

**LICENSING ACT 2003**

**INTERESTED PARTY REPRESENTATION**

**Please read the notes at the back of this form prior to completing it.**

**I/We object to the following application:**

Application number:	<b>12/01887/LAPRE</b>
Applicant's name:	<b>Bath Fringe Limited</b>
Premises name and address:	<b>Bath Fringe - Spiegel tent Recreation Ground Pulteney Mews Bathwick Bath, BA2 4DS</b>
Application for a:	<b>Variation of Premises Licence</b>

**Objector Details:**

Objector's Name:	<b>David and Caroline Greenwood</b>
Objector's Address: This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.	<b>Grd. and First Floor Flat 77 Great Pulteney Street BATH. BA2 4DL</b>
Organisation name if applicable:	

**Objection Details:**

My/our representation is relevant to the following licensing objective(s):

Prevention of crime and disorder

☐

Prevention of public nuisance

☒

Protection of children from harm

☐

Public safety

☐

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra pages.

Try to be as specific as possible and give examples e.g. *On 1 February I could hear loud music from the premises between 10pm and 1 am. I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street.*

I/We have already made a written representation and have no further comments

☐

The licence sought would permit unacceptable levels of loud music into an almost 100% residential neighbourhood for 10 late nights in a row about which we had to complain last year as we were unable to sleep and had early morning rises for work

The level of noise created in a tent which has no sound insulation and externally on those events, invades our homes, which cannot be sound proofed due to the Grade 1 Listing until late into the night and at weekends into the early morning

The granting of any licence is in direct contravention of the 1922 covenant which covers our property and that of 90 other homes in the immediate area..

A further application for an additional 30 minutes on each day totally ignores the many people, including many elderly who live in the area immediately near to the tent

Last year we had cause to complain to BANES environmental service/ noise abatement, the Police, local councillors, Bath Recreation Trust and the event organisers about the level of noise, the lateness and the insistent beat and excessive use of bass and tempo.

The noise generated by music at this time affects local residents trying to sleep and is in breach of Public Nuisance guidance which specifically mentions this issue.

Temporary Event Notice guidelines state that particular care will be required for any events that continue after 11pm, when most people will expect to be sleeping and no noise from outside events should be audible in their home at all. The applicant wants to extend hours beyond this time by 30 minutes on week nights and 1 hour 15 minutes at weekends. This application is in breach of the guidelines and contains no noise mitigation factors to justify extensions beyond 11pm.

To the best of our knowledge there is no monitoring of the noise levels during the late evenings no checks made on the actual adherence to the licenced hours. Each resident has to contact the organisers staff in an attempt to get the disturbance ended.

The licensing authority appears not to recognise that this is a residential area and not a public arena or concert venue and permission should not be granted.

**I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.**

Signed

David and Caroline Greenwood

Date

30 April 2011

Contact telephone number(s)

01225 427896

(This is essential as we may need to contact you at short notice)

There will be a hearing to determine this application. We will send you details of the time, date and location at least 10 working days before the hearing.

This section of the form must be returned to us a minimum of 5 working days before the hearing. If you wish, you may complete this now. Alternatively, you can keep this page and return it to us once you have received details of the hearing.

Name David Greenwood

I will be attending the hearing ☐ I will not be attending the hearing ☒

I will be represented at the hearing by

.....

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

Please delete as appropriate: I consider a hearing to be necessary / unnecessary

Form to be returned to:

Licensing Team  
Public Protection  
9-10 Bath Street  
Bath  
BA1 1SN

## **Important Information About Your Representation**

### **Why do I need to fill in this form?**

While we can accept any written representation, we ask that you complete this form in order to assist the Licensing Sub Committee at the hearing.

Representations made under the Licensing Act must be made public, and by signing this form you give permission for your details to be disclosed. That is why we ask you to complete this form even if you have already made a written representation.

### **What if I do not want my details to be disclosed?**

Anonymous representations will not normally be accepted.

If you think there are exceptional circumstances that would justify you making an anonymous representation, such as the threat of intimidation or violence from the applicant, then please contact the Licensing Office on 01225 396719 to discuss the matter.

Alternatively, you can ask your Parish Council or local Residents' Association to make a representation instead. If you choose to do this, there is no need to complete this form; the Parish Council or Residents' Association will do it if they decide to make a representation.

### **What do I need to know when writing my representation?**

Representations can be made by people who live, or are involved with a business, within the vicinity of the premises. There is no given definition of vicinity and it is up to the Licensing Authority to decide how it applies in each case, taking into account things like the nature and location of the premises.

The Licensing Act 2003 sets out four 'licensing objectives', which are listed on the front of this form. Your representation should state how you think the application will affect one or more of these licensing objectives.

### **What if I want to supply extra information in support of my representation?**

You can include the information with your representation form. If you have already made a representation and now want to give us extra information in support of it, you need to send copies of it to the Licensing Office *and* the applicant. This should be done at least 5 working days before the hearing.

If you arrive at the hearing with extra information that has not been sent to the Licensing Office and the applicant, it will only be considered if the applicant and the Committee agree to it. We recommend that you bring at least 10 copies of the information with you to the hearing.

### **I want to make a representation about traffic/planning issues**

Unfortunately, representations about traffic or parking can not be accepted. This is because the licence holder can not be held responsible for the use of the public highway outside of the premises.

The licensing regime is separate from other local government functions, including the planning department. If a Premises Licence is granted for a building, this will not exempt the licence holder from having to obtain the necessary planning permission. We are therefore unable to accept representations that simply refer to the need for planning permission.

