

# Licensing Sub-Committee

**Date: Thursday, 7th December, 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**

**Democratic Services**

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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, 7th December, 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 PREVIOUS MEETING: 9 NOVEMBER 2017 (Pages 7 - 12)

6. LICENSING PROCEDURE (Pages 13 - 16)

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

7. APPLICATION FOR A NEW PREMISES LICENCE FOR CHAMPAGNE PLUS FROMAGE, 5 GEORGE STREET, BATH BA1 2EH (Pages 17 - 48)

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, 9th November, 2017, 10.00 am

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

**Officers in attendance:** Carrie-Ann Evans (Deputy Team Leader (Barrister)), Charlotte May (Apprentice Legal Advisor), Alan Bartlett (Public Protection Team Leader) and Terrill Wolyn (Senior Public Protection Officer)

**47 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer advised the meeting of the procedure.

**48 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**49 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

**51 MINUTES OF THE MEETING OF THE 26TH OCTOBER 2017**

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

**52 LICENSING PROCEDURE**

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

**53 APPLICATION FOR A PREMISES LICENCE FOR SUGO, 66 WALCOT STREET, BATH BA1 5BD**

The applicant not being in attendance, despite having confirmed that he would attend, the Sub-Committee **RESOLVED** to exercise its discretion under Regulation 20(2) of the Licensing Act 2003 (Hearing) Regulations 2005 to defer the hearing of this application until 10.00 am, 23<sup>rd</sup> November 2017, in the Guildhall, Bath, and that the Senior Public Protection Officer should immediately notify the parties of the new date, time and place of the hearing in accordance with Regulation 20 (4).

Reasons

Members had before them an application for a new premises licence for Sugo, 66 Walcot Street, Bath, BA1 5BD.

The Applicant was not in attendance and so Members considered Regulation 20 of the Licensing Act 2003 (Hearings) Regulations 2005 which deals with failure of the parties to attend the hearing.

Members heard from the Senior Public Protection Officer that the applicant had given notice in writing of his attendance at the hearing.

In the exercise of their discretion under Regulation 20 members determined it to be necessary in the public interest to adjourn the hearing to 23<sup>rd</sup> November 2017. Members formed the view that it was in the public interest for the applicant to be in attendance so that they could hear what he had to say in relation to the application; so that they could question him and that the interested parties could question him.

**54 APPLICATION TO VARY THE PREMISES LICENCE FOR WALCOT HOUSE, 90B WALCOT STREET, BATH BA1 5BG**

Applicant: Red House (Bath) Ltd, represented by Debbie and Martin Still

Other Person: Eric Howard

The parties confirmed that they had received and understood the procedure to be followed for the hearing.

The Senior Public Protection Officer presented the report. The Sub-Committee noted:

- That the premises were located within the Cumulative Impact Area.
- The details of the variation contained in paragraph 5.3 of the report.
- The additional conditions offered by the applicant listed in paragraph 5.4 of the report.
- That representations had been received from other persons relating to the licensing objectives of the prevention of public nuisance and the prevention of crime and disorder.
- That no representations had been received from the Responsible Authorities.
- That the applicant had consulted the Police before submitting the application and included all the conditions recommended by the Police to prevent any addition to the cumulative impact of licensed premises in the area.

Mrs Still stated her case. She said that she and her husband had had 25 years' experience as licensees. They had made a speciality of reviving licensed premises that had failed or were failing. They had taken on two premises, including one that had been shut and boarded up, and had turned them into national award winners. They had taken over premises in central areas and had come up with a formula that worked. At Walcot House they wanted to offer a diverse experience and not to cater just for a limited clientele, as the premises had previously done. They wanted to offer fitness classes during the day and talks and other events in the evening. She had

spoken to a professor at Bath University who thought that the premises would provide excellent opportunities to give talks in a relaxed environment. They wanted to offer film nights, product launches and live bands. There would also be a cocktail bar to provide a more mature client base somewhere to relax. There would also be an extensive range of food available. The premises were large, and would be a good place for people to hire to put on events. The Night Surfers would come to perform at the premises in December. They originally were booked for another venue ten miles away; they had previously been unable to come to Bath, because there was no suitable venue. The premises would offer food and entertainment in a magical space. She believed that the premises would bring great advantages to Bath. Their research had indicated that night clubs in Bath were predominantly targeted at the student market. They thought that there were older clients who enjoyed entertainment and bands, but did not feel comfortable with some of the night clubs at the moment, and they wanted to create something softer and more interesting for those clients, where they could listen to music but still be able to have a conversation.

Before submitting the application they had met the Police Licensing Officer, because they were very aware of the concerns of residents. They had a strong moral compass and always had regard to the needs of the community. They had made a substantial personal financial investment in the premises. There had been an issue with the back door, which was left open to allow ventilation, resulting in the escape of noise. They had spent £5,000 to ensure that the door was secure, and had made a substantial investment in air conditioning and a new sound system, so that clean air came in without sound escaping. The new sound system is not bass heavy, and when she had tested it, she found it was possible to hold a conversation when music was playing. They would take personal responsibility to ensure that the immediate vicinity of the premises was kept clean. Prospective staff had been interviewed very carefully; they were people who had chosen to make their careers in licensed premises. The client base had changed very quickly since they had taken over the management of the premises. There were neighbouring licensed premises that had a later terminal hour than Walcot House; they believed that increasing their own terminal hour by one hour would not have a negative impact on the area. They would focus on the orderly dispersal of customers from the premises. They believed that with their product offer, physical space new client base, and robust operating schedule they would not increase the cumulative impact of licensed premises in the area.

Mr Howard suggested that allowing people to drink for an extra hour would make it more likely that they made noise when they left, and asked how they could be prevented from causing nuisance to residents. Mr Still replied that door staff would manage customers entering and leaving the premises. The premises wanted to be engaged with the neighbourhood and to be a community asset, and so wished to prevent neighbours being upset. If customers could stay at the premises for an extra hour, they would be more likely to stay until closing rather than proceed to other premises, perhaps causing nuisance as they did so. Mrs Still said that disruptive customers would be banned. Customers would quickly understand what kind of behaviour would not be tolerated.

In response to questions from Members, Mr and Mrs Still stated:

- They had recruited a member of staff from Bristol who had experience in dealing with gatherings of 2,500 people.
- Door staff were supplied by an agency, but that individual door staff offered could be rejected.
- They were planning to introduce club membership over the next year.
- There would be 2-3 club nights a week.
- The back door would be kept closed and used only as a fire exit.
- There would be a small outside area for smokers, which would be managed by staff.

The Senior Public Protection officer asked Mrs Still to show Members and Mr Howard where the outside area was located on the plan of the premises. Mrs Still confirmed that access to this area would be controlled by staff.

Mr Howard stated his case. He said that he was representing 34 Ladymead House leaseholders. He also produced a letter claiming that this gave him authority to speak on behalf of 11 residents of The Rank, a row of houses near the Bell public house on Walcot Street. On advice from the Legal Adviser that new written representations could not be accepted at the hearing the Chair declined to accept this in evidence.

Mr Howard said that Walcot Street is very residential, unlike Milsom Street, for example. There are houses, flats and apartments and many residents had children. People drinking late cause disturbance to residents. People came out of licensed premises late at night and bang doors and shout and are sick or urinate in doorways. An extra hour of drinking would cause more problems. He has two teenage children and there are many other young children living in the vicinity, who need their sleep. His son was doing GCSES this year. When people are woken up in the night, they find it difficult to get back to sleep again. So nuisance caused by customers of licensed premises reduces residents' quality of life. Drinking until 3am should not be permitted in a residential area. A young woman was raped by someone who was drunk on the staircase leading up to the Paragon about a year or eighteen months ago. The applicants had said that they would ban customers who cause problems, but people come to Bath for hen and stag parties and might not come again for a long time or ever. He submitted that drinking until 2 am is late enough and to extend the terminal to 3 am would be asking for trouble. He requested the Sub-Committee to reject the extension.

Mrs Still asked Mr Howard what evidence he had that he was representing thirty-four other residents. Mr Howard replied that he was on a residents' steering committee, which comprised leaseholders and other long-term residents.

In reply to a question from the Chair, Mr Howard said that overall he believed that the premises would be better managed under the new licence holders, but he thought an extra hour of drinking was bound to cause more problems.

The parties summed up. Mrs Still said that they had changed the strategy of the premises and were attracting a new client base. Customers staying until 3 am would not necessarily be drinking. There were other premises in the vicinity that remained open until 4 am and they wanted to respond to this competitive environment. The physical space had changed. Bad behaviour would be stamped on very quickly. She submitted that the operating schedule was robust.

Mr Howard said that his major concern was the extra hour of drinking. Licence holders had no control over customers when they had left the premises. Once the extra hour had been granted, it would be difficult to take it back again.

Following an adjournment the Sub-Committee **RESOLVED** to grant the variation as applied for, subject to the statutory conditions and conditions consistent with the operating schedule. Authority was delegated to the Senior Public Protection Officer accordingly.

### Reasons

Members have had to determine an application to vary a premises licence at Walcot House, 90B Walcot Street, Bath, BA1 5BG. In doing so they have taken into consideration the Licensing Act 2003, Statutory Guidance, the Council's Policy and the Human Rights Act 1998.

Members are aware that the proper approach under the Licensing Act is to be reluctant to regulate in the absence of evidence and must only do what is appropriate and proportionate in the promotion of the licensing objectives based on the information put before them. Members noted that the application should be considered on its own merits.

### **The Applicant**

The Applicant, Mrs Still, indicated that they had been operating as licensees in other areas for the past 25 years with a proven track record.

The premises want to be able to offer inspirational talks in conjunction with the licensable activities and cited film nights, product launches, live bands and a cocktail bar. The premises are intended to attract people of all ages. They are creating a soft, interesting and safe environment.

The applicants indicated that they met with the Police Licensing Officer before they submitted the application. They want to reassure members that they intend to run a very different establishment with a very strong moral compass working well with the community. They have invested heavily in the premises with acoustic measures, air conditioning and more sympathetic sound systems.

Mrs Still indicated that at the premises there will be zero tolerance of disruption and they will manage dispersal. They confirmed that there will be no use of the rear door saves for as a fire exit.

### **The Interested Parties**

The Interested Parties objected to the variation application on the prevention of public nuisance and prevention of crime and disorder licensing objectives. They submitted that an extension to the licensing hours would result in increased noise and disturbance from people and vehicles; fights and shouting, urinating and vomiting in doorways; an increase in anti-social behaviour. Mr Howard made oral representations which he indicated were on behalf of Ladymead House reinforcing these concerns. He submitted that an extra hour of alcohol sales would cause more problems and there are a number of children that live in close proximity and an additional hour will impact on quality of life.

**Responsible Authorities**

Members noted that there had been no representations from Responsible Authorities.

**Members**

Members were careful to take account of the relevant written and oral representations and were careful to balance their competing interests. Members were however careful to disregard irrelevant matters.

Members noted that in accordance with the Statutory Guidance at paragraph 2.21 beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right.

Members found the applicants of Walcot House to be conscientious, experienced and considerate in their approach to the premises and promotion of the licensing objectives. Members were satisfied that the application was reasonable and proportionate and that the applicant had demonstrated that the proposed variation to the premises licence so far as the on trade sale of alcohol was concerned, would not add to the cumulative impact being experienced. In the circumstances Members were satisfied that all remaining licensable activities applied for could be controlled by conditions consistent with the operating schedule.

Authority is delegated to the Senior Public Protection Officer to issue the licence.

The meeting ended at 11.41 am

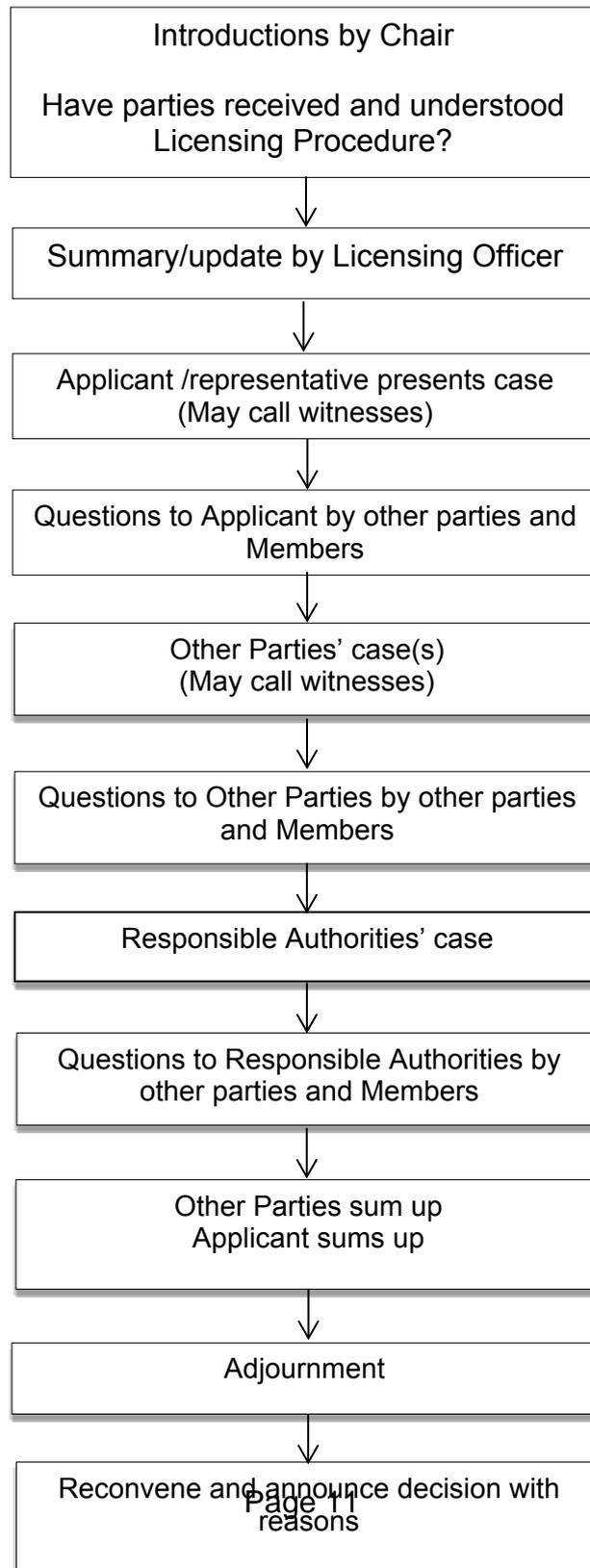
Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

**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.

<b>Bath &amp; North East Somerset Council</b>		
<b>MEETING:</b>	Licensing Sub Committee	<b>AGENDA ITEM NUMBER</b>
<b>MEETING DATE:</b>	Thursday 7th December 2017	
<b>TITLE:</b>	Application for a new Premises Licence for Lafata Ltd, Champagne Plus Fromage, 5 George Street, Bath BA1 2EH	
<b>WARD:</b>	Abbey	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		
<b>Annex A</b> Application for a new premises licence		
<b>Annex B</b> Plans of premises		
<b>Annex C</b> Site plans		
<b>Annex D</b> Representations received from Other Persons		

**1 THE ISSUE**

1.1 An application has been received for a new Premises Licence under s.17 of the Licensing Act 2003 in respect of Lafata Ltd, Champagne Plus Fromage, 5 George Street, Bath BA1 2EH

**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:

Sunday to Wednesday	09:00 - 23:30
Thursday	09:00 - 00:00
Friday to Saturday	09:00 – 01:00

### **Non Standard Timings**

New Year's eve until the commencement of licensing hours on New Year's Day

Any Official City Food Festival days to 01:30 the following day for each day of the festival.

- 2) The provision of **Late Night Refreshment** indoors between:

Monday to Wednesday	23:00 to 00:00
Thursday	23:00 to 00:30
Friday to Saturday	23:00 - 01:30
Sunday	23:00 to 23:30

### **Non Standard Timings**

On occasion of special city of Food Festival extend to 02:00 on New Year's Eve to extend to 05:00

- 3) The opening hours proposed are:

Sunday to Wednesday	09:00 – 00:00
Thursday	09:00 - 00:30
Friday to Saturday	09:00 – 01:30

### **Non Standard Opening Times**

New Year's Eve to be extended to commencement of hours the following day. Any official city food festival to 02:00 the following day

5.3 The following conditions have been offered by the applicant:

- All items of food and alcohol (except purchases for consumption off the premises) will be delivered to seated customers for consumption at the tables.
- Alcohol may be sold in sealed containers for use off the premises.
- Staff training will be given to identify grounds to prevent illegal sales and to identify influence of alcohol which may interrupt associate customers.
- CCTV to be installed only on the advice and guidance of the police crime prevention officers, including the availability of access to recorded activity. If provided all recordings to be kept for 28 days and made available to Police upon a reasonable request.
- No cans/bottles of beer or lager to be sold for use off the premises after 23:00
- All collection of alcohol waste not to be collected before 09:00.
- Ensure that the outside area is kept free at all times of any items which render the area untidy and unsupervised.
- Notices to be displayed indicating age limits within the premises for the sale of alcohol also that a policy seeking of seeking identification from person apparently under the age of 21 years will be in operation. Policy thereof:-
  - All staff to receive appropriate training and record of training maintained.
  - Refusal of sales to be recorded
  - Proof of age may only be proved by production of evidence of photograph, date of birth, holographic mark eg driving licence, passports, proof of age cards bearing PASS hologram etc.

5.4 Plans of the premises are attached at Annex B.

5.5 Site plans are attached at Annex C.

5.6 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.

- 5.7 The Licensing Authority may grant the application with or without additional conditions.
- 5.8 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.
- 5.9 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.
- 5.10 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.
- 5.11 In accordance with the requirements of the Act the applicants served copies of the application upon the police, the fire authority, environmental health, development control, trading standards, health authority and the child protection agency.
- 5.12 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.
- 5.13 A representation has been received from 1 person who resides close to the premises. The representations express concern that the applicant's proposals are likely to undermine **the prevention of public nuisance**

**licensing objective and the prevention of crime and disorder licensing objective.** (Annex D)

- 5.14 No representations have been received from the Responsible Authorities
- 5.15 The premise 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.
- 5.16 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>	Ian Nash, Licensing officer 01225 396719
<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



ENVIRONMENTAL SERVICES
20 OCT 2017
Post Log No: .....
Receipt No: 305758
CH/CA £ 190.00

**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 LAFATA LTD

*(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>CHAMPAGNE PLUS FROMAGE, 5 GEORGE STREET, BATH</b>			
Post town	BATH	Postcode	BA1 2EH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£24,500</b>

**Part 2 - Applicant details**

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

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

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

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

**(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 LAFATA LTD
Address SOUTH VIEW LOWER WALL ROAD WEST HYTHE, HYTHE KENT CT21 4NW
Registered number (where applicable) 07854564
Description of applicant (for example, partnership, company, unincorporated association etc.) COMPANY
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
These Bistro and shop premises comprise Basement kitchen and toilet, Ground and 1<sup>st</sup> Floor. The 2<sup>nd</sup> floor comprise office area and toilet. The Bistro offers an Authentic French Menu with a vast selection of Grower Champagne Menu highlights include tartines, cheese and charcuterie boards, salads, baked cheese, seasonal specials and fine selection of desserts all served in French Style. Products of almost all descriptions may be sold for consumption both on and off the premises. The Ground floor will contain a counter/shop area from which items may be purchased for consumption off the premises and all alcohol will be sold in sealed containers.

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

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

(please see sections 1 and 14 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)  | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

X

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

**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	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films 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"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

<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			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<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)
Fri			
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				
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)	
Thur				
Fri			<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)	
Sat				
Sun				

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live 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			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded 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"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)	
Mon				
Tue				
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)	
Thur				
Fri			<b>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</b> (please read guidance note 6)	
Sat				
Sun				

## G

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

**H**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 4)</p>	Both	<input type="checkbox"/>
Wed					
Thur					
Fri			<p><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)</p>		
Sat			<p><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)</p>		
Sun					

## I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	2300	2400	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	2300	2400			
Wed	2300	2400	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5) New years eve to extend to 0500.		
Thur	2300	2400			
Fri	2400	0030	<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) On occasion of special City of Food Festival extend to 0200.		
	2300	2400			
Sat	2400	0130			
	2300	2400			
Sun	2400	0130			
	2300	2330			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)  <u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6) New years eve until the commencement of licensing hours on new years day. Any Official City Food Festival days to 0130 hours the following day for each day of the Festival.		
Mon	0900	2330			
Tue	0900	2330			
Wed	0900	2330			
Thur	0900	2400			
Fri	0900	2400			
Sat	0000	0100			
	0900	2400			
Sun	2400	0100			
	0900	2330			

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 STEFANO FRIGERIO	
Date of birth 21/04/1970	
Address 240 KENTISH TOWN ROAD, LONDON NW5 2AB	
Postcode	NW5 2AB
Personal licence number (if known) PERS-LIC/1880	
Issuing licensing authority (if known) CAMBDEN TOWN 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)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	0900	2400	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)                      NEW YEARS EVE TO BE EXTENDED TO COMMENCEMENT OF HOURS THE FOLLOWING DAY                      ANY OFFICIAL CITY FOOD FESTIVAL TO 0200 THE FOLLOWING DAY.</p>
Tue	0900	2400	
Wed	0900	2400	
Thur	0900	2400	
Fri	0000	0030	
	0900	2400	
Sat	0000	0130	
	0900	2400	
Sun	0000	0130	

	0900	2400	
--	------	------	--

**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)**

All items of food and alcohol(excepting purchases for consumption off the premises) will be delivered to seated customers for consumption at tables. Alcohol may be sold in sealed containers for use off the premises. Staff training will be given to identify grounds to prevent illegal sales and to identify influence of alcohol which may interrupt associate customers.

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

CCTV to be installed only on the advice and guidance of the Police Crime Prevention Officers, including the availability of access to recorded activity. If provided all recordings to be kept for 28 days and made available to Police upon a reasonable request.

**c) Public safety**

Fire risk Assessment to be available for inspection on the premises.

**d) The prevention of public nuisance**

No cans/ bottles of beer or lager to be sold for use off the premises after 2300.  
All collection of alcohol waste not to be collected before 0900. Ensure that the outside area is kept free at all times of any items which render the area to be untidy and unsupervised.

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

Notices to be displayed indicating age limits within the premises for the sale of alcohol also that a policy of seeking identification from persons apparently under the age of 21 years will be in operation. Policy therefore:

1. All staff to receive appropriate training and records of training maintained.
2. Refused sales of alcohol to be recorded.
3. Proof of age may only be proved by production of evidence of photograph, date of birth, holographic mark eg driving licences, passports, proof of age cards bearing PASS hologram etc.

**Checklist:**

**Please tick to indicate agreement**

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

[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).

**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> <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	D.HOLLEY
Date	20 <sup>th</sup> October 2017
Capacity	LICENSING AGENT

**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	

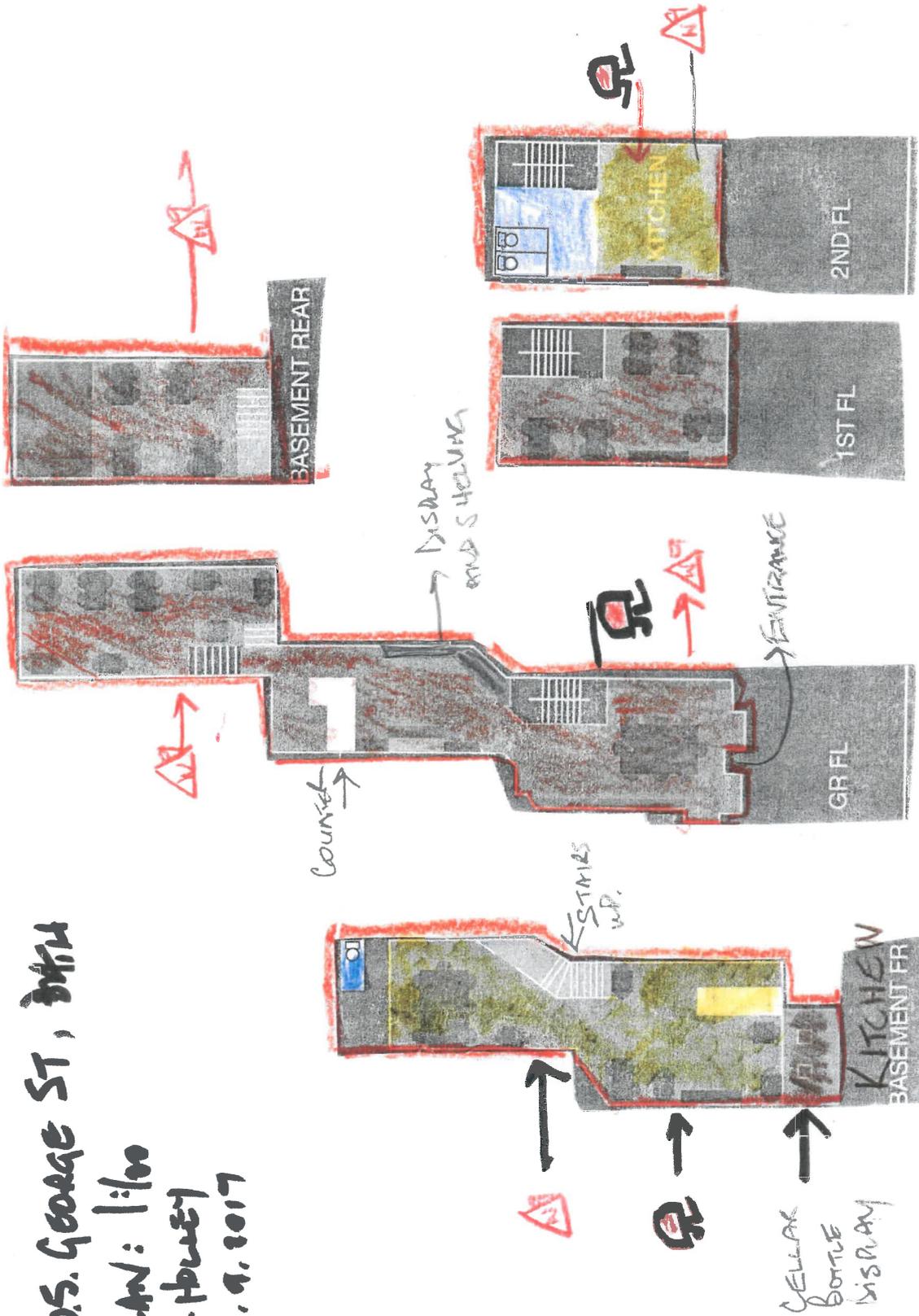
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) D.C.HOLLEY, 25 BROAD STREET,			
Post town	BATH	Postcode	BA1 5LW
Telephone number (if any)	07710 272384		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) dholley_licensing@btinternet.com			

**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.
- 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.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded 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.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

NO. 5. GEORGE ST, BIRMI  
PLAN: 1/100  
D. HUBERTY  
14. 9. 2017



George St

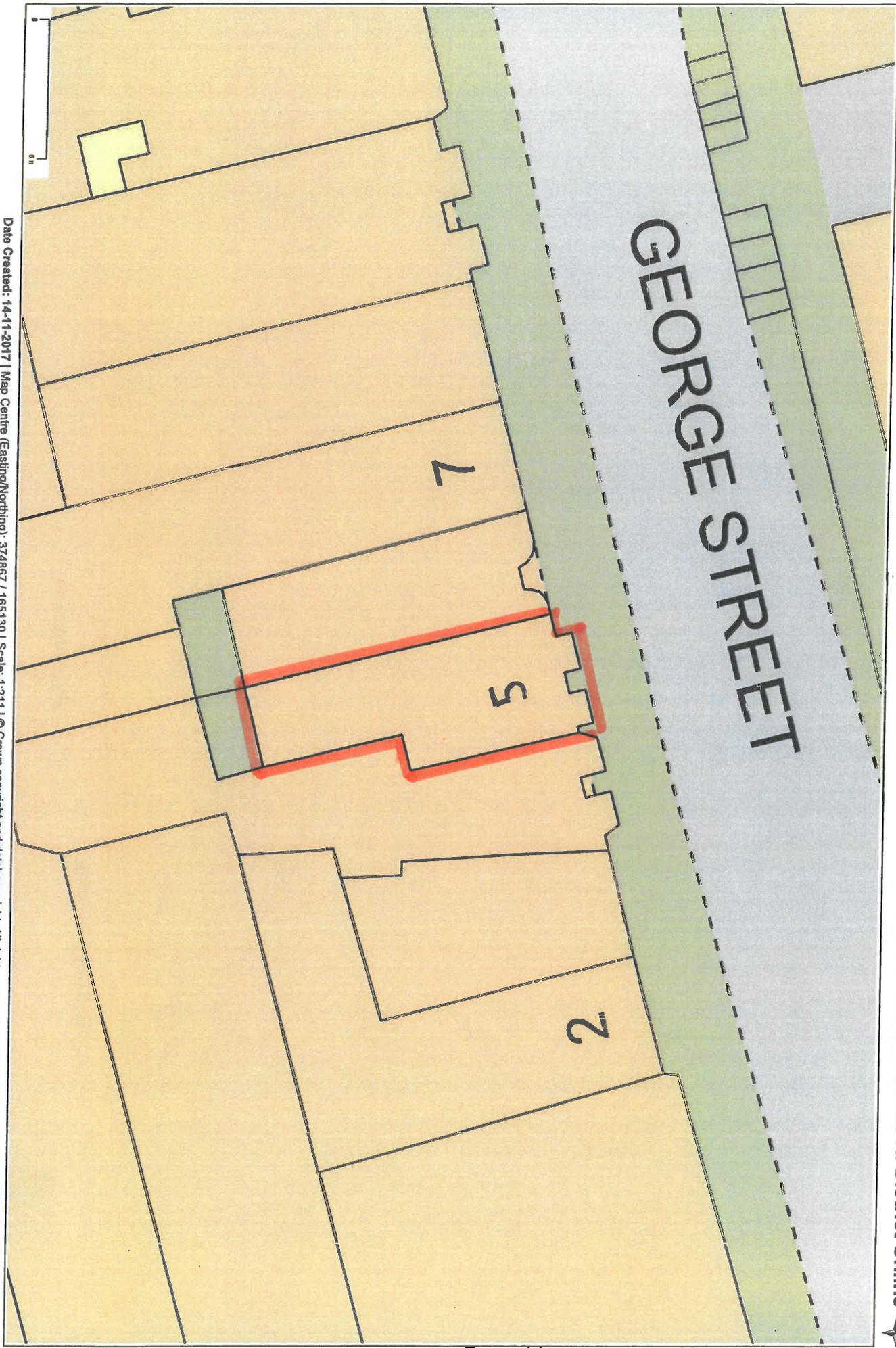


Location Plan

Bath and North East Somerset: District Online



Date Created: 14-11-2017 | Map Centre (Easting/Northing): 374868 / 165130 | Scale: 1:458 | © Crown copyright and database right. All rights reserved (100023334) 2017



**From:** Richard Brown

**Sent:** 13 November 2017 12:03

**To:** Licensing

**Subject:** Licensing Application for Champagne Plus Fromage at 5 George Street

FOR THE ATTENTION OF: Lauren Latta

Dear Ms Latta,

**Re: Champagne Plus Fromage. 5 George Street. Ref: 17/02715/LAPRE**

I am a resident living in the vicinity of the above premises, the subject of the current licensing application.

I wish to **OBJECT** to the licensing of the above premises on the following basis:

**1) Prevention of crime and disorder**

In my residential community, the area covered by the Circus Area Residents Association, there are to my count at least 15 establishments that already sell alcohol until late at night. These are: Assembly Inn, Bistrot Pierre, Bistro Rustico Italiano, Boston Tea Party, Chequers, Circo, Co-operative Shop, Henry's, Moles, Olive Tree, Porters, Slug and Lettuce, Sub 13, The Circus and Woods. (Plus one more yet to be named.)

This saturation of alcohol establishments is more than enough for a small residential community. The combined effect already has an adverse impact on crime and disorder. For example:

- The necessity to add police resources to the establishments in and above George Street is evidence that alcohol, often to excess, is leading to crime.
- The impact on our community, almost on a daily basis, as the drunkards 'watered' by these establishments wind their way home in the late/early hours.

**2) Prevention of public nuisance**

As mentioned above, the impact of excessive alcohol consumption from the current collection of bars and restaurants is already a nuisance. I see the impact of another alcohol establishment, however it is dressed up, as adding to the nuisance faced by my neighbours and myself. For example:

- I am already woken on at least 5 nights every week, by inconsiderate noisy consumers of alcohol, some of whom are extremely abusive, causing distress and a public nuisance to myself and neighbours, and this is adversely affecting my health.

**Conclusion**

I do not feel another drinking establishment, however it is titled, will benefit what is already a residential community saturated by the number of alcohol establishments. I believe that the addition of yet another such premises, will add to current levels of Crime & Disorder and Public Nuisance. As such, I **OBJECT** to the license application.

Sincerely,

Stephanie Brown

