rubbish present during daylight hours only had marginal relevance to an application to provide late night refreshment from 00:00 to 03:00. A Member suggested that it was relevant whether adequate management processes were in place, and whether they were being applied competently; he was not convinced that this was the case on the basis of the evidence given. He asked the applicants how they would explain the presence of clear plastic bags full of rubbish lying in the road next to a Subway vehicle, as shown in the photograph. Mrs Pasco said that she was unable to explain this; the rear of the premises was not monitored by CCTV. Mr

Parrott explained that Subway products were not bought pre-wrapped; “subs” were created on the premises from separate ingredients, so the amount of litter produced by Subway was actually much less than that produced by many other premises.

Mr Bryan Hussey stated his case. He said he was a partner in in Bryan and Chris Hussey Partnership and a director of BCH Camping and Leisure Ltd. The partnership owned a three-bedroomed maisonette at 30 Southgate Street on the upper floor and a shop on the ground floor. The maisonette had three female tenants. The bedrooms are at the front and look down directly on the pavement in front of Subway. He was concerned that Subway was applying again for an extension of late night refreshment after being refused twice before. Something of a “war of attrition” had developed between some residents and Subway. He referred back to statements made by the applicants at previous hearings, but was ruled out of order by the Chair. He was advised to focus on the current application. Mr Hussey submitted that he thought it relevant to the present application that things promised by the applicant in the past had not been delivered. However, he agreed to limit his comments to how his tenants were being impacted now and how they were likely to be affected in the future. He said his tenants had put him on notice that if this application were approved, they would not renew their tenancy in September. Hard-working residents were being driven from their homes because of the lack of a quiet environment. His tenants and their neighbours were worried that the situation would become much worse if the application were granted.

He said that one of the letters submitted by the applicants as additional information was one addressed to his brother at his (Mr Bryan Hussey’s) home address on 8th August 2015. This letter had been edited, and was not the same letter that had been sent to his brother. He submitted that it had been altered to show Subway in a better light. He had kept the original and had it with him. He had sent a copy of the original to Licensing well before he had seen the applicant’s submission. He had replied to the original letter in August 2015 and sent copies of both letters to all his tenants and his neighbours. He requested that the version submitted by the applicant should be ruled inadmissible.

He submitted that Subway anticipated a significant increase in customer transactions from extending the hours of late night refreshment. Why else would they make repeated applications presented on their behalf by expensive lawyers? Mr House had written to him in January 2015 that the application “was not greedy, but made to meet the higher than average rates in the area”. This clearly indicated that they anticipated significantly more customers, and he had no confidence in the sales projections submitted by Subway.

He suggested that after 00:00 a significant portion of Subway’s customers would be inebriated late-night revellers, more likely to cause nuisance with noise and litter. He was extremely concerned about activity around Subway continuing until 03:00 on a Sunday morning, or in reality until 04:00, if closing up was taken into account. He considered that Subway staff were unable or unwilling to manage the existing trade, let alone additional customers up to 03:00. He requested the Sub-Committee to reject the application.

Mr Byrd stated his case, referring to his submission on page 87-88 of the agenda. He said that the problem of litter in the area had increased significantly since Subway had commenced operations. He agreed that the black bags were not

Subway's, but suggested that people were more likely to deposit rubbish on top of rubbish that was already present. Subway staff were unresponsive when complaints were made about rubbish. The yard had become a dumping ground for litter and people urinated there. The sound of the freezer door being closed was very distinctive. It cannot be closed quietly because it has a magnetic lock. The back door banging was also loud enough to wake people up. He referred to the exchange of emails with Stuart House on pages 97 and 98 of the agenda. One of the problems in communicating with Subway was the high staff turnover. A positive dialogue had been established with one member of staff and noise had reduced for a while, but things had deteriorated when that member of staff left. There was no one in charge on the premises; when requests to speak to the manager were made, the answer was "the manager's not around." He felt that internal and external noise was bound to increase if the application were granted. There were problems with parking in the area.

In reply to questions from Members Mr Byrd stated:

- For the first six months of Subway's operation they had only opened during the day time; the impact on residents had increased over time as they had extended their hours.
- He thought inebriated people were likely to prefer hot food to cold.

Mr Hussey thought that the impact on residents had been exacerbated after Subway were authorised to provide late night refreshment up to 00:00. He regretted that he had not opposed this at the time and thought that any extension could only worsen the impact.

Members asked why the Other Persons had not complained to Environmental Health. Mr Byrd said that people had busy lives and it was very time consuming to find out the procedure for making complaints to the Council. Mr Hussey said that there was no response to complaints, so residents felt that it was worth making them. Complaints were made to staff in Subway all the time, but there was no improvement.

The parties summed up.

Mr Byrd said he that the extension of hours was likely to increase nuisance for residents. He submitted that the number of complaints and representations did not truly reflect the impact that Subway was having on residents, many of whom simply did not have the time to make complaints.

Mr Hussey said that there would be more additional customers than Subway had shown in its sales projections and that a high proportion of them would be drunk in what was a cumulative impact area.

Mr Parrott summed up for the applicant. He said that the essence of the application was the addition of the provision of hot food during hours that Subway was already trading. The actual figures for the increase in sales after the previous grant of late night refreshment had been submitted in evidence. The projections for the future increase in sales if the application were granted were based on these. Figures had also been given for the increase in sales in a Bristol outlet. These figures were a best guesstimate. He submitted that the any problems with rubbish would be unaffected by

the extension of late night refreshment. No evidence had been submitted of any problems with drunken customers. Customers were overwhelmingly people who were in the area already.

The Principal Solicitor advised that the current hearing was not a review, so Subway's current licence could not be curtailed in any way. He referred to the suggestion that correspondence had been edited and said that the full correspondence had been given in evidence and it was for Members to decide what weight to attach to that correspondence and the oral submissions relating to it. He further advised that cumulative impact did not apply to late night refreshment, so the Sub-Committee did not have to consider whether the applicant had rebutted a presumption that the application should be refused and that parking and alleged criminal activities in the yard were not relevant to the application.

Following an adjournment, it was **RESOLVED** to grant the application with the mandatory conditions, conditions consistent with the operating schedule and three additional conditions imposed by the Sub-Committee.

Decision and reasons

Members have today determined an application to vary a premises licence at Subway, 31 Southgate Street, Bath. In doing so they have taken into consideration the Licensing Act 2003, Statutory Guidance, the Council's 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 must only do what is appropriate and proportionate in the promotion of the licensing objectives based on the information put before them.

Members were careful to take account of all relevant written and oral representations and were careful to balance the competing interests of the applicant and interested parties. Members were however careful to disregard the irrelevant issues raised such as parking, allegations of potential criminal activities in the rear yard, fabrication of supporting information and repetition of historic objections.

The application was for a variation of a premises licence to provide late night refreshment on Thursday between 23:00 and 03:00 and Friday and Saturday between 23:00hrs and 03:00 hrs.

The applicant stated they are experienced operators in the Bristol and Bath areas. With the benefit of operating under its current licence together with figures from a Bristol outlet they were able to give an indication of the likely impact this application may have on the licensing objectives. The figures presented showed a small net increase in sales under in Bath and when taken together the projection suggested a small increase in trade with an anticipated minimal impact on the licensing objectives. Whilst the overall core business of Subway was cold food the applicant stated that its customers expected the hot food offering and this was an important part of the brand. With regard to the extra footfall it was accepted that Subway is situated in a very busy part of the City however, there had never been any incidents relating to the premises other than those raised by the interested parties which related to public nuisance. With regard to the neighbour issues it was stated that the

rear yard is also used by other businesses and the litter issue is more generally a building management issue. So far as noise was concerned it was accepted there was noise from the freezer door. It was stated that there was no need for staff to use the freezer at night and that staff had been told not to use it after 10pm. Further, steps had been taken to minimise noise from the freezer and movable objects within the premises and a number of conditions were suggested to reduce the impact in the locality in terms of noise and litter.

The interested parties stated that Subway is affecting the quality of life in the neighbourhood and that if the application is approved it will become much worse particularly as the customer base at that time is likely to be the inebriated late night revellers. It was further stated that since Subway began operating under its current licence there had been a marked increase in litter in the rear yard and Subway were disregarding the licence condition on how its waste was to be dealt with. The interested parties also suggested that staff working at the store disregarded the agreement that the freezer would not be used between the hours of 22:00 and 08:00 and when taking this altogether suggested that Subway were not managing the store thereby causing a nuisance.

Members noted that the premises are situated in a mixed residential/commercial development and Subway already trade until 03:00hrs offering cold food. Members further noted that there had been no representations from any Responsible Authorities and that interested parties had not made any complaint about Subway to a Responsible Authority. Members also noted that the applicant had suggested a number of conditions designed to deal with public nuisance at all times the store was operating and these were not limited to its operation during licensable activities.

With regard to the issues at the rear of the premises Members found that there is nuisance arising from waste and litter associated with a lack of management and staff awareness of this area. Further that there are also issues with noise disturbance from the closing of the freezer door late at night and an apparent lack of staff awareness of their responsibilities when carrying out their activities.

With regard to the application Members reminded themselves that the application was for the provision of late night refreshment Members took account of their Statement of Licensing Policy which has the aim of encouraging the late night economy. Accordingly, Members considered that with conditions consistent with the operating schedule and a number of additional conditions the premises were unlikely to have a detrimental effect on the licensing objectives. Members therefore resolve to grant the application subject to conditions consistent with the operating schedule, the mandatory conditions and the following additional conditions as appropriate and proportionate to deal with the objective of the prevention of public nuisance arising from noise, litter and a general staff unawareness:

- The shall be no access to the freezer room between 00:00hrs and 05:00hrs
- There shall be CCTV camera installed and maintained in good working order covering the rear door of the premises with images retained for 30 days.
- All staff shall be trained in the contents of the licence, the conditions displayed in the staff area and a record of that training made and maintained.

Authority was delegated to the Public Protection Officer to issue the licence.

The meeting ended at 1.26 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

LICENSING SUB-COMMITTEE

Tuesday, 1st March, 2016, 10.00 am

Councillors: Paul Myers (Chair), Mark Shelford and Caroline Roberts

Officers in attendance: John Dowding (Senior Public Protection Officer) and Shaine Lewis (Principal Solicitor and Deputy Monitoring Officer)

133 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

134 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

135 DECLARATIONS OF INTEREST

There were none.

136 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

137 MINUTES: 16 FEBRUARY 2012

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

138 TAXI PROCEDURE

The Chair drew attention to the procedure to be followed for agenda item 8.

139 EXCLUSION OF THE PUBLIC

RESOLVED, the Committee having been satisfied that the public interest would be better served by not disclosing relevant information, that in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 the public shall be excluded from the meeting for the following item of business and the reporting of the meeting be prevented under Section 100A(5A). because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

140 CONSIDERATION OF COMPLAINTS RECEIVED - MR DF

This hearing had been deferred from 16th February 2016.

Mr DF confirmed that he had received and understood the procedure to be followed for the hearing.

The Senior Public Protection Officer summarised the report.

The Principal Solicitor advised Mr DF that two recordings would be played to the Sub-Committee. The first was taken by a child passenger in Mr DF's vehicle in November 2015 and the second was of an interview he had with B&NES Public Protection Officers on 23rd December 2015. Mr DF said that he found the first recording extremely embarrassing and would prefer not to listen to it. However, he heard the opening of it and confirmed that it was his voice and that the recording was genuine. Mr DF left the room while the rest of the recording was played.

Mr DM returned to the room. A transcript of the recording of his interview with Public Protection Officers was provided to Members and the recording was played.

Mr DF stated his case and was questioned by Members. Mr DF passed his mobile phone to Members, to show them abusive and threatening comments received from child passengers on his Instagram account. Mr DF made a closing statement.

Following an adjournment it was **RESOLVED** that Mr DF remained a fit and proper person to hold a Combined Hackney Carriage/Private Hire Driver's Licence, but that he should be given a strong warning as to his future conduct.

Reasons

Members have had to determine what action to take against the holder of a combined Hackney Carriage / Private Hire Driver's Licence having received a complaint against him during the course of his licence. In doing so they took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

Members took account of the licensee's oral representations, his recorded interview and balanced these against the complaints on his record and the circumstances of the incident giving rise to the current complaint.

Accordingly Members had to decide whether the licensee continued to be a fit and proper person to hold a licence taking into account all the circumstances including his driving history and character. Members further noted that case law states the economic wellbeing of the licensee is irrelevant and that the protection of the public was of the utmost importance.

The licensee was first licensed in 2010 following a Sub-Committee hearing and in August 2011 had been warned as to his conduct. On 27 November 2015 the licensing office was notified that the licensee was under investigation by South Gloucestershire Council regarding his conduct towards a child with special education needs during a school run to Chepstow from which he had subsequently been suspended. Members listened to the audio recording made by the child during that journey and noted the tone and language used.

The licensee acknowledged he had made the offensive remarks and said that he had been provoked over a 3-month period both verbally and via social media. He stated that he had raised the lack of a chaperone on the journeys and the provocation he was subjected to with the school and the taxi operator, but his concerns had not been addressed. The licensee stated he was not proud of his behaviour, but he was a victim of circumstances that were beyond his control.

Members find that the licensee had been under prolonged provocation and noted that the language and tone of the social media was such that had amounted to intimidation and bullying of the licensee. Whilst Members find the conduct of the licensee fell short of that expected of a licensed driver, they noted there were a number of attempts by the driver to raise his concerns with his employer and the school, although these had not been addressed. In all the circumstances Members considered he remained a fit and proper person to hold a licence, but gave him a strong warning as to his future conduct.

The meeting ended at Time Not Specified

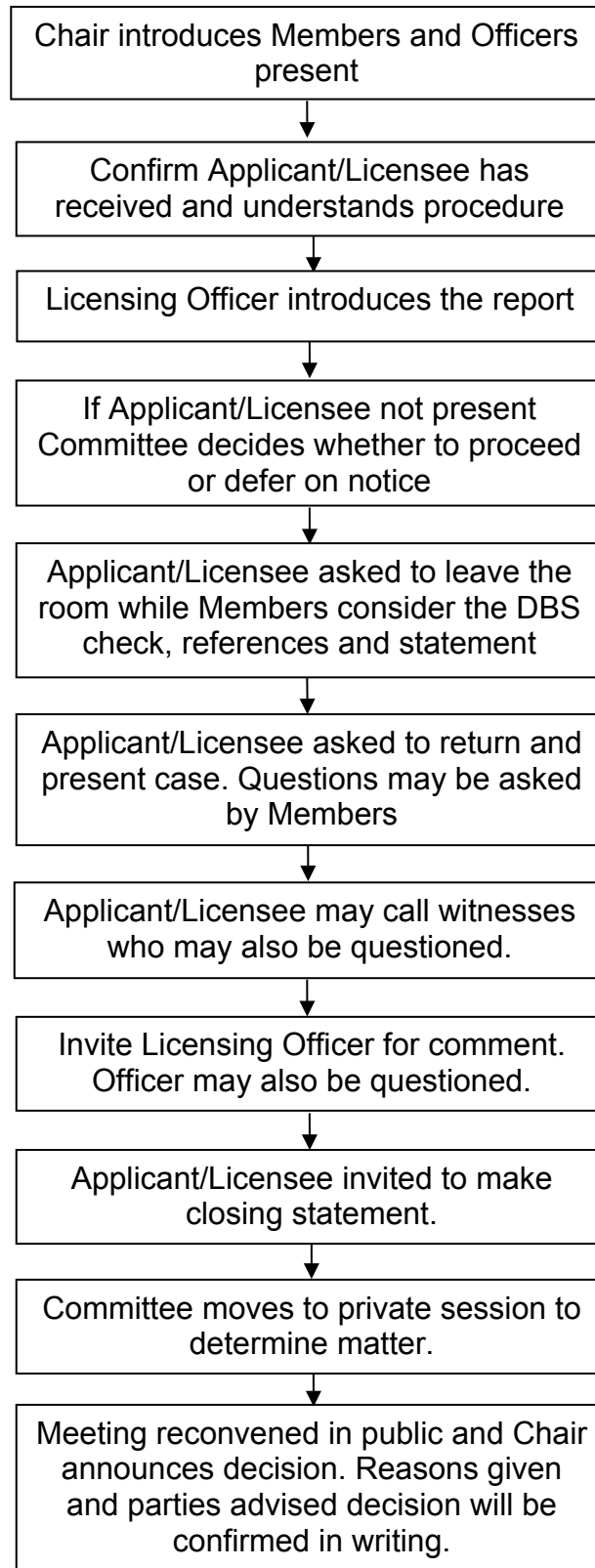
Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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**LICENSING SUB-COMMITTEE
HACKNEY CARRIAGE (TAXI) AND
PRIVATE HIRE VEHICLES DRIVERS' LICENCE PROCEDURE**



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**Licensing Sub Committee
Hackney Carriage (taxi) and Private Hire
Driver Application Procedure**

1. The Chair will introduce Members of the Committee, introduce the Officers present, explain the procedure to be followed and ensure those present have received and understood that procedure.
2. The Licensing Officer will outline the nature of the matter to be considered by the Committee.
3. The Applicant, representative and/or witness is asked to leave the room while the Committee consider the Disclosure and Barring Service report, references and statement.
4. The Applicant, representative and/or witness returns and presents the case to the Committee.
5. The Applicant may be questioned about the matter by the Committee.
6. The Applicant may call witnesses in support of their application and each witness may be asked questions.
7. The Chair will ask the Licensing Officers present whether they wish to comment. If an Officer makes comment they may be asked questions.
8. The Applicant will be invited to make a closing statement.
9. The Chair will invite the Committee to move into private session to enable the Members to deliberate in private. The Committee will reconvene publicly if clarification of evidence is required and/or legal advice is required. The Committee may retire to a private room, or alternatively require vacation of the meeting room by all other persons.
10. Whilst in deliberation the Committee will be accompanied by Legal and Democratic Services Officers for the purpose of assisting them in drafting their reasoning for the decision.
11. The Committee will reconvene the meeting and the Chair will announce the Committee's decision with reasons and advise that the decision will be released in writing within the statutory time limits.

Updated November 2013

PLEASE NOTE:

- Where the Committee considers it necessary the procedure may be varied.
- In circumstances where a party fails to attend the Committee will consider whether to proceed in absence or defer to the next meeting. Should a matter be deferred the deferral notice will state that the matter may proceed in a party's absence on the next occasion. In deciding whether to proceed all notices, communications and representations will be considered.
- Only in **exceptional circumstances** will the Committee take account of additional late documentary or other information and will be at the discretion of the Chair and on notice to all the other parties. No new representations will be allowed at the hearing.
- The Committee will disregard all information or representations considered irrelevant.
- The hearing will take the form of a discussion. The Committee will allow parties to the proceedings to ask questions. Formal cross examination will be discouraged and, should they be necessary, supplementary questions allowed for clarification purposes only.
- Parties will have an equal amount of time to present their cases. Whilst time limits are at the Chair's discretion, in the interests of cost and efficiency, presentations will not normally exceed **twenty minutes** to include summarising the case. Time limits will not include the time taken for questions.

N.B.

1. Where there is more than one party making relevant representations the time allocated will be split between those parties.
 2. Where several parties are making the same or similar representations it is suggested that one representative is appointed to avoid duplication and to make the most efficient use of the allocated time.
 3. Where an objection is made by an association or local residents group, a duly authorised person – as notified to the Licensing authority – may speak on behalf of that association or local residents group.
- The Chair may request that persons behaving in a disruptive manner should leave the hearing and their return refused, or allowed subject to conditions. An excluded person is however, entitled to submit the information they would have been entitled to present had they not been excluded.
 - Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion. On occasion however, it may be necessary to exclude members of the press and public pursuant to the Local Government Act 1972 Schedule 12 (a). In those circumstances reasons for such decisions will be given.
 - If a person has special needs regarding access, hearing or vision, this should be brought to the Licensing Authority's attention prior to the hearing so that reasonable adjustments may be made.

Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: LGA 457/16

Meeting / Decision: Licensing Sub-Committee

Date: 15/03/2016

Author: John Dowding

Exempt Report Title: Application For Hackney Carriage/Private Hire Driver's Licence

Exempt Appendix Title:

Annex A – Application Form

Annex B – Policy on Previous Convictions, Cautions and Fixed Penalty Notices

The Report contains exempt information, according to the categories set out in the Local Government Act 1972 (amended Schedule 12A). The relevant exemption is set out below.

Stating the exemption:

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The public interest test has been applied, and it is concluded that the public interest in maintaining the exemption outweighs the public interest in disclosure at this time. It is therefore recommended that the Report be withheld from publication on the Council website. The paragraphs below set out the relevant public interest issues in this case.

PUBLIC INTEREST TEST

If the sub-Committee wishes to consider a matter with press and public excluded, it must be satisfied on two matters.

Firstly, it must be satisfied that the information likely to be disclosed falls within one of the accepted categories of exempt information under the Local Government Act 1972.

The officer responsible for this item believes that this information falls within the following exemptions and this has been confirmed by the Council's Information Compliance Manager.

The following exemptions are engaged in respect to this report:

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Exemptions 1 and 2 above must be considered in conjunction with the Principles of the Data Protection Act 1998 (DPA). It is considered that disclosure of the information in this report would breach the first principle of the DPA, which requires personal data to be fairly and lawfully processed. Further, as any information revealed by the Criminal Records Bureau check is likely to constitute sensitive personal data in terms of the DPA, this information cannot be disclosed by the Council without the explicit consent of the individual concerned.

Secondly, it is necessary to weigh up the arguments for and against disclosure on public interest grounds. It is considered that there is a public interest in information about individuals applying for taxi licences in the area, and in particular, information as to the backgrounds of those individuals.

Other factors in favour of disclosure include:

- furthering public understanding of the issues involved;
- furthering public participation in the public debate of issues, in that disclosure would allow a more informed debate;
- promoting accountability and transparency by the Council for the decisions it takes;
- allowing individuals and companies to understand decisions made by the Council affecting their lives and assist individuals to challenge those decisions.

However there is a real risk that the first Principle of the DPA will be breached by this disclosure, and that the individual/s concerned could bring a successful action against the Council if the disclosure occurred. Therefore it is recommended that exemptions 1 and 2 in Schedule 12A stand. The Council considers that the public interest is in favour of not holding this matter in open session at this time and that any reporting on the meeting is prevented in accordance with Section 100A(5A)

Due to the factors outlined above, further consideration has not been given to the application of exemption 3 of Schedule 12A.

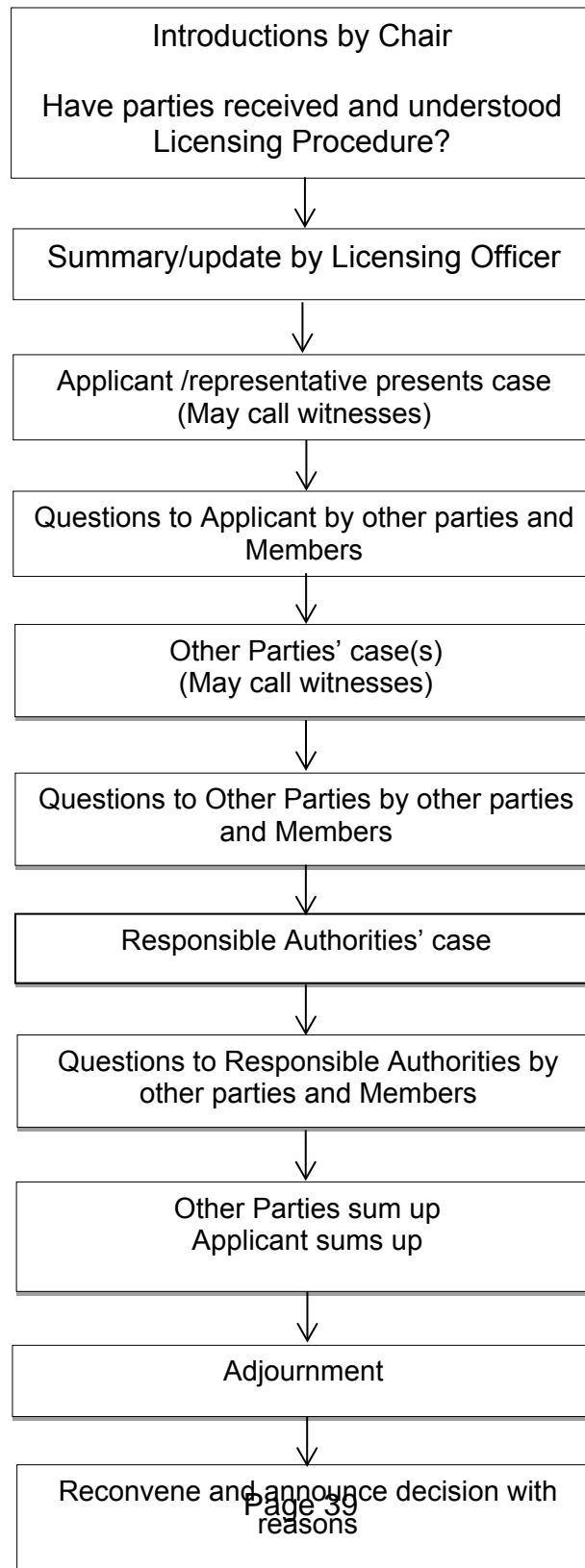
By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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**LICENSING SUB-COMMITTEE
LICENSING ACT 2003
PROCEDURE FOR NEW APPLICATIONS AND VARIATIONS**

*The parties will be allowed an equal maximum period of time not normally exceeding **twenty minutes**. Where more than one party make representations the time should be split equally between them. Where several parties make similar representations one representative should be appointed avoiding duplication and making the best use of the available time*



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**LICENSING SUB-COMMITTEE
LICENSING ACT 2003
PROCEDURE FOR HEARING AN APPLICATION FOR A NEW PREMISES
LICENCE OR FOR A VARIATION OF A PREMISES LICENCE**

*The Chair will allow the parties an equal maximum period of time in which to make representations that will not normally exceed **twenty minutes**. Where more than one party makes relevant representations this time will be split between the parties and where several parties make similar representations it is suggested one representative is appointed to avoid duplication.*

The term “party” or “parties” will mean anyone to whom notice of this meeting has been given.

1. The Chair will introduce Members of the Sub-Committee, the 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.
3. (i) The Applicant/Licence Holder , or representative, addresses the Sub-Committee who may be asked relevant questions by the other parties and Members.
(ii) witnesses may be called in support of the application who may be asked relevant questions by the other parties and Members.
4. (i) Any party making relevant representations, or representative, will address the Sub-Committee who may be asked relevant questions by the Applicant, other parties and Members.
(ii) witnesses may be called in support of such representations who may be asked relevant questions by the Applicant, other parties and Members.
5. Responsible Authorities making representation will address the Committee and may be asked relevant questions by the Applicant, other parties and Members.
6. The other parties will be invited in turn to summarise their representations.

Responsible Authorities will be invited to summarise their representations

The Applicant/ Licence Holder will be invited to summarise the application.

8. *The Chair will invite the Committee to move into private session to enable the Members to deliberate in private. The Committee will reconvene publicly if clarification of evidence is required and/or legal advice is required. The Committee may retire to a private room, or alternatively require vacation of the room by all other persons.*

Whilst in deliberation the Committee will be accompanied by Legal and Democratic Service Officers for the purpose of assisting them in drafting their reasoning for the decision.

The Committee will reconvene the meeting and the Chair will announce the Committee’s decision with reasons and advise that the decision will be released

in writing within the statutory time limits 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.
- In circumstances where a party fails to attend the Committee will consider whether to proceed in absence. Should a matter be deferred the deferral notice will state that the matter may proceed in a party's absence on the next occasion. In deciding whether to proceed all notices, communications and representations 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 and parties will be able to ask questions as set out above. However, 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.
- Where there is more than one party making relevant representations the time allocated will be split between those parties.
- Where several parties are making the same or similar representations it is suggested that one representative is appointed to avoid duplication and make efficient use of the allocated time.
- Where an objection is made by an association or residents group, a duly authorised person – as notified to the Licensing Authority – may speak on behalf of that association or group.
- The Chair may request that persons behaving in a disruptive manner should leave the hearing and their return refused, or allowed subject to conditions. An excluded person is however, entitled to submit the information they would have been entitled to present had they not been excluded.

Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion. On occasion however, it may be necessary to exclude members of the press and public pursuant to the Local Government Act 1972 Schedule 12 (a). In those circumstances reasons for such decisions will be given.

Bath & North East Somerset Council		
MEETING:	Licensing Sub Committee	AGENDA ITEM NUMBER
MEETING DATE:	Tuesday 15 March 2016	
TITLE:	Application for a Premises Licence for Edmunds News , 2a St James's Street, Lansdown, Bath BA1 2TW	
WARD:	Kingsmead	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for a new premises licence		
Annex B Plan of premises		
Annex C Site plan		
Annex D Representation received from the Police		
Annex E Representations received from "other persons"		

1 THE ISSUE

- 1.1 An application has been received for a new Premises Licence under s.17 of the Licensing Act 2003 in respect of Edmunds News, 2a St James's Street, Lansdown, Bath BA1 2TW.

2 RECOMMENDATION

- 2.1 That the Sub Committee determines this application.

3 RESOURCE IMPLICATIONS

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

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

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

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

5 THE REPORT

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

5.2 The application proposes the following licensable activities:

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

Monday to Sunday 06:00 - 22:00

2) The opening hours proposed are:

Monday to Sunday 06:00 - 22:00

5.3 A plan of the premises is attached at Annex B.

5.4 A site plan is attached at Annex C.

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

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

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

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

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

- a) Paragraphs 3-6, 8-10, 13-14, 17-24, 29,33-36, 38-41 of the 2015 policy.
- b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised March 2015.

c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.

- 5.8 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.
- 5.9 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates' Court. If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates' Court. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 5.10 In accordance with the requirements of the Act the applicants served copies of the application upon the police, the fire authority, environmental health, development control, trading standards, health authority and the child protection agency.
- 5.11 The applicant is required to place a notice at the premises for a period of 28 consecutive days starting the day after the application is made, and to place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 5.12 A representation has been received from Police Licensing Officer Paul Kendall on behalf of Avon & Somerset Constabulary in respect of the Prevention of Crime and Disorder licensing objective (Annex D). It proposes that the following condition would be appropriate to promote the objective:
- “All spirits to be displayed behind the counter”**
- 5.13 Nine representations have been received from “other persons” who live or carry on a business within close proximity of the premises. They express concern that the applicant’s proposals are likely to undermine the following licensing objectives:
- The prevention of crime and disorder;
 - The prevention of public nuisance; and
 - The protection of children harm
- 5.14 This report has not been sent to the Trades Union because they would have no involvement.

6. RATIONALE

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

7 OTHER OPTIONS CONSIDERED

- 7.1 None.

8 CONSULTATION

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

9 RISK MANAGEMENT

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

10 ADVICE SOUGHT

- 10.1 The Council's Monitoring Officer (Head of Legal & Democratic Services and Council Solicitor), section 151 Officer (Divisional Director-Business Support) and the Group Manager (Public Protection & Health Improvement) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Terrill Wolyn, Senior Public Protection Officer 01225 396939
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

ENVIRONMENTAL SERVICES ANNEX 22 JAN 2016 Post Log No: Receipt No: 182503 CH/CA £190.00	A
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**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

DC

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 Star News Limited

(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 2a St James Street			
Post town	Bath	Postcode	BA1 2TW
Telephone number at premises (if any)		01225 423952	
Non-domestic rateable value of premises		£4950	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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

ANNEX A

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

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

Please tick yes

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

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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 Star News Limited
Address 48 The Causeway Chippenham Wiltshire SN15 3DD
Registered number (where applicable) 4468943
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) 01225 423952
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

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

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

Please give a general description of the premises (please read guidance note 1)
 The premises is a small newsagent and grocery store wishing to sell a small selection of wines and beers.

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

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

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

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play 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 performing plays (please read guidance note 4)	
Thur					
Fri					Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat					
Sun					

ANNEX A

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	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

C

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

ANNEX A

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment 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 boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music 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 live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

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

ANNEX A

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<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

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
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					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (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	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	06:00	22:00			
Tue	06:00	22:00			
Wed	06:00	22:00			
Thur	06:00	22:00			
Fri	06:00	22:00			
Sat	06:00	22:00			
Sun	06:00	22:00			
			<u>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</u> (please read guidance note 5)		

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

Name Parminderjit Singh Heer	
Address 21 Foxcroft Walk Chippenham Wiltshire	
Postcode	SN15 3YB
Personal licence number (if known) LN/004744NL	
Issuing licensing authority (if known) North Wilts District Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
None

L

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	06:00	22:00	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)
Tue	06:00	22:00	
Wed	06:00	22:00	
Thur	06:00	22:00	
Fri	06:00	22:00	
Sat	06:00	22:00	
Sun	06:00	22:00	

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

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

The premises licence holder/DPS has carried out a risk assessment with consideration of the four licensing objectives.

All staff will be fully trained to understand their responsibilities with regard to the retail sale of alcohol. Records of staff training will be maintained on site for 12 months and updated accordingly.

b) The prevention of crime and disorder

The premises will have a 4 camera CCTV system which will record continuously whilst the premises is open to the public. The recordings will be stored for a minimum period of 31 days and will be made available immediately upon request.

A record shall be kept detailing any refused sales of alcohol. The record will include the date and time of the refused sale and the name of the member of staff who refused the sale. The record will be available for inspection at the premises by the police or authorised officer.

Any incidents of crime and disorder will be recorded in a log book and the book made available to the police upon request without delay.

No single cans of high strength lager or cider (over 6.5% ABV) will be sold.

c) Public safety

The premises will be maintained in a safe manner at all times.

All exits will be clear of hazards.

d) The prevention of public nuisance

All refuse will be disposed of in an appropriate manner. Staff will be instructed to maintain all external areas in a clean and presentable manner at all times.

e) The protection of children from harm

A Challenge 25 proof of age scheme will be operated at the premises where the only acceptable forms of identification are a driving licence, passport or proof of age card with the PASS hologram. The premises will operate a "No ID, No Sale" policy at all times. Staff will be trained in the understanding of this policy and training records maintained for 12 months and made available for inspection by the police or any other responsible authority.

Checklist:**Please tick to indicate agreement**

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

Part 4 – Signatures (please read guidance note 10)

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

Signature	Claire Danson
Date	22/01/2016
Capacity	Authorised Agent

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) Claire Danson Knight Training (UK) Limited 134 The Barracks White Cross Business Park South Road			
Post town	Lancaster	Postcode	LA1 4XQ
Telephone number (if any)	0330 999 3199		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Claire@knighttraining.co.uk			

Notes for Guidance

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

Consent of individual to being specified as premises supervisor

Parminderjit Singh Heer

[full name of prospective premises supervisor]

of

21 Foxcroft Walk
Chippenham
Wilts
SN15 3YB

[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

A new premises licence

[type of application]

by

Star News Limited

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

2a St James Street
Bath
BA1 2TW

[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

Star News Limited

[name of applicant]

concerning the supply of alcohol at

2a St James Street
Bath
BA1 2TW

[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

LN/004744NL

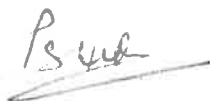
[insert personal licence number if any]

Personal licence issuing authority

North Wiltshire DC

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

Signed



Name (please print)

Parminderjit Singh Heer

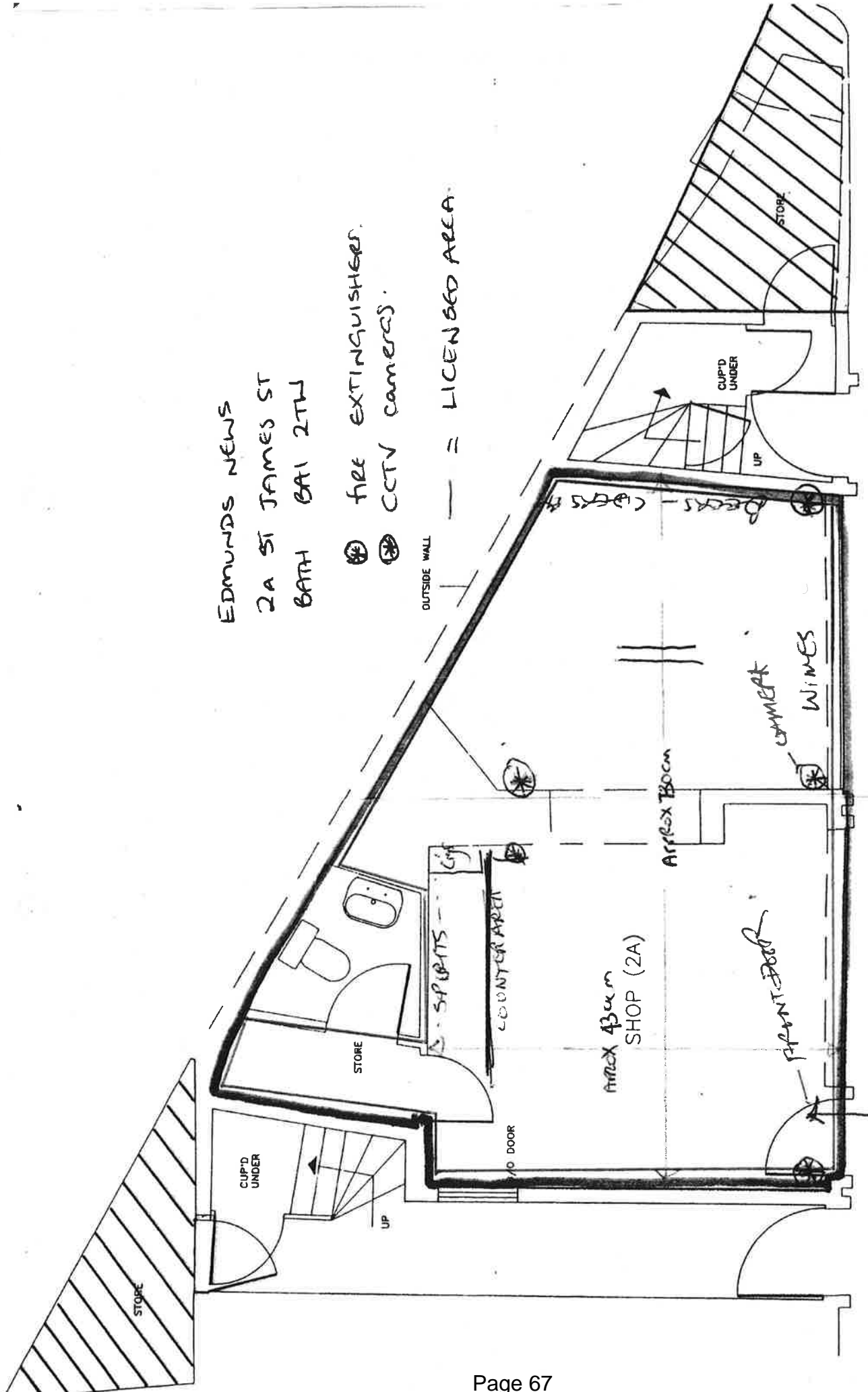
Date

4th January 2016

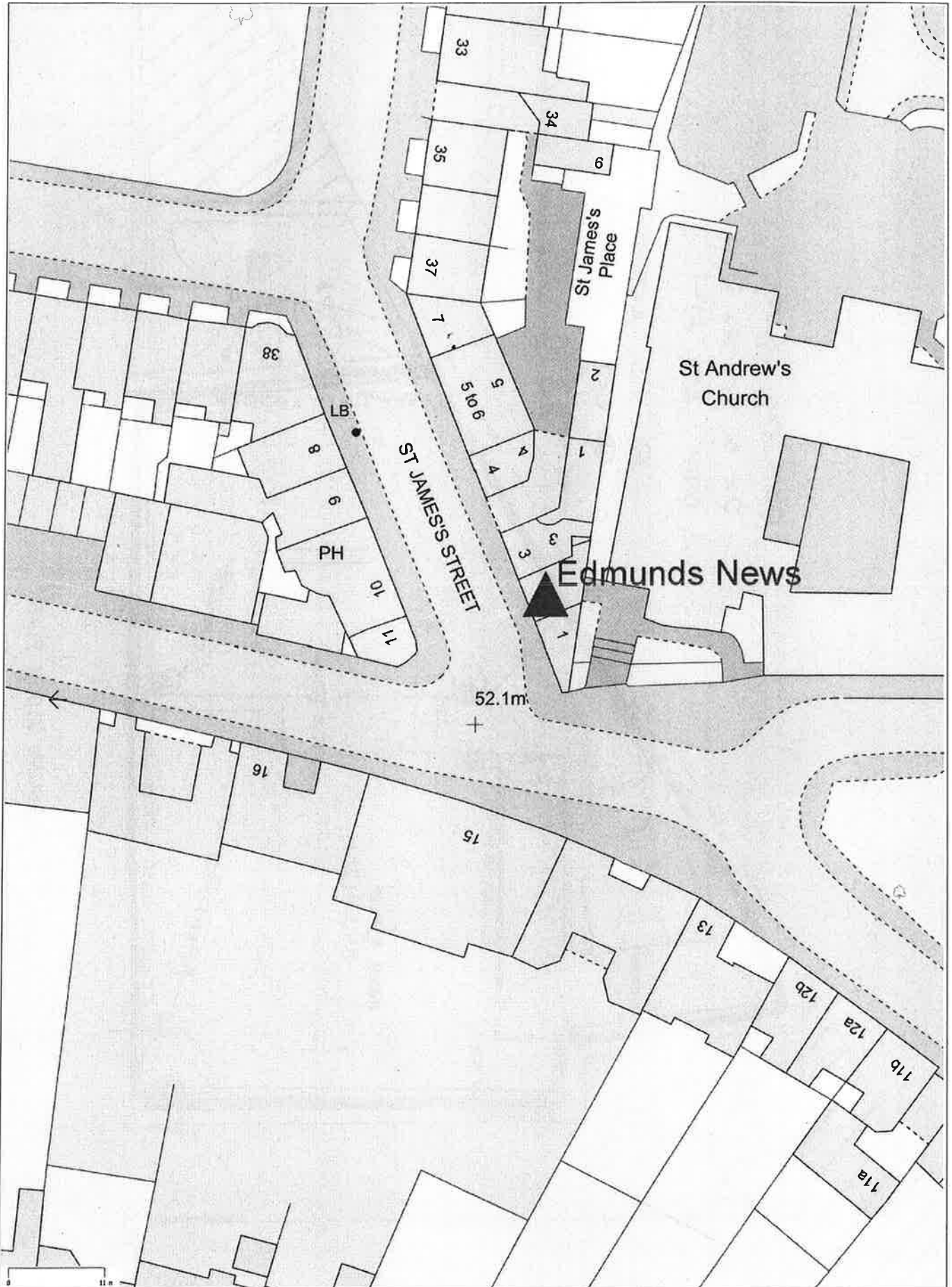
EDMONDS NEWS
2A ST JAMES ST
BATH BAI 2TH

⊗ FIRE EXTINGUISHERS.
⊗ CCTV CAMERAS.

— = LICENSED AREA.



GROUND FLOOR PLAN





ENVIRONMENTAL SERVICES
 11 FEB 2016
 Post Log No:
 Receipt No:
 CH/CA £.....

**Avon & Somerset Constabulary
 Representations: Licensing Act 2003.**

Your Name	Paul Kendall	
Job Title	Licensing Officer, North East District.	
Postal and email address	Concorde House, Fieldfare, Emersons Green, South Gloucestershire, BS16 7FN.	
Contact telephone number/e-mail address	0117986078 Paul.kendall@avonandsomerset.police.uk	
Name and address of the premises you are making representations about.	Edmunds News, 2A St James Street, Bath	
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
General – all four licensing objectives.		
To prevent Public Nuisance	No	
To prevent crime and disorder	Yes	The premises plan denotes spirits will be displayed behind the counter but is not included in the conditions offered. Due to the layout of the store where the view from the counter is restricted and the fact that spirits are the priority target for shoplifters the police request that this is made a condition.
Public Safety	No	
Protection of Children from harm	No	
Would this be suitable for resolution without a hearing if all parties agree?	N/A	Applicants have agreed to below additional condition – see attached e-mails
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer	All spirits to be displayed behind the counter	

to checklist.	
---------------	--

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

Signed: Paul Kendall

Date: 11/02/2016

This form must be returned within the Statutory Period. (With supporting evidence).

Terrill Wolyn

From: Terrill Wolyn
Sent: 10 February 2016 13:15
To: Terrill Wolyn
Subject: Edmunds News - Representation from Mandy CONNOR

From: Mandy Connor
Sent: 01 February 2016 17:24
To: Licensing
Subject: Reference: 16/00508/LAPRE

Details: New Premises Licence
Trading As: Edmunds News
Address: 2A St James's Street, Lansdown, Bath, BA1 2TW
Yard: Kingsmead
Reference: 16/00508/LAPRE

Dear Ms Latta,

I am writing with regard to the above application and wish to raise an objection to the proposed Licence application for Edmunds News.

I live in Lampards Buildings and overlook Julian Road Stores, although the licence would not directly affect me, indirectly it would.

I regularly use Edmunds News, Corners, The Dolly Tub, Mangia Bene, the Chemist and the pub. The street is quiet and very community conscious. I think the area of St James's Street is a very good example of a good community street that welcomes residents and tourists. Hence my regular use.

My reasons for objecting to the proposed licence are:

1. I have seen that the Chemist has regular visitors that frequent Julian Road Stores for their alcohol. These people on numerous occasions have arguments outside the shop due to their alcohol intake and the police are called to deal with the situations that arise. I have learnt to live with this along the road, but why put similar possible problems further down the road. With alcohol being sold in St James's Street from 6 am to 10 pm this would have an impact on the quiet street.
2. Why do we need another shop selling alcohol when Julian Road Stores; open from 11am to 11pm and The Co-Op; open from 8am to 10 pm already sell a wide range of alcohol? We did have McColls for a number of years too and they have now gone, but the noise of people drinking alcohol on the streets is still there.
3. Within the street there is The St James Wine Vaults – by selling alcohol opposite, surely this would have an impact on trade at the pub. I would not like to see the only traditional pub in the area close. This pub thrives on the community around it and raises money for the local neighbourhood. By Edmunds News selling alcohol; this could have a significant impact on this business and the community it helps.
4. The risk of anti-social behaviour and littering will be increased. This is especially concerning as there are many tourists that frequent the local shops and pubs in the area. There is also a risk of glass being broken and cans left around. This would have an impact on the many dog walkers.
5. Research into the Police UK website has highlighted that anti-social behaviour is a major priority in Bath and priority action is being taken 'Continued alcohol seizures and section 34 dispersal notices

ANNEX E

are to be issued to street drinkers causing anti-social behaviour. Will this happen in this area? The Police are already stretched to the limit.

I have also carried out research into the potential issues that could arise and found the following:

An Investigation into the Environmental Impact of Off-licence Premises on Residential Neighbourhoods carried out by AERC November 2007

http://alcoholresearchuk.org/downloads/finalReports/AERC_FinalReport_0052.pdf

The report addressed " issues by focusing upon licensed convenience stores (grocers / newsagents) operating in residential areas. Unlike on-trade premises, these outlets (community off-sales) often provide a broad range of services for the wider community, not just drinkers or the over-18s. Unlike city centre weekend binge drinking, the impact of such premises on residents is likely to be continuous and long-lasting, affecting the whole community. For many residents, including children, these premises and their alcohol purchasing clientele offer their only exposure to the consequences of (anti-social) drinking."

The research carried out by Alcohol Research UK suggests that "there would appear to be too much pressure placed upon shop servers about the issue of under-18s, purchasing alcoholic drinks directly from off-sales, in comparison to other alcohol-related issues (e.g. sale to intoxicated or anti-social customers). This is particularly unfortunate because as one interviewee in this research (who was making strenuous efforts to prevent under-agers from obtaining alcohol) put it - "they will always find a way around it". Indeed, far from being a "black and white issue", proof-of-age crackdowns, such as test-purchasing or national ID cards, may only lead to more practices such as the 'shoulder-tapping' of adults to act as agents for under-age purchase, which in turn may actually put the young people concerned at a greater level of risk from alcohol-related and other harm."

Research from Local Authorities has also highlighted that Off-Sales contributes to Anti-Social Behaviour such as noise and littering.

Therefore, in conclusion, it is felt that by adding another Off-Licence into the area will create significant issues in the area that Bath & North East Somerset Council will have to handle and have a substantial impact on the businesses around it. Two shops are enough, why do we need another one.

Yours sincerely

MANDY CONNOR
Lampards Buildings
Bath
BA1 2RW

**Bath & North East
Somerset Council**

LICENSING ACT 2003

Bath And North East
Somerset Council

12 FEB 2016

Received

INTERESTED PARTY REPRESENTATION

Please read the notes at the back of this form prior to completing it.

I/We object to the following application:

Application number:	16/00508/LAPRE
Applicant's name:	Stars News Ltd
Premises name and address:	Edmunds News 2a St James Street Bath BA1 2TW
Application for a:	Alcohol Licence

Objector Details:

Objector's Name:	Mr P. Wilband
Objector's Address:	Buisness , Dolly Tub Launderette 2 st James Street ath ba1 2tp
Organisation name if applicable:	Dolly Tub Launderette

Objection Details:

My/our representation is relevant to the following licensing objective(s):

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm
- Public safety

be sent to the applicant and will form part of a public document prior to any hearing on this matter.

Signed

Date

11/02/2016

Contact telephone number(s)
(This is essential as we may need to contact you at short notice)

There will be a hearing to determine this application. We will send you details of the time, date and location at least 10 working days before the hearing.

This section of the form must be returned to us a minimum of 5 working days before the hearing. If you wish, you may complete this now. Alternatively, you can keep this page and return it to us once you have received details of the hearing.

Name Mr Phillip Wilband

I will be attending the hearing I will not be attending the hearing

I will be represented at the hearing by _____

I will be calling the following witness(es):

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra pages.

Try to be as specific as possible and give examples e.g. *On 1 February I could hear loud music from the premises between 10pm and 1 am. I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street.*

I/We have already made a written representation and have no further comments

Dear Sir / Madame

I write to yourselves with my objection to Star news applying for a licence to sell alcohol at Edmunds News St James street bath ba1 2tw. I am the owner of the Dolly Tub Launderette situated two doors away from the said address. We are situated beneath a Victorian Colonnade which already being plagued unfortunately by gangs of youths, Alcoholics / drug users from sadley near by Julian Rd area. especially at night and during wet rainy periods. We have already been the victim of Crime. Plus the flat opposite under the collenade was also burgled recently. Contact Bath Police for details. Also the wall opposite has now been covered with graffiti. In my opinion selling alcohol from the news agent would only lead to more alcohol fuelled crime like this. Alcohol being sold from a shop like this would not be taken home for consumption but drunk on the street in areas just as i have described.. There is a pub right opposite where one can have a drink if one wants without having to drink on the streets or in my Launderette!!! which is what will most likley happen. You can drive along Julian Rd at any time especially at night to see living proof of drinking on the streets. I please ask you to consider my objections when looking at this application. Many Thanks Mr Phillip Wilband

I am aware that a full copy of my representation (including my name and address) will

ANNEX E

Terrill Wolyn

Subject: FW: St James Sq newsagent

Representation in respect of Edmunds News received 12.02.2016

From: david attinger
Sent: Friday, February 12, 2016 11:14
To: licencing@bathnes.gov.uk
Cc: Chris Pearce (Cllr); andrew_furse@bathnes.gov.uk
Subject: St James Sq newsagent

Dear Sir/Madam, I am writing to register my objection to the application for an alcohol licence ref 16/0058 LAPRE. I live at No St James's Square, BA1 2TR. I have spoken with many other residents all of whom are vehemently opposed to this application to change a community newsagents into a destination for people requiring cheap, late night alcohol. The associated noise and inevitable anti social behaviour will do nothing to improve local residents standard of living and everything to encourage increased alcohol consumption by people who might be discouraged to walk the few hundred yards up Julian Road to the Co-op which seems to cater very well for the 'strong lager' and 'cheap wine' drinker. Regards, David Attinger

Matthew White
Fairlawn, Weston Road
Bath. BA1 2XX

16th February 2016

Environmental Monitoring and Licensing
BANES
Lewis House
Manvers Street
Bath, BA1 1JG

Bath And North East
Somerset Council

19 FEB 2016

Received

Dear Sirs

Re: New Premises Licence Application
Ref. No. 16/00508/LAPRE
2a St James Street, Lansdown, Bath, BA1 2TW

I wish to object to the granting of the licence referred to in the above application.

Whilst I can put forward no reasonable reasons to suggest that an off-licence at 2a St James Street is likely to cause Crime, Disorder, a Public Nuisance or a danger to Public Safety on the premises, I am, nevertheless, worried about its proximity to the Primary School next door and the possibility (even probability) of the inappropriate drinking from cans or bottles, purchased at this off-licence, during the school day, on the pavement or convenient piece of grassed space in the vicinity of the school. The fact is that Bath does have its share of daytime street and park drinkers and further facilities for this habit should not be located near a school.

Yours faithfully,

Electronic copy rec'd 16/02/2016

Terrill Wolyn

From: Rosalind Beale <
Sent: 17 February 2016 15:26
To: Terrill Wolyn
Subject: Edmunds News - REPRESENTATION from Rosalind BEALE

Dear Terrill,

Further to our recent correspondence, I'm writing to oppose the above application on the grounds that it is likely to cause a public nuisance, lead to disorder and threaten the safety of children.

The associated noise and inevitable antisocial behaviour that the sale of cheap alcohol will bring, will interfere with the quiet enjoyment of the local residents in St James's Square. This application is clearly aimed at the people who favour strong alcohol and cheap wine, a significant number of whom live on the estates on Julian Road. Evidence of their anti social behaviour can often be seen when they colonise the green in front of the school on Julian Road. Discarded bottles and cans are frequently left on the green by the drinkers and they become incapable of keeping their dogs under control. This is very intimidating for other dog owners and also young children.

Kind regards

Rosalind Beale

St James's Square

Terrill Wolyn

From: Licensing
Sent: 18 February 2016 12:02
To: Terrill Wolyn
Subject: Edmunds News - REPRESENTATION from Peter GUNNING

From: Peter Gunning pgunning@stjames.org
Sent: 18 February 2016 11:51
To: Licensing
Subject: Licensing Application 16/00508/LAPRE 2a St James's Street

I am writing to register my deep concern at a new source of alcohol from 6am until 10pm extremely close to the infants school.

Again this will no doubt give rise to unwelcome crime and disorder in a quiet environment.

Peter Gunning
St James's Square

Terrill Wolyn

Subject: FW: Edmunds News - REPRESENTATION from Geoffrey TANTUM

From: Geoffrey Tantum

Sent: 18 February 2016 12:21

To: Terrill Wolyn

Subject: Re: Edmunds News - REPRESENTATION from Geoffrey TANTUM

Dear Terrill

I was good of you to respond with such helpful guidance. Please see my revised submission below objecting to the granting of a licence.

"I think the grant of a licence to an outlet selling alcohol daily from 06.00 – 22.00 could indeed cause a public nuisance, and potentially lead to disorder and threaten the safety of children.

There would inevitably be noise as people may gather outside the shop in the summer months drinking cheap wine/alcohol. The pub opposite is very well controlled by the landlord but that would not apply to this outlet. Such noise and potential disruption on the narrow pavement would impact on this residential area and the residents' quiet enjoyment of their homes. It is also likely to lead to an increase in anti-social littering (bottles/ cans/packets) and quite possibly unfriendly dogs poorly controlled as we have already seen in some areas in this neighbourhood. This could intimidate residents and frighten young children."

I trust this is more acceptable and thank you again for your help.

Geoffrey Tantum

St James's Square

Bath

BA1 2TS

Terrill Wolyn

From: Licensing
Sent: 19 February 2016 09:54
To: Terrill Wolyn
Subject: Edmunds News - REPRESENTATION from Angelina JENKINS

From: Angelina Jenkins [redacted]
Sent: 19 February 2016 09:38
To: Licensing
Subject: Licensing application reference 16/00508/LAPRE - Edmunds News

Dear Case Officer,

I refer to the licensing application reference 16/00508/LAPRE submitted on 22.1.2016 for "Sale of alcohol everyday 06:00 to 22:00 off the premises" at Edmunds News, St James's Street, Bath BA1 2TW.

I want to lodge my objection to granting the said licence under application. My concern is that this is a quiet residential area, the opening of a shop until 10:00 pm will invariably bring in shoppers to the area during a time when residents would want to take a quiet rest, and the selling of alcohol until this late hour will very likely lead to noise and anti-social behaviour on the street.

There is already the Co-op Supermarket some 50 metres away on Julian Road which opens until 10pm everyday and which sells alcohol. There is no need for yet another shop in the area selling alcohol.

Furthermore, the purpose of this kind of "corner" shops is traditionally for the convenience of the local residents, Edmunds News's current closing time of 6:00pm during the week and 12:30pm on Sundays serves this purpose completely. There is no need to extend its opening hours to 10pm everyday including Sunday.

I would be grateful if you could take into account the above concerns and objection in your assessment of the application. Thank you.

Best wishes
Angelina Jenkins
Great Bedford Street
Bath BA1 2TZ

Terrill Wolyn

From: Licensing
Sent: 19 February 2016 10:49
To: Terrill Wolyn
Subject: Edmunds News - REPRESENTATION from Dorat

From: Dorota King
Sent: 19 February 2016 10:38
To: Licensing
Subject: Subject Application 16/00508/LAPRE, 2A St James's Street

I'm writing to object to the above application on the grounds that it is likely to cause a public nuisance, and will lead to increased crime and disorder. It should not be granted because

Nearly all, if not all, residents of the Square see it as a public nuisance.

Without doubt, It will contribute to the increase an disorder and crime

as there is strong evidence linking alcohol consumption and crime. The research has been carried by respected UK organisations and some is published on the UK government website. Some examples are:

*<http://www.ias.org.uk/Alcohol-knowledge-centre/Crime-and-social-impacts/Factsheets/UK-alcohol-related-crime-statistics.aspx>http://www.ias.org.uk/uploads/pdf/Women/bs_alcohol_violence.pdf
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98138/rapid-evidence-assessment.pdf*

The link between alcohol and crime and violence has well been documented. As there is an evidence based on this research that alcohol consumption will results in increased crime, the application should not be granted.

Finally, there is an ethical reason: It simply serves no good to encourage people to drink more alcohol. The local area is over served already with outlets selling alcohol. It presents further risk to children, as they walk the streets seeing alcohol sold in nearly every shop and may think it is normal thing to drink. Alcohol is a drug, and I hope our local councillors, especially those who have their own children, will also object to this application.

Yours sincerely

Dorota King
22 St James's Square

Bath & North East Somerset Council		
MEETING:	Licensing Sub Committee	AGENDA ITEM NUMBER
MEETING DATE:	Tuesday 15 March 2016	
TITLE:	Application for a Premises Licence for Widcombe Social Club , Widcombe Hill, Widcombe BA2 6AA	
WARD:	Widcombe	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for a new premises licence		
Annex B Plans of premises		
Annex C Site plan		
Annex D Representation received from the Police		
Annex E Conditions agreed between Police and Applicant		

1 THE ISSUE

- 1.1 An application has been received for a new Premises Licence under s.17 of the Licensing Act 2003 in respect of Widcombe Social Club, Widcombe Hill, Widcombe BA2 6AA.

2 RECOMMENDATION

- 2.1 That the Sub Committee determines this application.

3 RESOURCE IMPLICATIONS

- 3.1 The costs of processing licences are covered by the fees charged. The fee for this application is £315.00.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

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

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

5 THE REPORT

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

5.2 The application proposes the following licensable activities:

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

Monday to Wednesday	11:00 - 01:00 the following morning
Thursday to Saturday	11:00 - 02:00 the following morning
Sunday	10:00 – 01:00 the following morning

On New Year's Eve the terminal hour for the sale of alcohol will be 03:00 the following morning.

- 2) The provision of Late Night Refreshment indoors only:

Monday to Wednesday	23:00 - 01:00 the following morning
Thursday to Saturday	23:00 - 02:00 the following morning
Sunday	23:00 – 01:00 the following morning

On New Year's Eve the terminal hour for late night refreshment shall be 03:00 the following morning.

- 3) The performance of Plays indoors only, the exhibition of Film indoors only, and Indoor Sporting Events:

Monday to Wednesday	10:00 – 00:00 midnight
Thursday to Saturday	10:00 – 01:00 the following morning
Sunday	10:00 – 00:00 midnight

On New Year's Eve the terminal hour for these activities shall be 03:00 the following morning.

- 4) The performance of Live and Recorded Music, Dance and anything similar indoors only:

Monday to Wednesday	10:00 to 00:00 midnight
Thursday and Friday	10:00 – 01:00 the following morning
Saturday	10:00 – 02:00 the following morning

Sunday 10:00 – 00:00 midnight

On New Year's Eve the terminal hour shall be 03:00 the following morning.

5) The opening hours proposed are:

Sunday to Wednesday 09:00 - 02:00 the following morning

Thursday 09:00 - 02:30 the following morning

Friday and Saturday 09:00 – 03:00 the following morning

On New Year's Eve the closing time shall be 03:00 the following morning.

5.3 Plans of the premises are attached at Annex B.

5.4 A site plan is attached at Annex C.

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

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

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

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

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

- a) Paragraphs 3-6, 8-10, 13-14, 17-24, 29,33-36, 38-41 of the 2015 policy.
- b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised March 2015.
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.

- 5.8 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.
- 5.9 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates' Court. If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates' Court. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 5.10 In accordance with the requirements of the Act the applicants served copies of the application upon the police, the fire authority, environmental health, development control, trading standards, health authority and the child protection agency.
- 5.11 The applicant is required to place a notice at the premises for a period of 28 consecutive days starting the day after the application is made, and to place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 5.12 A representation has been received from Police Licensing Officer Paul Kendall on behalf of Avon & Somerset Constabulary (Annex D) in respect of the prevention of crime and disorder and prevention of public nuisance licensing objectives. As the premises has function rooms and will be rented out to the general public, the representation proposes that conditions relating to CCTV, staff training, Challenge 25 and a refusal/incident book would be appropriate to promote the prevention of crime and disorder licensing objective. As the premises is situated in a residential area, a measure to reduce late night noise nuisance and promote the prevention of public nuisance licensing objective has also been suggested by the Police (Annex D).
- 5.13 The applicant has agreed in writing (Annex E) to the following conditions to promote the prevention of public nuisance and the prevention of crime and disorder licensing objectives:
- Signage requesting customers to be considerate to neighbours should be conspicuously displayed inside and outside entrances /exits.
 - A CCTV system to be installed to the satisfaction of the police and licensing authority. CCTV to continuously record during trading hours and for one hour afterwards. All recordings to be date and time stamped, retained for 28 days and handed to police for evidential purposes on request. The system must be maintained and if the CCTV fails,

immediate steps will be taken to put the system back in operation. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.

- The premises licence holder shall require the Designated Premises Supervisor or in his/her absence other responsible person to keep an incident/refusal log book in a bound book in which full details of incidents are recorded. The log book is to be kept at the premises at all times and shall be produced to an authorised officer of the police or licensing authority when requested.
- Staff training. All staff to be trained in the prevention of under-age sales to a level commensurate with their duties. Their training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the licensing authority or police.
- A Challenge 25 proof of age scheme shall be adopted, implemented and advertised at any premises. An accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.
- Publicity materials notifying customers of the operation of Challenge 25 scheme shall be displayed at the premises including a Challenge 25 sign of at least A4 at the entrance to the premises and where practicable at each point of sale.

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

6. RATIONALE

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

7 OTHER OPTIONS CONSIDERED

7.1 None.

8 CONSULTATION

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

9 RISK MANAGEMENT

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

10 ADVICE SOUGHT

- 10.1 The Council's Monitoring Officer (Head of Legal & Democratic Services and Council Solicitor), section 151 Officer (Divisional Director-Business Support) and the Group Manager Public Protection & Health Improvement have had the opportunity to input to this report and have cleared it for publication.

Contact person	Terrill Wolyn, Senior Public Protection Officer 01225 396939
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

[Insert name and address of relevant licensing authority and its reference number (optional).]

**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 WIDCOMBE SOCIAL CLUB

(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			
Widcombe Social Club Widcombe Hill			
Post town	Bath	Postcode	BA2 6AA

Telephone number at premises (if any)	NA
Non-domestic rateable value of premises	£1m

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

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



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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

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 WIDCOMBE SOCIAL CLUB
Address Widcombe Hill Bath BA2 6A
Registered number (where applicable) IP 032387
Description of applicant (for example, partnership, company, unincorporated association etc.) Industrial and Provident Society, a not-for-profit organisation
Telephone number (if any) NA
E-mail address (optional) info@widcombesocialclub.co.uk

ANNEX A

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	03	2016

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

DD	MM	YYYY
NA	-	-

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

Widcombe Social Club is an Industrial and Provident Society owned by its members and managed by an elected Management Committee. The Club has operated on the current site since the 1960's. The vision for the new Club has been defined as follows:

- for the use and enjoyment of the whole local community.
- a pleasant and accessible environment
- value for money

The Club will offer:

- a social meeting place, with bar, café and catering facilities – for daytime as well as evening use. The premises and facilities will be welcoming and open to families and children.
- flexible facilities and daytime and evening use for various public or private meetings – clubs, organisations, businesses – and for parties, celebrations and special social occasions.
- facilities for pub/indoor sports. These facilities will be sufficient to host both large and small competitive meetings, championships etc.
- a wide range of entertainment – cabaret, concerts, bands, comedy, discos etc – in one or more of the spaces available.
- special events and activities for the pleasure and participation of the local community.

The users of the Club cover the full spectrum of people and age groups in the local area of Widcombe and its environs, as well as its existing members and those attracted by the various activities and facilities from further afield. The Club will be open and available to the public as well as members. Membership at a modest annual fee will be maintained and developed to bring certain benefits.

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

NA

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

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

Provision of regulated entertainment	Please tick any that apply
a) plays (if ticking yes, fill in box A)	X
b) films (if ticking yes, fill in box B)	X
c) indoor sporting events (if ticking yes, fill in box C)	X
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)	X
f) recorded music (if ticking yes, fill in box F)	X
g) performances of dance (if ticking yes, fill in box G)	X
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	X

ANNEX A

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

X

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

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	10.00	24.00	Please give further details here (please read guidance note 3) <ul style="list-style-type: none"> School and other youth performances Small-scale touring theatre productions Stand-up comedy 		
Tue	10.00	24.00			
Wed	10.00	24.00	State any seasonal variations for performing plays (please read guidance note 4) NA		
Thur	10.00	01.00			
Fri	10.00	01.00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) <ul style="list-style-type: none"> New Year's Eve – till 03.00 		
Sat	10.00	01.00			
Sun	10.00	24.00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10.00	24.00	Please give further details here (please read guidance note 3) • Occasional screenings eg Bath Film Festival and Bath Film Club		
Tue	10.00	24.00			
Wed	10.00	24.00		State any seasonal variations for the exhibition of films (please read guidance note 4) NA	
Thur	10.00	01.00			
Fri	10.00	01.00		Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	10.00	01.00		• New Year's Eve – till 03.00	
Sun	10.00	24.00			

ANNEX A

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Day Mon	10.00	24.00	<ul style="list-style-type: none"> • Skittles • Pool • Darts • Cards (eg Bridge Club)
Tue	10.00	24.00	
Wed	10.00	24.00	<p>State any seasonal variations for indoor sporting events (please read guidance note 4)</p> <p>NA</p>
Thur	10.00	01.00	
Fri	10.00	01.00	<p>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 (please read guidance note 5)</p> <ul style="list-style-type: none"> • New Year's Eve – till 03.00
Sat	10.00	01.00	
Sun	10.00	24.00	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment 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) NA	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

ANNEX A

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	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10.00	24.00	<ul style="list-style-type: none"> • Local choirs (eg Sassparellas) • Folk music (eg Bath Folk Festival) • Electrified bands • Chamber music (eg Bath Music Festival) 		
Tue	10.00	24.00			
Wed	10.00	24.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) NA		
Thur	10.00	01.00			
Fri	10.00	01.00	<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)		
Sat	10.00	02.00	<ul style="list-style-type: none"> • New Year's Eve – till 03.00 		
Sun	10.00	24.00			

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	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10.00	24.00	<ul style="list-style-type: none"> • Discos and dances • Ambient background music • Parties and other social events 		
Tue	10.00	24.00			
Wed	10.00	24.00	State any seasonal variations for the playing of recorded music (please read guidance note 4) NA		
Thur	10.00	01.00			
Fri	10.00	01.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10.00	02.00	<ul style="list-style-type: none"> • New Year's Eve – till 03.00 		
Sun	10.00	24.00			

ANNEX A

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	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10.00	24.00	Please give further details here (please read guidance note 3) <ul style="list-style-type: none"> Local dance and ballet schools/clubs Small-scale touring dance productions (eg Bath Fringe Festival) 		
Tue	10.00	24.00			
Wed	10.00	24.00	State any seasonal variations for the performance of dance (please read guidance note 4) NA		
Thur	10.00	01.00			
Fri	10.00	01.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) <ul style="list-style-type: none"> New Year's Eve – till 03.00 		
Sat	10.00	02.00			
Sun	10.00	24.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing <ul style="list-style-type: none"> • Weddings, • Anniversaries, retirements and other parties • Bath Fringe Festival events not covered above 		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10.00	24.00		Both	<input type="checkbox"/>
Tue	10.00	24.00	Please give further details here (please read guidance note 3)		
Wed	10.00	24.00			
Thur	10.00	01.00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) NA		
Fri	10.00	01.00			
Sat	10.00	02.00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	10.00	24.00	<ul style="list-style-type: none"> • New Year's Eve – till 03.00 		

ANNEX A

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11.00	01.00	<ul style="list-style-type: none"> Food and beverages to be consumed during/in support of general licensable activities 		
Tue	11.00	01.00			
Wed	11.00	01.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	11.00	02.00	NA		
Fri	11.00	02.00	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	11.00	02.00	<ul style="list-style-type: none"> New Year's Eve – till 03.00 		
Sun	10.00	01.00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (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	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) <ul style="list-style-type: none"> • New Year's Eve 		
Day Mon	11.00	01.00			
Tue	11.00	01.00			
Wed	11.00	01.00			
Thur	11.00	02.00			
Fri	11.00	02.00			
Sat	11.00	02.00			
Sun	10.00	01.00			
			<u>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</u> (please read guidance note 5) <ul style="list-style-type: none"> • New Year's Eve – till 03.00 		

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

Name James Waterhouse	
Address 6 Lymore Terrace Southdown Bath	
Postcode	BA2 2JL
Personal licence number (if known) B&NES/15/03799/LAPER	
Issuing licensing authority (if known) Bath & North East Somerset Council	

ANNEX A

K

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

- No gaming machines
- Occasional film shows will be BBFC rated and the rating clearly advertised
- Any occasional stage shows involving nudity will be clearly advertised as such

L

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	
M	09.00	02.00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <ul style="list-style-type: none"> • New Year's Eve – till 03.00
T	09.00	02.00	
W	09.00	02.00	
TH	09.00	02.30	
F	09.00	03.00	
S	09.00	03.00	
S	09.00	02.00	

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

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

- WSC is a registered club with an elected Management Committee operating on a non-profit basis for the benefit of the local community.
- Every consideration will be given to local residents
- Care will be taken to consult with users.
- Staff and volunteers will be recruited and trained in order to be fully compliant with all relevant regulations and rulings.

b) The prevention of crime and disorder

- Alcohol will be served responsibly
- There will be liaison with the Police and all other relevant local authorities
- Membership of Pubwatch
- There will be full compliance with any regulations and rulings

c) Public safety

- WSC will comply fully with all relevant Health and Safety regulations
- Staff and volunteers running the premises will receive all relevant training
- First aid
- Fire safety including exits, extinguishers and evacuation procedure
- Correct storage and use of any chemicals, cleaning fluids etc

d) The prevention of public nuisance

- WSC intends the premises to be used for events involving members of the local community, many of which will be daytime or early evening events. WSC is not a night club.
- Audiences for later evening events will be encouraged to leave in a quiet and orderly fashion
- Easy access to taxis, membership of Pubwatch, adequate bins and ashtrays, closing any doors and windows at an appropriate time

e) The protection of children from harm

- Children will not be admitted at any time unless accompanied/supervised by an appropriate adult
- For any occasional events of an adult nature there will be clear advertising of this fact in advance and comprehensive stewarding at the event itself
- Adoption of Challenge 25

ANNEX A

Checklist:


Please tick to indicate agreement

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


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

Part 4 – Signatures (please read guidance note 10)

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

Signature	 Sir Peter Hendy CBE
Date	13/01/2016
Capacity	Club President

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	 Nick Steel
Date	13/01/2016
Capacity	Committee Member

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

**Nick Steel
4a Sussex Place**

Post town	Bath	Postcode	BA2 4LA
Telephone number (if any)	07974 301219		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) nick@bathcomedy.com			

ANNEX A

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

Nick Steel

.....
[name of applicant]

concerning the supply of alcohol at

Widcombe Social Club
Widcombe Hill
Bath
BA2 6AA

.....
[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/15/03799/LAPER

.....
[insert personal licence number, if any]

Personal licence issuing authority

Bath & North East Somerset Council

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

Signed



Name (please print)

James Waterhouse

Date

07/01/2016

Consent of individual to being specified as premises supervisor

James Waterhouse

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

Of

6 Lymore Terrace
Southdown
Bath
BA2 2JL

.....
[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

Premises License

.....
[type of application]

by

Nick Steel

.....
[name of applicant]

relating to a premises licence

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

for

Widcombe Social Club
Widcombe Hill
Bath
BA2 6AA

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

Notwithstanding to what is stated in any other drawing, the dimensions shown on this drawing shall prevail.

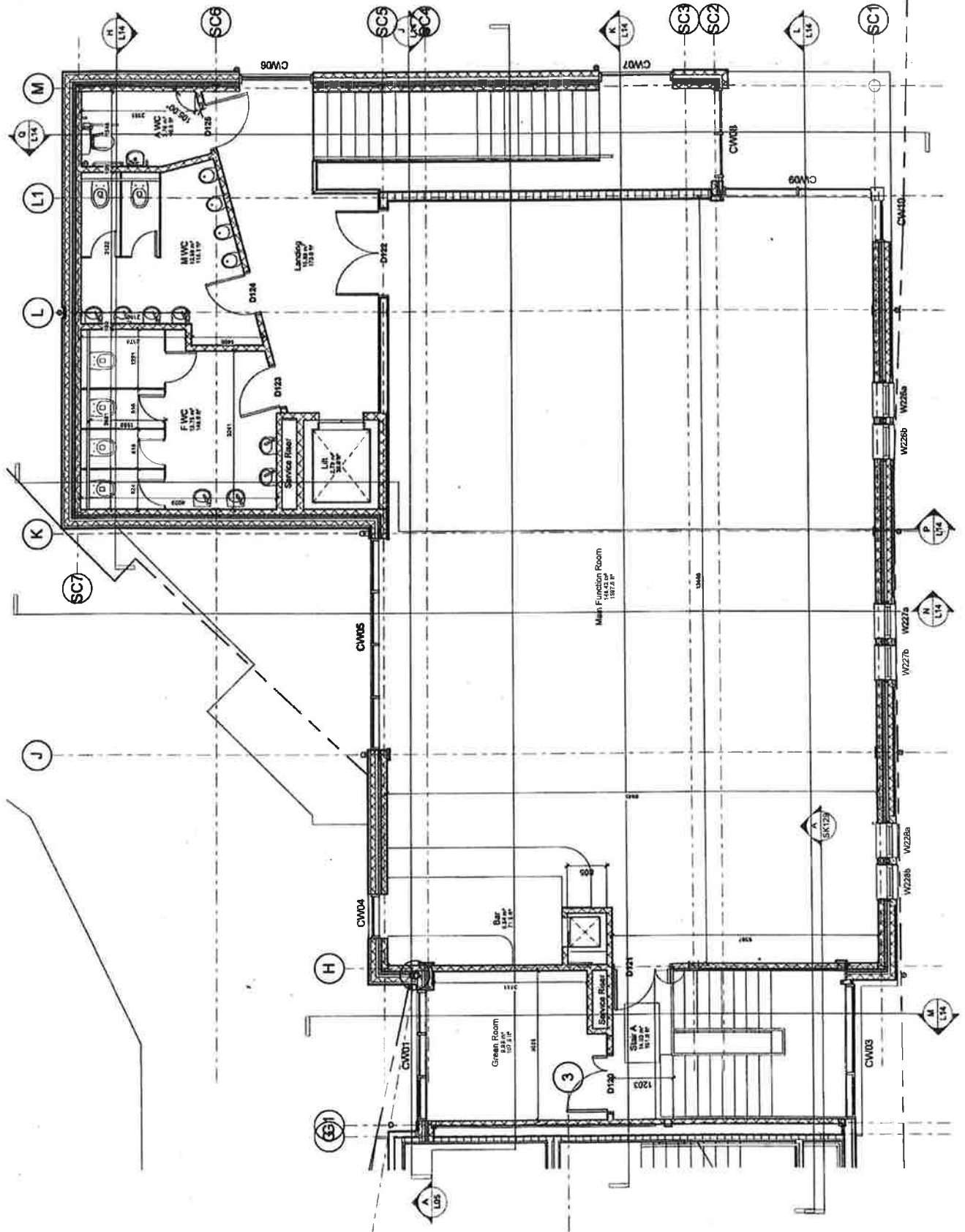
A2 Original Sheet

SCALE: 1/8" = 1'-0"
 1/4" = 1'-0"
 1/2" = 1'-0"
 3/4" = 1'-0"
 1" = 1'-0"

Stide Treglown
 ARCHITECTS
 10000 W. 10th Avenue, Suite 100
 Golden, CO 80401
 PH: 303.440.1000
 WWW.STIDETREGLOWN.COM

WIDCOMBE HILL
 Bath

PROJECT NO.	80226
DATE	2.11.14
PROJECT NAME	WIDCOMBE HILL
CONSTRUCTION	B
DESIGNER	STIDE TREGLOWN
DATE	2.11.14
PROJECT NAME	WIDCOMBE HILL
CONSTRUCTION	B



ANNEX B

PROVISIONAL AND NOT VALID FOR CONSTRUCTION. THIS DRAWING IS FOR INFORMATION ONLY. ANY CHANGES TO THE DESIGN SHALL BE MADE BY THE ARCHITECT. THE ARCHITECT'S OFFICE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING.

A2 Original Sheet

Scale: 1:50

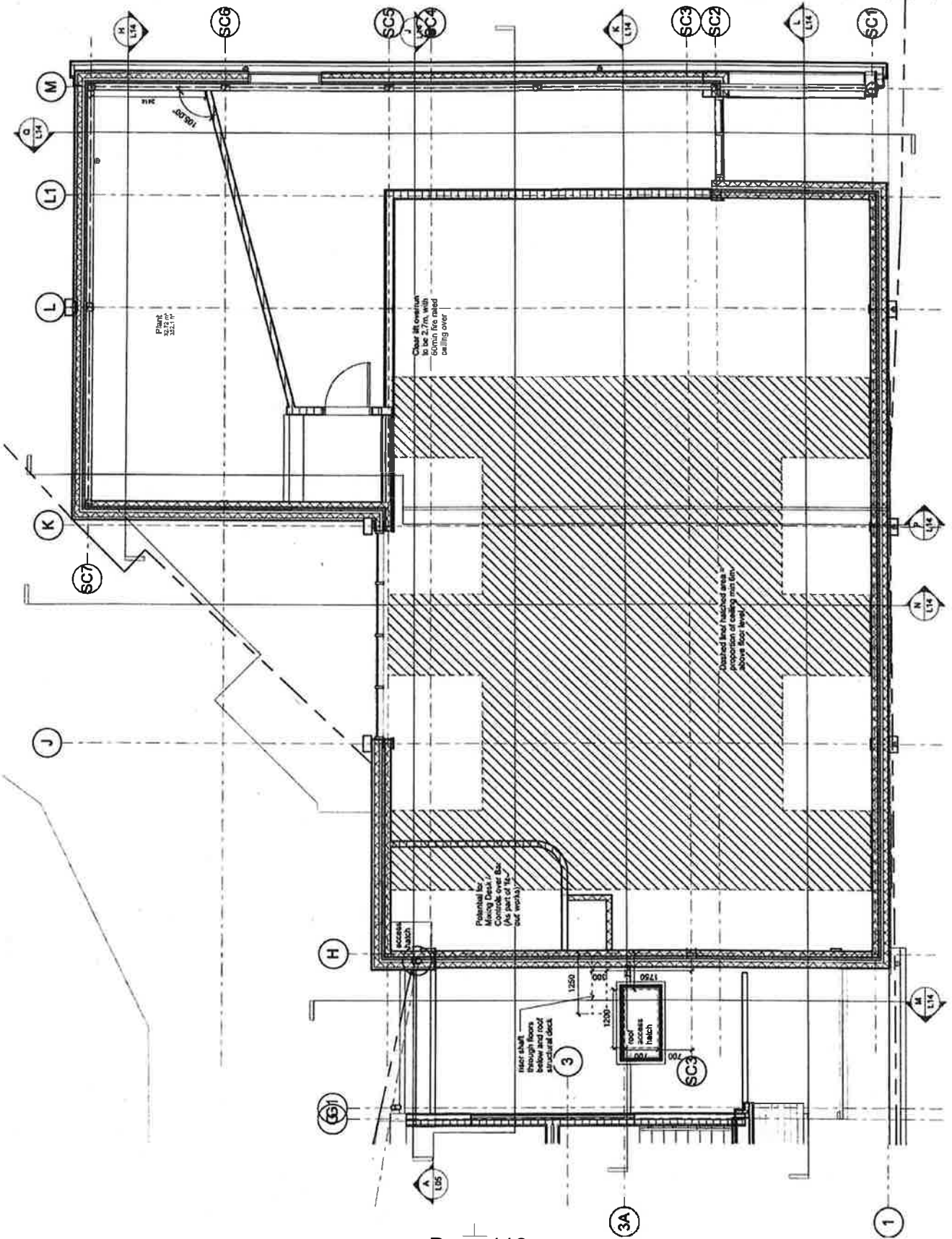
DATE: 21/11/14
 DRAWING NO: SC
 PROJECT NUMBER: L23
 DRAWING NUMBER: B

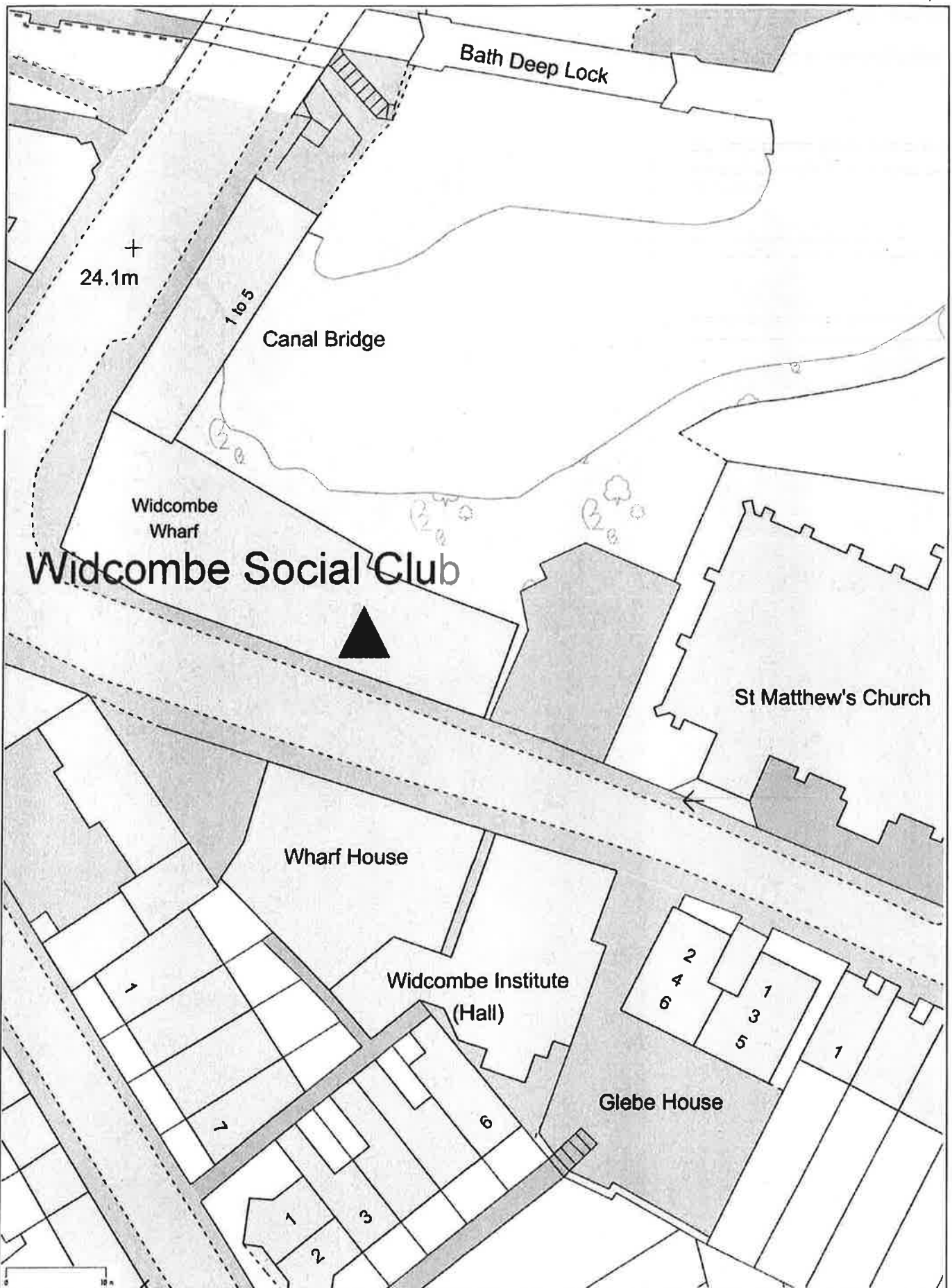
Stride Treglown
 21 Church Lane, 21 Church Lane, 21 Church Lane
 21 Church Lane, 21 Church Lane, 21 Church Lane
 21 Church Lane, 21 Church Lane, 21 Church Lane

WIDCOMBE HILL
 Bath

DRAWING TITLE
 Social Club Third Floor Level

CONSTRUCTION	
SCALE	DATE
1:50	21/11/14
PROJECT NUMBER	DRAWING NUMBER
L23	B







ENVIRONMENTAL SERVICES
ANNEX
 10 FEB 2008
 Post Log No:
 Receipt No:
 CH/CA 2.....

D

Avon & Somerset Constabulary
Representations: Licensing Act 2003

Your Name	Paul Kendall	
Job Title	Licensing Officer, North East District.	
Postal and email address	Concorde House, Fieldfare, Emersons Green, South Gloucestershire, BS16 7FN.	
Contact telephone number/e-mail address	0117 986078 0117 9286078 . Paul.kendall@avonandsomerset.police.uk	
Name and address of the premises you are making representations about.	Widcombe Social Club, Widcombe Hill, Bath BA2 6AA	
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
General – all four licensing objectives.		
To prevent Public Nuisance	Yes	Premises is in a residential area therefore police wish measures to be adopted to reduce noise late at night.
To prevent crime and disorder	Yes	Application is for a full on-licence. Premises has function rooms and will be rented out to the general public therefore CCTV system requested. Refusals/incident book has not been included on the application. The police require this to show due diligence.
Public Safety	No	
Protection of Children from harm	Yes	Challenge 25 has been agreed to by the applicants however the police would like the condition expanded to include training of staff
Would this be suitable for resolution without a hearing if all parties agree?	<input checked="" type="checkbox"/>	Applicants have agreed to below additional conditions – see attached e-mails
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	Signage requesting patrons to be considerate to neighbours should be conspicuously displayed inside and outside entrances/exits. A CCTV system to be installed to the satisfaction of the police and licensing authority. CCTV to continuously record during trading hours and for one hour afterwards. All recordings to be date and time stamped, retained for 28 days	

ANNEX D

and handed to police for evidential purposes on request. The system must be maintained and if the CCTV fails immediate steps will be taken to put the system back in operation. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.

The Premises Licence Holder shall require the Designated Premises Supervisor or in his/her absence other responsible person to keep an incident/refusal logbook in a bound book in which full details of incidents are recorded. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the police or licensing authority when requested.

Staff training. All staff to be trained in the prevention of underage sales to a level commensurate with their duties. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the licensing authority or police.

A Challenge 25 proof of age scheme shall be adopted, implemented and advertised at any premises. An accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo card driving licence and passport.

Publicity materials notifying customers of the operation of Challenge 25 scheme shall be displayed at the premises including a Challenge 25 sign of at least A4 size at the entrance to the premises and where practicable at each point of sale.

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

Signed: Paul Kendall

Date: 10/02/2016

This form must be returned within the Statutory Period. (With supporting evidence).

Terrill Wolyn

From: Licensing
Subject: FW: Widcombe Social Club - conditions
Attachments: Representation - Widcombe Social Club.doc

APPLICANT'S AGREEMENT TO POLICE CONDITIONS

From: Nick Steel [<mailto:nick@bathcomedy.com>]
Sent: 09 February 2016 18:49
To: Paul Kendall
Subject: Re: Widcombe Social Club - conditions

Hi again

Just confirming after speaking with other committee members, we're perfectly happy to include all of your points in the licence application.

The crime prevention chap is in contact with James the centre manager and is arranging a visit I believe.

So all good. Anything else I need to do from your point of view?

Cheers
Nick

Nick Steel
Director
Bath Comedy Festival
nick@bathcomedy.com

Mobile: 07974 301219

On 1 Feb 2016, at 13:37, Nick Steel <nick@bathcomedy.com> wrote:

Good to meet you too Paul and thanks for all the advice.

I will pass all of this by the rest of the committee, meeting on Sunday, and confirm with you next Monday, but I'm sure it is all fine.

Cheers
Nick

Nick Steel
Director
Bath Comedy Festival
nick@bathcomedy.com

Mobile: 07974 301219

On 1 Feb 2016, at 09:32, Paul Kendall <Paul.Kendall@avonandsomerset.police.uk> wrote:

Dear Nick

Good to meet you and your colleagues last Thursday. As spoken these are the conditions I would like included on your application:

Prevention of crime and disorder

A CCTV system to be installed to the satisfaction of the police and licensing authority. CCTV to continuously record during trading hours and for one hour afterwards. All recordings to be date and time stamped, retained for 28 days and handed to police for evidential purposes on request. The system must be maintained and if the CCTV fails immediate steps will be taken to put the system back in operation. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.

The Premises Licence Holder shall require the Designated Premises Supervisor or in his/her absence other responsible person to keep an incident/refusal logbook in a bound book in which full details of incidents are recorded. The logbook is to be kept on the premises at all times and shall be produced to an authorised officer of the police or licensing authority when requested.

Prevention of public nuisance

Signage requesting patrons to be considerate to neighbours should be conspicuously displayed inside and outside entrances/exits.

Protection of children from harm

Staff training. All staff to be trained in the prevention of underage sales to a level commensurate with their duties. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the licensing authority or police.

A Challenge 25 proof of age scheme shall be adopted, implemented and advertised at any premises. An accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo card driving licence and passport.

Publicity materials notifying customers of the operation of Challenge 25 scheme shall be displayed at the premises including a Challenge 25 sign of at least A4 size at the entrance to the premises and where practicable at each point of sale.

I have e mailed the crime reduction officers to contact you. I will shortly be forwarding the Challenge 25 literature.

Once you have had a look let me know your thoughts? Please note the end of consultation is 16th February.

Regards

Paul Kendall
Licensing Officer South Glos LPA
Concorde House
Fieldfare

Emersons Green
BS16 7FN
Tel: 07889656081
Email: paul.kendall@avonandsomerset.pnn.police.uk

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

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

