

Bath & North East Somerset Council

MEETING:	Licensing Sub Committee	AGENDA ITEM NUMBER
MEETING DATE:	Monday 24 September 2018	
TITLE:	Application for a Premises Licence for Tivoli 6-8 Dorchester Street, Southgate Centre, Bath BA1 1SS	
WARD:	Abbey	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Anne A Application for a new premises licence Annex B Plan of premises Annex C Representation received from the Police Annex D Applicant's written agreement to measures proposed by the Police Annex E Representation received from Safeguarding		

1 THE ISSUE

- 1.1 An application has been received from T4051 Limited in respect of Tivoli, 6-8 Dorchester Street, Southgate Centre, Bath BA1 1SS.

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 £450.00.

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 Performance of Plays (indoors only)**

Sunday to Wednesday 09:00 – 01:00 the following morning

Thursday to Saturday 09:00 – 03:00 the following morning

2) **The Exhibition of Film (indoors only)**

Sunday to Wednesday 09:00 – 01:00 the following morning

Thursday to Saturday 09:00 – 03:00 the following morning

3) **The Performance of Live Music (indoors only)**

Sunday to Wednesday 09:00 – 01:00 the following morning

Thursday to Saturday 09:00 – 03:00 the following morning

4) **The Playing of Recorded Music (indoors only)**

Sunday to Wednesday 09:00 – 01:00 the following morning

Thursday to Saturday 09:00 – 03:00 the following morning

5) **The Performance of Dance (indoors only)**

Sunday to Wednesday 09:00 – 01:00 the following morning

Thursday to Saturday 09:00 – 03:00 the following morning

6) **Anything of a Similar Description to Live Music, Recorded Music or Dance (indoors only)**

Sunday to Wednesday 09:00 – 01:00 the following morning

Thursday to Saturday 09:00 – 03:00 the following morning

7) **The Provision of Late Night Refreshment (indoors only)**

Sunday to Wednesday 23:00 – 01:00 the following morning

Thursday to Saturday 23:00 – 03:00 the following morning

8) **The Sale of Alcohol (for consumption on premises only)**

Sunday to Wednesday 09:00 – 01:00 the following morning

Thursday to Saturday 09:00 – 03:00 the following morning

9) **The proposed opening hours are:**

Sunday to Wednesday 09:00 – 01:00 the following morning

Thursday to Saturday 09:00 – 03:00 the following morning

10) The following **measures** have been proposed by the applicant to promote the licensing objectives:

- The performance of live music and the playing of recorded music shall only take place as an ancillary to the use of the premises as a cinema;
- High definition colour CCTV to be installed and maintained at the premises. Images recorded will be retained for at least 28 days and copies will be made available to the Police and Local Authority on request;
- Free calls to taxi firms for departing customers at the end of the night;
- Signs will be displayed at each exit encouraging customers to minimise noise and not to congregate in the street at close;
- No open containers of alcohol to leave the premises;
- Approved proof of age scheme, including a “Challenge 25” scheme will be operated;
- **Parent & Baby Screenings:**

Parents or guardians of children under the age of 24 months shall be permitted to bring their babies to films at screenings shown exclusively for that audience and the age verification restriction shall not apply to the babies at those screenings;

Prior to admittance, staff shall check the date of birth for each baby to be admitted to ensure they are under 24 months.

No one shall be admitted to parent and baby screenings unless accompanied by a baby;

Babies must be held on the laps of the parent or guardian throughout the screening;

The lights must be left on at a low level throughout the screening.

5.3 The plans detailing the proposed layout of the premises are attached at Annex B.

5.4 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. 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.

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

5.6 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 2018.
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.

5.7 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 the business to operate within the law.

5.8 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.

- 5.9 In accordance with the requirements of the Act, copies of the application were forwarded to the police, the fire authority, environmental health, development control, trading standards, health authority and the safeguarding/ child protection agency.
- 5.10 The applicant was required to place a notice at the premises for a period of 28 consecutive days starting the day after the application was made, and to place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority.
- 5.11 A representation has been received from the Police expressing concern that the applicant's proposals to host parent and baby screenings of films classified 15 and 18 and the proposal to sell alcohol on Thursday, Friday and Saturday until 03:00 the following morning, shall undermine all four of the licensing objectives and, in respect of the sale of alcohol, add to cumulative impact (Annex C).
- 5.12 The applicant and the police have agreed in writing to the following measures to mitigate the Police concerns (Annex D):
- to reduce the terminal hour proposed for the Sale of Alcohol on Thursday, Friday and Saturday to 01:00 hours the following morning;
 - to remove the measure relating to CCTV offered by the applicant at section M b) of the application, and replace it with the condition suggested by the Police; and
 - to remove the following measures from section M e)
 - Parents or guardians of children under the age of 24 months shall be permitted to bring their babies to films at screenings shown exclusively for that audience and the age verification restriction shall not apply to the babies at those screenings;
 - Prior to admittance, staff shall check the date of birth for each baby to be admitted to ensure they are under 24 months.
 - No one shall be admitted to parent and baby screenings unless accompanied by a baby;
 - Babies must be held on the laps of the parent or guardian throughout the screening.
- 5.13 A representation has been received from BANES Council's Safeguarding Team (Annex E). It expresses grave concern in relation to the applicant's proposal to permit parents with toddlers up to 24 months old admission to films with a 15 or 18 certificate. Safeguarding state that it is "extremely likely" that this proposal shall undermine the Protection of Children from Harm licenising objective, and proposes that the recommendations of the BBFC be upheld. Safeguarding are also concerned about the applicant's proposal to restrain a child up to the age of 24 months on the lap of their

parent or guardian for the duration of the proposed screening as this may cause emotinal or physical harm to the child (Annex E).

5.14 The premises is located within Bath's cumulative impact area.

5.15 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 Head of Building Control and Public Protection 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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We T4051 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 Tivoli 6-8 Dorchester Street Southgate Centre		Environmental Service <div style="text-align: center; font-weight: bold; font-size: 1.2em;">08 AUG 2018</div> Receipt No. <u>355913</u> CH / CA / DC / CC - £ <u>450</u> ST	
Post town	Bath	Postcode	BA1 1SS
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£102,000	

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 | X | 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) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | 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 T4051 Limited
Address 63-65 Haymarket London SW1Y 4RL
Registered number (where applicable) 11484583
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
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)

This application for a premises licence is in respect of a 5 screen boutique style cinema situated in the South Gate Shopping Centre.

The applicant operates cinemas throughout the United Kingdom, all of which are licensed for the sale of alcohol as requested here.

The area to be licensed is as per the following licensing drawings filed in support of this application:

- 5019 : LIC 01
- 5019 : LIC 00

The applicant company already operates a proof of age scheme and a "Challenge 25" policy will be implemented in relation to all alcohol sales. All staff engaged in the sale of alcohol will be properly trained particularly with regard to avoiding underage sales.

High definition colour CCTV will be installed and maintained at the premises.

At some of the applicant's other screens a scheme is operated which allows parents to bring a baby/toddler (up to 24 months old) with them when they watch films with up to an 18 classification and the applicant would like to hold similar screenings at the Premises once a week. We have included some suggested conditions to deal with this arrangement.

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)	X
b) films (if ticking yes, fill in box B)	X
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)	X
f) recorded music (if ticking yes, fill in box F)	X

g) performances of dance (if ticking yes, fill in box G) X

h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) X

Provision of late night refreshment (if ticking yes, fill in box I) X

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0000	0100	<u>Please give further details here</u> (please read guidance note 3) On occasions staff or others may dress up as characters from films or generally for promotional purposes and play "roles".	Both	<input type="checkbox"/>
	0900	2400			
Tue	0000	0100			
	0900	2400			
Wed	0000	0100		<u>State any seasonal variations for performing plays</u> (please read guidance note 4)	
	0900	2400			
Thurs	0000	0100			
	0900	2400			
Fri	0000	0300			<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> (please read guidance note 5) On New Year's Eve to the end of hours on New Year's Day
	0900	2400			
Sat	0000	0300			
	0900	2400			
Sun	0000	0300			
	0900	2400			

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	X			
Day	Start	Finish		Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Mon	0000	0100	Please give further details here (please read guidance note 3)					
	0900	2400						
Tue	0000	0100						
	0900	2400						
Wed	0000	0100				State any seasonal variations for the exhibition of films (please read guidance note 4)		
	0900	2400						
Thur	0000	0100						
	0900	2400						
Fri	0000	0300	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)	On New Year's Eve to the end of hours on New Year's Day				
	0900	2400						
Sat	0000	0300						
	0900	2400						
Sun	0000	0300						
	0900	2400						

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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
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)			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 <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	X			
Day	Start	Finish		Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Mon	0000	0100	Please give further details here (please read guidance note 3) This would only be as an ancillary to the use of the premises as a cinema.					
	0900	2400						
Tue	0000	0100						
	0900	2400						
Wed	0000	0100				State any seasonal variations for the performance of live music (please read guidance note 4)		
	0900	2400						
Thur	0000	0100						
	0900	2400						
Fri	0000	0300	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) On New Year's Eve to the end of hours on New Year's Day					
	0900	2400						
Sat	0000	0300						
	0900	2400						
Sun	0000	0300						
	0900	2400						

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</u> – please tick (please read guidance note 2)	Indoors	X	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
				Both	<input type="checkbox"/>	
Mon	0000	0100	Please give further details here (please read guidance note 3) This would only be as an ancillary to the use of the premises as a cinema.			
	0900	2400				
Tue	0000	0100				
	0900	2400				
Wed	0000	0100		State any seasonal variations for the playing of recorded music (please read guidance note 4)		
	0900	2400				
Thur	0000	0100				
	0900	2400				
Fri	0000	0300	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) On New Year's Eve to the end of hours on New Year's Day			
	0900	2400				
Sat	0000	0300				
	0900	2400				
Sun	0000	0300				
	0900	2400				

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 checked="" type="checkbox"/>		
Day	Start	Finish		Outdoors	<input type="checkbox"/>		
				Both	<input type="checkbox"/>		
Mon	0000	0100	<u>Please give further details here</u> (please read guidance note 3) On occasions during normal operating hours staff or others may dress up as characters from films or generally for promotional purposes. This may on occasions involve the performance of dance.				
	0900	2400					
Tue	0000	0100					
	0900	2400					
Wed	0000	0100		<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)			
	0900	2400					
Thur	0000	0100					
	0900	2400					
Fri	0000	0300			<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) On New Year's Eve to the end of hours on New Year's Day		
	0900	2400					
Sat	0000	0300					
	0900	2400					
Sun	0000	0300					
	0900	2400					

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	X
Mon	0000	0100		Outdoors	<input type="checkbox"/>
	0900	2400		Both	<input type="checkbox"/>
Tue	0000	0100	<u>Please give further details here</u> (please read guidance note 3) This would include possible karaoke, singalongs or similar events		
	0900	2400			
Wed	0000	0100			
	0900	2400	<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)		
Thur	0000	0100			
	0900	2400			
Fri	0000	0300	<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)		
	0900	2400			
Sat	0000	0300			
	0900	2400	On New Year's Eve to the end of hours on New Year's Day		
Sun	0000	0300			
	0900	2400			

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	X			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3) The provision of drinks, food and snacks etc to persons attending the cinema.					
Mon	0000	0100						
	0900	2400						
Tue	0000	0100						
	0900	2400						
Wed	0000	0100				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	0900	2400						
Thur	0000	0100						
	0900	2400						
Fri	0000	0300	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) On New Year's Eve to the end of hours on New Year's Day					
	0900	2400						
Sat	0000	0300						
	0900	2400						
Sun	0000	0300						
	0900	2400						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 7)	On the premises	X
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	0000	0100			
	0900	2400			
Tue	0000	0100			
	0900	2400			
Wed	0000	0100			
	0900	2400			
Thur	0000	0100			
	0900	2400			
Fri	0000	0300			
	0900	2400			
Sat	0000	0300			
	0900	2400			
Sun	0000	0300			
	0900	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)		
			On New Year's Eve to the end of hours on New Year's Day		

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

Name Andy Bush	
Address 43 Harold Crescent Waltham Abbey	
Postcode	EN9 1QT
Personal licence number (if known) L/N210000694	
Issuing licensing authority (if known) Epping Forest	

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).

The premises may show films that have certificate 18 issued by the BBFC or local authority

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	0000	0100	<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>On New Year's Eve to the end of hours on New Year's Day</p>
	0900	2400	
Tue	0000	0100	
	0900	2400	
Wed	0000	0100	
	0900	2400	
Thur	0000	0100	
	0900	2400	
Fri	0000	0300	
	0900	2400	
Sat	0000	0300	
	0900	2400	
Sun	0000	0300	
	0900	2400	

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 applicant has carried out an assessment to ascertain what additional steps are required to promote the four licensing objectives as a result of the proposed variation. It has ascertained that no further steps are required other than as set out below:

b) The prevention of crime and disorder

High definition colour CCTV to be installed and maintained at the premises. Images recorded will be retained for at least 28 days and copies will be made available to the Police and Local Authority on request.

c) Public safety

d) The prevention of public nuisance

Free calls to taxi firms for departing customers at the end of the night.

Signs will be displayed at each exit encouraging customers to minimise noise and not to congregate in the street at close.

No open containers of alcohol to leave the premises.

e) The protection of children from harm

Approved Proof of Age Scheme, including a "Challenge 25" scheme will be operated.

Parent and Baby Screenings

Parents or guardians of children under the age of 24 months shall be permitted to bring their babies to films at screenings shown exclusively for that audience and the age restrictions shall not apply to the babies at those screenings.

Prior to admittance, staff shall check the date of birth for each baby to be admitted to ensure they are under 24 months.

Noone shall be admitted to parent and baby screenings unless accompanied by a baby.

Babies must be held on the laps of the parent or guardian throughout the screening.

The lights must be left on at a low level throughout the screening.

Checklist:

Please tick to indicate agreement

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

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	DLA Roper
Date	7 August 2018
Capacity	Solicitors for the Applicant

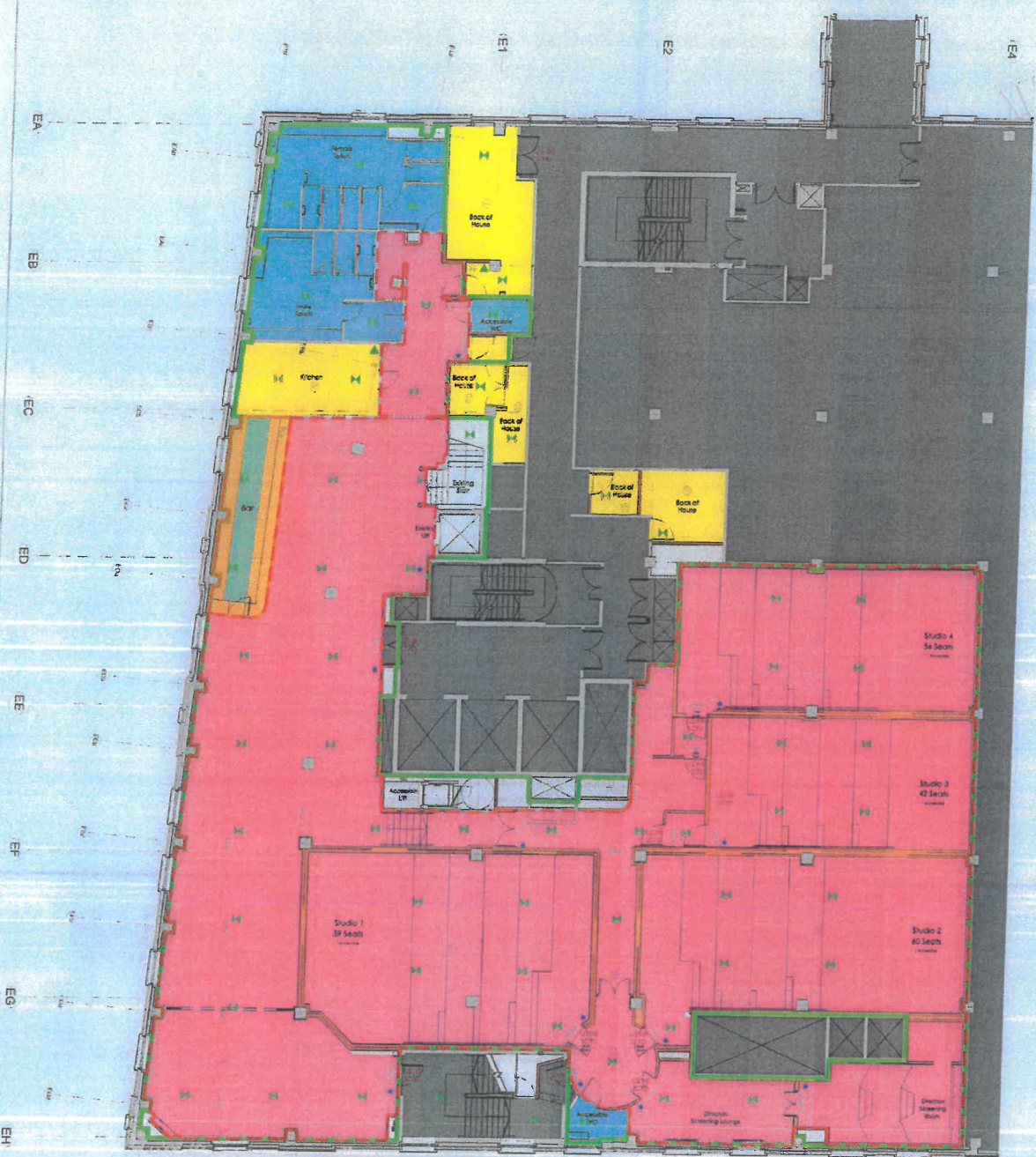
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Lisa Deacon DLA Piper UK LLP 1 St Paul's Place			
Post town	Sheffield	Postcode	S1 2JX
Telephone number (if any)	0114 283 3441		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) lisa.deacon@dlapiper.com			

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.

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- Note:
1. Do not scale the drawing.
 2. All data to be checked on site.
 3. The electrical installation to comply with the latest edition of the I.E.E. regulations.
 4. The proposed installation to be to the complete satisfaction of the local authority.
 5. The following materials must not be used under any circumstances:
 - a. High chlorine content structural elements
 - b. wood wood plastic composite materials
 - c. calcium chloride admixtures for use in reinforced concrete
 6. relevant products
 - a. - appropriate for use in reinforced concrete
 - b. - suitable for use in reinforced concrete
 - c. - suitable for use in reinforced concrete
 - d. - suitable for use in reinforced concrete



EMPIRE

PROPOSED BOUTIQUE CINEMA AT SOUTH GATE, BATH

PROPOSED FIRST FLOOR PLAN

Scale 1:100
 0 1 2 3 4 5 6 7 8 9 10 metres

LEGEND

- Extent of licensed premises
- Area used for sale & consumption (general public area)
- Staff only areas
- Public toilets
- Liquor storage areas
- Liquor bar counter tops
- Demise for : The showing of Films, Live Music and Recorded Music
- Area for the setting of Late Night Refreshments
- OUTSIDE DEMISE

- PORTABLE FIRE FIGHTING EQUIPMENT**
- FIRE EXTINGUISHER, WATER TYPE
 - FIRE EXTINGUISHER, FOAM TYPE
 - FIRE EXTINGUISHER, CARBON DIOXIDE TYPE
 - FIRE BLANKET
 - FIRE EXTINGUISHER, ABC POWDER TYPE
- INITIATING EQUIPMENT**
- HEAT DETECTOR
 - SMOKE DETECTOR
 - MANUAL CALL POINT
 - SMOKE DETECTOR (VMS)

- OTHER**
- BAMBURGH LAMPSHIRE
 - ILLUMINATED FIRE EXIT SIGN (DIRECTORIAL)
- WARNING EQUIPMENT**
- WARNING DEVICE, LIGHT/SOUND
 - WARNING DEVICE, VISUAL
 - PIP, FIRE ALARM PANEL

- FIRE DOOR RATING**
- FD 30 1/2 HOUR FIRE DOOR (SELF CLOSING)
 - FD 60 1 HOUR FIRE DOOR (SELF CLOSING)
 - FD 90 1 HOUR FIRE DOOR (SELF CLOSING)

REVISIONS

LICENSING

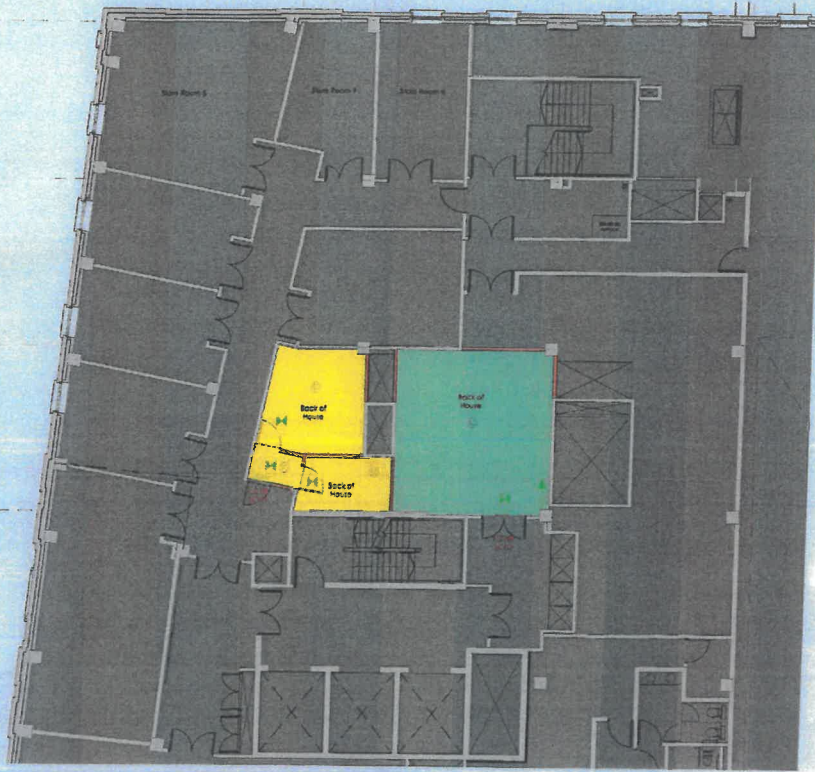
Proposed Boutique Cinema at SOUTHGATE, BATH for EMPIRE CINEMAS LTD Licensing Plan Cinema Level

5019 : LIC 01
 DRAWN BY GP CHECKED BY RH
 SCALE 1:100 DATE July 2018

UNICK CONSULTING LIMITED
 23 PARK CIRCLE
 GLASGOW G3 7AP
 TEL: 0141-332-4234
 FAX: 0141-332-4238
 Email: info@unick.com



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- Notes:
1. Do not scale this drawing.
 2. All work to be checked on site.
 3. The architect's drawings are to comply with the latest edition of the U.K. regulations.
 4. The shopfit outform to be in the complete jurisdiction of the local authority.
 5. The following materials cannot be used under any circumstances:
 - a) High chloride content in structural elements
 - b) Wood used in any form or as formwork in concrete or in structural elements
 6. Certain products are not suitable for use in reinforced concrete:
 - d) stainless products
 7. All equipment for use in reinforced concrete which do not comply with British Standard BS 5893:2005 and approved for use in concrete shall not comply with the provisions of the main floor specification by BS 8101:1997.

EMPIRE

PROPOSED BOUTIQUE CINEMA AT SOUTH GATE, BATH PROPOSED SECOND FLOOR PLAN

Scale 1:100
 0 1 2 3 4 5 6 7 8 9 10 metres



LEGEND

- Extent of licensed premises
- Area used for sale & consumption (general public area)
- Staff only areas
- Public toilets
- Liquor storage areas
- Liquor bar counter tops
- Demise for: The showing of Films, Live Music and Recorded Music
- Area for the selling of Late Night Refreshments
- OUTSIDE DEMISE

- PORTABLE FIRE FIGHTING EQUIPMENT**
- FIRE EXTINGUISHER, WATER TYPE
 - FIRE EXTINGUISHER, FOAM TYPE
 - FIRE EXTINGUISHER, CARBON DIOXIDE TYPE
 - FIRE BLANKET
 - FIRE EXTINGUISHER, ABC POWDER TYPE
- INITIATING EQUIPMENT**
- HEAT DETECTOR
 - SMOKE DETECTOR
 - MANUAL CALL POINT
 - SMOKE DETECTOR IN CASE
- OTHER**
- EMERGENCY LIGHTING
 - ILLUMINATED FIRE EXIT SIGN
 - ILLUMINATED FIRE EXIT SIGN (DIRECTIONAL)
- FIRE DOOR RATING**
- FD30 120 MINUTE FIRE DOOR (SELF CLOSING)
 - FD30S 120 MINUTE FIRE DOOR (SELF CLOSING)
 - FD60 1 HOUR FIRE DOOR (SELF CLOSING)
 - FD60S 1 HOUR FIRE DOOR (SELF CLOSING)
- WARNING EQUIPMENT**
- WARNING DEVICE (CLOCKWORKER)
 - WARNING DEVICE (MECHANICAL)
 - Pop. FIRE ALARMS PANEL

EMPIRE

PROPOSED BOUTIQUE CINEMA AT SOUTH GATE, BATH PROPOSED GROUND FLOOR PLAN

Scale 1:100
 0 1 2 3 4 5 6 7 8 9 10 metres

REVISIONS

LICENSING

Proposed Boutique Cinema
 of SOUTHGATE, BATH
 for EMPIRE CINEMAS LTD
 Licensing Plan
 Ground & Second Floor Level

5019 : LIC 00

DRAWN BY: RH CHECKED BY: AA
 SCALE: 1:100 DATE: July 2017

UNICK CONSULTING LIMITED
 23 PARK CIRCUS,
 GLASGOW G3 7AP
 TEL: 0141 332 4204
 FAX: 0141 332 4226
 E-mail: info@unick.com





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

Your Name	Geoff CANNON	
Job Title	POLICE LICENSING OFFICER	
Postal and email address	2 nd Floor REDBRIDGE HOUSE MIDLAND RD BATH BA2 3EW	
Contact telephone number/e-mail address	Geoff.Cannon@avonandsomerset.police.uk	
Name and address of the premises you are making representations about.	TIVOLI CINEMA 6 – 8 Dorchester St Bath BA1 1SS	
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	<p>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</p> <p>The police have received a copy of an application for a New Premises Licence for TIVOLI CINEMA 6 – 8 DORCHESTER ST BATH and have the following concerns:</p>
The Prevention of harm to children	YES	<p>The applicant has included in the proposed Operating Schedule the following phrase:</p> <p>“At some of the applicant’s other screens a scheme is operated which allows parents to bring a baby / toddler (up to 24 months old) with them when they watch films with an up to 18 classification and the applicant would like to hold similar screenings at the premises once a week. We have included some suggested conditions to deal with this arrangement”.</p> <p>The Police feel that the measures offered by the applicant in section M of the application form are redundant in that there is no indication that subsection 3(b) of the Licensing Act 2003 below has been applied.</p> <p>Section 20 Licensing Act 2003 states:</p> <p>Mandatory condition: exhibition of films (1)Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section. (2)Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body. (3)Where— (a) the film classification body is not specified in the licence, or</p>

		<p>(b)the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority. (4) In this section— “children” means persons aged under 18; and “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).</p> <p>Therefore, should the licence be granted as applied for in this respect, and children up to the age of 24 months are admitted to films of 15 and 18 classification, the mandatory condition would be breached and the cinema manager would commit an offence under Sec 136 of the Licensing Act (carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation). In addition to the above, the police are generally concerned regarding the exposure to children up to the age of 24 months to any film of classification 15 and above and the effect this may have during the formative years. The police also feel that the proposed condition “Babies must be kept on the laps of the parent or guardian throughout the screening” would be extremely difficult to achieve with children this young for long periods of time. The cinema would run the risk of frequently breaking this condition and therefore committing an offence under section 136 of the Licensing Act 2003.</p>
To prevent Public Nuisance	YES	<p>The proposed Operating Schedule submitted to the Licensing Authority includes the following timings:</p> <p>Exhibition of Film, Live Music, Recorded Music, Performance of Dance, Late Night Refreshment, and Supply of Alcohol, Thursdays, Fridays and Saturdays 0900 – 0300 the following morning. The applicant has also applied for the same hours for ‘Anything of a similar description to that falling within (e), (f) or (g)’ of the application form and includes the phrase: ‘This would include possible karaoke, singalongs or similar events’. It is noted that in respect of Live and Recorded music, the applicant has included a note ‘This is would only be as an ancillary to the use of the premises as a cinema’. However, no such note appears alongside ‘Anything of a similar description to that falling within (e), (f) or (g)’.</p> <p>The proposed Hours the Premises are open to the public are also 0900 – 0300.</p> <p>The police argue that ending the above licensable activities and closing the premises at 03:00 on Thursday, Friday and Saturday nights would increase the likelihood of crime and disorder and public nuisance in the locality.</p> <p>Evidence:</p> <p>Calls to the police relating to Violent Crime, Public Nuisance, Anti – Social Behaviour and incidents of a similar nature between the hours of 01:00 and 04:00 over</p>

		<p>the last 6 months (21.03.18 – 21.08.18) for the Bath City Centre area = 283</p> <p>Calls to the police relating to Violent Crime, Public Nuisance, Anti – Social Behaviour and incidents of a similar nature between the hours of 01:00 and 04:00 over the last 6 months (21.03.18 – 21.08.18 for the general area surrounding the proposed Tivoli Cinema site = 105 (37% of total City Centre area).</p> <p>Calls to the police relating to Violent Crime, Public Nuisance, Anti – Social Behaviour and incidents of a similar nature between the hours of 01:00 and 04:00 over the last 6 months (21.03.18 – 21.08.18 for the more immediate area surrounding the proposed Tivoli Cinema site = 61 (21 % of total City Centre area).</p> <p>Southgate: = 25 Manvers St / High St / North Parade area = 36</p> <p>The area includes a very popular all - night fast food restaurant and takeaway located in Southgate and two nightclubs in the Manvers St. area. There are also a number of other late – night bars and busy taxi ranks nearby resulting in the migration of a large number of people between locations during these times. Police and other resources employed to combat crime and disorder in the night – time economy are particularly stretched between 02:00 and 04:00, not least as Street Marshal, and Taxi Marshals finish duties at 03:00 on Thursday, Friday and Saturday nights and police officer numbers decrease considerably after 03:00 on these nights.</p> <p>The plan attached to the application shows a bar located in the main foyer surrounded by a large area included in the description “Area used for sale and consumption” There are 4 studio cinemas with a total seating capacity of 217. All of these areas are included in the “Extent of licensed premises” as shown on the plan which gives an indication of the maximum number of people that could be buying and consuming alcohol during the times the supply of alcohol is licensed (i.e. up to 03:00 on Thursday, Friday and Saturday nights if the licence was granted as applied for).</p> <p>Bath City Centre is a stressed area during the Night – Time Economy and the Cumulative Impact Policy for Bath City Centre reflects this. The proposed Tivoli Cinema is located within the Cumulative Impact area of Bath and the Cumulative Impact Policy relating to the consumption of alcohol on premises therefore applies.</p>
To prevent crime and disorder	YES	As above
Public Safety	YES	As above

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 Police Licensing Officer has communicated these concerns to the applicant via their legal advisor and the applicant has provided evidence to reassure the police that the premises will operate primarily as a cinema and that all other licensable activities are ancillary to the showing of films.

The following amendments to the proposed Operating Schedule have also been agreed by the police and the applicant.

- Supply of alcohol: Mon - Sun 09:00 – 01:00 (Non – Standard Timing on New Year’s Eve and New Year’s Day to remain as applied for). All other licensable activities hours and closing times to remain as applied for.

- The removal of the proposed condition relating to CCTV and replace with:

CCTV cameras shall be installed, to the satisfaction of the Police and ICO guidelines and will be maintained in full working order when the premises are open to the public. Recorded images will be of evidential quality. Recordings shall be kept for a minimum of 28 days and made available to the Police and Licensing Authority (in accordance with Data protection legislation). Signs will be displayed that CCTV is recording.

- The removal of all proposed conditions relating to “Parent and Baby Screenings”. (It is the intention of the applicant to address the proposed screening of films of BBFC Film Classification 15 and over for parents and children under the age of 24 months with the Licensing Authority at a later date).

The police respectfully ask the Licensing Sub – Committee to take into consideration the above agreed amendments when determining the premises licence application.

The police are happy for all other proposed conditions included in the application form to remain including “All staff engaged in the sale of alcohol will be properly trained particularly with regard to underage sales” as offered in Part 3 Operating Schedule of the application form.

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: Geoff Cannon

Date: 23.08.18

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

Terrill Wolyn

From: Deacon, Lisa <Lisa.Deacon@dlapiper.com>
Sent: 23 August 2018 13:02
To: Geoff Cannon
Subject: RE: TIVOLI CINEMA 6 - 8 Dorchester St. Bath. [DLAP-UKMATTERS.FID4682892]

Geoff,

I can confirm that the applicant is in agreement to the below.

Kind regards

Lisa

Lisa Deacon

Licensing Assistant

T: +44 114 283 3441

F: +44 114 276 5246

E: lisa.deacon@dlapiper.com



DLA Piper UK LLP
www.dlapiper.com

From: Geoff Cannon [<mailto:Geoff.Cannon@avonandsomerset.police.uk>]
Sent: 23 August 2018 12:16
To: Deacon, Lisa
Subject: TIVOLI CINEMA 6 - 8 Dorchester St. Bath.

Re: New Premises Licence Application Tivoli Cinema 6 – 8 Dorchester St. Bath

Thank you for taking the time to consider the police concerns regarding the above application and relaying these concerns to your client.

As discussed, I will be submitting a representation on behalf of the police to the Licensing Authority outlining these concerns. The matter will then be determined by the Licensing Sub – Committee at a hearing to be held on a date to be confirmed.

I am pleased that the applicant has taken the police concerns seriously and has responded by clarifying the following in respect of use of the premises:

"The applicant will not be running karaoke nights in the bar area, this is more in line with films that have singalongs etc. First and foremost the premises is a cinema, not a bar or restaurant, everything is ancillary to the use of the premises as a cinema identified by our planning permission which is Use Class D2 - "D2 Assembly and leisure - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used)".

The police are reassured by this statement and that the impact on the licensable objectives is less than if the use of the bar area was more prevalent.

The police are also happy to agree to the following measures as offered by the applicant:

- Supply of alcohol : Mon - Sun 09:00 – 01:00 (Non – Standard Timing on New Year’s Eve and New Year’s Day to remain as applied for). All other licensable activities hours and closing times to remain as applied for.
- The removal of the proposed condition relating to CCTV and replace with:
“CCTV cameras shall be installed, to the satisfaction of the Police and ICO guidelines and will be maintained in full working order when the premises are open to the public. Recorded images will be of evidential quality. Recordings shall be kept for a minimum of 28 days and made available to the Police and Licensing Authority (in accordance with Data protection legislation). Signs will be displayed that CCTV is recording”
- The removal of proposed conditions relating to “Parent and Baby Screenings”. (It is the intention of the applicant to address the proposed screening of films of BBFC Film Classification 15 and over for parents and children under the age of 24months with the Licensing Authority at a later date).

Please confirm that your client is in agreement with the above. I will include a copy of your response with the police representation when I submit it to the licensing authority.

With kind regards,

Geoff Cannon

BANES Police Area Licensing Officer
Redbridge House
BATH BA2 3EW

☎ Ext: 01278 645524 Int: 45524

Mob: 07889 655950

✉ Geoff.Cannon@avonandsomerset.pnn.police.uk

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LICENSING ACT 2003
INTERESTED PARTY REPRESENTATION

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

I/We object to the following application:

Application number:	18/01830/LAPRE
Applicant's name:	T4051 Limited
Premises name and address:	Tivoli, 6-8 Dorchester Street Southgate Bath
Application for a:	A New Premises Licence

Objector Details:

Objector's Name:	Mel Argles: Safeguarding - BANES Council
Objector's Address:	Keynsham Civic Centre Market Walk Keynsham BS
Organisation name if applicable:	BS31 1FS

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

In our role as Responsible Authority, Safeguarding wish to object to this application for a new premises licence as we have grave concern that the applicant's proposal to permit parents with toddlers up to 24 months old, admission to films with a 15 or 18 certificate, is likely to have an adverse effect on the Protection of Children from Harm licensing objective.

As such we object to the measures offered by the applicant at section Me) of the operating schedule that propose:

"Parents or Guardians of children under the age of 24 months shall be permitted to bring their babies to film screenings shown exclusively for that audience and the age restriction shall not apply to the babies at those screenings"; and

"Babies must be held on the laps of the parent or guardian throughout the screening"

We consider these measures extremely likely to have a detrimental effect on the protection of children from harm licensing objective.

Children aged 0 – 24 months are at a prime stage of their brain development, toddler's can't fully understand and interpret what they are seeing, but the images and sounds can be experiences as frightening and cause emotional trauma.

The protection of children from harm includes the protection of children from moral, psychological and physical harms. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment).

We are additionally concerned about the condition for babies to be held on laps, within this licence agreement this would include mobile toddlers being held and restrained to prevent the licence conditions being breeched. Mobile infants (under the age of 24 mths) are keen to move about and explore their environments, and it is important for their physical and emotional welfare that they are able to do so safely. The physical restraint of infants who are sufficiently determined to move could result in emotional distress to the child or even physical injury (for example bruising or pulled elbows).

We would request therefore that this element of the application be refused, and the recommendations of the British Board of Film Classification (BBFC) be upheld when classified films are screened. The BBFC's principle guidelines are:

- to protect children and vulnerable adults from potentially harmful or otherwise unsuitable media content
- to empower consumers, particularly parents and those with responsibility for children, to make informed viewing decisions.

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

M. Argles

Date

30/08/18

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

01225 396810

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

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

Name Mel Argles

I will be attending the hearing I will not be attending the hearing

I will be represented at the hearing by _____

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>
<p>Claire Warriner Early Years Childcare Development and Welfare Manager</p> <p><Claire_Warriner@BATHNES.GOV.UK></p>	<p>Evidence of the impact of Trauma on early development, and child care practices.</p>

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

Form to be returned to:

Licensing Team
Public Protection and Health Improvement Service
Lewis House
Manvers Street
Bath BA1 1JG