Bath & North East Somerset Council		
MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER
MEETING DATE:	**Thursday 5 January 2012**	
TITLE:	Application for a Premises Licence for **Premier Inn**, 4 James Street West, Bath, BA1 2BT	
WARD:	Kingsmead	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Annex A Application for a new premises licence Annex B Site plan Annex C Representations and additional information from interested parties Annex D Additional information submitted by applicant		

1 THE ISSUE

1.1 An application has been received for a new Premises Licence under the Licensing Act 2003 in respect of Premier Inn, 4 James Street West, Bath, BA1 2BT.

2 RECOMMENDATION

2.1 That the sub committee determines this application.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report.

4 THE REPORT

4.1 An application has been received for a new Premises Licence (Annex A).

4.2 The application is for:

1) The **Sale of Alcohol** for consumption both **on and off** the premises between the following hours:

Every Day 10.00 to 00:30 (following day)

2) The provision of **Regulated Entertainment** by way of the **Exhibition of Film** indoors only, between the following hours:

Every Day 10:00 to 00:30 (following day)

3) The provision of **Late Night Refreshment** indoors only between the following times:

Every Day 23:00 – 00:30 (following day)

Non Standard Timings in respect of Licensable Activities:

In the event that the proposed "standard" hours are not granted, a terminal hour of 00:30 has been requested in respect of all licensable activities on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day, New Year's Day and All Saints Days.

From 10:00 on New Year's Eve until the terminal hour for licensable activities on New Year's Day.

The sale of alcohol to hotel residents shall be permitted 24 hours a day.

4) **Opening Hours**

Every Day 06:00 – 01:00 (following day)

Non Standard Opening Times:

The premises shall remain open 24 hours a day for hotel residents.

For non-residents, the premises will close 30 minutes after the non- standard timings proposed for activities as detailed above.

4.3 A site plan is attached at Annex B.

4.4 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

d) The Protection of Children from Harm.

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.

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

4.6 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, 5, 6, 9, 10, 15 - 20, 23, 24, 28, 33 - 37, 41 to 44 of the 2011 policy.

b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised in October 2010).

c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, 183, and Schedule 2 of the Act.

4.7 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.

4.8 In accordance with the requirements of the Act the applicants served copies of the application upon the police, the fire authority, environmental health, development control, trading standards, and the child protection agency.

4.9 The applicant is required to place a notice at the premises for a period of 28 days starting the day after the application is made and place an advert in a local newspaper within 10 days for submitting the application to the licensing authority.

4.10 Representations have been received from two Interested Parties who are concerned that the applicant's proposals are likely to undermine the crime prevention objective and cause public nuisance to the local residents (Annex C).

4.11 The applicant has submitted additional information which has been circulated in advance of the hearing to the interested parties (Annex D).

4.12 The "provision of facilities for making music" has been removed from the application as no entertainment of a description falling within sub-paragraph (2) of Schedule 1 to the Licensing Act 2003 has been applied for.

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

Contact person	Terrill Wolyn, Senior Licensing Officer, 01225 396939
Background papers	Licensing Act 2003, Guidance Notes issued under Section 182 of the Licensing Act 2003, Licensing Act 2003 Regulations, B&NES Statement of Licensing Policy

ANNEX A

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We, Whitbread Group plc, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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, ordnance survey map reference or description Proposed Premier Inn, 4 St James' Street West (at the junction with Kingsmead North)	
Post town Bath	Post code BA1 2BT

Telephone number of premises (if any)	Not Known
Non-domestic rateable value of premises	Not Known

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

	Please tick ✔	
a) An individual or individuals*	☐	please complete section (A)
b) a person other than an individual*		
i. as a limited company	☒	please complete section (B)
ii. as a partnership	☐	please complete section (B)
iii. as an unincorporated association or	☐	please complete section (B)
iv. other (for example a statutory corporation)	☐	please complete section (B)
c) a recognised club	☐	please complete section (B)
d) a charity	☐	please complete section (B)

ANNEX A

e) the proprietor of an educational establishment	☐	please complete section (B)
f) a health service body	☐	please complete section (B)
g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital	☐	please complete section (B)
h) the chief officer of police of a police force in England and Wales	☐	please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm: **Please tick ✓ yes**

- 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 ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (For example, Rev) ☐

Surname _____ First names _____

Please tick

I am 18 years old or over ☐

Current postal address if different from premises address _____

Post Town _____ Postcode _____

Daytime contact telephone number _____

Email address (optional) _____

Second Individual Applicant (if applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (For example, Rev) ☐

Surname _____ First names _____

Please tick

I am 18 years old or over ☐

Current postal address if different from premises address _____

Post Town _____ Postcode _____

Daytime contact telephone number _____

Email address (optional) _____

(B) 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 Whitbread Group Plc
Address Whitbread Court, Porz Avenue, Dunstable , Bedfordshire, LU5 5XE
Registered number (where applicable) 29423
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?
On completion of the works – to be advised in due course

Day Month Year

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

Day Month Year

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

N/A

ANNEX A

Please give a general description of the premises (please read guidance note 1)

It is intended that the proposed premises will operate as a stand alone Hotel with related licensed accommodation, under the Premier Inn brand.

The proposed Hotel premises will have at ground floor, with the main entrance fronting to James' Street West, the main entrance and Hotel reception, bar and restaurant area with bedrooms on the upper floor, comprising in all some 108 bedrooms (which will be unlicensed).

The details of the development are shown on the drawings identified below, deposited with this application in respect of which it is understood that an application for Planning Permission has been submitted.

A Licensed Premises Notification will be given for 2 AWP machines under the Gaming Act 2005.

It is proposed that the permitted hours for licensable activities for these premises should be :-

Monday to Sunday: 10:00 – 00:30 inclusive with the premises closing to the general public 30 minutes thereafter. However, the premises will remain open 24 hours a day to hotel residents.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

1. Exhibition of a film principally non-live television or educational videos.
2. The sale of alcohol and such regulated entertainment as specified in the appropriate boxes below.
3. The provision of late night refreshment after 23.00

The appropriate drawings deposited with this application are :-

- Drawing 09-091/PL-03 – indicative site location plan.
- Drawing 09-091/LE-101 Rev C – indicative floor plans.
- Drawing 3029/LO1 – detailed licensing drawing at ground floor level.

Please note that the internal area edged red at ground floor level and as shown on drawing no. 3029/LO1 is intended to be used (as required) for all licensable activities.

Please further note that the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process.

It is not anticipated that the proposed redevelopment will adversely affect crime and disorder or public nuisance but it is proposed that the redevelopment at this site will improve the area providing jobs for the local community and a new Hotel facility at this location.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓

yes

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) performances 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) ☐

Provision of entertainment facilities for:

i) making music (if ticking yes, fill in box I) ☒
j) dancing (if ticking yes, fill in box J) ☐
k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) ☐

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

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

In all cases complete boxes N, O and P

ANNEX A

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 tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 2).	Indoors	✓
				Outdoors	
Day	Start	Finish		Both	
Mon	10:00	00:30	Please give further details here (please read guidance note 3) Exhibition of a film principally video entertainment on screens and tv screens.		
Tue	10:00	00:30			
Wed	10:00	00:30	State any seasonal variations for the exhibition of films (please read guidance note 4) N/A – save as below		
Thur	10:00	00:30			
Fri	10:00	00:30	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	10:00	00:30			
Sun	10:00	00:30			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

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 tick {Y}(please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

ANNEX A

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 tick {Y}(please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

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 tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

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	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors
				Outdoors
Mon				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

ANNEX A I

Provision of facilities for making music. Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing The normal facilities for making background music will be on offer as conveniently available and as appropriate for this type of venue
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick {Y} (please read guidance note 2). Indoors ✓ / Outdoors / Both
Mon	10:00	00:30	Please give further details here (please read guidance note 3) Any such facilities for making music will be controlled by the management systems.
Tue	10:00	00:30	
Wed	10:00	00:30	State any seasonal variations for the provision of facilities for making music (please read guidance note 4) N/A – save as below
Thur	10:00	00:30	
Fri	10:00	00:30	Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)
Sat	10:00	00:30	
Sun	10:00	00:30	

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick {Y} (see guidance note 2). Indoors / Outdoors / Both
Day	Start	Finish	
Mon			Please give a description of the facilities for dancing you will be providing
Tue			
Wed			Please give further details here (please read guidance note 3)
Thur			
Fri			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Sat			
Sun			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoor
				Outdoor
Mon				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sun				

L

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 tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
				Both	
Mon	23:00	00:30	Please give further details here (please read guidance note 3) To allow the provision of hot food and drinks for consumption on and off the premises at the manager's discretion and in the areas identified.		
Tue	23:00	00:30			
Wed	23:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A – save as below		
Thur	23:00	00:30			
Fri	23:00	00:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box M below)		
Sat	23:00	00:30			
Sun	23:00	00:30			

ANNEX A

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
				Both	✓
Mon	10:00	00:30	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	10:00	00:30			
Wed	10:00	00:30			
Thur	10:00	00:30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) To the extent that the proposed hours as identified are not granted to permit sale of alcohol and such regulated entertainment as authorised hereunder until 00.30 (if not otherwise granted) on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day New Years Day and All Saints Days. New Years Eve: 10:00 to New Years Day – terminal hour as proposed. The premises shall remain open to permit the sale of alcohol to hotel residents 24 hours a day.		
Fri	10:00	00:30			
Sat	10:00	00:30			
Sun	10:00	00:30			

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

Name: Richard Frederick Walker .....

Address: Whitbread Group Plc, Whitbread Court, Houghton Hall Office Park, Porz Avenue, DUNSTABLE.....

.....

Postcode: .....

Personal Licence number (if known): VEPERS1469.....

Issuing licensing authority (if known): Calderdale Metropolitan Borough Council .....

N

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)

NONE save for the presence of AWP machines the use of which is not permitted by persons under the age of 18

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)		
Day	Start	Finish
Mon	06:00	01:00
Tue	06:00	01:00
Wed	06:00	01:00
Thur	06:00	01:00
Fri	06:00	01:00
Sat	06:00	01:00
Sun	06:00	01:00

State any seasonal variation (please read guidance note 4)

Please see box M above

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

The premises shall remain open 24 hours a day for hotel residents.

For non residents, the premises will close 30 minutes after the end of the non-standard timings identified in box M above.

P

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)

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in the Hotel bedrooms.
3. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
5. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
6. The management of the premises will liaise with police on issues of local concern or disorder.
7. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.
8. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

ANNEX A

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Toughened glasses will be used in the premises where appropriate.
6. Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

1) The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

2) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

3) Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.

4) There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.

5) The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.

6) Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

	Please tick ✓ Yes
▪ I have made or enclosed payment of the fee	☒
▪ I have enclosed the plan of the premises	☒
▪ I have sent copies of this application and the plan to responsible authorities and others where applicable	☒
▪ I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable	☒
▪ I understand that I must now advertise my application	☒
▪ I understand that if I do not comply with the above requirements my application will be rejected	☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners .....

Date: 3 November 2011 .....

Capacity: Solicitors.....

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

Signature: John Gaunt & Partners .....

Date: .....

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT

ANNEX A

Schedule 11

Consent of individual to being specified as premises supervisor

I, Richard Frederick Walker .....

Of 6 Lydgate Park, Lightcliffe, Halifax HX3 8TB .....

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for variation of the premises licence by Whitbread Group

relating to a premises licence for

Proposed Premier Inn at 4 James Street West Bath

and any premises licence to be granted or varied in respect of this application made by Whitbread Group Plc concerning the supply of alcohol at

The Proposed Premier Inn

I also confirm that I am applying for, intend to apply for or currently hold a personal licence.

Personal Licence number: VEPERS1469.

Personal Licence issuing authority: Calderdale Metropolitan Borough Council

Signed: R F Walker

Name (please print): R.F. Walker

Dated: 3 November 2011

ANNEX B

Bath & North East Somerset Council

Bath & North East Somerset Council,
Planning Services,
Trimbridge House,
Trim Street,
Bath BA1 2DP

Premier Inn - New Application

Scale 1/1250

Date 13/12/2011

Centre = 374740 E 164691 N

Drawn by:

Terrill Wolyn

ANNEX B

REP ANNEX C

Paul Dolan

3 Kingsmead Terrace Bath BA1 1UX

The Chairman
Licensing Committee
9-10 Bath Street
Bath BA1 1SN

2nd December 2011

Dear Sir
New Premises Licence Application, reference number 11/04457/LAPRE
Applicant: Whitbread Group plc
Premises: proposed Premier Inn, 4 James Street West, Bath BA1 2BT

I write to object to the granting of a license based on the above application.

I live with my wife and household in a ground and first floor maisonette at 3 Kingsmead Terrace which is directly opposite the Kingsmead North elevation of the proposed hotel.

ave recently attended the day and a half planning appeal hearing in respect of the planning application for the proposed hotel, and therefore may have some degree of insight into Whitbread's stated operation of the proposed hotel.

I would make the following general points.

1. Whitbread has held out to the Planning Inspector that the clientele of the proposed ground floor bar area will be predominantly hotel residents.

2. On this basis Whitbread has stated in its planning application that a licence timed up to 11pm is appropriate and would be applied for. This differs substantially from the application.

3. The application, if granted, would allow drinkers to leave the premises at 1.00am.

4. The bar area is substantially greater than is required to service the hotel's guests, and takes up the majority of the ground floor of the building. Bed space has been sacrificed to maximise the bar area.

5. The Avon Fire & Rescue Service advise that as a rule of thumb the bar's capacity would be 2 persons per square meter of floor area. I have measured the bar area to be slightly in excess of 250 square meters, and hence having a capacity of approximately 500 persons.

6. The size of the bar would allow Whitbread (or another operator) to establish a branded bar operation to rival Wetherspoons which adjoins the property. This application bears all the hallmarks of intending to do so, and contradicts the applicant's statement in support of its planning application that "the bar is to be used predominantly by hotel residents".

7. The premises is located in the heart of the entertainment area of Bath with close neighbours Wetherspoons and The Cork in particular being volume sellers of (cheap) alcohol.

8. There are a disproportionately high number of students, and hence young persons, in the make up of the clientele of these establishments.

9. If granted, the application would allow for a branded bar operation to compete with both The Cork and Wetherspoons but with longer licensing hours.

ANNEX C

10. If granted, the application would allow for the provision of facilities for making music (e.g. a DJ ?), and showing films, until 12.30am, every day of the year.

11. Any restriction on persons entering the bar after a set time e.g. 11pm, but within licensing hours, is likely to be wholly unenforceable. The general public would share common entrances on James Street West, and off 2 access points off Kingsmead North, with hotel residents for whom the hotel is always open (24 hours).

12. In addition to the Bar area the Licence application includes what appears to be a sheltered courtyard at the rear of the bar which is open to Kingsmead North on two fronts. This is therefore available for open air drinking and smoking up to 1am every morning. This area also incorporates a drop off area for cars.

Prevention of Crime and Disorder

The late opening hours have the potential to encourage excessive drinking – the cumulative effect of the presence of another major establishment (cumulative impact zone). This is likely to increase the risk of crime and disorder, given that the majority of such incidents in Bath's city centre appear to be alcohol related.

Prevention of Public Nuisance

The proposed bar's rear entrance and courtyard allows egress onto 2 points on Kingsmead North. The first opposite Kingsmead Terrace, the second opposite Kingsmead Court which provides sheltered accommodation for the long term sick, and elderly.

There is ample potential for the bar users to (legitimately) congregate in these areas and smoke and drink. There is no barrier between the property and the public highway, and nothing to stop people congregating in the street on Kingsmead North, if only to smoke.

I am fearful that there will be substantial nightly noise nuisance arising from drinkers and smokers outside the Bar's rear entrance late at night, and dispersing at 1am opposite my home, and those of my neighbours.

This will add to the noise of people (many in high spirits) returning to their vehicles in Kingsmead North in the hour before midnight.

There are already regular instances of intoxicated young people shouting, and vomiting outside Wetherspoons on James Street West late in the evening.

There is at present no restriction on amplified music, and none proposed.
The granting of the application to include 'facilities for making music' would possibly facilitate making excessive noise up to 12.30am each night. This would be unacceptable.

Public Safety

There appear to be inadequate fire exits to support the Bar's capacity of approximately 500 persons This is obviously a matter for Avon & Somerset Fire & Rescue Service.

I would request the committee to reject the application as it stands.

Yours sincerely

Paul Dolan Beverley Dolan

ANNEX C

From: [redacted]
Sent: 01 December 2011 09:19
To: Licensing
Subject: Appeal against Whitbread Licence in Kingsmead North

I am writing to appeal against the application for a licence by Whitbread in the Premier Inn development in Kingsmead North.

I live in sheltered accommodation in Kingsmead Court which immediately behind the development. We already have issues with staff smoking & loitering on our steps from the retail development & issues with drunks coming to the area leaving bottles & being intimidating.

These issues will be amplified when the hotel is built and the bar is in place. Residents & staff will congregate outside the fire & servicing doors at all times of the day and night causing a nuisance. I have been assured by the hotel developers that this will not happen and if there are any issues that the management will stop this.

I can tell you from experience that I have complained on a number of occasions when the staff from the retail area sit on our steps smoking, spitting & damaging the brickwork and have has assurances from the current managers of the shops that it won't happen again and it does. The fire doors designed to be kept shut are propped open and staff smoke outside the back of the complex.

Knowing that these problems exist already, I am not assured that this application will not make matters worse. I am prepared to object to the management and confront the offending staff but the other elderly & vulnerable residents will not feel able to do this and are intimidated by additional smoking and drinking groups & individuals . Please bear in mind that Kingsmead North is the most direct route to & from town for the residents with limited mobility and they will pass the bar area.

Regards

[redacted]

ANNEX C

ANNEX C

Terrill Wolyn

Subject: FW: Proposed Premier Inn James Street West - licensing
Attachments: IMG_3192.JPG; IMG_3193.JPG; IMG_3194.JPG; IMG_3197.JPG

From: Terrill Wolyn
Sent: 13 December 2011 16:38
To: 'JGaunt@john-gaunt.co.uk'
Subject: FW: Proposed Premier Inn James Street West - licensing

Dear John

Re: Premier Inn – secured access

Please find attached images supplied by the anonymous objector in response to the additional information Emma circulated last week on your behalf.

Kind regards

Terrill

Terrill Wolyn
Senior Licensing Officer
Environmental Monitoring and Licensing
Bath & North East Somerset Council
Tel: 01225 396939
Fax: 01225 477596
Email: terrill_wolyn@bathnes.gov.uk
www.bathnes.gov.uk

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Please consider the environment before printing this email.

From: Emma Stoneman
Sent: 13 December 2011 15:25
To: Terrill Wolyn
Subject: FW: Proposed Premier Inn James Street West - licensing

Emma Stoneman
Senior Licensing Officer
Public Protection
Bath & North East Somerset Council
Tel: 01225 396719
Fax: 01225 477596
Email: emma_stoneman@bathnes.gov.uk
www.bathnes.gov.uk

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Please consider the environment before printing this email.

Sent: 13 December 2011 11:36
To: Emma Stoneman
Subject: RE: Proposed Premier Inn James Street West - licensing

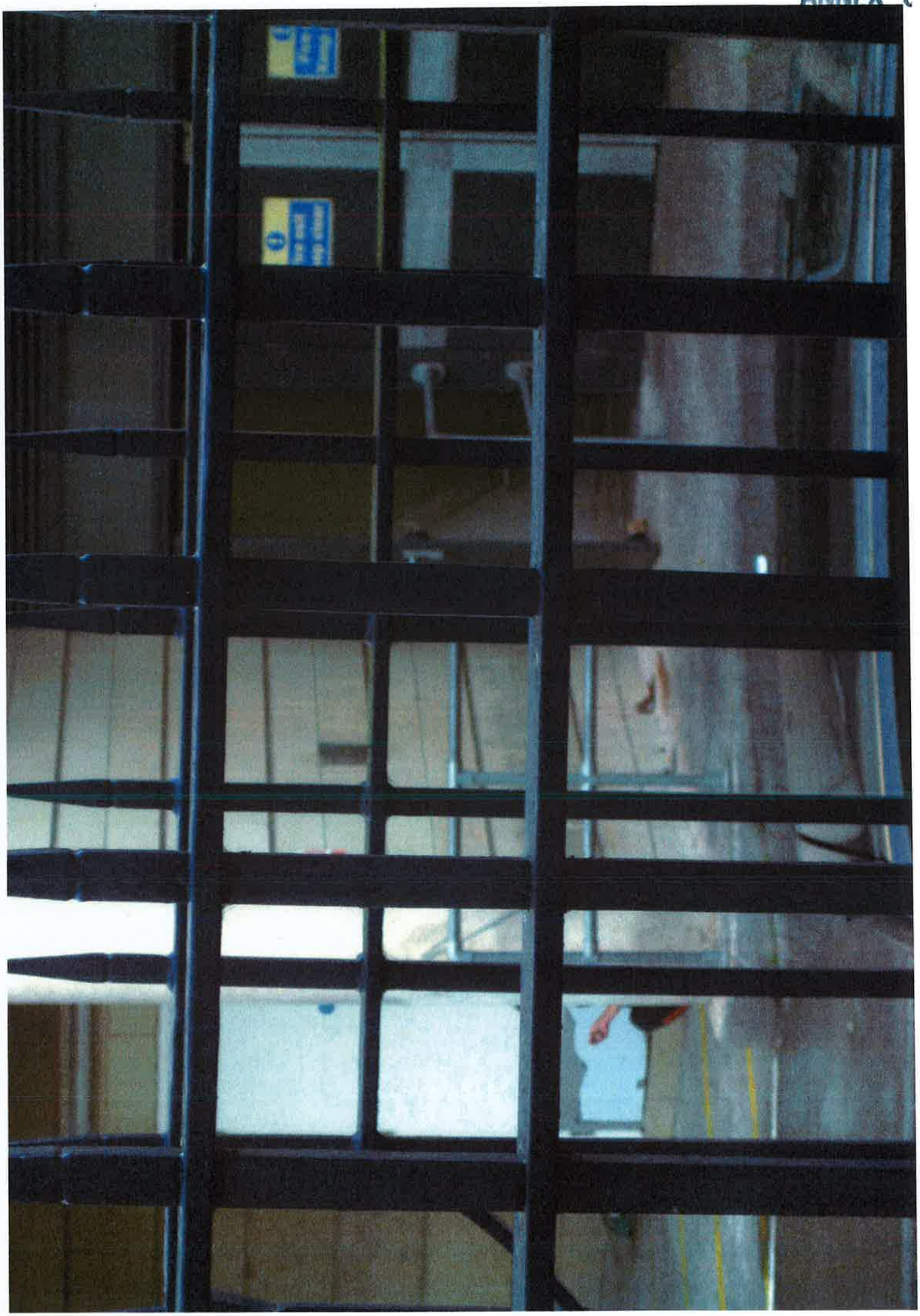
ANNEX C

Hi Emma

I wanted on file the comments about the second point with secured access. Please find attached pictures taken in the last 2 days of the fire doors which shows quite clearly one of the issues.

Regards

ANNEX C



ANNEX O

Fire exit
Keep clear
Fire exit
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Fire exit
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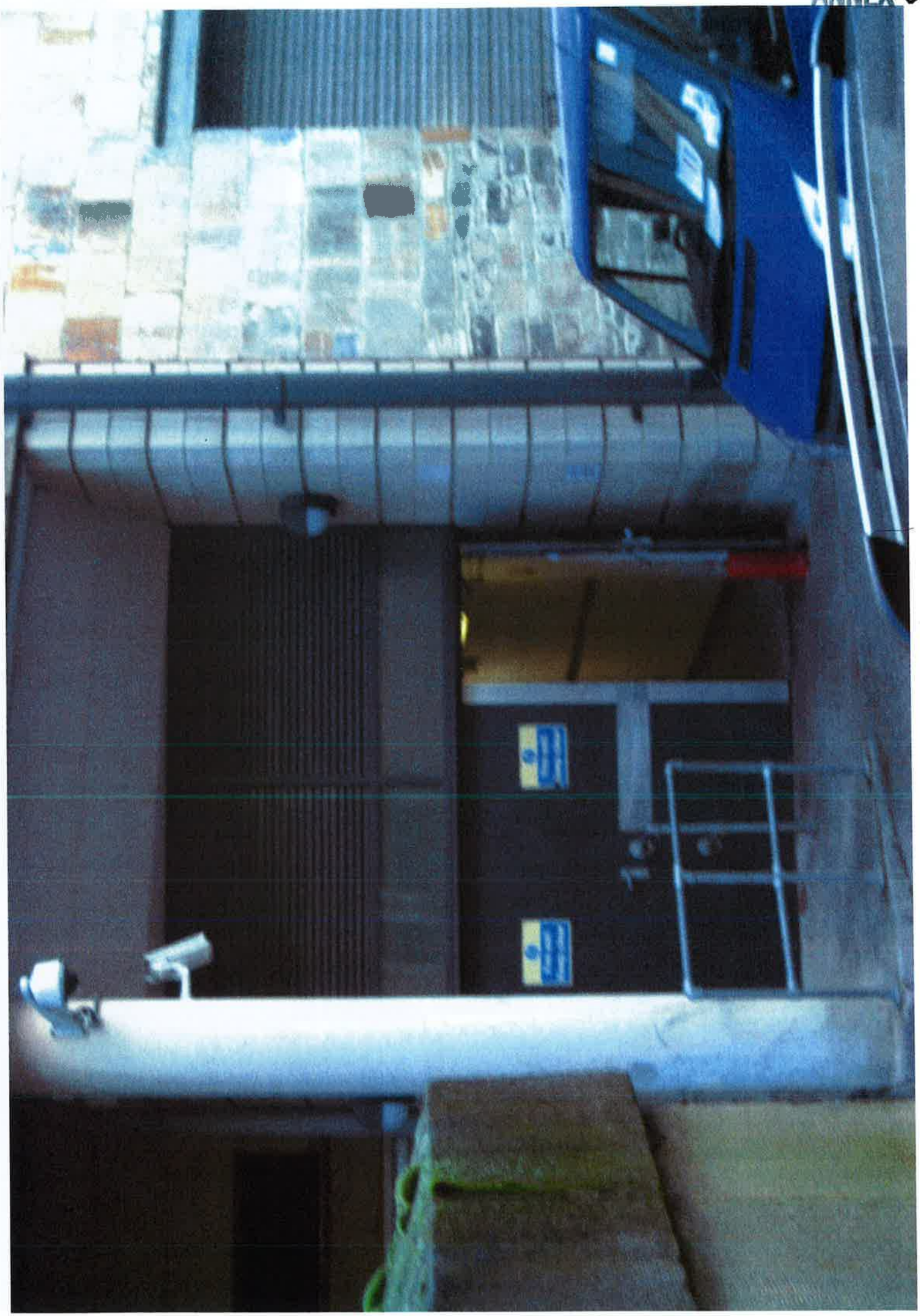
Fire exit
Keep clear
16

ANNEX C

ANNEX C



ANNEX D

Terrill Wolyn

From: Emma Stoneman
Sent: 08 December 2011 20:24
Subject: Proposed Premier Inn James Street West - licensing
Attachments: GF 3029_L01.pdf

Dear Interested Parties,

Further to your representations I have received the following information (below) from the applicant's solicitor which he has requested I forward to you.

He has also requested that I clarify the following:

- The application includes no regulated musical entertainment and none is intended or planned; there as a view that you need entertainment facilities to 'broadcast' background music and therefore Box I had originally been completed to make this clear. This has now been removed from the application as it is not necessary in order to provide background music or live TV or radio broadcasts.
- Access points to the hotel – see my earlier email for transmission on to the objector(s); the only proper entrance is the front entrance; all other possible access points are fire exits and or secured.

If you have any questions please feel free to contact us.

Kind regards,

Emma

Emma Stoneman
Senior Licensing Officer
Public Protection
Bath & North East Somerset Council
Tel: 01225 396719
Fax: 01225 477596
Email: emma_stoneman@bathnes.gov.uk
www.bathnes.gov.uk

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Please consider the environment before printing this email.

From: John Gaunt
Sent: 06 December 2011 14:40
To: 'Jo Gregson'
Cc: Emma Stoneman
Subject: Proposed Premier Inn James Street West - licensing

Thank you for forwarding to us the one representation received against our client's application. It is noteworthy that none of the responsible authorities have made any representation against the application.

In the interests of possible mediation, we should be grateful if you would forward this email (by way of without prejudice comments) to the individual who has made the representation.

We and our clients would be willing to meet with them in advance of the hearing on 5 January, which we will be attending, if this would assist.

Our clients, Whitbread Group plc operate some 600 Premier Inn hotels across the country; they are not normally associated with the type of problems with which licensed premises can be associated. Our clients, as a fundamental part of their offering, give a 'Good Night Guarantee' to all their guests which means that if their night is disturbed, they receive a full refund of their accommodation costs. It is in our clients own interests as well as in the interests of their guests to ensure that there premises are well managed and do not give rise to noise, disturbance or other concerns, howsoever arising.

A copy of the ground floor layout plan is attached. The front entrance is (and is required to be) on the frontage to James Street West. This was a requirement of the planners.

To the rear of the site and proximate to Kingsmead Court, there is a contained service yard with an under croft area allowing for deliveries and also a plant room. If allowed, the natural area where staff might loiter for cigarettes could be at the drop of zone well within the under croft and well away from Kingmead Court. Having so said our clients do not allow staff to congregate outside their premises for the purpose of smoking (insofar as this is a proper licensing consideration).

Hotel access from the drop off point is secure and accessed via a buzzer system to reception. The door is alarmed (as are all fire escapes) and is not otherwise available for public use. CCTV surveillance of the rear service area will also be provided as part of management controls. We understand that the issue of smoking to the rear of the premises was in fact fully explored and dealt with as part of the planning process.

As mentioned above the principal entrance to the premises is on James Street West. The under croft area at this entrance is the natural area where customers might smoke, if they wished to do so.

At the end of the day, this is proposed development for a hotel, not dissimilar to a significant number operated by our clients in town and city centre locations proximate to residential property without issue.

We would hope that the comments above may go some considerable way to addressing the concerns expressed.

Regards

John Gaunt
0114 266 8664
07860 490 604

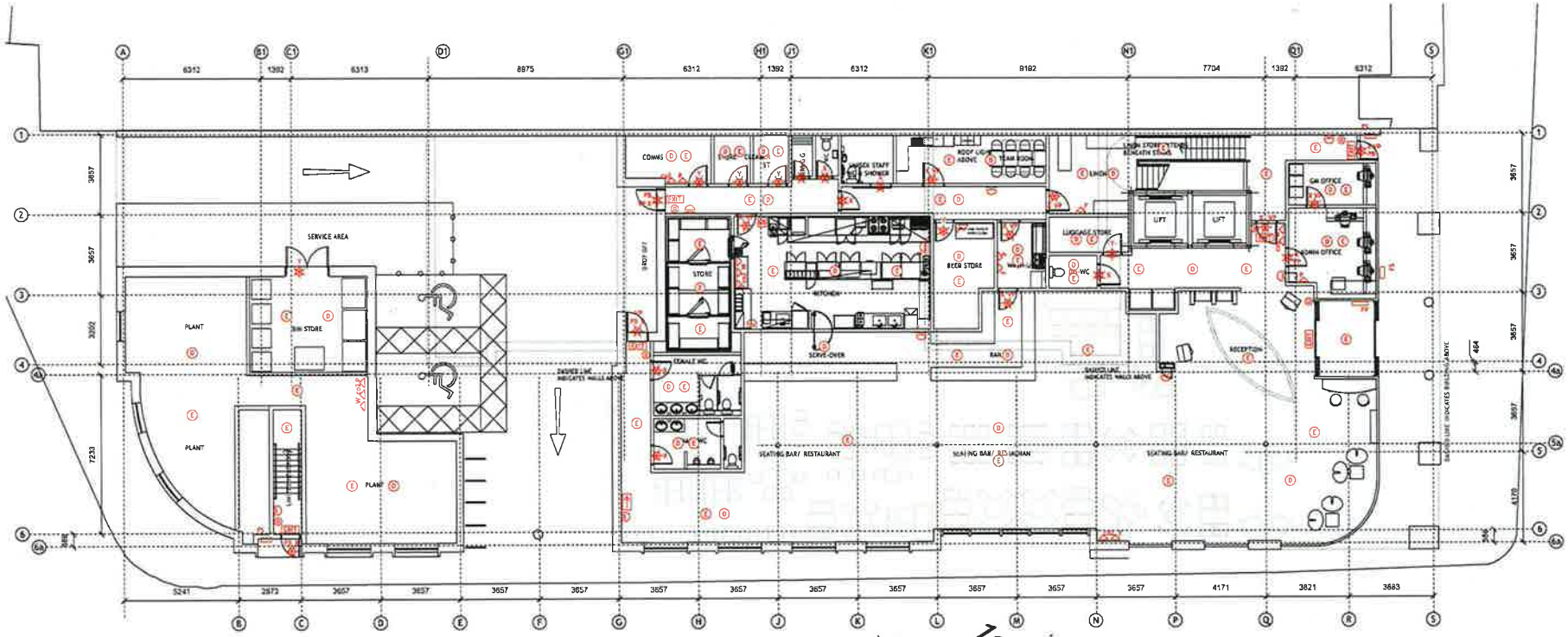
JG&P | John Gaunt & Partners
Omega Court
372-374 Cemetery Road
Sheffield
S11 8FT
tel: 0114 266 8664
fax: 0114 267 9813
24hr helpline: 0114 268 3400
www.john-gaunt.co.uk

Partners: John Gaunt Katharine Redford Tim Shield Michelle Hazlewood
Executive Manager: Jonathan Pupius

The contractor is to check all site dimensions and levels before work starts. Do not scale from drawings. Notify architect of any discrepancies.

This drawing must be read with and checked against all structural and other specialist drawings, specification and bills of quantities. Notify architect of any discrepancies.

The contractor is to comply with all current British Standards and Building Regulations whether or not specifically stated on these drawings.



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NOTE:

THE FIRE FIGHTING EQUIPMENT SHOWN ON THE PLANS IS INDICATIVE ONLY AS AT THE TIME OF THE PLAN. THERE MAY BE MINOR MODIFICATIONS TO SUCH EQUIPMENT OR IT MAY BE MOVED FROM TIME TO TIME WITH THE AGREEMENT OR AT THE DIRECTION OF THE FIRE SAFETY OFFICER. THIS SHALL NOT REQUIRE THE PLANS TO BE AMENDED.

LICENSABLE ACTIVITIES MAY BE CARRIED OUT IN THE PUBLIC AREAS OF THE PREMISES.

ALL STEPS AND STAIRCASES COMPLY WITH THE RELEVANT BUILDING REGULATIONS REQUIREMENTS IN FORCE AT THE TIME THEY WERE INSTALLED.

KEY

- FP — FIRE ALARM PANEL
- FS — FIREMAN'S SWITCH
- FIRE ALARM SOUNDER (WALL MOUNTED)
- FIRE ALARM SOUNDER (CEILING MOUNTED)
- FIRE ALARM CALL POINT WITH FIRE PROCEDURES NOTICE OVER
- FB — FIRE BLANKET
- FIRE RISER DUCT
- E — EMERGENCY LIGHT
- P — PUSH BUTTON TO EXIT
- G — GAS SHUT OFF BUTTON
- D — DETECTOR
- EXIT — ILLUMINATED EXIT SIGN
- NON-ILLUMINATED FIRE ESCAPE DIRECTIONAL SIGN
- HALF HOUR FIRE DOOR
- V — AUTOMATIC FIRE DOOR KEEP CLEAR SIGN, THESE DOORS HAVE ELECTROMAGNETIC HOLD OPEN DEVICES LINKED TO THE FIRE ALARM
- K — FIRE DOOR KEEP SHUT SIGN
- F — FIRE DOOR KEEP LOCKED SIGN
- VP — VISION PANEL
- PB — PUSH BAR TO OPEN
- F — FOAM EXTINGUISHER
- P — POWDER EXTINGUISHER
- CO_2 — CARBON DIOXIDE EXTINGUISHER
- W — WATER EXTINGUISHER
- WC — WET CHEMICAL EXTINGUISHER
- PHR — PH REFUGE

Rev	Date	Description	By

Southerham House
Southerham
Lewes
East Sussex
BN8 6JN

Tel 01273 479269
Fax 01273 483060
www.axiomarchitects.co.uk

AXIOM ARCHITECTS

Client
WHITBREAD GROUP PLC

Project
NEW PREMIER INN HOTEL
4 JAMES ST WEST, BATH

Drawing
LICENCING APPLICATION GROUND FLOOR PLAN

Scale	Status	Date	Drawn	Checked
1:100@A1	LICENCING	23.06.11	SH	

Drawing No. **3029/L01** Revision

ANNEX D