

Licensing Sub-Committee

Date: Wednesday, 27th July, 2022

Time: 10.00 am

Venue: Council Chamber - Guildhall, Bath

Councillors: Rob Appleyard, Michael Evans and
Steve Hedges

Chief Executive and other appropriate officers
Press and Public

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



Mark Durnford

Democratic Services

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NOTES:

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

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

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.

Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.

Further details of the scheme can be found at:

<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 - Wednesday, 27th July, 2022

at 10.00 am in the Council Chamber - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

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

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

5. MINUTES OF PREVIOUS MEETING: 14TH JULY 2022 (Pages 5 - 10)

6. LICENSING PROCEDURE (Pages 11 - 14)

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

7. APPLICATION FOR A NEW PREMISES LICENCE FOR THE CORK AND TRUCKLE, 4 ABBEY GREEN, BATH. BA1 1NW (Pages 15 - 52)

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, 14th July, 2022

Present:- Councillors Rob Appleyard (Chair), Steve Hedges and Sally Davis

Also in attendance: Carrie-Ann Evans (Team Leader, Legal Services) and Geoff Cannon (Public Protection Officer (Licensing))

32 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer advised the meeting of the procedure.

33 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

34 DECLARATIONS OF INTEREST

There were none.

35 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

36 MINUTES OF PREVIOUS MEETING: 30TH JUNE 2022

The Sub-Committee **RESOLVED** that the minutes of the previous meeting be agreed as a correct record and signed by the Chair.

37 LICENSING PROCEDURE

The Chair explained the procedure for the meeting and all parties confirmed that they had received and understood it.

38 APPLICATION FOR A VARIATION OF A PREMISES LICENCE FOR VINO VINO, 5 - 6 SEVEN DIALS, SAWCLOSE, BATH. BA1 1EN

The Public Protection Officer (Licensing) presented the report to the Sub-Committee. He explained that an application had been received from Rosh Limited Suite 2, Gascoyne House, Upper Borough Walls Bath to vary the Premises licence for Vino Vino restaurant 5-6 Seven Dials, Saw Close, Bath.

He stated that the application proposes the following variations to the existing licence:

Add Regulated Entertainment by way of Live and Recorded Music:
Monday to Saturday - 23:00 to 01:00 hours the following morning
Sunday - 23:00 until midnight.

Extend the terminal hour for the sale of alcohol on Monday to Saturday to 01:30 hours the following morning and on Sundays to midnight.

Vary the start time for the sale of alcohol on Sundays from 10:00 hours to 08:00 hours.

Extend the terminal hour for late night refreshment on Monday to Saturday to 01:30 hours the following morning, and on Sundays to midnight.

Extend the closing time Monday to Saturday to 02:00 hours the following morning and on Sunday to 00:30 the following morning thus providing a 30- minute drinking-up period after the last proposed sale of alcohol.

Vary the opening time on Sundays from 09:00 hours to 08:00 hours.

Add non-standard activity timings for regulated Live and Recorded Music, the Sale of Alcohol & Late-night Refreshment as detailed within the operating schedule.

Add non-standard opening times as detailed within the operating schedule.

Remove the following conditions as stated within the current operating schedule:

- There will be no use of outside areas after 00:30
- No cans of beer or lager shall be available.

Offer new conditions to further promote the licensing objectives, following preapplication consultation with the Police.

No change is proposed to the existing non-standard timings in relation to the sale of alcohol and late-night refreshment on New Year's Eve which shall remain as per the current licence.

He added that the following measures have been offered by the applicant to promote the licensing objectives in addition to existing conditions attached to the operating schedule:

- Waiter/waitress service shall be available at the premises.
- Regulated Entertainment by way of the performance of live music or the playing of recorded music shall not be provided outdoors beyond midnight.
- The premises shall operate a "Challenge 21" age verification policy.

A notice advising that such a policy is in operation shall be prominently displayed at the premises.

Decision and Reasons

Members have determined an application to vary a Premises Licence at VINO VINO, 5-6 Seven Dials, Sawclose, Bath, BA1 1EN. In doing so they have taken into consideration the Licensing Act 2003, Statutory Guidance, the Council's Policy which includes the Cumulative Impact 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 proposed premises falls within BANES' Cumulative Impact Area which means that pursuant to the Council's policy there is a rebuttable presumption that for variations relating to "on trade", premises will be refused if relevant representations are received, unless the applicant can demonstrate that the operation of the premises will not add to the cumulative impact already being experienced. "On trade" means the sale of alcohol for consumption on the premises.

Members noted that the applicant had submitted three lots of additional information prior to the hearing comprising, a 10 page bundle of documents, premises licence summaries for other premises in the vicinity and e-mail correspondence with Paul Kendall, Licensing Officer for Avon & Somerset Police, all of which they had regard to and which are appended to the Minutes of the LSC.

Terrill Wolyn, agent for the applicant addressed members in oral representations and noted that there had been no representations from Responsible Authorities or residents' associations; the police had been consulted in pre-application discussions and had expressed no concerns about the proposals, furthermore, they had indicated that no premises from Saw Close were on the list of impactful premises since 2020 and this was relevant in relation to the Cumulative Impact Policy.

Expanding on Cumulative Impact, Ms Wolyn explained that members should consider the style and characteristics of the premises; this is not a nightclub or high-capacity pub, the police did not consider it necessary to object to any of the proposals nor necessary to make representations to engage the policy, further the heat map appended to BANES' Policy, details no incidents in Saw Close.

The applicant had addressed the measures to be considered to be added to a licence to rebut the presumption of refusal and these could be found at pages 5-7 of the additional information bundle 1. The applicant had also carefully considered the times applied for to not coincide with any other premises in Saw Close. Ms Wolyn noted that in relation to regulated entertainment, between 0800 and 2300, the music currently benefits from government deregulation, and it does not matter what genre of music is played as that is not regulated. Ms Wolyn indicated that there was no requirement for permission in relation to the mounted speakers under the Licensing Act 2003.

There was a written representation of objection from Mr & Mrs Digney who are residents in Bath and business owners of the Garrick's Head which is a business

premises in close proximity to the application premises. Mr & Mrs Digney had submitted additional information prior to the hearing comprising two photographs of external speakers at the premises, a Register plan from the Land Registry and a statement from Darron Wisdom, all of which are appended to the Minutes of LSC and which Members had taken into account.

Mr & Mrs Digney objected to the application based upon the Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety licensing objectives. They addressed members orally at the licensing committee and indicated that the extended trading hours proposed would make the business a destination for late night drinking types and that this would fundamentally change the dynamic of the customer mix in the Saw Close area away from families and couples in favour of large groups of younger individuals.

Mr Digney indicated that the music from the speakers is a nuisance, which they and their customers complain about. It was noted that the proposed closing time was the same as Flan O'Brien's of 2am. Mr Digney noted in relation to the police response regarding impactful premises that that included a timeframe covering lockdown.

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 noted that when there had been a perceived issue with the music from the objectors, they had raised this with the applicant who had turned the music down, they commended them for this co-operative approach and encourage positive communication to continue.

Members noted that there had been no representations from Responsible Authorities which includes the police, Highways, Planning, Environmental Protection and the licensing authority. Notably, the police had indicated that there are no impactful premises in Saw Close.

Members noted that there have been no complaints received by BANES regarding VINO VINO in the last three years. There had been one incident where an EHO and licensing officer who were passing the premises had observed music playing from the outside speakers at a volume above conversation level at 00:05 on 23/11/21, but this was not excessively loud, was the opinion of the EHO and this was deemed to not warrant a formal warning letter.

Whilst Members took on board the concerns of the objectors, on balance, on the evidence before them, they did not find that the application if granted would fundamentally change the dynamic of the customer mix in the Saw Close area, nor was there evidence to suggest there was a risk of creating a high potential of violent and disorderly behaviour.

The premises is a licensed restaurant and wine bar with table service. No vertical drinking is permitted at the bar and there is no dance floor, and members were satisfied that the measures offered by the applicant in their operating schedule such as waiter/waitress service being available and no regulated entertainment outside after midnight, would promote the licensing objectives.

Members were satisfied that the applicant had demonstrated that the operation of the premises would not add to the cumulative impact already being experienced, for reasons noted above including the style and characteristics of the premises and the fact that there are no impactful premises in Saw Close.

Members were satisfied on the evidence they heard and read that the application would promote the licensing objectives of prevention of crime and disorder, prevention of public nuisance and public safety.

Authority is therefore delegated to the licensing officer to issue the licence as applied for.

The meeting ended at 12.18 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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

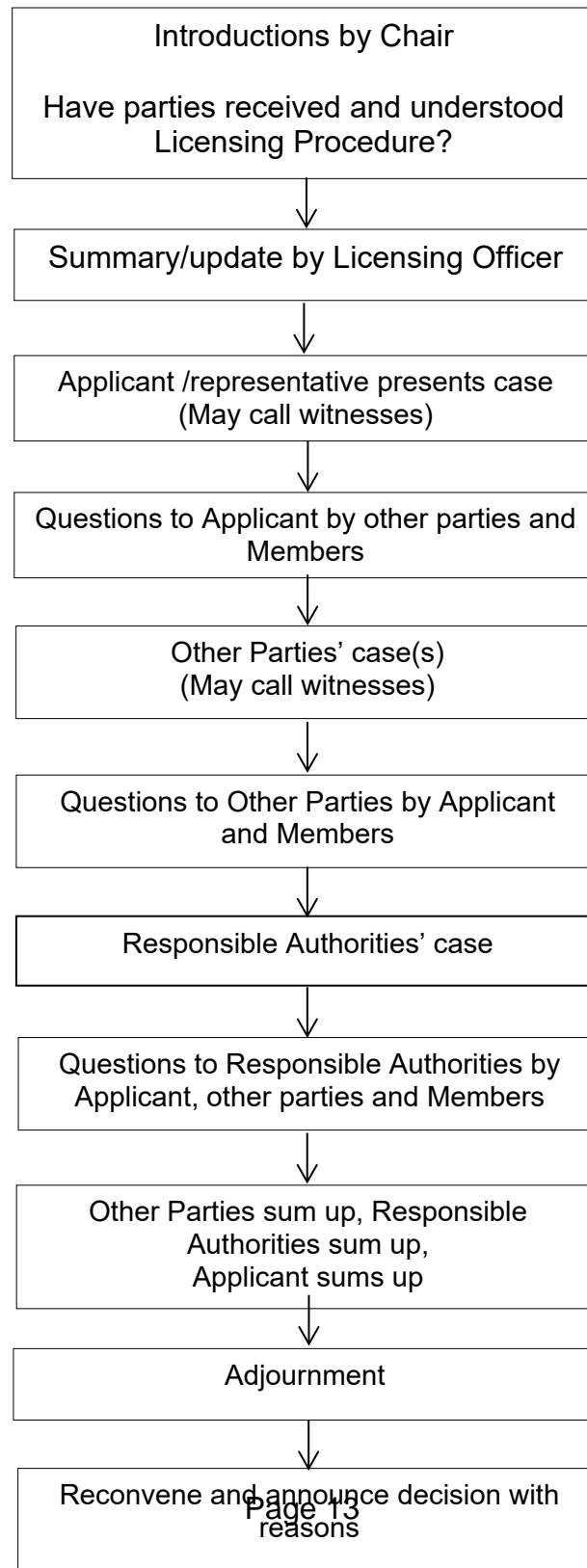
The Sub-Committee will reconvene the meeting and the Chair will announce the Sub-Committee's decision with reasons and advise that the decision will be released in writing within the statutory time limits or advise that the decision will

PLEASE NOTE:

- 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	Wednesday 27 July 2022	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Application for a New Premises Licence for: The Cork and Truckle 4 Abbey Green Bath BA1 1NW	
WARD:	KINGSMEAD	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for a new premises licence.		
Annex B Floor plans submitted with application.		
Annex C Representation of objection received.		
Annex D Correspondence between Licensing Officer and objecting party.		

1 THE ISSUE

- 1.1 An application has been made under s.17 of the Licensing Act 2003 by The Cork and Truckle Limited. The premises is located within the B&NES Cumulative Impact Area and The Cumulative Impact Policy is relevant to this application.
- 1.2 A relevant representation has 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 from The Cork and Truckle Limited for a new premises licence for The Cork and Truckle, 4 Abbey Green Bath BA1 1NW. The premises is described as 'A quality wine and cheese merchants retailing a selection of locally produced wines, spirits and cheeses and other complimentary products. (Annex A).

3.2 The application proposes the following licensable activities:

- The supply of alcohol for consumption on and off the premises 09:00hrs to 21:00hrs every day

3.3 The application proposes the following opening times:

- 09:00hrs to 21:30hrs every day.

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

- As the premises is primarily a retail outlet, the sale of alcohol for consumption "on the premises" shall be limited to occasional tasting/promotional events, and the official period of Bath's Christmas Market (including any soft opening for residents) whilst customers browse/shop in store.
- All staff are to be trained in the prevention of under-age sales to a level commensurate with their duties. The training shall be clearly documented and signed and dated by the trainer and member of staff receiving it. The documentation shall be available to the Police and the Licensing Authority upon request.
- CCTV shall be installed and maintained to the satisfaction of the Police and in accordance with ICO guidelines. Recordings shall be of evidential quality, retained for a minimum of 28 days, and produced at the request of the Police or Licensing Authority. A notice advising CCTV is in operation shall be displayed at the entrance.
- Alcohol sold for consumption off premises shall be supplied in sealed containers except for:
 - i) alcohol sold for consumption within an area for which a table and chairs permit, pavement licence or similar has been issued to the premises.
 - ii) alcohol sold during the Bath Christmas Market, for example, mulled wine.
- A Refusal/Incident Log shall be maintained, kept at the premises, and produced for inspection by the Police or Licensing Authority upon request
- No more than 8 customers shall be permitted in the basement at any given time.
- No more than 16 customers may attend a promotional tasting event held at the premises.
- Measures offered in respect of the installation of CCTV, the keeping of a Refusal/Incident log, staff training in respect of under-age sales, the implementation of "Challenge 21" and the limit on the number of customers who may attend a tasting/promotional event at the premises shall all serve to promote the prevention of public nuisance licensing objective.
- A "Challenge 21" age verification policy shall be implemented at the

premises.

- Signage shall be prominently displayed at the premises advising "Challenge 21" is in operation.
- In respect of telephone and online orders, customers will be notified that deliveries of alcohol can only be made to persons aged 18 years or over, and that age verification will be required upon delivery.

3.5 The floor plans detailing the extent of the proposed licensed premises is attached **(Annex B)**.

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

- a) the prevention of crime and disorder.
- b) public safety.
- c) the prevention of public nuisance; and
- d) the protection of children from harm.

3.7 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.

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

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

- a) Paragraphs 3-6, 8-10, 13-14, 17-24, 29, 33-36, 38-41 of the 2020 policy.
- b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised April 2018.
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.

3.10 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.

3.11 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.

- 3.12 In accordance with the requirements of the Act, copies of the application were forwarded to the Police, the Fire Authority, the Environmental Protection Team, Development Control, Trading Standards, Health Authority and the Safeguarding Children and Young Persons Team.
- 3.13 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.
- 3.14 A representation of objection has been received within the statutory period from a resident of an address located immediately above the premises. They express concern that the applicant's proposals are likely to undermine the Prevention of Public Nuisance, Prevention of Crime and Disorder and Public Safety objectives **(Annexes C and D)**.
- 3.15 As a relevant representation has 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 reducing 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 (Head of Legal & Democratic Services and Council Solicitor), Section 151 Officer (Director of Finance) and Head of Building Control and Environmental Protection Team, have had the opportunity to input to this report and have cleared it for publication.

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

Contact person	Geoff Cannon Public Protection Officer (Licensing) 07977 228120
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

The Cork & Truckle
4 Abbey Green
Bath

Postcode

BA1 1NW

Telephone number of premises

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

£12,000.00

Trading name of the business

The Cork & Truckle

Part 2 – Applicant Details

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

As a Limited Company

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

The Cork And Truckle Limited

Address

4 Abbey Green
Bath
BA1 1NW

Registered number (where applicable)

14133716

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

Private Limited Company

Telephone number (if any)



Email address (optional)



Operating Schedule

When do you want the premises licence to start?

30/06/2022

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 Cork And Trundle Is A Quality Wine And Cheese Merchant
Retailing A Selection Of Locally Produced Wines
Spirits & Cheeses Along With Chutneys
Gifts

Hampers And Other Complementary Products Such As Cheese
Knives And Chopping Boards.

The Extent Of The Proposed "Licensed" Premises Comprises Of The
Ground Floor And Basement Of 4 Abbey Green As Outlined In Red
On The Accompanying Floor Plans Dated 27/05/2022.

A "Wash-Up" Facility And Toilet Are Also Located On The Ground
Floor.

We Are Requesting A Premises Licence To Authorise The Retail Sale
Of Alcohol For Consumption Both On And Off The Premises As On
Occasion We Would Like To Host Tasting/promotional Events For
Our Customers.

Our Products Shall Also Be Available To Purchase Online For
Delivery Or Collection.

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)

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play 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 performing plays (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 a play 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"/>			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films 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 exhibition of films (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 exhibition of films 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"/>			

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"/>						
	<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 performance of live 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 performance of live 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"/>						

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

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing					
			<div style="border: 1px solid black; height: 100px; width: 100%;"></div>					
						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"/>	<div style="border: 1px solid black; height: 150px; 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"/>	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) and (g) (please read guidance note 4)					
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>					
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>	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)					
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>	<div style="border: 1px solid black; height: 150px; width: 100%;"></div>					
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

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 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 provision of late night refreshment (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 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"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sun	<input type="text"/>	<input type="text"/>			
	<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 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	21:00	N/A					
Tues	09:00	21:00						
Wed	09:00	21:00						
Thur	09:00	21:00				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		
Fri	09:00	21:00						
Sat	09:00	21:00						
Sun	09:00	21:00						

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

Title	<input type="text" value="Mr"/>
First Name(s)	<input type="text" value="William Hendrick Stephanus"/>
Surname	<input type="text" value="Liebenberg"/>
Date of Birth	<input type="text" value="17/08/1983"/>
Address	<div><div></div><div></div></div>
Postcode	<div><div></div><div></div></div>
Personal licence number	<input type="text" value="In process of applying to Wilts."/>
Issuing licensing authority	<input type="text" value="Wiltshire"/>

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	N/A
Mon	09:00	21:30	
Tues	09:00	21:30	
Wed	09:00	21:30	
Thur	09:00	21:30	
Fri	09:00	21:30	
Sat	09:00	21:30	
Sun	09:00	21:30	

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)

As the premises is primarily a retail outlet, the sale of alcohol for consumption "on the premises" shall be limited to occasional tasting/promotional events, and the official period of Bath's Christmas Market (including any soft opening for residents) whilst customers browse/shop in store.

All staff are to be trained in the prevention of under-age sales to a level commensurate with their duties. The training shall be clearly documented and signed and dated by the trainer and member of staff receiving it. The documentation shall be available to the Police and the Licensing Authority upon request.

CCTV shall be installed and maintained to the satisfaction of the Police and in accordance with ICO guidelines. Recordings shall be of evidential quality, retained for a minimum of 28 days, and produced at the request of the Police or Licensing Authority. A notice advising CCTV is in operation shall be displayed at the entrance.

b) The prevention of crime and disorder

Alcohol sold for consumption off premises shall be supplied in sealed containers except for:

- i) alcohol sold for consumption within an area for which a table and chairs permit, pavement licence or similar has been issued to the premises;
- ii) alcohol sold during the Bath Christmas Market, for example, mulled wine.

A Refusal/Incident Log shall be maintained, kept at the premises, and produced for inspection by the Police or Licensing Authority upon request.

Training and CCTV as per Ma) above.

c) Public safety

No more than 8 customers shall be permitted in the basement at any given time.

No more than 16 customers may attend a promotional tasting event held at the premises.

d) The prevention of public nuisance

Measures offered in respect of the installation of CCTV, the keeping of a Refusal/Incident log, staff training in respect of under-age sales, the implementation of "Challenge 21" and the limit on the number of customers who may attend a tasting/promotional event at the premises shall all serve to promote the prevention of public nuisance licensing objective.

e) The protection of children from harm

A "Challenge 21" age verification policy shall be implemented at the premises.

Signage shall be prominently displayed at the premises advising "Challenge 21" is in operation.

In respect of telephone and online orders, customers will be notified that deliveries of alcohol can only be made to persons aged 18 years or over, and that age verification will be required upon delivery.

Custom Process Configuration

XML Specific

Application type	<input type="text"/>
Licence Case Type	<input type="text"/>
Licence Status	<input type="text"/>
XML Template	<input type="text"/>
CAPS Reference	<input type="text" value="22/01404/LAPRE"/>

Payments request

CallingAppID	<input type="text"/>
CallingAppRef	<input type="text"/>
PaymentSourceCode	<input type="text"/>

Response response

PaymentAuthorisationCode	<input type="text" value="091649"/>
IncomeManagementReceiptNumber	<input type="text" value="ZZVF00004692"/>
Originators Reference	<input type="text" value="0001585128"/>
CardScheme	<input type="text" value="DELT"/>
CardType	<input type="text" value="D"/>
PaymentAmount	<input type="text"/>
ResponseCode	<input type="text" value="00000"/>
ResponseDescription	<input type="text" value="The Payment has been Authorised"/>
Number of payment lines	<input type="text"/>

Payment 1

Receipt Number	<input type="text"/>
DueDate	<input type="text"/>
PaymentType	<input type="text"/>
Pay Description	<input type="text"/>
XML Description	<input type="text" value="Premises Licence"/>
PaymentDue	<input type="text" value="£190.00"/>
Paid	<input type="text"/>
Payment Date	<input type="text"/>
Fund	<input type="text"/>
Reference	<input type="text" value="YF2NDB10N98"/>

Form Calculations

Title Casing	<input type="text"/>
Sentence Casing	<input type="text"/>
UPRN for address lookup	<input type="text"/>
Boolean to hide this page	<input type="checkbox"/> <input type="checkbox"/>
Field for email (Bath or Brom)	<input type="text"/>
Field for fee array	<input type="text" value="BandA,100.00,BandB,190.00,BandC,315.00,BandDNoAlcohol,450.00,BandDWithAlcohol,900.00,BandENoAlcohol,635.00,BandEWithAlcohol,1905.00"/>

Other Custom Calculations

Calculation for licensable activities	<input type="text"/>	App Day Tel	<input type="text"/>
Subject Line for Email Out	<input type="text"/>	App Email	<input type="text"/>
Body for Internal Email	<input type="text"/>	App Address	<input type="text"/>
Body for External Email	<input type="text"/>	App DOB	<input type="text"/>
Start Date in XML format	<input type="text"/>	App 2 D Tel	<input type="text"/>
End Date in XML Format	<input type="text"/>	App 2 Email	<input type="text"/>
Hours the TEN covers	<input type="text"/>	App 2 Add	<input type="text"/>
DOB	<input type="text"/>	App 2 DOB	<input type="text"/>
Customer Email Acknowledgment	<input type="text"/>	Agent D Tel	<input type="text"/>
Premise Activities Complete	<input type="text"/>	Agent Add	<input type="text"/>
Premise Activities Part 1	<input type="text"/>	Agent Email	<input type="text"/>
Premise Activities Part 2	<input type="text"/>	Open Hours	<input type="text"/>
Premise Address	<input type="text"/>	App 3 D Tel	<input type="text"/>
TP Address	<input type="text"/>	App 3 Email	<input type="text"/>
TP DOB	<input type="text"/>	Ext Pty Email	<input type="text"/>

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

☒

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.

Declaration (please read guidance note 10)

[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.

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

Terrill Wolyn

Date

01/06/2022

Capacity (owner, director etc.)

Licensing Agent For Applicant

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

Terrill Wolyn

Address

Postcode

Telephone number (if any)

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

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.

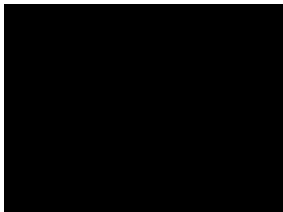
Additional Applicant Ctd (opportunity to tick undernoted statement not presented on screen)

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

Consent of individual to being specified as premises supervisor

I William Hendrick Stephanus Liebenberg

of



[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a
New Premises Licence Application

[type of application]

by

The Cork and Truckle Limited

[name of applicant]

relating to a premises licence n/a

[number of existing licence, if any]

For

The Cork & Truckle
4 Abbey Green
Bath
BA1 1NW

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

The Cork and Truckle Limited

[name of applicant]

concerning the supply of alcohol at

The Cork & Truckle

4 Abbey Green

Bath

BA1 1NW

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

In process of applying for personal licence from Wiltshire Council

[insert personal licence number, if any]

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed William Hendrick Stephanus Liebenberg

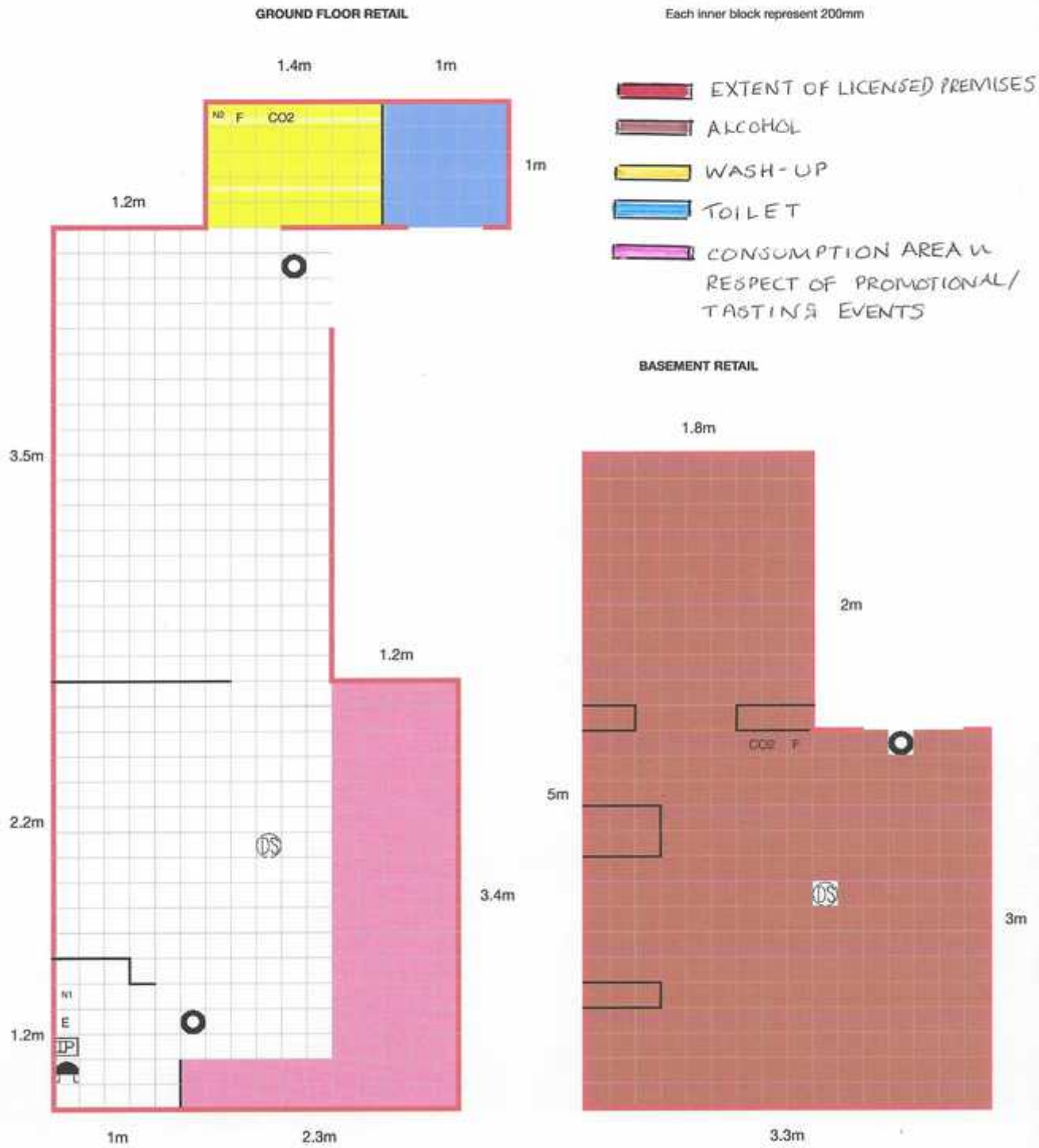
Name (please print) WILLIAM HENDRICK STEPHANUS LIEBENBERG

Date 24/05/2022

Annex B

THE CORK AND TRUCKLE
4 ABBEY GREEN, BATH, BA11NW
PLANS FOR 27 MAY 2022

SCALE
Each inner block represent 200mm



Annex C (original objection)

Dear Sirs,

I would like to make a formal objection to the proposed application made by The Cork and Truckle Limited for sale of retail of alcohol for consumption on and off premises, from 09.00 hours to 21.00 hours daily at 4 Abbey Green, Bath, BA1 1NW. Attached is a copy notice for your reference.

I object to the proposed licence on the ground of public nuisance, increased risk of crime and disorder, breach of my entitlement to quiet enjoyment of my flat and not being able to work from home.

In December 2020, I purchased the residential flat located above the commercial unit under the pretext it will always remain a business which will be in operation during business hours (9am – 5pm). It was an art gallery at the time of my purchase and then operated as an Acupuncture clinic. Both businesses operated during business hours with minimal to no disturbance.

I am extremely concerned about the commercial space accommodating a business which sells alcohol for consumption on and off site from 09.00 hours to 21.00 hours due to the following reason.

Nuisance: I am an IT professional working from home and will continue to work from home in the future. Nature of the proposed business (serving alcohol on and off site) will attract an increased amount of footfall throughout the day. This will cause severe noise nuisance, which will impact my quality of professional life. My work involves attending meetings, having telephone conversation, and dealing with client's personal information. Increased noise levels will have a huge impact on my performance. I will also be deprived from leaving my window open for ventilation or during warm weather conditions due to increased noise levels and due to the risk of someone else being able to hear my work meetings, conversation etc, which involves personal information.

Further, the commercial unit is directly below my residential flat. Therefore, I will be subjected to continuous noise throughout every day. This will cause disturbance to my personal life and experience of living in my flat unbearable.

Such business will also be subjected to large deliveries and cleaning, which are likely to fall outside 09.00 hours to 21.00 hours adding further disturbances.

Litter: Increased footfall of such business will increase litter in the area more so in front of my property.

Increased risk of crime and disorder: my property is a listed building, and the front door is located very close to the commercial unit's entrance and window. The distance between my front door and the commercial unit is **less than 3 metres**. As far as I am aware, there is no outside space for the commercial unit. This could lead to customer standing front of my door obstructing my entrance and could potentially behave in such a manner, which amount to anti-social behaviour. This raises safety concerns for myself, my family and friends who visit me.

Disturbance to quiet enjoyment: At the moment, I am able to enjoy the use of my flat/maisonette without any disturbance and in a quiet environment. A licenced alcohol selling venue will jeopardise this for me. The property being listed is restricted in height and space in many parts of the building. The ceiling of the retail unit isn't tall enough and the window being single glazed (Georgian), I'll be able to hear the noise from the retail unit rather loudly should this venue serves alcohol and food.

Discourage residential occupation: the quarter is one of the few and unique, beautiful, and historic ones in the centre of Bath. It has a mix of residential and commercial units. Commercial already being high, any such permission will discourage already sinking residential occupation.

Existing businesses in the Quarter: Currently all the businesses operating within the quarter (Abbey Green) operates during normal business hours and closes for trade by 17:00/17:30. With the exception of Crystal Palace, which has been around for years and they do not encourage punters standing in from of the quarter, but rather they have a huge outdoor space at the back of their venue, causing minimal to no increase in noise, disturbance etc.

Bars, eateries in the vicinity: there is an abundant of bars, cafes, eateries in and around the quarter, all within meters from each other. It is my view, customers / punters have plenty of choice and variety with regards to licenced activities and won't be deprived if a new licence for a not so suitable venue is denied.

Whilst I am happy to support local businesses, I do not want disruption to residents. Hence, please consider my full objection to the application and I humbly seek the Council to ensure prevention of nuisance and protect residents' entitlement of quite enjoyment.

I would also like to request that my representation is kept private and not to be disclosed to the general public. Kindly inform me if this is not possible.

Kind regards,

Ms Breethy Ravikumar Jeya

Maisonette, 4 Abbey Green, Bath, BA1 1NW



Annex C (amended objection)

Dear Sirs,

I would like to make a formal objection to the proposed application made by The Cork and Truckle Limited for sale of retail of alcohol for consumption on and off premises, from 09.00 hours to 21.00 hours daily at 4 Abbey Green, Bath, BA1 1NW. Attached is a copy notice for your reference.

I object to the proposed licence on the ground of public nuisance, increased risk of crime and disorder, breach of my entitlement to quiet enjoyment of my flat and not being able to work from home.

In December 2020, I purchased the residential flat located above the commercial unit under the pretext it will always remain a business which will be in operation during business hours (9am – 5pm). It was an art gallery at the time of my purchase and then operated as an Acupuncture clinic. Both businesses operated during business hours with minimal to no disturbance.

I am extremely concerned about the commercial space accommodating a business which sells alcohol for consumption on and off site from 09.00 hours to 21.00 hours due to the following reason.

Nuisance: I am an IT professional working from home and will continue to work from home in the future. Nature of the proposed business (serving alcohol on and off site) will attract an increased amount of footfall throughout the day. This will cause severe noise nuisance, which will impact my quality of professional life. My work involves attending meetings, having telephone conversation, and dealing with client's personal information. Increased noise levels will have a huge impact on my performance. I will also be deprived from leaving my window open for ventilation or during warm weather conditions due to increased noise levels and due to the risk of someone else being able to hear my work meetings, conversation etc, which involves personal information.

Further, the commercial unit is directly below my residential flat. Therefore, I will be subjected to continuous noise throughout every day. This will cause disturbance to my personal life and experience of living in my flat unbearable.

Such business will also be subjected to large deliveries and cleaning, which are likely to fall outside 09.00 hours to 21.00 hours adding further disturbances.

Litter: Increased footfall of such business will increase litter in the area more so in front of my property.

Increased risk of crime and disorder: my property is a listed building, and the front door is located very close to the commercial unit's entrance and window. The distance between my front door and the commercial unit is **less than 3 metres**. As far as I am aware, there is no outside space for the commercial unit. This could lead to customer standing front of my door obstructing my entrance and could potentially behave in such a manner, which amount to anti-social behaviour. This raises safety concerns for myself, my family and friends who visit me.

Disturbance to quiet enjoyment: At the moment, I am able to enjoy the use of my flat/maisonette without any disturbance and in a quiet environment. A licenced alcohol selling venue will jeopardise this for me. The property being listed is restricted in height and space in many parts of the building. The ceiling of the retail unit isn't tall enough and the window being single glazed (Georgian), I'll be able to hear the noise from the retail unit rather loudly should this venue serves alcohol and food.

Discourage residential occupation: the quarter is one of the few and unique, beautiful, and historic ones in the centre of Bath. It has a mix of residential and commercial units. Commercial already being high, any such permission will discourage already existing residential occupation.

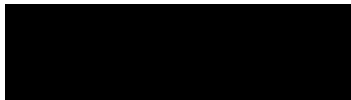
Existing businesses in the Quarter: Currently all the businesses operating within the quarter (Abbey Green) operates during normal business hours and closes for trade by 17:00/17:30. With the exception of Crystal Palace, which has been around for years and they do not encourage punters standing in from of the quarter, but rather they have a huge outdoor space at the back of their venue, causing minimal to no increase in noise, disturbance etc.

Whilst I am happy to support local businesses, I do not want disruption to residents. Hence, please consider my full objection to the application and I humbly seek the Council to ensure prevention of nuisance and protect residents' entitlement of quite enjoyment.

Kind regards,

Ms Breethy Ravikumar Jeya

Maisonette, 4 Abbey Green, Bath, BA1 1NW



From: Geoff Cannon

Sent: 27 June 2022 15:04

To: PRITI RJ [REDACTED]

Subject: RE: Objection/Representation for the Grant of Premises Licence @ 4 Abbey Green Bath BA1 1NW

Importance: High

Dear Breethy.

I have looked in more detail at the application and can see that the applicant has offered the following measures which would form conditions attached to their licence when granted:

As the premises is primarily a retail outlet, the sale of alcohol for consumption "on the premises" shall be limited to occasional tasting/promotional events, and the official period of Bath's Christmas Market (including any soft opening for residents) whilst customers browse/shop in store.

Alcohol sold for consumption off premises shall be supplied in sealed containers except for:

- i) alcohol sold for consumption within an area for which a table and chairs permit, pavement licence or similar has been issued to the premises;*
- ii) alcohol sold during the Bath Christmas Market, for example, mulled wine.*

A Refusal/Incident Log shall be maintained, kept at the premises, and produced for inspection by the Police or Licensing Authority upon request.

All staff are to be trained in the prevention of under-age sales to a level commensurate with their duties. The training shall be clearly documented and signed and dated by the trainer and member of staff receiving it. The documentation shall be available to the Police and the Licensing Authority upon request.

CCTV shall be installed and maintained to the satisfaction of the Police and in accordance with ICO guidelines. Recordings shall be of evidential quality, retained for a minimum of 28 days, and produced at the request of the Police or Licensing Authority. A notice advising CCTV is in operation shall be displayed at the entrance.

No more than 8 customers shall be permitted in the basement at any given time.

No more than 16 customers may attend a promotional tasting event held at the premises.

A "Challenge 21" age verification policy shall be implemented at the premises.

Signage shall be prominently displayed at the premises advising "Challenge 21" is in operation.

In respect of telephone and online orders, customers will be notified that deliveries of alcohol can only be made to persons aged 18 years or over, and that age verification will be required upon delivery.

You may not be aware of these measures and I ask you please to consider the above as some of these measures may help alleviate your concerns.

Please respond to me asap advising if you still wish to continue with your objection given the above. It does appear that the business will be operating more as a shop rather than a bar.

Regards,

Geoff Cannon
Public Protection Officer - Licensing
Public Protection and Health Improvement Service
Bath & North East Somerset Council

Annex D

From: PRITI RJ [REDACTED]
Sent: 27 June 2022 19:44
To: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Subject: Re: Objection/Representation for the Grant of Premises Licence @ 4 Abbey Green Bath BA1 1NW

Dear Geoff,

Thanks for this. Been a busy day, and I have just managed to get some time to reply.

Appreciate you sharing further details on the intent of the applicant. It does address some concern, however I still feel, a licence issued until 21:00 will cause nuisance and quiet enjoyment. Am not sure how the licence can be restricted to function till 21:00 only during the Christmas market. Based on my research and discussions with a few lawyers who have knowledge on the subject, I am advised special events can be operated on a TEN (Temporary Event Notice). So I am still concerned and object to the venue having a licence until 21:00.

With regards to the business operating as a retail licensed venue, I am still concerned that a new tenant might use the on site licence to sell alcohol on the premises for consumption. I am also concerned how it can be monitored that the current applicant won't sell alcohol on the premises if granted an on site consumption licence, as this could be his right.

Should a chair/table or pavement licence be issued, this will be right in the way to my door, as my entrance (residential) is less than three meters. This will cause nuisance as well.

For the reasons sighted above, I still object and would like my representation to stand.

Kindly go ahead and process my objection.

Thanks,

Breethy

Annex D

From: PRITI RJ [REDACTED]
Sent: 28 June 2022 20:21
To: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Subject: Re: Objection/Representation for the Grant of Premises Licence @ 4 Abbey Green Bath BA1 1NW

Thanks Geoff.

Yes, it's useful to know the details behind the application. I have also noticed that 16 customers capacity for tasting events in such a small venue could highlight further safety risks.

Appreciate your inputs. Will await to hear back from you.

Regards,

Breethy