

Licensing Sub-Committee

Date: Thursday, 22nd April, 2021

Time: 10.00 am

**Venue: Virtual Meeting - Zoom - Public Access via
YouTube**

<https://www.youtube.com/bathnescouncil>

Councillors: Manda Rigby, Steve Hedges and Sally Davis

Chief Executive and other appropriate officers
Press and Public

A briefing session for Members will be held at 9.30am.



Mark Durnford

Democratic Services

Lewis House, Manvers Street, Bath, BA1 1JG

Telephone: 01225 394458

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

E-mail: Democratic_Services@bathnes.gov.uk

NOTES:

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

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

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. Broadcasting at Meetings: -

The Council will broadcast the images and sounds live via the internet

<https://www.youtube.com/bathnescouncil>

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.

Further details of the scheme:

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

5. 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, 22nd April, 2021

at 10.00 am in the Virtual Meeting - Zoom - Public Access via YouTube
<https://www.youtube.com/bathnescouncil>

A G E N D A

1. WELCOME & INTRODUCTIONS
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. LICENSING PROCEDURE (Pages 5 - 8)

The Chair will, if required, explain the licensing procedure.
6. APPLICATION - BATH AQUA GLASS, 105 – 107 WALCOT STREET, BATH BA1 5BW (Pages 9 - 34)

The Committee Administrator for this meeting is Mark Durnford who can be contacted on 01225 394458.

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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.

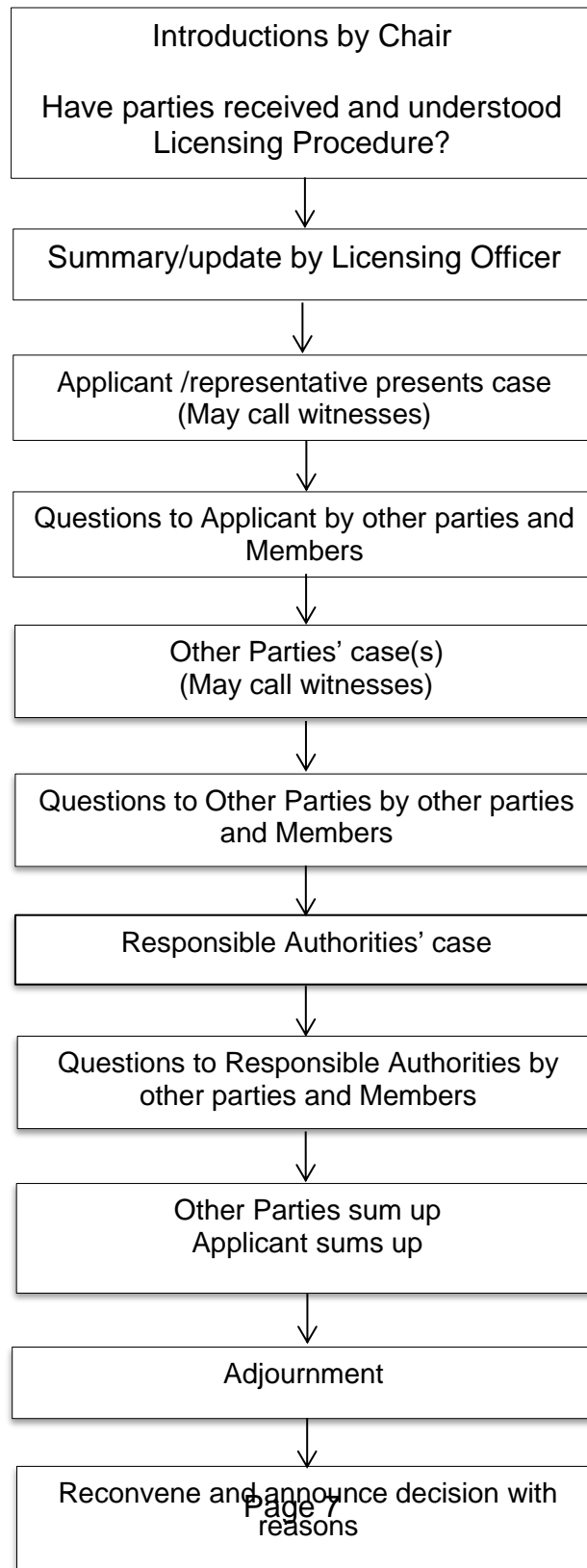
PLEASE NOTE:

- 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.

**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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Bath & North East Somerset Council		
MEETING	Licensing Sub Committee	
MEETING DATE	Thursday 22 April 2021	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Bath Aqua Glass 105 – 107 Walcot Street, Bath BA1 5BW	
WARD:	Walcot	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Annex A Application for a new premises licence</p> <p>Annex B Plan of proposed licenced premises</p> <p>Annex C Site Plan</p> <p>Annex D Police Representation</p> <p>Annex E Representations from “other persons”</p> <p>Annex F Additional Information from Applicant</p>		

1 THE ISSUE

- 1.1 An application has been made under s.17 Licensing Act 2003 by Adrian Joseph Dolan and Annette Dolan in respect of a premises licence for Bath Aqua Glass, 105 – 107 Walcot Street, Bath BA1 5BW.
- 1.2 Relevant representations have been received within the statutory period.

2 RECOMMENDATION

- 2.1 The Committee is asked to determine the application.

3 THE REPORT

- 3.1 An application has been received for a new Premises Licence (Annex A).
- 3.2 The application proposes the following licensable activity:

The Sale of Alcohol for consumption on and off the premises:

Monday to Saturday	09:00 to 23:00 hours
Sunday	10:00 to 16:00 hours

3.3 The application proposes the following opening times:

Monday to Saturday	09:00 to 23:30 hours
Sunday	10:00 to 16:30 hours

3.4 The following measures have been offered by the applicant within the Operating Schedule to promote the licensing objectives:

- All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. Premises to close 30 minutes after Licensable activities cease.
- CCTV will be capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs. Recordings MUST be kept for a period of 31 days and handed to Police on demand.
- An on -site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.
- Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for any neighbouring residential properties.
- Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. Challenge 25 POS will be on display in the premises. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.

3.5 The plan of the proposed premises is attached at Annex B.

3.6 A site plan is attached at Annex C.

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

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and

- the protection of children from harm
- 3.8 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.
- 3.9 The Licensing Authority may grant the application with or without additional conditions.
- 3.10 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:
- Paragraphs 3-6, 8-10, 13-14, 17-24, 29, 33-36, 38-41 of the 2020 policy;
 - Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised April 2018;
 - Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.
- 3.11 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.
- 3.12 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.
- 3.13 In accordance with the requirements of the Act, copies of the application were forwarded to the Police, the Fire Authority, Environmental Health, Development Control, Trading Standards, Health Authority and the Safeguarding Children and Young Persons Team.
- 3.14 The applicant was required to place a notice at the premises for a period of 28 consecutive days starting the day after the application was made, and to place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 3.15 During the statutory period, a representation of objection was submitted by the Police (Annex D) expressing concerns in respect of the Prevention of Public Nuisance and the Prevention of Crime and Disorder licensing objectives. The following additional measures were suggested by the Police to mitigate those concerns:

- i. Hours for the sale of alcohol: 09:00 to 20:00 hours Monday to Saturday, with Sunday hours to remain as applied for; and
 - ii. Opening times Monday to Saturday: 09:00 to 20:00, with Sunday opening times to remain as applied for; and
 - iii. All alcohol sold for consumption off premises shall be supplied in sealed containers with the exception of alcohol sold for consumption within the private area immediately outside the front of the premises; and
 - iv. There will be no consumption of alcohol within the external front area of the premises beyond 18:00 hours on any day. Anyone consuming alcohol within this external area shall remain seated.
- 3.16 Three representations of objection have been received within the statutory period from five “other persons” living within proximity of the premises. They express concern that the applicants’ proposals are likely to have a detrimental effect on the Prevention of Public Nuisance and the Public Safety licensing objective (Annex E).
- 3.17 In consideration of the representations received, the applicants have provided additional information (Annex F) proposing amendments to the original application for consideration of the Members, namely:
- The terminal hour for the sale of alcohol shall be 21:00 hours (applies to Monday to Saturday inclusive as the earlier time of 16:00 applied for in respect of Sundays)
 - No alcohol shall be served outside the front of the building at any time.
- 3.18 As relevant representations have been received, the Licensing Sub Committee must determine the application in accordance with the Licensing Act 2003.

4 STATUTORY CONSIDERATIONS

- 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 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 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

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

6 RISK MANAGEMENT

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

7 CLIMATE CHANGE

7.1 The licensing objectives do not require the applicant to specify steps to mitigate the impact of climate emergency. However, the applicant is encouraged to consider locally sourced ingredients and to reduce single use plastic in the operation of their business.

8 OTHER OPTIONS CONSIDERED

None.

9 CONSULTATION

9.1 The Council's Monitoring Officer (Director – Legal & Democratic Services and Council Solicitor), Section 151 Officer (Director of Finance) and Head of Building Control and Public Protection have had opportunity to input to this report and have cleared it for publication.

9.2 This report has not been sent to the Trades' Union as it has no involvement.

Contact person	Terrill Wolyn, Senior Public Protection Officer (Licensing) 01225 396939
Background papers	Licensing Act 2003 Guidance issued under s.182 of the Licensing Act 2003 Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005 B&NES Statement of Licensing Policy
Please contact the report author if you need to access this report in an alternative format	

Annex A

Application for a Premises Licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Information on the Licensing Act 2003 is available [here](#).

Before completing this form please read the [guidance notes](#).

Use the extra page at the end of the form to provide further details if necessary. When it is complete you can submit the form directly to us – click on the Submit Form button. You may wish to print and keep a copy of the completed form for your records. For help information about filling in this type of electronic form, click on the help information button.

I/We (premises licence holder name) 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, ordinance survey map reference or description

Bath Aqua Glass Ltd
105-107
Walcot Street
City Centre

Postcode

BA1 5BW

Telephone number of premises

Non-domestic rateable value of premises (if you are unsure, you can use this [Government link for more information](#))

£11,000.00

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as:

An individual or individuals

Please confirm:

- 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

INDIVIDUAL APPLICANTS (fill in as applicable)

Title	Mr
First names	Adrian
Surname:	Dolan
Are you 18 years or older?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Date of Birth	05/09/1958
Current postal address if different from premises address	8 Prospect Cottages Kingsdown Box Corsham Wiltshire SN13 8AY
Postcode	
Daytime contact telephone number	07966258007
Email address	dolan.adrian@gmail.com

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Title	Mrs
First names	Annette
Surname	Dolan
Date of Birth (you must be 18 years old or over)	23/04/1957
Current postal address if different from premises address	8 Prospect Cottages Kingsdown Box Corsham Wiltshire SN13 8AY
Postcode	
Daytime contact telephone number	
Email address	annettelesley89@gmail.com

Operating Schedule

When do you want the premises licence to start?

23/03/2021

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

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

General description of premises

Coffee And Light Snacks And Retail Of Wine And Spirits. The premises is to trade as a cafe style business with food and drink, both alcoholic and non alcoholic, available for consumption on and off the premises.

Operating Schedule Continued

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act)

Provision of regulated entertainment

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

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

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

In all cases complete boxes K, L and M (on the following pages)

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption: (please read guidance note 2)		On the premises <input type="checkbox"/>
					Off the premises <input type="checkbox"/>
					Both <input checked="" type="checkbox"/>
Day	Start time	Finish time	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	09:00	23:00	n/a		
Tues	09:00	23:00			
Wed	09:00	23:00			
Thur	09:00	23:00			
Fri	09:00	23:00			
Sat	09:00	23:00			
Sun	10:00	16:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times than those listed, please list (please read guidance note 5)		
			n/a		

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

Title	Mr
First Name(s)	Adrian
Surname	Dolan
Date of Birth	05/09/1958
Address	8 Prospect Cottages Kingsdown Box Corsham Wiltshire SN13 8AY
Postcode	SN13 8AY
Personal licence number	Not yet issued
Issuing licensing authority	Not yet issued

Please print the 'Consent of individual to being specified as premises supervisor' form and have the person specified above sign and confirm the details given.

K

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

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start time	Finish time	n/a
Mon	09:00	23:30	
Tues	09:00	23:30	
Wed	09:00	23:30	
Thur	09:00	23:30	
Fri	09:00	23:30	
Sat	09:00	23:30	
Sun	10:00	16:30	

Non standard timings. Where you intend to use the premises to be open to the public at different times than those listed, please list (please read guidance note 5)
n/a

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

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

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. Premises to close 30 minutes after Licensable activities cease.

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

CCTV will be capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exit, and all areas where the sale/ supply of alcohol occurs. Recordings MUST be kept for a period of 31 days and handed to Police on demand.

c) **Public safety**

All relevant fire procedures are in place for a premise of this size. An on -site accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years

d) **The prevention of public nuisance**

Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for any neighbouring residential properties.

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

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, or military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. Challenge 25 POS will be on display in the premises. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request

I have enclosed the plan of the premises



I have enclosed the consent form (for further information [please visit our application forms webpage](#) and follow the guidance under the **Variation of DPS for an Existing Licence** heading)



I understand I must now advertise my application ([for further information, please visit our website](#))



I understand that if I do not comply with the above requirements my application will be rejected



I am applying as an individual rather than a business / limited company and have enclosed proof of my entitlement to work in the UK (for information on what you can provide as evidence, [please reference our evidence guidance notes](#))



Please attach evidence using the 'Upload & Attach Files' button.

Types of files accepted as attachments: gif, jpg, jpeg, tif, tiff, bmp, png and pdf.

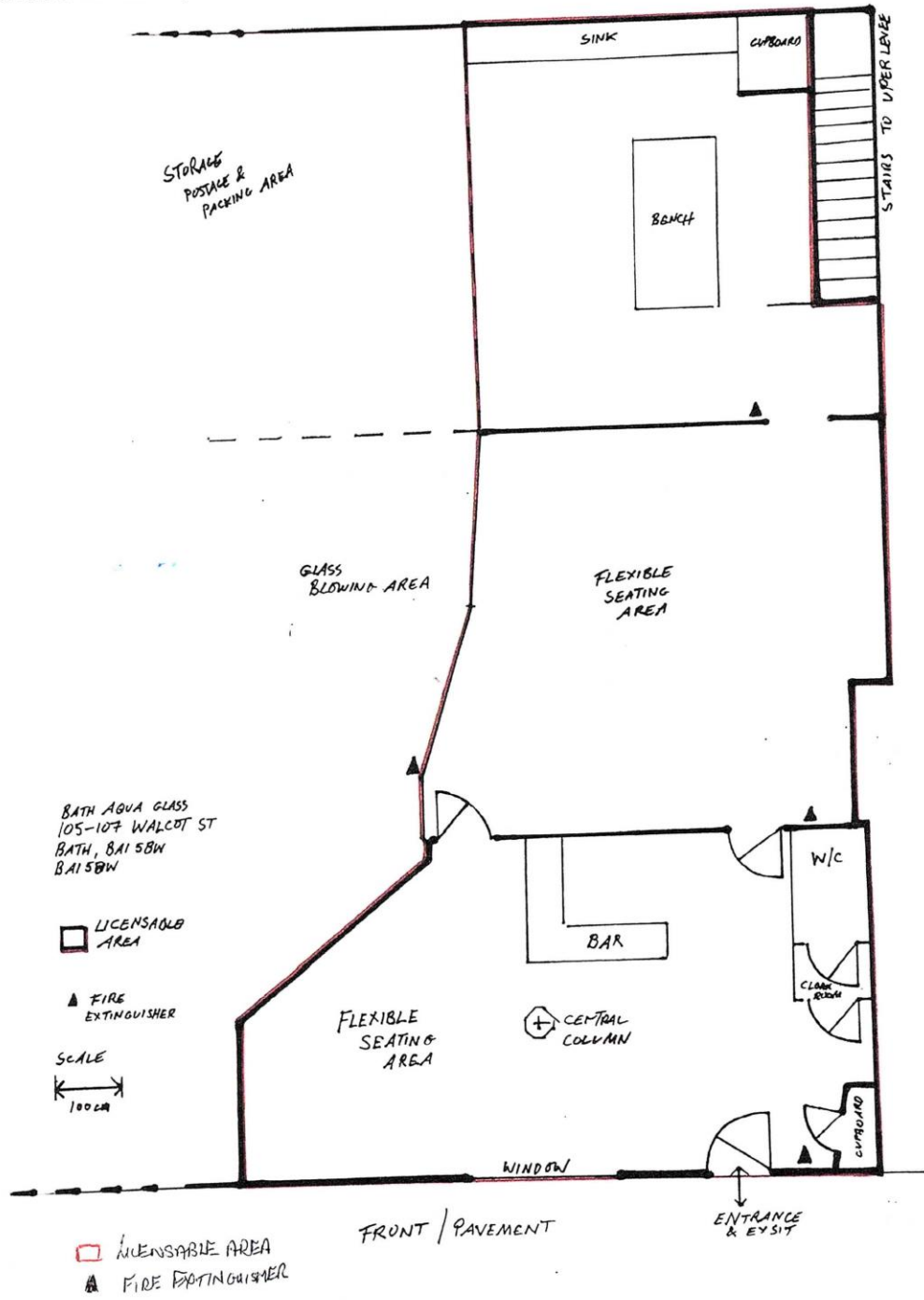
Please note, there is a 10MB size limit on all files that can be attached.

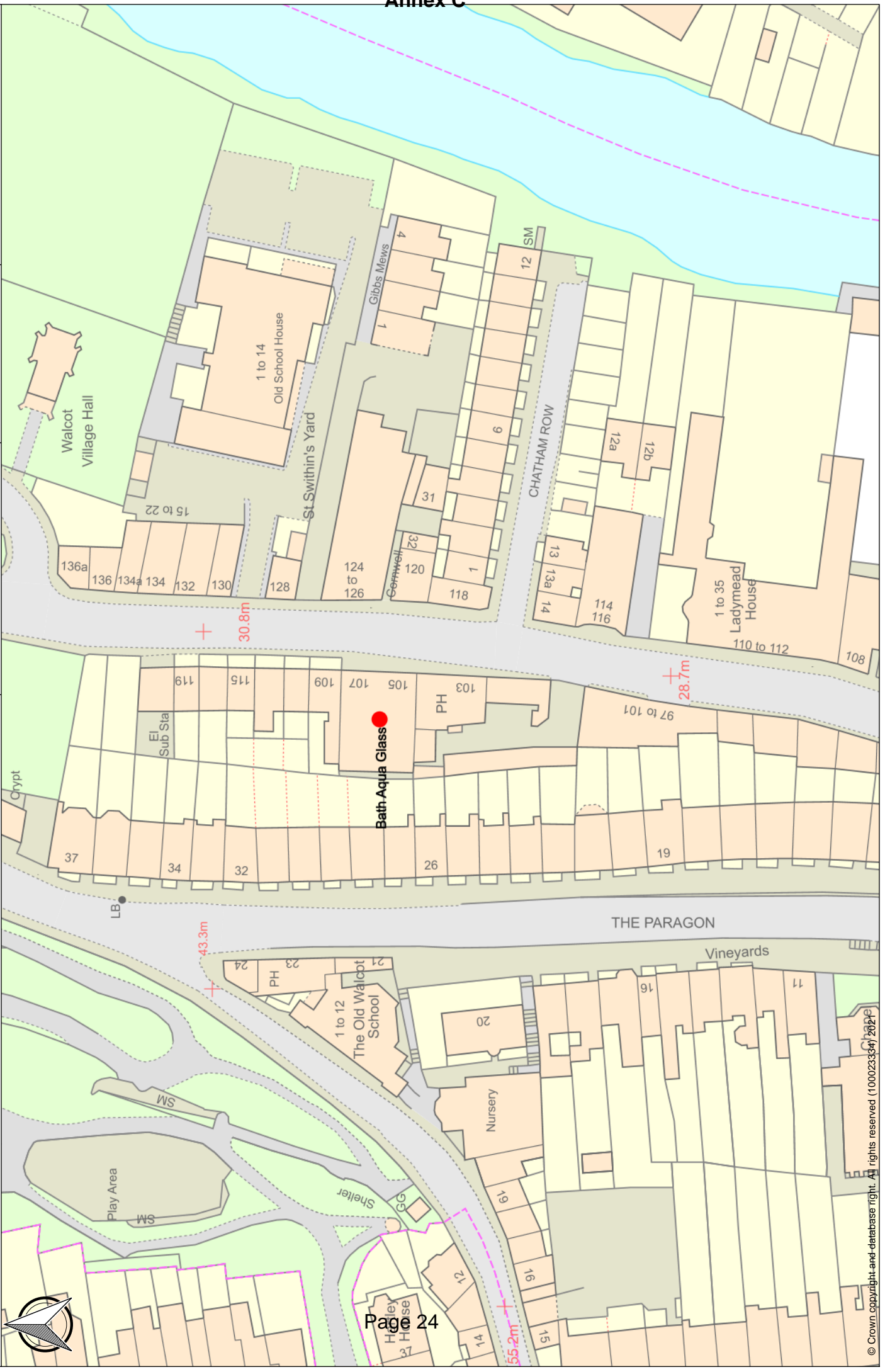
Please ensure that the documents you attach are complete and easy to read. If documents are incomplete or are difficult to read this may result in a delay in your application.

Annex B

Form Name: Premises Licence Application

Date Created: 22 February 2021





Annex D



Avon & Somerset Constabulary Representations: Licensing Act 2003.

Your Name	Paul Kendall	
Job Title	Licensing Officer, Bath and North East Somerset Local Policing Area	
Postal and email address	Bath Police Station, Redbridge House, Lower Bristol Road, Bath BA2 3EW paul.kendall@avonandsomerset.police.uk	
Contact telephone number/e-mail address	07889656081 paul.kendall@avonandsomerset.police.uk	
Name and address of the premises you are making representations about.	Bath Aqua Glass Ltd, 105 Walcot Street, Bath BA1 5BW	
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes	Please detail the evidence supporting your representation. Or the reason for your representation. See licensing objective: public nuisance
General – all four licensing objectives.		
To prevent Public Nuisance	Yes	A number of local residents supported by the police have concerns reference the below: The applicants have applied to open the premises between 0900 hours and 2330 hours Monday to Saturday and 1000 hours to 1630 hours on Sunday. Furthermore the applicants have applied to supply alcohol between 0900 hours and 2300 hours Monday to Saturday and 1000 hours to 1600 hours on Sunday
To prevent crime and disorder	Yes	There are police concerns in relation to crime and disorder as potentially two premises side by side selling alcohol.
Public Safety	No	
Protection of Children from harm	No	
Would this be suitable for resolution without a hearing if all parties agree?	Yes	Police suggest the below conditions are suitable.
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the	1. Suggest applicant to reduce to open the premises to 0900 hours to 2000 hours on Monday to Saturday. The hours to remain the same to 1000 to 1600 on Sunday	

<p>Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	<ol style="list-style-type: none"> 2. Suggest applicant to reduce the supply of alcohol to 0900 hours to 2000 hours on Monday to Saturday. The hours to remain the same to 1000 to 1600 on Sunday. 3. All alcohol sold for consumption off premises shall be supplied in sealed containers with the exception of alcohol sold for consumption within the private external area immediately outside the front of the premises. 4. Suggest there will be no consumption of alcohol within the external front area of the premises beyond 18:00 hours on any day. Anyone consuming alcohol within this external area shall remain seated

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

Signed: Paul Kendall

Date: 23/03/2021

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

**REPRESENTATIONS OF OBJECTION RECEIVED IN RESPECT OF THE
NEW PREMISES LICENCE APPLICATION FOR BATH AQUA GLASS
FROM "OTHER PERONS".**

[MIRIAM NETTELL](#)

Dear Sir/Madam,

I have already tried to fill in an online form yesterday, but I could not manage to send it. I don't know whether this is your fault or mine...

So I am writing out all the information that would have been showing in the online form, which I printed out, but unfortunately didn't save.

Number : 21/0302/LAPRE
Appl name - Bath Aqua Glass
Appl Address: Bath Aqua Glass'105-107
Walcot Street
Bath BA1 5BW

Application for : New Premises Licence

Objector Details:

Ms M Nettell
Walcot Street
Bath
BA1 5BW

Objection Details :

My representation is relevant to:

Prevention of Public Nuisance and Public Safety

I firstly object that, as a near neighbour, I didn't receive any direct notification of this Application which would significantly impact me.

The Notice in the window of the premises does not stipulate what kind of new Premises the licence relates to.

I have been informed by a neighbour that Bath Aqua Glass propose to open a Cafe, with tables and chairs outside, and that they intend to serve alcohol.

As residents of the Terrace adjacent to the site, we already have to contend with the sometimes anti social behaviour of drinkers from The Bell Inn, which itself is next door to Aqua Glass.

When The Bell is open I regularly find refuse thrown into my front garden as 'punters' walk by - e.g. crisp and cigarette packets, fag ends, drinks cans and glasses still containing beer. I've also found broken glass on occasions.

I have suffered over the years from the additional Noise Nuisance of inebriated - or just inconsiderate- clients of The Bell outside my house both at lunch times and at night time, when I am prevented from sleeping.

Another premises serving alcohol etc would obviously double up this detriment to my right to peace and quiet in my home.

On several occasions I have actually encountered a male patron urinating in my front garden, after leaving The Bell - which I imagine would constitute trespass onto my property.

Another 'regular' of The Bell used to take it upon himself to trim my hedge late at night, on a regular basis, leaving the debris on my path and on the pavement, so that I was obliged to clear the mess which was obstructing my exit from my house as well as the pavement.....this unwanted activity only ceased when I identified the culprit and threatened to involve the Police !!

These distasteful and concerning incidents were all due to people drinking to excess and consequently losing all sense of propriety and respect for other Citizens - if they had any in the first place.

I can't see any necessity - or possible justification- to double up on a premise serving alcohol right next door to an existing Public House, as this would only double up the nuisance for the Neighbours.

The Bell is a Community run and owned organisation, and I very occasionally go there myself. Their business might well be compromised by unwanted and unwarranted competition next door.

The pavements on this side of the Road - my side of the road- are narrow and there is a lot of heavy traffic passing along Walcot Street throughout the day and evenings, including Building vehicles, Waitrose Delivery vehicles and at least 3 routes of Buses - single and double decker.

I often feel very unsafe when accessing my house- due to the speed and frequency of this heavy traffic, passing by me very closely.

I have already contacted a local Councillor about the necessity for Speed cameras to be installed, as the Speed limit is quite routinely ignored (No response for several months.)

To allow tables and chairs to be placed outside in front of Bath Aqua Glass, together with the physical to-ing and fro-ing of patrons and staff associated with a Cafe style set up , within this already compromised space would only increase the existing hazards to passing pedestrians and householders - as well as reducing our access and walking space to our homes .

Would this not anyway be an infringement of our Residents' right of way along that part of the Street?

I haven't yet mentioned the necessity of enabling residents to establish and maintain Social distancing during the Pandemic!!

Quite apart from the existence of 'The Bell' , there is no need for any other Cafes or drinking establishments here - Walcot House, which is just a few yards away , already caters for a variety of refreshment options, in a wider part of the Street , as does the well established Landrace Cafe and Bakery just opposite, by the fountain.....

Please do not approve the granting of this Licence.

Signed

Miriam J Nettell
Date 18/03/2021

Contact phone number

I will probably not attend the hearing, but , due to the paucity of information and lack of consultation with neighbours and residents, with reference to this application, I believe any hearing should be delayed until full information has been passed to all those living and working in Walcot Street who, unlike myself (who found out purely by luck) may not even know about the application.

Miriam Nettell

[PAUL KING](#)

From: kings

Sent: 18 March 2021 21:38

To: Terrill Wolyn <Terrill_Wolyn@BATHNES.GOV.UK>

Subject: Re: BATH AQUA GLASS - REPRESENTATION - MR KING

Thank you for your reply.

As I don't write very often and this is my first objection to any application. I will try and put my concerns so as to be acceptable regarding this application for a alcohol licence.

My main concern is late night noise impact for as when people drink they get very loud and aggressive and feel this could lead to a breach of the peace. Our houses are built of single skinned ashlar and the extra noise would impact on our health ie lack of sleep and stress most nights.

I would not have any objections if the opening times was restricted to no later than 8pm.

I'm also concerned the extra foot fall could increase the possibility of covid Due to the close vasinaty of aqua glass to our dwellings.
With the foot path not wide enough for social distancing.
The road all ready is a very busy Street the extra volume of people drinking will increase noise nuisance.

That could lead to possible criminal damage

Regarding the cafe opening during the day I have no objection to 8pm.

Regarding off sales I would not have objections for home delivery.
As this would lesson amount of people gathering near our premises.

Could I also point out that our houses are approximately three hundred years old. And beleave we have a right to a peaceful like as possible or at least our nights.

Thank you

Paul king

[MR & MRS WHITING & SUSAN WILLIAMS](#)

From: Lynda Whiting [REDACTED]
Sent: 18 March 2021 17:47
To: Licensing <Licensing@BATHNES.GOV.UK>
Cc: Sue Williams
Subject: Bath Aqua Glass

Dear Terrell

Our concern is consuming alcohol and eating outside until 11pm at night...

Land to the front of the premises is double the size of our front gardens.

Noise levels will cause great distress...with groups drinking and eating outside Hen Parties and customers sitting or standing outside.

We've had noise and sound issues in the past we have complained to Bath Aqua.

We live next door the seating /standing area is a foot way from our front garden and house...

109 ground floor internal wall is inside the whole length of Bath Aqua...

Alcohol licence if permitted should finish at 5pm or occasionally late nights six times a year.

Pavement leading to the front of Bath Aqua is a single lane only a danger to customers or people walking on to the road.

Two people have died in the past crossing this road from the Bell pub.

Lynda & James Whiting
Susan Williams
& Walcot Street
Bath
BA1 5BW

BATH *aqua* GLASS

105 – 107 Walcot Street, Bath. BA1 5BW www.bathaquaglass.com
Office Tel: 01225 319606

Licensing Services
Bath & North East Somerset Council
Lewis House
Manvers Street
Bath BA1 1JG

31st March 2020

Bath Aqua Glass Premises Licence Amendments and Representation

Introduction

Our licence application was submitted by a professional consultant, supposedly working on our behalf, but it appears that this may not have been the case. We are now therefore representing ourselves and we thought it absolutely vital to clarify our vision for the building and for the licence applied for.

Licence Application Amendments

The following amendments should be attached to our original application and all parties notified of changes

- The finishing time for alcohol consumption is 9pm.
- No alcohol to be served outside the front of the building at any time.
- For any event that requires a later finishing time, a Temporary Event Notice will be applied for.

Representation: Background

We are a glass-blowing and stained-glass studio based in Walcot Street, where we have been producing glass products for over twenty years.

During that time we have become a significant tourist attraction. Thousands of visitors have come and watched Bath's famous glass-blowers producing the free-blown glass now associated with our city. This draws people out of the city centre along Walcot Street where they can enjoy the wonderful array of independent shops and artisanal businesses.

Our premises has areas within it where people can take part in craft-based activities and where they can witness the skills of our master glass-blowers.

The activities we offer include bauble making, "Breath in a Bauble" and Appliqué glass decorating. These activities have been enjoyed by corporate groups, school groups, international students, W.I.s and bridal parties.

Each year we have held events to raise money for our chosen charities, which have included Dorothy House, Julian House and Springfield School. At these events, refreshments have been offered, as well as some groups bringing their own alcohol and food.

We are mature professionals within our industry and are NOT interested in becoming, nor aspiring to be, a pub, club or cocktail bar, but rather be able to offer our adult customers an alcoholic drink, having prebooked their space to enjoy our services.

Vision

Since the devastating impact of the Covid pandemic, our business has declined by well over 60% and has given rise to an urgent remodelling of the organisation, as in fact advised by the Government.

Our reassessment of the business highlighted the high levels of overheads which we are responsible for on the one hand and the huge reduction in footfall on the other. It appeared imperative that we look at increasing our income streams; hence the plan to create an Art Centre, within our building.

This would include a small café area where visitors could buy refreshments and where we could offer alcohol to our guests who take part in the various activities.

As always, all school parties that enter our building to watch the glass-blowing, are pre-booked and are closely monitored and supervised by both their teaching staff and us. This has always been the case, and will continue to be so. Their safety is paramount. No alcohol will be on show or available while they are on the premises.

The rest of our customer base is adult, with the majority being in the 30-50 age bracket.

The central part of the visitors' space inside the building would be the only area where alcohol would be sold and consumed.

Although the outside frontage of the premises has space for our visitors to congregate before entry, they will not be offered or served alcohol or allowed to consume alcohol whilst there.

We totally acknowledge and appreciate the risks of possible disorder, the possible nuisance value and indeed the public safety hazards especially with the nearby road, that having alcohol "out front" might cause.

Signage within the building, clearly stating our closing times, prices and respect for neighbours on leaving will be erected.

Should our visitors feel the need to continue their social activity with more alcohol, they are able to use the existing facilities at The Bell pub where there is a garden at the rear of the building.

Most of our events would be finishing no later than 9pm, covered by our applied-for and amended Premises Licence, but we do envisage that there will be some Fundraising, Charity or bridal events where we would apply for additional T.E.N.s with a slightly later finish.

We also would like the opportunity to add complimentary products, such as a bottle of wine, to our hand-blown glassware range and for them to be available to purchase from our building or online.

The Company Directors and management fully support, wholeheartedly and unreservedly, the statutory licensing objectives as it is indeed the basis of any responsible society and will carry out our duties to uphold them at all times.

Annette & Adrian Dolan & Themis Mikellides
Directors, Bath Aqua Glass Ltd.
accounts@bathaquaglass.com

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