

# Licensing Sub-Committee

**Date: Thursday, 26th April, 2018**

**Time: 10.00 am**

**Venue: Council Chamber - 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, 26th April, 2018**

**at 10.00 am in the Council Chamber - Guildhall, Bath**

**A G E N D A**

1. EMERGENCY EVACUATION PROCEDURE

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

2. 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: 15TH MARCH 2018 (Pages 5 - 8)

6. LICENSING PROCEDURE (Pages 9 - 12)

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

7. APPLICATION TO VARY THE PREMISES LICENCE FOR SHELL WAITROSE ELM TREE, WELLS ROAD, WESTFIELD, RADSTOCK BA3 3UR (Pages 13 - 80)

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, 15th March, 2018, 10.00 am

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

**Officers in attendance:** John Dowding (Senior Public Protection Officer)

**95 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the procedure.

**96 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**97 DECLARATIONS OF INTEREST**

There were none.

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

There was none.

**99 MINUTES OF PREVIOUS MEETING**

The Minutes of 1<sup>st</sup> February were approved as a correct record and signed by the Chair.

**100 TAXI PROCEDURE**

The Chair drew attention to the procedure to be followed for the two taxi hearings.

**101 EXCLUSION OF THE PUBLIC**

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

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

Mr JJN confirmed that he understood the procedure to be followed for the hearing.

The Senior Public Protection Officer summarised the report and circulated a DBS statement in respect of Mr JJN and a statement submitted by him. The Sub-Committee adjourned to allow Members time to study these documents.

After the adjournment Mr JJN stated his case and was questioned by Members. He made a closing statement.

Following a further adjournment the Sub-Committee **RESOLVED** that Mr JJN was a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence and delegated authority to the licensing officer to issue the licence, subject to the applicant completing all necessary steps required by the licensing 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 understands his history will justifiably cause some concerns. He said he is very far from the person he was, and added that throughout his life he had struggled with drug and alcohol addiction. He said he regrets his past. As a result of rehabilitation he has started to give back to the community, and has acted in a number of voluntary capacities leading to being awarded volunteer of the year. At present he has paid work mentoring young people. The applicant stated being a licensed driver would provide more stability in terms of earnings and allow him to continue his work with young people.

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 considered the applicant had made considerable positive changes in his life, for example he had been abstinent since 2012, has reconciled with this family and has been conviction free for 8 years. In the circumstances, therefore, members find him a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence.

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

## **103 APPLICATION FOR A COMBINED HACKNEY CARRIAGE/DRIVER'S LICENCE - MR RNIGL**

Mr RNIGL confirmed that he understood the procedure to be followed for the hearing.

The Senior Public Protection Officer summarised the report and circulated a DBS certificate in respect of the applicant and a statement submitted by him. The Sub-Committee adjourned to allow Members time to study these documents.

After the adjournment the applicant stated his case and was questioned by Members. He made a closing statement.

After a further adjournment, the Sub-Committee **RESOLVED** that Mr RNIGL was a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's

Licence and delegated authority to the licensing officer to issue the licence, subject to the applicant completing all remaining stages of the licensing 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 said the caution arose from a routine police stop and search during which a quantity of cannabis was found in the rear of his vehicle. As it was his vehicle he accepted the caution. The applicant further added that he was young and dumb at the time and that he does not do anything like that now. He said that after leaving school he started a to train at collage as a motor mechanic but unfortunately did not pass all the exams. He said he then commenced employment on the Dyson Estate as an apprentice stonemason although now he works as a driver for a pizza delivery company. The applicant said he has experience of dealing with difficult customers in his current employment and this is a skill that can be transferred to taxi driving.

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 the circumstances of the offence and noted it fell outside the policy. Therefore, the applicant is considered a fit and proper person to hold a combined Hackney Carriage/Private Hire Driver's Licence.

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

The meeting ended at 11.23 am

Chair(person) .....

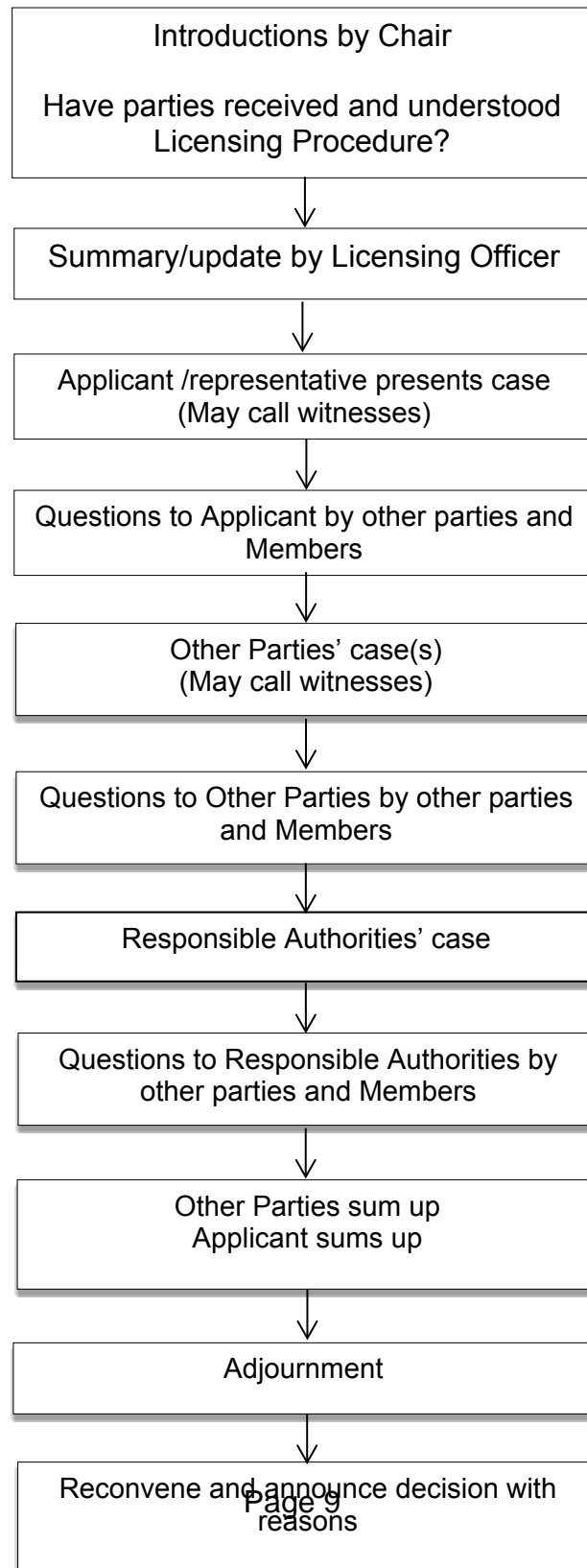
Date Confirmed and Signed .....

**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 26 April 2018	
TITLE:	Application to Vary the Premises Licence for <b>Shell Waitrose Elm Tree</b> Wells Road, Westfield, Radstock BA3 3UR	
WARD:	Westfield	
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	Revised Plan of Premises	
Annex D	Site Plan	
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 Shell Waitrose Elm Tree, Wells Road, Westfield, Radstock BA3 3UR.

## 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:

**Extend** the current timings for the Sale of Alcohol for consumption off the premises only to:

Everyday 24 hours per day

**Add** the provision of Late Night Refreshment indoors only:

Everyday 23:00 – 05:00 the following morning

**Revise** the floor plan attached to Annex 4 of the premises licence

5.4 No additional measures have been offered by the applicant within the operating schedule.

5.5 No change has been proposed to the opening hours which shall remain as detailed on current premises licence (24 hour opening).

5.6 A plan of the revised layout of the premises is attached at Annex C.

5.7 A site plan is attached at Annex D.

5.8 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.

- 5.9 The Licensing Authority may vary and grant the application with or without additional conditions if they consider it appropriate and proportionate to do so.
- 5.10 The Licensing Authority can refuse the variation, or part of the variation, for the promotion of the licensing objectives.
- 5.11 The Licensing Authority may not however do anything to reduce the effect of the rights granted by the existing premises licence.
- 5.12 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.
- 5.13 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.
- 5.14 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.
- 5.15 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.
- 5.16 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.

5.17 Twelve representations of objection have been received; one representation from Westfield Parish Council and 11 representations from residents living within proximity to the premises (Annex E). They express concern that the applicant's proposals to increase the hours for the sale of alcohol and to provide late night refreshment, are likely to undermine all four of the licensing objectives, namely:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm

5.18 No representations were received from the Responsible Authorities.

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 (Licensing) 01225 39693



## 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.

I/We SHELL UK OIL PRODUCTS LIMITED

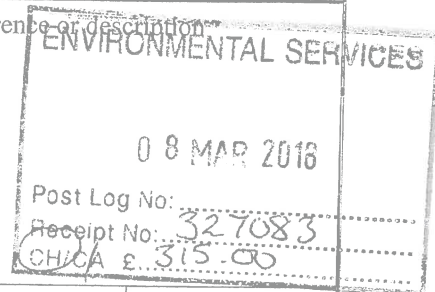
(Insert name(s) of applicant)

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  
17/01467/LAPRE

## Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
SHELL ELM TREE WELLS ROAD WESTFIELD RADSTOCK			
Post town		BATH	Postcode
			BA3 3UR



Telephone number at premises (if any)	01761 413188
Non-domestic rateable value of premises	£43,500

## Part 2 – Applicant details

Daytime contact telephone number	01562 864488 (AGENTS)		
E-mail address (optional)	sara@lockett.uk.com (AGENTS)		
Current postal address if different from premises address	SHELL CENTRE		
Post town	LONDON	Postcode	SE1 7NA

## Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐  
No

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

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

**Please describe briefly the nature of the proposed variation** (Please see guidance note

1. CHANGE THE NAME OF PREMISE TO SHELL WAITROSE ELM TREE.
2. CHANGE THE INTERNAL LAYOUT OF THE PREMISE AND THEREFORE UPDATE THE PLAN ATTACHED TO THE PREMISES LICENCE.
3. EXTEND THE SALE OF ALCOHOL HOURS (FOR CONSUMPTION OFF THE PREMISE) TO 24 HOURS PER DAY, SEVEN DAYS PER WEEK.
4. ADD THE PROVISION OF LATE NIGHT REFRESHMENT 23.00-05.00 HOURS, SEVEN DAYS PER WEEK.

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:



**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.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b> |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>          |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>          |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>          |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>          |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>          |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>          |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>          |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>          |

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

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

In all cases complete boxes K, L and M

A

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

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment 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	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Fri					
Sat					
Sun					
			<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)		

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 5)</u>		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music (please read guidance note 6)</u>		
Thur					
Fri					
Sat			<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 (please read guidance note 7)</u>		
Sun					

G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Thur					
Fri					
Sat			<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 7)		
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 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 5)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Fri					
Sat			<b>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</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	<input checked="" 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 5)  THE PROVISION OF HOT DRINKS AND HEATED SNACK FOODS (E.G PANNINIS, PASTIES, SAUSAGE ROLLS).		
Mon	23.00	05.00			
Tue	23.00	05.00			
Wed	23.00	05.00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	23.00	05.00			
Fri	23.00	05.00			
Sat	23.00	05.00	<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)		
Sun	23.00	05.00			

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	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Mon	00.00	24.00			
Tue	00.00	24.00			
Wed	00.00	24.00			
Thur	00.00	24.00	<b>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</b> (please read guidance note 7)		
Fri	00.00	24.00			
Sat	00.00	24.00			
Sun	00.00	24.00			

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).

NONE.

L

<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	00.00	24.00	
Tue	00.00	24.00	<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)
Wed	00.00	24.00	
Thur	00.00	24.00	
Fri	00.00	24.00	
Sat	00.00	24.00	
Sun	00.00	24.00	

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.

1. THE HOURS WHICH CURRENTLY RESTRICT THE SALE OF ALCOHOL TO 08.00-23.00 HOURS MONDAY TO SATURDAY AND 10.00-22.30 HOURS ON SUNDAY.

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

Please tick as appropriate



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.

**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)**

NONE IN ADDITION TO THOSE ALREADY ATTACHED TO THE PREMISES LICENCE.

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

NONE IN ADDITION TO THOSE ALREADY ATTACHED TO THE PREMISES LICENCE.

**c) Public safety**

NONE IN ADDITION TO THOSE ALREADY ATTACHED TO THE PREMISES LICENCE.

**d) The prevention of public nuisance**

NONE IN ADDITION TO THOSE ALREADY ATTACHED TO THE PREMISES LICENCE.

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

NONE IN ADDITION TO THOSE ALREADY ATTACHED TO THE PREMISES LICENCE.

## Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☒
- 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. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I understand that I must now advertise my application. ☒
- I have enclosed the premises licence or relevant part of it or explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒

**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	<i>S. Clement PP Lockett &amp; Co</i>
Date	7 <sup>TH</sup> MARCH 2018
Capacity	DULY AUTHORISED AGENTS

**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	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 15)

SARA CLEMENT  
LOCKETT & CO  
13 CHURCH STREET

Post town	KIDDERMINSTER, WORCS	Post code	DY10 2AH
Telephone number (if any)	01562 864488		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
sara@lockett.uk.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.
    - 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.



**Schedule 12  
Part A**

**Regulation 33, 34**

**Premises Licence**

<b>Premises Licence Number</b>	17/01467/LAPRE
--------------------------------	----------------

**Part 1 – Premises Details**

<b>Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code</b>  Shell Elm Tree Wells Road Westfield Radstock BA3 3UR	
<b>Telephone number</b>	Not available

<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                      08:00 - 23:00 Sunday    10:00 - 22:30	
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<b>The opening hours of the premises</b>  Every Day                                      00:00 - 00:00	
--	--

<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b>  Alcohol is supplied for consumption off the premises	
--	--

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

Shell UK Oil Products Ltd  
 Shell Centre  
 London  
 SE1 7NA  
 Agent (Lockett & Co) 01562 864488  
 generalpublicenquiries-uk@shell.com

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

Registered Business Number - 3625633

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

Mr Martin Ostergaard  
 6 Springfield Heights  
 Radstock  
 BA3 3BD

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

B&NES/17/01240/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 20 June 2017

**Annex 1 – Mandatory conditions**

Mandatory conditions relating to the sale of alcohol for consumption off premises only:

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 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 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

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 ultra violet feature.

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

The site will have in place a digital CCTV camera surveillance system. The system will only store relevant images so that images can be quickly viewed as images are captured from the camera as soon as movement is detected. The system will record on motion activation only. Images will be retained for a period of no less than 31 days.

Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Contact details of the Retailer will be kept on site and made available to the Police or other relevant officers of a responsible authority for the purpose of obtaining access to the equipment and recordings.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 6 months). Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

Spirits (with the exception of spirit mixers and premixed spirit drinks) will be located behind the counter.

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



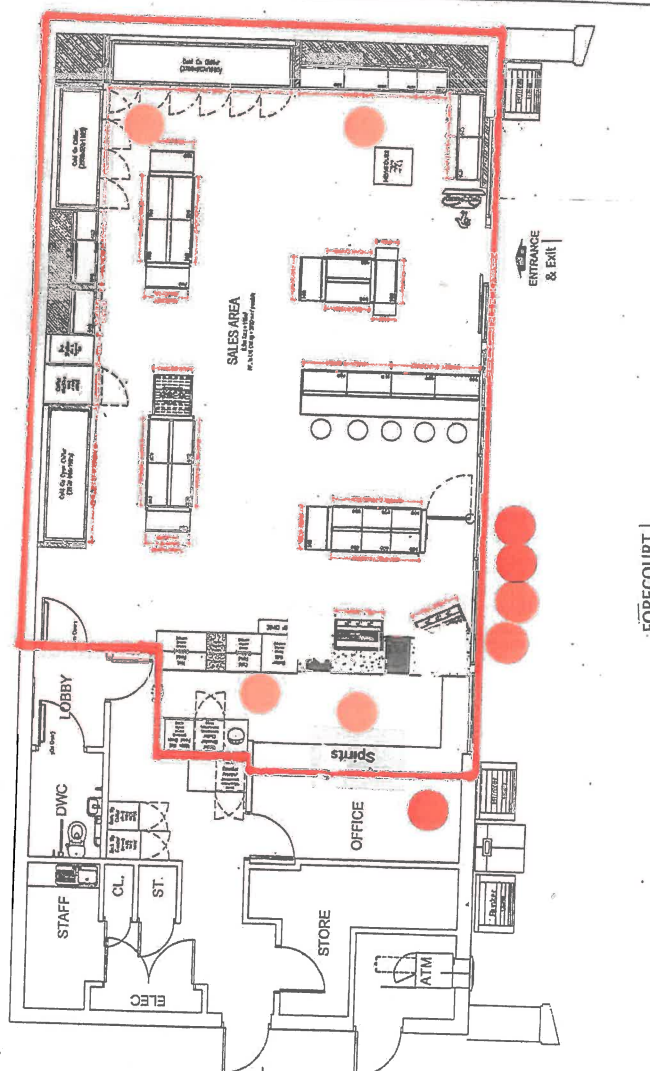
**Annex 4 – Plans**

As submitted with application.



Date: August 2016  
Scale: 1:100

Shell Elm Tree  
Wells Road  
Radstock  
Bath  
Bath & North East Somerset  
BA3 3UR



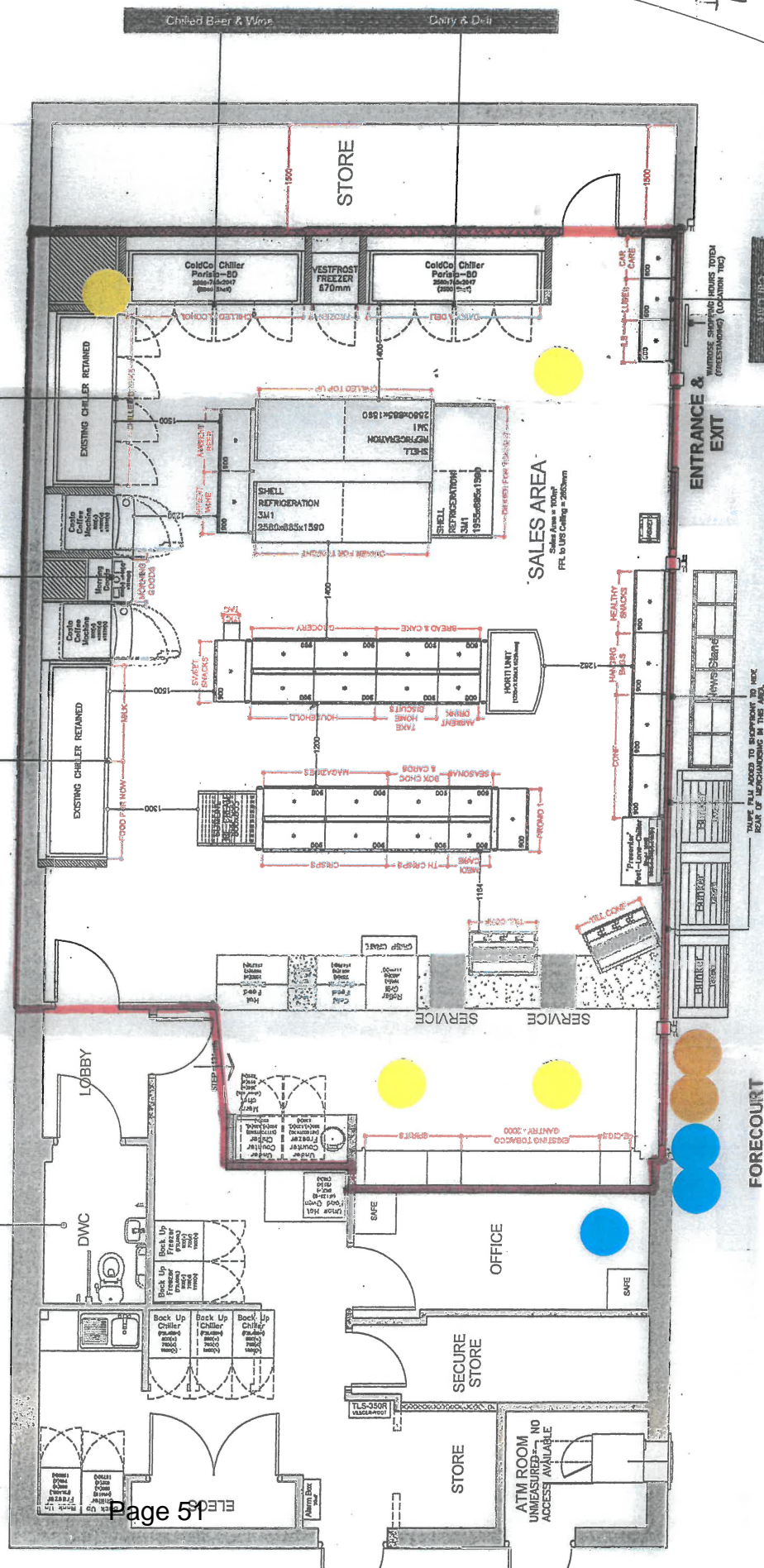
Key:	
	CCTV camera.
	Fire extinguisher.
	Fire bucket.
	Area to be licensed for sale of alcohol for consumption off the premises.







Date: March 2018

Shell Waitrose Elm Tree  
Wells Road  
Westfield  
Radstock  
BA3 3UR

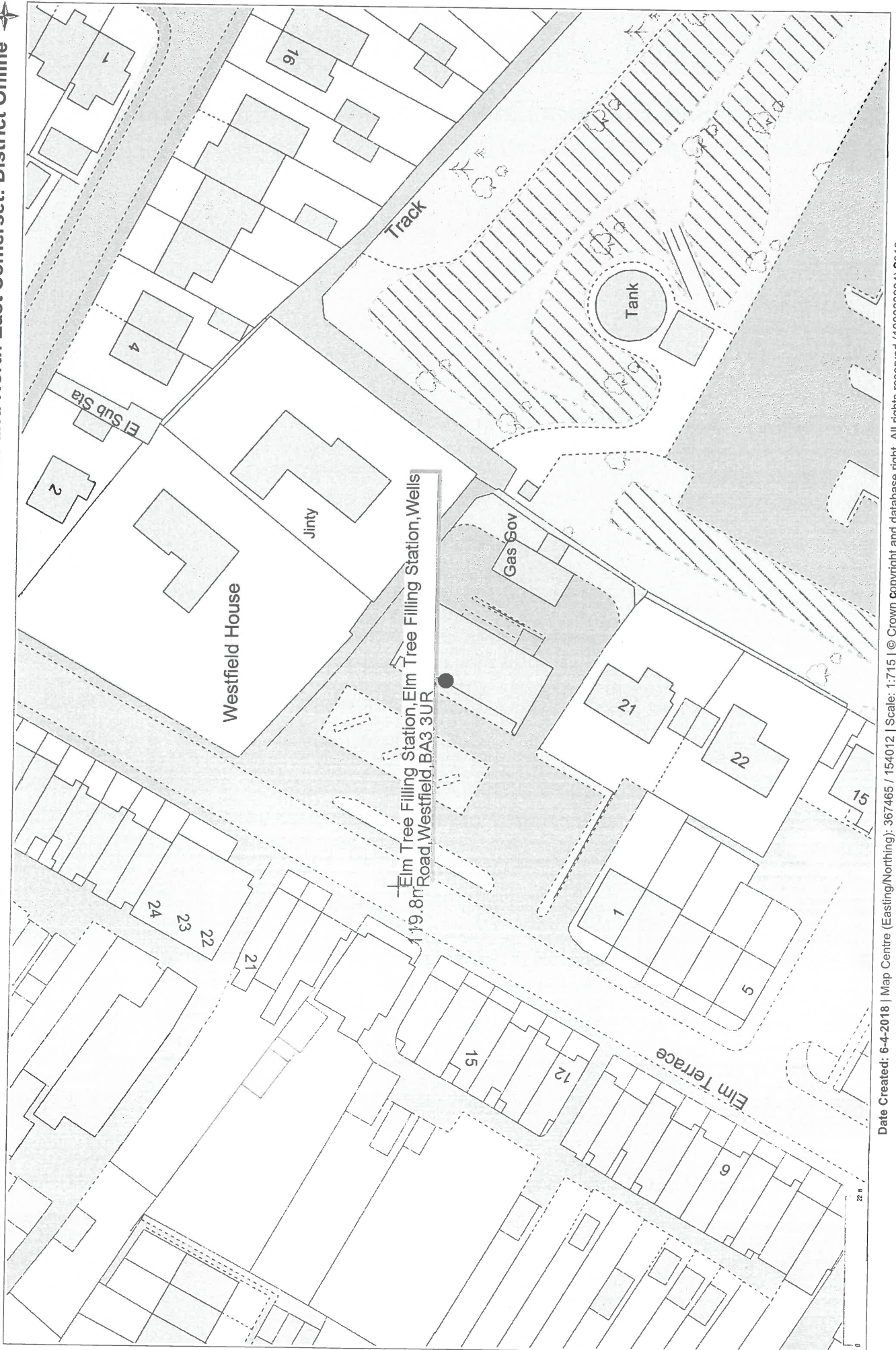
IF EXISTING WC & LOBBY IS PRE 2015, IT IS TO BE UPGRADED TO COMPLY WITH THE BUILDING REGULATIONS. THE UPGRADE IS TO BE COMPLETED PRIOR TO THE START OF THE PROJECT. THE UPGRADE IS TO BE COMPLETED PRIOR TO THE START OF THE PROJECT.



**Key:**

-  - Fire extinguisher.
-  - Fire bucket.
-  - CCTV.
-  - Area to be licensed for sale of alcohol for consumption off the premise and Late Night Refreshment.







**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:	18/00673/LAPRE
Applicant's name:	Shell Waitrose
Premises name and address:	Shell Waitrose Wells Road Westfield BA3 3UR
Application for a:	Premises Licence

**Objector Details:**

Objector's Name:	Westfield Parish Council
Objector's Address:	Oval Office Cobblers Way Westfield BA3 3BX
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 ☒

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

☐

Westfield Parish Council is deeply concerned at the effect of 24/7 sale of alcohol in this residential area. It would have an adverse impact on the neighbours in the vicinity in terms of loss of amenity and would raise issues of public nuisance and public order

It is the long term experience of residents living close to the garage that young people race cars and motor bikes from the White Post to the garage.

At the moment it happens after the garage shop has closed. The young people are very loud, fuelled by alcohol, with the type of chaotic behaviour which goes with this: they challenge each other to race the flat, straight piece of road from the White Post pub to the garage, they use the garage forecourt as a meeting place where they are loud, mooning through their windows which is intimidating to residents.

Apart from the intimidation, distress and noise nuisance, the physical effects can be seen in litter bins set on fire, road signage has been punched and there is the recent burnt out car on the pit path.

This happens at random times and when it does, it quickly and easily escalates into a large gathering. It is the experience of the local people that when they call the Police, it takes so long for a response that the gathering has dispersed.

In the main this is a quiet, rural community and there is no need or expectation for alcohol and food 24/7. By extending the licensing hours the existing problems are going to increase and more young people will be attracted to the gatherings at the garage, taking part in the anti social behaviour which has been described. Local residents strongly object to the application.

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

LJ Velen on behalf of  
Westfield Parish Council

Date

29/3/18

Contact telephone number(s)

01761 410669

(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 Westfield Parish Council

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:

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



**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:	18/00673/LA PRE
Applicant's name:	SHELL GARAGE
Premises name and address:	WELLS RD RADSTOCK
Application for a:	24 hour alcohol licence.

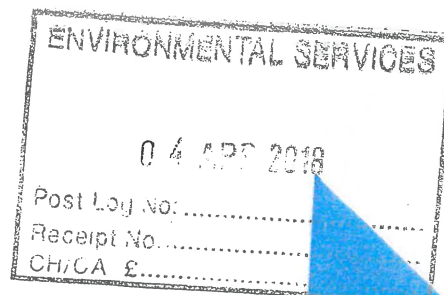
**Objector Details:**

Objector's Name:	P. M. WARNE
Objector's Address:	ELM TERRACE RADSTOCK BA3 3XP.
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 ☒



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even better place to live, work and visit

... 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.

ANNEX E

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 ☐

We have a problem in the area with underage drinking, young adults buying alcohol on behalf of younger children. It was highlighted in a BBC panorama program a few years ago which was set in our local park.

We also have a problem with teenagers racing their cars and bikes in the early hours along the straight flat road from the garage to the white post inn, sadly it is only when they have an accident that the police are able to deal with them, the last accident was outside my house about 6 months ago. In the last month a burnt out car has appeared on the "pit path" which is the path that links the garage to Midsomer Norton. Most of this behaviour is fueled by alcohol.

Noise and antisocial behaviour has improved greatly since the Elm Tree Inn (which was next to the garage) was closed and replaced by housing. We feel that offering 24 hour access to alcohol at this site will encourage a recurrence of the previous behaviour and encourage others from outside the area to come here increasing the traffic and noise. At the moment the hours between midnight and 05:00 are relatively quiet, we are a small Somerset town not an inner city WE DO NOT want a 24 hour lifestyle.

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

Signed

Date

4/4/18

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

4/4/18 01761



**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:	Ref No. 18/00673/WA PRE
Applicant's name:	Shell Garage Wells Rd.
Premises name and address: Elm Tree Garage Wells Rd Radstock	
Application for a:	24 HR Alcohol Licence

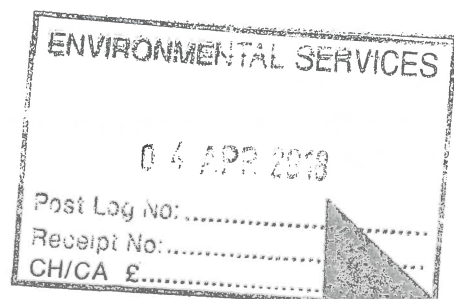
**Objector Details:**

Objector's Name:	P. & D. Hull
Objector's Address: The Wells Road Radstock BA3 3XY	
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 ☒



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Committee may not understand why you have objected. If you do not then the

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

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

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

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

Signed

Date 1, 4, 2018

RECEIVED

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

01761

**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:	18/00673/LAPRE
Applicant's name:	
Premises name and address:	ELM TREE FILLING STATION WELLS ROAD WESTFIELD RADSTOCK.
Application for a:	24 HOUR 7 DAY A WEEK ALCOHOL LICENCE

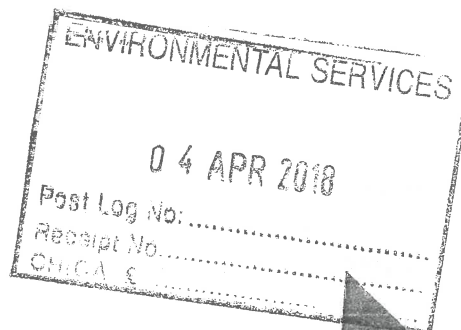
**Objector Details:**

Objector's Name:	MR & MRS WHITE
Objector's Address:	ELM TERRACE WELLS ROAD WESTFIELD RADSTOCK BA3 3XP
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 ☒



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Please detail your objection(s) as fully as possible. I have objected.  
Committee may not understand why you have objected. **ANNEX**  
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 ☐

IT IS A NEIGHBOURHOOD WITH FAMILIES  
AND YOUNG CHILDREN

WORKING FOR OLDER RESIDENTS  
NOISE AND DISRUPTION ALL DAY  
AND NIGHT

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.

Signature

Date

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

1/4/18

01261



**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:	181006731 LAPRE
Applicant's name:	
Premises name and address:	Shell Garage Wells Rd.
Application for a:	24 Hour Alcohol Licence

**Objector Details:**

Objector's Name:	J. RHYMER + V. RHYMER,
Objector's Address:	ELM TERRACE, RADSTOCK, BA3 3XP,
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 ☐

ENVIRONMENTAL SERVICES	
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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.

ANNEX E

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 ☐

Noise as when people are awake  
they seem to think everyone else  
is awake.  
Talking, Car music, Banging of  
car doors.

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

Signed

Date

2<sup>nd</sup> April 2018

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

**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:	18/00673/LAPRE
Applicant's name:	SHELL GARAGE
Premises name and address:	WELLS RD RADSTOCK.
Application for a:	24 hr. ALCOHOL LICENCE

**Objector Details:**

Objector's Name:	Mrs Mrs B. Mitchard
Objector's Address:	Elm Terrace Westfield Radstock BA3 3XS
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 ☒

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**ANNEX E**

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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 ☐

We live directly opposite the development  
e would be worried of disruption to  
our sleep through noise caused by  
~~vehicles~~ coming & going during our sleeping  
hours also it would become a magnet for  
youngsters who could become a problem  
for the police who are already stretched.

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

Signed

Date

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

01761



**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:	18/00673/LAPRE
Applicant's name:	SHELL GARAGE
Premises name and address:	WELLS ROAD WESTFIELD
Application for a:	24 hour ALCOHOL LICENCE

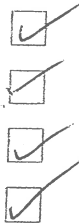
**Objector Details:**

Objector's Name:	DEBORAH DAVIS / LEIGH BUTLER
Objector's Address:	ELM TERRACE WESTFIELD BA3 3XP
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



ENVIRONMENTAL SERVICES
04 APR 2018
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ANNEX E

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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.*

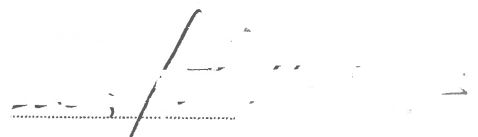
I/We have already made a written representation and have no further comments ☐

THE GARAGE IS ALREADY BUSY  
Enough!! without extending the hours  
we struggle to exit our premises  
due to people coming out of the garage  
at the same time!  
it would also encourage drinking on  
the street which is illegal to have  
open bottles of ~~alcohol~~ alcohol.

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

Signed

Date

  
1/4/2018

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

01761

**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:	18/00673/LAPRE
Applicant's name:	SHELL UR OIL PRODUCTS LTD
Premises name and address:	ELM TREE FILLING STATION WELLS RD RADSTOCK BA3 3UR
Application for a:	24 HOUR 7 DAY A WEEK ALCOHOL LICENCE

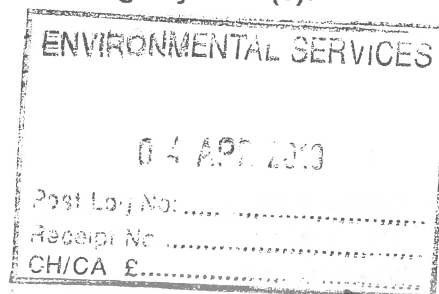
**Objector Details:**

Objector's Name:	GREG AND TEGAN CARPENTER-GEORGE
Objector's Address:	WELLS RD, RADSTOCK, BA3 3UR
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 ☒



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ANNEX E

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 ☐

- THERE ARE ALREADY ISSUES WITH ANTI-SOCIAL BEHAVIOUR AND NOISE DUE TO LATE OPENING. EXTENDING OPENING HOURS AND ALLOWING THE SALE OF ALCOHOL 24 HOURS A DAY WILL JUST FURTHER / INCREASE THESE PROBLEMS.
- LITTER IS A REAL ISSUE IN THE ALLEYWAY WHICH RUNS ALONGSIDE THE GARAGE - WE FEEL THAT WITH A 24 HOUR ALCOHOL LICENCE THE LITTER PROBLEMS WILL GET WORSE. WE ARE ALSO CONCERNED THAT THE EXTRA RUBBISH MAY NOW END UP IN OUR GARDEN.
- UNDERAGE DRINKING IS A PROBLEM AROUND HERE, PARTICULARLY IN THE PARKS. WE FEEL THAT MAKING ALCOHOL ACCESSIBLE 24 HOURS A DAY WILL ONLY INCREASE THE ANTI-SOCIAL BEHAVIOUR AND POTENTIAL DAMAGE TO PROPERTY.
- FINALLY, AS A HIGHLY RESIDENTIAL AND RURAL AREA WE REALLY FEEL IT IS NOT NECESSARY TO HAVE ACCESS TO ALCOHOL OR FUEL 24 HOURS A DAY.

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

Signed

Date

2/04/18

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

01761



**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:	18/00673/LAPRE
Applicant's name:	
Premises name and address:	SMELL SERVICE STATION A367 RADSTOCK RD
Application for a:	24/7 ALCOHOL LICENCE

**Objector Details:**

Objector's Name:	MR IAN COLE
Objector's Address:	ELM TERRACE WESTFIELD RADSTOCK
Organisation name if applicable:	N/A.

**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 ☒

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ANNEX E

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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 ☐

- ① CONSTANT TRAFFIC TOO AND FROM THE STATION - PRESENTLY
- ② CARS USING THE STATION WITH LOUD MUSIC COMING FROM THERE CARS WHILST USING PUMPS PRESENTLY.
- ③ THE REVING OF ENGINES + WHEEL SPINNING WHEN LEAVING STATION AND SPEEDING AWAY - PRESENTLY.
- ④ THE CASHIER SPEAKER SYSTEM IS VERY LOUD TO NOTIFY USERS IN FORECOURT - PRESENTLY
- ⑤ ALL OF THIS IS UP TO THE CURRENT CLOSING ARRANGEMENTS OF 10.30P. I FEEL IT IS UNACCEPTABLE TO EXTEND THE HOURS OF OPENING - FOR THE REASONS GIVEN.

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

Signed

Date

1ST APRIL 2018

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

01761



**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:	18/00673/LAPRE
Applicant's name:	ELM TREE SERVICES
Premises name and address:	Elm Tree Services Westfield Radstock
Application for a:	24 Hours 7 day alcohol Licence

**Objector Details:**

Objector's Name:	MRS P HILLMAN
Objector's Address:	ELM TERRACE RADSTOCK BA3 3XP
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 ☒

ENVIRONMENTAL SERVICES
04 APR 2018
Post Log No: .....
Request to: .....
CH/CA £ .....

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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.*

☐

We were not informed about the closure of Elm Tree Services.

2/4/2018

01761



**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:	18/00673/LAPRE
Applicant's name:	SHELL GARAGE
Premises name and address: ELM TREE GARAGE WELLS ROAD RADSTOCK	
Application for a:	24hr ALCOHOL LICENCE

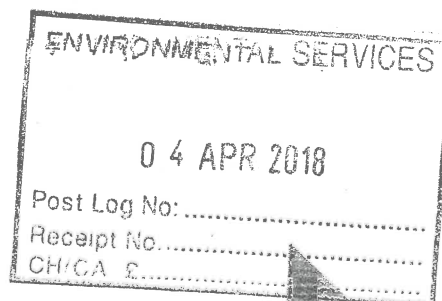
**Objector Details:**

Objector's Name:	MR + MIS R BALL
Objector's Address: WELLS ROAD RADSTOCK BA3 3XY	
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 ☒



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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.*

☒ We have already made a written representation and have no further comments ☐

We Have elderly neighbours who live next door to us in a bungalow which is right behind the Garage so neither them or us want anything like that and we do not want a Garage opening 24 Hours.

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

Signed

Date 1 - 4 - 2018

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

01761



# Bath & North East Somerset Council

## 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:	13/00673/LAPLE
Applicant's name:	SHELL UK OIL
Premises name and address:	SHELL WAITOSE ELM TREE WESTFIELD RADSTOCK BA3 3UR
Application for a:	VARIATION OF PREMISES LICENCE

#### Objector Details:

Objector's Name:	EMMA SMITH + BEN ATKINS
Objector's Address:	ELM TERRACE WESTFIELD RADSTOCK BA3 3XP
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



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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.

If we have already made a written representation and have no further comments ☐

We would like to object to the application as mentioned overleaf due to be concerned residents of Elm Terrace opposite the garage:-

a) for the 'extra' noise and commotion that may be caused. Many evenings we hear revving of motor cycles / cars whilst parked up and engines left running.

b) we have young children who require a good nights sleep and they are very light sleepers and we are afraid that they will be woken if customers are noisy and hang around the premises.

c) we already have to clear our garden of frequently 'brought litter' on our property!

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

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

Date

4.4.18

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

01761

~~XXXXXXXXXX~~