

Bath & North East Somerset Council

MEETING	Licensing Sub Committee	
MEETING DATE	Thursday 8 April 2021	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Chew Valley Distillery Wellington Gallery and Corner Cottage, Tunbridge Road, Chew Magna, Bristol BS40 8SP	
WARD:	Chew Valley	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Annex A Application for a new premises licence		
Annex B Floor plans submitted with application		
Annex C Site Plan		
Annex D Current premises licence for Chew Valley Distillery (Wellington Gallery)		
Annex E Representations of objection received from "other persons"		
Annex F Representations of support received from "other persons"		

1 THE ISSUE

1.1 An application has been made for a premises licence under s.17 Licensing Act 2003 by Chew Valley Distillery Limited in respect of Chew Valley Distillery, Wellington Gallery and Corner Cottage, Tunbridge Road, Chew Magna, Bristol BS40 8SP.

1.2 Representations have been received within the statutory period.

2 RECOMMENDATION

2.1 The Committee is asked to determine the application.

3 THE REPORT

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

3.2 The application proposes the following licensable activity:

The sale by retail of alcohol for consumption on and off the premises:

Every Day 10:00 – 23:45

3.3 The application proposes the following opening times:

Every Day 10:00 – 00:00

3.4 The following measures have been offered by the applicant to promote the licensing objectives:

- All staff shall be trained in respect of offences relating to the sale of alcohol, the mandatory conditions and conditions specific to this authorisation. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or Police.
- All alcohol sold for consumption off the premises shall be supplied in sealed containers, unless consumed in an area that is covered by a tables and chairs permit, pavement licence or similar granted in respect of the premises.
- The external seating area within the curtilage of Corner Cottage shall close no later than 21:00 hours on any day.
- An incident/refusal register shall be maintained, kept at the premises, and produced at the request of a Police or Licensing Officer.
- Notices shall be displayed at all exits of the premises requesting customers to be considerate to neighbours when leaving.
- All tasting events and workshops held in the event space shall be pre-booked and restricted to no more than two events per week (Monday to Sunday). A record of these bookings will be maintained, kept at the premises and produced for inspection at the request of the Police or Licensing Authority. No more than 28 persons shall attend these pre-booked events.
- The premises shall operate a "Challenge 21" age verification policy and prominently display a notice at the premises advising customers this policy is in operation. This policy shall extend to home deliveries whereby anyone who appears to be under the age of 21 shall be asked to produce an acceptable form of identification proving that they are 18 or over, before the alcohol is handed to them.

3.5 The floor plans detailing the extent of the proposed licensed premises are attached at Annex B.

3.6 A site plan is attached at Annex C.

3.7 Chew Valley Distillery holds a premises licence issued under the Licensing Act 2003 in respect of Wellington Gallery and this is attached for completeness at Annex D.

- 3.8 A new premises licence application was required due to the increased footprint of the premises. The existing licence could not be varied under the legislation due to the substantial change.
- 3.9 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 four licensing objectives are:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm
- 3.10 Each objective is of equal importance. As there are no other statutory licensing objectives, these four objectives shall be a paramount consideration. When considering an application and representations, the Licensing Sub-Committee shall have regard to the four licensing objectives.
- 3.11 The Licensing Authority may grant the application with or without additional conditions.
- 3.12 Section 4(3) Licensing Act 2003 states 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, in particular:
- Paragraphs 3-6, 8-10, 13-14, 17-24, 29, 33-36, 38-41 of the 2020 policy;
 - Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised April 2018;
 - Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act
- 3.13 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.
- 3.14 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.
- 3.15 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 Children and Young Persons' Team.

3.16 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.

3.17 During the statutory period **eight representations of objection** were received from “other persons” (Annex E). Collectively they express concern that the applicant’s proposals are likely to undermine all four of the licensing objectives:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from Harm

3.18 During the statutory period, **two representations in support** of the application were received from “other persons” advising how the management of the premises, staff training and implemented policies serve to promote the licensing objectives.

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

4 STATUTORY CONSIDERATIONS

4.1 An Equality Impact Assessment (EqIA) 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 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

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

6 RISK MANAGEMENT

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

7 CLIMATE CHANGE

7.1 The licensing objectives do not require the applicant to specify steps to mitigate the impact of climate emergency. However, the applicant is encouraged to consider locally sourced ingredients and to reduce single use plastic in the operation of their business.

8 OTHER OPTIONS CONSIDERED

8.1 None.

9 CONSULTATION

9.1 The Council's Monitoring Officer (Director – Legal & Democratic Services and Council Solicitor), Section 151 Officer (Director of Finance) and Head of Building Control and Public Protection have had opportunity to input to this report and have cleared it for publication.

9.2 This report has not been sent to the Trades' Union as it would have no involvement.

Contact person	Terrill Wolyn, Senior Public Protection Officer (Licensing) 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 Bath & North East Somerset Council's Statement of Licensing Policy
Please contact the report author if you need to access this report in an alternative format	

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 Chew Valley Distillery 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			
Chew Valley Distillery Wellington Gallery and Corner Cottage Tunbridge Road Chew Magna			
Post town	Bristol	Postcode	BS40 8SP

Telephone number at premises (if any)	01275 332 202
Non-domestic rateable value of premises	£ Band B

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 | yes | 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 yes

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) **N/A**

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)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable) N/A

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					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential 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 Chew Valley Distillery Limited
Address Wellington Gallery Tunbridge Road Chew Magna Bristol BS40 8SP
Registered number (where applicable) 12512156
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01275 332 202
E-mail address (optional) joe@cvdistillery.co.uk

Part 3 Operating ScheduleWhen do you want the premises licence to start? **ASAP**

DD	MM	YYYY

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

Not applicable

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

Chew Valley Distillery comprises of Wellington Gallery, Corner Cottage and the external area outlined in red on the plans accompanying this application.

The distillery, with tasting room/bar has limited customer seating, and is located on the ground floor level of Wellington Gallery. Our bottle shop is located on the ground floor of Corner Cottage, where there is also a kitchen. The first floor of Corner Cottage provides an event space ideal for tasting events and educational workshops.

We are a family run distillery located in the heart of Chew Valley, specialising in the distilling and blending of spirits (predominantly gin for which we carefully select traditional botanicals).

We currently hold a premises licence issued under the Licensing Act 2003 in respect of Wellington Gallery. However due to the success of the business we are looking to expand into the adjoining vacant premises (Corner Cottage) and as such are seeking a new premises licence for this larger site.

Please note: we are requesting the same hours for the sale of alcohol within this application as currently permitted under the existing licence for the smaller premises.

Our business model is based on:

- the sale of alcohol for consumption off the premises by way of traditional "off-sales" as well as fulfilling orders placed remotely by way of online/postal/text or telephone, for delivery or collection;
- the sale of alcohol for consumption on premises by way of occasional Tasting Events and Workshops with a maximum of 28 attendees, sampling and consumption within the distillery which has a modicum of customer seating.

The hours requested for the sale of alcohol are to afford us the flexibility to carry out the various offerings available.

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

N/A

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

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

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

In all cases complete boxes K, L and M

A n/a

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

B n/a

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Outdoors	<input type="checkbox"/>
Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

C n/a

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

D n/a

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E n/a

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

F n/a

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

G n/a

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

H n/a

Anything of a similar description to that falling within (e), (f) or (g) 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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I n/a

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	Y
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	23:45			
Tue	10:00	23:45			
Wed	10:00	23:45			
Thur	10:00	23:45			
Fri	10:00	23:45			
Sat	10:00	23:45			
Sun	10:00	23:45			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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	Mr Donald Edward Kelly
Date of birth	07/05/1963
Address	22 Meadway Temple Cloud Bristol
Postcode	BS39 5BD
Personal licence number (if known)	18/01631/LAPER
Issuing licensing authority (if known)	Bath & North East Somerset Council

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	00:00	
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	<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 6)
Fri	10:00	00:00	
Sat	10:00	00:00	
Sun	10:00	00:00	

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 respect of offences relating to the sale of alcohol, the mandatory conditions and conditions specific to this authorisation. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the licensing authority or police.

All alcohol sold for consumption off the premises shall be supplied in sealed containers, unless consumed in an area that is covered by a tables and chairs permit, pavement licence or similar granted in respect of the premises.

The external seating area within the curtilage of Corner Cottage shall close no later than 21:00 hours on any day.

b) The prevention of crime and disorder

An incident/refusal register shall be maintained, kept at the premises, and produced at the request of a Police or Licensing Officer.

c) Public safety

As per current legislation.

d) The prevention of public nuisance

Notices shall be displayed at all exits of the premises requesting customers to be considerate to neighbours when leaving.

All tasting events and workshops held in the event space shall be pre-booked and restricted to no more than two events per week (Monday to Sunday). A record of these bookings will be maintained, kept at the premises and produced for inspection at the request of the Police or Licensing Authority. No more than 28 persons shall attend these pre-booked events.

e) The protection of children from harm

The premises shall operate a "Challenge 21" age verification policy and prominently display a notice at the premises advising customers this policy is in operation.

This policy shall extend to home deliveries whereby anyone who appears to be under the age of 21 shall be asked to produce an acceptable form of identification proving that they are 18 or over, before the alcohol is handed to them.

Checklist:

	Please tick to indicate agreement
• I have made or enclosed payment of the fee.	Y
• I have enclosed the plan of the premises.	Y
• I have sent copies of this application and the plan to responsible authorities and others where applicable. Electronic Application therefore omits on LA to serve copies on RAs	n/a
• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	Y
• I understand that I must now advertise my application.	Y
• I understand that if I do not comply with the above requirements my application will be rejected.	Y
• [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 or my share code issued by the Home Office online right to work checking service (please read note 15).	n/a

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.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). 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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	Joe Tyson Kelly (Director)
Date	11/02/2021
Capacity	Premises Licence Holder

For joint applications, signature of 2nd applicant or 2nd 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	Donna Kelly (Director)
Date	11/02/2021
Capacity	Premises Licence Holder

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

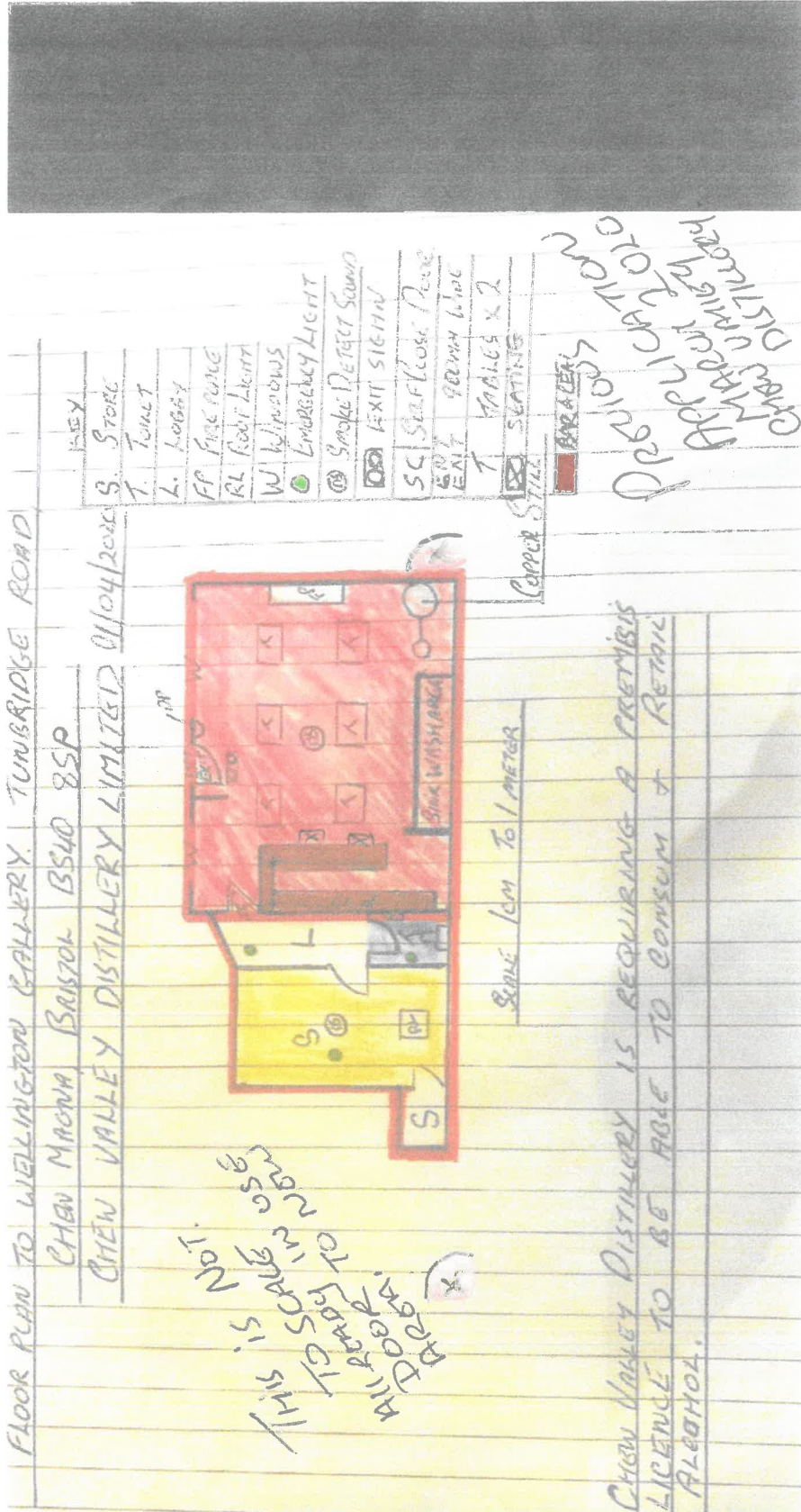
Donna Kelly
Chew Valley Distillery
Wellington Gallery and Corner Cottage
Tunbridge Road
Chew Magna

Post town	Bristol	Postcode	BS40 8SP
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Telephone number (if any)	07950 366 032
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
mrsdkmix@yahoo.co.uk

CHEN VALLEY DISTILLERY
 EXISTING PLAN
 PASSED IN MARCH / APRIL
 (FOR YOUR INTEREST)



This is Not.
 TO SCALE
 IN COLOUR
 DOES NOT
 MEAN
 ALL READY TO
 BE BUILT

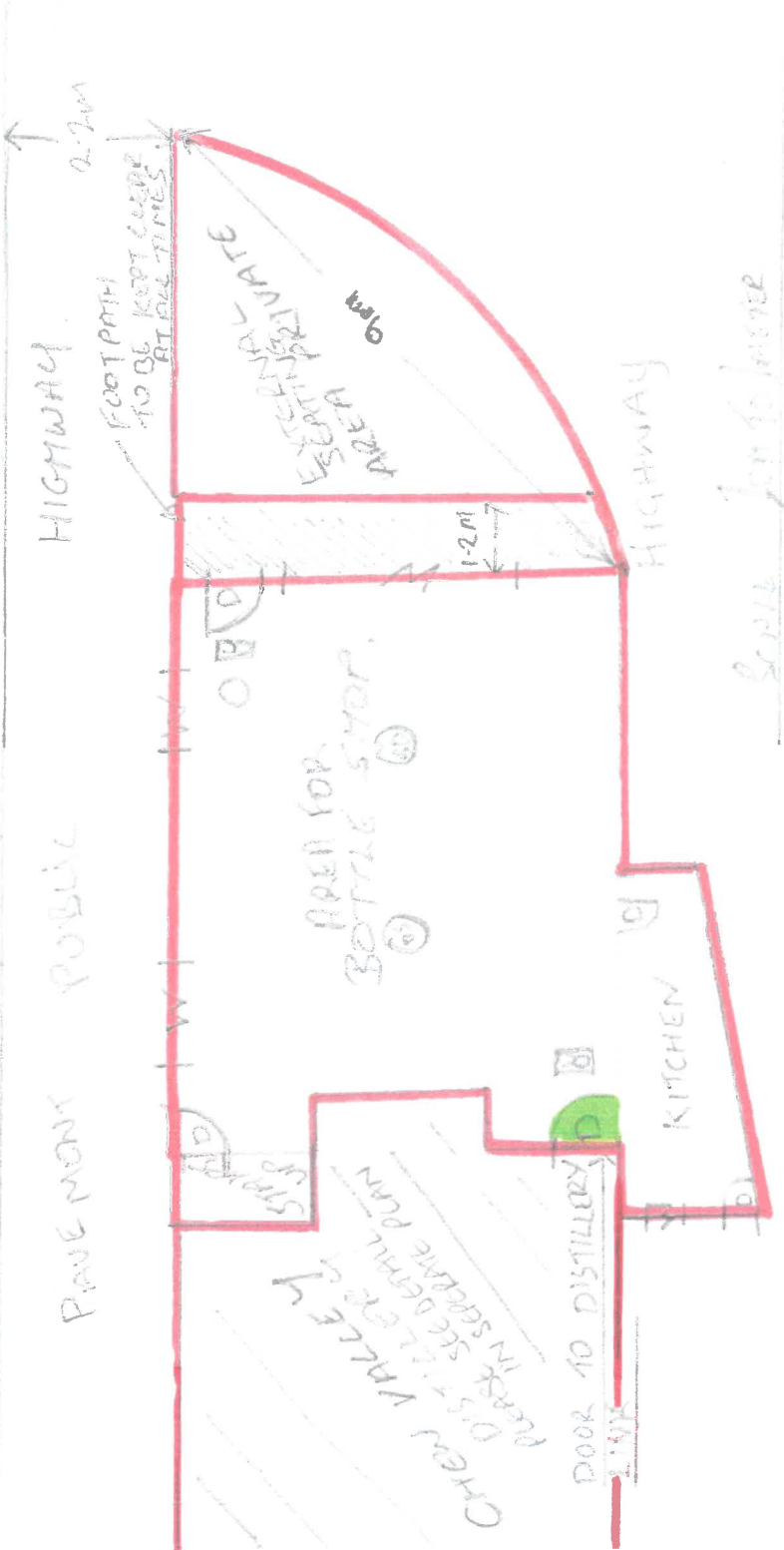
PROPOSED FLOOR PLAN CORNER COTTAGE

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GROUND FLOOR PLAN

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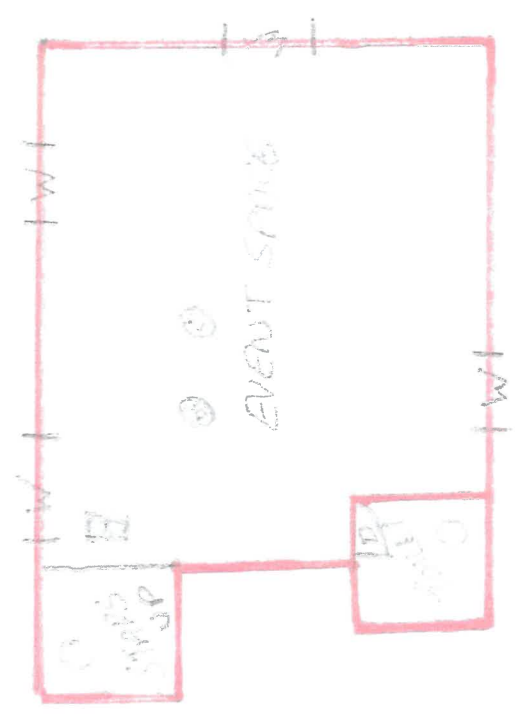
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CHEW VALLEY DISTILLERY
FIRST FLOOR PLAN CORNER COTTAGE



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Chew Valley Distillery

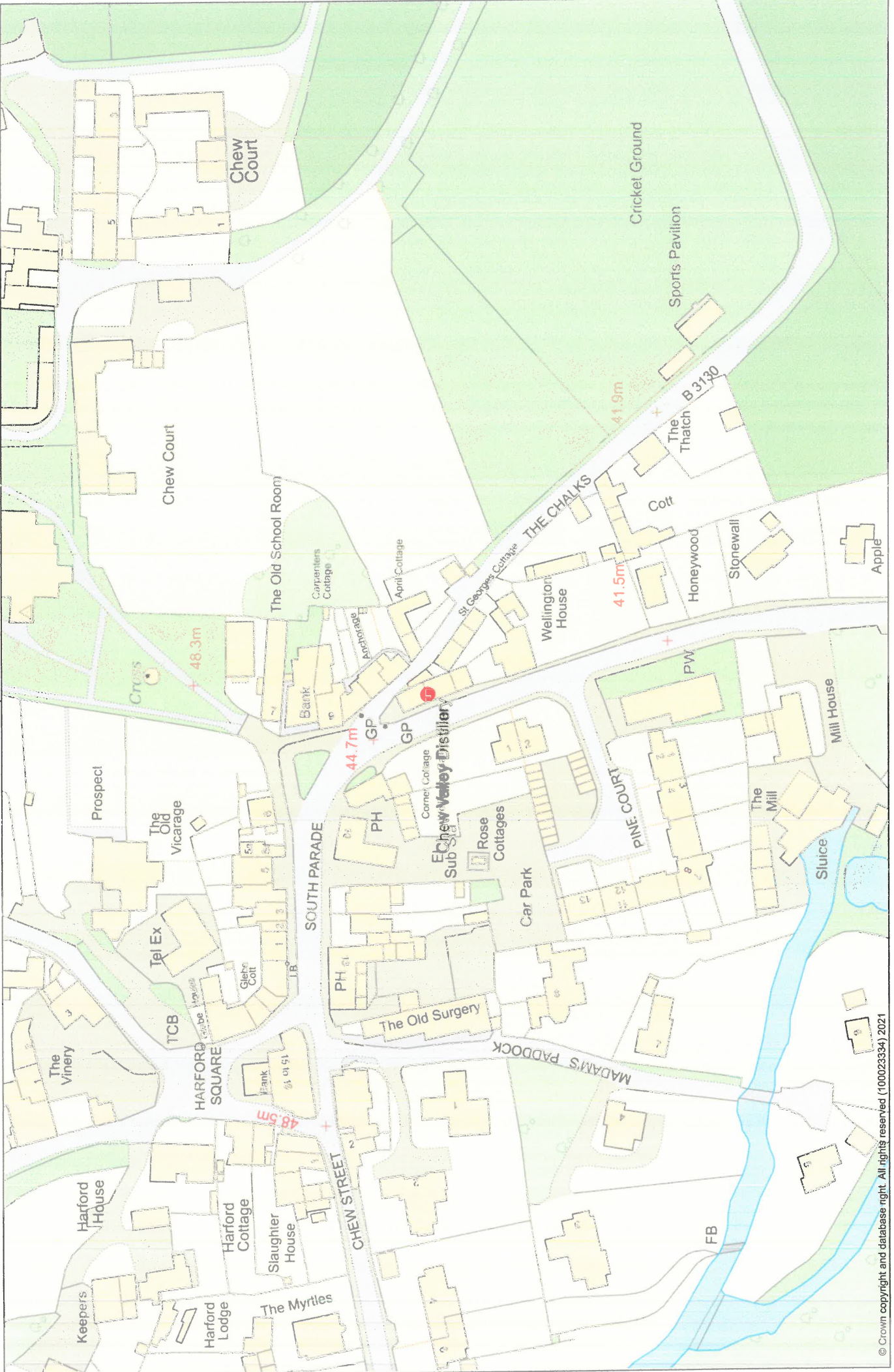
21/00251/LAPRE

Bath and North East Somerset

Author:

Date: 18/03/2021

Bath & North East Somerset Council



**Schedule 12
Part A**

Regulation 33, 34

Premises Licence

Premises Licence Number	20/00712/LAPRE
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code	
Chew Valley Distillery Wellington Gallery Tunbridge Road Chew Magna Bristol BS40 8SP	
Telephone number	01275 332552

Where the licence is time limited the dates	Not applicable
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Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities	
Sale of Alcohol	
Every Day	10:00 - 23:45

The opening hours of the premises	
Every Day	10:00 - 00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies	
Alcohol is supplied for consumption both on and off the premises	

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Chew Valley Distillery Ltd
 Wellington Gallery
 Tunbridge Road
 Chew Magna
 Bristol
 BS40 8SP
 01275 332552
 joe@cvdistillery.co.uk

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number - 12512156

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Donald Edward Kelly
 22 Meadway
 Temple Cloud
 Bristol
 BS39 5BD

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

B&NES/18/01631/LAPER
 Bath & North East Somerset Council

This licence is issued by Bath & North East Somerset Council as licensing authority under Part 3 of the Licensing Act 2003 and regulations made thereunder.



Signed for and on behalf of
 Bath & North East Somerset Council:

Dated 4 May 2020

Annex 1 – Mandatory conditions

Mandatory conditions in respect of premises supplying alcohol for consumption on the premises only, or both on and off the premises:

Every supply of alcohol under a premises licence must be authorised by the management committee.

From 28 May 2014:

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1:

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a)*;

(b) "permitted price" is the price found by applying the formula:

$$P = D + (D \times V)$$

where:

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b)*.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

(a)* 1979 c. 4. Section 1 was amended by regulation 2 of the Excise Duty (Amendment of the Alcoholic Liquor Duties Act 1979 and the Hydrocarbon Oil Duties Act 1979) Regulations 1992 (S.I. 1992/3158), section 162 of and Part 1 of Schedule 29 to the Finance Act 1995 (c. 4), section 7 of and paragraph 2(a) of Schedule 2 to the Finance Act 1991 (c. 31), section 3 of the Finance Act 1993 (c. 34), section 227 of and paragraph 51 of Schedule 39 to the Finance Act 2012 (c. 14), section 1 of the Finance Act 1995, section 1 of and Part 2 of Schedule 1 to the Finance Act 1988 (c. 39), section 5 of the Finance Act 1997 (c. 16) and Article 2 of the Alcoholic Liquor Duties (Definition of Cider) Order 2010 (S.I. 2010/1914). Section 2 was amended by article 6 of the Alcoholic Liquors (Amendment of Enactments Relating to Strength and to Units of Measurement) Order 1979 (S.I. 1979/241), regulation 2 of S.I. 1992/3158, section 11 of and Part 2 of Schedule 8 to the Finance Act 1981 (c. 35), section 7 of and paragraph 3 of Schedule 2 to the Finance Act 1991 and section 5 of the Finance Act 1997. Section 3 was amended by article 7 of S.I. 1979/241. Section 4 was amended by article 8 of S.I. 1979/241, section 15 of and paragraphs 2 and 3 of Schedule 1 to the Finance Act 2011 (c. 11) and section 227 of and paragraphs 51 of Schedule 39 to the Finance Act 2012 (c. 14). Section 5 was amended by section 1 of the Finance Act 1982 (c. 39) and section 180 of the Finance Act 2013. Section 36 was amended by section 7 of the Finance Act 1991, section 4 of and paragraph 1 of Schedule 1 to the Finance Act 2002 (c. 23), sections 14 and 15 of paragraphs 2 and 4 of Schedule 1 to the Finance Act 2011, section 180 of the Finance Act 2013 and section 1 of and paragraph 9 of Schedule 1 to the Finance Act (No. 2) Act 1992 (c. 48). Section 37 was amended by section 15 of and paragraph 1 of Schedule 1 to the Finance Act 2011 and section 180 of the Finance Act 2013. Section 54 was amended by section 1 of and paragraph 12 of Schedule 1 to the Finance (No. 2) Act 1992 and section 5 of the Finance Act 1985 (c. 54). Section 55 was amended by section 1 of the Finance Act 1984 (c. 43) and section 1 of and paragraph 13 of Schedule 1 to the Finance (No. 2) Act 1992. Section 62 was amended by section 3 of the Finance Act 1996 (c. 8), section 10 of the Finance (No.2) Act 1997 (c. 58), section 180 of the Finance Act 2013, section 4 of the Finance Act 1998 (c. 36) and section 3 of the Finance Act 1997. There are other amendments which are not relevant to this Order.

(b)* 1994 c. 23. Section 2 was amended by section 3 of the Finance (No.2) Act 2010 (c.31). Section 7 was amended by section 76 of and Part 1 of Schedule 36 to the Finance Act 2009 (c. 10) and section 203 of and paragraphs 2 and 3 of Schedule 28 to the Finance Act 2012 (c.

14). Section 24 was amended by section 19 of and paragraph 1 of Schedule 8 to the Finance (No.3) Act 2010 (c.33). There are other amendments which are not relevant to this Order.

From 1 October 2014:

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises: (a) games or other activities which require or encourage, or are designed to require or encourage individuals to i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or, ii) drink as much alcohol as possible (whether within a time limit or otherwise); (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner; (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified under the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either - a) a holographic mark, or b) an ultraviolet feature.

4. The responsible person must ensure that: a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures - i) beer or cider: ½ pint; ii) gin, rum, vodka or whiskey: 25ml or 35ml; and iii) still wine in a glass: 125ml; b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Annex 2 – Conditions consistent with the Operating Schedule

All staff shall be trained in respect of offences relating to the sale of alcohol, the mandatory conditions and conditions specific to this authorisation. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the licensing authority or police.

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

An incident/refusal register shall be maintained, kept at the premises, and produced at the request of a Police or Licensing Officer.

A notice shall be displayed at the exit asking customers to be considerate to neighbours when leaving.

In respect of pre-booked tasting events and workshops, the size of groups attending such events shall not exceed 10 at any given time.

The premises shall operate a "Challenge 21" age verification policy and prominently display a notice at the premises advising to customers that this policy is in operation.

This policy shall extend to home deliveries whereby anyone who appears to be under the age of 21 shall be asked to produce an acceptable form of identification proving that they are 18 or over, before the alcohol is handed to them.

**CHEW VALLEY DISTILLERY, CHEW MAGNA
REPRESENTATIONS OF OBJECTION RECEIVED IN RESPECT OF NEW
PREMISES LICENCE APPLICATION 21/00251/LAPRE**

ROGER SPOURS-BAYLIFF

03/03/2021

Dear Terrill

Ref 21/00251/LAPRE

I wish to object to the application from Chew Valley Distillery, for a premises licence for the sale and supply of alcohol at Wellington Gallery, Corner Cottage and the adjoining outdoor space adjacent to Corner Cottage.

My understanding is that the following licensable activity is proposed:

- the sale of alcohol for consumption on and off the premises every day between 10:00 to 23:45; and
- opening hours of the premises between 10:00 to 00:00 every day.

I note that the applicants have made several assurances as part of their application. Among those undertakings are that:

- The outdoor space within the curtilage of Corner Cottage shall close no later than 21:00 hours on any day.
- Notices shall be displayed at all exits of the premises requesting customers to be considerate to neighbours when leaving.
- All tasting events and workshops held in the event space shall be pre-booked and restricted to no more than two events per week (Monday to Sunday).
- No more than 28 persons shall attend these pre-booked events.

The premises are located near the centre of Chew Magna, in an area surrounded by residential properties and business premises. The outdoor space and Corner Cottage is bordered by two roads: the Chalks/South Parade and Tunbridge Road, whilst Wellington Gallery faces Tunbridge Road.

My objection is based on my concerns around public safety and the prevention of public nuisance:

1) Public safety.

- a) The outdoor space:
 - i) is situated immediately next to a road; and
 - (1) is heavily trafficked;
 - (2) has a B classification;
 - (3) is wide enough only for one vehicle to pass at a time.
 - ii) The railings situated at the seating may encourage persons to sit on them, with a potential to fall onto the road.
 - iii) The crossing point from Tunbridge Road to the village centre is situated immediately adjacent to the outdoor seating area.
 - iv) The line of sight for those crossing the road at this point will be negatively impacted when the outdoor space is patronised.
 - v) No limit has been placed on the number of patrons that can occupy the outdoor space.
 - vi) An excess of patrons could migrate to the pavement area of Tunbridge Road.
 - vii) The pavement area is raised with a significant drop to the road.
 - viii) There is no handrail protection separating the pavement from the road.
- b) The upstairs space
 - i) A limit of 28 people and staff in this area seems to be excessive given the space volume
 - ii) Upon emergency evacuation I am concerned that 28 patrons and staff would not be able to safely exit the building

2) Prevention of Public nuisance.

- a) The premises are very close to a number of residential properties.
- b) Alcohol increases the possibility of inappropriate behaviour.
- c) There is a potential for noise nuisance especially from the outdoor area.
- d) There is a likelihood of increased parking demand as a result of persons travelling to the premises.

I have a further concern that if the premises licence was granted and the current applicants vacated the property, it would not necessarily be incumbent on any new occupant to adhere to the undertakings that the applicants have made to obtain such a licence. Please can you advise in this regard?

I would be obliged if you would acknowledge receipt of this letter and advise of any outcome in relation to this application.

Yours faithfully.

Roger Spours-Bayliff
Chew Magna
Bristol

CHEW MAGNA PARISH COUNCIL

From: Kirsty Headlong <chewmagnaparishclerk@gmail.com>
Sent: 04 March 2021 12:48
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: 21/00251/LAPRE - representation form

Chew Magna Parish Council wish to make the following representation following their meeting 2 Feb 2021 when a number of local residents registered serious concerns.

CRIME and Disorder

We have concerns re the potential for disorder in the event of late night drinking in association with these premises in a very restricted small space. However, we welcome the promise of rigorous and effective training of Chew Valley Distillery staff that may minimise this risk, and that the sale and consumption of alcohol will terminate no later than 21.00hrs. on the proposed outside area on the restricted days that it is allowed.

PUBLIC nuisance

We have concerns that given the high profile publicly accessible space that public nuisance may arise. Potential conflict may well arise on the public footpath and areas proposed for outside use in this application. We are satisfied that the public pavement that runs between the Corner Cottage and the proposed hospitality area has now been recognised as such and so will not be wilfully obstructed at any time. However, the entire restricted area on this acute corner has been in the public domain during living memory, so if this area is reclaimed for the exclusive and private use of the applicant, this situation would necessarily cause a public nuisance, particularly for children walking to the Primary School, with some otherwise unnecessary diversion for pedestrians crossing this junction; both the very busy B3130 and the wide splay of Tunbridge Road.

Noise nuisance is a serious possibility with these proposals and a major change to the previously quiet and quality environment may well result. There may well be Health issues both mental and general to residents living in close proximity.

It should also be noted that since the Wellington Gallery has changed use there have been prolonged periods when rubbish has been stored on the pavement. We need to be assured there will be no further such deposits and that effective waste disposal measures are in place.

CHILDREN from harm

Children regularly use the High pavement and areas outside the former John Drew offices We would raise concerns relating to both long term effects on their safety and exposure to any issues connected with the exposure to and issues connected with the consumption and influences of alcohol.

PUBLIC Safety

A major concern is that this corner between Tunbridge Road and The Chalks is an important visibility splay. There are double yellow lines alongside the high pavement giving evidence to the need to keep the splay visible (the applicants black van has recently been parked on these lines which doesn't inspire confidence).

Any increased or new use of these outside areas would not only represent an increased change of use and have an impact on public safety.

This would be true of A frame signs banners posters or furniture.

It is not appropriate due to the very close proximity to adjacent residences for the license to be granted beyond 10pm at night. There needs to be a differentiation between being open for sale of gin to be taken off the premises (off license) and that to be consumed on them. Sale can be 10am to 10pm but gin drunk on the premises should be restricted between 12noon and 10 pm.

Finally this proposal is of very serious concern and is significant, as it does not appear to improve people's lives or deliver confidence to the local Community. Chew Magna Parish Council believes that this matter needs to go to Committee.

Jon Wheatley (Chairman)

Kind regards

Kirsty
Kirsty Headlong
Clerk/RFO

MR & MRS KEW

From: peter kew
Sent: 10 March 2021 15:36
To: Terrill Wolyn <Terrill_Wolyn@BATHNES.GOV.UK>
Subject: CVD - Representation from Mr & Mrs Kew

Hi Terrill

I hope this finds you well

Firstly we would like to say that we like the applicant family, admire their entrepreneurship and have enjoyed a number of evenings in their cosy village bar and bistro - the Lazy Lobster. It is a wonderful addition to the village.

The existing gin distillery is also very tastefully done, and the applicant has created a sophisticated, establishment and produces and sells a great quality

artisan product. We have no doubt that the new premises would look equally good and have great appeal - both for locals and a wider audience. We also think the idea of a specialist retail wine shop in the village is a good one and would do well. We do not have any objection to this (retail) part of the plan except the proposed licenced opening times, on the grounds of public nuisance.

It is our understanding that the applicants have taken advice from the council and applied for a licence which gives them maximum flexibility (especially with regard to late opening hours). However this approach has caused the biggest concern for all the nearby residential neighbours – as if granted, the licence would allow them (and any future proprietors) not only to operate late retail alcohol sales, but also to sell alcohol to be consumed on the premises very late into the night. (Even if that is not their intention or what they have planning consent for).

We recognise that the applicant has amended his original licence extension application (most likely due to feedback passed on from conversations with licencing). These changes do help, eg. Maximum 2 tasting events per week, allowing public right of way outside Corner Cottage, but unfortunately do not go far enough to remove our biggest issues/objections with the plans.

We both strongly object to the requested times on the licence in particular for the consumption of alcohol on the premises and the use of the outside space for drinking, as these will both cause public nuisance and have safety issues. This premises is in the heart of a quiet residential area and is situated immediately adjacent to our home and garden and directly opposite many families with small children and elderly residents.

Apart from noise nuisance from the outside area, this space is uneven and has many different kerb levels, it is also small/very narrow and poorly illuminated with a 1 metre+ sudden drop on the far edge of the public pavement, so not suitable (and verging on dangerous) to be used for alcohol consumption.

The triangle area is also used as a sightline for any vehicles turning the corner at this awkward junction and if blocked by people /parasols etc this could also be dangerous from a road safety point of view.

The premises has been run as a small office for many years (15+) and many people have moved into their homes safe in the knowledge that it is a quiet part of the village. That will stop being the case if the licenced opening hours are not reduced, strict conditions for 'tasting events' imposed and if the outside area is included within the licence.

The ideal scenario is that the licencing committee deals with the retail and consumption on the premises parts of the licence separately, so there are different time constraints for both and strict and easily police-able controls for the part that deals with consumption on the premises.

Opening hours

The 23.45 - 24.00 late closing time (including on Sundays) in a residential area of this quiet village will most certainly be a public nuisance due to noise. The plans to licence an outside area immediately in front of the property (only a few metres from children's bedrooms) will definitely exacerbate this, even if it closes at 9pm (as the application requests). The requested closing time is later than all the pubs and the Co-op and will inevitably lead to people turning up late (often straight from the pub!!) either to buy alcohol to take home, or to try to have a final drink on the premises - which will bring late night noise.

To be honest, it seems totally unnecessary for a (primarily) retail establishment to be open so late every day and if tastings are also occurring this late into the evening, there is no doubt that the resulting noise would be a public nuisance. The opening hours need to be shortened so that the establishment closes much earlier for retail sales AND an even earlier deadline put in place for cessation of alcohol consumption on the premises.

Given the area, proximity and age of immediate residents the entire establishment should close at 9pm at the latest Mon-Sat and 6pm on Sunday. However if that will disadvantage them from a retail perspective (as other sellers of alcohol close later) then 10pm closure for off-licenced sales should be more than sufficient.

However if an official tasting event is booked in then this should still have an earlier deadline (greatest potential for public nuisance) so any drinkers should be off the premises by 9.30 pm. This timing still allows for a very comfortable 3 hour tasting event on an evening, but will also prevent the post dinner/ post pub drinkers to be able to abuse the licence later on. If there are special occasion tasting events booked, where later opening is really necessary, a pre-arranged special event licence can be obtained for these and the number limited with any year.

We would like to know if there are plans to obtain a PRS licence for music to be played in the building? We also want all windows and doors kept shut to ensure any noise to neighbours is minimised during an organised tasting event.

Use of outside space.

If the licence is primarily for retail sales with the occasional tasting event and the applicant is creating a bespoke event space on the first floor to hold these in, there is no need whatsoever for any outside space to be included in the licence.

Any outside space would be very popular and has the potential to encourage walk-in drinkers and advertises the fact that alcohol consumption on the premises is not just limited to occasional pre booked tasting events, or that these need to be held in bespoke event spaces upstairs/ inside. (Presumably a tasting event is accompanied by a talk / explanation of a few different wines/

of the gin making process in order to encourage retail sales and the event space is designed specifically to facilitate this). The outside space would not be suitable for any instruction/talk (or for the tasting of multiple different wines due to limited space).

As mentioned earlier, the dark, uneven space and ground is also not safe for people who have consumed alcohol. Because the area is so small and very narrow along Tunbridge Road it will also be inevitable that drinkers will spill out beyond the tight, restrictive boundaries to cause obstructions on the adjacent pavement, causing more public safety issues. The public right of way that the applicant has offered in the revised application in front of corner cottage is an accident waiting to happen if bottles and glasses on trays are being brought outside from the shop to the outside area.

Therefore for these reasons we would like any outside area to be entirely excluded from the licence.

IF the licence is still granted for any outside space then its use should be significantly curtailed and it should close at 6pm latest Mon – Sat and not used on a Sunday at all to allow the neighbours peace and quiet. (9pm as suggested by the applicant in the revised plan, is still far too late considering the immediate proximity of young children's bedrooms.) Any tables and chairs need to be taken inside at night to avoid people getting them out and using them after closing and therefore be encouraged to loiter in the area. The applicants should be legally responsible for ensuring this private area is vacated quietly by patrons before the licenced closing time as a condition of the licence (whether consumption is permitted in the area or not).

On a side note, the village plan includes a policy to avoid unnecessary light pollution – if any additional lights are added to this space (after planning consent), to make it bright enough to be used safely, it will detrimentally affect the village and neighbours.

Conditions/definitions on the licence – relating to definitions of tastings

Although on paper the applicant says that there will be a maximum of 2 tasting events every week, which is acceptable, we would like the tightest definition and clearest restrictions put on this part of the licence. This is to try to prevent lapses and give the local residents the best chance of policing this if the terms of the licence are abused.

From conversations with the applicants we truly believe that they have no intention of deliberately upsetting the neighbours or affecting the village detrimentally, but transparent conditions would make all the neighbours feel more comfortable and also avoid any ambiguity that the applicants are following the specific conditions of the licence. It would also safeguard against future proprietors (if the business is sold) being able to easily relax the verbally stated intentions of the current applicants. It would also be good to operate a 'Challenge 25 policy'.

Therefore to differentiate this premises from a drinking establishment (which it does not have planning for) the licence should be accompanied by a strict definition of what constitutes an official tasting event. As without this, the 2 permitted tasting events per week could simply be: open “tasting” sessions lasting all day Fridays and Saturdays; with any number of separate different groups; arriving and leaving throughout the day; able to ‘book in’ on the spot (or use their lazy lobster dinner ‘booking’ as latitude to add on an impulse pre or post dinner drink). In other words – operating as a weekend wine bar.

For example.

- Is a tasting event counted as one fixed duration session for a single booking of a group of people together? Or can any number of groups be in the same ‘tasting event’ at any one time?
- Can a tasting start with one group and other groups join in later to the same ‘tasting’? i.e. a phased approach.
- Is it booked with a finite duration and a start and end time? Or can it go on until people have had enough? IE Can there be a maximum length of time imposed for any single daily official tasting event.
- How does a tasting event work? i.e. is it a fixed price package that includes an agreed set of small (tasting sized) volumes of a fixed number of different pre-selected wines – or can a customer simply choose, pay for and taste a whole glass (e.g. 250ml) or even a whole bottle of wine?
- How far in advance does a tasting need to be booked? Or can you walk in and ‘book’ an immediate on the spot ‘tasting’.

I appreciate these are quite detailed questions, and some may be unmanageable to impose on a licence, so are for discussion with the committee to ultimately agree. But clearly the more specific the imposed definitions/conditions on the licence, the better for all parties. Above all else we want to avoid any bad feeling or resentment once the premises is open.

Existing licence and previous application

We appreciate that a licence was already granted for the gin distillery last year which includes very late opening times. However, due to the timing of this application (within the first, very strict ‘stay at home’ lockdown) few, if any people would have passed the premises, or seen the small notice. I don’t think it would have been on anyone’s radar to worry about reading a small notice in a closed hairdresser’s window. (Due to the structure of the building this would have been at the top of some steps away from the pavement). Until this second application and the research we all did (including finding about about the recent change in planning laws), all the immediate neighbours had naively believed that we would have each received formal notification in the

post that the use of the building was changing to something that included the consumption of alcohol on the premises. (Like with a planning application.)

The limited media notice that is required for an alcohol licence application, means it only needs to appear in one publication on one day. The Bristol Evening Post is not a publication that many villagers would read, especially to find out about things in BANES village Chew Magna.

Given both these factors, it's not a surprise therefore, that none of the local residents we have spoken to were aware of the original application for Wellington Gallery in order to have an opportunity to comment /object.

Had we known about that original application, we would still have objected to the late opening hours. However, we would not have objected to the gin distillery and retail sales (or to occasional tastings). It is a niche venture and customer visits and numbers of tastings are limited by the physical amount of craft gin that can be produced on site and the small space available for customers.

With regard to this new extension application, we do think the inclusion of a retail wine shop with occasional tastings in a much larger premises, changes the overall & original business proposition that the initial licence was granted for - and also significantly increases the latitude for licence / usage slippage, away from purely occasional pre booked official tasting events to be much closer to a walk-in drinking establishment.

To expand the offer as outlined above brings much greater mass appeal with a potentially unlimited supply of easily accessible alcohol bought in. So, although on paper, this is simply an application to extend the geographical reach of an existing licence, the new plans for the additional venue space means it isn't that straightforward.

Therefore this licence should be considered in totality all over again, as if judging a brand new licence application for the whole space rather than a question over whether the existing licence should be extended with the same conditions. And that any agreed conditions are now imposed on both parts of the premises.

In Summary, we would withdraw our objection to the licence if conditions were placed upon it with for the whole premises (The gin distillery in Wellington Gallery AND the wine shop in Corner Cottage):

1) Earlier closing for retail opening hours and an even earlier daily deadline for alcohol consumption on the premises to cease. If it is not possible to separate the two elements then the entire licenced times should be restricted to the earlier times i.e. those proposed for permitted consumption of alcohol on the premises.

2) Clear conditions on what is the limit of the licence in terms of alcohol consumption on the premises. Stated max number of tastings per week eg 2.

Clear definition of what constitutes an official tasting event. Including the maximum duration of any tasting 'event'. These conditions and definitions need to be unambiguous and clearly differentiate from a licence that would allow it to be a drinking establishment 2 days a week. It would be good for all parties (the applicant and any objectors) to understand what evidence is needed to prove compliance – or worst case to present a case of non-compliance.

3) Exclusion of all outside space within the licenced area. If permission to licence the outside space is still granted, even earlier time constraints need to be imposed (6pm) for this particular area so that the noise does not disturb the neighbours living just a few metres away on an evening/Sundays. provisions need to be made for litter, mess etc Tables and chairs to be stored inside outside of licenced hours.

4) Clear confirmation of the boundries to any external space under consideration for use. With actual provided dimensions – to help avoid any potential disputes about creep of tables chairs etc onto public pavements beyond.

We would be grateful if considerations were given to as many of our additional concerns as possible.

Thank you

Mr and Mrs Kew
....., The Chalks, Chew Magna, BS40 8SN

MR ROBERT OLIVER

From: Rob Oliver
Sent: 10 March 2021 16:58
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: 21/00251/LAPRE objection

Good afternoon,

Please find my representation with pictures of an accident that occurred at the proposed outside section. On this occasion the car was pushed into our house by the van but could have very easily crashed through the barrier into the 'seating' area instead.

I have a number of concerns about the application for an alcohol licence for the Chew Valley Distillery. Sadly, due to the pandemic lockdown in 2020 the initial application was missed by the local residents and parish council and if it had been seen I would have also objected to this at that time. That being said i also feel that what the applicant is trying to do is a different proposition from the original application and so the original license should be revisited on the

grounds that it is no longer purely a gin distillery and will also be selling other beverages with amended opening hours.

Prevention of public nuisance:

The distillery and corner cottage are located in a residential area and my concern is that with the late licensing hours, which are not aligned to the existing establishments, it will create issues for the local residents, where many have young children. This is in regards to the level of noise and anti-social behaviour often associated with drinking premises. I have also noted that the application has made reference to the area surrounding the property which if used for smoking or tables could cause issue for anyone, particularly elderly or disabled residents or residents with young families, to pass safely, adhering to social distancing. This has been a problem at other establishments in the village on South Parade. Official tasting should be organised correctly and held in the bespoke event space inside. Putting tables and chairs outside they are encouraging walk-ins and advertising that drinking does not need to be confined to organised events.

It is my view that the outside space should not be used at all and the doors and windows should remain shut during events to reduce noise. I also note that there is no entertainment license so music cannot be played. I would also like the hours of operation reduced to end at 10pm with the sale of alcohol to cease at 9pm.

Protection of children from harm:

The Distillery is located on a high pavement which is the main thoroughfare for children going to Chew Magna primary school from the south side of the village. Having patrons smoking or drinking outside on this pavement would expose the children to second hand smoke and anti-social behaviour. Smoking has been a problem at other establishments on South Parade as it is not possible to pass at a distance which would be the greater issue outside the distillery. The proposed seating area is located close to residential premises with my daughters bedroom window overlooking the proposed outside drinking/smoking area. I do not feel it is appropriate to have a seating area overlooked by young children's windows and having noise and smoking outside their bedroom windows at night will impact their wellbeing. The management of the Distillery also manage the Lazy Lobster on South Parade and there have been many instances where people have been loud outside of residential property and have not been challenged. I feel that the premises should operate to challenge 25 rather than challenge 21 to reduce the risk of underage drinking.

Public safety:

I have already raised the issue around not being able to safely socially distance on the pavement outside the distillery and corner cottage and if people are trying to pass safely it could be very easy to trip off the pavement with a drop of over a metre to the road and no barrier or railing. Having tables and chairs on the area in front of corner cottage would cause a visual obstruction for approaching vehicles to which is a very busy junction. The road reduces to a single track road at this point and with no priority to traffic there have been numerous accidents where cars could easily crash into

the seating area itself.(please see pictures attached taken in the last 6 months). If outside space is granted then i would ask that this is closed by 6pm with tables and chairs removed.

I also have a concern about the size of parties proposed in the venue and whether there is sufficient fire exits, especially on the top floor.

In summary I don't feel the proposed application has been well thought out with serious detriment to the wellbeing of local residents and safety of people travelling to and past the premises. I fully appreciate that it is important for local businesses to operate but I would like you to consider a reduction in the hours the premises can operate, restrictions on the use of the area surrounding the building and a limit on the occasions the premises can be used for tasting events. I am also concerned that the applicant hasn't been truthful on their application and the bottle shop would in fact be an extension of the distillery and used to seat and serve patrons. The wording around 2 tastings a week is too vague and it would be useful to clarify what is meant by events and how long they last for as otherwise I can see the applicant claiming tastings are running all day and night on any given day. An additional concern is that this application is a stepping-stone to apply for a full bar license so I would like assurances that this would not be granted in the future as it would exacerbate my current concerns.



All the best
Robert Oliver
The Chalks, Chew Magna, Bristol

SAMANTHA OLIPHANT

From: Sam Oliphant
Sent: 10 March 2021 19:40
To: Terrill Wolyn <Terrill_Wolyn@BATHNES.GOV.UK>
Subject: CVD 21/00251/LAPRE - S Oliphant

Hi Terill

Please find my representation regarding the proposed licence for Chew Valley Distillery.

I am not opposed to the applicant being granted an alcohol licence for Corner Cottage and Wellington Gallery to operate as a retail shop, to conduct tasting events or to offer educational workshops. I believe the application should not be considered as an extension of the existing gin distillery licence but should be reviewed as a new proposal given the business activities are different. I object to the suggested opening times and the use of the outside space as an external drinking/smoking area that may result in noise disturbance and a nuisance to the local community and have safety implications for customers. I would also appreciate more information about what constitutes a 'tasting event' and how it will be controlled and managed.

Licensing Objectives - Public Nuisance and safety

Opening hours: Corner Cottage and Wellington Gallery are located in a quiet residential area of Chew Magna. The properties are effectively surrounded by residential homes. I believe the planned bottle shop and event business will be primarily based at Corner Cottage with the gin distillery operating from Wellington Gallery. The lengthy opening hours suggested do not reflect those of similar businesses operating in the village and I question the demand for these services in such a small community. These hours may also encourage pub leavers to purchase alcohol after pub-closing times and drink on the pavement or in the planned seating area causing nuisance, noise and disruption in a quiet neighbourhood.

External seating: I object to the applicant's intention to use the external private space highlighted on the plans for a seated area with a 9 pm curfew. Presumably, this external space will be utilised for customer seating for the tasting events or as a smoking area for both businesses but even so, a 9 pm curfew, will generate noise and potentially alcohol-related behaviour which will have a significant impact on anyone living nearby, particularly families with young children whose bedrooms are nearby.

Tasting events: The licence affords the applicant the ability to offer 'tasting' events, and although I am not against this concept in principle, I would like to understand how such an event will be defined, booked and managed. I would strongly object to a licence that would allow the applicant's business the ability to evolve as a 'wine bar' where customers turn up to an event and the line between a tasting 'experience' (sampling small amounts of different wines in a

controlled environment) and simply 'drinking' may become blurred. I do welcome and agree with the applicant's suggestion to limit the number of tastings to two per week but would like further evidence to define exactly what constitutes a tasting before I can fully support it.

Safety: The outside space is an interesting conundrum having been maintained by the parish council for decades and used daily by the community as a public highway and a safe place to stand whilst waiting to cross the road. Given that the public has used this space for 20 years or more without interruption, despite it being private land, I believe law dictates that a 'right of way' exists so I am pleased to see that the applicant has acknowledged this use and agreed to keep the footpath clear at all times. However, I believe the small triangular area which remains represents some obvious safety concerns for customers as the area is raised, slopes downwards, is poorly illuminated with an uneven surface and its proximity to the road is an additional hazard for a possible RTA.

Inside Corner Cottage I believe the upstairs event space has only one entrance and exit via a single staircase, so I would like to be reassured that adequate fire precautions are in place to ensure the safety of the applicants' customers.

Additionally, and this may not fall within the remit of this licence application, obstruction of any kind on this already dangerous corner, be it people, furniture or umbrellas, reduces visibility and presents significant safety issues for pedestrians, cyclists and drivers. Furthermore, the properties are not easily accessible for deliveries, so vehicles are likely to cause a problem blocking roads and busy pavements whilst unloading. The position of the properties also raises questions about where any rubbish will be stored to prevent a safety hazard to the public using the pavement directly outside and to maintain the beauty of the conservation area in which they sit.

Summary: I do not oppose the granting of an alcohol licence to sell wine as a retail shop that offers occasional 'tasting' events using the internal earmarked space that are well managed, pre-booked with definitive timescales and with the necessary fire precautions and arrangements for rubbish disposal. I do, however, oppose their use as a 10 am-midnight drinking establishment where tasting events are used as a ruse to offer 'bar' services and the external space becomes a seating area for smokers and alfresco drinking despite the inherent safety issues and nuisance. This set of circumstances will undoubtedly cause noise, disruption and ill-feeling within the community and have a detrimental impact on village life.

I believe a fair compromise would be to grant a licence with the following conditions:

- 1) Restriction of opening hours dependant on the business activity:

Bottle Shop 10 am – 10 pm (to reflect the opening times of other alcohol retail outlets in the area)

2) Tasting and educational events: 10 am – 9 pm
A clear definition of what constitutes an 'event' to prevent bar-like activity.

3) No external seating on applicant's curtilage*

(*If a licence is granted then clear rules about how the external space can be carefully utilised to safeguard customers, pedestrians, cyclists and drivers with a 6 pm curfew to prevent noise and disruptive behaviour should apply)

4) A waste management plan.

These conditions will ensure that both the applicant's business will thrive with the support of the local community whilst avoiding nuisance, noise and accidents maintaining the quality of life for the Chew Magna community.

Yours faithfully

Sam Oliphant

Chew Magna, Bristol BS40 8SF

LOUISE LEEDER

From: Louise Leeder

Sent: 10 March 2021 20:03

To: Licensing <Licensing@BATHNES.GOV.UK>

Subject: Subject: 21/00251/LAPRE - representation

Dear Sir or Madam

Please find objection to the licensing application for the Gin Distillery in Chew Magna.

Crime and Disorder

The applicant has asked for opening hours up to 11.45pm. I have concerns about late night drinking as all the other pubs in the village close at 11pm and the potential for disorder with late night drinking where there is little outside space and a considerable drop of over 1m on the other side of the high pavement with cars parked on the road below.

Public nuisance

There are close neighbours on the other side of the Chalks which is only a car width away from the outside space which is a small triangle of paved area in

front of the main entrance to the newly acquired property and that public nuisance may arise.

Noise nuisance is likely especially if the premises are allowed to be open from 9am until 11.45pm even if outside drinking is restricted to 9pm in such a small area. It would seem more appropriate for the premises be open from 10am to 10pm for sale of gin but only allowed to open for drinking between 12 noon and 10pm.

Mr Kelly has used the pavement outside his existing premises over several weeks to prepare the inside of the distillery with no care for the cars parked below or for the residents who walk on the pavement. Rubbish remains permanently outside the adjacent premises and is an eyesore. Therefore, it is very important that he demonstrates that there are appropriate waste storage and collection in place for the new premises.

Protecting children from harm

Children regularly use the high pavement and areas outside the former John Drew offices. The paved area has been maintained by the Parish Council for decades and is used by pedestrians to walk safely through part of the Chalks. Although the applicant agrees that there would be a walkway for pedestrians next to the building, in the event that the paved outside area were allowed to be used as a seating or drinking area then this could prevent children from using the safest route.

Public Safety

When turning left from the Chalks into Tunbridge Road is very tight and in the event of a seating area on the paved area or a congregation of drinkers outside then this would cause a serious visibility problem as Tunbridge Road is at a much lower level. There are double lines at the entry to Tunbridge Road to assist drivers to see traffic approaching the junction but when ignored then as drivers turn into Tunbridge Road they are unable to see the oncoming traffic and the turning circle means that drivers turning into Tunbridge Road often have to drive onto the other side of the road and hence this could cause an accident. Mr Kelly has ignored the double yellow lines alongside the high pavement and parked his high-sided black van on them causing a hazard.

Overall, increased use of the outside areas or obscuring the vision of drivers with posters, banners, fencing, seating of people would impact on public safety.

NB I CONSIDER A HEARING TO BE NECESSARY

Thank You
Kind regards
Louise Leeder

----- Tunbridge Close

Chew Magna

Bristol

BS40 8SU

DR CHARLOTTE BOYER-MILLAR

From: charlotte boyer-millar
Sent: 10 March 2021 20:22
To: Licensing <Licensing@BATHNES.GOV.UK>
Cc:
Subject: CVD 21/00251/LAPRE - Representation CBM

Dear Licensing Team

I wish to object to application to sell alcohol from corner cottage as an extension of the licence granted to chew valley distillery, wellington gallery.

To place this application into context the following two issues should be held in mind. The initial licence was granted during the first lockdown and although the legal process may have been followed it would be questionable given the extraordinary circumstances of the pandemic if the process was 'fit for process'. Given the extent with which people are objecting to this application it is logical to presume a similar level of objection to the first license had local residents been aware. The chair of the parish Council meeting noted that more people attended the chew magna parish council meeting to discuss this application than when the GP surgery moved villages.

Secondly although under the same business umbrella of chew valley distillery and are in adjacent properties, (please see photos) sent in accompanying email as unable to upload to this form), the proposed business concept of a 'bottle shop' (off licence) with an event space combined with outside drinking is an entirely different proposition to their gin distillery which may rely on off site sales given the small space for on site alcohol consumption hence the need for extended hours to fulfill online purchases. This, I argue, is not the concern for the two further alcohol related businesses involving mass produced alcohol being sold for consumption on site and as such should be considered as separate entities and necessitate different licencing hours and conditions to the wellington gallery chew valley distillery licence.

Given the criteria I wish to cite the following reasons for objection:

Public Nuisance:

The location of Corner Cottage and the enviromental layout of the outside premises in relation to the road and public rights of way with this property alongside the application for the sale of alcohol from 10.00- 23.40 daily means a public nuisance will be almost inevitable if this granted to include the requested outside area. The outside area (please see photographs) is small and patrons will end up encroaching onto the pavement/public rights of way. This part of the village is residential and the acoustics mean this will have a major impact on the properties nearby, the majority of which have young children. This is an area which for pedestrians is essential to safely cross this notoriously dangerous piece of road with no pavement and an acute corner (if

turning left from Stanton Drew off the Chalks into Turnbridge Road) with poor visibility. The applicant has another establishment in the village (Lazy Lobster) and has promoted seating outside along with smoking (which also overflows onto the pavement and impedes passing by - and associated complaints) and it would be clear that this would be the aim for this property given the application to include outside seats and tables. This then also adds the issue of noise and nuisance to the residents, nor is there any consideration of the added nuisance from deliveries and rubbish bins.

There are already 3 pubs and a shop selling alcohol in close vicinity (so no need for the community to have an additional alcohol outlet) and a small bar/restaurant (already owned by Chew Valley Distillery) and they hope to encourage customers to move between the two again increasing public nuisance from noise, drinking away from the property, second hand smoke/vaping and littering from cigarettes etc.

Protection of Children:

The area has numerous children who use the pavements and public right of way in front of corner cottage. Use of these areas will mean these are encroached on by drinkers/smokers so the area will be filled with secondhand smoke/vaping. Given the unique nature of this area (high pavement 1.27m high) and complex acute turn junction (Lorries have to perform 2-3 point turn) it places children at higher levels of risk. Also note the Chalks has a high rate of vehicle into house/building incidents, as well as numerous near misses with pedestrians. The most recent was from a vehicle crashing (into WestView resulting in damage to their home). I understand from the licensing department that this section is only for children within the premises and would state that given the unusual layout the public right of way in front of corner cottage, this is within the premises as it is essentially sandwiched within the premises' internal and external space.

Public Safety:

In addition to the concerns about highway related safety discussed above I also wish to raise that the proposed changes are so Chew Valley Distillery can open an off licence ('bottle shop') and then have an office and an event space 'wine tasting' area upstairs for up to 28 people. This office /event space is only accessible via one narrow staircase and this would pose a potential safety/fire risk.

Given my objection and reasons I would like to ask the team/committee to consider that should the license be granted that the license does not include the external space for the issues raised above.

If the license is granted including outside space then I would request the following conditions:

As stated in the application no more than 2 events per week for corner cottage and Wellington Gallery combined (Chew Valley Distillery Ltd)

On site (event) alcohol consumption to end at 21.45 and premises to shut at 22.00

Outdoor area to be vacated and chairs and tables stored by 18.00

In addition I also request the following:

A challenge 25 (not challenge 21 as stated in the application)

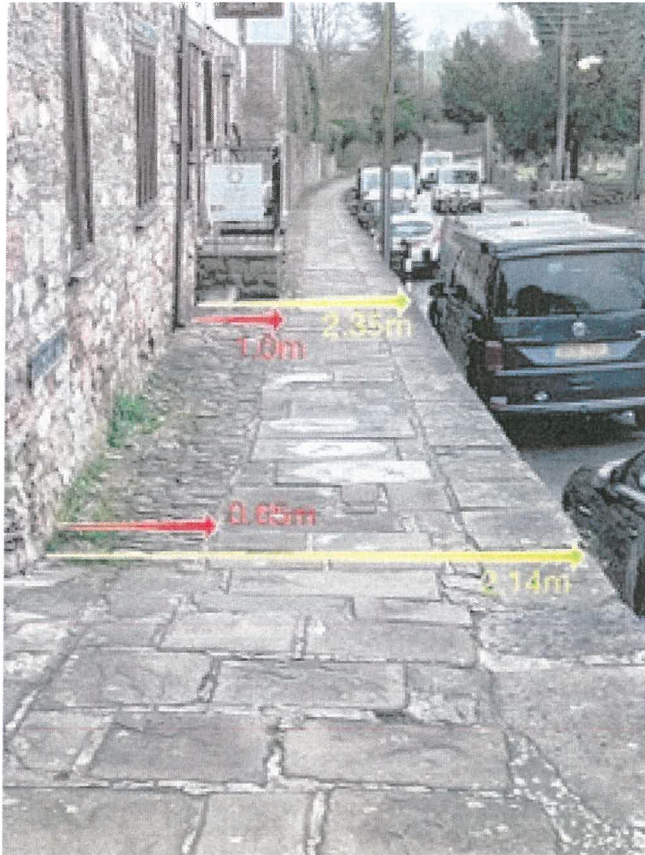
The 'bottle shop' to close at 21.00

Doors and windows to be shut during 'events' to minimise noise and disruption

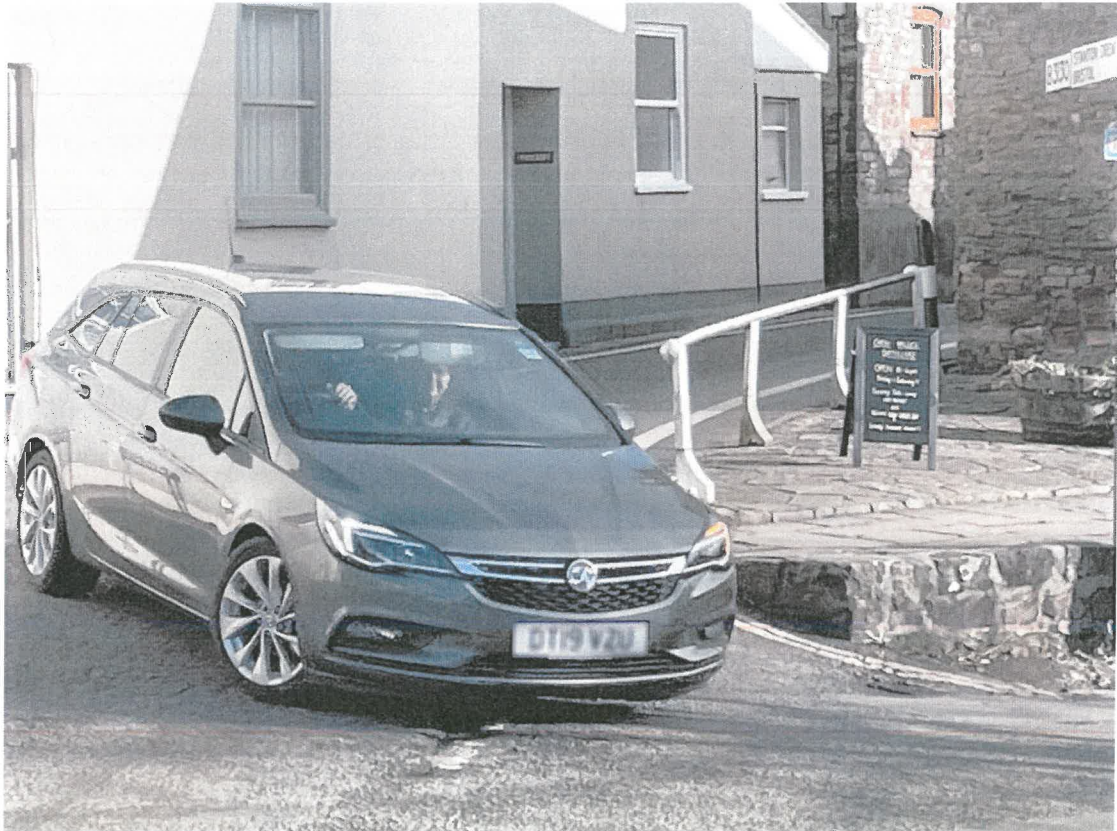
Clarification that there is no entertainment licence and no music will be played.

Photographs from Dr Charlotte Boyer-Millar to accompany objection to licence application Chew Valley Distillery Ltd 21/00251/LAPRE:









Warm regards Charlotte

Dr Charlotte Boyer-Millar

-----, The Chalks, Chew Magna, Bristol BS40 8SN

From: AngusandAnne Hughes
Sent: 11 March 2021 17:23
To: Licensing <Licensing@BATHNES.GOV.UK>
Cc: Terrill Wolyn <Terrill_Wolyn@BATHNES.GOV.UK>
Subject: Objection to application 21/00251/LAPRE

Please find our objection to the licensing application of Chew Valley Distillery and accompanying photographic evidence to support our points.

Our young family lives next door to Wellington Gallery on Tunbridge Road but we are temporarily residing in, The Chalks. We are therefore directly impacted by this application. We strongly support new businesses in the village but wish to ensure that there is no adverse impact for the village or the residents. We note the amendments made for since the application made in January 2021.

Our main concerns are:

Public Safety

1. Risk to public safety associated with proximity of proposed premises and outdoor area to the road, and obstruction/ restricted access to the right of way between Corner Cottage and the proposed outdoor area

See photos

This outdoor area is small and immediately bordered by The Chalks on one side, and Tunbridge Road on the other. The junction between Tunbridge Road and The Chalks has limited visibility, which we are concerned would be worsened (particularly when turning right onto the Chalks from Tunbridge Road) if patrons are occupying the triangular outdoor space. This poses a risk to the safety of drivers and patrons.

The Chalks is a B road which is only wide enough for one vehicle at this point. Despite a speed limit of 20mph, cars often drive considerably faster than this, particularly later at night when the roads are assumed to be empty. There was a car accident at exactly this point in the road in 2020. Although there is a low barrier between The Chalks and the paved triangle, we are concerned that there is a safety risk associated with poor visibility, vehicles travelling at speed in close proximity to patrons consuming alcohol in the proposed outdoor area, and when people disperse after the premises close.

We note that the boundaries of the proposed licensed area means that patrons cannot consume alcohol on any of the public rights of way, or pavements. However, there is a public right of way between Corner Cottage and the small outdoor area for which a license is sought. The entrance to Corner Cottage is here, which means there will be times when this narrow right of way is blocked by patrons entering or leaving the premises. Because the triangular area is so small, it is likely that patrons sitting or standing here will cause the right of way to feel restricted. This may mean pedestrians feel they cannot pass through. The only other way to access Tunbridge Road on foot from The Chalks would be to walk on the road. The previously stated concerns about visibility on this B road and the speed of the traffic means this poses a risk to members of public walking past the premises at any time but particularly in the dark.

These concerns mean that we request that the license for an outdoor seating area and consumption of alcohol is refused, for the safety of drivers, pedestrians and patrons.

2. Safety within the premises

We note that the application caps the number of patrons in the premises at 28. However, it does not specify what the maximum numbers are for the upstairs space, which is where the tasting events will be held. In the event of a fire, it would be a matter of public safety to ensure that everyone who is upstairs can exit in a timely way. The only route to and from the first floor is

via a single narrow staircase, and we ask that this is considered when determining safe maximum numbers for the upstairs space. We ask that the safe maximum number for upstairs is a condition of the license.

Public Nuisance

1. Noise disturbance arising from use of the outdoor space

The premises are in very close proximity to residential dwellings. Indeed, there are young children's bedrooms on The Chalks, immediately opposite and overlooking the proposed external space.

In the summer months when the outdoor space would likely be busier and residents' windows would likely be open, the noise of people drinking and talking outside would be highly disruptive particularly for neighbouring children and young families in the evenings and late at night. This is particularly the case in an otherwise quiet, rural village.

For this reason, and the safety concerns outlined above, we ask that the application for a seated outside area where alcohol can be consumed is refused.

2. Proposed hours extend late into the night

The applicant is seeking to sell bottled alcohol from the premises between 10.00 and 23.45, and consumption of alcohol on the premises 10.00-00.00 Monday to Sunday. These are very long and late hours. We are concerned about the risk of noise disturbance to the young families living very nearby, particularly in the evenings and late at night. This is a particular concern if people move from the pubs when they close to purchase and consume more alcohol at the proposed premises.

We therefore ask that the bottle shop is closed by 10pm at the latest every night, aligning with the opening hours for the village's Co-Op. We ask that consumption of alcohol inside the premises ceases by 9pm at the latest. We ask that a condition of the license is to ensure that any noise inside the premises (music and people) cannot be heard outside.

Again to minimise the risk of nuisance arising from antisocial behaviour or youth drinking, we ask that the licensee operates a 'Challenge 25' approach, rather than 'Challenge 21'.

3. Concerns about other uses of the premises

We note the intention to offer tastings in the first floor event space, and the application references up to two tastings per week. From the application, our understanding is that these tastings would be the only permitted alcohol consumption inside the premises, so there is no scope for the premises to become a bar. We ask that this is explicit if the license is approved. We also seek specific information about what a tasting is, how they are booked, how many people can attend, how long they last for and the latest time they will finish. This is to ensure that the tastings are prebooked gatherings for a small, capped number of patrons (say 8 people), a time limited period and are held

indoors only. This is to ensure against noise disturbance, public safety concerns and antisocial behaviour which could arise with large gatherings or parties and/ or prolonged/ excessive drinking. Again, we ask that if the license is approved, conditions reflecting these concerns are included.

Again, noting that the application is for a bottle shop and an event space, we request that the license at this time explicitly excludes the sale & serving of food to prevent the premises becoming a bar in all but name.

4. Rubbish and obstruction to public rights of way

It is unclear where rubbish would be stored. We are concerned that bins, rubbish or recycling may accumulate outside the premises on the pavement or road. This has happened for prolonged periods outside the existing distillery premises and poses a potential risk to the public rights of way and the many small children who use the pavements. We ask that a condition of the license requires that rubbish is only left outside on the day of collection.

These concerns mean that we request that the outdoor license is refused, for the safety of drivers, pedestrians and patrons. IF the license for the outdoor area is granted, we request conditions which cap the number of people who can use this outdoor space (appropriate to its size and ensuring no impact on the rights of way). We would also ask that it is a requirement that all outdoor patrons must be seated, not standing. Further we would ask that the outdoor area is closed, with the seating removed, by 6pm to ensure there is no noise disturbance for the nearby households.











Please can you confirm receipt of this email.

Kind regards,

Angus & Anne Hughes

The Chalks,
Chew Magna
BS40 8SN

**CHEW VALLEY DISTILLERY, CHEW MAGNA
REPRESENTATIONS IN SUPPORT OF NEW PREMISES LICENCE
APPLICATION 21/00251/LAPRE**

BEN BRETTELL

From: Ben Brettell

Sent: 09 March 2021 16:31

To: Terrill Wolyn <Terrill_Wolyn@BATHNES.GOV.UK>

Subject: Chew Valley Distillery 21/00251/LAPRE

Dear Sir/Madam

I'm writing to express my support for this application.

It benefits all of us in Chew Magna to have thriving local businesses, particularly as we exit lockdown and try to rebuild the local economy. It's been good to see a number of new food and drink businesses in the village and I hope this trend continues. It's vital that these businesses have the support of the council so they can create jobs and prosperity locally.

The team behind both the Lazy Lobster and this new venture, Chew Valley Distillery are long-standing members of the village community and have the best interests of the village at heart. Through both businesses they are creating local jobs for young residents, enabling them to stay in the village and contribute.

The Lazy Lobster and the **existing distillery** have always been very responsibly run. I live in Chew Magna and am regularly in the village centre during the evenings – I've never seen any kind of disturbance caused by the Lazy Lobster, the existing Distillery in Wellington Gallery, or its patrons.

The clientele are respectable and well-behaved, and not given to creating the alcohol-based noise sometimes seen in the larger towns and cities. I see no reason why the new application for the larger premises for the Distillery will operate any differently, especially given that outside seating areas will be closing no later than 9pm, which seems a sensible precaution to take. I believe no nuisance or disorder will result from these larger premises.

On the subject of underage drinking – these establishments aren't the kind of places where teenagers try to buy alcohol, probably because of the price and nature of the drinks sold. On occasion however I have seen staff at the Lazy Lobster be proactive in asking for proof of age from customers in their 20s. This gives me confidence that the children of Chew Magna will not be placed at risk by this application.

I wholeheartedly support this application and hope that you will do too.

Please let me know if you have any questions or need anything further from me.

BEN BRETTELL

ALAN NAGLE

From: Alan Nagle

Sent: 11 March 2021 23:52

To: Licensing <Licensing@BATHNES.GOV.UK>

Subject: Chew Valley Distillery Limited 21/00251/LAPRE

Dear Sir/Madam

I write to lodge my support for the above application.

I live in Chew Stoke and much of my socialising revolves around Chew Magna. I am a frequent visitor to The Lazy Lobster which, at its time of opening, received its share of objections. Absolutely to a single one of these "concerns" raised they have all proved to be totally groundless and on the whole extremely petty.

Mr. and Mrs. Kelly have worked incredibly hard and tirelessly liaised with the local people in order to induce and maintain harmony.

They have also, in my opinion, created something totally absent anywhere else in the Chew Valley and completely unique.

They are utterly fastidious about the employment of local people and provide excellent training and their staff are therefore of the highest calibre and are exceptional at the correct, ethical and professional running of a very good business indeed.

It is also a business which attracts people from far and wide to the village, mature, discerning people who in general have an interest in good food and quality restaurants.

In my opinion the extension to the Chew Valley Distillery to enable it to serve its products as well as manufacture them and offer them for off sales is a perfectly natural progression to what is an upcoming young business.

I am of the opinion that it will attract the same sort of discerning clientele as the Lazy Lobster does as Craft Gin is not to the interest of the much younger generation who are looking for cheap alcohol, for a start it is not an inexpensive product to consume!

I also feel that the entirely sensible 2100 cut-off time for the outside seating areas shows great consideration and thought for the local community, there

are no such restrictions (nor the offer of) from the two brewery-owned Public Houses not 50 and 150 metres from the location of the Distillery both of which are in as close and in one of their cases closer to housing than the distillery is. Their outside areas are also considerably larger.

I can only see that the granting of this application would bring more to the village in the way of employment and general interest to the area as a whole.

We do after all live in a somewhat "tourist" area and attractions such as this are rare and "different", giving the area added appeal.

To sum up, I am sure Mr. and Mrs Kelly will grow and operate this venture to their current exacting and professional standards and be a great asset to the area.

Best regards,

Alan Nagle
