

Bath & North East Somerset Council

MEETING:	Licensing Sub Committee	AGENDA ITEM NUMBER
MEETING DATE:	Tuesday 15 March 2016	
TITLE:	Application for a Premises Licence for Edmunds News , 2a St James's Street, Lansdown, Bath BA1 2TW	
WARD:	Kingsmead	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for a new premises licence		
Annex B Plan of premises		
Annex C Site plan		
Annex D Representation received from the Police		
Annex E Representations received from "other persons"		

1 THE ISSUE

- 1.1 An application has been received for a new Premises Licence under s.17 of the Licensing Act 2003 in respect of Edmunds News, 2a St James's Street, Lansdown, Bath BA1 2TW.

2 RECOMMENDATION

- 2.1 That the Sub Committee determines this application.

3 RESOURCE IMPLICATIONS

- 3.1 The costs of processing licences are covered by the fees charged. The fee for this application is £190.00.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 An Equality Impact Assessment (Eq1A) has been completed. No adverse or other significant issues were found.
- 4.2 Consideration must be given to the Human Rights Act 1998 and the "convention rights".
- 4.3 The Sub Committee have been delegated authority to determine the application on behalf of the Licensing Authority in accordance with the Licensing Act 2003.

4.4 When reaching a decision, the Licensing Authority must carry out its functions with a view to promoting the four licensing objectives.

5 THE REPORT

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

5.2 The application proposes the following licensable activities:

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

Monday to Sunday 06:00 - 22:00

2) The opening hours proposed are:

Monday to Sunday 06:00 - 22:00

5.3 A plan of the premises is attached at Annex B.

5.4 A site plan is attached at Annex C.

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

- a) The Prevention of Crime and Disorder
- b) Public Safety
- c) The Prevention of Public Nuisance
- 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.

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

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

- a) Paragraphs 3-6, 8-10, 13-14, 17-24, 29,33-36, 38-41 of the 2015 policy.
- b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised March 2015.

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

5.8 The Licensing Authority recognises that Licensing and Planning are separate regimes. Where an application is granted by the Licensing Authority which would require planning permission this would not relieve the applicant of the need to obtain that permission. It will still be necessary for the applicant to ensure that he/she has **ALL** the necessary permissions in place to enable them to run the business within the law.

5.9 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.

5.10 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, health authority and the child protection agency.

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

5.12 A representation has been received from Police Licensing Officer Paul Kendall on behalf of Avon & Somerset Constabulary in respect of the Prevention of Crime and Disorder licensing objective (Annex D). It proposes that the following condition would be appropriate to promote the objective:

“All spirits to be displayed behind the counter”

5.13 Nine representations have been received from “other persons” who live or carry on a business within close proximity of the premises. They express concern that the applicant’s proposals are likely to undermine the following licensing objectives:

- The prevention of crime and disorder;
- The prevention of public nuisance; and
- The protection of children harm

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

6. RATIONALE

- 6.1 As representations have been received the Sub Committee must determine the application in accordance with the Licensing Act 2003.

7 OTHER OPTIONS CONSIDERED

- 7.1 None.

8 CONSULTATION

- 8.1 In accordance with the Licensing Act 2003 (Premises Licence and Club Premises Certificate) Regulations 2005, the applicant has given notice of the application to all the relevant Responsible Authorities and has advertised the application in the manner prescribed, both at the premises and within a local publication.

9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

10 ADVICE SOUGHT

- 10.1 The Council's Monitoring Officer (Head of Legal & Democratic Services and Council Solicitor), section 151 Officer (Divisional Director-Business Support) and the Group Manager (Public Protection & Health Improvement) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Terrill Wolyn, Senior Public Protection Officer 01225 396939
Background papers	Licensing Act 2003 Guidance issued under s.182 of the Licensing Act 2003 Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005 B&NES Statement of Licensing Policy

ENVIRONMENTAL SERVICES ANNEX 22 JAN 2016 Post Log No: Receipt No: 182503 CH/CA £190.00	A
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**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

DC

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.

I/We Star News Limited

(Insert name(s) of applicant)

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 2a St James Street			
Post town	Bath	Postcode	BA1 2TW

Telephone number at premises (if any)	01225 423952
Non-domestic rateable value of premises	£4950

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England 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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
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 Star News Limited
Address 48 The Causeway Chippenham Wiltshire SN15 3DD
Registered number (where applicable) 4468943
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) 01225 423952
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
 The premises is a small newsagent and grocery store wishing to sell a small selection of wines and beers.

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

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

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

- | Provision of regulated entertainment | Please tick any that apply |
|---|----------------------------|
| 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 late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

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"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
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					

ANNEX A

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films 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"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (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</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<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			

ANNEX A

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please 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"/>
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					

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"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
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					

ANNEX A

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>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			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
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 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)			<u>Will the performance of dance 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"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

ANNEX A

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	<u>Will this entertainment take place 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"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a 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)		
Sun					

I

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 (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<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					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	06:00	22:00			
Tue	06:00	22:00			
Wed	06:00	22:00			
Thur	06:00	22:00			
Fri	06:00	22:00			
Sat	06:00	22:00			
Sun	06:00	22:00			
			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)		

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

Name Parminderjit Singh Heer	
Address 21 Foxcroft Walk Chippenham Wiltshire	
Postcode	SN15 3YB
Personal licence number (if known) LN/004744NL	
Issuing licensing authority (if known) North Wilts District Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	06:00	22:00	<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>
Tue	06:00	22:00	
Wed	06:00	22:00	
Thur	06:00	22:00	
Fri	06:00	22:00	
Sat	06:00	22:00	
Sun	06:00	22:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

The premises licence holder/DPS has carried out a risk assessment with consideration of the four licensing objectives.

All staff will be fully trained to understand their responsibilities with regard to the retail sale of alcohol. Records of staff training will be maintained on site for 12 months and updated accordingly.

b) The prevention of crime and disorder

The premises will have a 4 camera CCTV system which will record continuously whilst the premises is open to the public. The recordings will be stored for a minimum period of 31 days and will be made available immediately upon request.

A record shall be kept detailing any refused sales of alcohol. The record will include the date and time of the refused sale and the name of the member of staff who refused the sale. The record will be available for inspection at the premises by the police or authorised officer.

Any incidents of crime and disorder will be recorded in a log book and the book made available to the police upon request without delay.

No single cans of high strength lager or cider (over 6.5% ABV) will be sold.

c) Public safety

The premises will be maintained in a safe manner at all times.

All exits will be clear of hazards.

d) The prevention of public nuisance

All refuse will be disposed of in an appropriate manner. Staff will be instructed to maintain all external areas in a clean and presentable manner at all times.

e) The protection of children from harm

A Challenge 25 proof of age scheme will be operated at the premises where the only acceptable forms of identification are a driving licence, passport or proof of age card with the PASS hologram. The premises will operate a "No ID, No Sale" policy at all times. Staff will be trained in the understanding of this policy and training records maintained for 12 months and made available for inspection by the police or any other responsible authority.

Checklist:**Please tick to indicate agreement**

- 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 designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	Claire Danson
Date	22/01/2016
Capacity	Authorised Agent

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) Claire Danson Knight Training (UK) Limited 134 The Barracks White Cross Business Park South Road			
Post town	Lancaster	Postcode	LA1 4XQ
Telephone number (if any)	0330 999 3199		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Claire@knighttraining.co.uk			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Consent of individual to being specified as premises supervisor

Parminderjit Singh Heer

[full name of prospective premises supervisor]

of

21 Foxcroft Walk
Chippenham
Wilts
SN15 3YB

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A new premises licence

[type of application]

by

Star News Limited

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

2a St James Street
Bath
BA1 2TW

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

ANNEX A

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

Star News Limited

[name of applicant]

concerning the supply of alcohol at

2a St James Street
Bath
BA1 2TW

[name and address of premises to which application relates]

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

Personal licence number

LN/004744NL

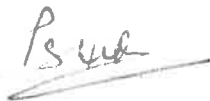
[insert personal licence number if any]

Personal licence issuing authority

North Wiltshire DC

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

Signed



Name (please print)

Parminderjit Singh Heer

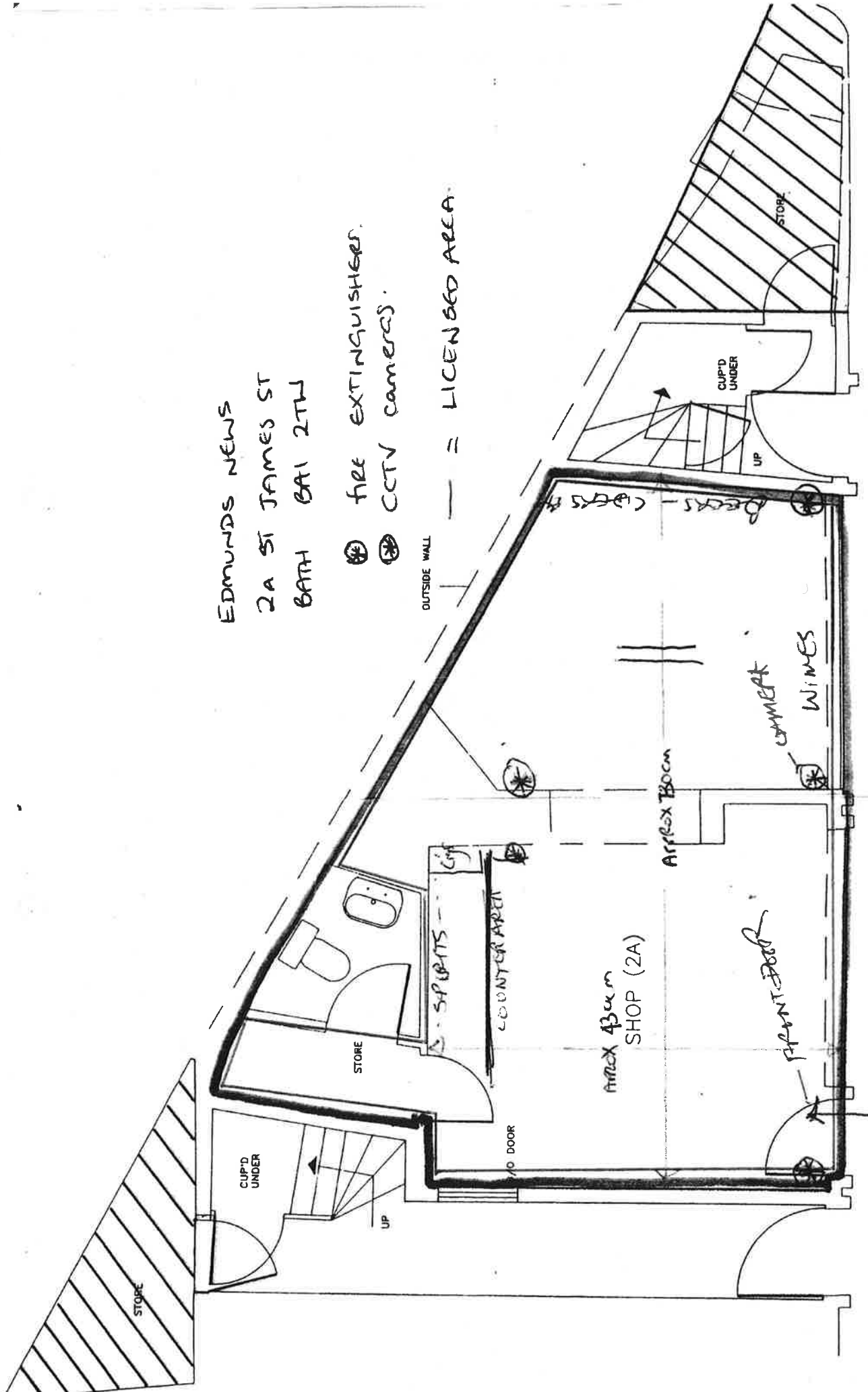
Date

4th January 2016

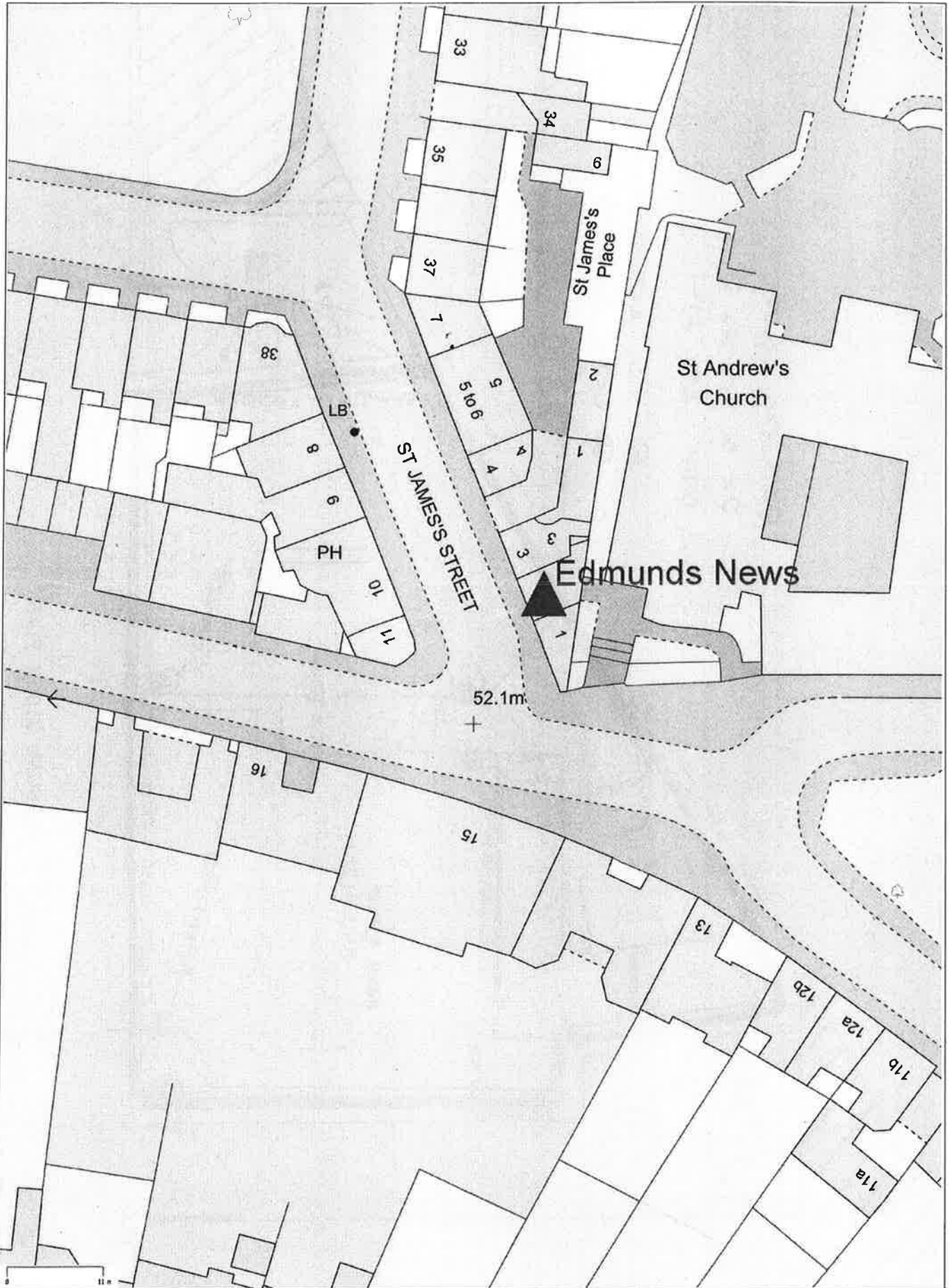
EDMONDS NEWS
2A ST JAMES ST
BATH BAI 2TH

⊗ FIRE EXTINGUISHERS.
⊗ CCTV CAMERAS.

— = LICENSED AREA.



GROUND FLOOR PLAN





ENVIRONMENTAL SERVICES

11 FEB 2016

Post Log No:

Receipt No:

CH/CA £.....

**Avon & Somerset Constabulary
Representations: Licensing Act 2003.**

Your Name	Paul Kendall	
Job Title	Licensing Officer, North East District.	
Postal and email address	Concorde House, Fieldfare, Emersons Green, South Gloucestershire, BS16 7FN.	
Contact telephone number/e-mail address	0117986078 Paul.kendall@avonandsomerset.police.uk	
Name and address of the premises you are making representations about.	Edmunds News, 2A St James Street, Bath	
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
General – all four licensing objectives.		
To prevent Public Nuisance	No	
To prevent crime and disorder	Yes	The premises plan denotes spirits will be displayed behind the counter but is not included in the conditions offered. Due to the layout of the store where the view from the counter is restricted and the fact that spirits are the priority target for shoplifters the police request that this is made a condition.
Public Safety	No	
Protection of Children from harm	No	
Would this be suitable for resolution without a hearing if all parties agree?	N/A	Applicants have agreed to below additional condition – see attached e-mails
Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer	All spirits to be displayed behind the counter	

to checklist.	
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N.B If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

Signed: Paul Kendall

Date: 11/02/2016

This form must be returned within the Statutory Period. (With supporting evidence).

Terrill Wolyn

From: Terrill Wolyn
Sent: 10 February 2016 13:15
To: Terrill Wolyn
Subject: Edmunds News - Representation from Mandy CONNOR

From: Mandy Connor
Sent: 01 February 2016 17:24
To: Licensing
Subject: Reference: 16/00508/LAPRE

Details: New Premises Licence
Trading As: Edmunds News
Address: 2A St James's Street, Lansdown, Bath, BA1 2TW
Yard: Kingsmead
Reference: 16/00508/LAPRE

Dear Ms Latta,

I am writing with regard to the above application and wish to raise an objection to the proposed Licence application for Edmunds News.

I live in Lampards Buildings and overlook Julian Road Stores, although the licence would not directly affect me, indirectly it would.

I regularly use Edmunds News, Corners, The Dolly Tub, Mangia Bene, the Chemist and the pub. The street is quiet and very community conscious. I think the area of St James's Street is a very good example of a good community street that welcomes residents and tourists. Hence my regular use.

My reasons for objecting to the proposed licence are:

1. I have seen that the Chemist has regular visitors that frequent Julian Road Stores for their alcohol. These people on numerous occasions have arguments outside the shop due to their alcohol intake and the police are called to deal with the situations that arise. I have learnt to live with this along the road, but why put similar possible problems further down the road. With alcohol being sold in St James's Street from 6 am to 10 pm this would have an impact on the quiet street.
2. Why do we need another shop selling alcohol when Julian Road Stores; open from 11am to 11pm and The Co-Op; open from 8am to 10 pm already sell a wide range of alcohol? We did have McColls for a number of years too and they have now gone, but the noise of people drinking alcohol on the streets is still there.
3. Within the street there is The St James Wine Vaults – by selling alcohol opposite, surely this would have an impact on trade at the pub. I would not like to see the only traditional pub in the area close. This pub thrives on the community around it and raises money for the local neighbourhood. By Edmunds News selling alcohol; this could have a significant impact on this business and the community it helps.
4. The risk of anti-social behaviour and littering will be increased. This is especially concerning as there are many tourists that frequent the local shops and pubs in the area. There is also a risk of glass being broken and cans left around. This would have an impact on the many dog walkers.
5. Research into the Police UK website has highlighted that anti-social behaviour is a major priority in Bath and priority action is being taken 'Continued alcohol seizures and section 34 dispersal notices

ANNEX E

are to be issued to street drinkers causing anti-social behaviour. Will this happen in this area? The Police are already stretched to the limit.

I have also carried out research into the potential issues that could arise and found the following:

An Investigation into the Environmental Impact of Off-licence Premises on Residential Neighbourhoods carried out by AERC November 2007

http://alcoholresearchuk.org/downloads/finalReports/AERC_FinalReport_0052.pdf

The report addressed " issues by focusing upon licensed convenience stores (grocers / newsagents) operating in residential areas. Unlike on-trade premises, these outlets (community off-sales) often provide a broad range of services for the wider community, not just drinkers or the over-18s. Unlike city centre weekend binge drinking, the impact of such premises on residents is likely to be continuous and long-lasting, affecting the whole community. For many residents, including children, these premises and their alcohol purchasing clientele offer their only exposure to the consequences of (anti-social) drinking."

The research carried out by Alcohol Research UK suggests that "there would appear to be too much pressure placed upon shop servers about the issue of under-18s, purchasing alcoholic drinks directly from off-sales, in comparison to other alcohol-related issues (e.g. sale to intoxicated or anti-social customers). This is particularly unfortunate because as one interviewee in this research (who was making strenuous efforts to prevent under-agers from obtaining alcohol) put it - "they will always find a way around it". Indeed, far from being a "black and white issue", proof-of-age crackdowns, such as test-purchasing or national ID cards, may only lead to more practices such as the 'shoulder-tapping' of adults to act as agents for under-age purchase, which in turn may actually put the young people concerned at a greater level of risk from alcohol-related and other harm."

Research from Local Authorities has also highlighted that Off-Sales contributes to Anti-Social Behaviour such as noise and littering.

Therefore, in conclusion, it is felt that by adding another Off-Licence into the area will create significant issues in the area that Bath & North East Somerset Council will have to handle and have a substantial impact on the businesses around it. Two shops are enough, why do we need another one.

Yours sincerely

MANDY CONNOR
Lampards Buildings
Bath
BA1 2RW

**Bath & North East
Somerset Council**

LICENSING ACT 2003

Bath And North East
Somerset Council

12 FEB 2016

Received

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:	16/00508/LAPRE
Applicant's name:	Stars News Ltd
Premises name and address:	Edmunds News 2a St James Street Bath BA1 2TW
Application for a:	Alcohol Licence

Objector Details:

Objector's Name:	Mr P. Wilband
Objector's Address:	Buisness, Dolly Tub Launderette 2 st James Street ath ba1 2tp
Organisation name if applicable:	Dolly Tub Launderette

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

Dear Sir / Madame

I write to yourselves with my objection to Star news applying to a licence to sell alcohol at Edmunds News St James street bath ba1 2tw. I am the owner of the Dolly Tub Launderette situated two doors away from the said address. We are situated beneath a Victorian Colonnade which already being plagued unfortunatley by gangs of youths, Alcoholics / drug users from sadley near by Julian Rd area. especially at night and during wet rainy periods. We have already been the victim of Crime. Plus the flat opposite under the collenade was also burgled recently. Contact Bath Police for details. Also the wall opposite has now been covered with graffity. In my opinion selling alcohol from the news agent would only lead to more alcohol fuelled crime like this. Alcohol being sold from a shop like this would not be taken home for consumption but drunk on the street in areas just as i have described.. There is a pub right opposite where one can have a drink if one wants without having to drink on the streets or in my Launderette !!! which is what will most likley happen. You can drive along Julian Rd at any time especially at night to see living proof of drinking on the streets. I please ask you to consider my objections when looking at this application. Many Thanks Mr Phillip Wilband

I am aware that a full copy of my representation (including my name and address) will

ANNEX E

Terrill Wolyn

Subject: FW: St James Sq newsagent

Representation in respect of Edmunds News received 12.02.2016

From: david attinger
Sent: Friday, February 12, 2016 11:14
To: licencing@bathnes.gov.uk
Cc: Chris Pearce (Cllr); andrew_furse@bathnes.gov.uk
Subject: St James Sq newsagent

Dear Sir/Madam, I am writing to register my objection to the application for an alcohol licence ref 16/0058 LAPRE. I live at No St James's Square, BA1 2TR. I have spoken with many other residents all of whom are vehemently opposed to this application to change a community newsagents into a destination for people requiring cheap, late night alcohol. The associated noise and inevitable anti social behaviour will do nothing to improve local residents standard of living and everything to encourage increased alcohol consumption by people who might be discouraged to walk the few hundred yards up Julian Road to the Co-op which seems to cater very well for the 'strong lager' and 'cheap wine' drinker. Regards, David Attinger

Matthew White
Fairlawn, Weston Road
Bath. BA1 2XX

16th February 2016

Environmental Monitoring and Licensing
BANES
Lewis House
Manvers Street
Bath, BA1 1JG

Bath And North East
Somerset Council

19 FEB 2016

Received

Dear Sirs

Re: New Premises Licence Application
Ref. No. 16/00508/LAPRE
2a St James Street, Lansdown, Bath, BA1 2TW

I wish to object to the granting of the licence referred to in the above application.

Whilst I can put forward no reasonable reasons to suggest that an off-licence at 2a St James Street is likely to cause Crime, Disorder, a Public Nuisance or a danger to Public Safety on the premises, I am, nevertheless, worried about its proximity to the Primary School next door and the possibility (even probability) of the inappropriate drinking from cans or bottles, purchased at this off-licence, during the school day, on the pavement or convenient piece of grassed space in the vicinity of the school. The fact is that Bath does have its share of daytime street and park drinkers and further facilities for this habit should not be located near a school.

Yours faithfully,

Electronic copy rec'd 16/02/2016.

Terrill Wolyn

From: Rosalind Beale <
Sent: 17 February 2016 15:26
To: Terrill Wolyn
Subject: Edmunds News - REPRESENTATION from Rosalind BEALE

Dear Terrill,

Further to our recent correspondence, I'm writing to oppose the above application on the grounds that it is likely to cause a public nuisance, lead to disorder and threaten the safety of children.

The associated noise and inevitable antisocial behaviour that the sale of cheap alcohol will bring, will interfere with the quiet enjoyment of the local residents in St James's Square. This application is clearly aimed at the people who favour strong alcohol and cheap wine, a significant number of whom live on the estates on Julian Road. Evidence of their anti social behaviour can often be seen when they colonise the green in front of the school on Julian Road. Discarded bottles and cans are frequently left on the green by the drinkers and they become incapable of keeping their dogs under control. This is very intimidating for other dog owners and also young children.

Kind regards

Rosalind Beale

St James's Square

Terrill Wolyn

From: Licensing
Sent: 18 February 2016 12:02
To: Terrill Wolyn
Subject: Edmunds News - REPRESENTATION from Peter GUNNING

From: Peter Gunning pgunning@stjames.org
Sent: 18 February 2016 11:51
To: Licensing
Subject: Licensing Application 16/00508/LAPRE 2a St James's Street

I am writing to register my deep concern at a new source of alcohol from 6am until 10pm extremely close to the infants school.

Again this will no doubt give rise to unwelcome crime and disorder in a quiet environment.

Peter Gunning
St James's Square

Terrill Wolyn

Subject: FW: Edmunds News - REPRESENTATION from Geoffrey TANTUM

From: Geoffrey Tantum

Sent: 18 February 2016 12:21

To: Terrill Wolyn

Subject: Re: Edmunds News - REPRESENTATION from Geoffrey TANTUM

Dear Terrill

I was good of you to respond with such helpful guidance. Please see my revised submission below objecting to the granting of a licence.

"I think the grant of a licence to an outlet selling alcohol daily from 06.00 – 22.00 could indeed cause a public nuisance, and potentially lead to disorder and threaten the safety of children.

There would inevitably be noise as people may gather outside the shop in the summer months drinking cheap wine/alcohol. The pub opposite is very well controlled by the landlord but that would not apply to this outlet. Such noise and potential disruption on the narrow pavement would impact on this residential area and the residents' quiet enjoyment of their homes. It is also likely to lead to an increase in anti-social littering (bottles/ cans/packets) and quite possibly unfriendly dogs poorly controlled as we have already seen in some areas in this neighbourhood. This could intimidate residents and frighten young children."

I trust this is more acceptable and thank you again for your help.

Geoffrey Tantum

St James's Square

Bath

BA1 2TS

Terrill Wolyn

From: Licensing
Sent: 19 February 2016 09:54
To: Terrill Wolyn
Subject: Edmunds News - REPRESENTATION from Angelina JENKINS

From: Angelina Jenkins [redacted]
Sent: 19 February 2016 09:38
To: Licensing
Subject: Licensing application reference 16/00508/LAPRE - Edmunds News

Dear Case Officer,

I refer to the licensing application reference 16/00508/LAPRE submitted on 22.1.2016 for "Sale of alcohol everyday 06:00 to 22:00 off the premises" at Edmunds News, St James's Street, Bath BA1 2TW.

I want to lodge my objection to granting the said licence under application. My concern is that this is a quiet residential area, the opening of a shop until 10:00 pm will invariably bring in shoppers to the area during a time when residents would want to take a quiet rest, and the selling of alcohol until this late hour will very likely lead to noise and anti-social behaviour on the street.

There is already the Co-op Supermarket some 50 metres away on Julian Road which opens until 10pm everyday and which sells alcohol. There is no need for yet another shop in the area selling alcohol.

Furthermore, the purpose of this kind of "corner" shops is traditionally for the convenience of the local residents, Edmunds News's current closing time of 6:00pm during the week and 12:30pm on Sundays serves this purpose completely. There is no need to extend its opening hours to 10pm everyday including Sunday.

I would be grateful if you could take into account the above concerns and objection in your assessment of the application. Thank you.

Best wishes
Angelina Jenkins
Great Bedford Street
Bath BA1 2TZ

Terrill Wolyn

From: Licensing
Sent: 19 February 2016 10:49
To: Terrill Wolyn
Subject: Edmunds News - REPRESENTATION from Dorat

From: Dorota King
Sent: 19 February 2016 10:38
To: Licensing
Subject: Subject Application 16/00508/LAPRE, 2A St James's Street

I'm writing to object to the above application on the grounds that it is likely to cause a public nuisance, and will lead to increased crime and disorder. It should not be granted because

Nearly all, if not all, residents of the Square see it as a public nuisance.

Without doubt, It will contribute to the increase an disorder and crime

as there is strong evidence linking alcohol consumption and crime. The research has been carried by respected UK organisations and some is published on the UK government website. Some examples are:

*<http://www.ias.org.uk/Alcohol-knowledge-centre/Crime-and-social-impacts/Factsheets/UK-alcohol-related-crime-statistics.aspx>http://www.ias.org.uk/uploads/pdf/Women/bs_alcohol_violence.pdf
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/98138/rapid-evidence-assessment.pdf*

The link between alcohol and crime and violence has well been documented. As there is an evidence based on this research that alcohol consumption will results in increased crime, the application should not be granted.

Finally, there is an ethical reason: It simply serves no good to encourage people to drink more alcohol. The local area is over served already with outlets selling alcohol. It presents further risk to children, as they walk the streets seeing alcohol sold in nearly every shop and may think it is normal thing to drink. Alcohol is a drug, and I hope our local councillors, especially those who have their own children, will also object to this application.

Yours sincerely

Dorota King
22 St James's Square