

Bath & North East Somerset Council

MEETING	Licensing Sub Committee	
MEETING DATE	Thursday 1 December 2022	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Application for a Variation of a Premises Licence for: The Rising Sun Church Street Pensford BS39 4AQ	
WARD:	Publow and Whitchurch	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Annex A Application for a Variation of the Premises Licence.</p> <p>Annex B Current Premises Licence.</p> <p>Annex C Plan of Licensable activities area incorporating proposed changes.</p> <p>Annex D Plan of existing Licensable activities area.</p> <p>Annex E Representations of objection to the application</p> <p>Annex F Representations in support of the application</p>		

1 THE ISSUE

- 1.1 An application to vary the Premises Licence for The Rising Sun, Church Street Pensford BS39 4AQ has been made under s.34 of the Licensing Act 2003.
- 1.2 Relevant representations of objection to the application and in support of the application have been received.

2 RECOMMENDATION

- 2.1 The Committee is asked to determine the application.

3 THE REPORT

3.1 An application has been received from St Austell Brewery Company Ltd to vary the Premises licence for The Rising Sun, Church Street Pensford BS39 4AQ **(Annex A)**

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

- To vary the layout and design of the premises in accordance with the submitted plan. The changes consist of permitting the use of an external bar at the rear of the premises (as noted on the plan submitted with the application).
- The internal licensable area of the premises is to remain unchanged from its current permission.
- The locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
- Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.
- All other hours, activities and conditions currently permitted by the premises are to remain unchanged by this application.

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:

The conditions proposed relate to the use of external area and bar only:

- The external bar servery is to operate for the sale and supply of alcohol until 22:00h on any day.
- The external bar will be supervised at all times when in use.
- The external bar will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.

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 Council Licensing Team confirm that these requirements were met.
- 3.15 Representations of objection have been received within the statutory period.
(Annex E)
- 3.16 Representations in support of the application have also been received within the statutory period. **(Annex F)**

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

4 STATUTORY CONSIDERATIONS

- 4.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found.
- 4.2 Consideration must be given to the Human Rights Act 1998 and the “convention rights”.
- 4.3 The Sub Committee have been delegated authority to determine the application on behalf of the Licensing Authority in accordance with the Licensing Act 2003.
- 4.4 When reaching a decision, the Licensing Authority must carry out its functions with a view to promoting the four licensing objectives.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

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

6 RISK MANAGEMENT

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

7 CLIMATE CHANGE

- 7.1 The licensing objectives do not require the applicant to specify steps to mitigate the impact of climate emergency. However, the applicant is encouraged to consider locally sourced ingredients and 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.

Contact person	<p>Geoff Cannon</p> <p>Public Protection Officer (Licensing)</p> <p>01225 386719</p>
Background papers	<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&NES Statement of Licensing Policy</p>
<p>Please contact the report author if you need to access this report in an alternative format</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 St Austell Brewery Co 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

19/04266/LAPRE

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Rising Sun
Church Street

Post town

Pensford

Postcode

BS39 4AQ

Telephone number at premises (if any)

n/a

Non-domestic rateable value of premises

£8,500 (Band B)

Part 2 – Applicant details

Daytime contact
telephone number

n/a

E-mail address (optional)

n/a

Current postal address if
different from premises
address

63 Trevarthian Road

Post town

St Austell

Postcode

PL25 4BY

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"/>

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)

This is an application to vary the layout and design of the premises in accordance with the submitted plan. The changes consists of the permitting the use of an external bar at the rear of the premises (as noted on the enclosed plan). The internal licensable area of the premises is to remain unchanged from its current permission.

The locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment. Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

Conditions proposed below to relate to the use of external area and bar only;

- The external bar servery is to operate for the sale and supply of alcohol until 22:00h on any day.
- The external bar will be supervised at all times when in use.
- The external bar will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.

All other hours, activities and conditions currently permitted by the premises are to remain unchanged by this application.

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:

n/a

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

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

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

In all cases complete boxes K, L and M

A

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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed			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 (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors <u>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	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 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)			<u>Will the boxing or wrestling entertainment take place 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	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance 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	<u>Please give further details here</u> (please read guidance note 5)			
Mon						
Tue						
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)			
Wed						
Thur						
			<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 7)			
Fri						
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) 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	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	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 5)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)	
Sun				

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment 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	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

J

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

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			<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 7)

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.

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.

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)

As per current licence (19/04266/LAPRE) save for those amendments made to the operating schedule by this application.

The locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

Conditions proposed below to relate to the use of the external area and bar only;

- The external bar servery is to operate for the sale and supply of alcohol until 22:00h on any day.
- The external bar will be supervised at all times when in use.
- The external bar will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or (paid online) ☒
- 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 (submitted online) ☐
- 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	 Ewen Macgregor for TLT Solicitors
Date	6 th October 2022
Capacity	Solicitor to Applicant

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	
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Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Ewen Macgregor TLT LLP One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

**Licensing Act 2003
Premises Licence**

Premises Licence Number

19/04266/LAPRE

Premises Details

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

Rising Sun
Church Street
Pensford
BS39 4AQ

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	11:00 - 00:00
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 22:30

Performance of Live Music (Indoors and Outdoors)

Monday to Thursday	11:00 - 00:00
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 22:30

Performance of Recorded Music (Indoors and Outdoors)

Monday to Thursday	11:00 - 00:00
Friday and Saturday	11:00 - 01:00
Sunday	12:00 - 22:30

Non Standard Timings

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve and Boxing Day.

From normal opening activity time on New Year's Eve until normal activity closing time on 1 January.

The opening hours of the premises

Monday to Thursday	11:00 - 00:30
Friday and Saturday	11:00 - 01:30
Sunday	12:00 - 23:00

19/04266/LAPRE

Non Standard Opening Times

A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.

A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.

A further additional hour every Christmas Eve and Boxing Day.

From normal opening activity time on New Years Eve until normal activity closing time on 1 January.

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

St Austell Brewery Co Ltd

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

Registered Business Number - 107021

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 4 December 2019

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.

Annex 2 – Conditions consistent with the Operating Schedule

The exterior area and car park to be illuminated when the premises are open.

CCTV to be installed and maintained covering the first floor area and car park.

No unaccompanied children allowed on the premises.

No striptease, nudity or restricted films allowed on the premises.

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

Following the hearing before the Licensing Sub Committee on 17th August 2017 it was determined that no change was required to the current licence

PUBLIC REGISTER COPY

Annex 4 – Plans

As submitted with application.

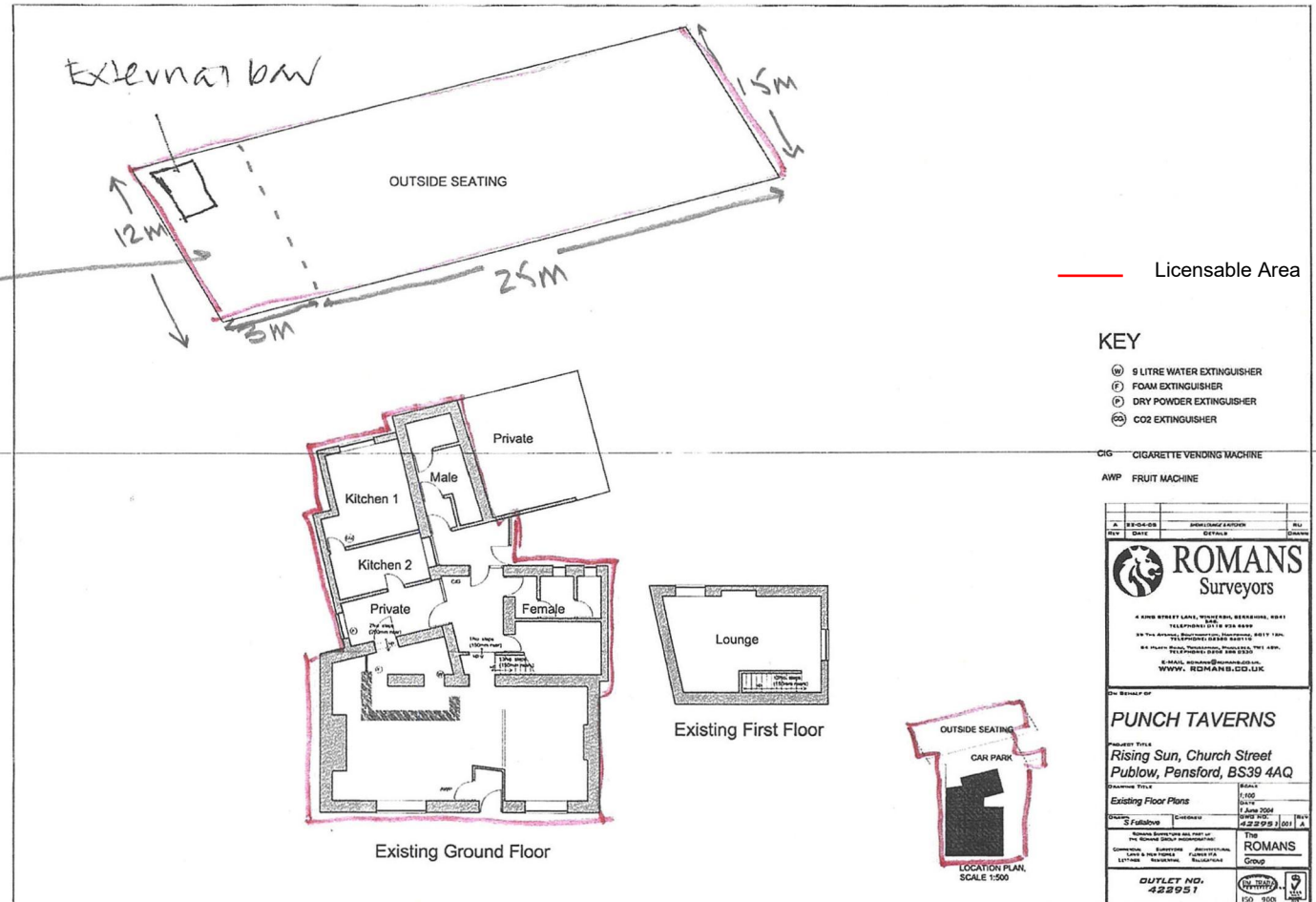
PUBLIC REGISTER COPY

Annex C

External bar dimensions

H 2.6m
W 3.6m
D 2.4m

Pavilion on



Drawing RSP/01

Annex D



Objection - Christine Jones

-----Original Message-----

From: [REDACTED] com>

Sent: 17 October 2022 20:37

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

Cc: [REDACTED]

Subject: Licence application 22/02320/LAPRE

Dear licensing I wish to object to this application for the following reasons.

- 1.Prevention of public nuisance, the granting of this application will increase public nuisance as is already happening since this illegal bar has been open in garden.
- 2: The protection of children from harm, loud voices emitting from outside unregulated bar area at all times are keeping Children awake sometimes into early hours.
- 3.I do not believe this area is within licensed area of permitted licence this application should therefore be refused.
- 4.This area is regularly playing excessively loud music which can be heard in neighbouring villages never mind Pensford.

Thank you Christine.

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:	<input type="text"/> 22/02320/LAPRE
Applicant's name:	<input type="text"/> St Austell Brewery Co Ltd
Premises name and address:	<input type="text"/> Rising Sun Church Street Pensford BS39 4AG
Application for a:	<input type="text"/> Variation of Premises Licence

Objector Details:

Objector's Name:	<input type="text"/> Jessica Flack
Objector's Address:	<input type="text"/> 1 West View Road Keynsham Bristol BS31 2UE
Organisation name if applicable:	<input type="text"/>

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

☐

Prior to the application of a license, the applicant has already held the proposed activities within the pub garden. This has been very distressing and disruptive to people living within the village as well as their visiting friends and family.

Before moving out of the village in 2022, we lived close to the pub and the noise that resonated from the pub garden events would always affect my family in a negative way. This negative impact on our health and wellbeing has continued as we still regularly visit family within the village. My two primary school aged children will often stay over at their grandparent's home close to the pub, before attending Pensford Primary School the next morning. The noise from the pub will always mean that my children are unable to sleep, despite the windows being closed. This is because the pub sits within the valley and so any sound reverberates around the surrounding valley and is deflected off the viaduct and back towards the village homes. The noise from the pub has already directly impacted on my children's mental health as their disturbed sleep has caused them anxiety, low mood and tearfulness. This has then in turn impacted on their schoolwork the following day as they are expected to attend school as usual. I am a frontline health worker and can no longer stay at my parents as often as I wish due to the noise from the pub which also impacts on my sleep and ability to carry out my work effectively.

I am further concerned for the local wildlife being negatively affected by the noise and light from the pub late into the evening and early hours of the morning. We have many nocturnal creatures living in the nearby Culvery woods and surrounding valley and research has shown that sound and light can cause great harm to many of these already vulnerable and protected species. For example, there are many bats living under the viaduct. During the evening, the bats can often be seen flying down from their roosts to feed on the insects around the river. Bats are protected by law and according to UK Bat Conservation Trust, artificial lighting of bat roosts, access points and foraging pathways can be extremely disturbing to bats and should be avoided. Additionally, excessive noise and vibration could also potentially disturb bats if they are roosting in the vicinity and should be avoided.

I grew up in the village of Pensford and have seen many transformations and changes over the years. However, this is the first time I have felt compelled to reject to a license application from the pub in question. Unfortunately, the public nuisance and harm to my children that the pub has already caused and will undoubtedly continue to cause if the license is granted, has meant that my children are not able to get the same level of enjoyment and fulfilment from the village as I have previously experienced.

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

24/10/2022

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)



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

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

Name

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

I will be represented at the hearing by

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

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

Form to be returned to licensing@bathnes.gov.uk or:

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

Important Information About Your Representation

Why do I need to fill in this form?

While we can accept any written representation, we ask that you complete this form in order to assist the Licensing Sub Committee at the hearing.

Representations made under the Licensing Act must be made public, and by signing this form you give permission for your details to be disclosed. That is why we ask you to complete this form even if you have already made a written representation.

What if I do not want my details to be disclosed?

Anonymous representations will not normally be accepted.

If you think there are exceptional circumstances that would justify you making an anonymous representation, such as the threat of intimidation or violence from the applicant, then please contact the Licensing Office on 01225 396719 to discuss the matter.

Alternatively, you can ask your Parish Council or local Residents' Association to make a representation instead. If you choose to do this, there is no need to complete this form; the Parish Council or Residents' Association will do it if they decide to make a representation.

What do I need to know when writing my representation?

The Licensing Act 2003 sets out four 'licensing objectives', which are listed on the front of this form. Your representation should state how you think the application will affect one or more of these licensing objectives.

What if I want to supply extra information in support of my representation?

You can include the information with your representation form. If you have already made a representation and now want to give us extra information in support of it, you need to send copies of it to the Licensing Office *and* the applicant. This should be done at least 5 working days before the hearing.

If you arrive at the hearing with extra information that has not been sent to the Licensing Office and the applicant, it will only be considered if the applicant and the Committee agree to it. We recommend that you bring at least 10 copies of the information with you to the hearing.

I want to make a representation about traffic/planning issues

Unfortunately, representations about traffic or parking can not be accepted. This is because the licence holder can not be held responsible for the use of the public highway outside of the premises.

The licensing regime is separate from other local government functions, including the planning department. If a Premises Licence is granted for a building, this will not exempt the licence holder from having to obtain the necessary planning permission. We are therefore unable to accept representations that simply refer to the need for planning permission.

From: Jess Flack [REDACTED]
Sent: 27 October 2022 13:23
To: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Subject: RE: The Rising Sun Current Premises Licence

Good afternoon Geoff,

Thank you for your email However, my attached representation refers to the use of the external bar at the rear of the premises. I apologise if this was not clear in the original representation. Please therefore accept my representation as valid.

Kind regards,

Jess Flack

Annex E

From: Kenneth Jones [REDACTED]
Sent: 17 October 2022 20:51
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: Application Rising Sun Pensford 22/02320/LAPRE

Dear licensing.

I wish to object to above application for the following reasons.

1. I do not believe this area is in prescribed licensed area.(Please supply evidence to dispute this if you have it on record)
- 2.This illegal bar has been working for a long period of time and is creating a public nuisance on a regular basis.
3. Protection of children from harm, this bar area has been keeping local and visiting children awake sometimes into the late hours.

I look forward to giving my views at public hearing if required.

Thank you Kenneth Jones.

.

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:	22/02320/LAPRE
Applicant's name:	St Austell Brewery Co Ltd.
Premises name and address:	The Rising Sun Church Street Penstons BS39 4AQ
Application for a:	External Bar.

Objector Details:

Objector's Name:	Kenneth Jones
Objector's Address:	Nelson House Church Street Penstons BS39 4AH
Organisation name if applicable:	—

Objection Details:

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

- | | |
|----------------------------------|-------------------------------------|
| Prevention of crime and disorder | <input type="checkbox"/> |
| Prevention of public nuisance | <input checked="" type="checkbox"/> |
| Protection of children from harm | <input checked="" type="checkbox"/> |
| Public safety | <input type="checkbox"/> |

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 Believe the outside bar will increase noise and will increase public nuisance & drive children from excessive noise.

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

K. Sen

Date

23/10/2022

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)



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

I will be attending the hearing ☒ I will not be attending the hearing ☐

I will be represented at the hearing by _____

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

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

Form to be returned to licensing@bathnes.gov.uk or:

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

**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:	22 02320 / LAPRE
Applicant's name:	MRS LAURA BAXTER ST AUSTELL BREWERY LTD
Premises name and address:	THE RISING SUN PUB CHURCH ST PENSTORD BS39 4AQ
Application for a:	ALTERATION TO LICENSED AREA

Objector Details:

Objector's Name:	MRS LAURA BAXTER
Objector's Address:	THE FORMER ST THOMAS A BECKET CHURCH, CHURCH ST, PENSTORD, BS39 4AJ
Organisation name if applicable:	N/A

Objection Details:

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

- | | |
|----------------------------------|-------------------------------------|
| Prevention of crime and disorder | <input type="checkbox"/> |
| Prevention of public nuisance | <input checked="" type="checkbox"/> |
| Protection of children from harm | <input checked="" type="checkbox"/> |
| Public safety | <input type="checkbox"/> |

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

☐

We have experienced significant levels of noise from the current landlords of the pub ~~in~~ already in relation to the proposed activities. This has caused significant stress to my family. The nuisance has kept my children awake and can be heard at unacceptable levels everywhere. I am strongly against the proposed activities as I believe, based on past experience; that the associated noise will have a detrimental effect on my home life.

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

Bastie

Date

21/10/22

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



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

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

Name Laura Baxter

I will be attending the hearing ☒ I will not be attending the hearing ☐

I will be represented at the hearing by myself

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>
N/A	

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

Form to be returned to licensing@bathnes.gov.uk or:

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

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:	22/02320/LAPRE
Applicant's name:	PAUL BAXTER ^{st Austell} Brewery co. Ltd.
Premises name and address:	The Rising Sun Pub church Street Pensford. BS39 4AG
Application for a:	Alteration to licensed Area.

Objector Details:

Objector's Name:	PAUL BAXTER
Objector's Address:	The Church. Church st. Pensford. BS39 4AJ.
Organisation name if applicable:	N/A.

Objection Details:

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

- | | |
|----------------------------------|-------------------------------------|
| Prevention of crime and disorder | <input type="checkbox"/> |
| Prevention of public nuisance | <input checked="" type="checkbox"/> |
| Protection of children from harm | <input checked="" type="checkbox"/> |
| Public safety | <input type="checkbox"/> |

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

☐

The application to utilise the outdoor space in line with the Activities proposed will increase noise levels in the pub garden markedly.

Previous use of outdoor spaces in line with the activities proposed have caused a significant nuisance to neighbours and kept their children up long after bed time. People have even considered moving house to escape from the noise.

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

Paul Baseler

Date

21/10/22

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

[REDACTED]

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

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

Name PAUL BAXTER

I will be attending the hearing ☒ I will not be attending the hearing ☐

I will be represented at the hearing by myself.

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>
<u>N/A</u>	

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

Form to be returned to licensing@bathnes.gov.uk or:

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

**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:	22/02320/LAPRE
Applicant's name:	Rising Sun
Premises name and address:	Rising Sun Church St Pensford BS39 4AQ
Application for a:	Premises Licence

Objector Details:

Objector's Name:	Natasha Gudgeon
Objector's Address:	Sally Higgins Cottage Stanton Lane Pensford BS39 4AL
Organisation name if applicable:	

Objection Details:

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

- | | |
|----------------------------------|-------------------------------------|
| Prevention of crime and disorder | <input type="checkbox"/> |
| Prevention of public nuisance | <input checked="" type="checkbox"/> |
| Protection of children from harm | <input checked="" type="checkbox"/> |
| Public safety | <input type="checkbox"/> |

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.

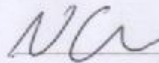
I/We have already made a written representation and have no further comments

☐

I am objecting to the application for a licence for the proposed activities at the Rising Sun. When these activities have taken place previously, I experienced high levels of noise until the early hours of the morning, which prevented me from sleeping. Others in the village have said that their children have been completely unable to sleep and that has impacted them the next day. Even in the daytime, with these activities, this high level of noise is intrusive and not compatible with a small village environment. It has a detrimental impact on everyday life in the village. This degree of public nuisance would not be accepted from an individual so I do not see why it is acceptable from this establishment.

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

23rd october 2022

Contact telephone number(s)
(This is essential as we may need to contact



Natasha Gudgeon

☒ I will not be attending the hearing ☐

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

unnecessary

licensing@bathnes.gov.uk or:

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

From: natasha gudgeon [REDACTED]
Sent: 25 October 2022 09:59
To: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Subject: Re: Rising Sun Pensford Ref - 22/02320/LAPRE

Dear Geoff

Thank you for your reply but it seems to me that you are determined to discredit my objections to this application for an outside bar, my objection refers to the activities proposed, the outside bar is the activities proposed. Please reinstate my objection or pass me onto your manager so I can speak with them. To be clear my objection is to the outside bar, my objection is to this specific application, I expect a prompt reply or I will take this further I do not appreciate my time being wasted and my concerns ignored.

Kind regards

Natasha

**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:	22/02320/LAPRE
Applicant's name:	St Austell Brewery Co Ltd
Premises name and address:	Rising Sun Church Street Pensford BS39 4AG
Application for a:	Variation of Premises Licence

Objector Details:

Objector's Name:	Nicola Garland
Objector's Address:	Robins Nest Culvery Lane Pensford BS39 4AG
Organisation name if applicable:	

Objection Details:

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

- | | |
|----------------------------------|-------------------------------------|
| Prevention of crime and disorder | <input type="checkbox"/> |
| Prevention of public nuisance | <input checked="" type="checkbox"/> |
| Protection of children from harm | <input checked="" type="checkbox"/> |
| Public safety | <input type="checkbox"/> |

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

☐

The applicant has already held the proposed activities in the garden without a license. These were extremely unpleasant for people in the surrounding village. On speaking to them to ask them to work with us to minimise the disruption, they became uncooperative and unpleasant and increased the volume of noise.

Public Nuisance:

Noise

The Rising Sun is at the bottom of the valley and the sounds from the garden echo around the hills of either side and are reflected by the viaduct.

The noise levels are so great when there are events in the garden that it becomes unpleasant to use our own garden. There is no possibility of finding a spot outside in our garden where we can enjoy ourselves undisturbed and the proposed activities increase the level of noise to one that is unbearable for us.

On lovely fine days, we are driven inside by the noise but even with the windows closed, it is extremely unpleasant and the noise keeps us awake at night. I resort to ear plugs which do not block it out sufficiently for me to fall asleep.

Wildlife.

I helped plant the trees to create millennium wood at the top of Culvery Lane. We have since seen deer, squirrels and numerous birds in the wood. Ponds have recently been dug on the opposite side of the river to create wetlands, to attract further birdlife. We have recently seen ibis, kites and buzzards in the surrounding trees and I am concerned about the detrimental impact that the proposed activities will have on the recent increase in wildlife.

Protection of children from harm

We have four grandchildren. We are very involved in their lives and frequently have them to stay. They love to camp with us in our garden if the weather is fine. Unfortunately, this is not possible when the proposed activities are underway. Again, even with the windows closed, the children are unable to sleep until the noise stops, making for tired unhappy children in the morning.

The prospect of this licence being approved is so detrimental to our wellbeing that we would seriously have to consider moving from the village and house in which we raised our children and have lived happily for the past nearly 26 years.

I will be represented at the hearing by _____

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

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

Form to be returned to licensing@bathnes.gov.uk or:

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

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

22.10.2022

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

[REDACTED]

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

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

Name Nicola Garland

I will be attending the hearing ☒ I will not be attending the hearing ☐

From: Nicola Garland [REDACTED]
Sent: 25 October 2022 18:21
To: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Subject: Re: application number 22/02320/LAPRE

Hi Geoff

The attached representation refers to the use of the external bar at the rear of the premises. Apologies if this was not clear in the original representation. Please therefore accept my representation as valid.

Kind regards
Nicola Garland

Get [Outlook for Android](#)

From: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Sent: Tuesday, 25 October 2022, 09:27
To: [REDACTED]
Subject: FW: application number 22/02320/LAPRE

Dear Nicola Garland.

Thank you for raising your concerns with us regarding the application to vary the premises licence for The Rising Sun Pensford.

Unfortunately we are unable to accept your representation as valid.

This application is to vary the current premises licence as follows:

To vary the layout and design of the premises in accordance with the submitted plan. The changes consists of permitting the use of an external bar at the rear of the premises. The internal licensable area of the premises is to remain unchanged from its current permission.

Conditions proposed below relate to the use of external area and bar only;

- **The external bar servery is to operate for the sale and supply of alcohol until 22:00h on any day.**
- **The external bar will be supervised at all times when in use.**
- **The external bar will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.**

All other hours, activities and conditions currently permitted by the premises are to remain unchanged by this application.

To be clear, the applicant does not propose to change any other details of the current premises licence.

Therefore in terms of this application to vary the premises licence any valid objections must specify why the addition of the bar in the rear garden would

specifically cause concern and address one of the four licencing objectives (see tick boxes on the attached representation form).

If you wish to make a valid representation that addresses the details of the variation as outlined above, please complete the attached Representation Form and return to: Licensing@BATHNES.GOV.UK

Regards,

Geoff Cannon
Public Protection Officer - Licensing
Public Protection and Health Improvement Service
Bath & North East Somerset Council

**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:	22/02320/LAPRE
Applicant's name:	St Austell Brewery Co Ltd
Premises name and address:	Rising Sun Church Street Pensford BS39 4AG
Application for a:	Variation of Premises Licence

Objector Details:

Objector's Name:	Richard Garland
Objector's Address:	Robins Nest Culvery Lane Pensford BS39 4AG
Organisation name if applicable:	

Objection Details:

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

- | | |
|----------------------------------|-------------------------------------|
| Prevention of crime and disorder | <input type="checkbox"/> |
| Prevention of public nuisance | <input checked="" type="checkbox"/> |
| Protection of children from harm | <input checked="" type="checkbox"/> |
| Public safety | <input type="checkbox"/> |

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 objecting to the proposed Activities for the following reasons:

The noise for surrounding dwellings will be increased impacting on what has for years been a quiet village loved by residents and visitors. We have lovely walks and a Millennium Forest as well as new wetlands being developed. The area is enjoyed by walkers and bird watchers. Since Covid many people have discovered the area and it is lovely to see families rambling along the walks. Bird wildlife has increased with Owls, Buzzards frequently seen and Ibis returning to the rivers. We have a retreat for people suffering PTSD very close to the proposed area.

The increase in noise will diminish the enjoyment of local families enjoying their gardens, which in these stressful times is a sanctuary and very often the only relief from mental anxiety.

I quote from the BMA below:

Unwanted sounds can have a range of mental health effects. The brain is always monitoring sounds for signs of danger, even during sleep. As a result, frequent or loud noise can trigger anxiety or stress.

We have young families; children will have disturbed sleep patterns which will impact negatively on their health and wellbeing. Below is a quote from the WHO and BMC:

Prolonged exposure to noise can lead to serious illnesses including cardiovascular diseases reduced cognitive performance in children

I believe that the proposed activities will affect the surrounding families in a detrimental way both physically and mentally and negatively impact the conservation area.

I will be represented at the hearing by _____

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

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

Form to be returned to licensing@bathnes.gov.uk or:

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

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

22.10.2022

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)

[REDACTED]

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

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

Name Richard Garland

I will be attending the hearing ☒ I will not be attending the hearing ☐

From: Richard Garland [REDACTED]
Sent: 25 October 2022 18:20
To: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Subject: Re: The Rising Sun. Application to vary the premises licence.

Good evening Geoff.

Many thanks for clearing up the issues today.

With regards to my representation my concern is solely in relation to the addition of an outside bar.

I
Kind regards
Richard Garland

On Tue, 25 Oct 2022, 09:18 Geoff Cannon, <Geoff_Cannon@bathnes.gov.uk> wrote:

Dear Richard Garland.

Thank you for raising your concerns with us regarding the application to vary the premises licence for The Rising Sun Pensford.

Unfortunately we are unable to accept your representation as valid.

This application is to vary the current premises licence as follows:

To vary the layout and design of the premises in accordance with the submitted plan. The changes consists of permitting the use of an external bar at the rear of the premises. The internal licensable area of the premises is to remain unchanged from its current permission.

Conditions proposed below relate to the use of external area and bar only;

- **The external bar servery is to operate for the sale and supply of alcohol until 22:00h on any day.**
- **The external bar will be supervised at all times when in use.**
- **The external bar will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.**

All other hours, activities and conditions currently permitted by the premises are to remain unchanged by this application.

To be clear, the applicant does not propose to change any other details of the current premises licence.

Therefore in terms of this application to vary the premises licence any valid objections must specify why the addition of the bar in the rear garden would cause concern and address one of the four licencing objectives (see tick boxes on the attached representation form).

If you wish to make a valid representation that addresses the details of the variation as outlined above, please complete the attached Representation Form and return to:

Licensing@BATHNES.GOV.UK

Regards,

Geoff Cannon

Public Protection Officer - Licensing

Public Protection and Health Improvement Service

Bath & North East Somerset Council

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:	22/02320/LAPRE
Applicant's name:	St Austell Brewery co Ltd. CUSAN WILLMOTT-LEWY
Premises name and address:	101 Church Cottage Church Street Pensford BS39 4AA
Application for a:	

Objector Details:

Objector's Name:	S WILLMOTT-LEWY
Objector's Address:	101 Church Cottage Church Street, Pensford. BS39 - 4AA
Organisation name if applicable:	

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

☐

^{activities}
The current proposal with the bar in the pub garden will affect my family visiting, my mental health, my grandchildren visiting due to increased noise levels from the garden. I would ^{like} to sit in my garden and not have to go out or be inside with all windows closed & TV turned up to escape.

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

S. P. Willmott - LHM

Date

21.10.22

Contact telephone number(s)

(This is essential as we may need to contact you at short notice)



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

I will be attending the hearing ☒ I will not be attending the hearing ☐

I will be calling the following witness(es):

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

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

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:	22/02320/LAPRE
Applicant's name:	St Austell's Brewery Co Ltd
Premises name and address:	Rising Sun Church Street Pensford Bristol BS39 4AQ
Application for a:	Variation of premises licence

Objector Details:

Objector's Name:	Layla Malt
Objector's Address:	Church Cottage Church Street Pensford Bristol BS39 4AJ
Organisation name if applicable:	

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 formally object to the variation in premises licence which relates to permitting the use of an external bar at the rear of the premises as I believe this will result in the continued antisocial behaviour, relevant under the public nuisance objection. I believe the change in license conditions will impact the surrounding residential community on the aforementioned grounds and formally object.

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

Layla Malt

Date

31/10/22

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



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

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

Name Layla Malt

I will be attending the hearing ☒ I will not be attending the hearing ☐

I will be represented at the hearing by _____

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

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

Form to be returned to licensing@bathnes.gov.uk or:

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

Important Information About Your Representation

Why do I need to fill in this form?

While we can accept any written representation, we ask that you complete this form in order to assist the Licensing Sub Committee at the hearing.

Representations made under the Licensing Act must be made public, and by signing this form you give permission for your details to be disclosed. That is why we ask you to complete this form even if you have already made a written representation.

What if I do not want my details to be disclosed?

Anonymous representations will not normally be accepted.

If you think there are exceptional circumstances that would justify you making an anonymous representation, such as the threat of intimidation or violence from the applicant, then please contact the Licensing Office on 01225 396719 to discuss the matter.

Alternatively, you can ask your Parish Council or local Residents' Association to make a representation instead. If you choose to do this, there is no need to complete this form; the Parish Council or Residents' Association will do it if they decide to make a representation.

What do I need to know when writing my representation?

The Licensing Act 2003 sets out four 'licensing objectives', which are listed on the front of this form. Your representation should state how you think the application will affect one or more of these licensing objectives.

What if I want to supply extra information in support of my representation?

You can include the information with your representation form. If you have already made a representation and now want to give us extra information in support of it, you need to send copies of it to the Licensing Office *and* the applicant. This should be done at least 5 working days before the hearing.

If you arrive at the hearing with extra information that has not been sent to the Licensing Office and the applicant, it will only be considered if the applicant and the Committee agree to it. We recommend that you bring at least 10 copies of the information with you to the hearing.

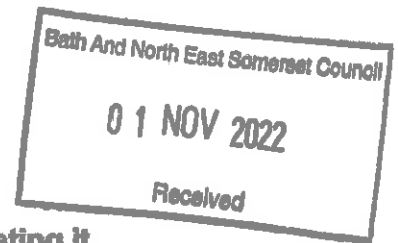
I want to make a representation about traffic/planning issues

Unfortunately, representations about traffic or parking can not be accepted. This is because the licence holder can not be held responsible for the use of the public highway outside of the premises.

The licensing regime is separate from other local government functions, including the planning department. If a Premises Licence is granted for a building, this will not exempt the licence holder from having to obtain the necessary planning permission. We are therefore unable to accept representations that simply refer to the need for planning permission.

**Bath & North East
Somerset Council**

**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:	22/02320/LA PRE
Applicant's name:	ST AUSTELL BREWERY
Premises name and address:	THE RISING SUN CHURCH STREET PENSFORD BS39 4AQ
Application for a:	EXTERNAL BAR

Objector Details:

Objector's Name:	John Crane
Objector's Address:	2 Old Church Cottages Church Street Pensford BS39 4AT
Organisation name if applicable:	

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

☐

- 1, Worried about Proposed activities
- 2, It would be a nuisance if I Couldn't get to Sleep an effect my work.
- 3, The Proposed activities Stops me inviting my niece an nephew over for the night.
- 4, at times I,of got to Shut the Windows or go out to escape. the noise. Gused by previous usage of the ~~door~~ out door bar.

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

23.10.2022

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

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

Name Yoon Chan
I will be attending the hearing ☒ I will not be attending the hearing ☐

I will be calling the following witness(es):

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

**Licensing Team
Public Protection Service
Lewis House
Manvers Street
Bath BA1 1JG**

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:	22/02320/LAPRE
Applicant's name:	St Austell Brewery Co Ltd
Premises name and address:	The Rising Sun Church Street, Pensford, BS39 4AQ
Application for a:	Variation of Premises Licence

Objector Details:

Objector's Name:	Chris Danson
Objector's Address:	Church Cottage Church Street Pensford BS39 4AJ
Organisation name if applicable:	

Objection Details:

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

- | | |
|----------------------------------|-------------------------------------|
| Prevention of crime and disorder | <input type="checkbox"/> |
| Prevention of public nuisance | <input checked="" type="checkbox"/> |
| Protection of children from harm | <input checked="" type="checkbox"/> |
| Public safety | <input type="checkbox"/> |

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 formally object to the variation in premises license which relates to permitting the use of an external bar at the rear of the premises as I believe it will continue to result in anti social behaviour, relevant under the public nuisance objection. I believe the proposed change of license conditions will impact the surrounding residential community on the aforementioned grounds and formally object.

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

Chris Danson

Date

03/11/2022

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



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

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

Name _____

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

I will be represented at the hearing by _____

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

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

Form to be returned to licensing@bathnes.gov.uk or:

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

Important Information About Your Representation

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What if I do not want my details to be disclosed?

Anonymous representations will not normally be accepted.

If you think there are exceptional circumstances that would justify you making an anonymous representation, such as the threat of intimidation or violence from the applicant, then please contact the Licensing Office on 01225 396719 to discuss the matter.

Alternatively, you can ask your Parish Council or local Residents' Association to make a representation instead. If you choose to do this, there is no need to complete this form; the Parish Council or Residents' Association will do it if they decide to make a representation.

What do I need to know when writing my representation?

The Licensing Act 2003 sets out four 'licensing objectives', which are listed on the front of this form. Your representation should state how you think the application will affect one or more of these licensing objectives.

What if I want to supply extra information in support of my representation?

You can include the information with your representation form. If you have already made a representation and now want to give us extra information in support of it, you need to send copies of it to the Licensing Office *and* the applicant. This should be done at least 5 working days before the hearing.

If you arrive at the hearing with extra information that has not been sent to the Licensing Office and the applicant, it will only be considered if the applicant and the Committee agree to it. We recommend that you bring at least 10 copies of the information with you to the hearing.

I want to make a representation about traffic/planning issues

Unfortunately, representations about traffic or parking can not be accepted. This is because the licence holder can not be held responsible for the use of the public highway outside of the premises.

The licensing regime is separate from other local government functions, including the planning department. If a Premises Licence is granted for a building, this will not exempt the licence holder from having to obtain the necessary planning permission. We are therefore unable to accept representations that simply refer to the need for planning permission.

Annex F

From: andrew Wride [REDACTED]
Sent: 24 October 2022 22:37
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: beer garden

Andy wride
mill corner flat
church st pensford
bs39 4aq

i am writing this email regarding the rising suns beer garden in pensford i live right next door to the pub i use it regularly as its my local pub i often sit in the garden on a summers evening and weekends on some weekends they may have a private party in the garden may be 10 or 11 times a year this has not been a issue to me. they do not play any music after 11pm. the out door bar has not been a source of noise or nuisance to me the outside bar shuts at 10.00pm allowing them a a licence for the outside bar will not have any impact on any crime in the village because they never leave anything of value in there. the outside bar has always had at least 1 member of staff in it when its open i hope you allow this application to go a head it would be a shame see the beer garden taken away after all these years it was voted the best beer garden in 2021 the outside bar does not effect me in anyway at all

many thanks

andrew wride

Annex F

From: andy littler [REDACTED]
Sent: 28 October 2022 16:21
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: Ref BS394AQ Rising Sun

I wish to comment on the license application for the Rising Sun, Pensford.

I am a villager who lives a short walk away from the Rising Sun. I am completely in favour of the application, as a regular visitor to both the pub and the garden. I have never been aware of any nuisance caused by patrons in the garden, nor of any noise nuisance. I am totally certain that this application will not impact me in any way, and that there would be no noise issues, particularly as the application stipulates a 10p.m. closure of the outdoor bar. There is no possibility that this application would be a cause of increased crime, and to suggest otherwise is disingenuous.

The licensing authority should bear in mind that all those who are objecting moved to their current homes knowing that the Rising Sun was there, so moved to what they consider a nuisance; it is not a new pub.

The Rising Sun is a popular local venue, and provides very welcome employment for a number of local people. Were they to lose the ability to operate in their garden there would be a significant and potentially catastrophic effect on their viability.

I strongly support the application.

Yours Sincerely

J.A.D.Littler
3, Hillside Villas,
Pensford Hill
Pensford
BS394AD.

Annex F

-----Original Message-----

From: les jenkins [REDACTED]
Sent: 26 October 2022 13:24
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: License application at the Rising Sun BS394AQ

I fully back the license application.

I live close by and use the pub regularly and have never had problems with following.

Noise has never been an issue and nor has increased crime .

Also there has been no negative affect from having the outside bar .

Kind regards

Mr Jenkins

153 High St Pensford

BS394HN

Annex F

From: Mark Baber [REDACTED]
Date: 24 October 2022 at 13:17:51 BST
To: licencing@bathnes.gov.uk
Subject: Rising Sun outdoor bar license

Dear Sir/Madam

I have lived in Pensford for 53 yrs of which 2 years I spent living in No1 church street directly opposite the pub, I had no problem at all with noise, you occasionally hear people enjoying themselves but not late at night, if you are someone who wants complete silence then don't buy a house next to a pub or an airport.

I frequently use the pub to see friends as the Rising Sun is the hub of our community.

The pub has no negative impact on the locals in the village and the outdoor license will also not contribute to any extra noise whatsoever, why do these odd few people move into the village and try and cause disruption to the majority.

The occasions I have attended an event in the garden the bar has always been attended by a member of staff, it's been managed well, all cleared up at the end of the event with all stock removed including any revenue taken.

Businesses like pubs are really having a hard time in the current climate, they need all the help they can get at the moment.

Please bear this in mind when making your decision, we have already lost a pub, 3 shops, a butchers shop, hairdressers shop, a police station and a petrol station.

We really don't want to lose the Rising Sun.

If I can be of any further help, please feel free to reply

Kind regards
Mark

Annex F

-----Original Message-----

From: Steve/Jenny [REDACTED]
Sent: 26 October 2022 20:31
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: BS39 4AQ Rising Sun

We live near the Rising Sun and wholeheartedly support the application to have the outside bar licensed.

We use the Rising Sun frequently for food and drink and have never experienced any undue noise or disturbance.

We have eaten and drunk in the outside bar and again there have been no issues with noise at any time especially later in the evening.

The bar is always attended and financial safety and propriety have been observed at all times.

To summarise. The Rising Sun and the outside bar area is at the heart of the community playing a vital role in its continuance and social impact.

This application has substantial merit and should be approved please.

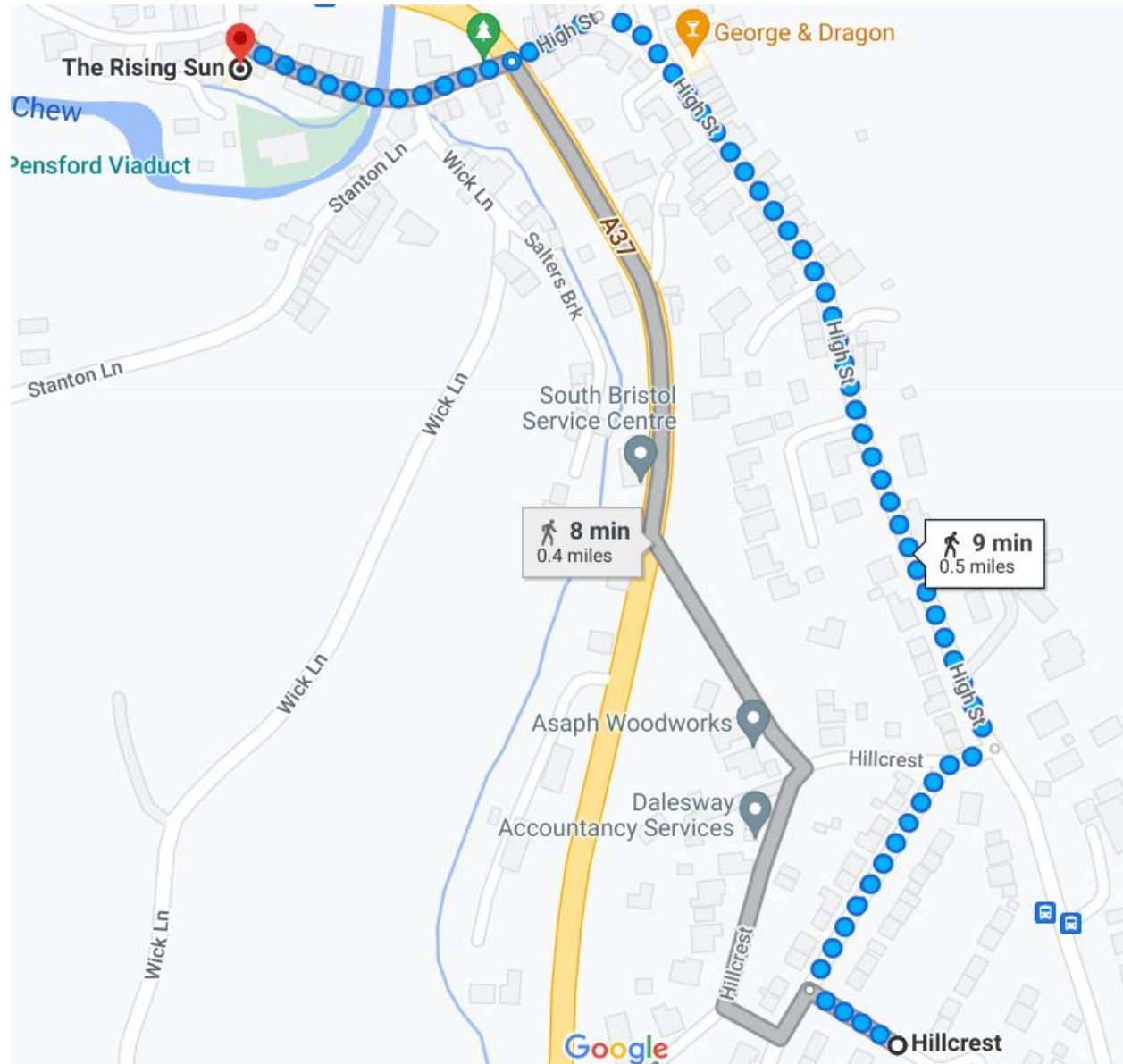
Steve and Jenny Barker
[REDACTED]

Sent from my iPad

Annex F

Too whoever this may concern,

My name is [Niamh Godfrey](#) and I have lived in Pensford for over 20 years. I currently live at the top of Hillcrest, which is about a 5 to 10 minute walk from the Rising Sun.



(Fig 1)

As you can see from Fig 1, This is the route that I take to get to and from the pub on every visit. I tend to avoid the main road as traffic can be busy. As you can see from Fig 1, I live relatively close to the pub. This is the pub that I always go to, so I consider it as my local.

I'm here today to write about my views on the outdoor application and how I think it's a brilliant idea to have an outdoor bar. As we are a small village, getting a business running can be

difficult, never mind the impact COVID has had on it. I truly believe that having an outdoor bar will bring more customers to the area.

Bringing other customers and travelers from outside of Pensford has allowed the village to flourish with new people and increase the economy in the village. The garden behind the pub that situated between the river and the viaduct has definitely helped this. As of the 1st September 2020 (fig 2) the Rising Sun won Best Beer Garden in the whole of the UK and this has allowed travelers to come running to the pub. As we can also see from another newspaper article (fig 3);

“The Rising Sun in Pensford is owned by St Austell Brewery and is well known for its idyllic setting, boasting a large, riverside garden, nestled at the foot of Pensford Viaduct by the River Chew.”

The garden and the contents (like the outdoor bar) has always been considered part of the pub. For this to suddenly change would not make any sense because the bar has never caused any issues in the past or present. Having an outdoor bar will allow the team to continue serving customers from inside or outside without overdoing themselves.

It is essential that we must remember that they are humans at the end of the day and if they can do anything different to make their jobs a little bit easier, then I do not see an issue in doing that. Why should they have to suffer with any mental health by trying to do triple the amount of work when it can simply be resolved by having an outdoor bar.

In the past, the Rising Sun has used the garden to host many events like the Duck Race for the Tennis Club and a Christmas Market for the village. Doing events like this have allowed people in the village to take part and to celebrate amongst themselves. These events have never caused any noise or crime in the area which proves that when they do have a big event on, they control the situation and make sure it does not affect the surrounding neighbors. With this in mind, I do not see the difference between an event for the whole community being any different to a bar being opened no later than 10pm when a small number of people will be using it.

As I have already previously stated, I have lived in this village for over 20 years and never in the past has the outdoor bar ever caused any issues. I can only repeat myself at this point by saying that there would be no negative impact on me or the village if the application was accepted and they had a license to open the outdoor bar.

With the Rising Sun being my local pub, I tend to pop in about 3 to 4 times a week. I especially went in more during the summer because it allowed me to sit outside and enjoy the sunshine while also using the outdoor bar. This has been a great help especially that I do tend to seize my back up and can be difficult getting from point A to point B. With the outdoor bar open, It's easier for me to maneuver about. I've also noticed that it's helped other customers to be able to get drinks in as they either have children with them or dogs, which during the busier periods can

be hard to go to the bar inside. Being able to use the outdoor bar is quicker for them while also not causing a nuisance inside the pub.

The bar is only really ever used during the summer or special occasions on the weekends. With the application meaning that the bar will close at 10pm, it allows customers to have their special event in the garden and also provide drinks without interfering with the locals inside and overloading the workload for the bartenders. At 10pm, you tend to find most parties die down by then and everyone goes home and the pub continues as normal. As the majority of people who live in Pensford tend to have a 9 to 5 job, Monday to Friday, the outdoor bar is not going to impact their lives in any way. As it is also the weekend, most people tend to stay up later than 10pm. The village is also situated right in the middle of the A37 which is a very busy road, which would cause more noise with lorries and traffic going through than an outside bar.

I also want to take this moment to speak about who is going against the application and that their reasoning is because the noise is keeping them and their children awake. As you may or may not know, the pub is located next to a church called St Thomas Beckett. St Thomas Beckett church is now privately owned, however the owners are still operating their bells. I came across an article that talks about Church bells (fig 4);

“Church bells can easily produce sounds with an intensity of up to 110 or 120dB. This is the equivalent of modern factory noise or an airplane. However, bells were not perceived at close distance. A church tower bell that is perceived on street level, produces an average intensity of only 70dB.”

I can confirm that I can hear the church bells from where I live. If people in the village are willing to listen to bells go off hourly, on the hour, throughout the night and not put in a complaint or application for it to be closed off. Then I believe that people in the village can deal with an outdoor bar until 10pm.

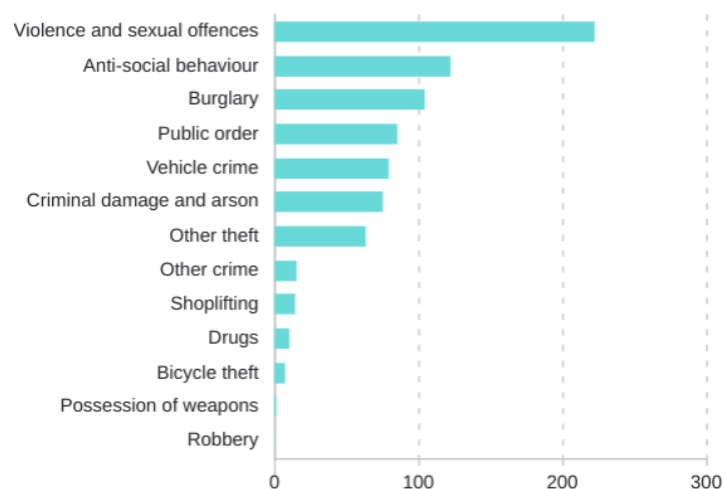
To further prove my point that the bar isn't going to cause that much noise is due to an article I found about Reverend David Parry about the church he lives in called St Mary's Church in Conwy (fig 5);

Rev Parry said: 'I think it's reasonable to ask them to be switched off at night.'
'If it was me in charge of the clock I would have switched the chimes off overnight, as they aren't necessary and do cause a disturbance to my family as we live very close by. I'm also concerned as Conwy relies so much on tourism that if tourists can't sleep at night, they will not come back to the town.'

If the people in Pensford can deal with living extremely close to a church and having the bells constantly chime every hour, and do not see an issue with this loud noise, then I do not see how an outdoor bar is going to make any difference. If anything, the person that is declining against the application should reconsider their thought process on why it should be declined.

Crime in the Pensford and Chew Valley area has significantly decreased since 2019. The following chart (fig 5) shows crime results from Avon and Somerset Constabulary from October 2019 up until August 2022.

Anti-social behaviour	123	15.2%
Burglary	105	13%
Criminal damage and arson	76	9.4%
Drugs	11	1.4%
Other theft	64	7.9%
Public order	86	10.6%
Shoplifting	15	1.9%
Vehicle crime	80	9.9%
Violence and sexual offences	223	27.5%
Other crime	16	2%
Bicycle theft	8	1%
Robbery	1	0.1%
Possession of weapons	2	0.2%



Over the last three years, there has been 1 report of robbery in Pensford or the surrounding areas. As the outdoor bar has been present in the garden throughout this period, there has been no reports or robbery due to staff staying inside the bar and all products and cash is moved inside the building when the bar is finished with. With a license being accepted for the outdoor bar, I can not see these results changing in any way. The bar is well observed by the team and customers at all times. If there was an attempted robbery or crime against the bar from now into the mere future, there is a chance it's done to sabotage the application.

If you need any further information or comments from me, please do not hesitate to contact me.

Kind regards

[Niamh Godfrey](#)

35 Hillcrest, Pensford
Bristol
BS39 4AT

Fig 1: Google (n/d) (Google maps directions from Hillcrest, Pensford to The Rising Sun, Pensford) maps.google.com

Fig 2: Murray, R. 2020. Pensford pub beer garden named best in Britain thanks to stunning views and idyllic setting. Bristol Post.
<https://www.bristolpost.co.uk/whats-on/food-drink/pub-beer-garden-pensford-named-4473687>

Fig 3: Jones, P. 2020. Beer garden at Rising Sun in Pensford, Somerset, named the best in Britain. Somerset County Gazette.
<https://www.somersetcountygazette.co.uk/news/18687104.beer-garden-rising-sun-pensford-somerset-named-best-britain/>

Fig 4: Morree, C. 2020. Bells, bells bells: a medieval soundmark?. Emsoundscape.
<https://emsoundscapes.co.uk/bells-bells-bells-a-medieval-soundmark/#:~:text=Church%20bells%20can%20easily%20produce,average%20intensity%20of%20only%2070dB.>

Fig 5: Mills, J. 2019. Vicar appeals to silence bells of his own church so he can sleep. Metro.
<https://metro.co.uk/2019/03/20/vicar-appeals-silence-bells-church-can-sleep-8954903/>

Annex F

From: Judith Sobey [REDACTED]
Sent: 31 October 2022 20:03
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: The Rising Sun, Pensford, BS39 4AW

Sirs

With reference to the application for the variation of an existing licence at the above and the objection, I would like to make the following comments.

1. I have lived in Hillcrest, Pensford for many years and have used both the Rising Sun and the George and Dragon during those years.

2. Over those years including recently the garden of the Sun has been an asset enjoyed by customers and locals for many different reasons, from charity functions to wedding receptions, funeral wakes and birthday parties, some with live music or discos, which is to be expected, but none of which to my knowledge have lasted into late at night.

3. I have never experienced any nuisance caused by the use of the garden or the little outside bar and cannot think that granting the application will have any noise or other nuisance effect on the neighbourhood.

4. I fail to understand how anyone could feel that an occasional use of a small, fully manned, outside bar, closing at 10pm, in the private grounds of a pub is likely to cause an increase in crime in the village.

In view of the above, I would submit that the objection be overruled and the application be granted.

Judith Sobey (Mrs) 31/10/2022

Annex F

From: helen daw [REDACTED]
Sent: 01 November 2022 13:24
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: The Rising Sun, Pensford, Garden Bar Licence

To whom it may concern

I am writing in relation to the query on The Rising Sun and their pub garden licence.

My partner and I live in the village of Pensford, just around the corner from The Rising Sun, on the High Street. We use the pub regularly for a mid-week drink, and occasionally a Friday after work. We also use it as a base for meeting friends and relatives who come to visit us from Bristol or further afield, and often tie it in with a country walk when we have visitors. It's a beautiful spot and for us, the heart of the community. It's one of the key reasons we moved to the village over lots of other places.

For us, one of the massive advantages of the pub is the outdoor garden and bar. It's so lovely in the Summer to be able to come down and have a drink by the water and sit under the viaduct. It's a real feature, and we love it. I therefore wholly support the application for the outdoor licence - it would be a huge loss to us, the community and the village as a whole as a tourist spot if the garden bar was no longer available.

I have no reservations on the use of the garden as a licenced pub garden with a bar. I have never heard any noise or disturbance from there, everything shuts down early and there is no social irresponsibility on the part of the pub - they follow the licence laws. There is also no concern around crime. The garden and pub are closed as they should be, and there is always someone at the bar outside when it has been open.

The pub, and its garden, is such a key part of the village. To lose any part of it would be a great shame and to not have a garden bar which is so beautiful and well looked after would, in my view, damage the sales of the pub and risk its closing, damage the attractiveness of the village to tourists (which would affect the sales in the shop and other pubs) and make it less desirable to those looking to live in the village (which would affect house prices).

Your sincerely.

Helen Daw and Mike West
143, High Street, Pensford

Annex F

From: Miss Matilda [REDACTED]
Sent: 03 November 2022 16:01
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: Ref: BS394AQ Rising Sun

1 Millstream Cottages
Stanton Lane
Pensford
BS39 4AL

To whom it may concern,

I would like to put forward several points in support of the Rising Sun pub in Pensford, and their license application for the continued use of the outdoor bar.

I should state first that I am currently employed by the pub. Before I was employed there, I was a customer for over a year. I also live across the small river from the pub garden, in fact mine would be the closest property to the garden itself, with the exception of St Thomas a Beckett church (the address of Mr Paul Baxter).

In addition, during my employ at the Rising Sun I have attended and worked most of the events during 2022, have been Floor Manager for the busiest weekend lunch and dinner services and have been present either at the pub or at my residence (which you can see is close by) for most of the events in 2021. I have lived in this village for close to three years, having relocated from Australia, and have got to know many residents personally.

I believe the above gives me a unique perspective and the ability to comment on several fronts.

The issues of the garden and the outdoor bar have been rife in the village in recent weeks, and from what I can gather, stem from a small handful of residents who all claim that they have had no former problem with the pub under previous ownership, but have now claimed that their lives are (and will be) severely and negatively impacted by the use of the outdoor bar, both in present and future – despite the fact that the outdoor bar has operated for some years.

As you can imagine in a small village setting such as this, there is a lot of verbal discussion. The main reasons for the objections as I understand them from speaking with several residents, are as follows:

- 1) The outdoor bar being operated will increase crime
- 2) The outdoor bar being operated disturbs resident's sleep into the early morning hours due to high levels of noise emitting from the pub and will present a noise hazard.
- 3) The outdoor bar being operated will pose harm to children

1) I'd first like to address the issue of crime increase. Keeping in mind that the license application is for the continued use of the existing outdoor bar, any suggestion of increased crime in a future tense must have already been demonstrated during its past use for it to be valid. As crime statistics are readily available and display an obvious decrease in crime overall in the area, there is no credibility to this claim at all. Furthermore, even if crime had increased over the last few years (for example, during the current ownership of the pub) it still does not suggest causation of crime by the pub. As the pub has operated for many years and the garden and outdoor bar has been long in use (under both this and previous ownership) by locals and visitors alike, it is absurd to suggest that serving alcohol outside rather than inside will somehow increase crime. In addition, no alcohol, cash or

valuables are left outside and the bar is always attended by at least one member of staff or management, and often more.

I would suggest therefore, that any suggestion of 'increasing crime' in relation to the outdoor bar be disregarded.

2) The next and most common reason for objection to the outdoor bar license I have heard (and often all in exactly the same wording) is from a small group of residents who claim to have been kept awake or experienced disturbed sleep "until the early morning hours" because of the outdoor bar, followed by the suggestion that the outdoor bar negatively impacts the community and residents with "deafeningly" loud music. In this context, the objection to the outdoor bar appears to be interchangeable with the objection to the music in general.

I can confirm that the outdoor bar is generally closed at a reasonable hour, and consistent with the music, but also that during private events held in the garden (whether the outdoor bar is operating or not), all music is turned down at 10.45 pm, and then completely off by 11pm – this is in fact, a condition of booking an outdoor event and something we make very clear to those attending. The occasions that the music has been on until this late in the past year can be counted on one hand. It is then that customers tend to filter into the pub building and either order their last drinks or organise their pick-up to return home. The latest I can recall this happening was a wedding we held last June, when several Uber's had been pre-booked for a midnight pick up in front of the pub building (everyone being indoors by then), and the pub closed the doors shortly after.

As the pub is not open until "the early hours of the morning" it is hardly logical that the pub could keep people awake at that time. In fact, the pub closes early enough for myself and other staff members often to close up and head to the nearby George and Dragon for a couple of hours on a Friday or Saturday night, which happens regularly. It hardly needs mentioning that when the pub is closed, guests do not remain either in the pub or the garden. The one exception to this was during the above wedding in 2022, when the DJ (who was also the groom) went back to the garden and packed up his sound equipment after his guests had left.

This above would indicate little more than a few inconveniences to residents who have chosen to live near to an established pub with a large garden, already well in operation when they moved here.

When I have pointed this out to certain residents, their response was that it was "the people walking home making a lot of noise" that has caused them this disturbance. I can also confirm that the vast majority of our events guests leave the pub in taxi's or Uber's, the few who walk home would do so immediately after we close. If it is a normal night where an event has not been held, we would have certainly closed the pub by 11.30 on a Saturday night for example (and very often earlier than that) and no one would have been in the garden for hours. If people are walking the streets of the village making such a noise that they wake resident adults and children during the "early hours of the morning" then I would respectfully suggest they can hardly have just come from the Rising Sun, given our closing hours.

I would also point out the glaringly obvious fact that people making noise outside of pub hours has nothing at all to do with which of our bars they have bought their drinks from.

I would therefore suggest that any claim relating to residents being kept awake "in the early hours of the morning" due to the outdoor bar, be disregarded.

I have had a few conversations where I have cited the above, and from there these tend to descend into "the time of day isn't the point, the music is too loud even through the day". While this contradicts the original claim of "early hours of the morning" it also suggests the pub plays

indecently loud music that prevents people going about their daily lives on a regular basis. When pressed for clarification, it has broken down to the occasions when we have used a DJ. I can confirm that during 2022 so far, we have engaged a DJ for events on a total of five occasions. I was present at most of these and can confirm that while the DJ was playing music, people were to be seen conversing normally in the pub garden. This would hardly indicate a level of music so inconsistent with village life that it manages to do everything from affect mental health to interrupting the daily going's on of residents – particularly through two-feet-thick walls of such buildings as the St Thomas a Beckett church.

Added to that, it appears to me from the terms used by said residents that their inability to cope with the music has had more to do with their personal taste than the volume or frequency of it.

I would also point out that while the church next to the pub is now privately owned, the tower clock is not. The bells on the tower chime on the hour, twenty four hours a day. Many residents (myself included, and at least three of the residents who I believe have presented “noise” objections) live in close proximity to these bells, which by all accounts are very loud. Another resident (with whom I’m sure you are familiar) lives right under the tower, and the bells presumably don’t keep his family awake at unseasonable hours, even though they chime hourly through the night. This is hardly consistent with the idea of families being terrorised by pub noise.

I would once again respectfully suggest that all claims of undue noise hazard emitting from the pub garden due to the outdoor bar, be disregarded.

3) It is clear that when objecting to this application, it has been decided that choosing the “preventing harm to children” option will apparently lend weight to an objection, even if the person objecting has no children to prevent harm to. While I can see that harm coming to children can certainly be a problem with alcohol consumption and pubs in general, I fail to see how a bar operating out of doors can contribute to those sorts of problems.

If the claim is that resident children are kept awake at unseasonable hours during the night due to sound emitting from the pub garden, then I would wonder firstly, why their parents chose for them to live adjacent to such an establishment. I would also point your attention to the paragraphs above regarding our closing time and music limitations, making this claim thin, at best.

Given that the vast majority of events in the garden happen over the weekend and in the summer, then day music should not present harm to children’s sleep and night music has a limited time frame, as is already established. What is more, The Rising Sun is a family friendly pub and any suggestion that the pub purely by operating is causing harm to local children is both offensive and misrepresentative. We regularly welcome families to the pub, and they enjoy use of both the building and the garden, and no more so than when they are attending an outdoor event, including such examples as the Annual Duck Race, the Christmas Market, and the Family Fun Day (at which funds were raised for the local Primary school).

Operating the outdoor bar also means that there is an added staff presence in the garden area, where families tend to gather in the Summer months. Without the outdoor bar being open, all staff would be indoors and well away from the garden. Parents are better placed to supervise their children, who often seek to paddle into the shallows of the river or run and play on the grass area. It means that drinks and snacks can be replenished easily without leaving children unattended, and any possible problems can be attended to quickly.

I would therefore suggest that any claim of the outdoor bar “harming children” to be completely disregarded.

In support of the pub and the outdoor bar:

I probably need hardly mention that the Rising Sun has been awarded Britain's Best Beer Garden (won in 2020, and has been recently nominated again in 2022) as it is a well known fact locally and establishes a long held use of the pub garden. The garden is a unique attraction to the pub and has allowed it to flourish under both previous and current ownership, especially as the Sun's reputation as an excellent food pub has grown, as enjoyment of meals can be further enhanced by being eaten outdoors in good weather.

During the busiest summer weekends the outdoor bar helps to stem the flow of customers to the main pub area during busy food services, taking the pressure off bar staff and the limited space for serving drinks. The bar itself does not increase footfall, rather it makes serving the already large number of visitors more efficient. It is also worth noting that the outdoor bar is not open daily, sometimes not even weekly, but only during the times when it can be used most efficiently.

Lastly, I would also like to refer to my opening paragraphs and mention my location in the village, as looking straight across the river from the pub garden, where I live with my husband, visiting adult children, resident dog and two skittish cats. Before working at the pub, I could often hear the music from outdoor events floating over to my garden (again, I am closer to the pub garden than any resident other than Paul Baxter) – it was not offensively loud, and with it could be heard the laughter and general noise of children, as well as hearty conversation and general merriment. In other words, sounds I would fully expect to hear when near a village pub during summer time in England.

It is my belief that vexatious objections to reasonable (and already established) business practices should not be allowed to prevail. It is a sad state of affairs when people come new to a village and almost from the beginning, seek to alter it to suit their own sensibilities, preferences or prejudices. By all accounts in the pub (including from the staff whose employ pre-dates the current ownership), there were more events with louder music and longer hours under the previous ownership (where staff can recall collecting glasses from garden tables at 3am) and yet the established claim appears to be that this small group "never had a problem with the previous owners". It would appear to me from the conversations I have had that a large amount of prejudice against the current management exists from a handful of people, and that this posse has sensed an opportunity to form these objections by speculating on what "could" happen in some imagined future – meanwhile the pub is simply seeking to operate as it has done for years.

The Rising Sun is a long established pub with an excellent reputation both locally and further afield. It is patronised by drinkers in this and neighbouring villages on a daily basis and large numbers of visitors from far and wide during food services. It is run by dedicated landladies, and manned by hard working and efficient staff who all strive to uphold the standards expected of it. It remains a village hub and a community resource, and is vital to the local economy. I would hazard a guess that the majority of the village and surrounding area support it's continued success, even if theirs are not the loudest voices.

This license application seeks to continue the pub running as it is now, with the inclusion of it's outdoor bar and should be supported and granted.

Should you require further clarification, please don't hesitate to contact me.

Kind regards,

Sonia Fluke

Annex F

From: Emma Pinkerton [REDACTED]
Sent: 03 November 2022 22:12
To: Geoff Cannon <Geoff_Cannon@BATHNES.GOV.UK>
Subject: Re: Application to vary the premises licence - The Rising Sun

Dear Geoff

Thank you for your email and for confirming the extent of the application. As I understand it there is already a music licence in place which allows live and recorded music to be played outside. If that is correct then my comments do indeed have no bearing.

I would however like it noted that I am overall supportive of the application to extend the outside bar within the time restrictions specified. Presumably the music will follow the event so if there is a limited opening of the bar outside the music will be likewise limited which will be a comfort to local residents.

Kind regards

Emma

Sent from my iPhone

On 3 Nov 2022, at 14:30, Geoff Cannon <Geoff_Cannon@bathnes.gov.uk> wrote:

Good afternoon Emma.

Thank you for your email regarding the application to vary the premises licence for The Rising Sun Pensford.

To clarify, the application is as follows:

To vary the layout and design of the premises in accordance with the submitted plan. The changes consists of permitting the use of an external bar at the rear of the premises. The internal licensable area of the premises is to remain unchanged from its current permission.

Conditions proposed below relate to the use of external area and bar only;

- **The external bar servery is to operate for the sale and supply of alcohol until 22:00h on any day.**
- **The external bar will be supervised at all times when in use.**
- **The external bar will be inaccessible to customers when not in use to ensure they do not have access to any alcohol.**

All other hours, activities and conditions currently permitted by the premises are to remain unchanged by this application.

As your comments do not relate specifically to the above, we are unable to accept your email as either a representation objecting to the application or in support of the application.

Details of the current licence can be found on our public register using the following link:

https://www.bathnes.gov.uk/webforms/licensing/details.html?refval=19%2F04266%2FLAPRE#documents_Section

Regards,

Geoff Cannon
Public Protection Officer - Licensing
Public Protection and Health Improvement Service
Bath & North East Somerset Council
Mob: 07977228120
Email: geoff_cannon@bathnes.gov.uk
www.bathnes.gov.uk
www.twitter.com/bathnes

Annex F

From: Donna Biggs [REDACTED]
Sent: 04 November 2022 10:26
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: Ref BS39 4AQ Rising Sun

To whom it may concern.

I am writing concerning the application with BANES for the licensing of the outside bar at the Rising Sun pub in Pensford.

We live on Pensford Hill, close to the pub and use it regularly.

We frequent the outside bar with our children, with friends and family and when walking our dog and see it as an essential part of the community. It is the centre of village life for many people locally. It also brings in people to the community helping to raise awareness of Somerset and its villages.

The pub and outside bar have never been a source of concern or noise, in fact quite the opposite. For local families being able to take their children to a safe outside area and still socialise is a lifeline.

The application will not negatively impact us or the community in a negative way. It will indeed continue to enhance the services that the pub provides for local people and those from further afield.

In terms of any noise concerns. The pub does not create any excessive noise that I have ever heard. We live in a village with churches that have bells that ring on an hourly basis and on a noisy main road with HGV's rumbling along it 24 hours which is much more noisy.

Whenever the outside bar is open, there is always bar staff working there and it is not left unmanned. I have seen staff removing stock and cash before securely locking it so I don't believe there is any cause for a crime concern.

As a local, I am highly supportive of this application and trust that you will take my views into consideration.

Yours faithfully

Donna Biggs

Annex F

From: Ben Johnson [REDACTED]
Sent: 03 November 2022 11:49
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: Rising Sun garden License

Hi There,

I wanted to get in contact regarding the recent license application for the outside bar in Pensford.

1. I live in Meadow Barn on standford lane which is about a 50-100 metres from the pub.
2. I welcome the application for an outdoor bar, the pub is the absolute hub of the village. It increases the local economy, and attracts tourism to the village. This increases local businesses such as Air B N Bs, local cafes, and other independent businesses which live off the trade which the pub helps bring. Without it some of my personal businesses would suffer as I rely on the tourism it helps to generate and see it as a ecosystem to the economics of the village.
It is also a social hub and helps increase mental health, again personally I have recently become single and don't have many friends in the village. The local pub and especially the garden, has helped with my social health and therefore overall mental health.
3. I live a stones throw from the pub and I never hear the noise from the garden. The outdoor bar has been open on numerus occasions and I/we have never been affected by it.
4. I cant see the application having any negative affect. I don't really understand why there cant be a outdoor bar in normal pub hours.
5. There is no noise issue from the pub I have never heard any music past 10pm and feel this is a time which is absolutely acceptable.
6. The outside bar cant lead to any crime, its only got one entrance into it, is always manned. Its always completely cleared down and night and I see no reason for crime becoming an issue. It never has been an issue and wont be in the future.

In summary, the Garden of the Rising Sun is iconic, it is the beating heart of the village, especially during the summer months. To not have the bar outside would be a huge shame to the village, local economy and social health.

Kind regards,

Ben Johnson

Annex F

From: Samuel Miller [REDACTED]
Sent: 03 November 2022 20:53
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: Rising Sun pub, Pensford

Good evening,

My name is Sam Miller, a local resident of Pensford and teacher in the village. I have been informed that there are some objections against the use of the pub's garden and I wanted to write this email to argue my case against these objections.

First of all, the pub uses their garden to host many fundraising events for the school. They create a family friendly environment suitable for families of all ages.

As a resident of Pensford for many years, 3 of which have been within eye sight of the pub, I can assure you that music is not played in the middle of the night. The latest I can recall them playing music was until 11pm.

It would be a real shame to the village of anything were to come of this.

Thank you for spending time into reading this

Sam

Annex F

-----Original Message-----

From: Katrina Roberts <[REDACTED]>
Sent: 04 November 2022 12:36
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: Ref BS39 4AD Rising Sun

> To whom it may concern.

>

> I am writing concerning the application with BANES for the licensing of the outside bar at the Rising Sun pub in Pensford.

>

> We live on Pensford Hill, close to the pub and use it regularly.

>

> We frequent the outside bar with our children, with friends and family and when walking our dog and see it as an essential part of the community. It is the centre of village life for many people locally. It also brings in people to the community helping to raise awareness of Somerset and its villages.

It is for intents and purposes the community hub for a large % of the village community.

>

> The pub and outside bar have never been a source of concern or noise, in fact quite the opposite. For local families being able to take their children to a safe outside area and still socialise is a lifeline.

>

> The application will not negatively impact us or the community in a negative way. It will indeed continue to enhance the services that the pub provides for local people and those from further afield.

In fact if the application is not granted this will massively impact us in a negative way and will be to the detriment of many family and friends who use the safe outside space as a social hub and meeting point.

>

> In terms of any noise concerns. The pub does not create any excessive noise that I have ever heard. We live in a village with churches that have bells that ring on an hourly basis and on a noisy main road with HGV's rumbling along it 24 hours which is much more noisy.

It could be described as a peaceful haven following the trip down the main road !!

> As a local, I am highly supportive of this application and trust that you will take my views into consideration.

>

> Yours faithfully

>

> Katrina Roberts

Annex F

From: Richard Wilson [REDACTED]
Sent: 04 November 2022 12:10
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: Reference BS39. 4AQ The Rising Sun

Dear Sir/Madam

I am writing in connection with the application for an outside bar licence for the Rising Sun pub in Pensford.

I live in Pensford, near the Rising Sun and I frequent it regularly with my friends and family, including our children. I regard the pub and its beautiful garden as an essential part of our small community. Not only does it bring local people together but it also brings many visitors from far and wide to walk and cycle in the local area. Never have I been aware of any element of noise nuisance or any other issues caused by the garden or the outside bar.

I am therefore fully supportive of this licence application. I do not believe it will negatively impact either me or the wider village in any way should it be granted. On the contrary, I believe there would be significant negative impact on the village should it not be granted.

Yours faithfully

Richard Wilson

Annex F

From: Kyle Daniels [REDACTED]
Sent: 04 November 2022 15:53
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject:

I would like to submit written support for the application for outdoor license for the Rising Sun in Pensford.

I live close and work in the premises nextdoor to and regularly use the premises. It had never caused a noise issue and is a popular and important premises in Pensford.

The neighbouring businesses have seen an uptick in custom when the pub is busy.
I havent ever suffered any negative mental health or effects from the pub and only positive effects.

We do not fear for any theft or behaviour issues because the outdoor bar is always manned so well and everyone is always looked after.

Annex F

From: Paul Hunt [REDACTED]
Sent: 04 November 2022 15:50
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: The Rising Sun Pensford

I would like to submit written support for the application for the outdoor bar license for The Rising Sun Pensford.

My house is just opposite the back door of the pub and I am here pretty much every day and night. I have been in my house and in my garden while the pub have been using the outdoor bar and hosting events. This has never caused any issues for me. I've never been kept awake by any music. The pub is mostly closed by 11pm on the weekend.

The garden and outdoor bar are very popular with locals, walkers, cyclists, bird watchers, photographers and other social groups.

People often approach my garden thinking it's the beer garden and I happily point them in the right direction, which I have no issue with.

There is nothing me and my wife enjoy more than seeing our village thriving, especially when the pub garden is full in the summer. It is always full with families eating and playing and big groups enjoying the lovely views and local walks.

In the bigger parties in the summer cause no noise issues at all for us. There are always members of staff looking after the outdoor bar and everyone is always looked after.

We have never had any issues with the increased amount of people around our house and property. If the pub operating the outdoor bar caused any noise hazard or behaviour problems, I would be the first one to see it.

I hope this letter is a big help for The Rising Sun because I believe this is the best the pub has been run for a long time.

Many thanks,
Paul Hunt

Annex F

From: Beth Richardson [REDACTED]
Sent: 04 November 2022 16:57
To: Licensing <Licensing@BATHNES.GOV.UK>
Subject: The Rising Sun, Pensford

To whom ever it may concern,

I am writing to you regarding the license of the outside bar at The Rising Sun in Pensford.

As members of the community, myself and my family have used the pub and it's beautiful garden for many years. We have never found noise to cause any sort of issue from the pub or garden and therefore strongly support this application.

We have hosted birthday parties and attended many outdoor events in the garden. The landladies and staff are always conscious about the noise levels and always making sure that any music is off by sensible times so that neighbours are not disturbed. Staff are always present to police this. I have also been told by staff that after a certain time at night, all customers need to leave the garden and go into the pub so that neighbours aren't disturbed and to give them chance to empty the bar of stock and money before the pub closes for the night.

I cannot see why for any reason that this application should be rejected. It's safe and not disruptive to the community.

Kind Regards,
Beth Richardson