

Bath & North East Somerset Council		
MEETING	Licensing Sub Committee	
MEETING DATE	Thursday 25 August 2022	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Application for a Variation of a Premises Licence for:  Loch Fyne Restaurant  24 Milsom Street Bath BA1 1DG	
WARD:	KINGSMEAD	
AN OPEN PUBLIC ITEM		
<p><b>List of attachments to this report:</b></p> <p><b>Annex A</b> Application for a Variation of the Premises Licence.</p> <p><b>Annex B</b> Current Premises Licence.</p> <p><b>Annex C</b> Plan of Licensable activities area incorporating proposed changes.</p> <p><b>Annex D</b> Plan of existing Licensable activities area.</p> <p><b>Annex E</b> Representation.</p>		

## 1 THE ISSUE

- 1.1 An application to vary the Premises Licence for Loch Fyne Restaurant, 24 Milsom Street, Bath has been made under s.34 of the Licensing Act 2003. The premises is located within the B&NES Cumulative Impact Area and the Cumulative Impact Policy is relevant to this application.
- 1.2 A relevant representation has been received from a resident living near the premises.

## 2 RECOMMENDATION

- 2.1 The Committee is asked to determine the application.

## 3 THE REPORT

3.1 An application has been received from Greene King Brewing and Retailing Limited, Westgate Brewery, Bury St Edmunds, Suffolk IP33 1QT to vary the Premises licence for Loch Fyne, 24 Milsom Street, Bath. **(Annex A)**

3.2 The application proposes the following variations to the existing licence:

- To vary the licence plan to reconfigure the existing trade area including the removal of open kitchen / food preparation area and incorporate screened off back of house area into trade area.
- Relocate the existing bar server, add new areas of fixed seating and relocate the kitchen to the basement.
- Create cold cellar storage in the basement along with new cellar barrel drop in external pavement.
- Provide coverage to the external rear terrace area.
- To remove conditions relating to the use of the restaurant and archaic conditions, namely:
  - Substantial food to be available during all trading hours.
  - The licence and conditions to be displayed at the entrance to the premises (*superseded by the Licensing Act 2003 requirements*).
  - In the area delineated on the plan (Bar Area) no more than 20 customers to be in this area at any one time.
  - Save for the bar area, the supply and consumption of alcohol to be waiter / waitress service to persons seated at the tables.

There are no proposed changes to Licensable Activities or timings.

3.3 The following measures have been offered by the applicant to promote the licensing objectives in addition to existing conditions attached to the operating schedule:

None offered.

3.4 A copy of the current Premises Licence is attached **(Annex B)**

3.5 The floor plans detailing the extent of the proposed licensed premises are attached **(Annex C)**

3.6 The floor plans showing the extent of the current licensable activities areas is attached **(Annex D)**

3.7 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.
- 3.8 Each objective is of equal importance. As there are no other licensing objectives, these four are of paramount consideration at all times. When considering applications, representations or notifications, the Licensing Authority will have regard to these licensing objectives.
- 3.9 The Licensing Authority may grant the application with or without additional conditions.
- 3.10 Section 4(3) Licensing Act 2003 states that the Licensing Authority should also have regard to the Council's Licensing Policy, the Statutory Guidance issued under Section 182 of the Licensing Act 2003, and the Licensing Act itself, and in particular to:
- a) Paragraphs 3-6, 8-10, 13-14, 17-24, 29, 33-36, 38-41 of the 2020 policy;
  - b) Chapters 2, 8, 9 and 10 of the Statutory Guidance as revised April 2018;
  - c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.
- 3.11 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.
- 3.12 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.
- 3.13 In accordance with the requirements of the Act, copies of the application were forwarded to the Police, the Fire Authority, the Environmental Protection Team, Development Control, Trading Standards, Health Authority and the Safeguarding Children and Young Persons Team.
- 3.14 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. The notices fixed to the premises were observed by a Licensing Officer in situ on 29 July 2022 and the applicant has confirmed the notices being in place since the start of the consultation period.
- 3.15 A representation of objection has been received within the statutory period from a resident living near the premises. They express concern that the applicant's proposals are likely to undermine the Prevention of Crime and Disorder and Prevention of Public Nuisance Licensing Objectives (**Annex E**)

- 3.16 As a relevant representation has 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 reducing 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 (Head of Legal & Democratic Services and Council Solicitor), Section 151 Officer (Director of Finance) and Head of Building Control and Public Protection and Environmental Protection Team have had the opportunity to input to this report and have cleared it for publication.
- 9.2 This report has not been sent to the Trades Union because they would have no involvement.

<b>Contact person</b>	<p>Geoff Cannon</p> <p>Public Protection Officer (Licensing)</p> <p>07977 228120</p>
<b>Background papers</b>	<p>Licensing Act 2003</p> <p>Guidance issued under s.182 of the Licensing Act 2003</p> <p>Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005</p> <p>B&amp;NES Statement of Licensing Policy</p>
<p><b>Please contact the report author if you need to access this report in an alternative format</b></p>	

## Annex A

### 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 Greene King Brewing & Retailing 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**

#### Premises licence number

21/00783/LAPRE

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description  
Loch Fyne Restaurant  
24 Milson Street

Post town

Bath

Postcode

BA1 1DG

Telephone number at premises (if any)

01225 750120

Non-domestic rateable value of premises

£69,500

#### Part 2 – Applicant details

Daytime contact  
telephone number

E-mail address (optional)

Current postal address if  
different from premises  
address

Greene King  
Westgate Brewery

Post town

Bury St Edmunds

Postcode

IP33 1QT

#### Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐  
No

If not, from what date do you want the variation to take effect?

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

To vary the licensing plan to reconfigure the existing trade area including removal of open kitchen/food prep area and incorporate screened off back of house area into the trade area. Relocate existing bar serverly, add new areas of fixed seating and relocate kitchen to the basement. Create cold cellar storage in basement along with new cellar barrel drop in external pavement. Provision of coverage to external rear terrace area.

To remove conditions relating to the use of a restaurant/archaic conditions.

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.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b> |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------|
| a) plays (if ticking yes, fill in box A)                                                                    | <input type="checkbox"/>          |
| b) films (if ticking yes, fill in box B)                                                                    | <input type="checkbox"/>          |
| c) indoor sporting events (if ticking yes, fill in box C)                                                   | <input type="checkbox"/>          |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)                                        | <input type="checkbox"/>          |
| e) live music (if ticking yes, fill in box E)                                                               | <input type="checkbox"/>          |
| f) recorded music (if ticking yes, fill in box F)                                                           | <input type="checkbox"/>          |
| g) performances of dance (if ticking yes, fill in box G)                                                    | <input type="checkbox"/>          |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>          |

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

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

**In all cases complete boxes K, L and M**



A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

## B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

# C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			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 (please read guidance note 7)
Fri			
Sat			
Sun			

# D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
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 7)		
Sat					
Sun					

## E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

## F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur					
Fri			<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 7)		
Sat					
Sun					

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Wed					
			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					



# I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>	
				Off the premises	<input type="checkbox"/>	
				Both	<input type="checkbox"/>	
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6) As per premises licence granted			
Mon						
Tue						
Wed						
Thur						<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7) As per premises licence granted
Fri						
Sat						
Sun						

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 10).**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6) As per premises licence granted
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
<b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7) As per premises licence granted			

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.

- Substantial food to be available during all trading hours
- The licence and conditions to be displayed at the entrance to the premises (*this is overridden with the Licensing Act 2003 with regards to the summary being on display*)
- In the are delineated on the plan (Bar Area) no more than 20 customers to be in this area at any one time
- Save for the bar area, the supply and consumption of alcohol to be waiter/waitress service to persons seated at the tables

Please tick as appropriate

- 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 not enclosed the premises licence or relevant part of premises licence.  
Electronic copies attached

**M** 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 and e) (please read guidance note 11)**

To remove the following:

- Substantial food to be available during all trading hours
- The licence and conditions to be displayed at the entrance to the premises (*this is overridden with the Licensing Act 2003 with regards to the summary being on display*)
- In the area delineated on the plan (Bar Area) no more than 20 customers to be in this area at any one time
- Save for the bar area, the supply and consumption of alcohol to be waiter/waitress service to persons seated at the tables

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

As per 'box a'

**c) Public safety**

As per 'box a'

**d) The prevention of public nuisance**

As per 'box a'

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

As per 'box a'

Checklist:


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☒
- 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, 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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	11 <sup>th</sup> July 2022
Capacity	Licensing Manager

**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 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 15) Hannah Loynds Greene King Westgate Brewery			
<b>Post town</b>	<b>Bury St Edmunds</b>	<b>Post code</b>	<b>IP33 1QT</b>
<b>Telephone number (if any)</b>		[REDACTED]	
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b> [REDACTED]			

### 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. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. 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.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.



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

**Licensing Act 2003  
Premises Licence**

**Premises Licence Number**

21/00783/LAPRE

**Premises Details**

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

Loch Fyne Restaurant  
24 Milsom Street  
Bath  
BA1 1DG

**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 Saturday 08:00 - 00:00

Sunday 08:00 - 23:30

**Performance of Live Music (Indoors only)**

Monday to Saturday 11:00 - 00:00

Sunday 12:00 - 23:30

**Performance of Recorded Music (Indoors only)**

Monday to Saturday 11:00 - 00:00

Sunday 12:00 - 23:30

**Facilities for Making Music (Indoors only)**

Monday to Saturday 11:00 - 00:00

Sunday 12:00 - 23:30

**Late Night Refreshment (Indoors only)**

Monday to Saturday 23:00 - 00:00

Sunday 23:00 - 23:30

**Non Standard Timings**

Sale of Alcohol and Late Night Refreshment - From normal start time on New Year's Eve until the normal finish time on New Year's Day.

**The opening hours of the premises**

Monday to Saturday 07:30 - 00:30

Sunday 08:00 - 00:00

**Non Standard Opening Times**

From normal opening time on New Year's Eve to normal closing time on New Year's Day.

**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

**Name of holder of premises licence**

Greene King Brewing & Retailing Limited

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

Registered Business Number - 3298903

**State whether access to the premises by children is restricted or prohibited**

As per Operating Schedule at Annex 2.

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 21 July 2021

## 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:

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.

---

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 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.

---

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

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## **Annex 2 – Conditions consistent with the Operating Schedule**

A CCTV system shall be installed in consultation with the police, which shall be maintained in working order and provided / equipped with recording facilities with tapes, recordings being retained for 31 days and available to the police for investigative and evidential purposes.

Substantial food to be available during all trading hours.

The licence and conditions to be displayed at the entrance to the premises.

In the area delineated on the plan (Bar Area) no more than 20 customers to be in this area at any one time.

The external area shall only be used between 11 am and 9 pm, and limited to 50 customers at any one time.

No amplified sound on the premises to be generated at any time.

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

Save for the bar area, the supply and consumption of alcohol to be by waiter/waitress service to persons seated at the tables.

---

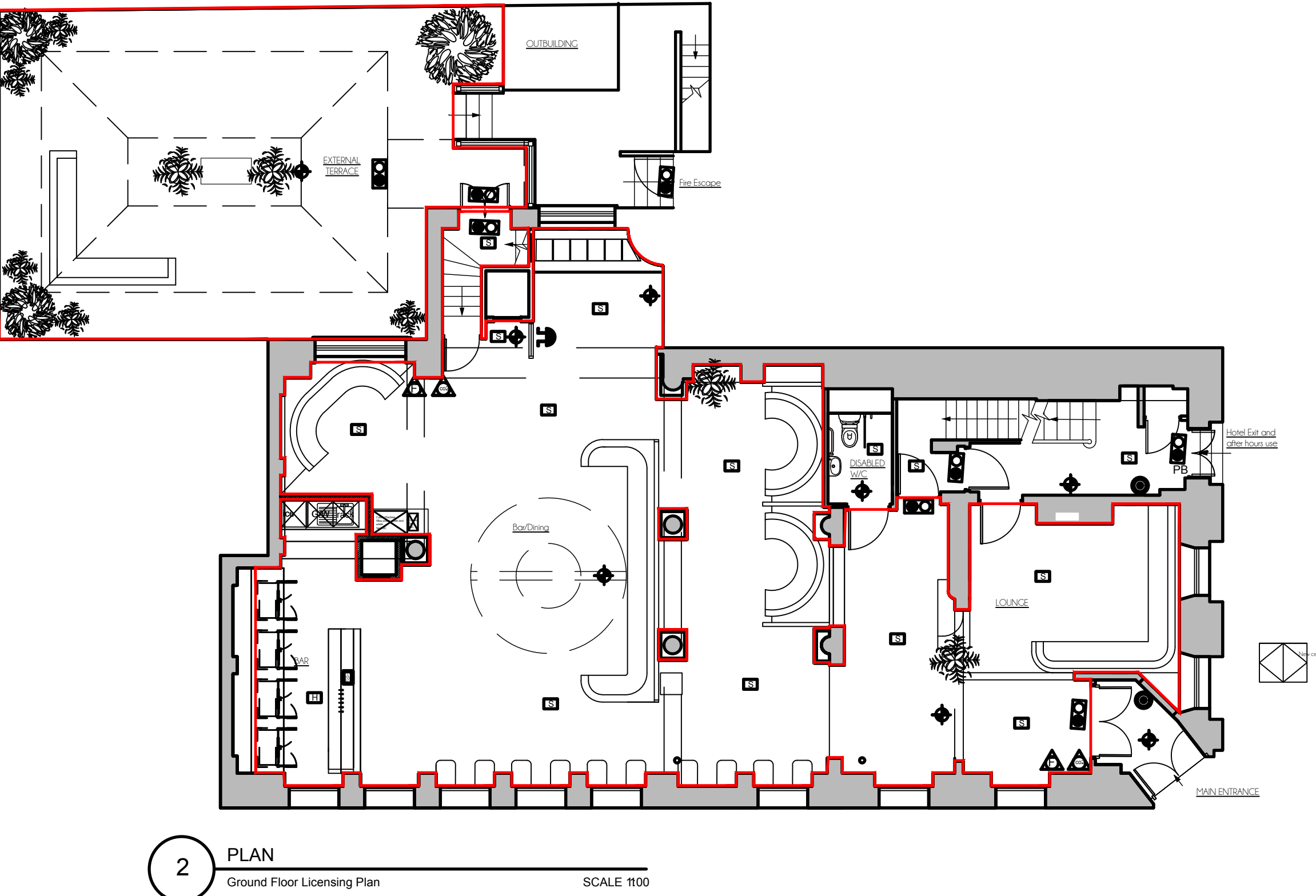
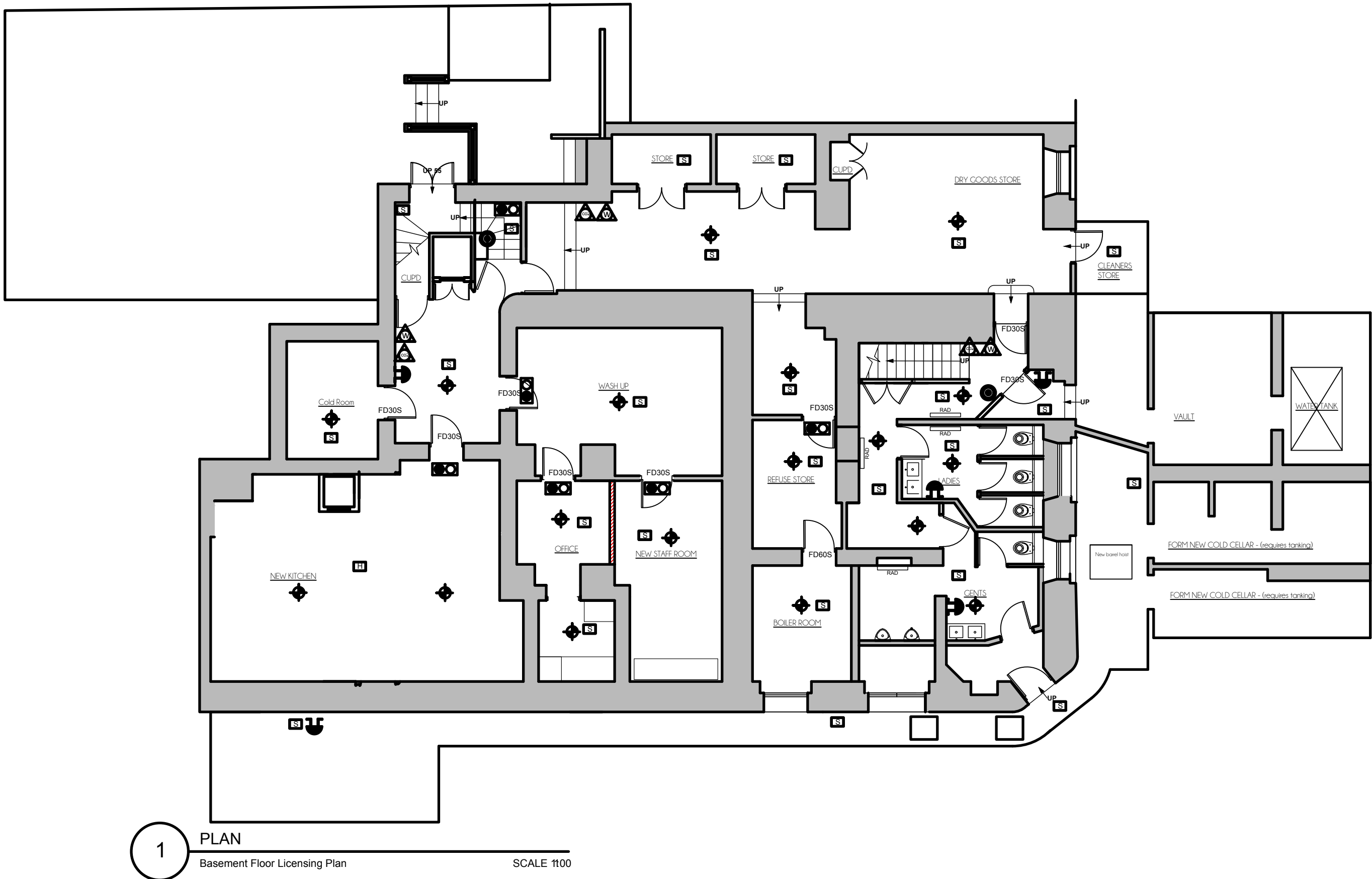
PUBLIC REGISTER COPY

#### **Annex 4 – Plans**

As submitted with application.

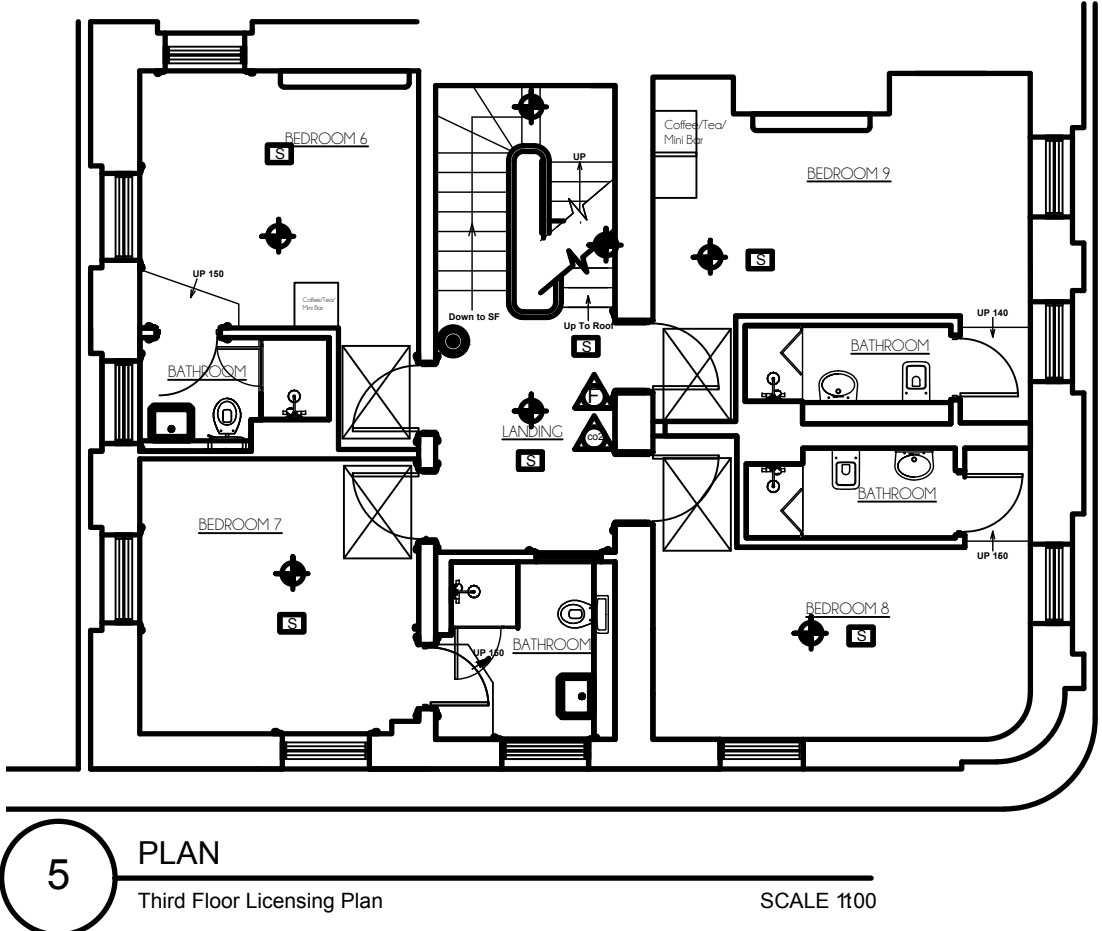
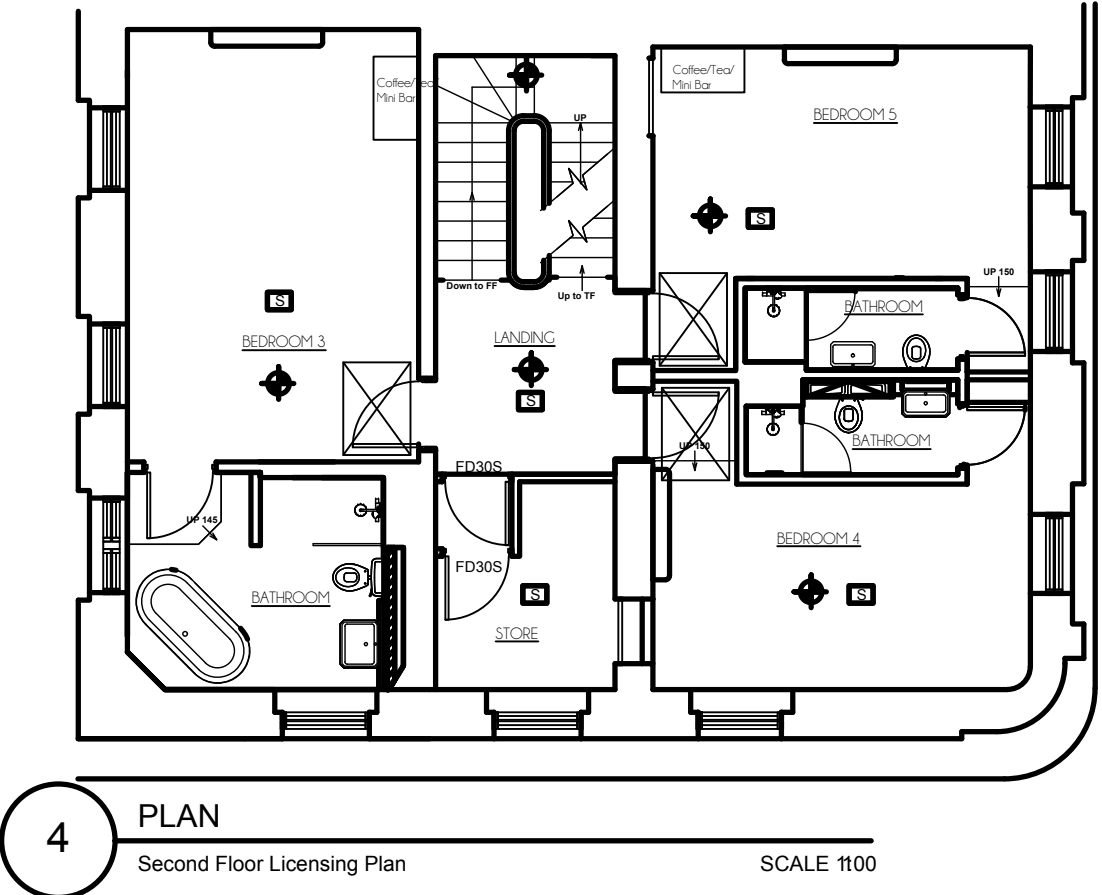
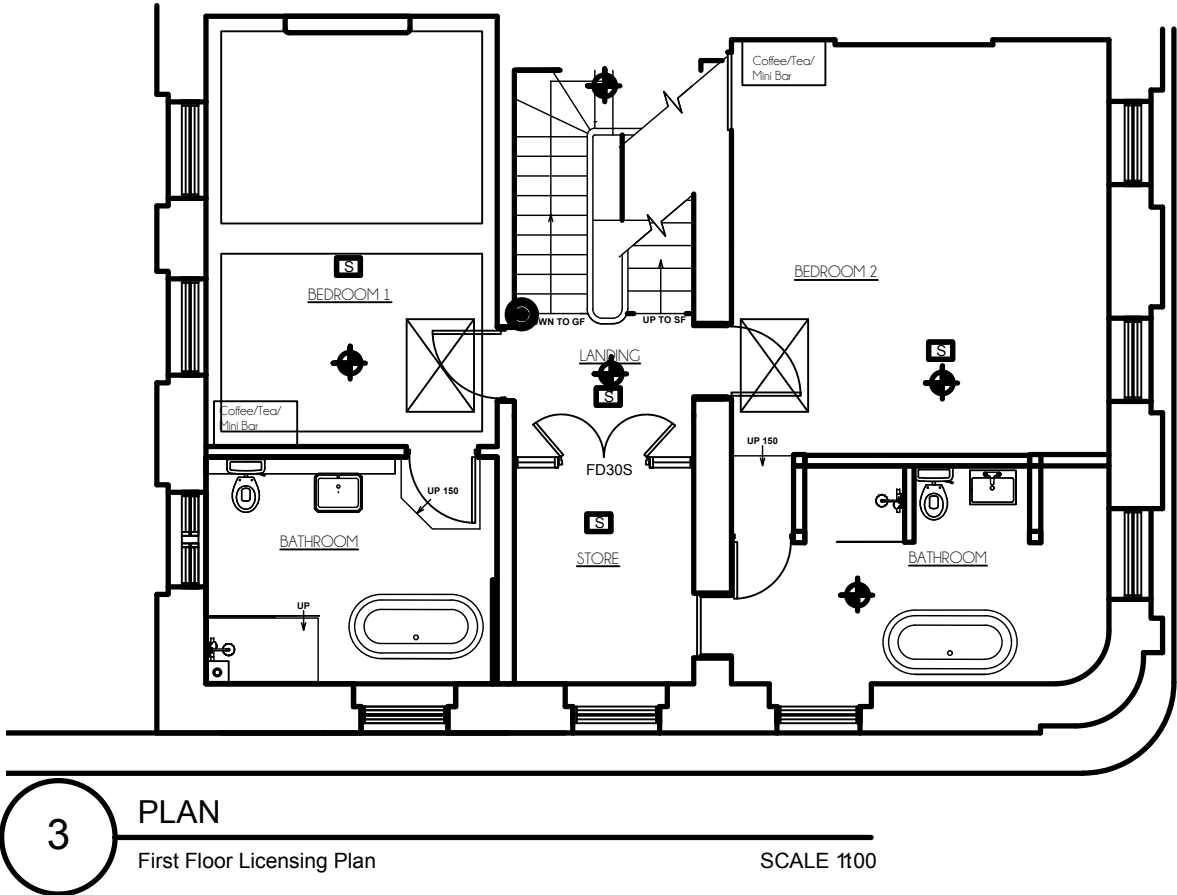
PUBLIC REGISTER COPY

Annex C



BASE DRAWING BY OTHERS  
The AutoCAD base drawing used to prepare this drawing was provided by others, Nanu Soda cannot accept any liability for the accuracy of that information. All details and dimensions to be checked on site before commencement of any works.

Scale 1:100  
0 1 2 3 4 5 10



- GENERAL NOTES :
- Provide New Emergency Lighting installation to serve all public areas , toilets , lobbies , exit routes and private exit routes, private accommodation, cellar, kitchen, all back of house area ,including illuminated EXIT signs . Electrician to install new scheme in accordance with BS 5266 : Part 1 : 1988 to Building Control and Fire Officers approval. Note: All circulation area to be Non-Maintained. All toilets, corridors, staff areas, stores, directional exit signs & signs over exit doors to be Fully Maintained.
  - Provide New Fire Alarm System throughout , including break glass fire alarm call points ; alarm bell sounders ( to be audible in all parts of building ) ; and heat and smoke detectors to be installed in accordance with BS 5839 : Part 1 : 1988 to meet Building Control and Fire Officers approval. All sockets and power supplies to Music Systems to be linked to Fire Alarm and all power to be cut upon activation of Fire Alarm.
  - Provide AFFF type fire extinguisher and fire blanket / dry powder type fire extinguisher to commercial kitchen.
  - All upholstery fabrics / foam and curtain fabrics to be fire retardant and contractor to provide test certificates to fire officer for approval prior to completion of works. Minimum Crib '5'.
  - Wall and ceiling linings to be Class 1 generally and Class 0 to escape lobbies and stairwells.
  - Means of escape to comply with Building Control / Fire Officers requirements.
  - All doors marked FD30S to be 1/2 hour fire resistant construction and fitted with combined smoke seals and intumescent strips and self closing device . Any glazing to be to 1/2 hour resistant standard.
  - All doors marked FD60S to be 1 hour fire resistant construction and fitted with combined smoke seals and intumescent strips and self closing device . Any glazing to be to 1 hour resistant standard.
  - Provide fire signs and notices as required by Building Control / Fire Officer.
  - Check / upgrade stair soffits to 1 hour fire resisting standard.
  - Check / upgrade existing ceilings between a) basement cellar and ground floor trading areas , and b) ground floor trading areas and first floor.
  - Upgrade electrical power / lighting circuits to current IEE regulations with NICEIC certificates.
  - Wire and install New Noise Limiter - Formula Sound Century together with a Contactor linked to the Music System power supplies which will be calibrated and set at a level that if amplified music / live music exceeds the set decibel level the power supply will be automatically switched off and will only switch on if the amplifications unit noise output is reduced to under the set decibel level. An appointment will be made with Council Environment Health Officer at such a time when this unit is ready to be calibrated and the Decibel level set to ensure the level is satisfactory.

- b). All Amplified Music / Amplified Live Entertainment shall only take place internally.
- c). All external doors and windows in the premises will remain closed at all times and access and egress will be restricted to emergency exits only.
- d). Signs will be installed externally in the following areas: Adjacent to entrance door, adjacent rear entrance door, to read "Please leave the premises quietly and respect our neighbours".
14. All final inward opening doors to be pinned open during trade hours

- VP Vision panel in door ( fire rated in doors ).
- PB Push bar type door ironmongery to emergency exit doors.
- FD Break glass fire alarm call point.
- FB Fire blanket.
- Licensed Area
- Heat Detector
- Smoke Detector
- Foam Extinguisher
- Water Extinguisher
- CO2 Extinguisher
- Wet Chemical
- Sounder
- "Fire Door Keep Shut" Notice
- "Fire Door Keep Clear" Notice
- Fire Exit Sign
- Amusement with Prizes
- Skill with prizes

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No dimensions to be scaled from this drawing. All Contractors must visit site and be responsible for taking and checking all dimensions relative to this work. The Designer must be advised of any discrepancies in writing.

Revision:  
REV A: Licensing area removed from rooms. ACW 30.05.22

Scale: 1:100@A1	Date: MAY '22	Drawn by: ADM
Job title: The Milsom (nee Loch Fyne) 24 Milsom St Bath, BA11DG	Drawing title: Proposed Licensing Plans Basement, Ground, First, Second & Third Floors	Drawing Number: 842/L1A

The Studio 34 Smyth Street Wakefield WF1 1ED  
01924 372654 info@nanusoda.co.uk

NANU  
SODA



**NOTES & REVISIONS :**  
CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK. FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS MUST NOT SCALE FROM THIS DRAWING UNLESS EXPRESS INSTRUCTIONS ARE GIVEN BY SAMPSON ASSOCIATES. THE COPYRIGHT OF THIS DRAWING IS RESERVED. THE DRAWING MUST NOT BE DISCLOSED WITHOUT AUTHORITY.



PROPOSED LICENSING KEY		
GROSS AREA OF LICENSED PREMISES (SQM)	363	-----
GROSS INTERNAL LICENSED CUSTOMER AREA (SQM)	130	-----
GROSS INTERNAL BAR SERVERY AREA (SQM)	9	-----
GROSS EXTERNAL LICENSED CUSTOMER AREA (SQM)	83	-----



EXISTING BASEMENT LICENSING PLAN  
Scale: 1:100

PROPOSED LICENSING KEY		
GROSS AREA OF BASEMENT TO LICENSED PREMISES (SQM)	418	-----

### ELECTRICAL KEY

-  Live voltage downlight
-  Electrical supply
-  Exhaust vent
-  Two / Three way switch - on line
-  Single switch
-  Switch Point
-  Telephone Point
-  CDX4 joint
-  Table Lamp
-  Standard Lamp
-  Smoke Detector
-  Woven Roofed
-  Motor Light
-  Bathroom Fan Light
-  Ceiling Pull-Cord Switch

	<b>FIRE KEY</b>
	Fire Alarm - Smoke Detector
	Fire Alarm - Heat Detector
	Fire Alarm - Sounder
	Fire Alarm - Visual Indicator
	Fire Alarm - Call Point (break glass)
	Fire Alarm - Illuminated Panel
	Internally initiated Fire Exit Sign
	Emergency Light (3hr)
	Directional Arrow Sign
	Secure Door in Open Position Sign
	Fire Exit Sign
	Fire Door FD30S
	CCTV Camera
	<b>FIRE EXTINGUISHERS</b>
	Water
	CO2
	Fire Blanket
	Class F (Wet Chemical)
	Dry Powder
	Foam

CLIENT:	GREENE KING PUB CO	DRAWN BY:	TC
SITE:	LOCH FYNE, BATH	SCALE @ A1:	1:100
DRAWING TITLE:	LICENSING PLANS		2599-18-00

ASSOCIATES

**SAMPSON**  
ARCHITECTS & INTERIOR DESIGNERS

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**TEL:** +44(0)20 7394 8850 **FAX:** +44(0)20 7394 8851 **E-MAIL:**



**LICENSING ACT 2003  
REPRESENTATION FORM**

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

**I/We object to the following application:**

Application number:	
Applicant's name:	<b>Greene King Brewing &amp; Retailing Ltd</b>
Premises name and address:	<b>Loch Fyne Fish Restaurant, 24 Milsom Street, City Centre, Bath, BA1 1DG</b>
Application for a:	<b>Variation of a Premises Licence</b>

**Objector Details:**

Objector's Name:	<b>William Anthony Bedding</b>
Objector's Address:	<b>Flat 1, 5 Alfred Street, Bath, BA1 2QU</b>
Organisation name if applicable:	<b>N/A</b>

**Objection Details:**

**My/our representation is relevant to the following licensing objective(s):**

- Prevention of crime and disorder ☒
- Prevention of public nuisance ☒
- Protection of children from harm ☐
- Public safety ☐

Please detail your objection(s) as fully as possible in the box below and attach any supporting documents as necessary. If you do not then the Committee may not understand why you have objected.

Try to be as specific as possible and detail how the applicant's proposal will have an adverse effect on one or more of the licensing objectives.

I/We have already made a written representation and have no further comments



**I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.**

Signed



Date

08/08/2022

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



Dear Licencing Authority at Bath and North East Somerset Council,

I write this letter as a formal representation for the application for a variation of a premises licence for the premises of Loch Fyne Fish Restaurant, 24 Milsom Street, City Centre, Bath, BA1 1DG (the Premises). The applicants are Greene King Brewing & Retailing Ltd (the Applicant).

Of the four licencing objectives, I make these representations:

The Prevention of Crime and Disorder

1. George Street has become extremely crowded with late night bars in one concentrated area.
2. Even without the Applicant's requested bar, this has caused George Street to have a high population of people drinking in excess who are not dispersing throughout town to make drunken behaviour more manageable.
3. I live one street away, and will frequently see drunken people stumble, fall and lay down in the middle of George Street. This is a danger to themselves and others.
4. While the Applicant cannot be held responsible for what happens on the street outside, these people will usually be entering a variety of establishments due to the proximity of the establishments, causing excess drinking, and leading on to a higher likelihood of disorder within any (including the Applicant's) establishment.
5. There are also frequent fights in this area, within and outside the various establishments. Shouting between multiple people can often be heard even from my home, so I am certain this is the case for other residents. To add another establishment focussing on drinking (a wet bar) would only worsen the issue and raise the likelihood of needing some form of police presence at night.

Public Safety

1. There are no representations to make for the Premises regarding Public Safety.

Prevention of Public Nuisance

1. George Street has become extremely crowded with late night bars in one concentrated area.
2. Even without the Applicant's requested bar, this has caused George Street to have a high population of people drinking in excess, who are not dispersing throughout town to make drunken behaviour more manageable.
3. I live one street away and will frequently hear heated arguments and cheering into the early hours of the morning. This likely upsets the quiet enjoyment of many residents in the area.
4. While the Applicant cannot be held responsible for what happens on the street outside, these people will usually be entering a variety of establishments due to the proximity of the establishments, causing excess drinking, and leading on to a higher

likelihood of noise and disturb for the local residents. As the Premises will also be in close proximity, the Premises will also create said noise and disturb.

5. Therefore, allowing this application would create public nuisance for local residents.

#### Protection of Children from Harm

1. There are no representations to make for the Premises regarding Protection of Children from Harm.

There is also one more representation I wish to make, though this falls outside the standard four licencing objectives. Nonetheless, it is vital this is addressed as it severely undermines the Licensing Authority's mandate to ensure the public's voice is heard regarding these sought of applications. Therefore I make this representation:

#### Procedure

1. It is statutory procedure when making an application for a variation of a premises licence to put the public on notice of said application by putting up a declaration of the application on the outside of the building for 28 consecutive days.
2. I can attest that I walk past the Premises most days on my commute to work, and that no declaration had been put on the outside of the building until Saturday the 6<sup>th</sup> August 2022.
3. That make the 8<sup>th</sup> August 2022 (the deadline to make representations toward the application) the only working day where the public are both on notice and also able to file any representation. This is not acceptable and contravenes the Licensing Act 2003.
4. In the interest of making sure proper procedure is followed, I submit that the Licencing Authority at least mandate that the Applicant must give the public a further 28 consecutive days to be on notice and permitted to make representations if they wish to do so.
5. This lack of following procedure has made it extremely difficult to make a fully actualised representation. As an anecdotal point to this, I have been unable to research statistics or gather evidence to help make my points across the four licencing objectives. It stands to reason that in order to be fair in procedure, the public be given time on notice to undertake such research.
6. While a separate application, I can also attest that the notice for Planning Permission for the same Premises has only been fixed to the outside of the Premises since Saturday the 6<sup>th</sup> August 2022. The deadline to make representation for the Planning Permission have passed, but for the above reasons I believe said application should also be mandated to be put on notice and to allow the public to make representations for 28 consecutive days.



I fully understand that these Representations will be made available to the Applicant and included in any Sub Committee's hearing papers, which will be publicly accessible documents, and any subsequent court proceedings.

Best regards,

William Bedding

08 August 2022

A handwritten signature in dark ink, appearing to read 'W Bedding', with a horizontal line drawn underneath the name.