

Bath & North East Somerset Council		
MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER
MEETING DATE:	Friday 17 December 2010	
TITLE:	Application for a Premises Licence for Sainsbury's , Frome Road, Odd Down, Bath, BA2 5RE	
WARD:	Odd Down	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for a Premises Licence		
Annex B Site Plan		
Annex C Representations from Interested Parties		

1 THE ISSUE

- 1.1 An application has been received for a new Premises Licence under the Licensing Act 2003 in respect of **Sainsbury's, Frome Road, Odd Down, Bath, BA2 5RE**

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 off the premises** between the following hours:

Every Day 06.00 to 00.00

- 2) The **Provision of Late Night Refreshment** between the following hours:

Every Day 23.00 to 00.00

3) The proposed **Opening Hours** are:

Every Day 00.00 to 00.00 (24 hours)

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, and
- d) The Protection of Children from Harm.

Each objective is of equal importance; there are no other licensing objectives so these four are of paramount consideration at all times. When considering applications/representations/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 policy.
- b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised March 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 it 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 of submitting the application to the licensing authority.

4.10 Representations have been received from the Concordia Steering Committee which ~~represents residents of Kempthorne Lane and individual local residents in relation to~~

the licensing objectives of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and the Protection of Children from Harm. Annex C)

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

Contact person	Emma Stoneman, Licensing Officer, 01225 396719
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.



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

ENVIRONMENTAL SERVICES

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.

- 4 NOV 2010

 Post Log No: ODAS 215003
 Receipt No: 12632
 CH/CA £ 6.32

I/We Sainsbury's Supermarkets Limited 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, ordnance survey map reference or description Sainsbury's Odd Down School Frome Road Odd Down	
Post town Bath	Post code BA2 2UN

Telephone number at premises (if any)

Non-domestic rateable value of premises

Not available

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- 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)

- 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 Standard 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

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post town Post code

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick
✓ yes

Current postal
address if
different from
premises address

Post town

Post code

Daytime contact telephone number

E-mail address
(optional)

(B) OTHER APPLICANTS

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

Name	Sainsbury's Supermarkets Limited
Address	33 Holborn London EC1N 2HT
Registered number (where applicable)	03261722
Description of applicant (for example partnership, company, unincorporated association etc)	Company
Telephone number (if any)	020 7695 6000
E-mail address (optional)	N/A

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	3	1	2	2	0	1	0

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.

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

Supermarket which is to sell a broad range of groceries, household products and alcohol. Situated at Odd Down School , Frome Road, Odd Down, Bath, BA2 2UN.

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f), or (g)
(if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities for

- | | |
|--|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box j) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K) | <input type="checkbox"/> |

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

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 ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>		
Day				Start	Finish	Outdoors	<input type="checkbox"/>
						Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)				
Tues							
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 ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>		
Day				Start	Finish	Outdoors	<input type="checkbox"/>
						Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)				
Tues							
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)				
Thur							
Fri			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)				
Sat							
Sun							

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details here</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tues			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick ✓</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
Tues				<u>Please give further details here</u> (please read guidance note 3)	
Wed				<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)	
Thur					
Fri				<u>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</u> (please read guidance note 5)	
Sat					
Sun					

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 ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>	
Tues						
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 ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>	
Tues						
Wed				State any seasonal variations for the playing of 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)			Indoors <input type="checkbox"/>	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Day	Start	Finish			
Mon			Will the performance of dance take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)		
Tues					
Wed			Please give further details here (please read guidance note 3)		
Thur					
Fri			State any seasonal variations for the performance of dance (please read guidance note 4)		
Sat					
Sun			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)		

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	Indoors <input type="checkbox"/>	Outdoors <input type="checkbox"/>	Both <input type="checkbox"/>
Mon					
Tues					
Wed			Please give further details here (please read guidance note 3)		
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Sat					
Sun			Non-standard timings. Where you intend to use the premises for the entertainment or 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)		

I					
Provision of facilities for making music 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 the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tues			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Wed			<u>Non-standard timings. Where you intend to use the premises for the entertainment or similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

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 ✓ (see guidance note 2)		
Day	Start	Finish		Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Mon			<u>Please give a description of the facilities for dancing you will be providing</u>		
Tues			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Wed			<u>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</u> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

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)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both - please tick ✓</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon		Outdoors		<input type="checkbox"/>	
		Both		<input type="checkbox"/>	
Tues			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓</u> (please read guidance note 2)		
Day	Start	Finish		Indoors	<input type="checkbox"/>
Mon	2300	2400		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tues	2300	2400	<u>Please give further details here</u> (please read guidance note 3) The provision will take place inside the premises but customers may leave the premises with items purchased.		
Wed	2300	2400	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	2300	2400			
Fri	2300	2400	<u>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</u> (please read guidance note 5)		
Sat	2300	2400			
Sun	2300	2400			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box ✓) (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	0600	2400	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Tues	0600	2400			
Wed	0600	2400			
Thur	0600	2400	<u>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</u> (please read guidance note 5)		
Fri	0600	2400			
Sat	0600	2400			
Sun	0600	2400			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	Michelle Louise Zouch
Address	141B St Pancras Way, Camden London
Post code	NW1 0SY
Personal Licence number (if known)	PERS-LIC\2119
Issuing licensing authority (if known)	London Borough of Camden

N

<p>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)</p> <p>The premises will sell other age restricted products.</p>
--

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variation</u> (please read guidance note 4)
Day	Start	Finish	
Mon	0000	2400	<p><u>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>The applicant may elect not to open the store, or part(s) of the store, 24 hours every day but requires the flexibility to do so subject to statutory or operational restrictions.</p>
Tues	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	
Sat	0000	2400	
Sun	0000	2400	

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)

b) The prevention of crime and disorder

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose.
2. The system will incorporate a camera covering each of the entrance doors and the alcohol display areas and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
3. The system will incorporate a recording facility and any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The system will display on any recording the correct time and date of the recording.
5. A system will be in place to maintain the quality of the recorded image.

c) Public safety

The applicant will at all times maintain adequate levels of staff. Such staff levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

e) The protection of children from harm

The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

CHECKLIST: -

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 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 (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature

Winckworth Sherwood

Date 3 November 2010

Capacity Solicitors duly authorised on behalf of the Applicant

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

Date

Capacity

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

Winckworth Sherwood LLP
(Ref: DXC/26508/1335/RPB)
Minerva House
5 Montague Close

Post town
London

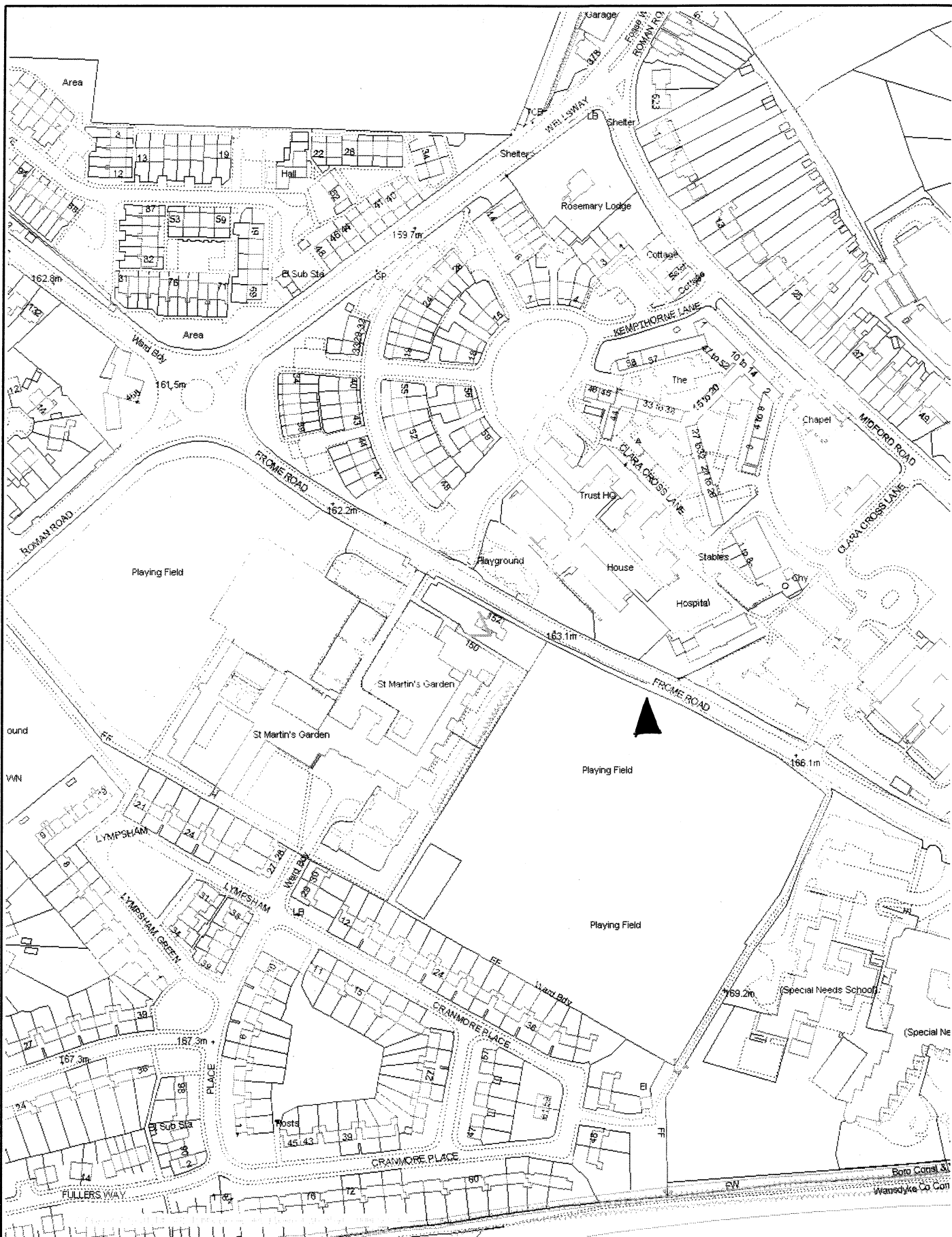
Post code
SE1 9BB

Telephone number (if any)
020 7593 0234

If you would prefer us to correspond with you by e-mail insert your e-mail address (optional)

dcrawford@wslaw.co.uk

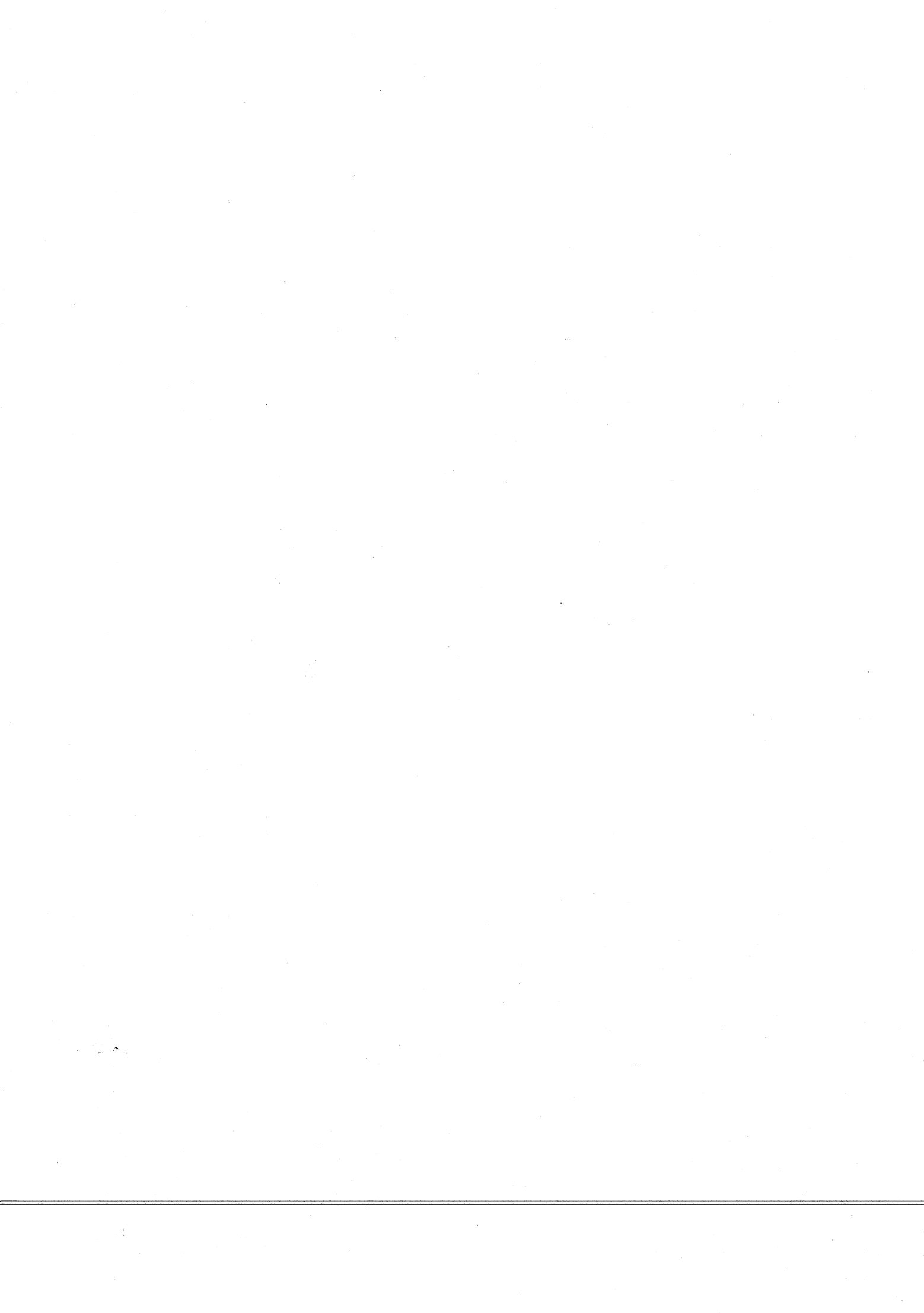




Bath & North East Somerset Council
 Bath & North East Somerset Council,
 Planning Services,
 Trimbridge House,
 Trim Street,
 Bath BA1 2DP

Sainsbury's, Frome Road, Odd Down

Scale 1/2500
 Date 6/12/2010
 Centre = 374076 E 162114 N
 Drawn by:
 E Stoneman



LICENSING ACT 2003

INTERESTED PARTY REPRESENTATION

ENVIRONMENTAL SERVICES

19 NOV 2010

Post Log No: 27/10 215635

Receipt No:

Please read the notes at the back of this form prior to completing it. We object to the following application:

Application number:	10/04038/LAPRE
Applicant's name:	SAINSBURY'S SUPERMARKETS LTD
Premises name and address:	SAINSBURY'S ODD DOWN SCHOOL FROME ROAD ODD DOWN BATH BA2 2UN
Application for a:	PREMISES LICENSE

Objector Details:

Objector's Name:	DR DAVID AND DR ALEXA SIMM
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.	48 KEMPTHORNE LANE BATH BA2 5DX
Organisation name if applicable:	N/A

Objection Details: My 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


We wish to object in the strongest terms, to the application of Sainsbury's to sell alcohol until 12 midnight at its new Odd Down premises. As a neighbour living within 100 metres of the new supermarket site, we firmly believe that such extended hours are not appropriate for a residential area on the grounds of public nuisance and social disorder.

In particular, youths currently use the children's playground situated on the St. Mark's Hospital site, which is [continued]

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





Date

14/11/10

14/11/10

Contact telephone number(s)

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

opposite the supermarket site, as a place for socialising after involving underage drinking of alcohol, public order and social nuisance, which on several occasions has resulted in calls to the police by concerned residents. On one occasion an ambulance has been called by the youths to assist one of their group for excessive drinking.

Our research of the selling times for alcohol in other Sainsbury's branches in Bath, reveals that no premises sell alcohol beyond 11pm.

In summary, we strongly believe that the extended hours for selling alcohol is irresponsible in a residential area and will only exacerbate social disorder and public nuisance.

David Simm

DR DAVID SIMM

Alexa Simm

DR ALEXA SIMM



Emma Stoneman

From: Ian Girvan
Sent: 30 November 2010 11:07
To: Emma Stoneman
Cc: SamanthaL
Subject: Sainsbury's licensing application

Dear Emma,

I wish to support the objections of those living on the Kempthorne Lane estate to Sainsbury's application for a licence to sell alcohol from 6am to midnight at their new store on the Frome Road, very near this development. Our reasons are much the same as those of Samantha Lautieri who has been in touch with you. We have already experienced a fair amount of anti-social behaviour on this estate and feel that the ready availability of drink over such an extended period will make matters worse. Like Samantha and other members of our group, we think that Sainsbury's should not think solely about its profits, but remember that it also has a moral and social obligation towards the communities in which its stores are located, particularly, as in this case, if they are largely residential.

With best wishes, IAN and LIZ GIRVAN,

59 Kempthorne Lane,
Bath,
Somerset BA2 5DX.

LICENSING ACT 2003

ENVIRONMENTAL SERVICES
30 NOV 2010
Post Log No: 97/AB 215 876
Receipt No:
CH/CA £.....

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:	UNKNOWN
Applicant's name:	SAINSBURYS
Premises name and address:	SAINSBURYS FROME ROAD ODD DOWN BATH
Application for a:	A LICENSE TO SELL ALCOHOL FROM 6AM TO MIDNIGHT

Objector Details:

Objector's Name:	DAVID PIPRETT
Objector's Address: <small>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.</small>	49 KEMTHORNE LANE BATH BA2 5DX
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

-
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-
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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

I AM OBJECTING TO THE PROPOSED LICENSING APPLICATION BY SAINSBURY'S TO SALE ALCOHOL FROM 6AM TO MIDNIGHT. IN THE KEMPTHORNE LANE PLAY AREA (CHILDRENS) WE HAVE HAD LOTS OF PROBLEMS WITH GROUPS OF CHILDREN CONGREGATING LATE AT NIGHT AND DRINKING ALCOHOL. THE SALE OF ALCOHOL WOULD BE EQUIVALENT TO PUTTING A MATCH TO A HAYSTACK.

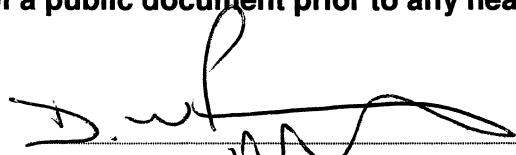
KEMPTHORNE IS A HIGH QUALITY DEVELOPMENT THAT SHOULD NOT EXPERIENCE ANY FURTHER PROBLEMS WITH UNRULY KIDS.

MANU THANKS

DAVID

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



Date

18/11/2010

Contact telephone number(s)
(This is essential as we may need to contact you at short notice)

Ms Emma Stoneman
The Licensing Authority
Bath and North East Somerset Council
9-10 Bath Street
Bath
BA1 1SN

2 December 2010

Dear Ms Stoneman

Licensing Act 2003 - Premises Licence
Sainsbury's Frome Road Odd Down Bath BA2 5RE
Your ref: 10/04038/LAPRE

Thank you for your hand delivered letter of 1 December 2010.

In my letter of 29 November 2010 I raised the concern that the promotion of the sale of alcohol seven days a week for 18 hours a day goes directly against the dictates of good sense and good governance to ensure the greatest good for the greatest number.

I am dismayed at the response that BANES Environmental Services "*could not refuse an application based on arguments made in (our) letter*". In an attempt to re-iterate my concerns, I will reformat these points against the following licensing objectives:

1. The Prevention of Crime and Disorder

1.1. The BANES council and local constabulary will be aware that teenage children congregate at the play ground next to St Martin's hospital particularly during the evenings in the spring/summer months. These gatherings often involve the consumption of alcohol and last late into the evenings. A further convenient facility to purchase alcohol in the late evening hours is being considered by BANES Council which one would imagine will only exacerbate the problem.

1.2. Your attention is drawn to the noise complaints that have been filed by the Concordia Residents with the local constabulary for the periods June 2007 to present.

2. The Prevention of Public Nuisance

2.1. After consuming their alcohol, teenagers have been observed moving onto the Concordia Development to urinate in the nearby shrubbery which has caused distress to a number of residents.

2.2. Despite waste bins outside the play ground, alcohol bottles and other unsanitary items are also left in the play ground and surrounding areas.

3. Public Safety (this refers to the safety of persons on the premises)

3.1. Through the development of St Martin's playground, BANES council has inadvertently created a secluded area for teenage children to congregate in the evenings. BANES Council are now in a position to allow alcohol to be sold in the late evening hours, in close proximity to this popular meeting place. Approval of this Premises Licence Application has the potential to increase alcohol consumption by young adults and in so doing increase the risk to teenage girls with diminished capacity and self awareness.

4. The Protection of Children from harm

4.1. On the single occasion that we have made use of the children's playground, we found evidence of broken glass from beer and spirit bottles in the playground. Broken glass in the playground is very likely to cause harm to young children. The St Martin's play area is noticeably well used by families with young children, throughout the year. It should be protected for use by this demographic.

In summary, individuals of a legal drinking age have a number of public houses in the local area to consume alcohol responsibly and during the hours stipulated in this Premises Licence Application. There is no need to introduce another facility of obtaining alcohol for such extended periods of time, especially one where the social burden shifts away from Sainsbury's after sale and onto the Concordia Residents and BANES Services.

Whilst I am certain that a Sainsbury's employee would not knowingly sell alcohol to a minor, experience over the past 3 years in this area demonstrates that minors are still able to obtain alcohol possibly via friends who are of legal drinking age. The hours applied for by Sainsbury's in this licence overlap with the hours in the day in which unsociable behaviour occurs. I therefore reiterate my request to have the approval of this Premises Licence Application rejected on the grounds outlined above.

I am happy for the contents of this letter to become a matter of public record.

Yours faithfully

28th November, 2010

The Licensing Authority
Bath and North East Somerset Council
9-10 Bath Street
Bath
BA1 1SN

REF: Alcohol License Application for Sainsbury's on Frome Road

Dear Sir/Madam,

Unfortunately the rich text format Representation Form on :
<http://www.bathnes.gov.uk/business/LicencesStreetTrading/Pages/Representations.aspx>
does not appear to be valid. As a result I have v presented the required info in this letter. If you'd like me to complete the form could you please forward a rich text format to me on the above email?

Application Number: unknown
Application Name: unsure – Sainsburys?
Premises Name and Address: Sainsburys on Frome Road, Odd Down, Bath (currently being built and previously owned by Hayesfield School)
Application for a: a license to sell alcohol from 6am to midnight:

Objector's Name:
Objector's Address:
Organisation name if applicable: Concordia Steering Committee on behalf of the Concordia Management Company (covers all residents of Kempthorne Lane)

Representation is relevant to the following licensing objective: prevention of crime and disorder; prevention of public nuisance; protection of children from harm; public safety.

Details of Objection:

We believe it's an inappropriate length of time to sell alcohol in a residential area and that it will encourage the further anti-social behaviour of youths in the playground at the edge of our development – we already have to suffer this during the spring/summer months each year and don't need it increased.

When the youths are in the playground they impact the use of the playground by other children as they give a perception of trouble. The youths also leave their empty bottles/can in the playground for younger children/other playground users to harm themselves on.

We believe Sainsbury's should be reminded that it does have a moral and social responsibility towards the communities in which its stores are located and its desire for profit should not outweigh these considerations

Witnesses: I can/would call various of the residents of Kempthorne Lane in the event there is a hearing. If you'd like their details I can forward them – currently I only have a number of emails supporting this objection, not their 'signatures'.

Kind regards,

Cc All members of the Steering Committee

Emma Stoneman

From: eleanorann
Sent: 30 November 2010 20:32
To: Emma Stoneman
Subject: objection to licence/Sainsbury's on Frome Road

15 Kempthorne Lane
Bath
BA2 5DX

Dear Emma Stoneman

I understand that Sainsbury's is applying for a licence. I strongly object because this store will be sandwiched between 2 schools. Alcohol can already be purchased from the Tesco extra further up the road and from the Co-Op 5 minutes away.

Yours sincerely

Eleanor Gower

