

Licensing Sub-Committee

Date: Wednesday, 24th April, 2024

Time: 10.00am

Venue: Kaposvar Room - Guildhall, Bath

Councillors: Steve Hedges, Toby Simon and Ann Morgan

Chief Executive and other appropriate officers
Press and Public

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



Mark Durnford

Democratic Services

Lewis House, Manvers Street, Bath, BA1 1JG

Telephone: 01225 394458

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

E-mail: Democratic_Services@bathnes.gov.uk

NOTES:

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

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

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **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, 24th April, 2024

at 10.00am in the Kaposvar Room - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

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

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

3. DECLARATIONS OF INTEREST

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

(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 4.4 Appendix B of the Code of Conduct and Rules for Registration of Interests).

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

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

5. LICENSING PROCEDURE (Pages 5 - 8)

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

6. APPLICATION FOR A NEW PREMISES LICENCE FOR: 10 GREEN STREET LIMITED, CHELTENHAM YARD, 5-9 CHELTENHAM YARD, BATH. BA2 3EX (Pages 9 - 38)

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

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**LICENSING SUB-COMMITTEE
LICENSING ACT 2003
PROCEDURE FOR HEARING AN APPLICATION FOR A NEW PREMISES
LICENCE OR FOR A VARIATION OF A PREMISES LICENCE**

*The Chair will allow the parties an equal maximum period of time in which to make representations that will not normally exceed **twenty minutes**. Where more than one party makes relevant representations this time will be split between the parties and where several parties make similar representations it is suggested one representative is appointed to avoid duplication.*

The term “party” or “parties” will mean anyone to whom notice of this meeting has been given.

1. The Chair will introduce Members of the Sub-Committee, the Officers present and explain the procedure to be followed.
2. The Licensing Officer will outline the nature of the matter to be considered by the Sub-Committee.
3. (i) The Applicant/Licence Holder , or representative, addresses the Sub-Committee who may be asked relevant questions by the other parties and Members.
(ii) witnesses may be called in support of the application who may be asked relevant questions by the other parties and Members.
4. (i) Any party making relevant representations, or representative, will address the Sub-Committee who may be asked relevant questions by the Applicant, other parties and Members.
(ii) witnesses may be called in support of such representations who may be asked relevant questions by the Applicant, other parties and Members.
5. Responsible Authorities making representation will address the Committee and may be asked relevant questions by the Applicant, other parties and Members.
6. The other parties will be invited in turn to summarise their representations.

Responsible Authorities will be invited to summarise their representations

The Applicant/ Licence Holder will be invited to summarise the application.

8. *The Chair will invite the 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 be released in writing with reasons within the statutory time limit, in this instance, 5 working days.

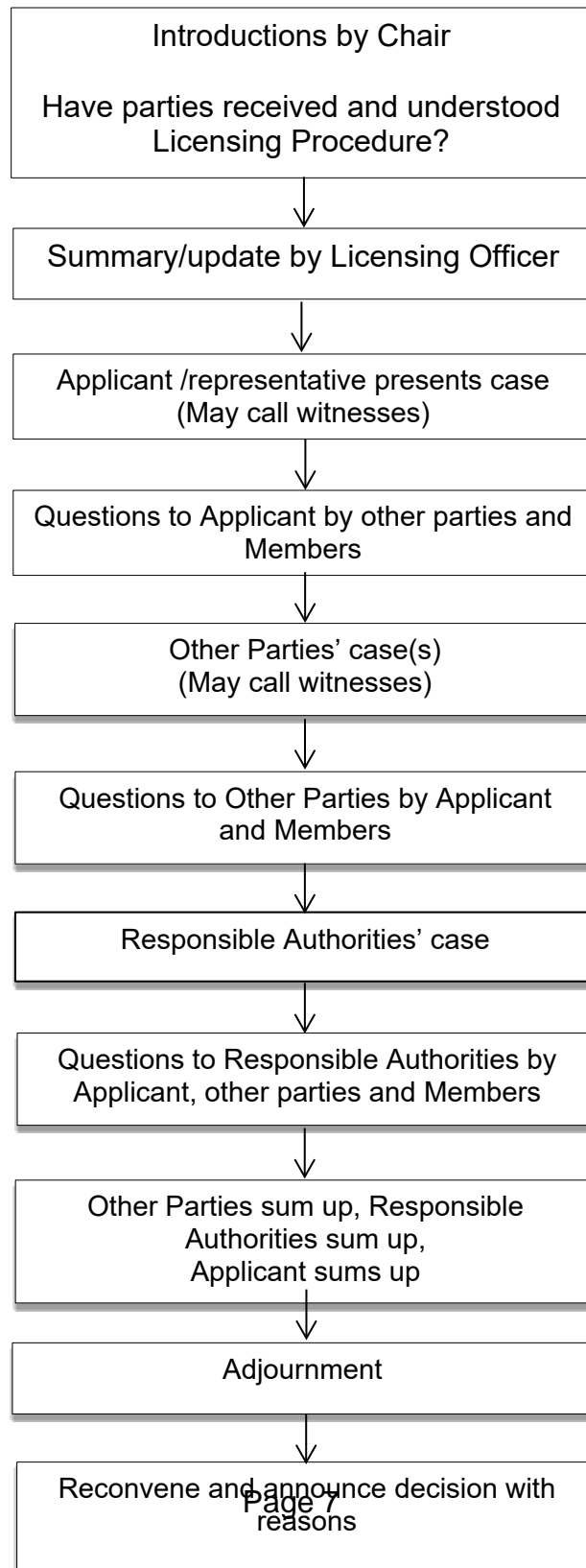
PLEASE NOTE:

- Where the Sub-Committee considers it necessary to do so, it may vary this procedure.
- In circumstances where a party fails to attend the Sub-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 Sub-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	Wed 24 April 2024	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Application for a New Premises Licence for: 10 Green Street Limited Cheltenham Yard 5-9 Cheltenham Yard Bath BA2 3EX	
WARD:	Oldfield Park	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Annex A Application for a new premises licence.</p> <p>Annex B Plan of premises submitted with application.</p> <p>Annex C Representation of objection received.</p>		

1 THE ISSUE

- 1.1 An application for a new Premises Licence for Cheltenham Yard, 5-9 Cheltenham Street, Bath, BA2 3EX has been made under s.17 of the Licensing Act 2003 by 10 Green Street Limited.
- 1.2 A relevant representation of objection has been received from a resident who lives near the premises within the statutory period.

2 RECOMMENDATION

- 2.1 The Committee is asked to determine the application.

3 THE REPORT

An application has been received from 10 Green Street Limited for a new Premises Licence for Cheltenham Yard, 5-9 Cheltenham Street, Bath. BA2 3EX. **(Annex A)**.

- 3.1 The application proposes the following licensable activities:

The sale of alcohol for consumption on the premises from 12:00 to 22:00 every day.

3.2 The application proposes the following opening times:

12:00 to 22:15 every day.

3.3 The applicant has offered the following measures to promote the licensing objectives:

- All persons involved in the sale of alcohol shall receive training in respect of the prevention of under-age sales & proxy purchases on commencement of employment, & every 6 months thereafter. Such training shall be documented with staff signing to acknowledge that they have received this training. Records of staff training shall be made available to the Police or Licensing Authority upon request.
- CCTV shall be installed at the premises and maintained in good working order. It shall be operational all times the premises opens to the public. Recordings shall be of evidential quality, retained for a period of no less than 31 days, & made available to the Police or Licensing Authority upon request.
- Notices advising customers that CCTV is in operation shall be prominently displayed at the premises.
- Table service shall be available at the premises.
- The Premises Licence Holder shall require the Designated Premises Supervisor or other responsible person to keep an Incident/Refusal logbook in a bound book in which full details including the date and nature of the incident/refusal are recorded. The "Incident / Refusals" logbook shall be kept at the premises and made available to the Police or Licensing Authority upon request.
- Signage shall be prominently displayed at the exit requesting customers to be considerate to residents when leaving the premises.
- There shall be no regulated entertainment provided at the premises.
- A "Challenge 21" Proof of Age Scheme shall be adopted, implemented, & advertised at the premises.
- Any person who appears to be under 21 years of age shall be requested to provide an acceptable form of photographic identification before any alcohol is sold.
- Publicity material notifying customers of the operation of the "Challenge 21" Proof of Age Scheme shall be prominently displayed at the premises.

3.4 The floor plans detailing the extent of the proposed licensed Premises are attached at **Annex B**.

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:

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

- 3.6 Each objective is of equal importance and 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:
- 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 December 2023;
 - c) 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, the Environmental Protection Team, 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 a resident living near to the premises who expresses concerns that the applicant's proposals are likely to undermine the public nuisance and protection of children from harm licensing objectives (Annex C).

3.14 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 £100

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 Public Protection 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) 01225 396719
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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 –

- 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
- [Please read the available information on the Licensing Act 2003](#)
- [Before completing this form please read the guidance notes](#)

What district/local area are you applying to?

I / We

10 Green Street Limited

(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

Cheltenham Yard
5-9 Cheltenham Street
Bath

Postcode

BA2 3EX

Telephone number of premises

Non-domestic rateable value of premises

(if you are unsure, you can use this [Government link for more information](#))

Trading name of the business

10 Green Street Limited

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 His Majesty's prerogative

INDIVIDUAL APPLICANTS (fill in as applicable)

Note, names provided in this section must match the premises licence holder names given earlier.

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

Right to Work - where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'Share code' provided to the applicant by that service.

Input Share code if applicable

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

Right to Work - where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'Share code' provided to the applicant by that service.

Input Share code if applicable

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

10 Green Street Limited

Address

Slades Farm
Top Lane
Whitley
Melksham
Wilts
SN12 8RA

Registered number (where applicable)

13471532

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

Private Limited Company

Telephone number (if any)

Email address (optional)

[Redacted telephone number and email address]

Operating Schedule

When do you want the premises licence to start?

Please note, your application for a premises licence may take up to two months to determine.

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 Situated At 5-9 Cheltenham Street Is A Former Abattoir Which Is Now Home To Our Central Production Unit In Which Our Chefs Make A Variety Of Dishes And Sauces And Bake Bread For Not Only Our Restaurants But For Our Client's Restaurants Too.

It Is Situated In An Area Which Is An Eclectic Mix Of Commercial And Residential Premises

With The Railway Running Behind Its Walled Boundary.

It Benefits From An Enclosed External Courtyard

Which Is Drenched In Sunshine During The Summer Months.

It Is The External Courtyard That Is The Proposed "Licensed Premises" For The Purpose Of This Application

The Full Extent Of Which Has Been Outlined In Red On The Accompanying Licensing Plan.

We Wish To Utilise This Space

"Cheltenham Yard" By Providing A Licensed "Pop-Up Restaurant" With Pizza Oven

Grill

And Bar.

Table Service Shall Be Provided Within The Restaurant And Alcohol Will Only Be Sold For Consumption On The Premises.

Operating Schedule Continued

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

Provision of regulated entertainment

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

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

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

Is the premises exclusively or primarily selling alcohol for consumption on the premises?

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 entertainment 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

<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: 80px; width: 100%;"></div>		
			<p>Will the entertainment 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: 300px; 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"/>			

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 checked="" type="checkbox"/>				
				Off the premises <input 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	<input type="text" value="12:00"/>	<input type="text" value="22:00"/>	<div style="border: 1px solid black; height: 300px;"></div>					
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text" value="12:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text" value="12:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text" value="12:00"/>	<input type="text" value="22:00"/>				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)		
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text" value="12:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text" value="12:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text" value="12:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						

State the name and details of the individual whom you wish to specify on the licence as Designated Premises Supervisor (DPS).

Title	<input type="text"/>
First Name(s)	<input type="text"/>
Surname	<input type="text"/>
Date of Birth	<input type="text"/>
Address	<input type="text"/>
Postcode	<input type="text"/>
Personal licence number	<input type="text"/>
Issuing licensing authority	<input type="text"/>

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	
Mon	<input type="text" value="12:00"/>	<input type="text" value="22:15"/>	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)
Tues	<input type="text" value="12:00"/>	<input type="text" value="22:15"/>	
Wed	<input type="text" value="12:00"/>	<input type="text" value="22:15"/>	
Thur	<input type="text" value="12:00"/>	<input type="text" value="22:15"/>	
Fri	<input type="text" value="12:00"/>	<input type="text" value="22:15"/>	
Sat	<input type="text" value="12:00"/>	<input type="text" value="22:15"/>	
Sun	<input type="text" value="12:00"/>	<input type="text" value="22:15"/>	

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)

All persons involved in the sale of alcohol shall receive training in respect of the prevention of under-age sales & proxy purchases on commencement of employment, & every 6 months thereafter. Such training shall be documented with staff signing to acknowledge that they have received this training. Records of staff training shall be made available to the Police or Licensing Authority upon request.

CCTV shall be installed at the premises and maintained in good working order. It shall be operational all times the premises opens to the public. Recordings shall be of evidential quality, retained for a period of no less than 31 days, & made available to the Police or Licensing Authority upon request.

Notices advising customers that CCTV is in operation shall be prominently displayed at the premises.

Table service shall be available at the premises.

b) The prevention of crime and disorder

As detailed above at M a)

The Premises Licence Holder shall require the Designated Premises Supervisor or other responsible person to keep an Incident/Refusal logbook in a bound book in which full details including the date and nature of the incident/refusal are recorded. The “Incident / Refusals” logbook shall be kept at the premises and made available to the Police or Licensing Authority upon request.

c) Public safety

As detailed above at M a)

d) The prevention of public nuisance

As detailed above at M a)

Signage shall be prominently displayed at the exit requesting customers to be considerate to residents when leaving the premises.

There shall be no regulated entertainment provided at the premises.

e) The protection of children from harm

Training & the operation of CCTV as detailed in section M a) are measures that will help promote the protection of children from harm licensing objective.

A “Challenge 21” Proof of Age Scheme shall be adopted, implemented, & advertised at the premises.

Any person who appears to be under 21 years of age shall be requested to provide an acceptable form of photographic identification before any alcohol is sold.

Publicity material notifying customers of the operation of the “Challenge 21” Proof of Age Scheme shall be prominently displayed at the premises.

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	24/00435/LAPRE

Payments request

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

Response response

PaymentAuthorisationCode	019632
IncomeManagementReceiptNumber	<input type="text"/>
Originators Reference	0001984662
CardScheme	DELT
CardType	D
PaymentAmount	<input type="text"/>
ResponseCode	00000
ResponseDescription	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	Premises Licence
PaymentDue	<input type="text"/>
Paid	<input type="text"/>
Payment Date	<input type="text"/>
Fund	<input type="text"/>
Reference	<input type="text"/>

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"/>
Field for email (Bath or Brom)	Bath
Field for fee array	BandA,100.00,BandB,190.00,BandC,315.00,BandDNoAlcohol,450.00,BandDWithAlcohol,900.00,BandENoAlcohol,635.00,BandEWithAlcohol,1905.00
WRS custodian initials	<input type="text"/>

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 will provide the plan of the premises (See [section 2.9](#) of this guidance)

I will provide the consent form

I understand that once my application has been formally accepted, I must 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 provided 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 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.

It is an offence, under section 158 of the licensing act 2003, to make a false statement in or in conviction to a fine of any amount.

It is an offence under section 24b of the immigration act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the immigration, asylum and nationality act 2006 and pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

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

Ms Terrill Wolyn

Date

05/03/2024

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

Ms Terrill Wolyn

Address

T Wolyn Licensing

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.

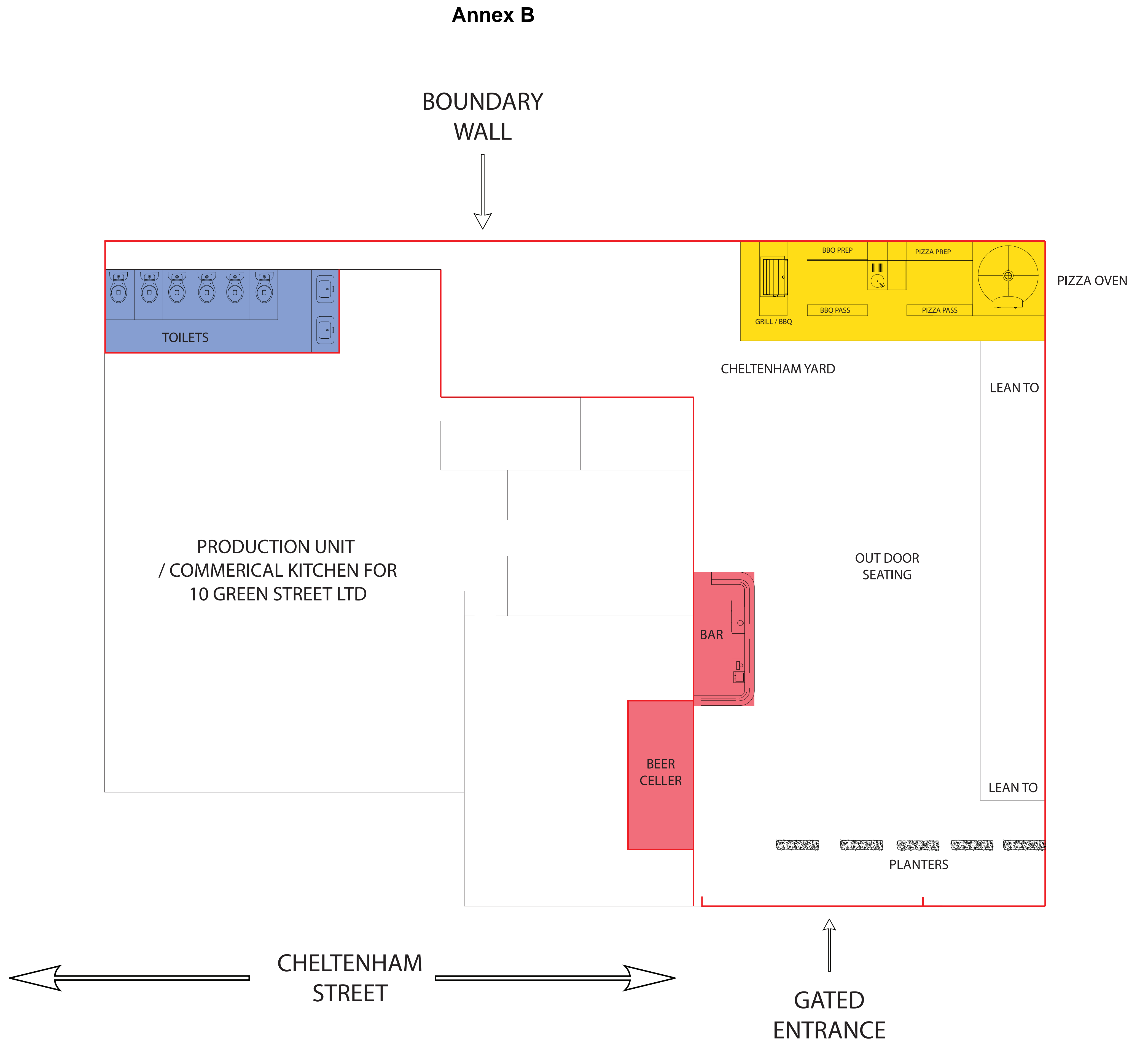
CHELTENHAM YARD POP UP RESTAURANT

5 - 9 CHELTENHAM STREET, BATH, BA2 3EX

1:50 SCALE

LEGEND

-  TOILETS
-  POP UP BAR & ALCOHOL STORAGE
-  PIZZA OVEN & PREP AREA



Annex C

From: Emma Sinden <[REDACTED]>
Sent: Tuesday, April 2, 2024 11:17 AM
To: Licensing <licensing@bathnes.gov.uk>
Cc: Spencer Sinden <[REDACTED]>
Subject: Objection to application number 24/00435/LAPRE

CAUTION: This email originated from outside of the organisation. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

Good morning,

I am a resident of Cheltenham Street and occupy the property directly opposite the area the application has been made for.

The street is now almost entirely residential and with the new houses close to being finished the residential population of the street will be increasing significantly. The vast majority of residents are families with young children and we feel that an application to serve alcohol on the premises opposite would be disruptive to all. The application suggests that alcohol will be served until 10pm which is hours after young children have been put to bed and many of the bedrooms face directly onto the street.

If serving finishes at 10pm then we are likely to have people still loitering past 11pm and experience says we will also have issues with drunken behaviour, people urinating in the street and up against our doorways as well as the noise.

We already have an issue with rubbish on the street and sometimes with anti-social behaviour associated with the AirBnBs in the vicinity. This would also add to these problems.

There is also a complete lack of available parking and our experience with the AirBnBs shows that what will happen is that visitors will park illegally and block garages.

We hope that you will take our objections into consideration and agree that the application is inappropriate.

Kind regards,

Emma

Emma Sinden
[REDACTED]
[REDACTED]
[REDACTED]

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