

# Licensing Sub-Committee

**Date: Thursday, 9th November, 2017**

**Time: 10.00 am**

**Venue: Kaposvar Room - Guildhall, Bath**

**Councillors:** Les Kew, Deirdre Horstmann and Caroline Roberts

Chief Executive and other appropriate officers  
Press and Public

A briefing session for Members will be held at 9.30am in the room where the meeting is to take place.



**Sean O'Neill**

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## NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

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](http://www.bathnes.gov.uk/webcast) The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

**Licensing Sub-Committee - Thursday, 9th November, 2017**

**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 OF THE MEETING OF THE 26TH OCTOBER 2017 (Pages 5 - 12)

6. LICENSING PROCEDURE (Pages 13 - 16)

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

7. APPLICATION FOR A PREMISES LICENCE FOR SUGO, 66 WALCOT STREET, BATH BA1 5BD (Pages 17 - 72)

8. APPLICATION TO VARY THE PREMISES LICENCE FOR WALCOT HOUSE, 90B WALCOT STREET, BATH BA1 5BG (Pages 73 - 114)

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, 26th October, 2017, 10.00 am

**Councillors:** Les Kew (Chair), Deirdre Horstmann and Caroline Roberts

**Officers in attendance:** Alan Bartlett (Public Protection Team Leader), John Dowding (Senior Public Protection Officer) and Shaine Lewis (Legal Adviser)

**33 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer advised the meeting of the procedure.

**34 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**35 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

**37 MINUTES: 14 SEPTEMBER 2017**

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

**38 EXCLUSION OF THE PUBLIC**

The Committee, having been satisfied that the public interest would be better served by not disclosing relevant information, **RESOLVED**, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, that the public should be excluded from the meeting for agenda items 8-14, and the reporting of that part of the meeting be prevented, 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.

**39 TAXI PROCEDURE**

The Chair outlined the taxi hearing procedure.

**40 APPLICATION FOR COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR S A H**

Mr S A H confirmed that he understood the procedure to be followed for this hearing.

The Senior Public Protection Officer presented the report. With his application Mr S A H had submitted a DBS certificate showing a caution. He provided Members with a

copy of this and of a statement submitted by Mr S A H. The hearing was adjourned to allow Members time to study these documents.

After the adjournment Mr S A H stated his case and was questioned by Members.

Following a further adjournment the Sub-Committee **RESOLVED** that Mr S A H was a fit and proper to hold a combined Hackney Carriage/Private Hire Driver's Licence. Authority was delegated to the Senior Public Protection Officer to issue the licence, subject to the applicant satisfactorily completing all the steps required by the licensing process.

### Reasons

Members have had to determine an application for a combined Hackney Carriage Private Hire Vehicle Driver 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 oral representations.

Members took account of the applicant's oral representations, written statement and balanced these against the information contained in the Disclosure and Barring Service Certificate.

The applicant stated that this was not something he did on a regular basis and was a result of peer pressure. Since then he had acted as a volunteer in different capacities and he is not an aggressive person. He further stated he is no longer friends with that group, he does not go out much these days and this was his first and only fight.

Members found the caution fell outside of the policy and that the applicant appeared to have matured since then. Accordingly he is a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver Licence.

Authority is delegated to the licensing officer to issue the licence subject to the applicant completing all steps required by the licensing process.

## **41 APPLICATION FOR A COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR J R S**

Mr J R S confirmed that he understood the procedure to be followed for the hearing.

The Senior Public Protection Officer presented the report. Mr J R S had been convicted of two motoring offences during the term of his licence which he had failed to disclose within seven days as required by a condition of his licence. He provided Members with a copy of Mr J R S's DVLA printout and a more legible copy of Mr J R S's letter contained in Annex B of the report. The hearing was adjourned to allow Members time to study these documents.

Following the adjournment Mr J R S made an oral statement and was questioned by Members.

Following a further adjournment the Sub-Committee **RESOLVED** to give Mr J R S a stern warning as to his future conduct.

## Reasons

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

The licensee said he had been licensed for a lot longer than stated. He also said the court report is horrendous and he had no idea why the court viewed the circumstances so badly. He said it was a silly, minor incident which involved a verbal altercation in the street with a road mender and he did not consider he was involved in an accident. The licensee did however accept the law deemed an offence was committed and he had pleaded guilty. With regard to not disclosing the matter he stated his wife had been taken into hospital and undergone an operation which made life at home chaotic for a while. Finally he said he would like to keep his licence to do occasional work for various operators.

Members took account of the licensee's oral representations, his written statement and balanced these against the information contained in the DVLA printout.

Members noted the licensee had been licenced since 2013 and had not been the subject of any complaints during that period. Whilst the licensee had disclosed the offences this was not done within 7 days of conviction as required under the terms of the licence. Members further noted the nature of the offences and that their Policy stated where more than one serious motoring offence occurred in a period of 5 years this would give rise to grave concerns about fitness to hold a licence. In all the circumstances Members took an extremely dim view of the licensee's conduct in that he failed to disclose the offences in a timely manner, they were committed whilst using a licensed vehicle and involved a member of the public going about his lawful business.

In disposing of this matter Members considered all the options including giving a warning as to future conduct, suspending or revoking the licence. Failing to stop and report an accident howsoever caused or minor is nevertheless a serious offence. Such offences are often committed in the course of concealing more serious offences, for example drink or dangerous driving and the courts and this committee take them very seriously. On this occasion, however, members have decided to give a stern warning as to his future conduct.

## **42 APPLICATION FOR A COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MR M S C**

Mr M S C confirmed that he understood the procedure to be followed for the hearing.

The Senior Public Protection Officer presented the report. A DBS certificate had disclosed previous convictions. Members were provided with copies of the certificate and of a statement submitted by Mr M S C. The hearing was adjourned to allow Members time to study these documents.

After the adjournment Mr M S C made an oral statement and was questioned by Members.

Following a further adjournment the Sub-Committee **RESOLVED** that Mr M S C was a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence, and authority was delegated to the Senior Public Protection Officer to issue the licence, subject to the satisfactory completion by the applicant of the remaining steps of the process.

#### Reasons

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

The applicant stated that he was in a bad situation at the time and he is extremely embarrassed by it. Since then he had turned his life around and had not overstepped the line since. He also said he had worked in high pressure situations whilst working as a doorman and presently drives for First Bus which he has done over the last 4 years.

Members took account of the applicant's oral representations, written statement and balanced these against the information contained in the Disclosure and Barring Service Certificate.

Members noted that whilst the offences involved an element of dishonesty they were committed during 1995 and therefore fall outside of their Policy. Given the historic nature of the offences and the applicant's continued employment engaged with members of the public Members find him a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver Licence.

Authority is delegated to the licencing officer to issue the licence subject to the applicant completing all steps required by the licensing process.

#### **43 FAILURE TO RETURN REQUIRED DBS CERTIFICATE - MR W H**

Mr W H was accompanied by a representative. They confirmed that they understood the procedure to be followed for the hearing.

The Senior Public Protection Officer presented the report. Mr W H had failed to present a valid DBS certificate when required to do under the program of three-yearly checks, even though the DBS web portal confirmed that a certificate had been issued to him, and had failed to reply to two reminder letters.

Mr W H made and his representative made oral statements and were questioned by Members. Mr W H had brought a valid DBS certificate with him and allowed Members to inspect it.

Following an adjournment the Sub-Committee **RESOLVED** that Mr W H continues to be a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence.

#### Reasons

Members have had to determine whether the licensee continues to be a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence. In doing so they had regard to the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

It was stated on behalf of the licensee that he received the DBS on 21 February 2017, had attempted to submit the DBS and was told the licensing officer was not available and a copy could not be taken. The DBS was delivered to a member of staff in Passenger Transport Services at the Locksbrook Road Depot. However this was not provided to the Licensing Authority as the licensee had anticipated. In short the licensee had attended the office on more than one occasion, had provided the DBS and when the second reminder was received had been on holiday. At no stage was the licensee attempting to hide the DBS, as he enjoys being a taxi driver.

Members noted the licensee had been a licensed driver since November 2010 and that the current licence was issued subject to a satisfactory police check. Members noted there had been a degree of confusion surrounding the production of the DBS Certificate, which in part was due to the Regulations governing the DBS process and various Council Departments. It was however clear that the DBS was submitted on 18 July 2017, and having had sight of it this morning Members note it gives no cause for concern.

Accordingly, Members consider the licensee continues to be a fit and proper person.

#### **44 FAILURE TO RETURN REQUIRED DBS CERTIFICATE - MR P I O**

Mr P I O failed to attend the hearing. The Senior Public Protection Officer reported that after the circulation of the agenda for today's meeting, Mr P I O had produced a valid DBS certificate.

After discussion the Sub-Committee **RESOLVED** that while Mr P I O continues to be a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence, he should be given a stern warning about failure to produce a valid DBS in a timely manner or an explanation for failure to do so in future.

##### Reasons

Members have had to determine whether the licensee continues to be a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence. In doing so they had regard to the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

Members heard that the Disclosure and Barring Service Certificate has now been produced giving no cause for concern about the licensee's fitness. Nevertheless, Members have taken a dim view of the licensee's failure to attend and explain the reasons why the DBS was not produced in a timely manner leading to the necessity for this hearing.

Whilst finding the licensee continues to be fit and proper in terms of criminal behaviour, Members give a stern warning that should these circumstances recur he must attend and explain his failure.

#### **45 FAILURE TO RETURN REQUIRED DBS CERTIFICATE - MR J L W**

Mr J L W failed to attend the hearing.

After discussion the Sub-Committee **RESOLVED** to defer the hearing of this matter to the next meeting of the Sub-Committee on 9<sup>th</sup> November 2017 with notice given to the licensee that if he failed to attend on that occasion, the matter might be dealt with in his absence.

##### Reasons

Members were asked to determine whether the licensee continued to be a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence.

The licensee, however, failed to attend and Members determined in the interests of fairness to defer the matter until the next Licensing Sub Committee meeting on notice to the licensee that should he fail to attend on the next occasion the matter may be dealt with in his absence.

#### **46 FAILURE TO RETURN REQUIRED DBS CERTIFICATE - MR T M S**

Mr T M S confirmed that he understood the procedure to be followed for the hearing.

The Senior Public Protection Officer presented the report. Since the circulation of the agenda the licence holder had produced a valid DBS certificate, but had not provided an explanation of why he had failed to do so previously.

Mr T M S made an oral statement and was questioned by Members.

Following an adjournment the Sub-Committee **RESOLVED** that Mr T M S continues to be a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence.

##### Reasons

Members have had to determine whether the licensee continues to be a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence. In doing so they had regard to the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law and the Council's Policy.

Members took account of the applicant's oral representations and noted the Disclosure and Barring Service Certificate had been produced.

The licensee stated that when first contacted by the licensing office he had followed the DBS process. On attending the office he was advised by an officer that he was unable to leave the DBS or have a copy taken. Since then his family and professional life had become stressful and he had assumed that he had done what was necessary. Once he received the letter advising him of this hearing he produced the DBS.

Members noted the licensee has been a licensed driver since 2006 with his current licence issued subject to a satisfactory police check. Members found there was an element of confusion surrounding the DBS, and having been advised that the DBS has now been produced considers that there is no cause for concern, finds the licensee fit and proper and that no further action should be taken.

The meeting ended at 12.20 pm

Chair(person) .....

Date Confirmed and Signed .....

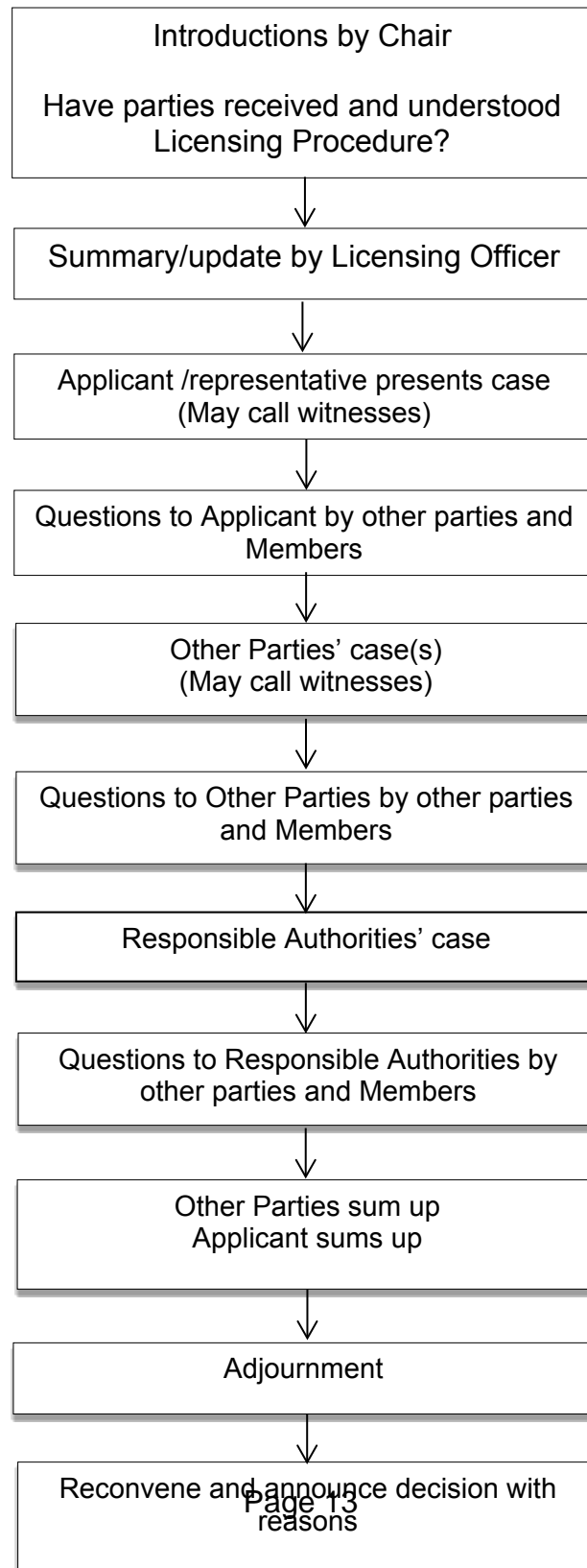
**Prepared by Democratic Services**

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

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



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

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

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

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

Responsible Authorities will be invited to summarise their representations

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

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

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

The Committee will reconvene the meeting and the Chair will announce the Committee’s decision with reasons and advise that the decision will be released in writing within the statutory time limits or advise that the decision will be

released in writing with reasons within the statutory time limit, in this instance, 5 working days.

**PLEASE NOTE:**

- Where the Sub-Committee considers it necessary to do so, it may vary this procedure.
- In circumstances where a party fails to attend the Committee will consider whether to proceed in absence. Should a matter be deferred the deferral notice will state that the matter may proceed in a party's absence on the next occasion. In deciding whether to proceed all notices, communications and representations will be considered.
- Only in **exceptional circumstances** will the Committee take into account any additional late documentary or other information produced by an existing party in support of their application/representation. This will be at the discretion of the Chair and with the agreement of all the other parties. No new representations will be allowed at the hearing.
- The hearing will take the form of a discussion and parties will be able to ask questions as set out above. However, formal cross examination will be discouraged.
- The Authority will disregard any information or representation given by a party which is not relevant to the Application and the Licensing Act 2003.
- Where there is more than one party making relevant representations the time allocated will be split between those parties.
- Where several parties are making the same or similar representations it is suggested that one representative is appointed to avoid duplication and make efficient use of the allocated time.
- Where an objection is made by an association or residents group, a duly authorised person – as notified to the Licensing Authority – may speak on behalf of that association or group.
- The Chair may request that persons behaving in a disruptive manner should leave the hearing and their return refused, or allowed subject to conditions. An excluded person is however, entitled to submit the information they would have been entitled to present had they not been excluded.

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

Bath & North East Somerset Council		
MEETING:	Licensing Sub Committee	AGENDA ITEM NUMBER
MEETING DATE:	Thursday 9 November 2017	
TITLE:	Application for a Premises Licence for <b>SUGO</b> , 66 Walcot Street, Bath, BA1 5BD	
WARD:	Abbey	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A	Application for a new premises licence	
Annex B	Plans of premises	
Annex C	Site plans	
Annex D	Representations received from other persons	
Annex E	Representation received from Tramshed Limited and TARA	
Annex F	Current premises licence for 66 Walcot Street	

## 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 Sugo, 66 Walcot Street, Bath, BA1 5BD.

## 2 RECOMMENDATION

- 2.1 That the Sub Committee determines this application.

## 3 RESOURCE IMPLICATIONS

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

## 4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 An Equality Impact Assessment (Eq1A) has been completed. No adverse or other significant issues were found.
- 4.2 Consideration must be given to the Human Rights Act 1998 and the "convention rights".

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

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

## 5 THE REPORT

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

5.2 The application proposes the following licensable activities:

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

Monday to Saturday	07:00 - 02:00 the following morning
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Sunday	07:00 – 23:00
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- 2) The provision of **Late Night Refreshment** indoors and outdoors:

Monday to Saturday	23:00 - 02:00 the following morning
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- 3) The **Exhibition of Film** indoors only:

Every Day	07:00 – 23:00
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- 4) The **Opening Hours** proposed are:

Monday to Saturday	07:00 - 02:30 the following morning
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Sunday	07:00 – 23:30
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- 5) The following **conditions** have been offered by the applicant to promote the licensing objectives:

- Staff shall be trained on issues regarding the Licensing Act 2003, service of alcohol. A record of this training will be kept at the premises and made available for inspection as required by the Police or Licensing Authority.
- All alcohol supplied for consumption off the premises will be sold in sealed containers.
- CCTV cameras shall be installed to the satisfaction of the Police and ICO guidelines, and will be maintained in full working order when the premises are open to the public. Recorded images will be of evidential quality. Recordings shall be kept for 31 days and made available to the Police and Licensing Authority (in accordance with Data protection legislation). Signs will be displayed that CCTV is recording.

- Alcohol to be sold or supplied for delivery must have been pre-ordered. A record of all deliveries must be kept on the premises and will include details of type and quantity of alcohol supplied, and address to which delivered.
- Alcohol will only be delivered to an address that has been provided by the person placing the order.
- The outside rear courtyard will be cleared of patrons by 23:00 hours each day.
- With the exception of the Exhibition of Film, there will be no regulated entertainment at the premises.
- Signage requesting patrons to be considerate to residents when leaving the premises shall be clearly displayed at entrances/exits.
- The premises shall operate a 'Challenge 21' age verification policy. Signage advertising this policy shall be displayed in the bar area.
- Staff delivering pre-ordered alcohol will implement the 'Challenge 21' policy should they consider the recipient of the alcohol to be under the age of 21.

5.3 Plans of the premises are attached at Annex B. The licensed premises comprises of a ground floor bar and restaurant, a private dining room, an external courtyard and small external area to the front of the premises, all of which are “on premises”.

5.4 Site plans are attached at Annex C.

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

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

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

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

- 5.7 Section 4(3)Licensing Act 2003 states that the Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:-
- a) Paragraphs 3-6, 8-10, 13-14, 17-24, 29,33-36, 38-41 of the 2015 policy.
  - b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised **April 2017**.
  - c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.
- 5.8 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.
- 5.9 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates' Court. If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates' Court. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 5.10 In accordance with the requirements of the Act, copies of the application were forwarded to 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 Five representations have been received from "other persons" all of whom reside close to the premises. All five representations express concern that the applicant's proposals are likely to undermine **the prevention of public nuisance licensing objective**, whilst some also refer to the likely effect those proposals may have on the other three licensing objectives, namely **the prevention of crime and disorder, public safety and the protection of children from harm** (Annex D).
- 5.13 A representation has been received from The Tramshed Limited and The Abbey Residents' Association expressing concern that the proposals will undermine the prevention of public nuisance licensing objective and the protection of children from harm licensing objective (Annex E). The



representation proposes that should the application be granted that the following conditions be imposed:

- Alcohol shall be sold solely in conjunction with menu-based food;
- No food or alcohol shall be sold for consumption off the premises;
- The sale and consumption of alcohol shall commence no earlier than 09:00 seven days a week and cease no later than 23:00 hours Monday to Saturday and 22:00 hours on Sunday;
- The sale and consumption of alcohol and all licensable activities shall cease in the rear courtyard at 22:00 hours nightly;
- Customers shall only enter and leave the premises by the front (Walcot Street), with the rear entrance being limited to being used solely as a service entrance, staff entrance and fire exit;
- Customers are prevented from gathering and smoking at the rear of the building.

5.14 No representations have been received from the Responsible Authorities.

5.15 The current premises licence relating to 66 Walcot Street has been included for information at Annex F.

5.16 The premises is situated within Bath's Cumulative Impact Area. As relevant representations have been received, the policy has been engaged and there is a rebuttable presumption that the licence will be refused.

5.17 In consideration of BANES Council's Cumulative Impact Policy the applicant met with the Police Licensing Officer prior to drafting the application. All conditions recommended by the Police Licensing Officer have been offered by the applicant within section M of the application.

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

## **6. RATIONALE**

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

## **7 OTHER OPTIONS CONSIDERED**

7.1 None.

## **8 CONSULTATION**

8.1 In accordance with the Licensing Act 2003 (Premises Licence and Club Premises Certificate) Regulations 2005, the applicant has given notice of the application to all the relevant Responsible Authorities and has

advertised the application in the manner prescribed, both at the premises and within a local publication.

## **9 RISK MANAGEMENT**

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

## **10 ADVICE SOUGHT**

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

<b>Contact person</b>	Terrill Wolyn, Senior Public Protection Officer 01225 396939
<b>Background papers</b>	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**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**I/We** MACELLEN LIMITED

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
<b>SUGO</b>			
<b>66 WALCOT STREET</b>			
<b>Post town</b>	<b>BATH</b>	<b>Postcode</b>	<b>BA1 5BD</b>

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

**Part 2 - Applicant details**

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

- |  |                          |                             |
|--|--------------------------|-----------------------------|
| a) an individual or individuals *                    | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual *               |                          |                             |
| i as a limited company/limited liability partnership | <b>yes</b>               | please complete section (B) |
| ii as a partnership (other than limited liability)   | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or              | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation)       | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/> | please complete section (B) |
| d) a charity   | <input type="checkbox"/> | please complete section (B) |

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

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>			I am 18 years old or over <input type="checkbox"/> Please tick yes		
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

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

Name	<b>MACELLEN LIMITED</b>
Address	<b>66 WALCOT STREET BATH BA1 5BN</b>
Registered number (where applicable)	<b>10499416</b>
Description of applicant (for example, partnership, company, unincorporated association etc.)	<b>LIMITED COMPANY</b>
Telephone number (if any)	<b>07889 811 589</b>
E-mail address (optional)	<b>magnus.magplan@me.com</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

**15/09/2017**

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

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

**N/A**

1	2	3	4	5	6	7	8
---	---	---	---	---	---	---	---

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

**The premises comprises of a bar, restaurant and take-away.**

**A bar and dining room is located on the ground floor; a private dining room is located half a level above. The premise has an external courtyard to be used for consumption of alcohol and al fresco dining. There is also an area to the front of the premises for which we shall be seeking a "Tables and Chairs" permit.**

**As part of the "take-away" offering we shall be offering a delivery service in respect of food and alcohol.**

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**

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

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

**Provision of regulated entertainment** (please read guidance note 2)

Please tick all that apply

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

**Provision of late night refreshment** (if ticking yes, fill in box I)**Y****Supply of alcohol** (if ticking yes, fill in box J)**Y****In all cases complete boxes K, L and M**

## A

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<b>Y</b>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	07:00		<b><u>Please give further details here</u></b> (please read guidance note 4)		
		23:00			
Tue	07:00				
		23:00			
Wed	07:00		<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
		23:00			
Thur	07:00				
		23:00			
Fri	07:00		<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
		23:00			
Sat	07:00				
		23:00			
Sun	07:00				
		23:00			



C

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

## E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish		
Mon			<b>Please give further details here</b> (please read guidance note 4)	
Tue				
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)	
Thur				
Fri			<b>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</b> (please read guidance note 6)	
Sat				
Sun				

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed						
Thur			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)			
Fri						
Sat						
Sun						
			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			

## G

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

## H

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

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	Y
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	23:00				
		02:00			
Tue	23:00				
		02:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed	23:00				
		02:00			
Thur	23:00				
		02:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri	23:00				
		02:00			
Sat	23:00				
		02:00			
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	Y
Mon	07:00	02:00	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)		
Tue	07:00	02:00			
Wed	07:00	02:00			
Thur	07:00	02:00	<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri	07:00	02:00			
Sat	07:00	02:00			
Sun	07:00	23:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):**

Name		NATHAN JOHN LEE
Date of birth		10/05/1975
Address		
16 BELLEVUE TERRACE BRISLINGTON BRISTOL		
Postcode	BS4 4JP	
Personal licence number (if known) 100/4866/2		
Issuing licensing authority (if known) BRISTOL CITY COUNCIL		



K

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

NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00		
		02:30	
Tue	07:00		
		02:30	
Wed	07:00		
		02:30	
Thur	07:00		
		02:30	
Fri	07:00		
		02:30	
Sat	07:00		
		02:30	
Sun	07:00		
		23:30	
			<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)

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

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

Staff shall be trained on issues regarding the Licensing Act 2003, service of alcohol. A record of this training will be kept at the premises and made available for inspection as required by the Police or Licensing Authority.

All alcohol supplied for consumption off the premises will be sold in sealed containers.

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

CCTV cameras shall be installed, to the satisfaction of the Police and ICO guidelines and will be maintained in full working order when the premises are open to the public. Recorded images will be of evidential quality. Recordings shall be kept for 31 days and made available to the Police and Licensing Authority (in accordance with Data protection legislation). Signs will be displayed that CCTV is recording;

Alcohol to be sold or supplied for delivery must have been pre-ordered. A record of all deliveries must be kept on the premises and will include details of type and quantity of alcohol supplied, and address to which delivered;

Alcohol will only be delivered to an address that has been provided by the person placing the order.

**c) Public safety**

The premises will operate in accordance with existing Health & Safety legislation.

**d) The prevention of public nuisance**

The outside rear courtyard will be cleared of patrons by 23:00 hours each day;

With the exception of the Exhibition of Film, there will be no regulated entertainment at the premises;

Signage requesting patrons to be considerate to residents when leaving the premises shall be clearly displayed at entrances/exits

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

The premises shall operate a “Challenge 21” age verification policy. Signage advertising this policy shall be displayed in the bar area;

Staff delivering pre-ordered alcohol will implement the ‘Challenge 21’ policy should they consider the recipient of the alcohol to be under the age of 21.

**Checklist:****Please tick to indicate agreement**

- I have made or enclosed payment of the fee. Y
- I have enclosed the plan of the premises. Y
- I have sent copies of this application and the plan to responsible authorities and others where applicable. Electronic application therefore onus on LA to serve RAs n/a
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. Y
- I understand that I must now advertise my application. Y
- I understand that if I do not comply with the above requirements my application will be rejected. Y
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). n/a

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> </ul>
--------------------	--

	<ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
Signature	<b>Magnus Ian Macdonald</b>
Date	<b>09.08.2017</b>
Capacity	<b>Premises Licence Holder (Director)</b>

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
<b>Magnus Macdonald</b>			
Post town		Postcode	
Telephone number (if any)	<b>07889 811 589</b>		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <b>magnus.magplan@me.com</b>			

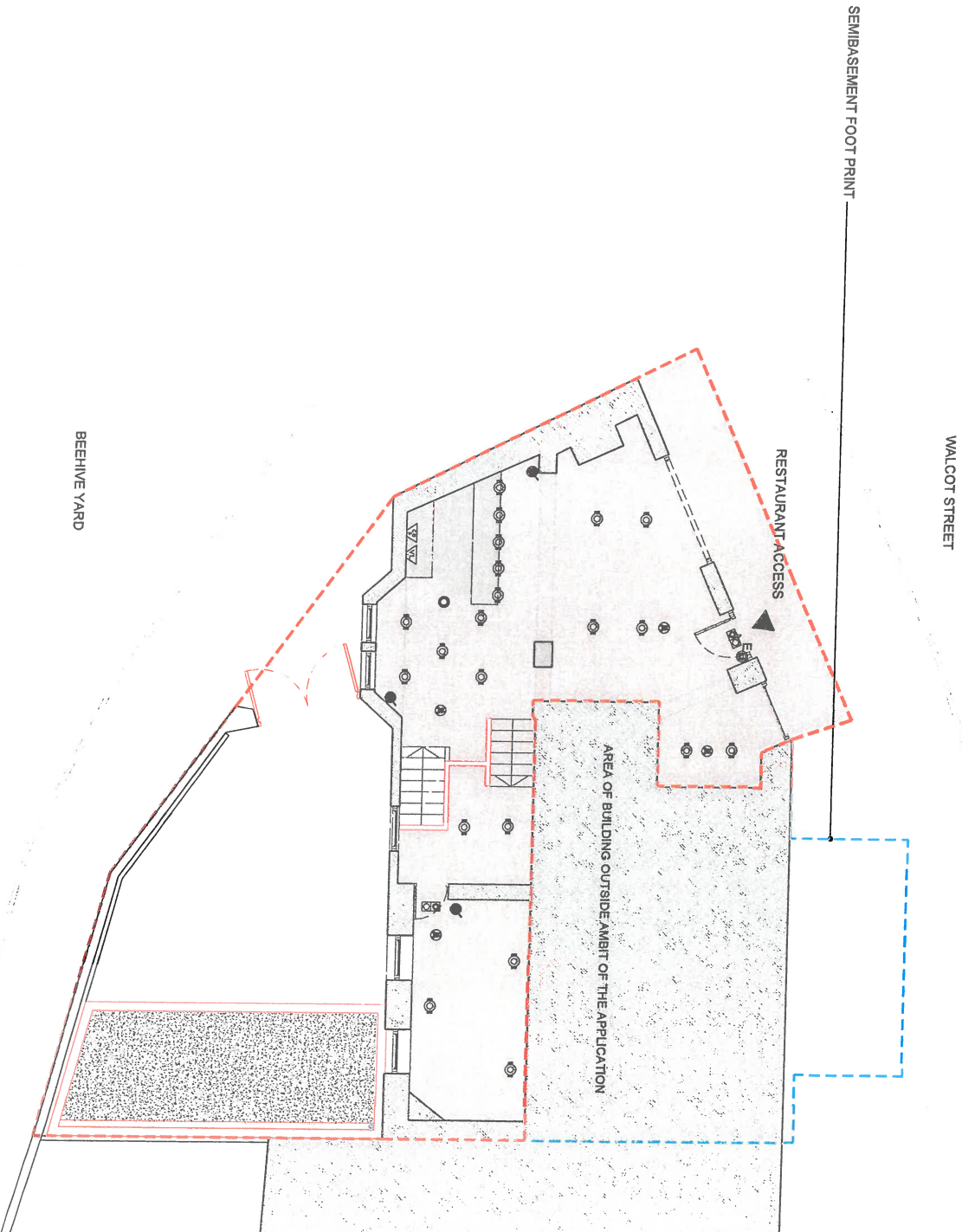
#### Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

## SERVICES

GROUND & UPPER FLOOR PLAN  
(SCALE - 1/100 if printed on A3 sheet, 1/50 on A1)

- GRAPHIC SCALE**
- 0 1.00 m 2.50 m 5.00 m
- NORMAL LIGHTING POINT
  - NORMAL LIGHTING POINT
  - NORMAL LIGHTING POINT
  - NORMAL LIGHTING POINT
  - SMOKE DETECTOR WITH SOUNDER
  - EMERGENCY LIGHTING POINT
  - ACTUATING SWITCH FOR NORMAL LIGHTING POINT
  - FIRE ALARM ACTUATING POINT
  - ILLUMINATED EXIT SIGN- LETTERING 75MM
  - AREAS USED FOR THE STORAGE OF ALCOHOL AND BAR SERVICES
  - AREAS USED FOR THE CONSUMPTION OF ALCOHOL
  - AMBIT OF APPLICATION IN SEMIBASEMENT
  - AMBIT OF APPLICATION IN GROUND FLOOR
  - EXISTING WALLS
  - NEW WALLS
  - NEW OR MODIFIED ELEMENTS



**PROJECT**  
A11 1/80  
A21 1/100

**INVESTIGATOR**  
MAGNUS MADONDA  
66 Walcot St  
BA1 5BD - Bath

**PROJECT**  
A11 1/80  
A21 1/100

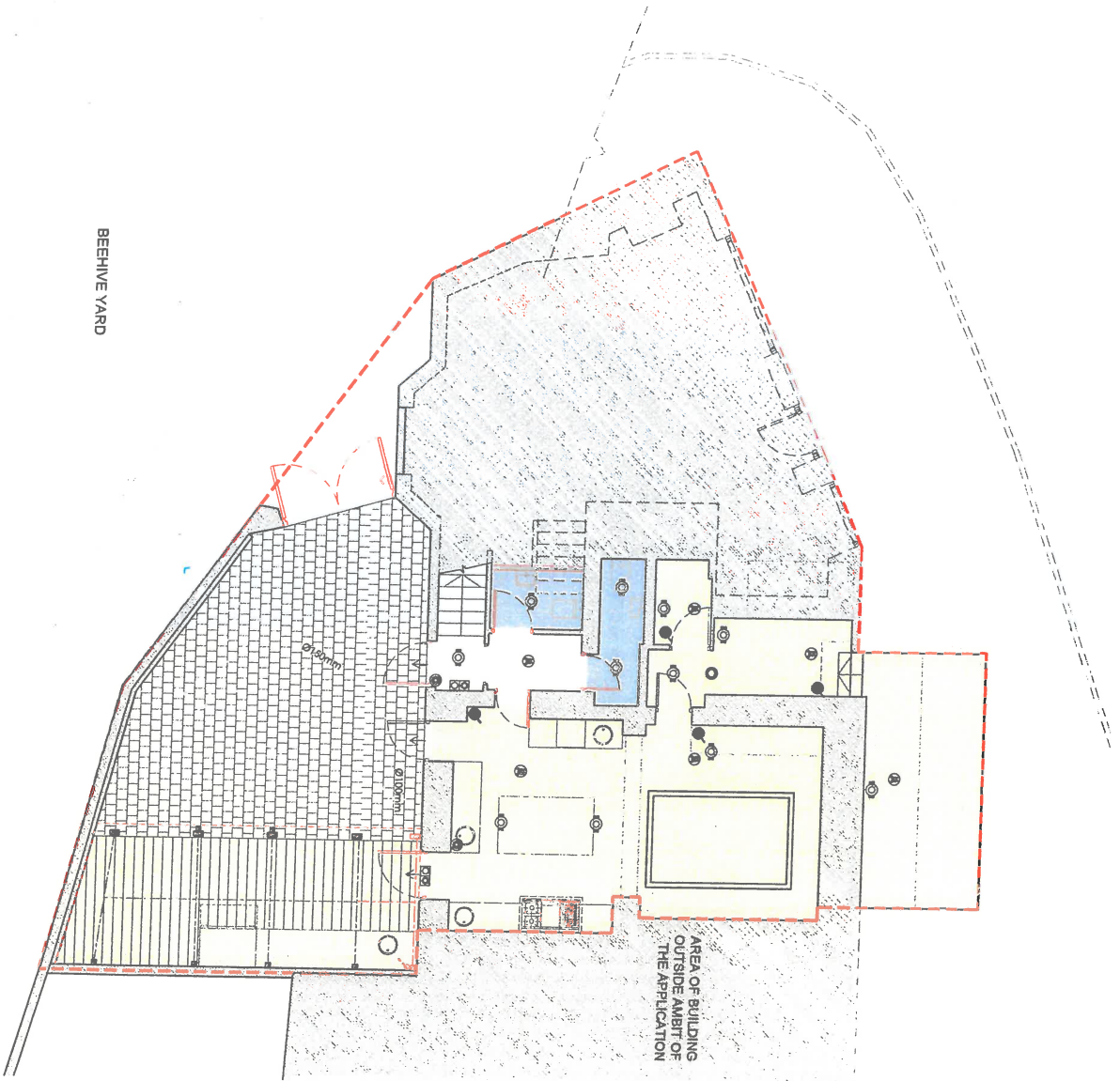
**INVESTIGATOR**  
MAGNUS MADONDA  
66 Walcot St  
BA1 5BD - Bath

**PROJECT**  
A11 1/80  
A21 1/100

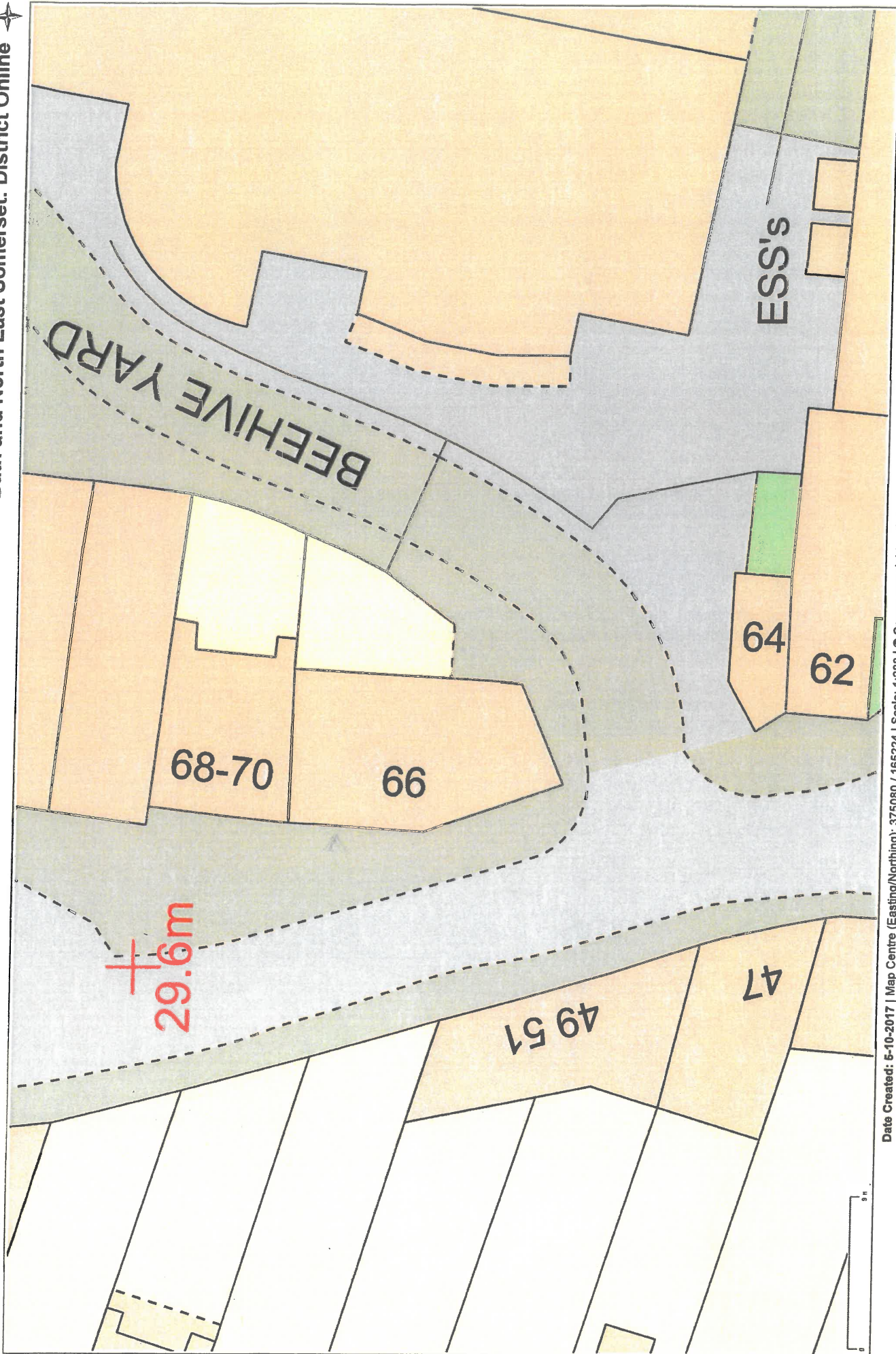
**INVESTIGATOR**  
MAGNUS MADONDA  
66 Walcot St  
BA1 5BD - Bath

# ANNEX SERVICES - DRAINAGE AND VENTILATIONSEMIBASEMENT FLOOR PLAN (SCALE - 1/100 if printed on A3 sheet; 1/50 on A1)

- GRAPHIC SCALE
- NORMAL LIGHTING POINT
  - SMOKE DETECTOR WITH SOUNDER
  - SMOKE DETECTOR WITH SOUNDER
  - EMERGENCY LIGHTING POINT
  - ACTUATING SWITCH FOR NORMAL LIGHTING POINT
  - FIRE ALARM ACTUATING POINT
  - ILLUMINATED EXIT SIGN - LETTERING 75MM
  - AMBIT OF APPLICATION IN SEMIBASEMENT
  - EXISTING WALLS
  - NEW WALLS
  - NEW OR MODIFIED ELEMENTS
  - KITCHEN AND STAFF ONLY AREAS
  - TOILET ACCOMMODATION

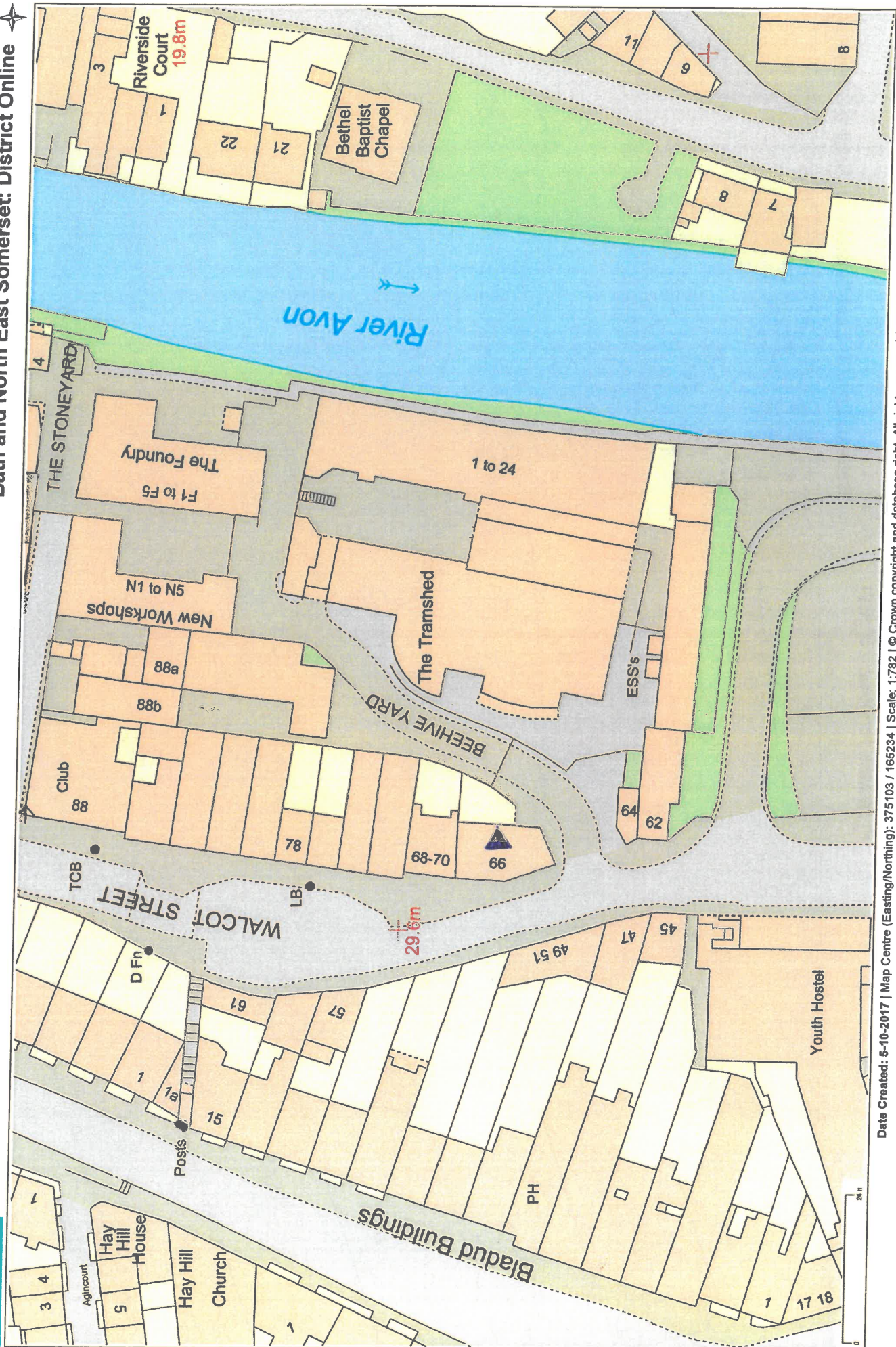








# Site Plan - SUGO



Date Created: 5-10-2017 | Map Centre (Easting/Northing): 375103 / 165234 | Scale: 1:782 | © Crown copyright and database right. All rights reserved (100023334) 2017



**Ian Nash**

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**From:** cherry williams  
**Sent:** 01 October 2017 13:04  
**To:** Licensing  
**Subject:** 17/02258/LAPRE

I am e-mailing to register my very strong objection to the above application for changes in the licensing at 66 Walcot Street (formerly Yammos).

I am horrified to think of a café serving alcohol from 07:00 until 02:00 from Monday to Saturday and until 23:00 on Sundays. The applications says "on and off premises" which I assume means they are going to have tables and chairs on the pavement on Walcot Street and also in the small courtyard/kitchen at the rear of the property bordering Beehive yard. I live in the neighbourhood, and I shudder to imagine the noise and drunken behaviour that the Tramshed residents will have to endure, as well as pedestrians walking along the street.

Please do not grant these changes to the licensing at 66 Walcot Street.

Yours sincerely Cherry Williams

**Terrill Wolyn**

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**Subject:** FW: SUGO - REPRESENTATION - Catherine Chambers

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

From: Catherine Chambers

Sent: 09 October 2017 12:43

To: Licensing

Cc:

Subject: Application 17/02258/LAPRE: for Ian Nash

I wish to make a representation about this licence application. I live on the Beehive Yard Estate onto which these premises back.

The Beehive Yard Estate was redeveloped in 2000/2002. The leases to Frogmore, the head leaseholder, clearly show the whole of Beehive Yard as part of that Estate; it is a private road maintained by the Estate (now the subleaseholders to Frogmore). Access from Beehive Yard to the rear area of 66 Walcot Street is and always has been solely commercial access. Under Yammo's licence customers could only access the rear area from inside the premises; we still had some problems with customers' cars and noise but it was usually manageable with goodwill.

The proposal by Sugo/Macellen is to make much further use of this rear area, as demonstrated by the substantial building taking place (building which is subject to separate objections on planning), and now by this licence application. Specifically they appear now to wish to use a newly constructed rear entrance for customers, not just for commercial access.

As this is a private road there is no safe method of monitoring and controlling the customers who enter or exit the premises by this route and using this part of the premises in this way cannot meet basic licensing requirements of prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm. Access by customers will mean frequent blocking of Beehive Yard both by people and cars, with consequent risk to emergency vehicles, residents' free passage and safety, absence of nuisance.

The licenced premises on Beehive Yard, until recently trading as The Tramshed, were in an entirely different position: their lease made them part of the Beehive Yard Estate with consequent responsibilities in meeting licensing requirements. The Estate residents worked with the restaurant's managers to develop mutually agreeable processes, which included clearing their outside area by 22.00 and having security staff on Fridays and Saturdays.

Macellen/Sugo/66 Walcot Street is not part of the Beehive Yard Estate and thus has no shared responsibility for the management of the area. Experience of the applicant during their recent building works (the applicant does not give me confidence that they would share this neighbourly attitude. the premises now appear to be up for rental, a recent development, which makes us more rather than less concerned about access to this rear area.

I ask the licensing authority to attach a condition to the premises licence denying use of 66 Walcot Street's rear Beehive Yard access for customers.

Catherine Chambers

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**Terrill Wolyn**

---

**From:** Ste Montgomery  
**Sent:** 10 October 2017 09:41  
**To:** Licensing  
**Subject:** SUGO - REPRESENTATION - S Montgomery  
**Attachments:** Comments on Licence appn 1702258LAPRE.pdf

Dear Sir or Madam

I wish to make comments on this application and have attached a pdf document.

Stephen Montgomery

Beehive Yard

Bath

**Licensing Application Reference:17/02258/LAPRE**

66 Walcot Street

I live in ... The Tramshed, Beehive Yard and am very concerned about this application that has been lodged with BNES.

The premises back on to Beehive Yard and include an open yard at the back in which it appears clients will be able to be served and consume alcoholic drinks.

The application requests permission to sell alcoholic drinks until 0200 hours from Monday to Saturday and until 2300 hours on Sundays. It also explicitly includes the right to have Late Night Refreshment, both inside and outside, until 0200 hours.

Beehive Yard already has 23 Apartments and will have a further 18 Apartments added over the next 2 years. The disturbance caused by customers drinking until the early morning constitutes a serious public nuisance to the residents and a potential risk of public disorder.

The license previously held by The Tramshed Restaurant included a condition that security staff would be on duty every weekend and no drinks could be consumed outside after 2300 hours. These conditions reduced the public disturbance to an acceptable level.

The plans submitted with this application clearly show that the entry to the Restaurant is from Walcot Street. However they also show the gateway leading into Beehive Yard from the rear courtyard; traditionally this provided access, through Beehive Yard, for vehicles going into the rear courtyard. If the Licensing Authority would add a condition that clients must leave the Restaurant through the main entrance, this would greatly reduce the potential for public nuisance.

Stephen Montgomery

Beehive Yard

Bath

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:	17/02258/LAPRE
Applicant's name:	Macellan Ltd
Premises name and address:	Sugo, 66 Walcot Street, Bath, BA1 5BD
Application for a:	Premises Licence

Objector Details:

Objector's Name:	Mr N Clatworthy
Objector's Address:	Beehive Yard, Bath,
Organisation name if applicable:	

Objection Details:

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

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

## 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.*

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

☐

The rear of the premises are directly opposite, and in close proximity to, a residential block comprising 23 apartments of the Tramshed, where I live, as well as 18 new apartments currently under conversion from offices. I am concerned that, if the premises open until 2am, this will cause a Public Nuisance to me and other residents of these residential blocks as well as a potential for crime and disorder. This nuisance will be created not only by customers using, entering and leaving the premises, but by the late use of a, currently under construction, industrial scale kitchen, including large and noisy extraction, in the rear courtyard of the premises and directly opposite The Tramshed residential blocks. I would also add at this point that this kitchen construction does not appear to comply with its Planning Permission. I also object to the Licence Application on the basis of Public Safety concerns caused by the parking of vehicles, including motorbikes and scooters belonging to Sugo, at the rear of the premises on the pedestrian footpath accessing, and belonging to, the Beehive Yard Estate. This results in pedestrians having to use the roadway on entering the Beehive Yard Estate.

**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

N Clatworthy

Date

10th October 2017

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:

ANNEX D

ensing Team  
blic Protection and Health Improvement Service  
wis House  
anvers Street  
ath BA1 1JG



ANNEX D

**From:** Ronnie Simpson  
**Sent:** 10 October 2017 16:09  
**To:** Terrill Wolyn  
**Subject:** SUGO

Hi Terrill

I take issue with Sugo's view that the entrance off the courtyard has always been in use - the previous tenants' staff may have accessed the premises for refuse etc but certainly didn't have their patrons using it. I think it's pretty self-evident that, if they can, patrons will at some time or other see fit to use the gate and congregate in Beehive Yard after an evening's drinking in Sugo's decking area.

However, Avon Fire's position on the rear gate seems pretty definite and I guess their view will hold sway.

As discussed, if there is no outside drinking after 23.00 I believe my objection is largely, but not wholly, assuaged.

Regards

Ronnie Simpson

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**From:** John Brown  
**To:** Terrill Wolyn; 'Ronnie Simpson'  
**Cc:** Ian Strand  
**Sent:** Tuesday, 10 October 2017, 15:33  
**Subject:** RE: SUGO

Good afternoon Terrill.

On reviewing the plans I can confirm that due to excessive travel distances these doors are required as a means of escape and therefore the proposal to have them locked at all times is not acceptable.

Kind regards

John

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**From:** Terrill Wolyn [mailto:Terrill\_Wolyn@BATHNES.GOV.UK]  
**Sent:** 10 October 2017 15:16  
**To:** 'Ronnie Simpson'  
**Cc:** John Brown; Ian Strand  
**Subject:** RE: SUGO

Dear Ronnie

Re: Sugo, 66 Walcot Street, Bath

Thank you for confirming that the condition requiring the courtyard to be clear of patrons by 23:00 allays one of your concerns.

In respect of your outstanding concern I contacted the applicant to seek confirmation as to whether access to, and egress from the courtyard shall be via the main building only, or if the entrance/exit from the courtyard into Beehive Yard is to be used by patrons. I was promptly advised that this entrance off the courtyard has always been in use.

I appreciate your concern, however in respect of submitting a relevant representation I would appreciate if you would clearly state in the attached representation form how unfettered use of the entrance off the courtyard into Beehive Yard by customers will increase the risk of public nuisance to local residents, to the point that you consider a further condition to limit access and egress by customers via the courtyard, or a condition setting out the management of this exit, appropriate to promote the licensing objectives.

I am a little uneasy about your proposing that the Licensing Sub Committee consider imposing a condition requiring the entrance/exit to be **locked at all times**, therefore I have copied in Fire Safety Officers John Brown and Ian Strand to seek their advice. Conditions attached to a premises licence should not duplicate existing legislation nor should they encourage premises to act unlawfully so I hope you don't mind me seeking advice on this point from the Responsible Authority.

John, Ian – please can you take a look at the attached plans and advise me if the proposal to have a condition requiring the rear exit from the courtyard to be **locked at all times** would impede customers' ability to safely exit the premises, or contravene any fire-safety legislation. I would appreciate a reply at your earliest convenience as the last date for representations to be received is Thursday 12 October.

Kind regards

Terrill

**Terrill Wolyn**  
**Senior Licensing Officer**

**From:** Ronnie Simpson  
**Sent:** 09 October 2017 17:32  
**To:** Licensing  
**Cc:** Terrill Wolyn  
**Subject:** SUGO

Further to my call today with Ms Wolyn, I accept that my concern as previously noted is largely covered by the fact that Sugo are not planning to allow outside drinking after 23.00.

I do have an outstanding concern that, unless Sugo commit to ensuring that the gate from their outside decking area is locked at all times, patrons will be able to congregate in Beehive Yard with the ensuing risk of noise and nuisance. I understand that, if they do so, and are consuming drinks bought on Sugo premises, they are contravening a condition of Sugo's licence. Patrons congregating in Beehive Yard after an evening at Sugo would still however seem to represent a potential nuisance for residents.

Thanks and regards  
Ronnie Simpson

**Terrill Wolyn**

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**From:** MICHAEL BRETT  
**Sent:** 11 October 2017 09:28  
**To:** Terrill Wolyn  
**Cc:** Tim Buxton; Ian Perkins  
**Subject:** SUGO 66 WALCOT STREET 17/02258/LAPRE  
**Attachments:** SUGO.docx

Dear Terrill Wolyn,

I attach for your information on behalf of The Tramshed Limited and the Abbey Residents Association (TARA) a representation in respect of the above-referenced application.

Best wishes, Michael Brett

Director, The Tramshed Limited  
Vice Chair, The Abbey Residents Association.

**SUGO 66 WALCOT STREET 17/02258/LAPRE**

This representation is submitted by and on behalf of The Tramshed Limited and The Abbey Residents Association (TARA). The Tramshed Limited is the senior leaseholder for the residential element of the mixed use development at Beehive Yard, at the entrance to which the above referenced address is located, and has a lead responsibility for the management and upkeep of the Beehive Yard Estate. TARA is the residents association for the city centre of Bath. The organization has around 250 members and has been promoting the interests of city centre residents since 2000.

There are currently twenty three apartments at The Tramshed immediately behind the above referenced premises. They are occupied by households of all ages including children. The building is currently under development to replace the former restaurant on the ground floor with a furniture store together with a further eighteen apartments on floors above.

Businesses operating at this address have previously held licenses as had the restaurant that preceded the furniture store referred to above. We contend, however, that the hours requested by the applicant on this occasion which would extend the permitted sale of alcohol on and off the premises until 2.00 am Monday to Saturday and commencing at 7.00 am on Sunday are entirely inappropriate in a location of this sensitivity. Compared with peer cities Bath has an unusually large proportion of its residents who have chosen to live in the city centre. The existence of open drinking areas of the kind apparently proposed by the applicant and the noise emanating from the entrances and exits of licensed premises are among the commonest complaints that TARA receives from its members. The applicant has, moreover, apparently ignored Bath's Cumulative Impact Policy which requires him to demonstrate that he is aware of the possible impact of his proposals on the surrounding area and that they will not adversely affect the city's Licensing Objectives. So far as we are aware no applicant has been granted hours this late since the Cumulative Impact Policy was introduced in 2007.

We therefor request in accordance with the council's Licensing Objectives 3, the Prevention of Public Nuisance, and 4, the Protection of Children from Harm, that the application as it stands be **REFUSED**.

If, however, the council is minded to approve the application we ask that conditions be imposed as follows

- That alcohol be sold solely in conjunction with menu-based food.
- That no food or alcohol be sold for consumption off the premises.
- That the sale and consumption of alcohol commence no earlier than 09.00 seven days a week and cease no later than 23.00 hours Monday to Saturday and 22.00 hours Sunday.
- That the sale and consumption of alcohol and all licensable activities cease in the rear courtyard at 22.00 hours nightly rather than at 23.00 hours as we understand has been suggested by the applicant.

- That customers enter and leave the premises only by the front (Walcot Street) entrance and that the rear entrance be used solely as a service entrance, staff entrance if necessary and fire exit.
- That customers are prevented from gathering for drinking and smoking at the rear of the building.

Thank you for your attention.



**Schedule 12  
Part A**

**Regulation 33, 34**

**Premises Licence**

<b>Premises Licence Number</b>	15/01956/LAPRE
--------------------------------	----------------

**Part 1 – Premises Details**

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

Yammo  
66 Walcot Street  
Bath  
BA1 5BD

**Telephone number**            01225 938328

**Where the licence is time limited the dates**    Not applicable

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

**Sale of Alcohol**

Friday and Saturday	12:00 - 01:00
Sunday to Thursday	12:00 - 00:00

**Exhibition of a Film (Indoors only)**

Every Day	11:00 - 00:00
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**Late Night Refreshment (Indoors only)**

Monday	23:00 - 01:00
Tuesday to Thursday	23:00 - 00:00
Friday and Saturday	23:00 - 01:00
Sunday	23:00 - 00:00

**Non-Standard Timings:**

Sale of Alcohol - New Year's Eve until 02:00 hours

**The opening hours of the premises**

Monday	09:00 - 01:00
Tuesday to Thursday	09:00 - 00:00
Friday and Saturday	09:00 - 01:00
Sunday	09:00 - 00:00

**Non-Standard Opening Times:**

New Year's Eve until 02:00 hours

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

Alcohol is supplied for consumption both on and off the premises



**Part 2****Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Charlies Burger  
 Yammo  
 66 Walcot Street  
 Bath  
 BA1 5BD  
 ellen@yammo.co.uk

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

Registered Business Number - 08132207

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

Mr Daniele Quaglietta  
 82 Walcot Street  
 Bath  
 BA1 5BD

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

13/01307/LAPER  
 Bath & North East Somerset Council

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

Signed for and on behalf of  
 Bath & North East Somerset Council: .....

Dated 16 July 2015



## Annex 1 – Mandatory conditions

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

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Admission of children is restricted in accordance with the recommendation by the British Board of Film Classification.

If the film has not been classified the restriction of children must be approved by the Licensing Authority.

("Children" means any person under 18 years).

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

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

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

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

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From 28 May 2014:

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

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

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

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

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

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

where:

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

(a)\* 1979 c. 4. Section 1 was amended by regulation 2 of the Excise Duty (Amendment of the Alcoholic Liquor Duties Act 1979 and the Hydrocarbon Oil Duties Act 1979) Regulations 1992 (S.I. 1992/3158), section 162 of and Part 1 of Schedule 29 to the Finance 1995 (c. 4), section 7 of and paragraph 2(a) of Schedule 2 to the Finance Act 1991(c. 31), section 3 of the Finance Act 1993 (c. 34), section 227 of and paragraph 51 of Schedule 39 to the Finance Act 2012 (c. 14), section 1 of the Finance Act 1995, section 1 of and Part 2 of Schedule 1 to the Finance Act 1988 (c. 39), section 5 of the Finance Act 1997 (c. 16) and Article 2 of the Alcoholic Liquor Duties (Definition of Cider) Order 2010 (S.I. 2010/1914). Section 2 was amended by article 6 of the Alcoholic Liquors (Amendment of Enactments Relating to Strength and to Units of Measurement) Order 1979 (S.I. 1979/241), regulation 2 of S.I. 1992/3158, section 11 of and Part 2 of Schedule 8 to the Finance Act 1981 (c. 35), section 7 of and paragraph 3 of Schedule 2 to the Finance Act 1991 and section 5 of the Finance Act 1997. Section 3 was amended by article 7 of S.I. 1979/241. Section 4 was amended by article 8 of S.I. 1979/241, section 15 of and paragraphs 2 and 3 of Schedule 1 to the Finance Act 2011 (c. 11) and

section 227 of and paragraphs 51 of Schedule 39 to the Finance Act 2012 (c. 14). Section 5 was amended by section 1 of the Finance Act 1982 (c. 39) and section 180 of the Finance Act 2013. Section 36 was amended by section 7 of the Finance Act 1991, section 4 of and paragraph 1 of Schedule 1 to the Finance Act 2002 (c. 23), sections 14 and 15 of paragraphs 2 and 4 of Schedule 1 to the Finance Act 2011, section 180 of the Finance Act 2013 and section 1 of and paragraph 9 of Schedule 1 to the Finance Act (No. 2) Act 1992 (c. 48). Section 37 was amended by section 15 of and paragraph 1 of Schedule 1 to the Finance Act 2011 and section 180 of the Finance Act 2013. Section 54 was amended by section 1 of and paragraph 12 of Schedule 1 to the Finance (No. 2) Act 1992 and section 5 of the Finance Act 1985 (c. 54). Section 55 was amended by section 1 of the Finance Act 1984 (c. 43) and section 1 of and paragraph 13 of Schedule 1 to the Finance (No. 2) Act 1992. Section 62 was amended by section 3 of the Finance Act 1996 (c. 8), section 10 of the Finance (No.2) Act 1997 (c. 58), section 180 of the Finance Act 2013, section 4 of the Finance Act 1998 (c. 36) and section 3 of the Finance Act 1997. There are other amendments which are not relevant to this Order.

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

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From 1 October 2014:

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

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

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

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

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

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## **Annex 2 – Conditions consistent with the Operating Schedule**

CCTV shall be installed to the satisfaction of the Police and maintained in good working order. All cameras shall record continuously during trading hours. The time and date shall be displayed on the recordings. Recordings shall be maintained for a period of 31 days and made available to the Police or Licensing Authority for evidential purposes on request. A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.

Password system to be used between staff to prompt emergency call to police (999), in the case of a criminal or disorderly event occurring or being anticipated.

Glass bottles not to be sold off-premises except for wine.

A refusal of sales register will be maintained and kept at the premises and will be made available for inspections by the police and licensing authority.

Signs will be displayed at the premises asking patrons to leave quietly.

All outside areas will be cleared of patrons by 11pm each day.

Alcohol will only be supplied for off consumption from the takeaway if sold with menu based to the minimum value of £10.

The sale of alcohol for consumption off the premises shall only be permitted for takeaways except for those taking alcohol off the premises to consume in the area which is covered by the tables and chairs permit.

Rubbish will be removed regularly from 2 metres surrounding the property.

A 'Challenge 21' policy will operate at the premises.

Deliveries of food with alcohol will only be delivered to persons over the age of 18.

Film views in 1st floor room completely separated from ground floor public area with door closed.

Age rating will be advertised on any film event notices.

Children under 18 wanting to view films will be booked in by their parents and parents will sign form confirming consent to view and age of child. Forms will be kept in a file for inspections by Licensing Authority.

Children will only be permitted to viewings of films rated below their age.

During children's events a CRB certified adult will be present at all times to supervise.





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

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#### **Annex 4 – Plans**

As submitted with application.



V Bath & North East Somerset Council		
MEETING:	Licensing Sub-Committee	AGENDA ITEM NUMBER
MEETING DATE:	Thursday 9 November 2017	
TITLE:	Application to Vary the Premises Licence for <b>Walcot House</b> , 90B Walcot Street, Bath, BA1 5BG	
WARD:	Abbey	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application to Vary the Premises Licence		
Annex B Current Premises Licence		
Annex C Plans of premises		
Annex D Site Plans		
Annex E Representations received from “other persons”		

## **1 THE ISSUE**

- 1.1 An application has been received for the variation of an existing premises licence under Section 34 of the Licensing Act 2003 in respect of Walcot House, 90B Walcot Street, Bath BA1 5BG.

## **2 RECOMMENDATION**

- 2.1 That the Licensing Sub-Committee determines the application.

## **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

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

## **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

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

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

## 5 THE REPORT

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

- 5.2 The current premises licence is detailed in Annex B.

- 5.3 The Variation application seeks to:

Vary the current timings for the Sale of Alcohol to:

Monday to Saturday 11:00 – 03:00 the following morning  
Sunday 11:00 – 22:30

Extend the terminal hour for the performance of Dance, Live and Recorded Music on Monday to Thursday to 03:00 hours the following morning;

Add the Exhibition of Film indoors only:

Monday to Saturday 10:00 - midnight  
Sunday 14:00 – 22:30

Add the provision of Late Night Refreshment indoors only:

Monday to Saturday 23:00 – 03:00 the following morning

Remove the Annex 2 condition relating to “Challenge 21” (following consultation with the Police) and replace with condition proposing that “Challenge 25” shall be in operation;

Remove the licensable activity “**Other Entertainment within the Act**” as this relates to the licensing of “facilities” (abolished by the Live Music Act 2012);

Attach the revised floor plans to the premises licence, detailing the internal/design changes that have been made within the footprint of the existing licenced premises.

Remove all the non-standard timings relating to Christmas Day in respect of the Sale of Alcohol, the performance of Dance, Live and Recorded Music and Other Entertainment within the Act.

Remove the Annex 1 condition relating to the old PEL conditions.

- 5.4 The following additional conditions have been offered by the applicant :

Staff shall be trained on issues regarding the Licensing Act 2003, service of alcohol. A record of this training will be kept at the premises and made available for inspection as required by the Police or Licensing Authority

CCTV cameras shall be installed, to the satisfaction of the Police and ICO guidelines and will be maintained in full working order when the premises are open to the public. Recorded images will be of evidential quality. Recordings shall be kept for 31 days and made available to the Police and Licensing Authority (in accordance with Data protection legislation). Signs will be displayed that CCTV is recording.

An "Incident and Refusals" register shall be maintained and kept at the premises. It shall be made available to the police or licensing authority upon request.

There will be a minimum of 5 SIA registered security staff on duty at the premises from 22:00 hours when the downstairs dance floor is opened up as a nightclub and will remain on duty until the premises closes. At least 2 SIA registered door-staff will remain on duty until 20 minutes after closing time to assist with the safe dispersal of patrons, and to minimise disorder and anti – social behaviour.

A minimum of 2 SIA registered security staff will be positioned at the entrance / exit to the premises during the times the premises operate as a nightclub.

A register will be maintained at the premises, and made available to the Police and/or the licensing authority of any event where all or part of the premises is hired to any persons. The name and address will be recorded in that register with the nature of the event.

During the times when the premises is operating as a nightclub, drinking vessels supplied for the use of customers will be made of toughened glass or polycarbonate material.

Signage requesting patrons to be considerate to neighbours when leaving the premises shall be prominently displayed at the main entrances/exit.

All windows and doors of the premises will be closed after 22:00 hours except to allow access and egress.

The premises will have a written Dispersal Policy as agreed with the police. The policy will be made available to the police or Licensing Authority upon request.

The premises will operate a 'Challenge 25' policy and will display signs advertising this policy at bar areas. The DPS will ensure that all staff are trained in implementing 'Challenge 25'.

5.5 Plans of the premises are attached at Annex C.

5.6 Site plans area attached at Annex D.

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

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

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

5.8 The Licensing Authority may vary and grant the application with or without additional conditions if they consider it appropriate and proportionate to do so.

5.9 The Licensing Authority can refuse the variation, or part of the variation, for the promotion of the licensing objectives.

5.10 The Licensing Authority may not however do anything to reduce the effect of the rights granted by the existing premises licence.

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

- a) Paragraphs 3-6, 8-10, 13-14, 15, 17-23, 27, 33-36, 38-41 and 43 of the policy as revised in 2015.
- b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised April 2017).
- c) Sections 4, 9, 10, 13, 34, 35, 36, 182 and 183 of the Act.

5.12 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.

5.13 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates Court.



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

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

- 5.14 In accordance with the requirements of the Act copies of the application were served upon the Police, the Fire Authority, Environmental Health, Development Control, Trading Standards, the Health Authority and the Local Safeguarding Children Board.
- 5.15 The applicant was required to place a notice at the premises for a period of 28 days starting the day after the application was made and place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 5.16 Two representations have been received from other persons residing near the premises. They express concern that the applicant's proposals are likely to undermine the following licensing objectives:
- **Prevention of Public Nuisance**
  - **Prevention of Crime and Disorder**
- 5.17 No representations were received from the Responsible Authorities.
- 5.18 The premises is situated within Bath's Cumulative Impact Area.
- 5.19 This report has not been sent to the Trades Union because they would have no involvement in this application.

## **6 RATIONALE**

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

## **7 OTHER OPTIONS CONSIDERED**

- 7.1 None

## **8 CONSULTATION**

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

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 the recommendations has been undertaken in compliance with the Council's decision making risk management guidance.

## **10 ADVICE SOUGHT**

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

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

**Application to vary a premises licence under the Licensing Act 2003****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

We **RED HOUSE (BATH) LIMITED**

*(Insert name(s) of applicant)*

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

Premises licence number 17/01901/LAPRE
--

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
WALCOT HOUSE			
90B WALCOT STREET			
Post town	BATH	Postcode	BA1 5BG

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

**Part 2 – Applicant details**

Daytime contact telephone number	07974 568 090		
E-mail address (optional)	martin.still@walcothousebath.com		
Current postal address if different from premises address	Slades Farm Top Lane Whitley		
Post town	Melksham	Postcode	SN12 8RA

**Part 3 - Variation**

Please tick as appropriate

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

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
1	1	1	1	1	1	1	1

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

The variation proposes:

To vary the current timings for the Sale of Alcohol to:

Monday to Saturday 11:00 – 03:00 the following morning  
 Sunday 11:00 – 22:30

To extend the terminal hour for the performance of Dance, Live and Recorded Music on Monday to Thursday to 03:00 hours the following morning;

To add the Exhibition of Film;

To add the provision of Late Night Refreshment;

To remove the Annex 1 condition relating to the old PEL conditions;

To remove the Annex 2 condition relating to "Challenge 21" (following consultation with the Police) and replace with condition proposing that " Challenge 25" shall be in operation;

To remove the licensable activity **"Other Entertainment within the Act"** as this relates to the licensing of "facilities" (abolished by the Live Music Act 2012);

To attach the revised floor plans to the premises licence, detailing the internal/design changes that have been made within the footprint of the existing licenced premises.

To remove all the non-standard timings relating to Christmas Day in respect of the Sale of Alcohol, the performance of Dance, Live and Recorded Music and Other Entertainment within the Act.

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

N/A

**Part 4 Operating Schedule**

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

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

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

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

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

**In all cases complete boxes K, L and M**

A – N/A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

## B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	Y
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon	10:00				
		00:00			
Tue	10:00		<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
		00:00			
Wed	10:00		<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
		00:00			
Thur	10:00				
		00:00			
Fri	10:00				
		00:00			
Sat	10:00				
		00:00			
Sun	14:00				
		22:30			

C N/A

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Sat			
Sun			



D N/A

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	Y
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)  To clarify, 11:00 – 03:00 the following morning		
Mon	11:00				
		03:00			
Tue	11:00				
		03:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed	11:00				
		03:00			
Thur	11:00				
		03:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	Y <input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)  To clarify, 11:00 – 03:00 the following morning		
Mon	11:00				
		03:00			
Tue	11:00				
		03:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed	11:00				
		03:00			
Thur	11:00				
		03:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	Y
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)  To clarify: 11:00 – 03:00 the following morning		
Mon	11:00				
		03:00			
Tue	11:00				
		03:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Wed	11:00				
		03:00			
Thur	11:00				
		03:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Fri					
Sat					
Sun					

H – N/A

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)	
Wed				
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)	
Fri				
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)	
Sun				

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	Y
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)  To clarify: 23:00 – 03:00 the following morning		
Mon	23:00	03:00			
Tue	23:00	03:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Wed	23:00	03:00			
Thur	23:00	03:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Fri	23:00	03:00			
Sat	23:00	03:00			
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	Y
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)		
Mon	11:00	03:00			
Tue	11:00	03:00			
Wed	11:00	03:00			
Thur	11:00	03:00			
Fri	11:00	03:00			
Sat	11:00	03:00			
Sun	11:00	22:30			

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 10).

In respect of the Exhibition of Film we shall comply with the mandatory condition relating to Film Classification at all times.

L – No change proposed to the existing hours

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon			<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

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

- “Subject to the standard terms and conditions attached to the public entertainment licence issued prior to the second appointed day” (Annex 1)
- “The premises shall operate a ‘Challenge 21’ policy i.e. any person that appears under the age of 21 years will be asked to provide proof of their age”; (Annex 2)
- “Other Entertainment within the Act” and the associated non-standard timing for Christmas Day;
- All non-standard activity times relating to Christmas Day in respect of the Sale of Alcohol, the performance of Dance, Live and Recorded Music



Please tick as appropriate

- I have enclosed the premises licence Y
- I have enclosed the relevant part of the premises licence Y

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

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

The current premises licence shall be returned to Licensing Services under separate cover as the application is being submitted electronically.

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Staff shall be trained on issues regarding the Licensing Act 2003, service of alcohol. A record of this training will be kept at the premises and made available for inspection as required by the Police or Licensing Authority.

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

CCTV cameras shall be installed, to the satisfaction of the Police and ICO guidelines and will be maintained in full working order when the premises are open to the public. Recorded images will be of evidential quality. Recordings shall be kept for 31 days and made available to the Police and Licensing Authority (in accordance with Data protection legislation). Signs will be displayed that CCTV is recording.

An "Incident and Refusals" register shall be maintained and kept at the premises. It shall be made available to the police or licensing authority upon request.

There will be a minimum of 5 SIA registered security staff on duty at the premises from 22:00 hours when the downstairs dance floor is opened up as a nightclub and will remain on duty until the premises closes. At least 2 SIA registered door-staff will remain on duty until 20 minutes after closing time to assist with the safe dispersal of patrons, and to minimise disorder and anti – social behaviour.

A minimum of 2 SIA registered security staff will be positioned at the entrance / exit to the premises during the times the premises operate as a nightclub.

A register will be maintained at the premises, and made available to the Police and/or the licensing authority of any event where all or part of the premises is hired to any persons. The name and address will be recorded in that register with the nature of the event.

**c) Public safety**

During the times when the premises is operating as a nightclub, drinking vessels supplied for the use of customers will be made of toughened glass or polycarbonate material.

**d) The prevention of public nuisance**

Signage requesting patrons to be considerate to neighbors when leaving the premises shall be prominently displayed at the main entrances/exit.

All windows and doors of the premises will be closed after 22:00 hours except to allow access and egress.

The premises will have a written Dispersal Policy as agreed with the police. The policy will be made available to the police or Licensing Authority upon request.

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

The premises will operate a 'Challenge 25' policy and will display signs advertising this policy at bar areas. The DPS will ensure that all staff are trained in implementing 'Challenge 25'

**Checklist:****Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or Y
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. n/a
- I have sent copies of this application and the plan to responsible authorities and others where applicable. Submitted electronically therefore onus is on LA to serve copies on RAs n/a
- I understand that I must now advertise my application. Y
- I have enclosed the premises licence or relevant part of it or explanation Y
- I understand that if I do not comply with the above requirements my application will be rejected. Y

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Martin Still (Director)
Date	25/09/2017
Capacity	Premises Licence Holder

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>	07974 568 090		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b> martin.still@walcothousebath.com			

### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

# Bath & North East Somerset Council

## Schedule 12 Part A Premises Licence

Regulation 33, 34

<b>Premises Licence Number</b>	17/01901/LAPRE
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### Part 1 – Premises Details

<b>Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code</b>	
Walcot House 90B Walcot Street Bath BA1 5BG	
<b>Telephone number</b>	01225 700383

<b>Where the licence is time limited the dates</b>	Not applicable
--	----------------

<b>Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities</b>	
<b>Sale of Alcohol</b>	
Monday to Saturday	10:00 - 02:00
Sunday	10:00 - 22:30
<b>Performance of Dance</b>	
Monday to Thursday	11:00 - 02:00
Friday	11:00 - 00:00
Saturday	00:01 - 00:00
Sunday	00:01 - 11:00
Sunday	19:00 - 22:30
<b>Performance of Live Music (Indoors only)</b>	
Monday to Thursday	11:00 - 02:00
Friday	11:00 - 00:00
Saturday	00:01 - 00:00
Sunday	00:01 - 11:00
Sunday	19:00 - 22:30
<b>Performance of Recorded Music</b>	
Monday to Thursday	11:00 - 02:00
Friday	11:00 - 00:00
Saturday	00:01 - 00:00

Sunday	00:01 - 11:00
Sunday	19:00 - 22:30

#### **Other Entertainment within Act**

Monday to Thursday	11:00 - 02:00
Friday	11:00 - 00:00
Saturday	00:01 - 00:00
Sunday	00:01 - 11:00
Sunday	19:00 - 22:30

#### **Non Standard Timings**

Christmas Day: 12.00 to 15.00 and 19.00 to 22.30 hours.

From normal activity start time on New Year's Eve until normal activity finishing time on New Year's Day.

Other entertainment includes public music, singing and dancing, plus the provision of facilities for making music and dancing.

#### **The opening hours of the premises**

Monday	00:00 - 00:00
Tuesday	00:00 - 00:00
Wednesday	00:00 - 00:00
Thursday	00:00 - 00:00
Friday	00:00 - 00:00
Saturday	00:00 - 00:00
Sunday	00:00 - 00:00

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

Alcohol is supplied for consumption on the premises

## Bath & North East Somerset Council

### Part 2

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

Red House (Bath) Ltd  
Slades Farm  
Top Lane  
Whitley  
Wiltshire  
SN12 8RA  
01225 700383  
debbie@motherandwild.com

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

Registered Business Number - 10753390

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

Mr Martin William John Still  
Slades Farm  
Top Lane  
Whitley  
Wiltshire  
SN12 8RA

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

LN/16101  
Wiltshire Council

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

Signed for and on behalf of

Bath & North East Somerset Council: *Terrill Walyn*

Dated 9 August 2017

ANNEX B



## Bath & North East Somerset Council

### Annex 1 – Mandatory conditions

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

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

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

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

From 28 May 2014:

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a)\*;
- (b) "permitted price" is the price found by applying the formula:

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

where:

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

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

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

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

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

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

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

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

(a)\* 1979 c. 4. Section 1 was amended by regulation 2 of the Excise Duty (Amendment of the Alcoholic Liquor Duties Act 1979 and the Hydrocarbon Oil Duties Act 1979) Regulations 1992 (S.I. 1992/3158), section 162 of and Part 1 of Schedule 29 to the Finance Act 1995 (c. 4), section 7 of and paragraph 2(a) of Schedule 2 to the Finance Act 1991(c. 31), section 3 of the Finance Act 1993 (c. 34), section 227 of and paragraph 51 of Schedule 39 to the Finance Act 2012 (c. 14), section 1 of the Finance Act 1995, section 1 of and Part 2 of Schedule 1 to the Finance Act 1988 (c. 39), section 5 of the Finance Act 1997 (c. 16) and Article 2 of the Alcoholic Liquor Duties (Definition of Cider) Order 2010 (S.I. 2010/1914). Section 2 was amended by article 6 of the Alcoholic Liquors (Amendment of Enactments Relating to Strength and to Units of Measurement) Order 1979 (S.I. 1979/241), regulation 2 of S.I. 1992/3158, section 11 of and Part 2 of Schedule 8 to the Finance Act 1981 (c. 35), section 7 of and paragraph 3 of Schedule 2 to the Finance Act 1991 and section 5 of the Finance Act 1997. Section 3 was amended by article 7 of S.I. 1979/241. Section 4 was amended by article 8 of S.I. 1979/241, section 15 of and paragraphs 2 and 3 of Schedule 1 to the Finance Act 2011 (c. 11) and section 227 of and paragraphs 51 of Schedule 39 to the Finance Act 2012 (c. 14). Section 5 was amended by section 1 of the Finance Act 1982 (c. 39) and section 180 of the Finance Act 2013. Section 36 was amended by section 7 of the Finance Act 1991, section 4 of and paragraph 1 of Schedule 1 to the Finance Act 2002 (c. 23), sections 14 and 15 of paragraphs 2 and 4 of Schedule 1 to the Finance Act 2011, section 180 of the Finance Act 2013 and section 1 of and paragraph 9 of Schedule 1 to the Finance Act (No. 2) Act 1992 (c. 48). Section 37 was amended by section 15 of and paragraph 1 of Schedule 1 to the Finance Act 2011 and section 180 of the Finance Act 2013. Section 54 was amended by section 1 of and paragraph 12 of Schedule 1 to the Finance (No. 2) Act 1992 and section 5 of the Finance Act 1985 (c. 54). Section 55 was amended by section 1 of the Finance Act 1984 (c. 43) and section 1 of and paragraph 13 of Schedule 1 to the Finance (No. 2) Act 1992. Section 62 was amended by section 3 of the Finance Act 1996 (c. 8), section 10 of the Finance (No.2) Act

## Bath & North East Somerset Council

1997 (c. 58), section 180 of the Finance Act 2013, section 4 of the Finance Act 1998 (c. 36) and section 3 of the Finance Act 1997. There are other amendments which are not relevant to this Order.

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

From 1 October 2014:

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

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

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

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

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

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

The maximum number of persons allowed on the premises is as follows:

Lower Ground Floor - 430, Ground Floor - 230.

The licensee should ensure that nothing should take place on the premises that is unlawful.

An emergency contact number is to be available for complaints, and to be manned during the hours when regulated entertainment is in operation.

-----  
Subject to the standard terms and conditions attached to the public entertainment licence issued prior to the second appointed day.  
-----

There shall be no off sales  
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**Annex 2 – Conditions consistent with the Operating Schedule**

The premises shall operate a 'Challenge 21' policy i.e. any person that appears under the age of 21 years will be asked to provide proof of their age.

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

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Bath & North East  
Somerset Council

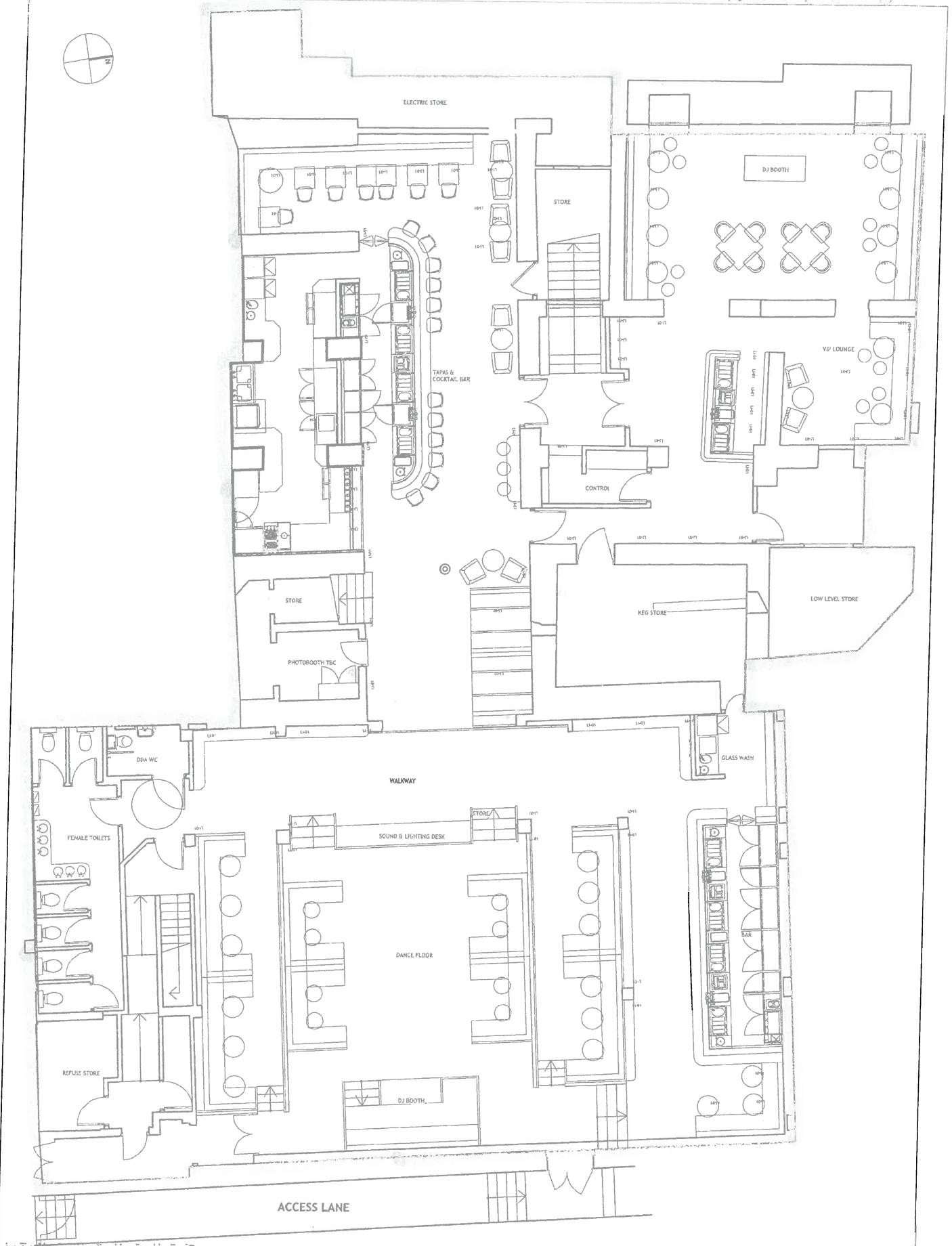
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**Annex 4 – Plans**

As submitted with application.







OLD ORCHARD

Client: Martin Stille  
Project: Walcott House

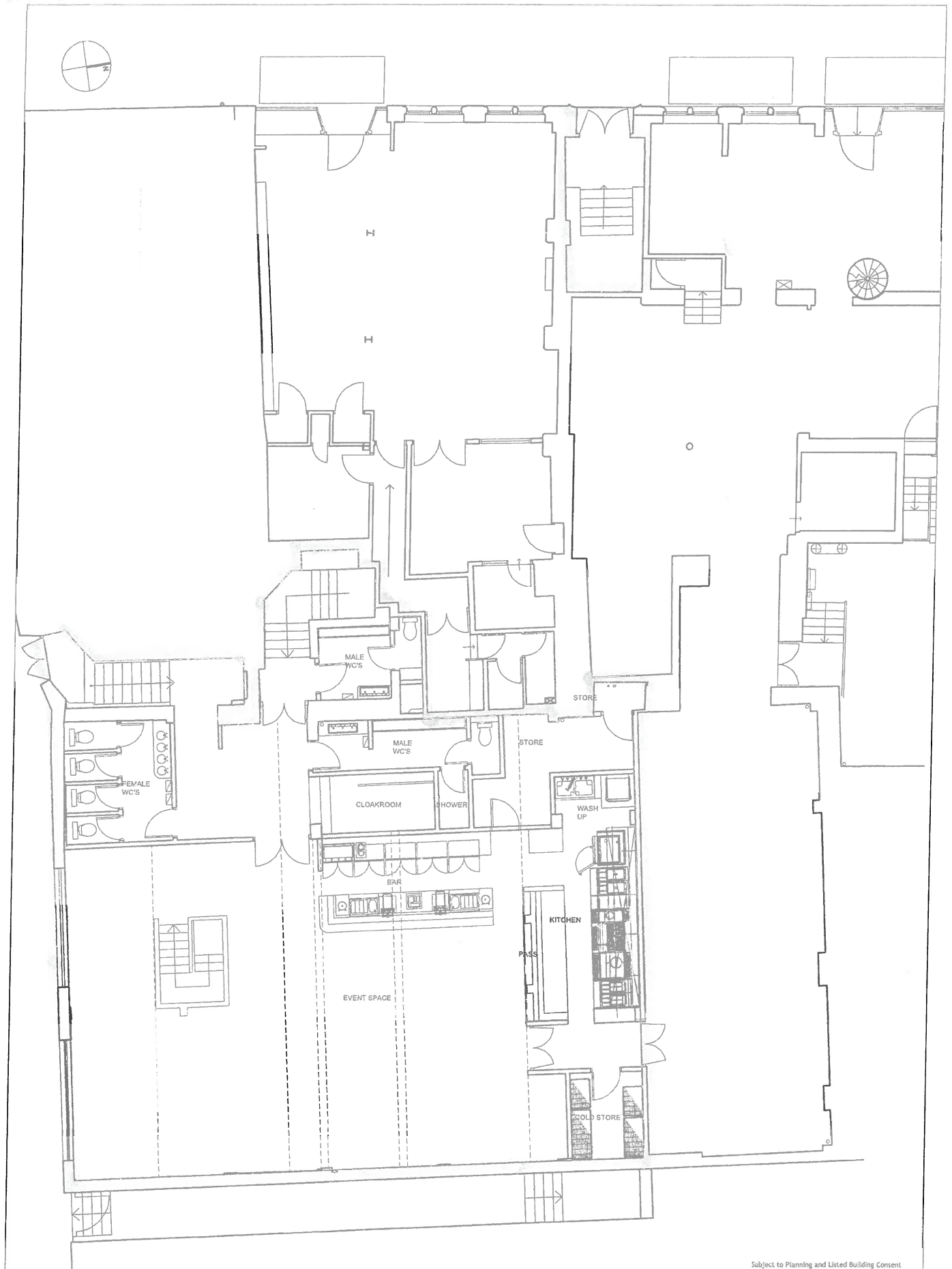
Scale: 1:50  
Date: July 2017  
Drawn: SC  
Checked: JG

1770-A-PL-12  
Drawing: Proposed Lower Ground Floor Plan

Subject to Planning and Listed Building Consent SEATING



20 Martingale  
Carmarthen, Wales  
SA31 3 0HL  
Tel: 01249 701322  
Fax: 01249 701444  
mail@cms-group.co.uk



Subject to Planning and Listed Building Consent



Rev: Date: Desc: Description:

Client: Martin Still  
Project: Walcot House

Scale: 1:50 @ A1  
Date: May 2017  
Drawn: EC  
Checked: JS

Copyright: CMS, all drawings are for the use of the client only. No part of this drawing may be reproduced without the written permission of CMS Architects.

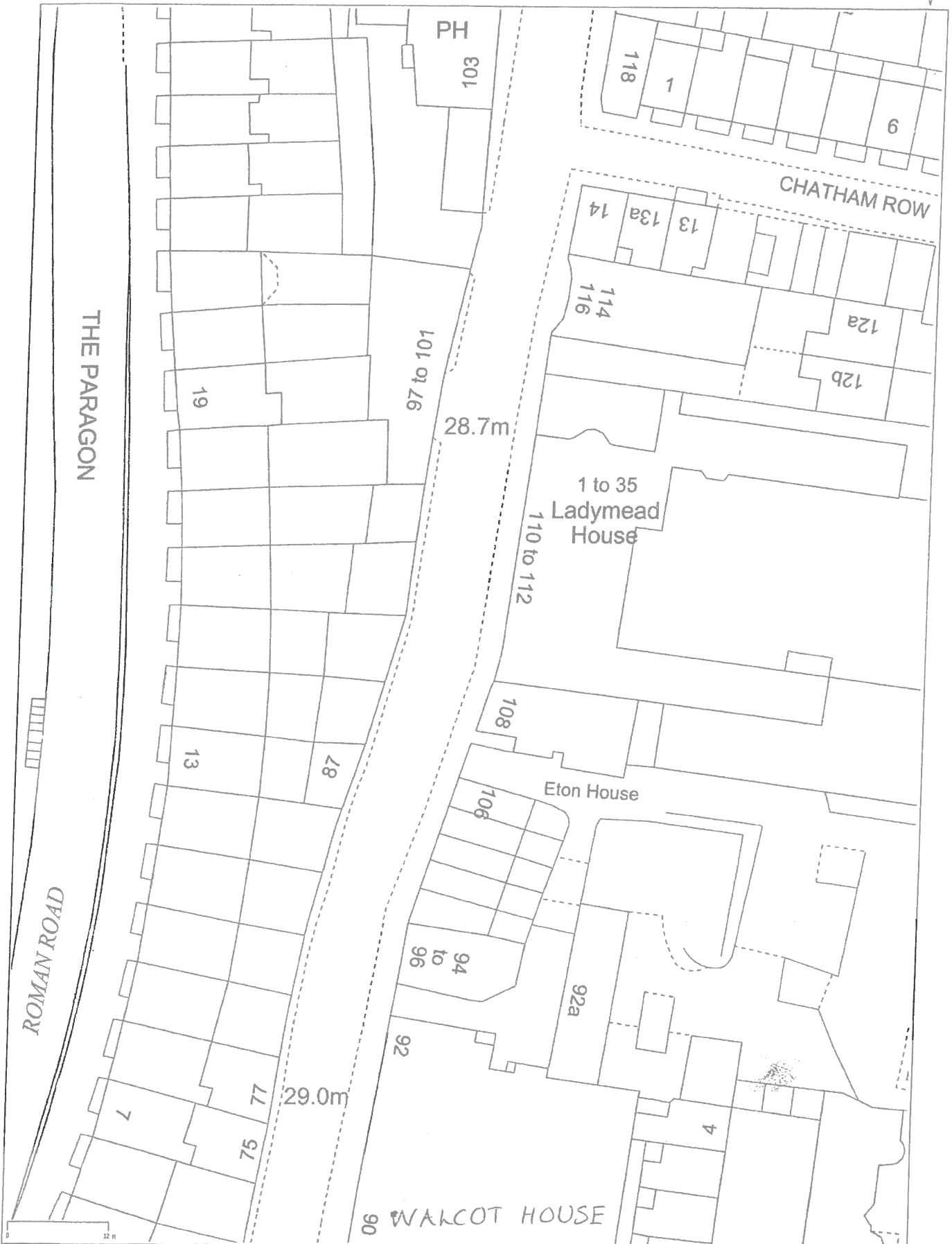
1770-A-DR-13

Drawing: Ground Floor Plan

35 Martingale  
Condon, Wiltshire  
SN13 0PL

Tel: 01246 701333  
Fax: 01246 701444  
email: cms-group.co.uk

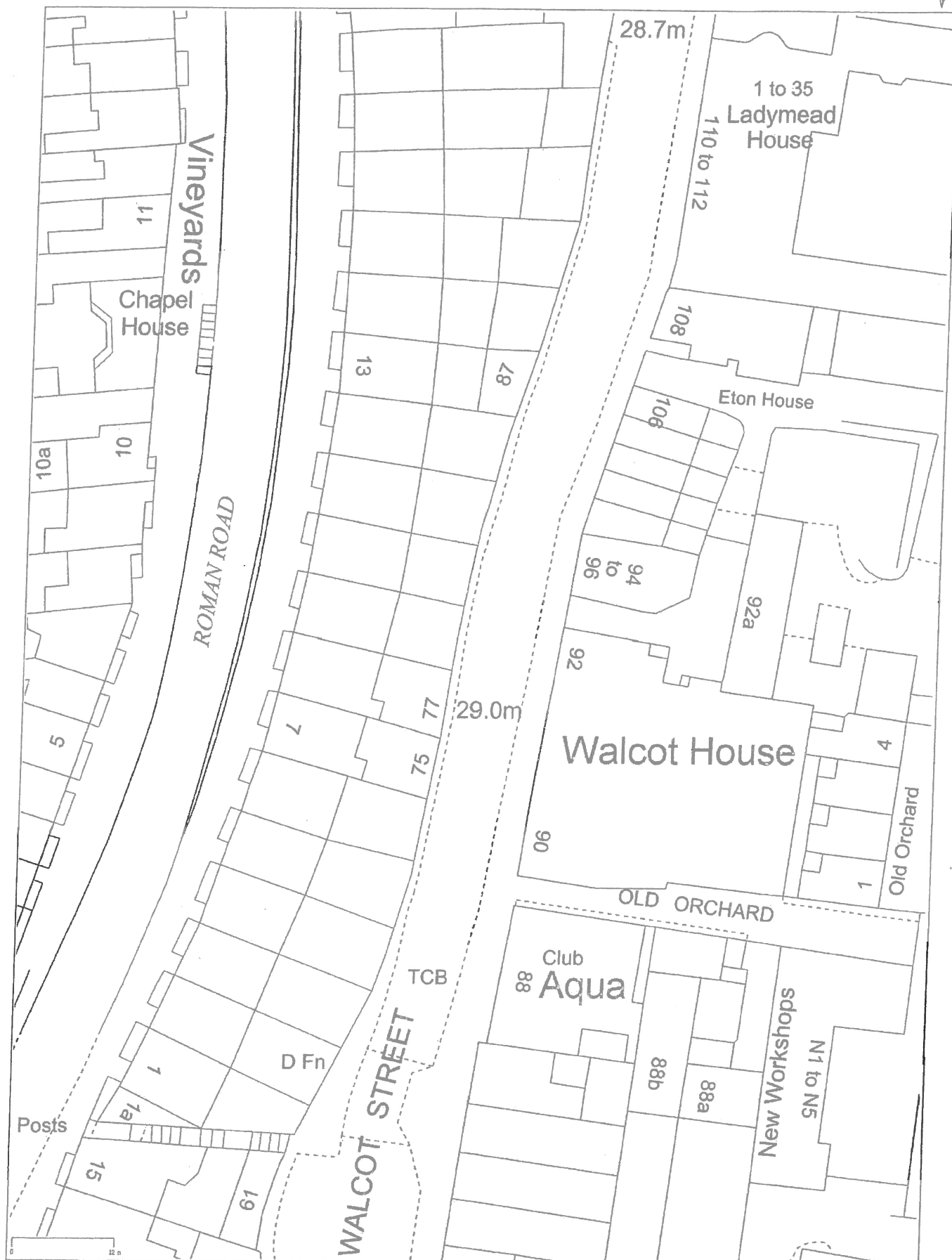
**CMS**  
Architects



ANNEX D

Bath & North East  
Somerset Council

Walcot Street 2 Bath and North East Somerset: District Online



## REPRESENTATIONS

**From Eric Howard**

**From:** Eric Howard  
**Sent:** 23 October 2017 16:35  
**To:** Terrill Wolyn  
**Cc:** Lynda Whiting; Coral White  
**Subject:** Re: WALCOT HOUSE

Dear Terrill,

We wish strongly to object "to any extension of the existing licensing hours" on the grounds of :-

- **Late Night Nuisance**
- **Noise**
- **Taxis, Cars slamming doors**
- **People causing disturbance after leaving this late night drinking club. Possible fights or shouting.**
- **Peeing or being sick in doorways**
- **Causing a dangerous area for young woman (within the last 18 months a young girl was rapped after leaving the XL club whilst going up the old stairway to the Paragon)**

Walcot street has a large residential community with many young children. And we have a right to get a good nights sleep before work or school.

Yours sincerely

Mr Eric Howard (spokes person for Ladymead House leaseholders - 34 residential apartments).

---

**From Arron Whan**

**From:** Arron Whan  
**Sent:** 23 October 2017 18:49  
**To:** Terrill Wolyn  
**Subject:** Walcot House Bath, Objection to licence variation

Dear Terrill

I wish to object to Sale of alcohol being being extended to 3am Monday to Saturday. Also the extension in the terminal hour for dance, live and recorded music until 3am, and the addition of late night refreshment until 3am

I believe that by allowing this it would cause more noise and disturbance to residents, as well as as increase anti social behaviour on Walcot st, especially on weekdays.

Yours Sincerely

Arron Whan

