

Bath & North East Somerset Council

MEETING:	Licensing (Gambling and Licensing) Committee	AGENDA ITEM NUMBER	
MEETING DATE:	Thursday 14 July 2011		
TITLE:	Application to Vary a Premises Licence for Jika Jika , 4 Princes Buildings, Bath BA1 2ED		
WARD:	Abbey		
	AN OPEN PUBLIC ITEM		
List of attachments to this report:			
Annex A Application to Vary the Premises Licence			
Annex B Current Premises Licence			
Annex C Site Plan			
Annex D Representation received from the Police			
Annex E Representation received from Environmental Protection			

1 THE ISSUE

1.1 An application has been received for the Variation of an existing Premises Licence under Section 34 of the Licensing Act 2003 in respect of **Jika Jika, 4 Princes Buildings, Bath BA1 2ED** (Annex A).

2 RECOMMENDATION

2.1 That the sub committee determine the application to vary the licence.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report.

4 THE REPORT

4.1 An application has been received for the variation of a Premises Licence.

4.2 The current Premises Licence permits the following licensable activities:

- 1) **Sale of alcohol** for consumption on and off the premises between the following hours:

Monday to Thursday	07:30 – 20:00
Friday and Saturday	07:30 – 21:00
Sunday	07:30 – 18:00

Non Standard Timings:

On no more than 12 occasions per year, for the Wine Club Members' Evenings where 7 day's notice has been given to the Police, the sale of alcohol may finish at 22:30 hours.

2) The opening hours for the premises are as follows:

Monday to Thursday 07:30 – 20:30

Friday and Saturday 07:30 – 21:30

Sunday 07:30 – 18:30

Non Standard Timings:

On no more than 12 occasions per year, for the Wine Club Members' Evenings where 7 day's notice has been given to the Police, the premises may remain open until 23:00 hours.

3) The licence is subject to the following conditions:

- No supply of alcohol may be made under the premises licence:
 - at a time when there is no designated premises supervisor in respect of the premises licence, or
 - at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- Any individual employed to carry out a security activity must be licensed by the Security Industry Authority.
- Notices to be displayed near the entrance advising that CCTV is in use on the premises.
- There will be no "bar" from which persons may consume alcohol.
- There will be no irresponsible drinks promotions.
- Alcohol may only be sold whilst menu based foods are available for sale.
- Wine Club evenings will be attended by members and bona fide guests only.
- Police to receive notification of members' evenings at least 7 days before the event.
- There shall be no draft beer/lager available.
- The collection of empty bottles etc. to take place between 09:00 hours and 17:00 hours only.
- All off sales of alcohol shall be in sealed containers unless it is to be consumed in the area covered by a valid Tables and Chairs Permit.

- Photographic identification will be required for proof of age.
- A record will be kept of refused sales, crimes reported, incidents, staff training records, training systems and refresher training.
- Staff training records will include a completed schedule of training, names of staff, dates of training, subjects tested and any refresher training.
- Training of all staff to be completed by a personal licence holder, an approved trainer or a person who holds a recognised award on the safe sale of alcohol.
- A CCTV system will be installed at the premises to the satisfaction of the Police. The CCTV equipment shall be maintained in working order and continually record when licensable activity takes place. The recordings shall be retained for 31 days and made available to the Police. All recordings will be produced containing the date and the time.
- Alcohol will only be served by waiter and waitress service to persons seated at the tables.
- The front of the premises to be clear of cigarette ends, glasses and bottles at the close of business every day.
- The extended hours for the wine club will be held on no more than twelve occasions a year.

4.3 The Variation application seeks to:

- Extend the terminal hour for the Sale of Alcohol to 23:00 hours Monday to Thursday; 23:30 hours Friday and Saturday, and 22:30 on Sunday. The variation also proposes that the premises will close 30 minutes after the proposed last sale of alcohol
- Add Regulated Entertainment by way of Live and Recorded Music indoors only from 19:00 to 22:30 on Monday to Thursday, 19:00 to 23:30 Friday and Saturday and 11:00 – 22:00 on Sunday in respect of Live Music and midday to 21:00 on Sunday in respect of Recorded Music.
- Provide Late Night Refreshment on Friday and Saturday evenings from 23:00 to 23:30.
- Delete all reference to “Wine Clubs” from the licence, currently detailed in the non standard timings and openings, Annex 2 and Annex 3, **subject to the application being granted.**
- Remove conditions relating to irresponsible drinks promotions and proof of age, as now covered by the mandatory conditions.

4.4 A site plan is attached at Annex C.

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

- a) The Prevention of Crime and Disorder.

- b) Public Safety.
- c) The Prevention of Public Nuisance, and
- d) The Protection of Children from Harm.

Each objective is of equal importance; there are no other licensing objectives so these four are of paramount consideration at all times. When considering applications/representations /notifications the Licensing Authority will have regard to these licensing objectives.

- 4.6 The Licensing Authority may vary and grant the application with or without additional conditions.
- 4.7 The Licensing Authority can refuse the variation or part of the variation as it considers necessary for the promotion of the licensing objectives.
- 4.8 The Licensing Authority may not however do anything to reduce the effect of the rights guaranteed by the existing premises licence.
- 4.9 The Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:
 - a) Paragraphs 3, 5, 6, 9, 10, 15 - 20, 23.5, 24, 28, 30, 33, 35 – 37 & 41 - 44 of the policy.
 - b) Chapters 8, 9 and 10 of the Statutory Guidance (as revised on 28 June 2007)..
 - c) Sections 4, 9, 10, 13, 34, 35, 36, 182 and 183 of the Act.
- 4.10 If the application is refused the applicant may appeal within 21 days of the notification to the Magistrates Court.

If the application is granted the person making the relevant representation may appeal within 21 days of the notification to the Magistrates Court.

On appeal the court may either dismiss the appeal; substitute the decision appealed against for any other decision which could have been made by the Licensing Authority, or remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 4.11 In accordance with the requirements of the Act the applicants served copies of the application upon the Police, the Fire Authority, Environmental Health, Development Control, Trading Standards, and the Child Protection Agency.
- 4.12 The applicant is required to place a notice at the premises for a period of 28 days starting the day after the application is made and place an advert in a local newspaper within 10 days for submitting the application to the licensing authority.
- 4.13 A representation has been received from the **Police** in respect of the **Prevention of Crime and Disorder** licensing objective (Annex D). The premises itself is situated within Bath's "Cumulative Impact Area".
- 4.14 A representation has been received from **Environmental Protection** in respect of the **Prevention of Public Nuisance** licensing objective (Annex E). The Environmental Health Officer has proposed three conditions for the Committee to take into consideration.

4.15 This report has not been sent to the Trades Union because they would have no involvement in this application.

Contact person	Terrill Wolyn, Licensing Officer, 01225 396939
Background papers	Licensing Act 2003, Guidance Notes issued under Section 182 of the Licensing Act 2003, Licensing Act 2003 Regulations, B&NES Statement of Licensing Policy

Application to vary a premises licence 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 JIKA JIKA LTD

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

ENVIRONMENTAL SERVICES	
24 MAY 2011	
Post Log No.	CD/AB219010
Receipt No.	see below
CH/CA £	

Premises licence number

09/02977/LAPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
4 PRINCES BUILDINGS, GEORGE STREET, BATH BA1 2ED

Post town	BATH	Post code	BA1 2ED
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Telephone number at premises (if any)	01225 429 903
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Non-domestic rateable value of premises	£34500
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Part 2 – Applicant details

Daytime contact telephone number	01225 429 903		
E-mail address (optional)			
Current postal address if different from premises address	01		
Post Town		Postcode	

ENVIRONMENTAL SERVICES

23 MAY 2011

Post Log No:

Receipt No: 323676

CH/CA £ 315.00

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

TO EXTEND HOURS OF SUPPLY OF ALCOHOL:
MONDAY TO THURSDAY 2000 TO 2300. CLOSING AT 2330
FRIDAY AND SATURDAY 2100 TO 2330. CLOSING AT 2400
SUNDAY 1800 TO 2230. CLOSING AT 2300

TO PROVIDE REGULATED ENTERTAINMENT DURING FOLLOWING HOURS:
MONDAY TO THURSDAY 1900- 2230
FRIDAY AND SATURDAY 1900 -2330
SUNDAY 1200-2100

LIVE MUSIC FROM SINGLE VOCAL/INSTRUMENTALIST TO JAZZ GROUPS.

PROVIDE FOR LATE NIGHT REFRESHMENT ON FRIDAY AND SATURDAY NIGHTS.

DELETE ALL REFERENCE TO WINE CLUBS WITHIN THE LICENCE.

*See
new
sheet*

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Sheet

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

TO EXTEND HOURS OF SUPPLY OF ALCOHOL:
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 SUNDAY 1800 TO 2230. CLOSING AT 2300

TO PROVIDE REGULATED ENTERTAINMENT DURING FOLLOWING HOURS:
 MONDAY TO THURSDAY 1900- 2230
 FRIDAY AND SATURDAY 1900 -2330
 SUNDAY 1100-2200
 LIVE MUSIC FROM SINGLE VOCAL/INSTRUMENTALIST TO JAZZ GROUPS.

PROVIDE FOR LATE NIGHT REFRESHMENT ON FRIDAY AND SATURDAY NIGHTS.

DELETE ALL REFERENCE TO WINE CLUBS WITHIN THE LICENCE.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)		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 3)			
Mon						
Tue						
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)			
Thur						
Fri						
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Both	<input type="checkbox"/>
				<u>Please give further details here</u> (please read guidance note 3)	
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) LIVE MUSIC WILL TAKE PLACE AT THE REAR OF THE PREMISES AT SELECTED PERIODS DURING THOSE HOURS SHOWN. IT WILL BE PROVIDED BY A VARIETY OF ENTERTAINERS FROM SINGLE VOCAL AND INSTRUMENTAL PERFORMERS TO JAZZ GROUPS .	
Mon	1900	2230		
Tue	1900	2230		
Wed	1900	2230		
Thur	1900	2230		
Fri	1900	2330		
Sat	1900	2330		
Sun	1100	2200		
			State any seasonal variations for the performance of live music (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)	

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1900	2230	<u>Please give further details here</u> (please read guidance note 3)		
Tue	1900	2230			
Wed	1900	2230	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	1900	2230			
Fri	1900	2330	<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 5)		
Sat	1900	2330			
Sun	1200	2100			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur					
Fri			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Sat					
Sun					
			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		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 3)		
Mon					
Tue					
Wed					
Thur					
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Fri					
Sat					
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri	2300	2330			
Sat	2300	2330			
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	0730	2300	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	0730	2300			
Wed	0730	2300			
Thur	0730	2300		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
Fri	0730	2330			
Sat	0730	2330			
Sun	0730	2230			

N

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri	2300	2330	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	2300	2300	— errov s/be 23:30.		
Sun					

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

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0730	2330	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	0730	2330	
Wed	0730	2330	
Thur	0730	2330	
Fri	0730	2400	
Sat	0730	2400	
Sun	0730	2300	

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Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
WINE IS STILL AN IMPORTANT PART OF THE MERCHANDISE. IF THE REQUESTED HOURS OF SUPPLY/ OPENING ARE GRANTED, THEN ALL REFERENCE TO THE WINE CLUB CAN BE DELETED.(HOURS, ANNEX 2. ANNEX 3)

ANNEX 2

THERE WILL BE NO IRRESPONSIBLE DRINKS PROMOTIONS. (SINCE GRANT OF LICENCE NEW MANDATORY CONDITIONS CONCERNING THIS SUBJECT HAVE BEEN CREATED.)

PHOTOGRAPHIC IDENTIFICATION WILL BE REQUIRED FOR PROOF OF AGE(LIKEWISE NEW MANDATORY CONDITION CREATED SINCE GRANT OF LICENCE)

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

THIS PREMISE HAS BECOME A MODEL ESTABLISHMENT FOR GEORGE STREET. COMMENDATIONS HAVE BEEN MADE IN NATIONAL NEWSPAPERS IE THE TIMES AND GUARDIAN FOR QUALITY AND BUDGET EATS. STRONG LOCAL POPULARITY CONTINUES. DINNER OFFERINGS HAVE BEEN LIMITED BECAUSE OF EVENING CLOSING HOURS, THE PREMISES MOSTLY CLOSE AT ABOUT 1900 HOURS, DESPITE LATER LICENCE HOURS BEING AVAILABLE. LIVE ENTERTAINMENT WILL BE PROVIDED TO SUIT THE EXISTING NATURE OF THE PREMISES AND ALSO FOR OCCASIONAL PRIVATE USE OF THE PREMISES. THIS VARIANCE IS BASICALLY A CONTINUANCE OF EXISTING BUSINESS WITH MORE SUITABLE HOURS AND WITH REGULATED ENTERTAINMENT. AS THE PREMISES ARE WITHIN A CUMULATIVE IMPACT ZONE FURTHER CONDITIONS ARE SUGGESTED IN RESPECT OF THIS VARIATION. EXISTING CONDITIONS TO CONTINUE OTHER THAN THOSE ALREADY REFERRED TO IN THIS APPLICATION.

b) The prevention of crime and disorder

WHEN REGULATED ENTERTAINMENT TAKES PLACE ON FRIDAY OR SATURDAY EVENINGS A QUALIFIED SECURITY PERSON MAY BE EMPLOYED AT THE ENTRANCE BETWEEN THE HOURS OF 2100 TILL CLOSE AT THE DESCRETION OF THE MANAGEMENT.

WHERE A RISK ASSESSMENT BY THE DPS AND/OR AT THE WRITTEN REQUEST OF POLICE, SIA DOOR STAFF SHALL

1. SUPERVISE ALL PATRONS QUEUING TO ENTER PREMISES AND WHEN LEAVING TO SEEK TO ENSURE THEY DO SO IN A QUIET AND ORDERLY MANNER AND
2. WEAR YELLOW REFLECTIVE JACKETS AT ALL TIMES WHEN ON DUTY.

TO CONSIDER JOINING THE PUB WATCH SCHEME OR ANY OTHER LOCAL ORGANISATION WHICH EXISTS OR OTHERWISE PROMOTES THE LICENSING OBJECTIVES

TO PLACE AN APPROPRIATE NOTICE ADVISING PERSONS TO LEAVE THE PREMISES QUIETLY .

c) Public safety

d) The prevention of public nuisance

WHEN REGULATED ENTERTAINMENT TAKES PLACE, NO NOISE SHOULD EXTEND BEYOND THE PREMISES TO AFFECT THE NEAREST DOMESTIC FAÇADE.

e) The protection of children from harm

INTRODUCTION OF A CHALLENGE 25 POLICY

POLICY (MANDATORY)

1. All staff will receive training based on a robust training program relating to alcohol sales before being authorised to sell alcohol.
2. A record to be maintained of all persons so trained.
3. All sales which are refused to be recorded together with the reason for refusal.
4. If a person appears to be under the age of 21 years, then proof of identity will be sought.
5. Such proof of age will only be accepted if evidence of identification contains a photograph, date of birth, a holographic mark. Examples of acceptable ID are photocard driving licences, passports or proof of age cards bearing the PASS hologram and other forms of ID which meet the criteria already described.
6. Refresher Training to be considered at six monthly periods or at any time when an amendment is enacted relating to sales to young people.

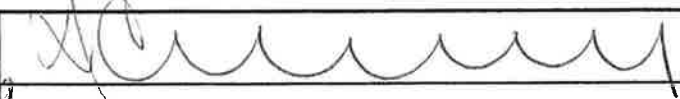
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	21 MAY, 2011

Capacity	DAVID HOLLEY AUTHORISED AGENT
----------	-------------------------------

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) DAVID C HOLLEY 25 BROAD STREET, BATH BA1 5LW			
Post town	BATH	Post code	BA1 5LW
Telephone number (if any)	01225 339004		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) dholley_licensing@btinternet.com			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Schedule 12
 Part A

Regulation 33, 34

Premises Licence

Premises Licence Number	09/02977/LAPRE
--------------------------------	----------------

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Jika Jika
 4 Princes Buildings
 Bath, BA1 2ED

Telephone number

Where the licence is time limited the dates Not applicable

Licensable activities authorised by the licence and the times the licence authorises the carrying out of licensable activities

Sale of Alcohol

Monday to Thursday	07:30 - 20:00
Friday and Saturday	07:30 - 21:00
Sunday	07:30 - 18:00

Non Standard Timings:

On no more than 12 occasions per year, for the Wine Club Members' Evenings where 7 days' notice has been given to the Police, the sale of alcohol may finish at 22.30 hours.

The opening hours of the premises

Monday to Thursday	07:30 - 20:30
Friday and Saturday	07:30 - 21:30
Sunday	07:30 - 18:30

Non Standard Timings:

On no more than 12 occasions per year, for the Wine Club Members' Evenings where 7 days' notice has been given to the Police, the premises may remain open until 23.00 hours.

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

Jika Jika Ltd
Courtyard Mews
Picadilly Place
Walcot
Bath, BA1 6PL

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

Registered Business Number - 06675083

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

Mr Matthew John Hamilton Stevens
16 New King Street
Kingsmead
Bath
BA1 2BL

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/09/01760/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 30 September 2009

Annex 1 – Mandatory conditions

No supply of alcohol may be made under the premises licence:

- a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Any individual employed to carry out a security activity must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

Notices to be displayed near the entrance advising that CCTV is in use on the premises.

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

There will be no irresponsible drinks promotions.

Alcohol may only be sold whilst menu based foods are available for sale.

Wine Club evenings will be attended by members and bona fide guests only.

Police to receive notification of members' evenings at least 7 days before the event.

There shall be no draught beer / lager available.

The collection of empty bottles etc to take place between 09.00 hours and 17.00 hours only.

All off sales of alcohol shall be in sealed containers unless it is to be consumed in the area covered by a valid Tables and Chairs permit.

Photographic identification will be required for proof of age.

A record will be kept of refused sales, crimes reported, incidents, staff training records, training systems and refresher training.

Staff training records will include a completed schedule of training, names of staff, dates of training, subjects tested and any refresher training.

Training of all staff to be completed by a Personal Licence holder, an approved trainer or a person who holds a recognised award on the safe sale of alcohol.

Annex 3 – Conditions attached after a hearing by the licensing authority

A CCTV system will be installed at the premises to the satisfaction of the police. The CCTV equipment shall be maintained in working order and continually record when licensable activity takes place. The recordings shall be retained for 31 days and made available to the police. All recordings will be produced containing the date and time.

Alcohol will only be served by waiter and waitress service to persons seated at tables.

The front of the premises to be clear of cigarette ends, glasses and bottles at the close of business every day.

The extended hours for the wine club will be held on no more than 12 occasions a year.

Annex 4 – Plans

As submitted with application.



Bath & North East Somerset Council

Jika Jika Bath

Scale 1/1250
 Date 4/7/2011
 Centre = 374959 E 165198 N
 Drawn by:
 Terrill Wolyn

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



**Licensing Services, 9-10 Bath Street, Bath, BA1 1SN****Representation Form****Responsible Authority.** (Please delete as applicable.)

Police / Fire / EP (noise) / Health and Safety / Child Protection / Weights and Measures / Planning Authority / Marine Agency.

Your Name	Steven Mildren
Job Title	Police Inspector
Postal and email address	Bath Police Station Manvers St. Bath
Contact telephone number	012258462475

Name of the premises you are making a representation about.	Jika Jika
Address of the premises you are making a representation about.	4A Princes Buildings, George Street, Bath BA1 2ED

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	Yes	The premises are situated at the north end of the city centre in George St , it is a large premise that was formally an estate agents with auction room before its conversion to a 'house of coffee and canteen experience ' as described in the original premises licence application .. This area is a hot spot for crime disorder and anti social behaviour see(Fig Aand Fig B)with groups of revellers moving from one premise to another. This Street has the highest concentration of Licensed premises of any Street within the city centre. This location falls within the cumulative impact area and with such a. considerable number of licensed outlets in one area experience has shown that coupled with persons who have consumed large amounts of alcohol provide a catalyst for crime and disorder and acts of anti social behaviour this situation developing during the course of the evening. The variation application is to extend the hours that the premises operate ,and to add live music, this

		<p>the Police feel adds a dimension that is very different from the high quality coffee house that was portrayed at the hearing where the premises licence was granted by this committee and does not further the licensing objectives. The cumulative impact policy can only become part of the overall licensing policy statement if it is considered to be appropriate and necessary having looked at the overall evidence of crime disorder and there has been consultation with various interested parties before its adoption.. This does not take away the fact that each application must be decided on its own merits, as such a policy cannot be absolute. The police view is that this policy was adopted and the committee may feel that this application cannot show that these premises will have a negative impact on the crime and disorder within the area and therefore not further the crime and disorder objective, it is right and proper that when such an application is made in respect of large premises within a stressed area that the committees discretion is engaged , as the police feel that such an application does not forward the licensing objectives and negative any crime and disorder impact.</p>
To prevent public nuisance		
The prevention of harm to children		

Violence Against Person Hotspot Maps Bath City Centre

Thursday/Friday/Saturday nights
(shown in 3 time bands)

for the period 1 April 2010 to 31 March 2011

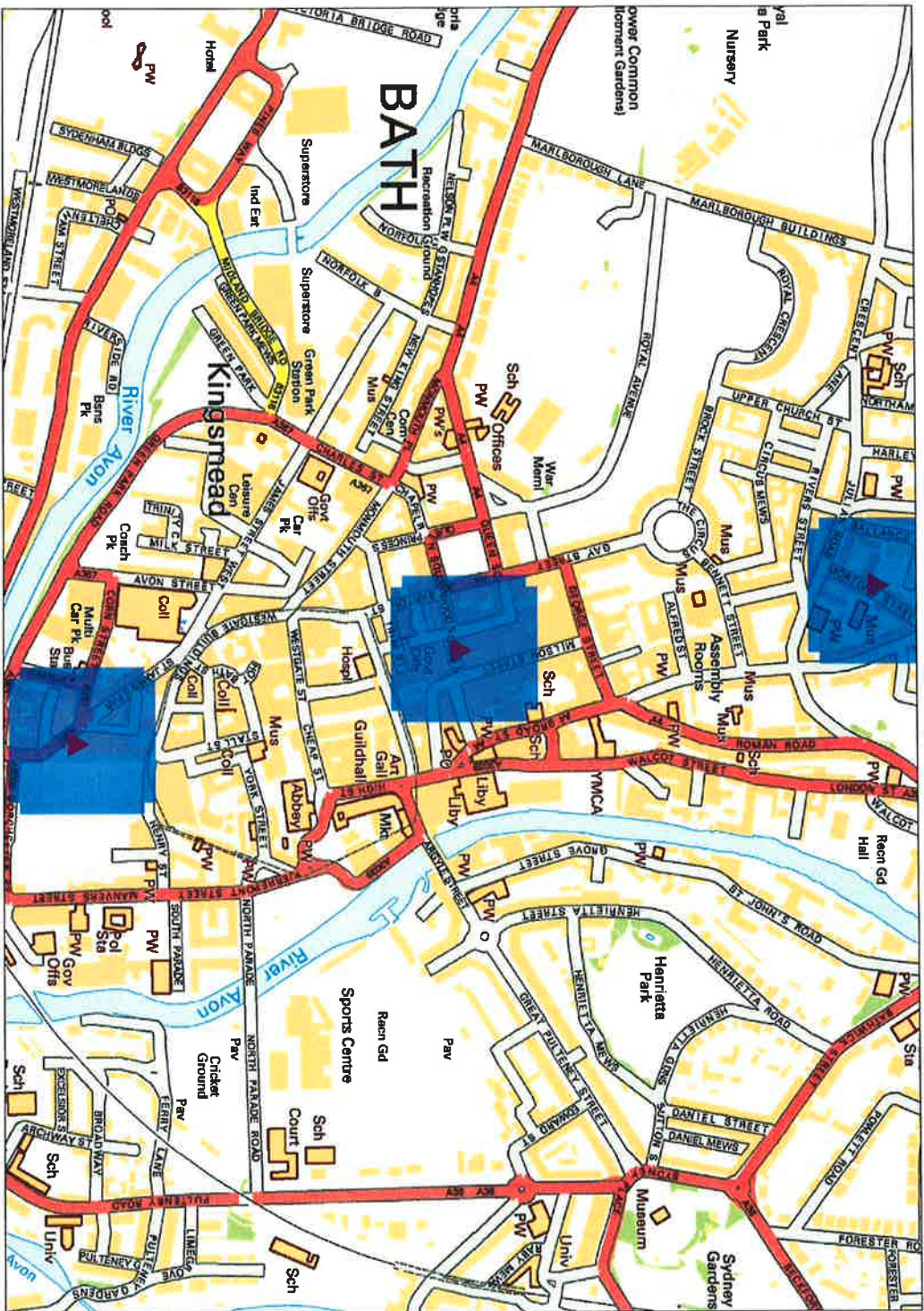
Avon and Somerset Constabulary

Working together to make the communities of Avon and Somerset feel safe and be safe
www.avonandsomerset.police.uk

NOT PROTECTIVELY MARKED



Thursday night 1800-2100



Avon and Somerset Constabulary

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www.avonandsomerset.police.uk

NOT PROTECTIVELY MARKED

▲ - Violence Against Person offence.

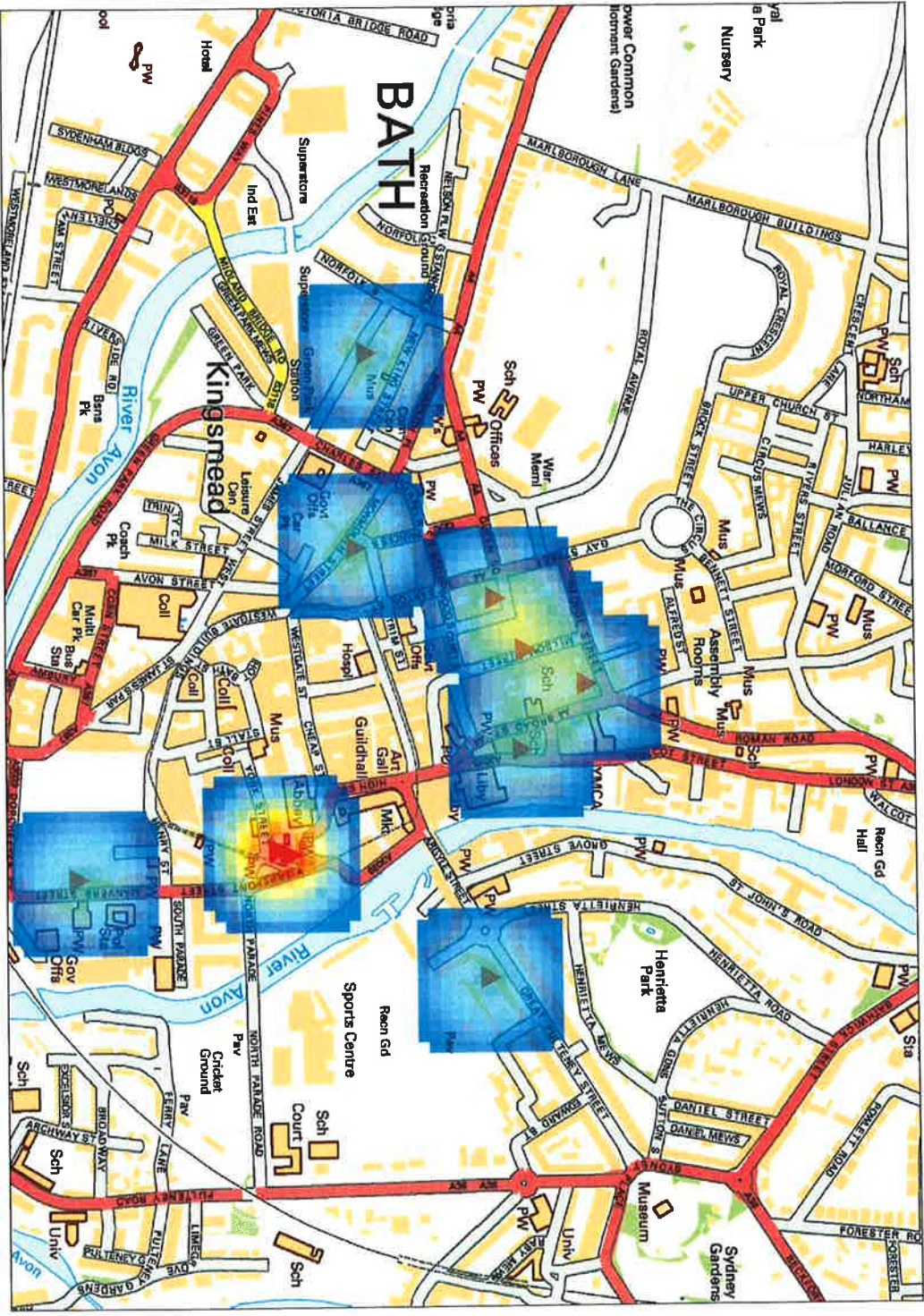
(Triangle can represent more than one offence where there are multiple offences at the same location)



Hotspot analysis applied in Arcmap using a bandwidth of 15m and an output cell size of 15m and no standard deviation.



Thursday night 2100-0000



Avon and Somerset Constabulary

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NOT PROTECTIVELY MARKED

▲ - Violence Against Person offence.

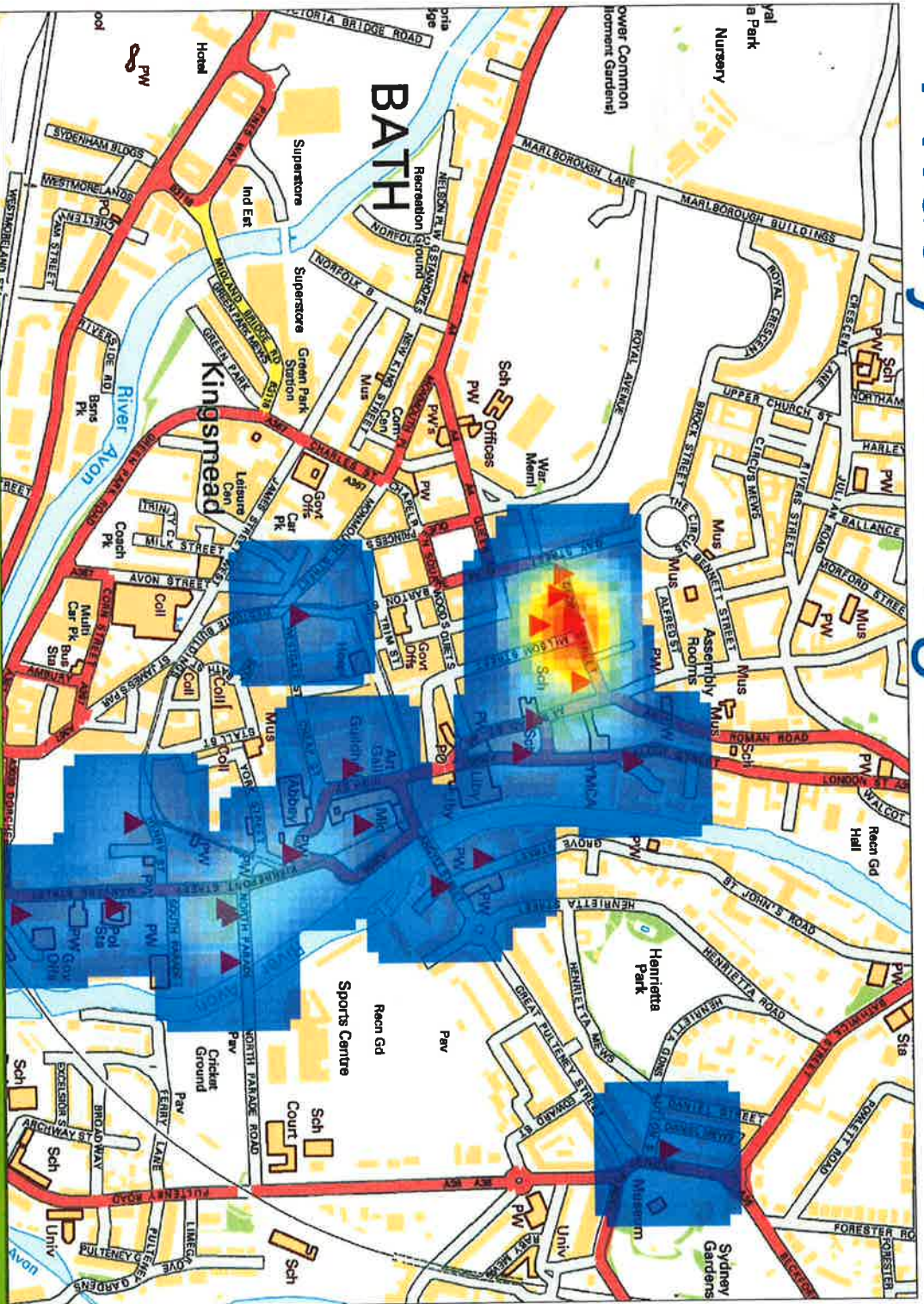
(Triangle can represent more than one offence where there are multiple offences at the same location)

Hotspot analysis applied in Arcmap using a bandwidth of 150m and an output cell size of 15m and no standard deviation.





Friday morning 0000-0600



▲ - Violence Against Person offence.

(Triangle can represent more than one offence where there are multiple offences at the same location)

Hotspot analysis applied in Arcmap using a bandwidth of 118m and an output cell size of 15m and no standard deviation.

Avon and Somerset Constabulary

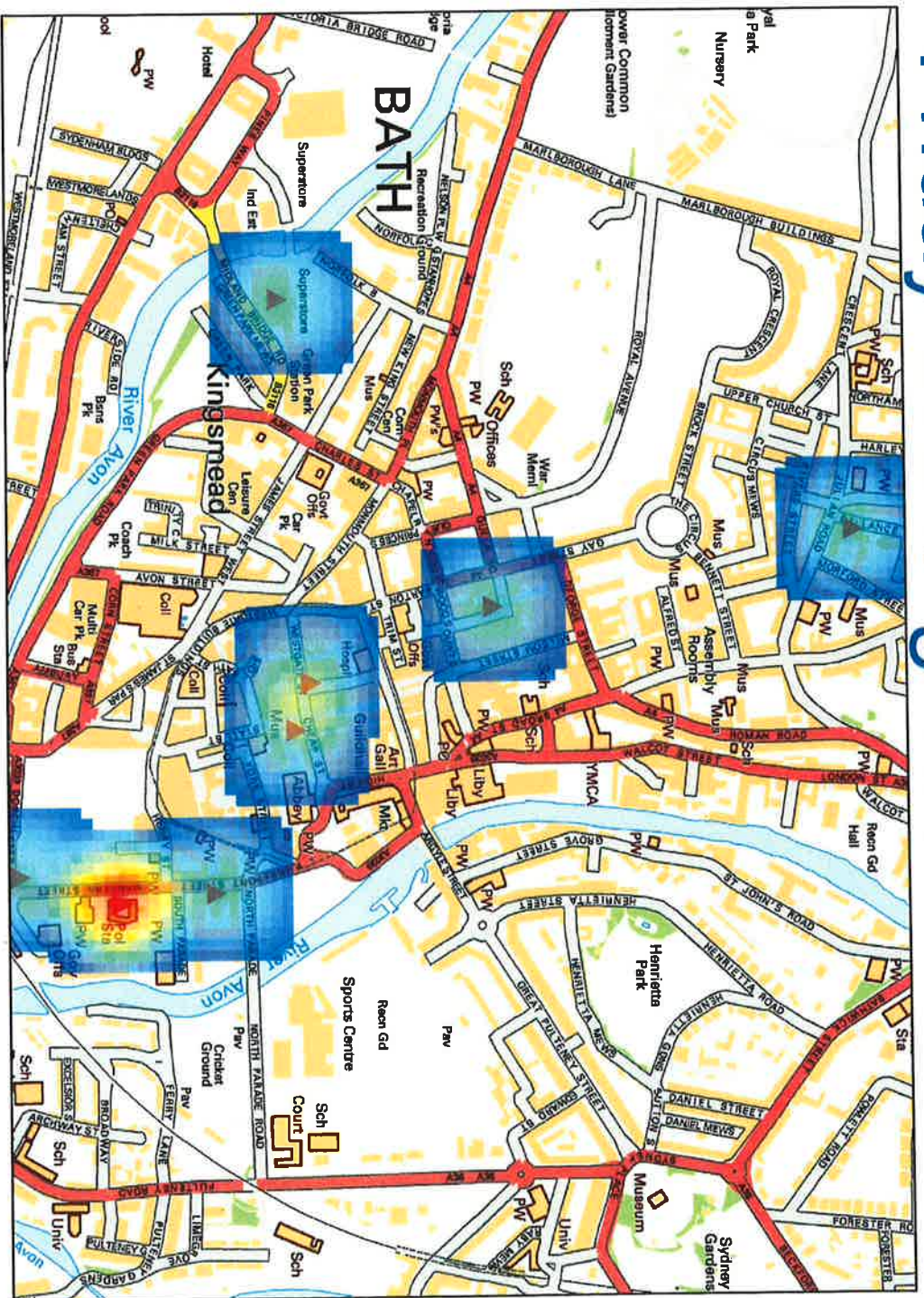
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2

Friday evening 1800-2100



▲ - Violence Against Person offence.

(Triangle can represent more than one offence where there are multiple offences at the same location)

Hotspot analysis applied in Arcmap using a bandwidth of 118m and an output cell size of 15m and no standard deviation.

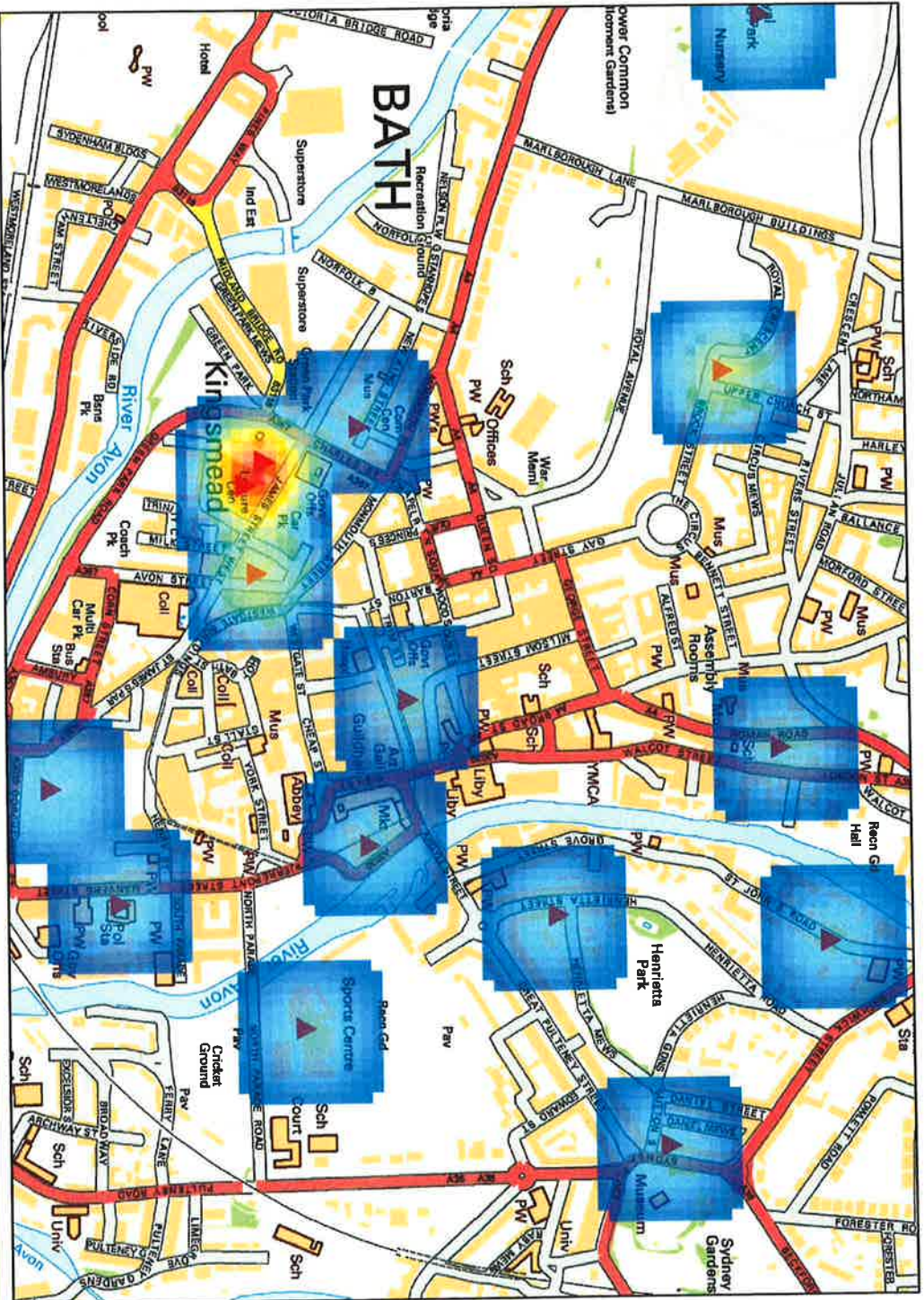
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Friday evening 2100-0000



Avon and Somerset Constabulary

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NOT PROTECTIVELY MARKED

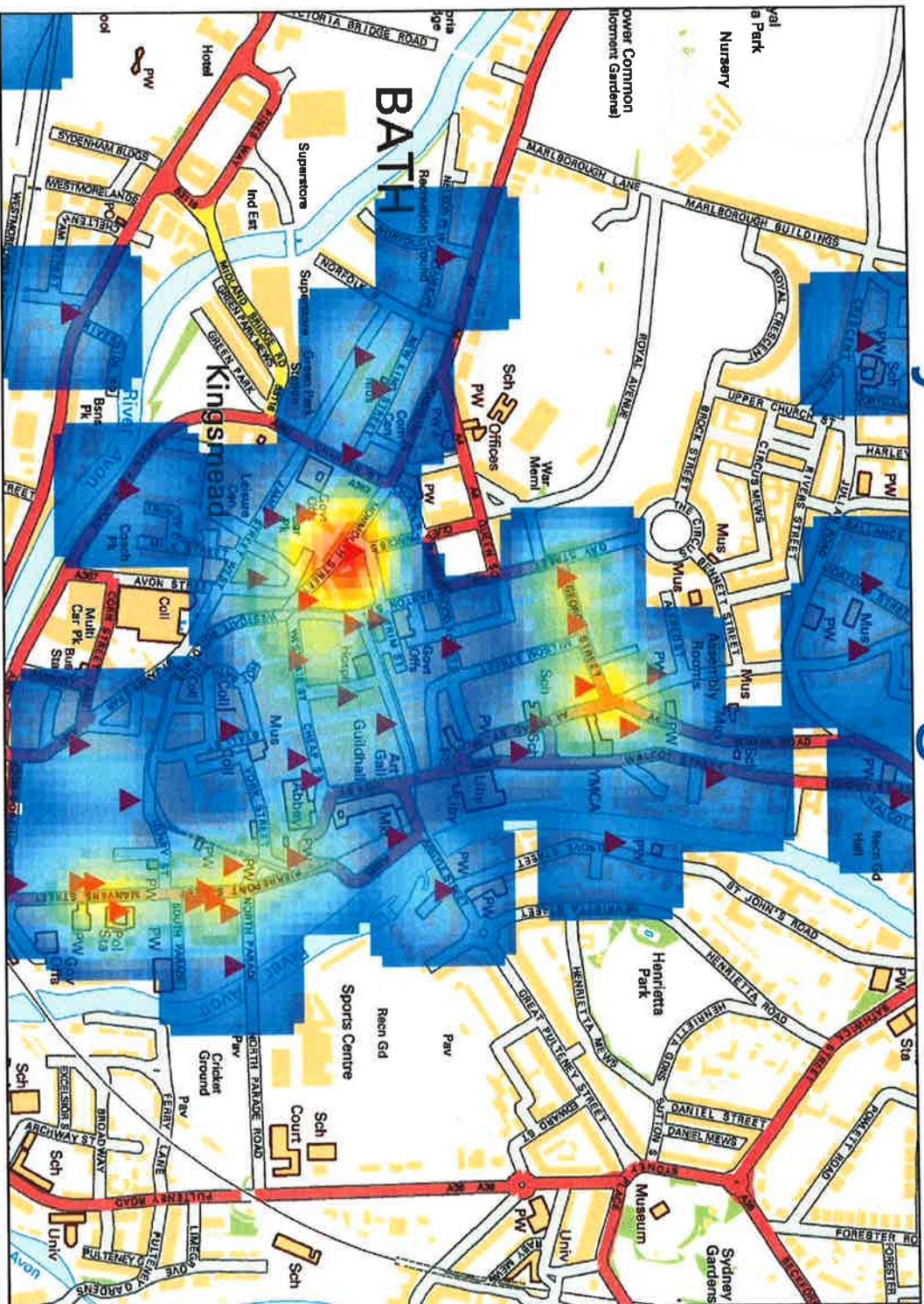
▲ - Violence Against Person offence.

(Triangle can represent more than one offence where there are multiple offences at the same location)

Hotspot analysis applied in Arcmap using a bandwidth of 118m and an output cell size of 15m and no standard deviation.



Saturday morning 0000-0600



▲ - Violence Against Person offence.

(Triangle can represent more than one offence where there are multiple offences at the same location)

Hotspot analysis applied in Arcmap using a bandwidth of 118m and an output cell size of 15m and no standard deviation.

Avon and Somerset Constabulary

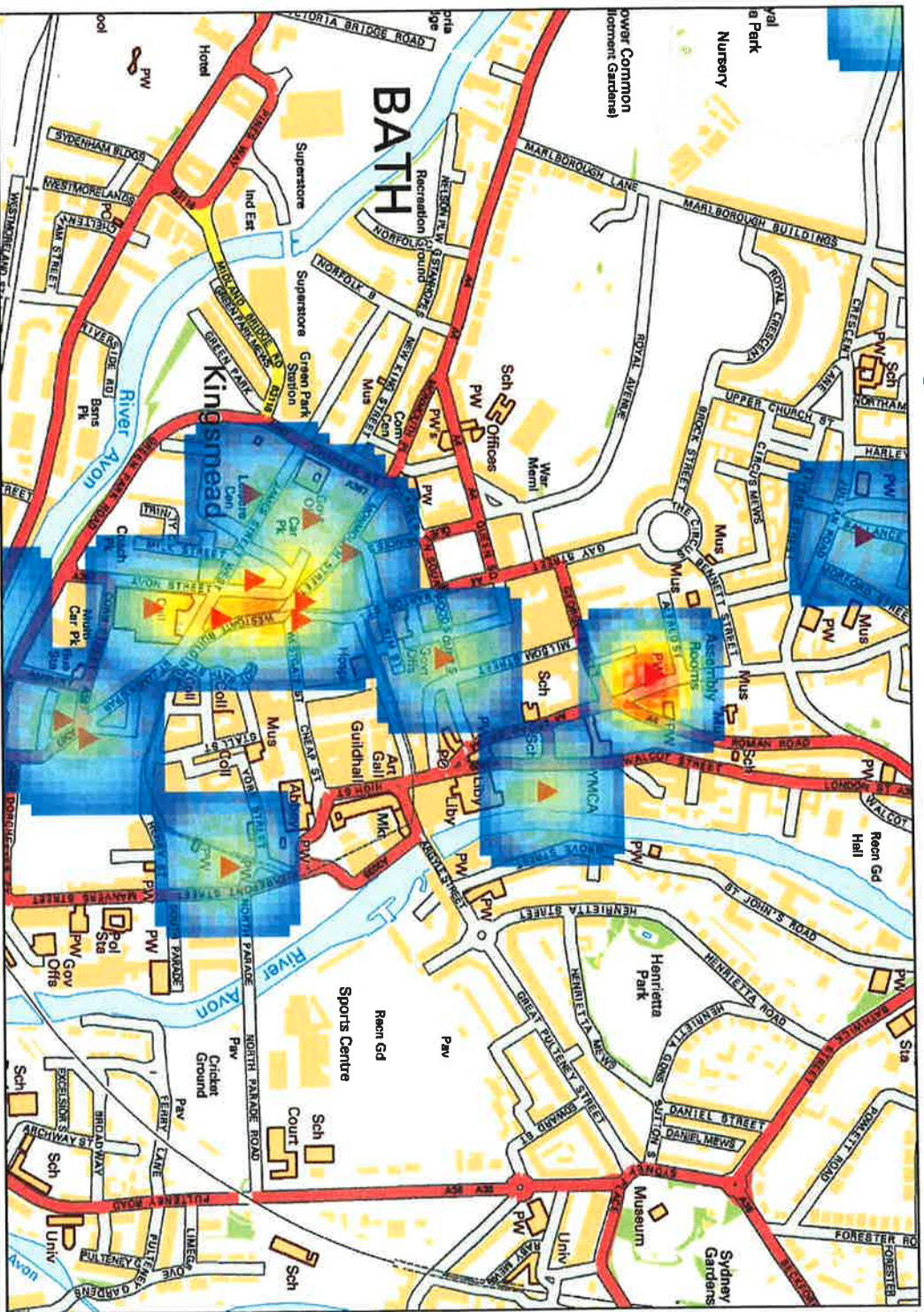
Working together to make the communities of Avon and Somerset feel safe and be safe

www.avonandsomerset.police.uk

NOT PROTECTIVELY MARKED



Saturday evening 1800-2100



▲ - Violence Against Person offence.

(Triangle can represent more than one offence where there are multiple offences at the same location)

Hotspot analysis applied in Arcmap using a bandwidth of 118m and an output cell size of 15m and no standard deviation.

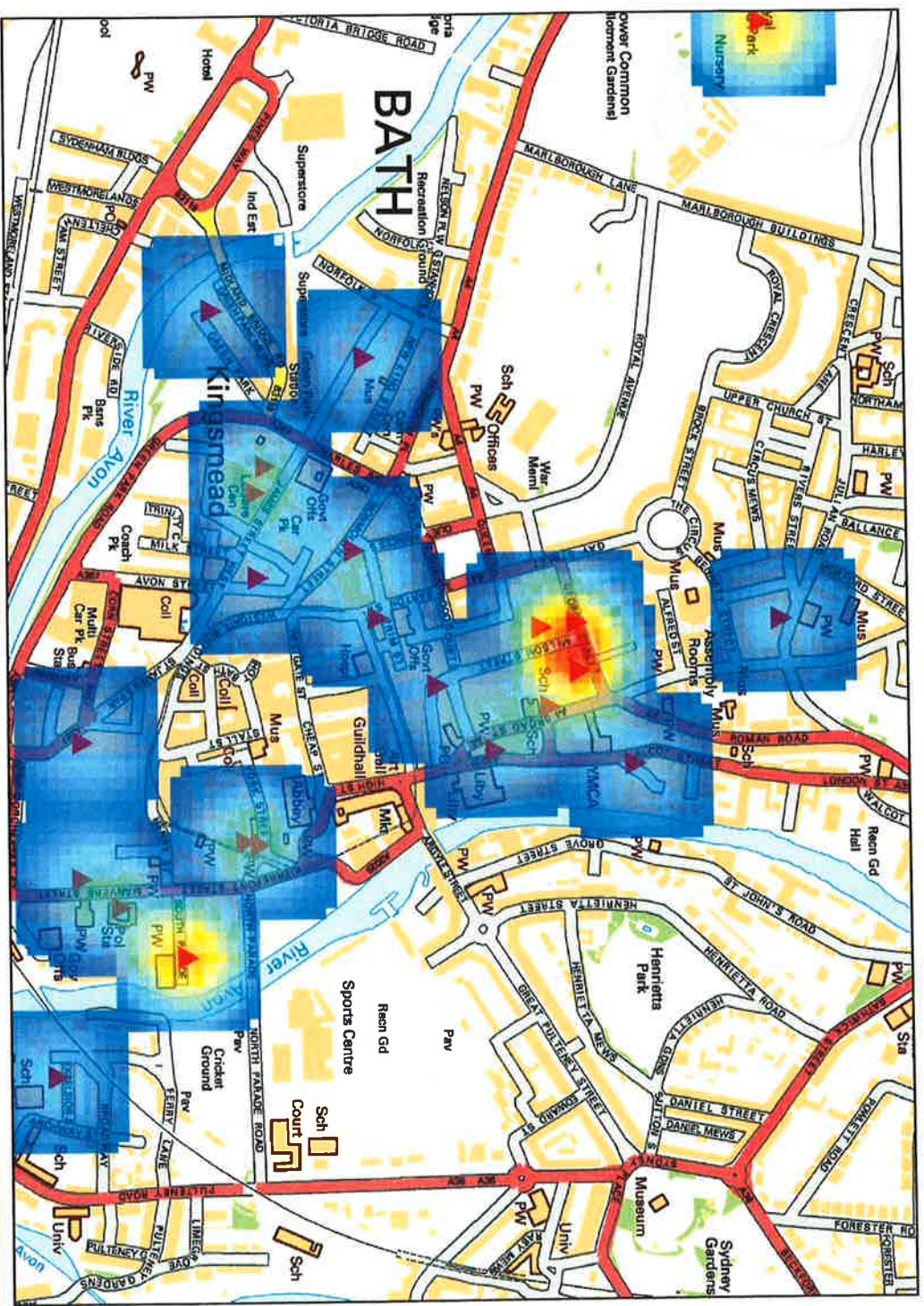
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NOT PROTECTIVELY MARKED



Saturday evening 2100-0000



▲ - Violence Against Person offence.

(Triangle can represent more than one offence where there are multiple offences at the same location)

Hotspot analysis applied in Arcmap using a bandwidth of 118m and an output cell size of 15m and no standard deviation.

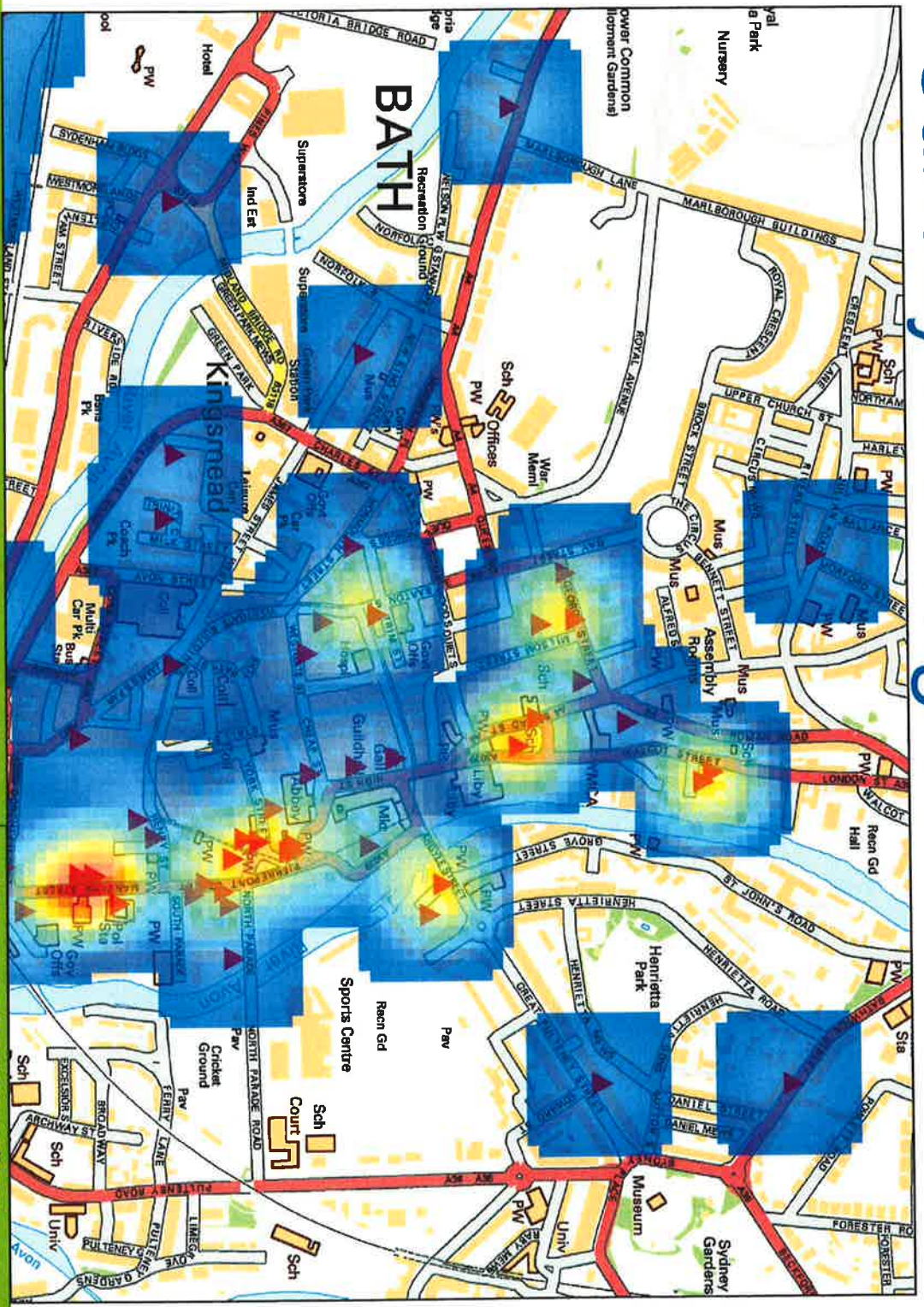
Avon and Somerset Constabulary

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www.avonandsomerset.police.uk

NOT PROTECTIVELY MARKED



Sunday morning 0000-0600



Avon and Somerset Constabulary

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NOT PROTECTIVELY MARKED

▲ - Violence Against Person offence.
 (Triangle can represent more than one offence where there are multiple offences at the same location)
 Hotspot analysis applied in Arcmap using a bandwidth of 118m and an output cell size of 15m and no standard deviation.



**Anti-Social Behaviour
Calls Received by the
Police Between
1st Sept 2010 and
29th May 2011
Relating to the George
Street, Broad Street and
Milsom Street Areas.**

George Street, Broad Street and Milsom Street

These streets are typical of Bath City Centre in the fact that they incorporate a mixture of residential properties, retail units and licensed premises in terraced Georgian buildings.

Licensed Premises

There are 33 licensed premises, listed on the Police database InnKeeper, in the area encompassed by George Street, Milsom Street and Broad Street as shown in Fig.1 below. It is 0.031 square kilometres in size.

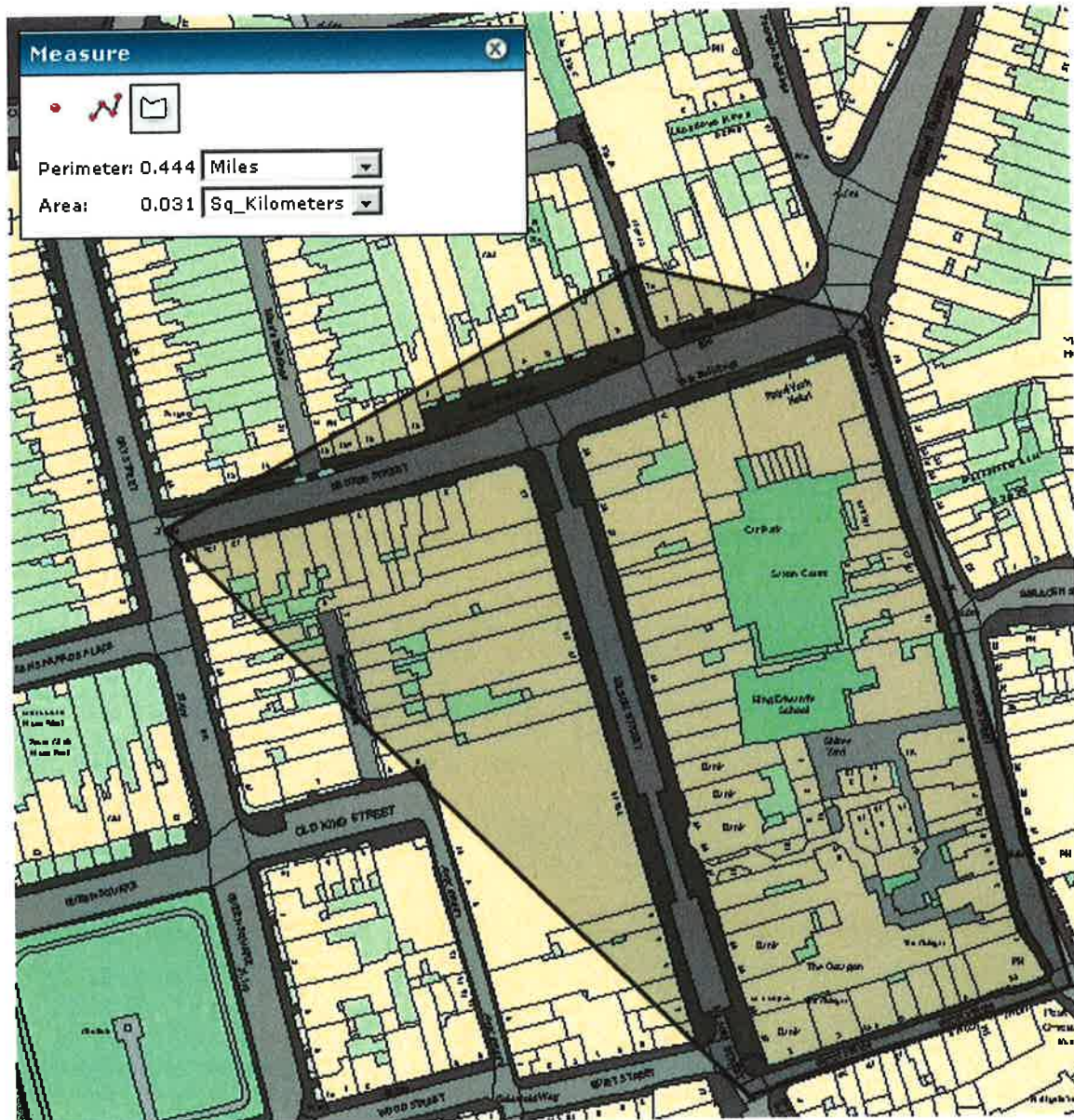


Fig.1 Map of Bath City Centre – Milsom Street, Broad Street and George Street. The shaded area indicates the area which has been scrutinised for the purposes of this report.

These 33 premises can be broken down into the following categories:

Restaurant	15
Night Club	2
Public House	4
Off Licence	2
Café	3
Hotel	1
Church	1
Social Club	1
Furniture Shop	1
Takeaway	1
Delicatessen	1
Convenience Store	1

In terms of licensed hours/opening times:

15 do not operate past 2300 hours
6 are in operation until 0000 hours
12 are in operation until 0500 hours

23 of the premises would be considered as having a direct effect on the Night Time Economy (NTE) of Bath City Centre due to the type of business the licence is associated with.

InnKeeper shows the area of George Street, which includes Edgar Buildings and Princes Buildings, has 14 licensed premises; the highest concentration of the streets being scrutinized in this report.

Brief Overview of Incidents in the Area shown in Fig. 1

All calls received by the Police are classified based on the information received at the time of the call. Anti-Social Behaviour (ASB) calls include those classified as rowdy/nuisance behaviour, harassment/threats, assault and public order.

The below overview includes incidents between 1st Sept 2010 and 29th May 2011 in the area shown in Fig. 1.

Number of ASB related calls received: 194

Number of separate incidents these calls refer to: 150

Number of crime reports recorded as a result of these calls: 72

Day of the week the Police are most often called: Saturday
(as depicted in Fig. 2)

Calls to the area on Friday and Saturday nights represent 56.7% of the total calls in the period.

Time of day the Police are most often called: 0200 – 0300 hours
(as depicted in Fig. 3)

Fig 4 depicts the following information:

91.4% of calls are received after 1800 hours (time at which retail premises close)

83.3% of calls are received after 2100 hours

63.1% of calls are received after midnight

The busiest time period in terms of ASB related calls to the area is between midnight and 0300 hours.

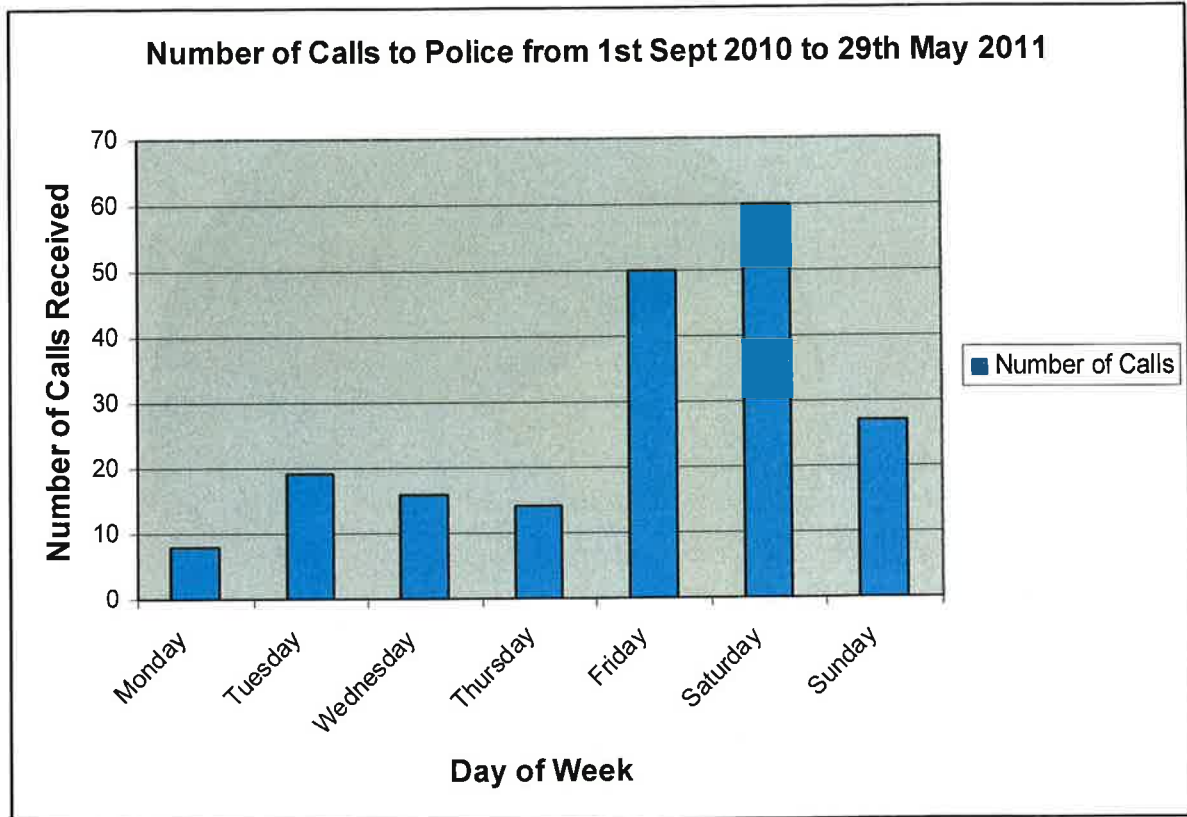


Fig.2

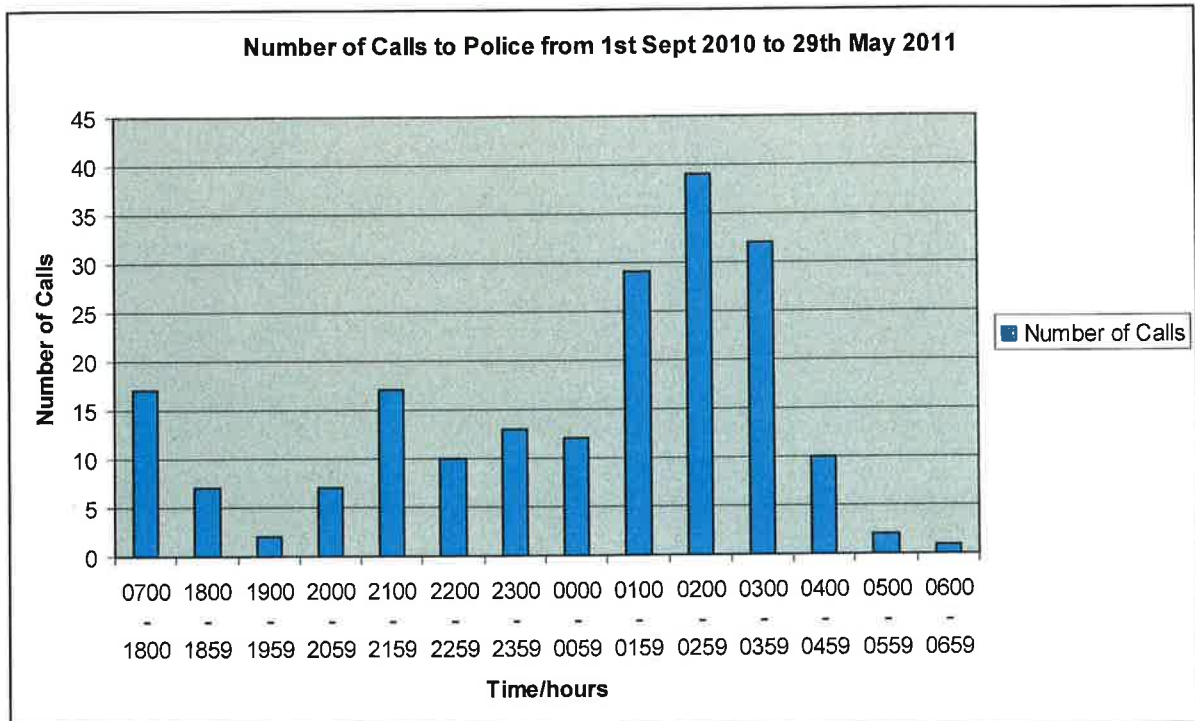


Fig. 3

Representation Form

Responsible Authority. (Please delete as applicable.)
Police / Fire / EP (noise) / Health and Safety / Child Protection / Weights and Measures /
Planning Authority / Marine Agency.

Your Name	Jeremy Lockley
Job Title	Environmental Health Officer
Postal and email address	Environmental Protection 9-10 Bath Street Bath BA1 1SN Jeremy_lockley@bathnes.gov.uk
Contact telephone number	01225 396634

Name of the premises you are making a representation about.	Jika Jika
Address of the premises you are making a representation about.	4 Princess Buildings Bath BA1 2ED

Which of the four licensing objectives does your representation relate to? Please state yes or no.	Yes or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary.
To prevent crime and disorder	No	
Public safety	No	
To prevent public nuisance	Yes	An extension of licensed hours and the provision of live and recorded music could lead to complaints about noise from nearby residential premises. There is residential accommodation on the top floor of this building and therefore a possibility that residents may be affected by

		<p>noise exists. The effects of prolonged exposure to noise are wide ranging and can result in loss of sleep and increased levels of anxiety. It is therefore my view that the operator should make sure that Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. The operator needs to consider all aspects of noise associated with longer opening hours and it should be a requirement that a functioning noise management plan will be in place at all times. This plan should be regularly reviewed, especially upon receipt of complaints about noise, and should be developed in conjunction with the Environmental protection team at BANES council.</p>
<p>The prevention of harm to children</p>	<p>No</p>	
<p>Suggested conditions that could be added to the licence to remedy your representation you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>		<ul style="list-style-type: none"> • Doors and windows should be kept closed at all times during performances of live music. • A noise management plan shall be in use and available for inspection at all times, the council may choose to review this plan at any time. • Noise shall not emanate from the premises so as to be audible or to cause a nuisance at the façade of the nearest residential premises.

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

Signed:

J A Lockley

Date: 24.06.11