

Licensing Sub-Committee

Date: Thursday, 3rd June, 2021

Time: 10.00 am

Venue: Council Chamber - Guildhall, Bath

Councillors: Rob Appleyard, Steve Hedges and Karen Warrington

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.



Mark Durnford

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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>

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. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

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

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, 3rd June, 2021

at 10.00 am in the Council Chamber - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chairman 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 CHAIRMAN

5. MINUTES OF PREVIOUS MEETINGS: 8TH APRIL 2021 & 22ND APRIL 2021 (Pages 5 - 16)

6. LICENSING PROCEDURE (Pages 17 - 20)

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

7. NEW PREMISES LICENCE APPLICATION: CHICK O'LAND, 17A HIGH STREET, KEYNSHAM, BRISTOL BS31 1DP. (Pages 21 - 50)

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

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BATH AND NORTH EAST SOMERSET

LICENSING SUB-COMMITTEE

Thursday, 8th April, 2021

Present:- Councillors Manda Rigby (Chair), Steve Hedges and Sally Davis

Also in attendance: John Dowding (Lead Licensing Officer), Terrill Wolyn (Senior Licensing Officer), Shaine Lewis (Team Leader, Legal Services), Rebecca Jones (Principal Solicitor - Corporate and Community Law) and Annemarie Strong (Legal Advisor/Paralegal)

69 WELCOME & INTRODUCTIONS

The Chair welcomed those present to the meeting and introduced the other members of the Sub-Committee and the officers in attendance.

70 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

71 DECLARATIONS OF INTEREST

Councillor Sally Davis, Councillor Steve Hedges and the Chair, Councillor Manda Rigby all declared an other interest with regard to agenda item 7 as a member of the public, Tim Warren, who was speaking on behalf of a number of residents was a former Councillor of Bath and North East Somerset Council.

Councillor Steve Hedges declared an other interest with regard to agenda item 10 as he had previously had communication with the driver concerned on a planning matter within his ward.

72 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

73 MINUTES OF PREVIOUS MEETING - 21ST JANUARY 2021

The Sub-Committee approved the minutes of 21st January 2021 as a correct record.

74 LICENSING PROCEDURES

The Chair explained the procedure for the meeting to all parties who were present.

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

75 PREMISES LICENCE APPLICATION - CHEW VALLEY DISTILLERY, WELLINGTON GALLERY AND CORNER COTTAGE, TUNBRIDGE ROAD, CHEW MAGNA, BRISTOL. BS40 8SP.

The Senior Licensing Officer presented the report to the Sub-Committee. She explained that the application proposes the following licensable activity:

- The sale by retail of alcohol for consumption on and off the premises every day between 10.00 – 23.45.

The application proposes the following opening times:

- Every day 10.00 – 00.00

She informed the Sub-Committee that during the statutory period eight representations of objection were received that collectively expressed concerns that the applicant's proposals were likely to undermine all four of the licensing objectives.

She said that two representations in support of the application were received advising how the management of the premises, staff training and implemented policies would serve to promote the licensing objectives.

The applicant stated that no objections had been received from the responsible authorities and that no complaints had been directly received by them.

They said that the hours applied for would provide flexibility for the business to operate.

They explained that the proposed tasting events would be tailored to individual requests and would be for a set time and number of people.

The applicant said that any seating used in the outside area would be packed away in the evening and not available for general use.

Tim Warren asked if the outside area would be used for tasting events.

The applicant replied that it would not, it would be a waiting area or space for customers to have a drink outside.

Tim Warren addressed the Sub-Committee on behalf of a number of interested parties. He said that the outside area was in close proximity to a junction of two busy roads and that occupancy of this area could become a difficulty for driver visibility. He added that there were concerns that the area would be used for consumption after the purchase of off sales.

Councillor Karen Warrington addressed the Sub-Committee on behalf of Chew Magna Parish Council. She said that the amendments offered by the applicant were welcome, but that use of the outside area remained a cause for concern in respect of public safety and nuisance. She asked the applicant to consider addressing issues relating to parking and rubbish near the premises.

The applicant replied that it would advise customers to use the local public car park.

Decision and Reasons

Members have determined an application for a new Premises Licence at Tunbridge Road, Chew Magna. In doing so they have taken into consideration the Licensing Act 2003, Statutory Guidance, the Council's Policy, Human Rights Act 1998 and case law.

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

The applicant stated this application is for a new premises licence adjoining their existing distillery. It was for the same hours as existing which is run without issue. The applicant stated it is a family run distillery hoping to expand on the back of their success and award winning gins. They would like to include "off-sales" to fulfil remote orders for delivery or collection and to run occasional tasting events and workshops. These would be limited to two events per week with a maximum of 28 attendees. It was further stated that the hours applied for are for flexibility, they are not a bargain booze operation and events would be pre-booked and they would not have a detrimental impact on the Licensing Objectives. In response to the Interested Parties, however, the applicant offered to cut back the closing time of the outside space.

An Interested Party in support stated the premises has not and will not have a detrimental impact on the Licensing Objectives and it is unlikely to attract loutish behaviour or those seeking a cheap drink.

Whilst generally welcoming the expansion of this local business the Interested Parties raised all 4 Licensing Objectives in objection. It was said that although the premises are set in a mixed business and residential area of Chew Magna if permitted as applied for they feared an increase from noise on and off the premises affecting local residents and children alike particularly from the outside area. They further stated that any increase in vehicular traffic would lead to an increase risk to the health and safety of those in the village, those using the outside area and cause associated difficulties with parking and accidents on the very busy and narrow village road. The Interested Parties also feared a late licence could attract people leaving one of more of the 3 public houses in the village and lead to further nuisance and antisocial behaviour.

Interested Parties agreed, however, that with adherence to suitable conditions and limiting the operational hours the business would doubtless grow and be an asset to the village.

In determining this application Members were careful to take account of the relevant written and oral representations both for and against the application and balanced their competing interests. Members were, however, careful to disregard matters governed by other statutory regimes, deregulated activities such as music and

matters not directly attributable to a licenced activity on the premises. For example, traffic risks, noise and parking, the protection of children from harm not on the premises, fire escape and capacity, business model and need, mental health, planning and the existence of any public rights of way.

Members also reminded themselves that this is not a Review of the existing Premises Licence, they must not speculate on future uses of the premises and they should disregard any previous related applications and deal with the application on its merits.

With regards to terminal hours and off-sales Members noted the Statutory Guidance and their Statement of Licensing Policy. For example, at 18.6 it is stated that shops, stores and supermarkets should generally be permitted to sell alcohol for consumption off the premises during normal hours they intend to open for shopping purposes. Further, and in terms of the operation of other outlets in the vicinity, the established principal is that terminal hours should be staggered although they may depart from this where it is appropriate to do so.

In terms of the potential for this premises to have a detrimental impact on the Licensing Objectives Members noted there had been no representations from Responsible Authorities. Further, and with regard to an evidential basis for the Interested Parties' fears, Members noted the applicant already operates a Premises Licence at the Wellington Gallery without issue and the only reference to noise and obstruction in the village was in the vicinity of the Lazy Lobster at South Parade. Whilst noting these premises are also owned and operated by the applicant there was no evidence presented to suggest that those incidences were directly attributable to the Lazy Lobster. Members had sympathy with the Interested Parties' legitimate concerns, however, there was no information linking incidents of nuisance or antisocial behaviour in the village to premises operated by the applicant and, moreover, nothing to suggest the application if granted would prove problematic.

Accordingly, as Members had not been presented with any evidence upon which to base a reasonable belief that these premises would have a detrimental impact on the licencing objectives, or given grounds to depart from Policy and or Guidance, the application was granted as applied for with the additional conditions offered by the applicant within the additional information.

Members did not, however, consider it appropriate or proportionate to impose conditions or cut back the use of the outside area.

Authority is delegated to the licensing officer to issue the licence with conditions consistent with the operating schedule and those offered by the applicant in the additional information.

76 APPLICATION - CONSIDERATION OF VEHICLE SUITABILITY TO BE LICENSED AS A PRIVATE HIRE VEHICLE – 21/00312/PHVL

The Lead Licensing Officer presented the report to the Sub-Committee. He explained that the report invited the Members to consider whether or not a vehicle that cannot comply with the standard private hire vehicle conditions is suitable to be licensed as a private hire vehicle.

He informed them that the application is for a convertible Mini Cooper which was first registered on the 1st March 2018 and at the time of application, the vehicle was 3 years old.

He said that the standard conditions attached to the grant of a Private Hire Vehicle licence state *“The vehicle must be fitted with a right-hand drive and shall have a minimum of four doors. At least three of these doors must be accessible for passengers to enter and exit the vehicle without the need to move, adjust, or climb over any seating”*.

He stated that the vehicle is fitted with 2 doors and whilst the vehicle is a convertible model, in the event of an accident when the roof is not retracted any passengers in the rear would not have an accessible egress from the vehicle. Therefore, the vehicle is non-compliant with this requirement stipulated by the standard conditions.

He explained that the standard conditions attached to the grant of a Private Hire Vehicle licence state *“A roof sign as prescribed by the Council shall be fitted to the vehicle at all time whilst hired or available for hire. The roof sign shall be fitted along the length of the vehicle’s roof, illumination of the roof sign is not permitted”*.

He said that the vehicle is a convertible model and cannot be fitted with a roof sign, therefore, the vehicle is non-complaint with this section of the standard conditions.

The Sub-Committee were shown a video to enable them to virtually inspect the vehicle.

The applicant addressed the Sub-Committee and said that in light of the Covid-19 pandemic they were seeking a new way to attract business alongside their longstanding small coach / mini-bus tours of Stonehenge.

They said that the vehicle would be used for sightseeing tours of the City and that customers would have to book and pay in advance for the tours.

They stated that when in use the vehicle would be travelling at a low speed for the majority of the time.

The applicant said that they were willing to seek other solutions regarding the need for signage on the vehicle.

Decision and Reasons

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

The applicant outlined the nature of its business and stated it has an operators' licence to run larger buses and mini-bus tours and have done so without incident or accident. They now wish to run smaller bespoke tours and use the iconic Mini to do so as others throughout the UK already do. It was accepted, however, that the vehicle does not meet the requirements of the Council's Standard Conditions. In terms of safety it was stated that whilst the vehicle is two door the vehicle would not be used for multiple pick up and drop off but rather as a convertible, low speed tour option. Accordingly, the applicant believed that emergency exit would not be an issue.

In determining the matter Members reminded themselves that they must be satisfied that the vehicle is suitable in type, size and design for use as a private hire vehicle and, furthermore, safe and comfortable.

Members approached this application on its merits and noted in terms of their Policy covering colour, luggage, plates, roof signs and for vehicles to have 4 doors that they may depart from Policy with good reason. Nevertheless, Members were clear in that their primary duty is the protection of the public and that the Policy is in place to serve that very purpose.

Having had the benefit of a 'virtual' inspection Members were disappointed to note there was no demonstration of how rear seated passengers would get in and out of the vehicle. They noted, however, that the intended exit route for rear seated passengers in an emergency must be over collapsed front seats through the front doors or, in extreme circumstances, through the rear roof space over the side or rear of the vehicle.

Accordingly, Members found that without rear doors there is a risk that the rear seated passenger exit routes could be blocked in the event of a loss of control and or collision with other vehicles, structures or road furniture whatever the speed on impact.

Moreover, Members found there was a risk to the safety of rear seated passengers as they may not be able to exit through the side or rear roof for any number of personal or incident related reasons. In all the circumstances, therefore, and noting the vehicle will not be used as a 'jobbing' Private Hire Vehicle, Members were not against the convertible aspect of the application but rather found no good reason to depart from the Policy requirement for a licenced vehicle to have 4 doors.

Therefore, Members do not find the vehicle suitable in type, size and design to be licensed as a Private Hire Vehicle. The application is therefore refused.

77 EXCLUSION OF THE PUBLIC

The members of the Sub-Committee agreed that they were 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. They **RESOLVED** that the public should be excluded from the meeting for the following item(s) of business and the reporting of the meeting be prevented under Section 100A(5A), because of the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, as amended.

78 CONSIDERATION OF FIT AND PROPER - 19/02288/TAXI

The Lead Licensing Officer presented the report to the Sub-Committee. He explained that the report invited the Members to consider whether the driver concerned remains fit and proper to hold a combined Hackney Carriage/Private Hire Driver's licence having obtained a recent conviction.

He informed the Sub-Committee that the driver has held a combined Hackney Carriage/Private Hire drivers' licence with this Authority since 1st July 2016.

He said that on the 16th October 2020 the driver informed licencing of a summons to appear before Bath Magistrates Court and that on the 26th October 2020 the driver informed licensing that he had subsequently attended Bath Magistrates Court and been convicted of an offence.

He explained that the Policy adopted by Bath & North East Somerset Council in relation to previous convictions, cautions and fixed penalty notices states *"applications from applicants disclosing a history of offending showing convictions and or formal police cautions falling within or outside of this policy will be referred to the relevant Licensing Sub-Committee for determination"*.

He stated that there have been no complaints regarding driver's behaviour since the grant of his licence in 2016.

The driver addressed the Sub-Committee and explained that he had taken his children out of school for a holiday. He stated that the conviction received related to non-payment of a fine for this action. He said that he never received notification of the fine and that had he done so he would have paid it.

He added that he also holds an Operators Licence and provides Home to School transport across the Council. He said that they have often been praised for their safety by users of this service.

Decision and Reasons

Members have had to consider whether the Licensee remains fit and proper to hold a combined Hackney Carriage/Private Hire Driver's licence having informed the Licensing Authority of a conviction received on 26.10.2020. In doing so Members took account of the Local Government (Miscellaneous Provisions) Act 1976, Human Rights Act 1998, case law, Council Policy and the Licensee's oral representations.

The Licensee said he had taken his children out of school for a holiday and was at first unaware that he had been fined. He said he also holds an operator licence and does not believe the conviction will impact on his fitness.

Members noted that the Licensee had made the authority aware of a summons and conviction for an offence of failing to secure regular school attendance.

Members gave the licensee credit for acting in accordance with their Policy and noted the Licensee had been licensed since 2016 without complaint or incident. In all the circumstances Members did not consider the offence impacted on the licensee's fitness to hold a licence and take no further action.

The meeting ended at 12.55 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

LICENSING SUB-COMMITTEE

Thursday, 22nd April, 2021, 10.00 am

Councillors: Manda Rigby (Chair), Steve Hedges and Sally Davis

Officers in attendance: Carrie-Ann Evans (Deputy Team Leader, Legal Services) and Terrill Wolyn (Senior Licensing Officer)

79 WELCOME & INTRODUCTIONS

The Chair welcomed those present to the meeting and introduced the other members of the Sub-Committee and the officers in attendance.

80 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

81 DECLARATIONS OF INTEREST

There were none.

82 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

83 LICENSING PROCEDURE

The Chair explained the procedure for the meeting to all parties who were present.

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

84 APPLICATION - BATH AQUA GLASS, 105 – 107 WALCOT STREET, BATH BA1 5BW

The Senior Licensing Officer outlined the application to the Sub-Committee. She explained that it was for a new Premises Licence for Bath Aqua Glass, 105 – 107 Walcot Street, Bath BA1 5BW and highlighted the following areas from the report.

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

The application proposes the following opening times:

Monday to Saturday 09:00 to 23:30 hours

Sunday 10:00 to 16:30 hours

During the statutory period, a representation of objection was submitted by the Police expressing concerns in respect of the Prevention of Public Nuisance and the Prevention of Crime and Disorder licensing objectives.

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 objectives.

The applicant addressed the Sub-Committee regarding their application and was questioned by them and the interested parties present.

The interested parties addressed the Sub-Committee regarding their objections to the application and were questioned by them and the applicant.

The Responsible Authorities representative addressed the Sub-Committee regarding their objections to the application and was questioned by them.

Decision and Reasons

Members have determined an application for a new Premises Licence at Bath Aqua Glass, 105-107 Walcot Street, Bath, BA1 5BW. In doing so they have taken into consideration the Licensing Act 2003, Statutory Guidance, the Council's Policy, Human Rights Act 1998 and case law.

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

The Applicant

Mr and Mrs Dolan attended on behalf of the applicant. Ms Dolan stated that the plan is to facilitate the visitors that they already have coming in by providing a café style business which is an artisan centre with food and drink both alcoholic and non-alcoholic. The applicant indicated they do not want people outside drinking and smoking, if anybody comes to a session at Bath Aqua Glass it is as an arts and crafts centre, not a pub. Mrs Dolan indicated that they want to be able to sell a bottle of wine with tumblers and decanters as a set and post out and for that they need a licence. The reason for the sale of alcohol being sought later in the evening is that they do corporate evenings and so the licence is needed to accommodate that.

As a response to the objections received in respect of the application, the applicant provided additional information in writing proposing amendments as follows:

- I. The terminal hour for the sale of alcohol shall be 21:00 hours (applies Monday to Saturday inclusive as the earlier time of 16:00 applied for in respect of Sundays). On questioning by Members Mrs Dolan confirmed verbally to the committee that they would be prepared to reduce the sale of alcohol further to 2000 Monday to Saturday inclusive.
- II. No alcohol to be served outside the front of the building at any time.

Responsible Authorities

Paul Kendall Police Licensing Officer, had made an objection on behalf of the Avon & Somerset Constabulary, expressing concerns in respect of the Prevention of Public Nuisance and the Prevention of Crime and Disorder licensing objectives. Mr Kendall indicated orally to the committee that a number of residents had approached the police concerned about the proposed time for sale of alcohol. The police were concerned about having two premises side by side in relation to the Prevention of Crime and Disorder licensing objective. The police had proposed additional measures to mitigate their concerns which were as follows:

- 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.

Mr Kendall acknowledged that in the light of the applicants' response to representations, his additional measure number iv. was no longer in issue as the applicants do not propose to sell alcohol for consumption within the external area. Mr Kendall also confirmed that in the light of the additional measures offered by the applicant an amendment to his proposed condition iii. as follows would be acceptable to the police:

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

Other Persons

Three representations of objection have been received from people living within the vicinity of the premises. Their concerns are that the proposed licence would have a detrimental effect on the Prevention of Public Nuisance and Public Safety licensing objectives.

Ms Whiting made oral representations and confirmed that she is concerned about noise level being unacceptable, not in the daytime but in the evening, and she is

concerned about safety and the impact of having another premises selling alcohol in the vicinity.

Ms Williams addressed members orally and expressed the view that another alcohol premises was not needed in the area and she was particularly concerned about the impact of hen parties at the premises on noise once they are offered alcohol.

On questioning both Ms Whiting and Williams confirmed that they did not take issue with sale of alcohol until 5pm, as indicated in their written representations. Members explained to Ms Whiting and Ms Williams that noise related to the furnace and fan extraction are not matters for the licensing committee and if there are concerns related to the noise generated by those, that would be a matter for Environmental Protection.

In determining this application Members were careful to take account of the relevant written and oral representations both for and against the application and balanced their competing interests.

Members disregarded issues described in relation to neighbouring premises since this application should be considered on its own merits. Members noted that licensing is a permissive regime and did not consider there to be evidence to demonstrate that granting this licence would undermine the Licensing Objectives raised in representations in a way that could not be mitigated with appropriate and proportionate conditions.

Accordingly, Members grant the application as applied for with the additional conditions offered by the applicant within the additional information as follows:

- The sale of alcohol for consumption on and off the premises on Monday to Saturday inclusive shall be from 09:00 to 20:00 hours
- No alcohol sold for consumption off premises shall be consumed within the external area situated to the front of the premises

And members make the following additional condition as proposed by the Police including the amendment as discussed during the course of the hearing:

- All alcohol sold for consumption off premises shall be supplied in sealed containers

Authority is therefore delegated to the licensing officer to issue the licence.

The meeting ended at 11.30 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

**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.

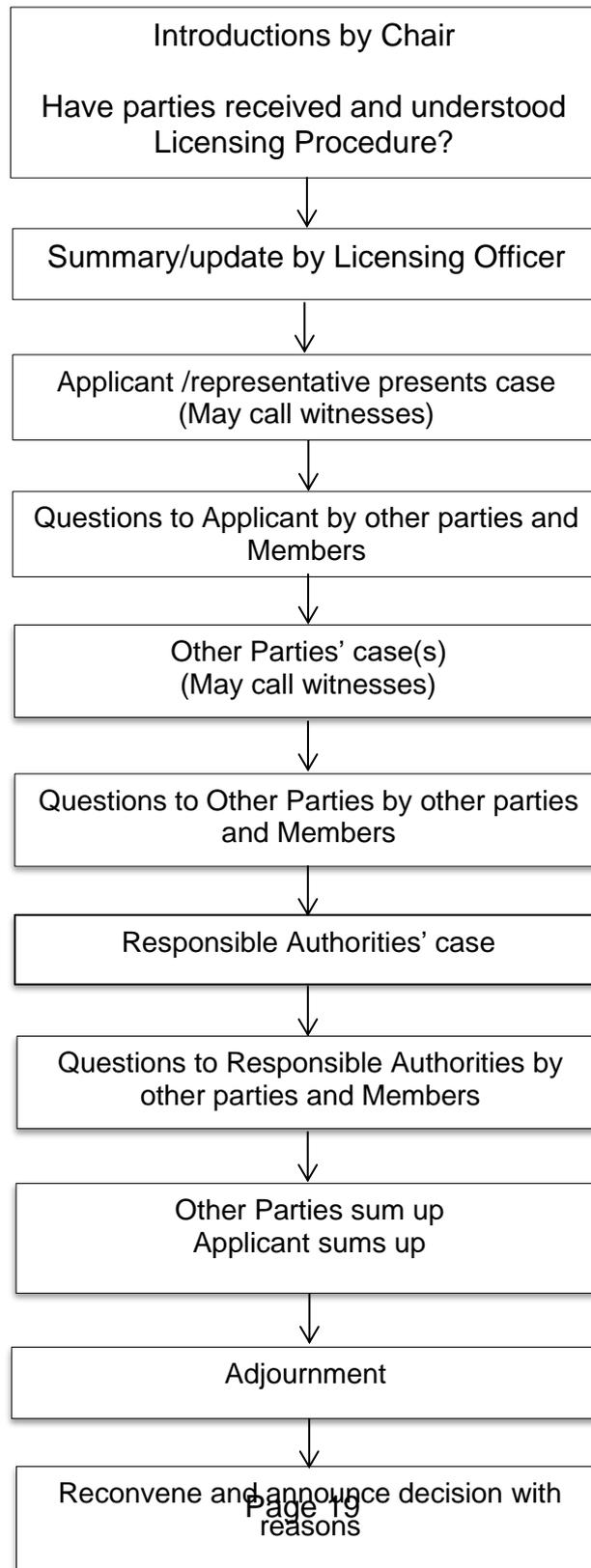
PLEASE NOTE:

- 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 3 June 2021	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Chick O'land 17a High Street, Keynsham, Bristol BS31 1DP	
WARD:	Keynsham North	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for a new premises licence & accompanying plans		
Annex B Police representation of objection		
Annex C Applicant's agreement to police measures		

1 THE ISSUE

1.1 An application has been made under s.17 Licensing Act 2003 by Musa Duran in respect of a premises licence for Chick O' land, 17a High Street, Keynsham, Bristol BS31 1DP.

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 with supporting plans (Annex A).

3.2 The application proposes the following licensable activity:

The Sale of Alcohol for consumption off the premises:

Everyday 12:00 to 06:00 hours the following morning

The Provision of Late-Night Refreshment:

Everyday 23:00 to 05:00 hours the following morning

3.3 The application proposes the following opening times:

Every Day 12:00 to 06:00 hours the following morning

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

- THE DPS WILL ENSURE THAT ALL MEMBERS OF STAFF ARE FULLY TRAINED WITH RESPECT TO THEIR RESPONSIBILITIES IN THE SALE OF ALCOHOL AND REFRESHMENT TRAINING WILL ALSO BE UNDERTAKEN. TRAINING RECORDS WILL BE KEPT AT THE PREMISE.
- A CCTV SYSTEM IS INSTALLED PROVIDING GOOD IMAGE QUALITY AND COVERING ALL INTERNAL AREAS. IMAGES SHALL BE RETAINED FOR A MINIMUM PERIOD OF 28 DAYS. IF THE CCTV IS NOT OPERATING, THE POLICE AND LOCAL AUTHORITY WILL BE INFORMED AND NECESSARY ACTION WILL BE TAKEN TO PUT THE EQUIPMENT BACK INTO ACTION.
- A SIGN REQUESTING CUSTOMERS TO LEAVE THE PREMISE QUIETLY TO RESPECT NEIGHBOURS WILL BE IN PLACE.
- PROMINENT, CLEAR AND LEGIBLE NOTICES ARE TO BE DISPLAYED ON EXITS REQUESTING THE PUBLIC TO RESPECT
- THE NEEDS OF LOCAL RESIDENTS AND TO LEAVE THE PREMISES AND THE AREA QUIETLY
- A BOOK WILL BE AVAILABLE FOR RECORDING NUISANCE COMPLAINTS
- STAFF WILL BE TRAINED REGULARLY ABOUT THE CHALLENGE 25 POLICY. ID WILL BE ASKED TO ANY PERSON WHO APPEARS TO BE UNDER 25.
- ANY REFUSAL FOR SALE OF ALCOHOL WILL BE RECORDED IN THE REFUSAL LOG.
- FOR ONLINE DELIVERY DRIVERS WILL BE TRAINED ON THE SALE OF ALCOHOL AND THEY WILL ASK FOR ID AT DELIVERY.

- 3.5 The Licensing Act 2003 (Section 4) states that it is the duty of all Licensing Authorities to carry out their functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 3.6 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.
- 3.7 The Licensing Authority may grant the application with or without additional conditions.
- 3.8 Section 4(3) Licensing Act 2003 states that the Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:
- 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
- 3.9 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.
- 3.10 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates' Court. If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates' Court. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 3.11 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.

3.12 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.

3.13 A representation of objection has been received within the statutory period from the Police, expressing concern that the applicant's proposals are likely to undermine the Prevention of Crime and Disorder licensing objective (Annex B). Within the representation, measures have been proposed by the Police to mitigate these concerns.

3.14 In response to the Police representation, the applicant has agreed to the measures proposed by the Police (Annex C)

3.15 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

8.1 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	Michael Dando, Lead Public Protection Officer (Licensing) 01225 477946
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

Chick O'land
High Street

Keynsham

Postcode

BS31 1DP

Telephone number of premises

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

£8,000.00

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

First names

Surname:

Are you 18 years or older? Yes No

Date of Birth

Current postal address if different from premises address

Postcode

Daytime contact telephone number

Email address

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Title

First names

Surname

Date of Birth (you must be 18 years old or over)

Current postal address if different from premises address

Postcode

Daytime contact telephone number

Email address

OTHER APPLICANTS

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

Name

--

Address

--

Registered number (where applicable)

--

Description of applicant (for example, partnership, company, unincorporated association etc.)

--

Telephone number (if any)

--

Email address (optional)

--

Operating Schedule

When do you want the premises licence to start?

05/05/2021

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

The Premises Are Being Used As A Restaurant-Takeaway. They Sell
Pizza
Burgers And Kebap.

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)

C

Indoor Sporting Events Standard days and timings (please read guidance note 6)				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)	
Mon	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Tues	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Wed	<input type="text"/>	<input type="text"/>		State any seasonal variations for indoor sporting events (please read guidance note 4)
	<input type="text"/>	<input type="text"/>		
Thur	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for indoor sporting events at different times than those listed, please list (please read guidance note 5)	
	<input type="text"/>	<input type="text"/>		
Sat	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Sun	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both? (please read guidance note 2)		Indoors	<input type="checkbox"/>				
					Outdoors	<input type="checkbox"/>				
					Both	<input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)							
Mon	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Tues	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Wed	<input type="text"/>	<input type="text"/>					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
	<input type="text"/>	<input type="text"/>								
Thur	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Fri	<input type="text"/>	<input type="text"/>					Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times than those listed, please list (please read guidance note 5)			
	<input type="text"/>	<input type="text"/>								
Sat	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Sun	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both? (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)			
Mon	<input type="text"/>	<input type="text"/>	<div style="border: 1px solid black; height: 100%; width: 100%;"></div>			
	<input type="text"/>	<input type="text"/>				
Tues	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Wed	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Thur	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Fri	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Sat	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Sun	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both? (please read guidance note 2)		Indoors	<input type="checkbox"/>				
					Outdoors	<input type="checkbox"/>				
					Both	<input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)							
Mon	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Tues	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Wed	<input type="text"/>	<input type="text"/>					State any seasonal variations for playing recorded music (please read guidance note 4)			
	<input type="text"/>	<input type="text"/>								
Thur	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times than those listed, please list (please read guidance note 5)							
	<input type="text"/>	<input type="text"/>								
Sat	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								
Sun	<input type="text"/>	<input type="text"/>								
	<input type="text"/>	<input type="text"/>								

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both? (please read guidance note 2)	Indoors <input type="checkbox"/>				
				Outdoors <input type="checkbox"/>				
				Both <input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>				State any seasonal variations for the performance of dance (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times than those listed, please list (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>					
			<p>Will the performance of dance take place indoors or outdoors or both? (please read guidance note 2)</p>		Indoors	<input type="checkbox"/>		
					Outdoors	<input type="checkbox"/>		
					Both	<input type="checkbox"/>		
Day	Start time	Finish time	<p>Please give further details here (please read guidance note 3)</p>					
Mon	<input type="text"/>	<input type="text"/>	<div style="border: 1px solid black; height: 400px; width: 100%;"></div>					
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>				<p>Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times than those listed, please list (please read guidance note 5)</p>		
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both? (please read guidance note 2)	Indoors <input type="checkbox"/>				
				Outdoors <input checked="" type="checkbox"/>				
				Both <input type="checkbox"/>				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text" value="23:00"/>	<input type="text" value="05:00"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text" value="23:00"/>	<input type="text" value="05:00"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text" value="23:00"/>	<input type="text" value="05:00"/>				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text" value="23:00"/>	<input type="text" value="05:00"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text" value="23:00"/>	<input type="text" value="05:00"/>	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times than those listed, please list (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text" value="23:00"/>	<input type="text" value="05:00"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text" value="23:00"/>	<input type="text" value="05:00"/>						
	<input type="text"/>	<input type="text"/>						

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 checked="" type="checkbox"/>				
				Both <input type="checkbox"/>				
Day	Start time	Finish time	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	12:00	06:00	<div style="border: 1px solid black; height: 100%; width: 100%;"></div>					
Tues	12:00	06:00						
Wed	12:00	06:00						
Thur	12:00	06:00				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)		
Fri	12:00	06:00						
Sat	12:00	06:00						
Sun	12:00	06:00						

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

Title	Mr
First Name(s)	Musa
Surname	Duran
Date of Birth	[REDACTED]
Address	[REDACTED] Bristol
Postcode	[REDACTED]
Personal licence number	21/01132/LAPER
Issuing licensing authority	Bristol City Council

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)

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	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)		
Mon	<input type="text" value="12:00"/>	<input type="text" value="06:00"/>			
	<input type="text"/>	<input type="text"/>			
Tues	<input type="text" value="12:00"/>	<input type="text" value="06:00"/>			
	<input type="text"/>	<input type="text"/>			
Wed	<input type="text" value="12:00"/>	<input type="text" value="06:00"/>			
	<input type="text"/>	<input type="text"/>			
Thur	<input type="text" value="12:00"/>	<input type="text" value="06:00"/>			
	<input type="text"/>	<input type="text"/>			
Fri	<input type="text" value="12:00"/>	<input type="text" value="06:00"/>			
	<input type="text"/>	<input type="text"/>			
Sat	<input type="text" value="12:00"/>	<input type="text" value="06:00"/>			
	<input type="text"/>	<input type="text"/>			
Sun	<input type="text" value="12:00"/>	<input type="text" value="06:00"/>			
	<input type="text"/>	<input type="text"/>			

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 DPS WILL ENSURE THAT ALL MEMBERS OF STAFF ARE FULLY TRAINED WITH RESPECT TO THEIR RESPONSIBILITIES IN THE SALE OF ALCOHOL AND REFRESHMENT TRAINING WILL ALSO BE UNDERTAKEN. TRAINING RECORDS WILL BE KEPT AT THE PREMISE.

b) The prevention of crime and disorder

A CCTV SYSTEM IS INSTALLED PROVIDING GOOD IMAGE QUALITY AND COVERING ALL INTERNAL AREAS. IMAGES SHALL BE RETAINED FOR A MINIMUM PERIOD OF 28 DAYS. IF THE CCTV IS NOT OPERATING, THE POLICE AND LOCAL AUTHORITY WILL BE INFORMED AND NECESSARY ACTION WILL BE TAKEN TO PUT THE EQUIPMENT BACK INTO ACTION.

c) Public safety

- SIGN REQUESTING CUSTOMERS TO LEAVE THE PREMISE QUIETLY TO RESPECT NEIGHBOURS WILL BE IN PLACE.

d) The prevention of public nuisance

- HOURS OF OPERATION
- PROMINENT, CLEAR AND LEGIBLE NOTICES ARE TO BE DISPLAYED ON EXITS REQUESTING THE PUBLIC TO RESPECT THE NEEDS OF LOCAL RESIDENTS AND TO LEAVE THE PREMISES AND THE AREA QUIETLY
- BOOK FOR RECORDING NUISANCE COMPLAINTS

e) The protection of children from harm

STAFF WILL BE TRAINED REGULARLY ABOUT THE CHALLENGE 25 POLICY. ID WILL BE ASKED TO ANY PERSON WHO APPEARS TO BE UNDER 25. FORMS OF IDENTIFICATION ACCEPTED ARE A VALID PASSPORT, PHOTOCARD ID. ANY REFUSAL FOR SALE OF ALCOHOL WILL BE RECORDED AT THE REFUSAL LOG. • FOR ONLINE DELIVERY DRIVERS WILL BE TRAINED ON THE SALE OF ALCOHOL AND THEY WILL ASK FOR ID AT DELIVERY.

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.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK.

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate.

Declaration (please read guidance note 10)

Confirmation of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name

Emine Yurdakul

Date

02/04/2021

Capacity (owner, director etc.)

Director

For joint applications confirmation of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12) **If confirming on behalf of the applicant please state in what capacity.**

Confirmation

Name

Date

Capacity (owner, director etc.)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Name

Address

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by email, your email address (optional)

planning@██████████.co.uk

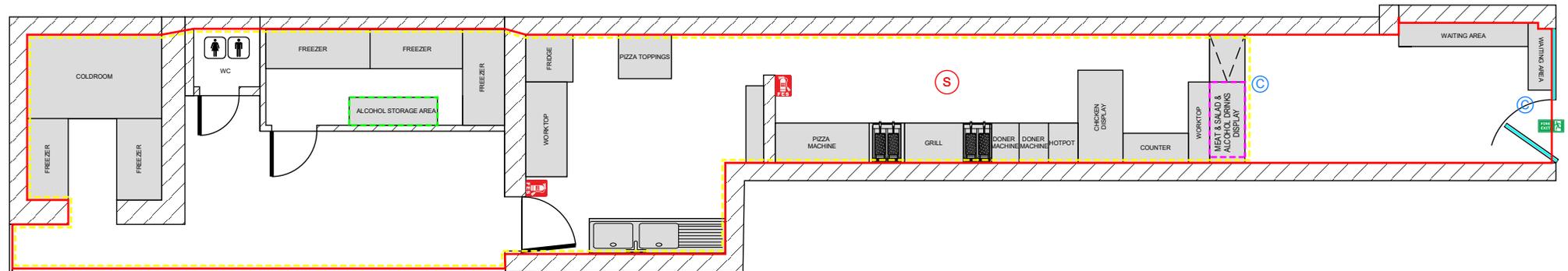
Use this page if there is any other information that you think we should know about.
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.

CURRENT PLAN



- FIRE EXIT
- SMOKE DEDECTOR
- SECURITY CAM
- FIRE EXTINGUISHER STATION
- WINDOW
- Alcohol Boundary
- Alcohol Display Area
- Alcohol Storage Area
- Kitchen and Staff Only Area

PROPOSED PLAN



NOT FOR CONSTRUCTION

<p>BELMOR 105 Sumatra Road, Suite 8 - 1, NW6 1PL T: 0203 856 8089 M: 0791 784 7466 E-Mail: info@belmorsolutions.co.uk http://www.belmorsolutions.co.uk</p>	<p>CLIENT MUSA DURAN</p>	<p>PROJECT CHICK-O-LAND PROJECT</p>	<p>DATE 01.04.2021</p>	<p>DRAWN BY BELMOR BY U.C</p>	<p>DESCRIPTION CURRENT & PROPOSED PLAN</p>	<p>CLIENT ADDRESS 17A High Street, Keynsham, Bristol, BS31 1DP</p>	<p>1/1- A4</p>
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ANNEX B



**Avon & Somerset Constabulary
Representations: Licensing Act 2003.**

Your Name	Paul Kendall	
Job Title	Licensing Officer, Bath and North East Somerset LPA	
Postal and email address	Redbridge House Lower Bristol Road Bath BA2 3EW	
Contact telephone number/e-mail address	[REDACTED] [REDACTED]	
Name and address of the premises you are making representations about.	Chick O'Land, 17A, High Street, Keynsham BS31 1DP	
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes	The steps offered to promote the four licensing objectives in Section M offered by the applicant are satisfactory.
General – all four licensing objectives.	Yes	Police are concerned that the premises will become a final destination premises, causing those who have been drinking in various local establishments (already into the early hours) to gravitate to the premises which is located in an area that already suffers incidents of alcohol related crime and disorder.
To prevent Public Nuisance	Yes	Premises will be the latest opening premises in Keynsham High Street selling alcohol. The location is close to The Old Bank and the Wine Bar who currently open to 0200 This part of the High Street has the largest concentration of premises selling alcohol and late night refreshment. As a result it is also the biggest area of crime and disorder. Three other licensed premises are further down the High Street, The Ship open until 0200, The Trout 0130 and Bonzo Lounge 0030
To prevent crime and disorder	Yes	Premises have applied to extend opening hours for the following: Supply alcohol from 1200 hours to 0600 hours on every day of the week. Premises has currently has no licence to sell alcohol Late night refreshment. Currently has a licence on Friday and Saturday 1200 hours to 0100 and 1200-midnight the rest of the week. Other late night refreshment premises in Keynsham High Street remain open as follows: M&M Kebab, Pizza and Fried Chicken 0100 hours Jerk Yard 0230 hours Indigo Kitchen 0230 hours Current opening hours until 0100. Application is to extend this Page 48

Public Safety	No	
Protection of Children from harm	Yes	
Would this be suitable for resolution without a hearing if all parties agree?	Yes	
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	<p>Police would like to see the below conditions which would reduce crime and disorder in the High Street.:</p> <ol style="list-style-type: none"> 1. No walk in's to premises for sale of alcohol and food after 0200 seven days a week. This is an extension from the current licence 2. Deliveries of food and alcohol only via Just Eat/Deliveroo until 0500 through the night but closed for customers walking in to premises after 0200 . 3. Staff delivering alcohol must be 18 years or over 4. Deliveries will only be made to a fixed postal address, 5. Each delivery will be accompanied by an itemised bill and the vehicle will not carry any alcohol not shown as sold. The only exception will be refund delivery. 	

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: 07/05/2021

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

ANNEX C

Dear Mr Skoupras

From a police point of view I am prepared to accept your conformation to the conditions of my representation. You will need to contact Bath and North East Somerset Licensing as I believe this will still have to go to committee.

Regards

Paul Kendall

Licensing Officer BANES

Neighbourhood and partnership directorate. Avon and Somerset Police
Bath Police Centre, Redbridge House, Bath BA2 3EW

Tel | Ext [REDACTED]

Email [k](#)

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Avon and Somerset Police
SERVE. PROTECT. RESPECT.

From: Anestis Skoupras <>

Sent: 14 May 2021 12:24

To: Paul Kendall <[k](#)>

Subject: FW: Chick O'land - Hearing Notification Letter and Police Representation

Dear Mr. Kendall,

I hope this email finds you well.

The licensing officer Mr. Wolyn has advised that a representation was received from yourself.

We have read all of your comments and would agree with the suggested conditions.

Can this email be accepted as confirmation to accept all conditions?

Kind regards,

Anestis Skoupras.

Belmor Solutions.