
Bath & North East Somerset Council

Democratic Services

Lewis House, Manvers Street, Bath, BA1 1JG

Telephone: (01225) 477000 *main switchboard*

Direct Lines - Tel: 01225 395090

Web-site - <http://www.bathnes.gov.uk>

Date: 23 November 2016

E-mail: Democratic_Services@bathnes.gov.uk

To: All Members of the Licensing Sub-Committee

Councillors:- Les Kew, Mark Shelford and Caroline Roberts

Chief Executive and other appropriate officers
Press and Public

Dear Member

Licensing Sub-Committee: Thursday, 1st December, 2016

You are invited to attend a meeting of the **Licensing Sub-Committee**, to be held on **Thursday, 1st December, 2016** at **10.00 am** in the **Kaposvar Room - Guildhall, 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 01225 395090 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 - Thursday, 1st December, 2016

at 10.00 am in the Kaposvar Room - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

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

2. 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: 3RD NOVEMBER 2016 (Pages 7 - 12)

6. EXCLUSION OF THE PUBLIC

The Sub-Committee is asked to consider passing the following resolution:

“the Sub-Committee 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, **RESOLVES** that the public shall be excluded from the meeting for the following two 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.

7. TAXI PROCEDURE (Pages 13 - 16)
8. APPLICATION FOR A COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR DMC (Pages 17 - 36)
9. APPLICATION FOR A COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR JEJC (Pages 37 - 50)
10. RETURN TO OPEN SESSION
The Sub-Committee will return to open session.
11. LICENSING PROCEDURE (Pages 51 - 54)
The Chair will, if required, explain the licensing procedure.
12. APPLICATION FOR A PREMISES LICENCE FOR DOMINO'S PIZZA, 40 MOORLAND ROAD, OLDFIELD PARK, BATH BA2 3PN (Pages 55 - 104)

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

BATH AND NORTH EAST SOMERSET COUNCIL

LICENSING SUB-COMMITTEE

Thursday, 3rd November, 2016, 10.00 am

Councillors: Les Kew (Chair), Deirdre Horstmann (in place of Mark Shelford) and Caroline Roberts

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

52 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the procedure.

53 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Cllr Horstmann substituted for Cllr Shelford.

54 DECLARATIONS OF INTEREST

There were none.

55 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

56 MINUTES OF 6TH OCTOBER 2016

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

57 TAXI PROCEDURE

The Chair drew attention to the procedure to be followed for the next item of business.

58 CONSIDERATION OF VEHICLE SUITABILITY TO BE LICENSED AS A PRIVATE HIRE VEHICLE

Applicant: Jonathan Walker (Managing Director of 15 Great Pulteney Street), represented by Nicola Smith (Squire Patton Boggs) and accompanied by Ian Taylor (proprietor of the Abbey Hotel Group and part owner of the vehicle) and Steve Webb (proprietor of tukshop).

The Senior Public Protection Officer summarised the application as set out in section 5 of the report.

The Sub-Committee **RESOLVED** to adjourn so that Members could inspect the vehicle.

After the Sub-Committee had completed the inspection and reconvened, Ms Smith stated the case for the applicant.

She said that an application to grant a private hire licence for a Tuk Tuk, a motorised tricycle, might seem unusual, but it was not unprecedented. In fact several local authorities had granted private hire licences for them. She reminded Members that the legislation gave them a wide discretion over the types of vehicle that they could license for private hire use, subject to their being satisfied that the vehicle was suitable, safe and comfortable for passengers. She would highlight the key details that would, she believed, demonstrate this. It was true that the vehicle did not meet the Council's standard conditions for private hire vehicles. It did not have four doors, its engine capacity was 200cc, not 1400cc, and it was not a right-hand-drive vehicle. The maximum speed of the vehicle was 35-37 miles per hour. It had no fixed doors, but the covering could be pulled down in inclement weather. The vehicle had been imported from India and seat belts installed in the UK to UK standards. A maximum of three passengers could be seated in the rear of the vehicle with the driver sitting in the front. There were three seat belts in the rear. The vehicle had been granted Motorcycle Single Vehicle Approval this year. A copy of the approval certificate was attached to Mr Webb's written submission. This demonstrated that the vehicle met relevant standards for use in this country, despite the lack of EC Whole Vehicle Type Approval for this type of vehicle.

She explained that the vehicle was intended to be used by the Abbey Hotel Group for carrying customers. The Group comprised the Abbey Hotel, the Villa Magdala and a hotel soon to open at 15 Great Pulteney Street. Hotel customers would be able to book the vehicle to pick guests up from the station, to visit locations in the City or to transport them to other hotels in the Group. Passengers would not be picked up at the roadside and the vehicle would only operate in the City itself. There would be standard fares advertised in advance. The use of the vehicle would have environmental benefits: its emissions were less than those of a standard car and it would cause less damage to roads. Its lower speed would give passengers more time to appreciate the sights of the City. The vehicle was manufactured by the well-known motorcycle manufacturer Piaggio specifically for public transport use. These vehicles are commonplace in many countries and had been licensed for private hire use in the UK, most recently in Chester in March this year. They were also licensed in Derby and Blackpool. They had been used for conveying passengers at a number of major events, including the Hampton Court Flower Show and film premieres. She drew attention to the 14 special conditions offered by the applicant (agenda page 43). Tyre pressure, oil, water and seat belt fittings would be checked regularly and the vehicle would be checked by an independent garage every six months.

She submitted that on the basis of the evidence presented the application should be granted.

Members and officers put questions to the applicant.

Q: where will the vehicle be kept?

A: at 15 Great Pulteney Street, where there is a car park and garage.

Q: how will passengers be protected from bad weather?

A: there are canvas doors that can be dropped down. There is also an optional weather pack made from marine-grade acrylic kept in place by zips and poppers.

Q: could you comment on the braking of the vehicle?

A: the manufacturer's testing is very stringent. The vehicle is set on rollers. The footbrake and handbrake are tested and calculations are made. All the wheels lock. The brakes were a well-respected brand of motorcycle brakes. Mr Webb had visited the factory in Mumbai and had been impressed by the advanced technology used for manufacture and testing.

Q: how does the vehicle handle corners when loaded?

A: it has a low centre of gravity and the suspension evens out loads. It is designed to be used fully loaded. The vehicle is slightly wider and the back and drivers are trained to keep clear of the kerb. Over 100 of these vehicles and been put on UK roads over the last 12 years and there have never been any issues.

Q: would the vehicle drop much if a tyre blew when it was loaded?

A: it would just drop onto the pavement. Passengers would alight while the tyre was replaced. Because of the vehicle's low speed it would be nothing like car tyre bursting at high speed on a motorway.

Q: would not passengers be exposed to the high air pollution in Bath, particularly when the vehicle was stopped behind a bus or large lorry?

A: the impact of air pollution would be no greater for passengers in the vehicle than for pedestrians, cyclists and people on an open-top bus. The vehicle itself would make only a very small contribution to air pollution.

Q: is there any form of heating for passengers?

A: not usually, usually blankets are provided for passengers. Journeys will be relatively short. There is a 12v socket in the front of the vehicle and a 12v heater was provided to a client in Scotland.

Q: are you aware of any accidents involving passengers in any of the local authority areas where these vehicles are currently licensed?

A: no.

The Senior Public Protection Officer said that he was aware of a Tuk Tuk that had had a blow out in Brighton. Mr Webb said that that vehicle had been re-engineered to carry more than three people in the back, something which he had refused to do.

The Principal Legal Adviser pointed out that as the vehicle would not be a Hackney Carriage it would not be able to stop at the station taxi rank. He also noted that during the vehicle inspection Mr Webb had asked whether it was clear behind before reversing. He asked how, when stopped in the road near the station to pick up a passenger in conditions of limited visibility, and having to reverse to avoid an obstruction, the driver would be able to know whether someone or something was behind the vehicle. Mr Webb said that the driver would get out and look before reversing. The Principal Legal Adviser suggested that by the time he had got back in the vehicle a small child might have got behind it. Ms Smith pointed out that the vehicle did have mirrors. Mr Webb said that the vehicle would reverse only rarely. A Member suggested that visibility might be better if the vehicle had a clear rear windscreen. Mr Webb said that many of these vehicles do not have rear window at all. The driver was able to see to the rear along both sides of the vehicle.

In her summing up Ms Smith said that this was an unusual application, but far from unique. She submitted that enough evidence had been given to satisfy members on the crucial issues.

Following an adjournment it was **RESOLVED** to refuse the application.

Decision and reasons

Members have had to determine an application for a Private Hire Vehicle Licence. In doing so they took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, the Council's Policy and the applicant's written and oral representations. Members also had the benefit of an inspection of the vehicle.

The applicant stated the key details of the vehicle and its operation. It was accepted that it does not meet the requirements of the council's standard conditions. The vehicle can carry three passengers plus a driver and has been given the Motorcycle Single Vehicle Approval Certificate. The vehicle will represent the hotel business and provide a professional service to guests to and from the Station, between the hotels in the group and other locations within the City; it will not be used to pick up members of the public or operate outside the City. It was said that passenger safety is an absolute priority, and that it has advantages over a car and will offer a unique experience to guests. This type of vehicle has been used widely throughout the country for a number of years. Further, it will undergo daily safety checks, for example, seatbelt fittings, lights and tyre pressure checked and further safety checks undertaken by an independent garage every 6 months. The applicant also suggested a number of conditions in addition to the standard conditions relating to vehicle and passenger safety.

Members reminded themselves of the Local Government (Miscellaneous Provisions) Act 1976 and that they must be satisfied that the vehicle is suitable in type, size and design for use as a private hire vehicle and furthermore be safe and comfortable. Regard was also had to the Council's Private Hire Vehicle Licence general conditions. These state an engine shall normally be at least 1400cc, the vehicle must be right hand drive, have a minimum of four doors and comply with European Community M1 Type approval.

Having inspected the vehicle Members noted that the vehicle has three wheels and is steered with handlebars. It has no doors, a canvas covered roof and is powered by a 200cc engine. Accordingly it is clear that the vehicle does not and cannot comply with Council's standard conditions or policy.

Whilst members are aware that they may depart from their policy with good reason they reminded themselves that their duty is to protect the public.

Having noted the representations from the applicant, the Motorcycle Single Vehicle Approval and the proposed vehicle safety inspections Members considered that operationally the construction and design of the vehicle make it inherently less safe than a conventional four wheeled vehicle especially when in collision with other motor vehicles. Further, the open nature of the passenger compartment adds to the risk of injury to both driver and passengers in the event of a loss of control and or collision with other vehicles, structures or road furniture. Accordingly, and whilst it is noted that the vehicle will not be used for general public use, Members do not find

the vehicle suitable in type, size and design for use as a private hire vehicle. The application is therefore refused.

The meeting ended at 10.48 am

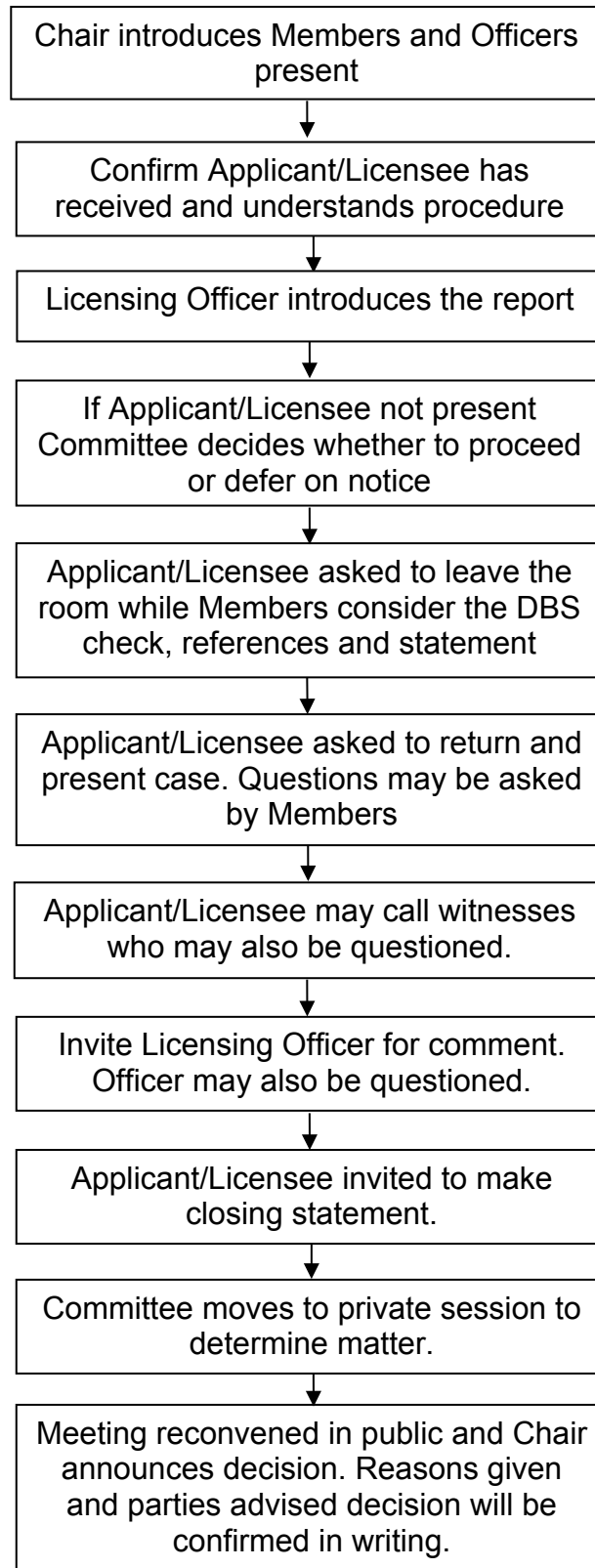
Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

This page is intentionally left blank

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



This page is intentionally left blank

**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 1879/16

Meeting / Decision: Licensing Sub-Committee

Date: Thursday 1st December 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 – DVLA Printout.
Annex C- Previous Combined Hackney Carriage/Private Hire Drivers Licence.
Annex D – Officers Advice Note.
Annex E – DVLA Drivers Licence.
Annex F – 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.

Document is Restricted

This page is intentionally left blank

Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: LGA 1880/16

Meeting / Decision: Licensing Sub-Committee

Date: Thursday 1st December 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.

<p>Stating the exemption:</p> <ol style="list-style-type: none"> 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.

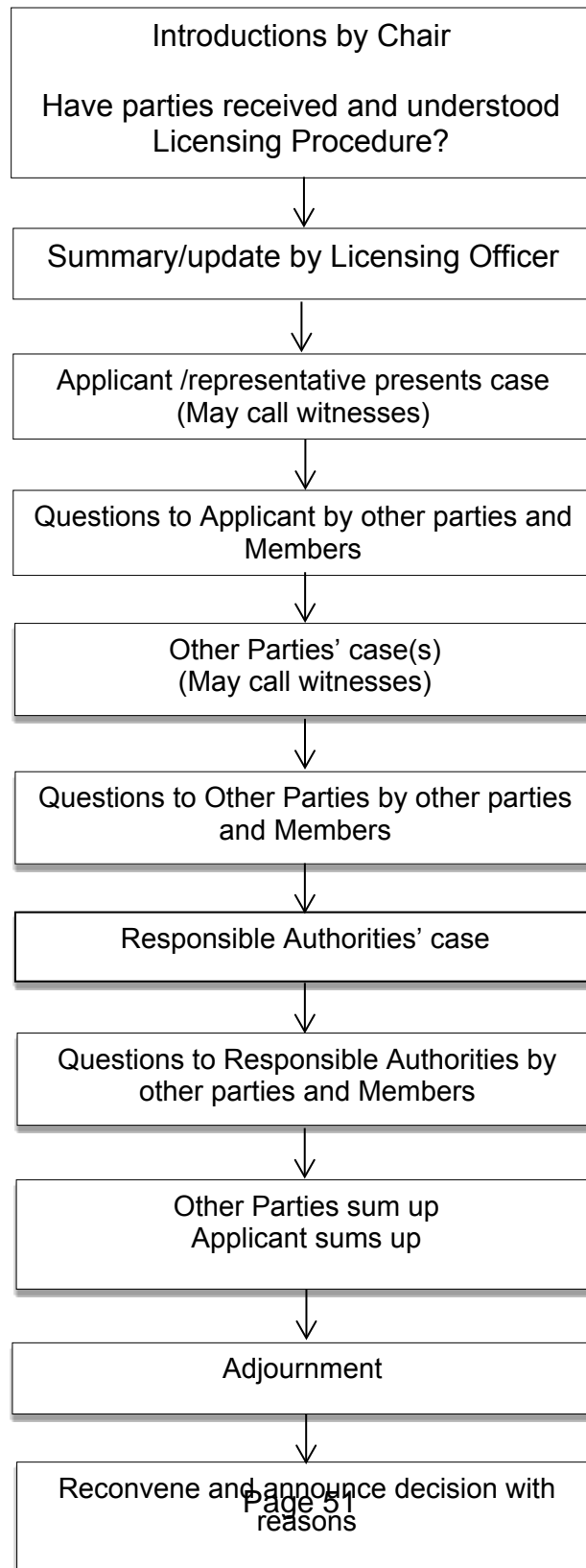
By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

**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*



This page is intentionally left blank

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:	Thursday 1 st December 2016	
TITLE:	Application for a Premises Licence for Domino's Pizza , 40 Moorland road, Oldfield Park Bath BA2 3PN	
WARD:	Oldfield	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Annex A Application for a new premises licence</p> <p>Annex B Plans of premises</p> <p>Annex C Site plan</p> <p>Annex D Representations from other persons</p>		

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 Domino's Pizza, 40 Moorland Road Bath BA2 3PN

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 Licensing 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 provision of Late Night Refreshment indoors only:

Every day 23:00 - 05:00 the following morning

Takeaways and/or site consumption shall cease at 02:00; there shall only be a delivery service in operation between 02:00 and 05:00.

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, 16-23, 27, 33-36, 38-41 and 43 of the policy as revised in 2015.
- b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised March 2015).

c) Sections 4, 9, 10, 13, 34, 35, 36, 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 Representations have been received from other persons (**Annex D**) who express concerns that the applicants' proposals will undermine the **Prevention of Public Nuisance**, and **The prevention of crime and disorder** licensing objectives.
- 5.13 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.

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

9. RISK MANAGEMENT

9.1 A risk assessment related to the issue and 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 (Chief Financial Officer) 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	Ian Nash Public Protection Officer 01225 396719
Background papers	Licensing Act 2003 Guidance issued under s.182 of the Licensing Act 2003 Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005 B&NES Statement of Licensing Policy

Application for a premises licence to be granted
under the Licensing Act 2003

ANNEX A

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We Team West Limited apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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	
Dominos Pizza 40 Moorland Road Crickdale	
Post town Bath	Post code BA2 3PN

Telephone number of premises (if any)

Not Known

Non-domestic rateable value of premises

Band B - £16000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

a) An individual or individuals*

Please tick ✓

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)

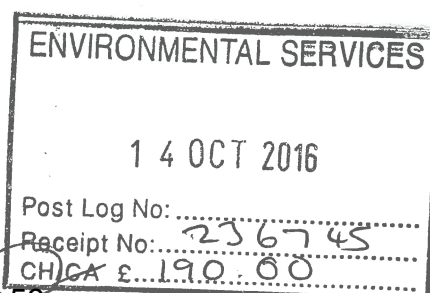
please complete section (B)

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 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 π 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 Mrs Miss Ms Other title (For example, Rev)

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

I am 18 years old or over Please tick

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name Team West Limited
Address St Marys House, Netherhampton, Salisbury, Wiltshire, SP2 8PU
Registered number (where applicable) 02894323
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?
As soon as possible

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

N/A

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

A Licence is sought to permit Late Night Refreshment (LNR)

The proposed permitted hours for licensable activities for these premises should be:

- for collection and/or consumption on the premises of hot food and drink – 23.00 – 02.00
- for delivery 23.00 – 05.00

The appropriate drawings deposited with this application are:

- Ground floor drawing to a scale of 1:100 and showing the fire safety precautions to be incorporated within the building
- Ditto first floor drawing showing seating area.

Please note that the internal public areas shown on the drawings are intended to be used (as required) for all licensable activities. Fire Equipment is installed throughout the premises in accordance with the Building Regulation Approval Process and as determined by the Fire Risk Assessment.

The applicant already operates similar premises with an authorisation of LNR until 5.00am at Long Acre London Road Bath and without apparent difficulty and with undermining the four licensing objectives.

The applicant would propose the imposition of similar conditions here:

1. No more than 5 delivery vehicles are to be in use after 23.00 on Sundays and after 01.00 Monday – Saturday.
2. All drivers are to have a note in their car stating "do not slam doors, rev engines or play loud music".
3. The name and contact number of the store manager to be displayed in a position where it can clearly be seen by the public without having to enter the store.

Delivery drivers are trained in good management procedures to avoid disturbance outside the premises and on deliveries.

The premises are not within an area of Cumulative Impact as identified by the council.

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

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

Please tick π yes

Provision of regulated entertainment

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

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 {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat			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)		
Sun					

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 {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3) Exhibition of film, principally a video and non-live television on t.v. screens.	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun			See box J below		

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	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			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)
Fri			
Sat			
Sun			

D

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

G

ANNEX A

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 {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
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 entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of 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)		
Sat					
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 {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	π
Mon	23:00	05:00	Please give further details here (please read guidance note 3) As stated in Part 3 above		
Tue	23:00	05:00			
Wed	23:00	05:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	05:00			
Fri	23:00	05:00	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) Takeaways and/or on site consumption shall cease at 02.00; there shall only be a delivery service in operation between 02.00 and 05.00.		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

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

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

Name: Not applicable

Address:

Postcode:

Personal Licence number (if known):

Issuing licensing authority (if known):

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 variation (please read guidance note 4) Please see box J above
Day	Start	Finish	Non standard timings. Where you intend to use 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) Takeaways and/or on site consumption shall cease at 02.00; there shall only be a delivery service in operation between 02.00 and 05.00.
Mon	10:00	05:00	
Tue	10:00	05:00	
Wed	10:00	05:00	
Thur	10:00	05:00	
Fri	10:00	05:00	
Sat	10:00	05:00	
Sun	10:00	05:00	

M

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

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

We have undertaken my own risk assessment to take the following proposed steps.

No risks are identified save as below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. No more than 5 delivery vehicles are to be in use after 23.00 on Sundays and after 01.00 Monday – Saturday.
5. All drivers are to have a note in their car stating "do not slam doors, rev engines or play loud music".
6. The name and contact number of the store manager to be displayed in a position where it can clearly be seen by the public without having to enter the store.

e) The protection of children from harm

No further risks have been identified which need to be addressed

Please tick Yes

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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature: John Gaunt & Partners..... *John Gaunt & Partners*

Date: 13th October 2016.....

Capacity: Solicitors.....

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 address for correspondence associated with this application (please read guidance note 13) John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT

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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Application has been made by Team West Ltd to the Licensing Authority of Bath & North East Somerset Council for a Premises Licence for the Domino's Pizza - Bath at 40 Morland Road, Oldfield Park, Bath, BA2 3PN. The application includes the following terms:-

1. To enable the provision of late night refreshment between 23:00hrs and 05:00hrs daily.

Full details of the Application can be viewed at the offices of the Licensing Authority at Bath & North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG

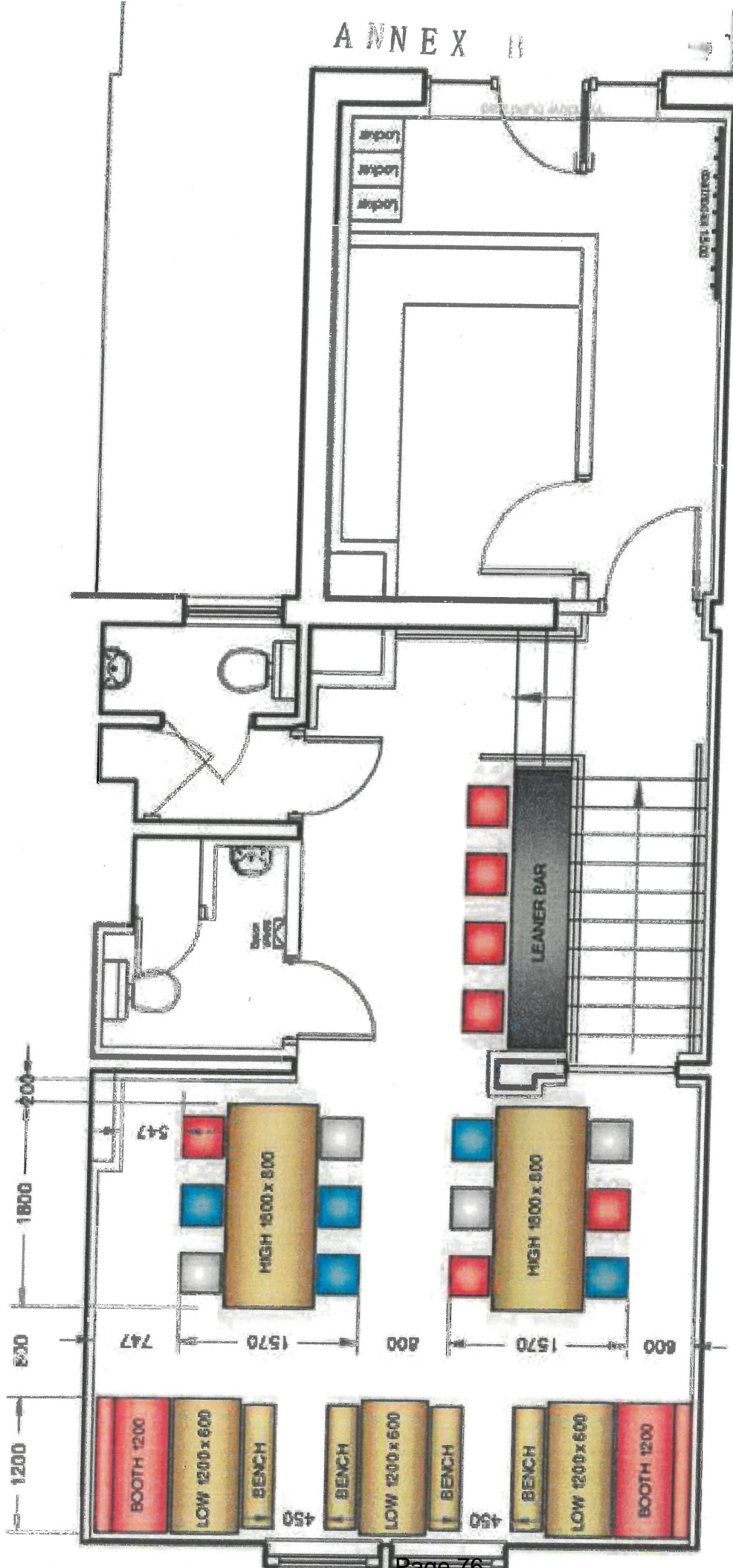
A responsible authority or any other person can make written representations to the Licensing Authority at any time up to and including 14th November 2016 (www.bathnes.gov.uk)

It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is unlimited.

Dated this: 13th day of October 2016

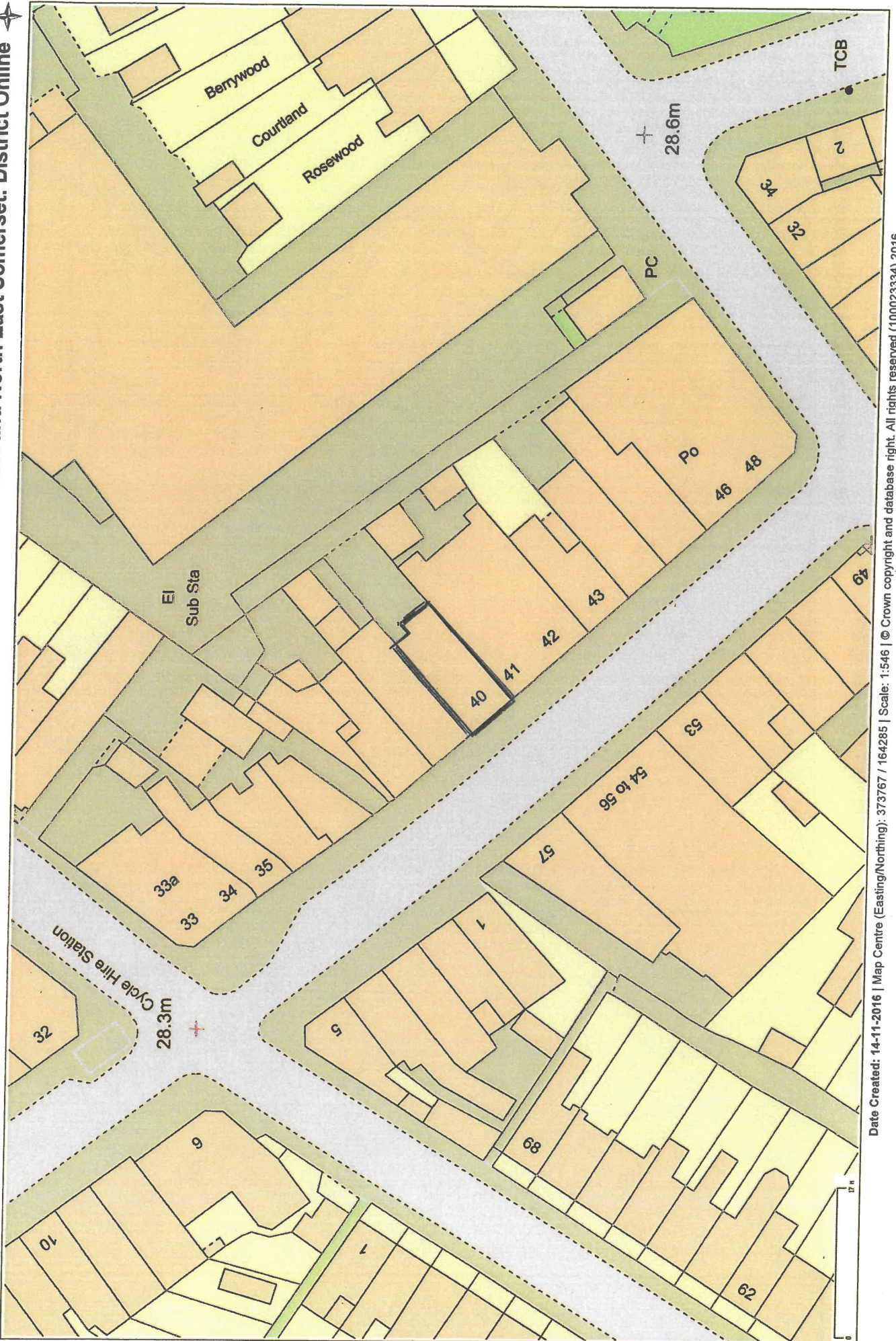
John Gaunt & Partners, Solicitors

ANNEX



DOMINO/OLDFIELDPARK/02
Scale: 1:50 @ A4

First Floor Level - Layout





From: JILL HERRETT []
Sent: 29 October 2016 16:37
To: Licensing
Subject: Reference 16/03223/LAPRE

As a local resident I, along with several others, are very concerned about Domino Pizza, who have only been in Moorland Road for a short time, are applying for a licence, and the following, which is a dreadful thought...already too many students causing disturbance at early hours, normally about 03:00 when wobbling back from town....and dropping cartons from takeaways along the route. Jill H

"
 23:00 to
 05:00

Takeaways and/or on site consumption shall cease at 02:00; there shall only be a delivery service in operation between 02:00 and 05:00
 Both indoors and outdoor"

1

Ian Nash

From: JILL HERRETT < >
Sent: 01 November 2016 20:33
To: Ian Nash
Subject: Reference 16/03223/LAPRE

Dear Ian

Further to earlier emails, this is to confirm that I am making a formal representation objecting to the issue of a licence for Domino Pizza in Moorland Road, Oldfield Park to extend their hours to 2.00 a.m. from 11.00 p.m. and also operating a delivery service from 2.00 a.m. to 5.00 a.m. because this would only act as a precedent to other establishments in the area, and would cause more disruption to residents living in the flats above the parade of shops in Moorland Road as well as the neighbouring roads, i.e. noise levels of cars and people and, of course, the usual litter problem associated with those using takeaways, abandoning polystyrene food containers and drink cartons etc.

I was made aware of this application through a friend and local resident who, along with others, is very concerned and will be submitting an objection.

Regards
 Jill Herrett

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

From: Stacey ellis [mailto:stacey.ellis@bt.com]

Sent: 10 November 2016 11:57

To: Licensing

Subject: Dominoes moorland road.

Dear sir/madam

I would like to lodge a formal objection to the proposed increase in opening hours of the dominoes takeaway on moorland road.

For those of us unfortunate enough to have lived in this area for a significant period of time (35 years) it's becoming increasingly upsetting that the face of OFP is changing at a rapid and negative speed.

We all ready have large amounts of late night revellers using the surrounding residential streets of moorland road and the suggested increase in opening hours will only exasperate this problem.

It will benefit the few but cause disruption to the many.

OFP is looking pretty tired and one of the only reasons we don't have even more rubbish on the streets around it is because everything shuts down at 12pm.

Due to the high amounts of HMO properties in OFP mostly occupied by students it would no doubt mean even more noise, more mess and more car doors of delivery vehicles opening and shutting/slamming even later into the night. For normal working families this is not acceptable.

11pm is quite late enough. If dominoes gets the license accepted it will open the floodgates for several other businesses to try and do a similar thing. Oldfield park risks becoming an extension of the town centre. please don't let this happen.

Regards

Stacey ellis

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

From: Sarah Piercy

Sent: 10 November 2016 12:00

To: Licensing

Subject: Domino's licence request objection

As a local resident of Oldfield Park for most of my life I have seen the area change considerably in the last 20 years, unfortunately not always for the best. I normally embrace change, and support local businesses, but in this instance I fiercely object to the request by Domino's to be operationally open until 5am every day. Living close to Moorland Rd and in the midst of several HMO's I am constantly woken up in the early hours by students walking back from town drunk. Having Domino's open and delivering until 5am will lead to an increase in antisocial behaviour - more late night parties, more rubbish strewn on pavements, more vomit through excess alcohol. There are enough of these problems in evidence already, and Moorland Rd seems to be losing its image as a street for locals to shop in, to a street full of fast food outlets open to all hours focussed mainly at serving the increasing student population.

Yours sincerely,
Mrs Sarah Piercy

Sent from my iPad

From: Patrick Quinlan
Sent: 10 November 2016 12:33
To: Licensing
Subject: 16/03223/LAPRE - Objection

Dear Wendy,

I strongly object to this application. Such licensing times should be kept within Bath City Centre.

There is already significant anti-social behaviour from students that return from the City Centre, back to Bath's unofficial student campus in Oldfield Park.

Consider the students walking back from pubs who invariably feel hungry after a night out, thinking I know, we can go to Domino's on Moorland Rd and then disperse with a house party & vomiting competition from midnight.

The council tax paying residents of Oldfield Park currently find the "output" of students outside their front doors and streets in the mornings of Friday to Sunday and this license would increase this "output", and guess who has the delight in cleaning this up invariably - council paying residents.

Asking for delivery until 5am simply means that students will pick up outside the premises and then stumble onwards.

Late licenses should not be permitted past midnight at Moorland Road and know that local Cllr Will Sandry vehemently supports such a position.

This license is suited for Kingsmead Square, not Moorland Road and should not be flatly refused without a compromised adjustment which the applicant will no doubt attempt.

Kind Regards,

Patrick Quinlan

From: chris fry
 Sent: 10 November 2016 14:25
 To: Licensing
 Cc: Will Sandry (Cllr); Shaun McGall (Cllr)
 Subject: 16/03223/LAPRE - Objection

Can I please make the following comments on application from Domino's to open to 2am and 5am for deliveries?

1. Why wasn't this included in the original application for change of use from Opticians to Food outlet.
2. Would they have got change of use had they included these hours at the outset.
3. The outlet is in the middle of a residential area. Many of the surrounding shops have flats above and all the roads leading to and from Moorland road are residential.
4. Why can't the Dominos on the London road provide deliveries between 2am and 5am. No need for two outlets.
5. If this is approved it will encourage existing food outlets to stay open later and attract new companies to look at premises, further spoiling the residential feel of the area.
6. Students returning at night will make excessive noise and create further mess. The pavement outside Adels is always filthy with food remnants.
7. The outlet will have additional traffic until 2am, the people out at that time of night are generally noisy and at night noise travels.
8. Oldfield Park will soon become an area totally focused on the service of students with little thought for local residents.
9. Having two daughters who are at university and live in The area is totally blighted by late night fast food outlets and the packaging is strewn around the area.

I hope sense prevails and the application is refused or at least brought in line with Adels opening times.

Regards
 Chris Fry

Applicant Name: Team West Limited
 Type of Application: New Premises Licence
 Status: Checks Outstanding
 Details: New Premises Licence
 Trading As: Dominos Pizza
 Address: 40 Moorland Road, Oldfield Park, Bath, BA2 3PN
 Ward: Oldfield
 Reference: 16/03223/LAPRE
 Banding: Band B
 Current Case Officer: Wendy Stokes
 For enquires contact us by email, licensing@bathnes.gov.uk, or call us on 01225 477531.

Ian Nash

From: Chris Dagnan <
Sent: 10 November 2016 15:52
To: Licensing
Subject: :16/03223/LAPRE objection

Hello,

I wish to object to the extended opening and delivery hours.

The noise and disruption in the early hours to resident in the area will be greatly increased. Many of which will have to be up early to go work etc.

The noise of the delivery vehicles will also be extremely disruptive.

Regards,
Chris.

From: John Branston
Sent: 10 November 2016 17:43
To: Licensing
Subject: 16/03223/LAPRE

I would like to object to the potential license hours extension for Domino's Pizza on Moorland Road.

Moorland Road is at the heart of a RESIDENTIAL community. We are not talking about a commercial centre akin to the centre of Bath, but a range of small shops catering to the needs of a mixed community dominated by four main types of resident:

- 1) families with children of all ages
- 2) professional individuals and couples (the former often living in HMOs)
- 3) students of either the University of Bath or Bath Spa University, almost always living in HMOs
- 4) elderly people, usually long-term residents of the area.

It is to be assumed that those who might take advantage of the proposed extended operating hours and delivery times are just a subset of group (3) on any given night, namely a night when those individuals have been socialising, especially in the licensed establishments in town that are open until 4am in some cases.

Oldfield Park already experiences huge problems in relation to this subset of group 3 in terms of the noise and disturbance caused by those who are already inebriated before they go out (around 11pm-12 midnight), let alone when returning home (between 2-4am).

While the correlation between inebriation and sudden hunger is well known, there is also a correlation between inebriation and the inability to keep food down, which frequently leads to the environmental health issue of vomit on pavements.

Pizzas are sold in bulky packaging which is notoriously smelly when soaked with garlic oil etc. This is clearly an item some take-away customers would rather not take into their own property. Pizza cartons tossed into front gardens are already a problem in Oldfield Park and the proposed licensing extension will make this nuisance even worse.

As far as one can generalise, groups 1, 2 and 4 will not only not be requiring pizza at the hours included in the planned extension and the later delivery-only time (to 5am), but will surely have their potential for rest and recuperation significantly impacted by delivery vehicles buzzing around the area right through until 5am, with delivery drivers also potentially knocking loudly on front doors, or ringing doorbells which, by the nature of Oldfield Park's terraced properties, can be heard in adjoining properties.

People in groups 1, 2, and 4 need their sleep in order to perform as parents, workers and indeed just to function as people. The elderly frequently suffer health issues which can be exacerbated by sleep deprivation and worry.

The area of Oldfield Park already puts up with almost unbearable levels of noise disturbance and refuse/littering issues due to the clashing lifestyle of a subset of students who live here. In recent years, we have seen the balance of the area tipping away from a standard residential area and we now battle daily with

litter, noise, anti-social behaviour, lack of parking, congested roads due to fleets of double-decker buses (some just parked on layovers).

Please do not visit any further expansions of obvious sources of disturbance upon us. Please do not put the profits of a 'multi' ahead of the last shreds of any quality of life that we enjoy in Oldfield Park.

John Branston

Ian Nash

From: Ben Pope <
Sent: 10 November 2016 19:01
To: Licensing
Subject: Ref: 16/03223/LAPRE - Dominos Pizza, 40 Moorland Road, Oldfield Park, Bath, BA2 3PN

Dear Wendy

As a resident of [redacted] I write to strongly object to the below application of Dominos Pizza to remain open until 2am and run deliveries from 2am to 5am.

Oldfield Park already has more than its fair share of anti-social behaviour in terms of late night rowdiness in the form of parties and late night drunken revellers returning from town – adding an establishment that is open and serving food & drink until 2am will only further fuel this issue. There is also a massive issue with regards to takeaway rubbish being strewn across the streets following drunkard nights out (along with the odd pile of vomit) – this will further add to this issue.

Further to this, what is extremely concerning is the deliveries between 2am & 5am aspect. Domino's delivery drivers are on mopeds/motorbikes which are extremely noisy – having these flying round Oldfield Park throughout the night will be extremely loud, disruptive and anti-social, it's bad enough in the daytime. In addition to this I would imagine those ordering a pizza at that time of night/morning will most likely have had a few therefore the transaction of obtaining the pizza will be a noisy one! The bike arriving, knocking on the door, exchange of words & money, doors slamming, restarting the bike will most certainly wake neighbouring houses.

I really can't afford to lose anymore sleep than I already do from late night revelry on all nights of the week therefore I respectfully urge you to decline this application. 12am tops!!

Best Regards

Ben Pope

Applicant Name: Team West Limited
 Type of Application: New Premises Licence
 Status: Checks Outstanding
 Details: New Premises Licence
 Trading As: Dominos Pizza
 Address: 40 Moorland Road, Oldfield Park, Bath, BA2 3PN
 Ward: Oldfield
 Reference: 16/03223/LAPRE
 Banding: Band B
 Current Case Officer: Wendy Stokes

Ben Pope

Ian Nash

From: Peter Clinick
Sent: 10 November 2016 19:59
To: Licensing
Subject: 40 Moorland Road (Domino's Pizza)

I have tried to find where I can object to this application, I find the BANES site very confusing. Hopefully I am now in the right place.

I object to Domino's Pizza saying open until 2 AM for sales as the noise and litter will increase in an area which is still mainly residential.

Workers need sleep as do their children. If they allowed to stay open 'til 2 AM people will descend from all around in cars, many will walk

as they are drunk, as we know drunks can be noisy.

We do not get street cleaners here very often the rubbish and part eaten pizzas will encourage vermin.

As to the deliveries until 5 AM the noise issue is the same with the drivers doors banging engines revving.

The need to eat after 11 AM is not general and the area has managed so far with the food outlets opening 'normal' hours.

If this is the wrong site for my objection please can you pass this objection on or direct me.

Kind Regards

Peter Clinick.

LICENSING ACT 2003

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:	16/03223/LAPRE
Applicant's name:	Dominos Pizza
Premises name and address:	Dominos Pizza 40 Moorland Road Bath BA2 3PN
Application for a:	Alcohol license and late opening

Objector Details:

Objector's Name:	Carlo Chinca
Objector's Address:	
Organisation name if applicable:	

Objection Details:

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

Prevention of crime and disorder

Alcohol misuse already causes trouble in this area.

Prevention of public nuisance

Noise nuisance is bad enough as it is. Why allow this to be extended to the early hours of the morning. I'm tired of being disturbed by rowdy students and youths and noise created by delivery bikes/cars.

Protection of children from harm

Public safety

Making Bath & North East Somerset an
even better place to live, work and visit

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

I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.

Signed

Date

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 _____

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):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

Please delete as appropriate: I consider a hearing to be necessary/
unnecessary

Form to be returned to:

Bath And North East
Somerset Council

11 NOV 2016

Received

ENVIRONMENTAL SERVICES	
11 NOV 2016	
Post Log No:	
Receipt No:	
CHICA £.....	

Bath

8.11.2016

Licencing Application

Ref 16/03223/LAPR1

Domino Pizza, Moorland Rd, Bath

Dear Sirs

I am writing to object to the application made by Domino Pizza to extend their opening hours.

Oldfield Park & Westmoorland wards are areas of high density student population which Dominos no doubt wish to take advantage of.

Excess noise would impact on people who live in Moorland Road and also the surrounding streets.

Litter would also be a factor as customers make their way home dropping their rubbish in the street - in people's front gardens!

To allow an increase in opening hours to such an unsocial time will only exacerbate the noise & litter problem that already exists!!

Yours faithfully

Ian Nash

From: Licensing
Sent: 14 November 2016 07:11
To: Ian Nash
Subject: FW: Licensing Application Reference:16/03223/LAPRE

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

From: G Rowland |
Sent: 12 November 2016 15:07
To: Licensing
Subject: Licensing Application Reference:16/03223/LAPRE

Dear Ms Stokes (Case Officer),

We would like to object to the application by Dominos Pizzas, Moorland Road, to extend their trading hours.

Oldfield Park is an area of families, workers and retired people. They need to be able to sleep undisturbed at night. If Dominos stays open until 02.00 more customers will be encouraged to be out late, increasing the likelihood of disturbing the community. There is already a serious problem of night-time disturbance from students returning to HMOs from town. The application is also for deliveries until 05.00. That would mean the Dominos car driving around the area, parking with the engine running, doors banging, etc right up until 05.00. That would also be unacceptable. An associated problem would be increased litter from discarded packaging. Oldfield Park is now quite squalid because of student residents inability to manage their refuse. We do not want any development which could make things worse. We take this opportunity to request from you more litter bins in Oldfield Park so that things like pizza boxes can be disposed of correctly, instead of being discarded into gardens and gutters. That would be an effective way of spending our Council tax, which we residents pay but students do not.

Yours sincerely,

Mr and Mrs Rowland.

Ian Nash

From: Licensing
Sent: 14 November 2016 07:10
To: Ian Nash
Subject: FW: Dominoes pizzas extended hours Moorlands road

From: diana woodhouse
Sent: 13 November 2016 19:22
To: Licensing
Subject: Dominoes pizzas extended hours Moorlands road

I am writing to object to the application for extended opening hours at Dominoes pizzas in Moorlands Road, Oldfield Park, Bath. The majority of people who buy pizzas after midnight have been drinking. Anything that encourages people to be on the streets after midnight when they have been drinking causes a disturbance to local residents and leaves vomit on the pavements.

Diana Woodhouse

LICENSING ACT 2003

INTERESTED PARTY REPRESENTATION

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

I object to the following application:

Application number:	16/023 LAPN
Applicant's name:	Team West Limited
Premises name and address:	Dennis Pizzeria 10 Moorland Road Oldfield Park Bath BA2 3PN
Application for a:	New Premises Licence

Objector Details:

Objector's Name:	Bill Worsnip
Objector's Address:	
Organisation name if applicable:	Bath and North East Somerset Council

Objection Details:

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

Prevention of crime and disorder

If permitted this would be the latest opening food outlet on Moorland Road and is likely to attract late night revellers returning from the city centre.

Prevention of public nuisance

Customers and vehicle movements would create late night noise nuisance

Protection of children from harm

Moorland Road has many vehicle movements by day and very few at night. The additional vehicle movements would contribute to an increase in air pollution and noise.

Public safety

Making Bath & North East Somerset an even better place to live, work and visit

ANNEX D

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.*

Currently, the latest premises license for take away food in the Moorland Road District Centre is midnight.

This application is for substantially longer opening hours (until 0200) which would be more suited to a city centre location.

The application also proposes a new activity for Moorland Road (effectively the preparation and distribution of take away food between 2300-0500).

This process is not suited to a predominantly residential area and is more suited to a location on the Primary Road Network rather than residential streets.

I attach correspondence with the applicant ahead of their submission of this application for information:

From: Will Sandry (Cllr) [mailto:Will.Sandry@BATHNES.GOV.UK]
Sent: 04 October 2016 09:56
To: Knut-Sigurd Wilberg; Shaun McGall (Cllr)
Cc: 'Liam Armstrong (liam@dominospizza.me.uk<mailto:liam@dominospizza.me.uk>); 'james@dominospizza.me.uk<mailto:james@dominospizza.me.uk>'; 'Robin Caley (Robin.Caley@dominos.co.uk<mailto:Robin.Caley@dominos.co.uk>)'
Subject: RE: Domino's in Moorland road

Hi Siggy,

It was good to meet with you and Liam too and to get a little understanding of your business. Thank you for the Pizza and cookies which were delicious. It was very generous of you and was able to share them with my neighbours.

My understanding of the business at 49 Moorland Road is that it will be a restaurant and that it is not proposed to be a take away.

Thanks again for the offer of support for the Christmas Lights I've passed Liam's contact details on to Jordan. I will also keep in mind the other offers of support for the community.

In reviewing our discussion and looking at other businesses in the Moorland Road District Centre, I hadn't realised that other licenses only appear to be until midnight. Shaun and I are not keen for any business to have a competitive advantage over another similar business based on (late night) licenced hours. I therefore recommend that you have a discussion with the our Licencing team prior to deciding which hours to apply for. Their contact details can be found here: <http://www.bathnes.gov.uk/services/business/licences>

Thank you for undertaking to consult the residential neighbours around 49 Moorland Road before submitting your application, it's much appreciated. If Shaun and I can be of any further assistance please be in touch.

Kind regards,

Will.

Will Sandry
Councillor for Oldfield Ward
Shadow Cabinet Member for Homes and Planning
Chairman of Planning, Housing and Economic Development Policy Development and Scrutiny Panel
Bath and North East Somerset Council
78 St. Kilda's Road
Oldfield Park
Bath BA2 3QJ

T: 01225 314793

M: 07786 830900

Web: www.oldfield.mycouncillor.org.uk<<http://www.oldfield.mycouncillor.org.uk/>>

Twitter: @willsandry

I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.

Signed

Will Sandry (electronic email dispatch)

Date

14/11/2016

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

07786 830900

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 Will Sandry

I will be attending the hearing

I will be represented at the hearing by

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

Please delete as appropriate: I consider a hearing to be necessary

Form to be returned to:

Licensing Team
Public Protection and Health Improvement Service
Lewis House
Manvers Street
Bath BA1 1JG

From: Shirley Keane
Sent: 14 November 2016 15:39
To: Licensing
Subject: 16/03223/LAPRE (Dominos Pizza)

We strongly object to this proposal. This is a residential area and we do not want traffic noise, voices in conversation and front doors opening and closing during the night. Sound carries much more at night and is very disturbing. These longer hours probably aimed at a those who, for whatever reasons, have little regard for the permanent residents of the neighbourhood and the impact their very different lifestyle has on the neighbourhood. The council has a duty of care to its long term residents who together finance the council's activities.

Shirley and Patrick Keane

Sent from my iPhone

Ian Nash

From: Licensing
Sent: 15 November 2016 07:02
To: Ian Nash
Subject: FW: 16/03223/LAPRE - Pizza application - Moorland Rd

From: Nigel Locker [mailto:nigel.locker@...]
Sent: 14 November 2016 23:34
To: Licensing
Cc: Ross Double
Subject: 16/03223/LAPRE - Pizza application - Moorland Rd

We are writing to object to the application by Domino Pizza to extend their opening hours.

As residents of [redacted], we are already concerned about the amount of take-away wrappers and cartons that end up in our road and gardens late at night along with the noise from drunken people making their way down the road having visited Domino's on their way home.

Opening this premises until 2am is bound to encourage more late-night drinkers to end up in Moorland Rd. This will cause further noise and disturbance.

Allowing this operator to make deliveries until 5am is also a big concern as this means more motor scooters congregating outside Domino's (drivers chatting, noisy engines, etc) and then making deliveries to local homes in the early hours which means motor scooters pulling up at neighbours houses, ringing doorbells, taking payments, etc.

We are also concerned that this may encourage house-parties and the corresponding disturbance into the early hours.

Finally we'd like to note our concern about unhealthy eating. Pizza is one of the most unhealthy, fat-laden foods and along with the often-accompanying fizzy drinks, garlic bread, chips and alcohol its a coronary waiting to happen.

Presumably the Council also has the health of residents in mind when considering planning applications from food retailers?

We hope that this application is declined. Domino's is open long enough at the moment.

Yours sincerely,

Nigel Locker and Ross Double