

Bath & North East Somerset Council		
MEETING:	Licensing Sub Committee	AGENDA ITEM NUMBER
MEETING DATE:	Thursday 21 <sup>st</sup> December 2017	
TITLE:	Application for a new Premises Licence for Ground floor and Basement, 8 Edgar Buildings, George Street, Bath BA1 2EE	
WARD:	Abbey	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A	Application for a new premises licence	
Annex B	Plans of premises	
Annex C	Site plans	
Annex D	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 Ground floor and Basement, 8 Edgar Buildings Bath BA1 2EE

## 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 on and off the premises between:

Sunday to Thursday                      10:00 - 19:00

Friday to Saturday                      10:00 - 23:00

### **Non Standard Timings**

Bank Holidays and Public Holidays (but not Christmas Day) operating hours 10:00 to 19:00

- 2) The opening hours proposed are:

Sunday to Thursday                      10:00 - 19:00

Friday to Saturday                      10:00 - 23:00

### **Non Standard Timings**

Bank Holidays and Public Holidays (but not Christmas Day) operating hours 10:00 to 19:00

5.3 The following conditions have been offered by the applicant:

All staff shall be trained in the law about the sale of alcohol. All staff training shall be recorded and any additional refresher training will be provided. The training will cover the following

Acceptable forms of proof of age

How to refuse a sale to persons under 18 years of age, and

How to record such a refusal in the refusals register

Training records shall be made on request to police and officers of responsible authorities. In addition the business will operate a "Think 25/Challenge 25" scheme, including notices and/or posters advertising the same.

5.4 Plans of the premises are attached at Annex B.

5.5 Site plans are attached at Annex C.

5.6 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.

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

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

- a) Paragraphs 3-6, 8-10, 13-14, 17-24, 29,33-36, 38-41 of the 2015 policy.
- b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised April 2017.
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.

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

5.10 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates' Court. If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates' Court. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.

5.11 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.

- 5.12 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.
- 5.13 A representation has been received from 1 "other persons" who resides close to the premises. The representations expresses concern that the applicant's proposals are likely to undermine **the prevention of public nuisance licensing objective and the prevention of crime and disorder licensing objectives**. (Annex D)
- 5.14 A representations have been received from the Police, who are a Responsible Authority, the representation expresses concern that the applicant's proposals are likely to undermine **the prevention of public nuisance licensing objective and the prevention of crime and disorder licensing objective**. (Annex D)
- 5.15 The premise is situated within Bath's Cumulative Impact Area. As relevant representations have been received, the policy has been engaged and there is a rebuttable presumption that the licence will be refused.
- 5.16 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.

<b>Contact person</b>	Ian Nash, Licensing officer 01225 396719
<b>Background papers</b>	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



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

ANNEX A

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

We **LLDD Ltd**

(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 <b>Ground Floor &amp; Basement</b> <b>8 Edgar Buildings</b> <b>George Street</b>		<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <b>ENVIRONMENTAL SERVICES</b>   <div style="text-align: center; font-weight: bold;">31 OCT 2017</div>         Post Log No: .....          Receipt No: <u>307134</u>          CH/CA £190.00       </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <div style="text-align: center; border: 1px solid black; border-radius: 50%; width: 30px; margin: 0 auto;">CC</div> </div>	
<b>Post town</b>	<b>BATH</b>	<b>Postcode</b>	<b>BA1 2EE</b>
Telephone number at premises (if any)		-	
Non-domestic rateable value of premises		£20,500 - 27,500 on VOA website	

**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/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability)   | <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) |

- 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 (by ticking yes to one box below):

- 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		
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes			
Nationality					
Current residential 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		





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

DD		MM		YYYY			
+	+	+	+	+	+	+	+

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

The Premises is located at the Ground Floor, 8 Edgar Buildings, Bath, BA1 2EE as identified in the attached plan labelled Plan A. In addition to the ground floor, the Premises also include a basement and a vault, as outlined in the attached plan labelled Plan A.

As part of the Premises, there is also a kitchen to be used for staff purposes only. In addition, we have attached a further plan of the Italian Deli layout (Plan B), which will be located on the Ground Floor at 8 Edgar Buildings and which shows where there will be furniture within the Italian Deli.

The Premises is a shop which will operate as an Italian Deli, known as the Italian Food Hall, selling a range of Italian food and drink products, including alcohol. The Premises are located on George Street and opposite to Milsom Street in Bath. Located next door to the Premises is the bar and restaurant known as Slug and Lettuce. In addition, the Premises is surrounded by a mixture of residential properties, restaurants and drinking establishments.

Alcohol products sold will be for consumption off the premises and for customers to taste in the Premises.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur					
			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur					
			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><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></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Wed					
Thur					
			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

## E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 6)		
Sat					
Sun					



**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)			
Thur						
Fri						
Sat			<b><u>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</u></b> (please read guidance note 6)			
Sun						

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Wed					
Thur					
			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><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></b> (please read guidance note 6)		
Sun					

## I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) Bank Holidays and Public Holidays (but not Christmas Day) operating hours: 10:00 – 19:00.		
Mon	10:00	19:00			
Tue	10:00	19:00			
Wed	10:00	19:00	<b>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</b> (please read guidance note 6)  Bank Holidays and Public Holidays (but not Christmas Day) operating hours: 10:00 – 19:00.		
Thur	10:00	19:00			
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	19:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Laura Doria	
Date of birth: 15 August 1970	
Address 47 Chilton Road Bath	
Postcode	BA1 6DR
Personal licence number (if known) This is in the process of being obtained.	
Issuing licensing authority (if known) Bath and North East Somerset	

☐ ☐ ☐ ☐

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 9).

None.

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)  Bank Holidays and Public Holidays (but not Christmas Day) operating hours: 10:00 – 19:00.
Day	Start	Finish	<b><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></b> (please read guidance note 6)  Bank Holidays and Public Holidays (but not Christmas Day) operating hours: 10:00 – 19:00.
Mon	10:00	19:00	
Tue	10:00	19:00	
Wed	10:00	19:00	
Thur	10:00	19:00	
Fri	10:00	23:00	
Sat	10:00	23:00	
Sun	10:00	19:00	

**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 10)**

All staff shall be trained in the law about the sale of alcohol. All staff training shall be recorded and any additional refresher training will be provided. The training will cover the following:

- Acceptable forms of proof of age;
- How to refuse a sale to persons under 18 years of age; and
- How to record such a refusal in the refusals register.

Training records shall be made on request to police and offices of responsible authorities. In addition, the business will operate a 'Think 25 / Challenge 25' scheme, including notices and/or posters advertising the same.

**b) The prevention of crime and disorder**

As set out above.

**c) Public safety**

As set out above.

**d) The prevention of public nuisance**

As set out above.

**e) The protection of children from harm**

As set out above.

**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. ☒
- ☐ [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
<b>Signature</b>	



Date	31.10.2017.
Capacity	TRAINEE SOLICITOR.

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). 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 14) Hannah Haughton Thrings LLP The Paragon Counterslip			
Post town	BRISTOL	Postcode	BS1 6BX
Telephone number (if any)	0117 374 9631		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) hhaughton@thrings.com			

### Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

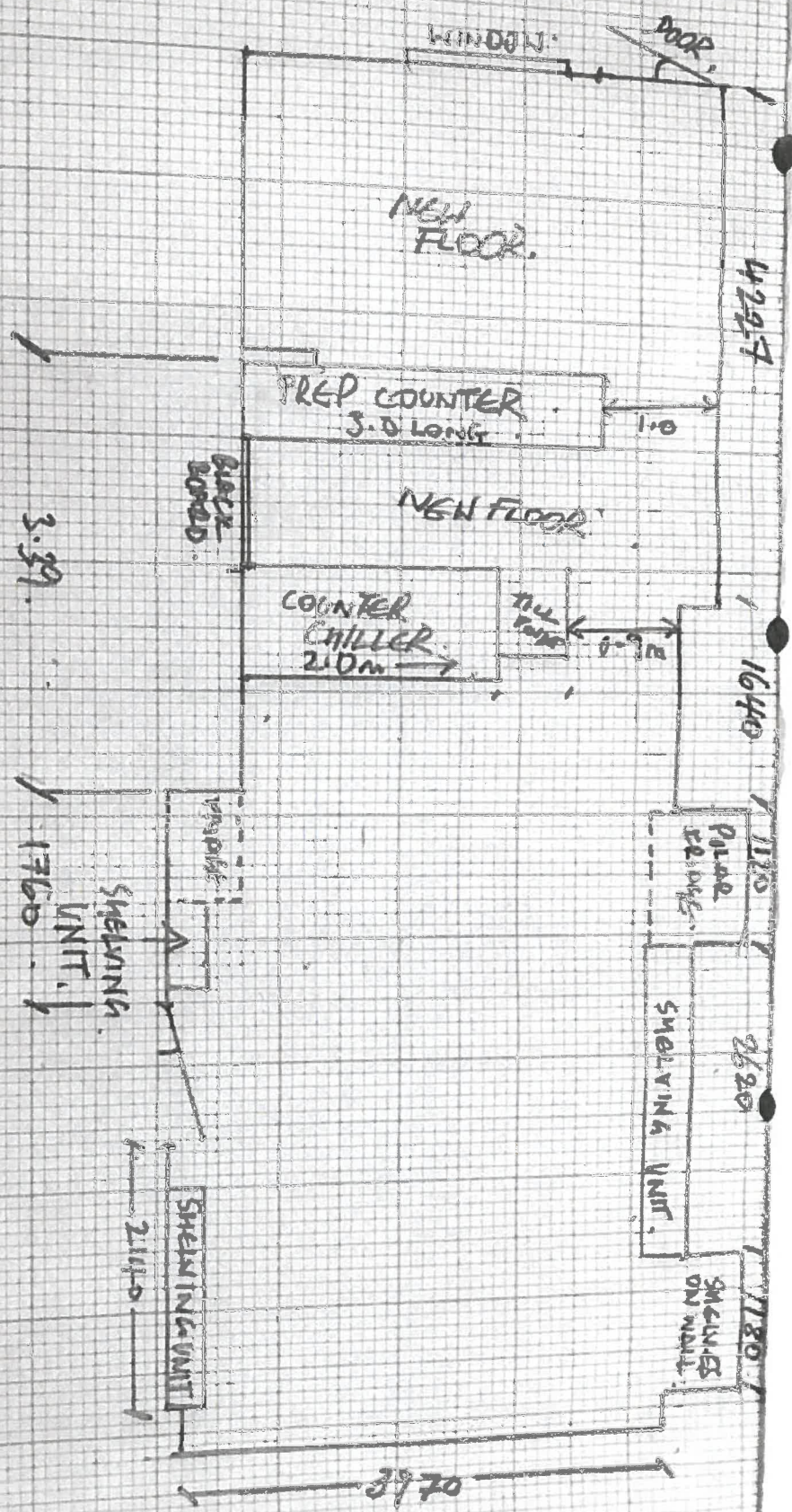
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PLAN B

ITALIAN FOOD SHOP



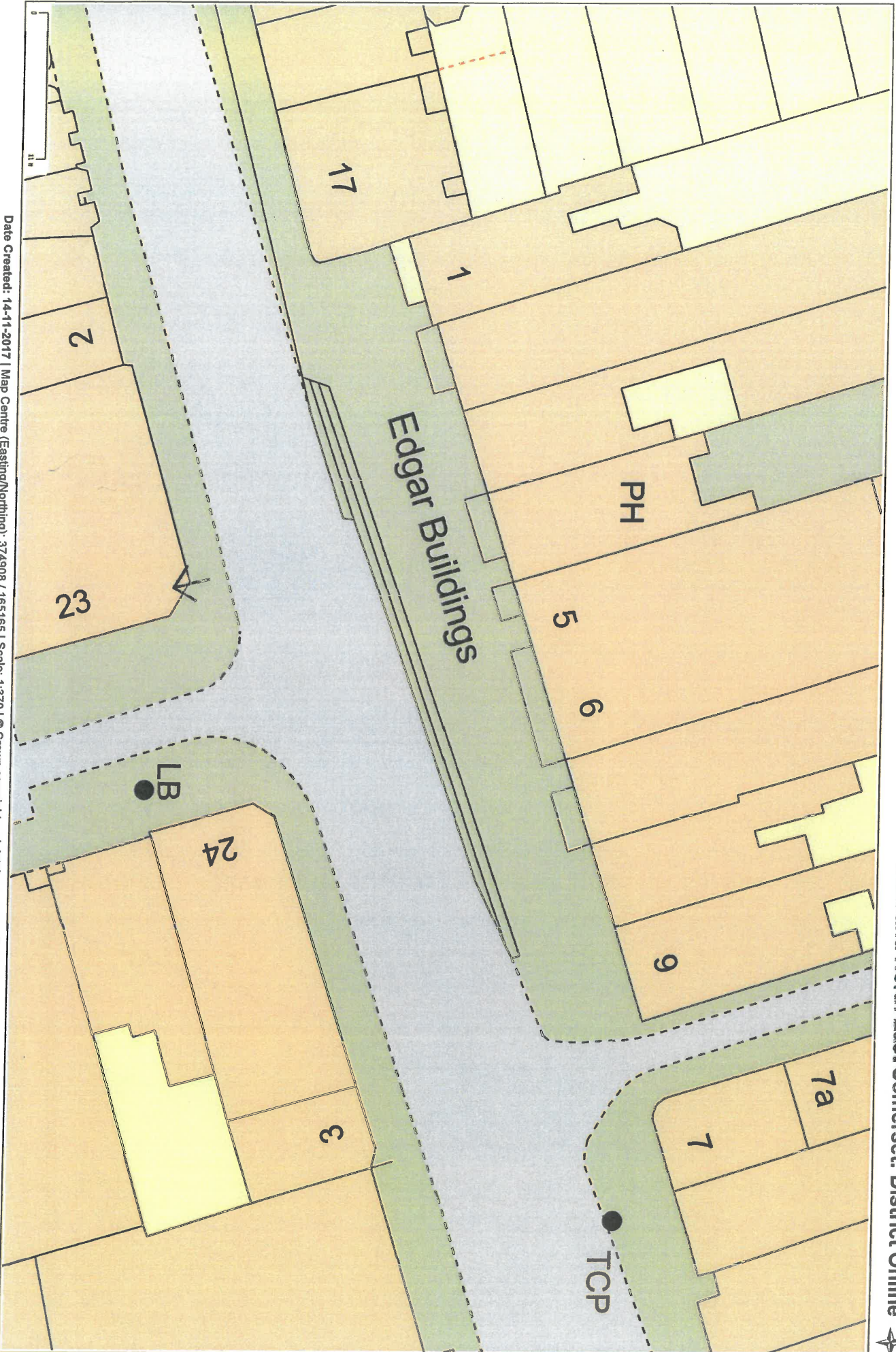
ALL UNITS 2.1 HIGH.

13/10/17.



Location Plan

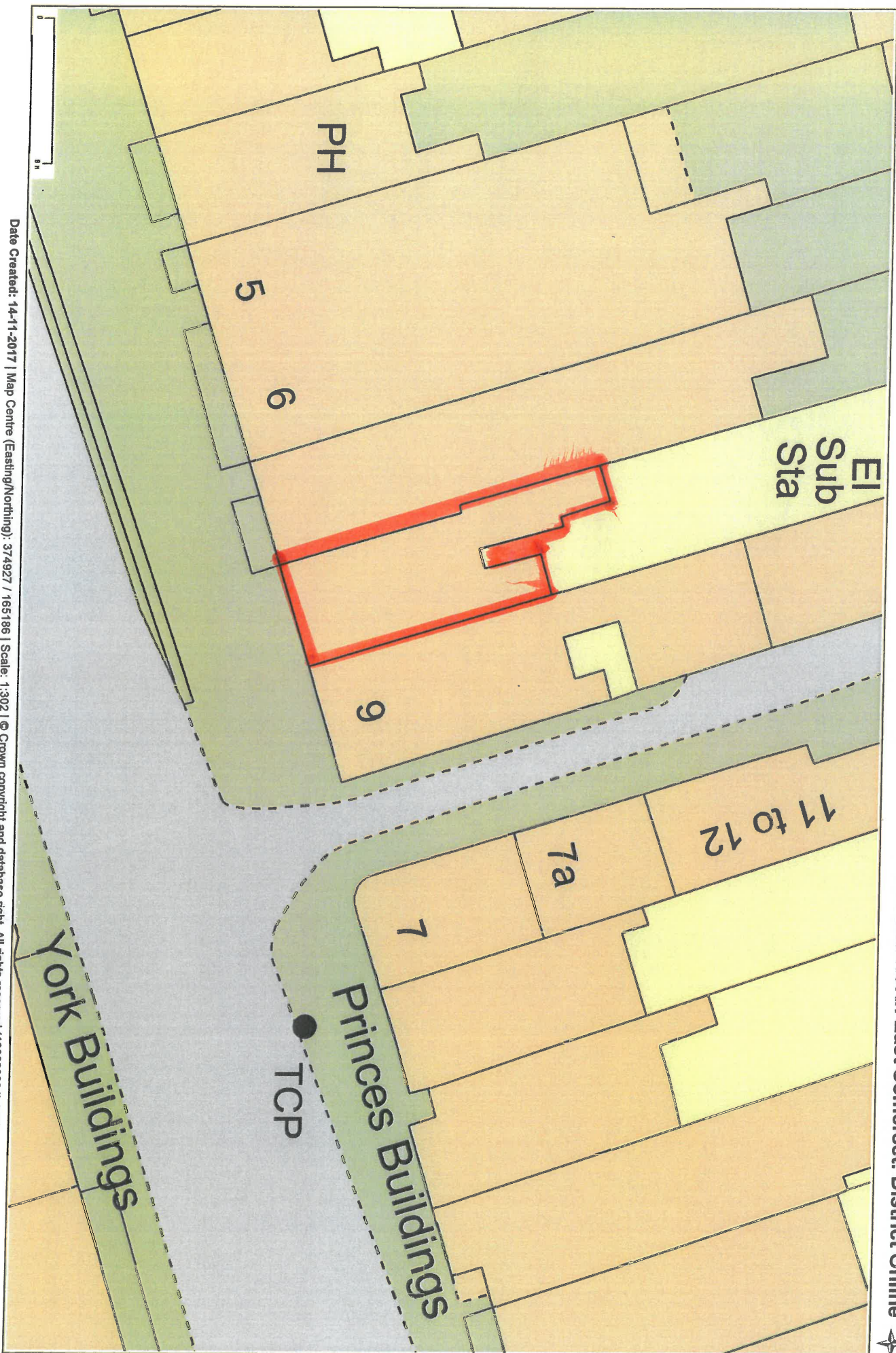
Bath and North East Somerset: District Online





Location Plan

Bath and North East Somerset: District Online



**From:** Richard Brown **Sent:** 13 November 2017 12:00

**To:** Licensing

**Subject:** Licensing Application for Un named Premises at 8 Edgar Buildings

FOR THE ATTENTION OF: Lauren Latta

Dear Ms Latta,

**Re: 17/028701/LAPRE. As yet un named premises at 8 Edgar Buildings**

I am a resident living in the vicinity of the above premises, the subject of the current licensing application.

I wish to **OBJECT** to the licensing of the above premises on the following basis:

**1) Prevention of crime and disorder**

In my residential community, the area covered by the Circus Area Residents Association, there are to my count at least 15 establishments that already sell alcohol until late at night. These are: Assembly Inn, Bistrot Pierre, Bistro Rustico Italiano, Boston Tea Party, Chequers, Circo, Co-operative Shop, Henry's, Moles, Olive Tree, Porters, Slug and Lettuce, Sub 13, The Circus and Woods.

This saturation of alcohol establishments is more than enough for a small residential community. The combined effect already has an adverse impact on crime and disorder. For example:

- The necessity to add police resources to the establishments in and above George Street is evidence that alcohol, often to excess, is leading to crime.
- The impact on our community, almost on a daily basis, as the drunkards 'watered' by these establishments wind their way home in the late/early hours.

**2) Prevention of public nuisance**

As mentioned above, the impact of excessive alcohol consumption from the current collection of bars and restaurants is already a nuisance. I see the impact of another alcohol establishment, however it is dressed up, as adding to the nuisance faced by my neighbours and myself. For example:

- I am already woken on at least 5 nights every week, by inconsiderate noisy consumers of alcohol, some of whom are extremely abusive, causing distress and a public nuisance to myself and neighbours, and this is adversely affecting my health.

**Conclusion**

I do not feel another drinking establishment, however it is titled, will benefit what is already a residential community saturated by the number of alcohol establishments. I believe that the addition of yet another such premises, will add to current levels of Crime & Disorder and Public Nuisance. As such, I **OBJECT** to the license application.

Sincerely,

Stephanie Brown





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

Your Name	Geoff CANNON	
Job Title	POLICE LICENSING OFFICER	
Postal and email address	2 <sup>nd</sup> Floor REDBRIDGE HOUSE MIDLAND RD BATH BA2 3EW	
Contact telephone number/e-mail address		
Name and address of the premises you are making representations about.	8 EDGAR BUILDINGS BATH BA1 2EE	
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
The Prevention of harm to children	No	
To prevent Public Nuisance	Yes	See below.
To prevent crime and disorder	Yes	<p>The application is for a Premises Licence to authorise the sale of alcohol for consumption on and off the premises Monday to Thursday and Sundays 10:00hrs – 19:00hrs and 10:00hrs – 23:00hrs on Fridays and Saturdays.</p> <p>The premises is described as a 'shop which will operate as an Italian Deli known as The Italian Food Hall'.</p> <p>The location of the premises, Edgar Buildings on George St. is one of busiest area of Bath generally and the busiest area during the night – time economy. The Police Licensing Officer has pointed out to the applicant via their legal representative that the George Street area of Bath is very popular with people using the bars, restaurants and nightclubs after 10pm on a Friday and Saturday night. There is a greater density of premises selling alcohol in this area than anywhere else in the city and George St sits firmly in the Cumulative Impact Area. There are a greater number of incidents of alcohol induced crime and disorder and public nuisance in this area than anywhere else in Bath particularly on a Friday and Saturday night.</p> <p>It is against this backdrop that the Police feel that the measures offered by the applicant to promote the four</p>



# ANNEX

licensing objectives are not detailed enough to adequately assist with the prevention of public nuisance and the prevention of crime and disorder.

The Police Licensing Officer has discussed the following with the applicant's legal representative:  
A requirement to have some control over off – sales to ensure customers would not take open containers of drink onto the street.

Clarification of the maximum size of samples of alcoholic drinks.

Confirmation that there would be no bar at the premises where customers may sit and / or stand and drink (thereby removing the potential for the premises to become another drinking establishment).

Control over where spirits are offered for sale to prevent thefts.

As a result of these discussions, the applicant has agreed with the police to offer the measures below to form conditions attached to the operating schedule.

Following observations of the location during Friday and Saturday nights, the applicant has also volunteered to reduce the hours authorising the sale of alcohol to 10:00hrs – 19:00hrs every day. This effectively removes any concern of customers from this new premises adding to the number of people on the streets during the busier later Night – Time Economy hours.

## Public Safety

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 to checklist.

The following suggested conditions have been agreed with the applicant via their legal representative:

There will be no bar at the premises at which persons may consume alcohol.

The consumption of alcohol on the premises will be limited to taster samples provided in no more than 125ml. containers.

The premises will maintain an incident and refusals register. This will remain at the premises and be made available to an authorised officer of the police or licensing authority on request.

All spirits on display at the premises will be kept behind the service counter and not available for self-service

All alcohol supplied for consumption off the premises will be sold in sealed containers.

The police take the view that the applicant fully understands their responsibilities and has willingly engaged in the process to ensure that the premises licence operating schedule, when granted, accurately reflects the nature of the proposed business.

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

Signed: G Cannon

Date: 14.11.17

ANNEX

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