

Bath & North East Somerset Council

MEETING	Licensing Sub Committee	
MEETING DATE	Thursday 18 April 2024	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Application for a Variation of a Premises Licence for: Electric Bear Brewing Company Ltd Unit 12 The Maltings Brassmill Lane Newbridge Bath BA1 3JL	
WARD:	Newbridge	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Annex A Application for a Variation of the Premises Licence. Annex B Current Premises Licence. Annex C Plan of existing Licensable activities area. Annex D Representations of objection to the application		

1 THE ISSUE

- 1.1 An application to vary the Premises Licence for Electric Bear Brewing Company Ltd. Unit 12 The Maltings, Brassmill Lane, Newbridge, Bath BA1 3JL has been made under s.34 of the Licensing Act 2003. The premises is not located within the B&NES Cumulative Impact Area and the Cumulative Impact Policy is not relevant to this application.
- 1.2 Relevant representations have been received from two residents living near to the premises.

2 RECOMMENDATION

- 2.1 The Committee is asked to determine the application.

3 THE REPORT

3.1 An application has been received from Electric Bear Brewing Company Ltd. to vary the Premises licence for Electric Bear Brewing Company Ltd. Unit 12 The Maltings, Brassmill Lane, Newbridge, Bath BA1 3JL (**Annex A**).

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

To extend the sale of alcohol hours (for consumption on and off the premises) on Wednesdays to match the hours on the current Premises Licence hours for Thursdays i.e., 11:00 to 22:00

To vary the opening hours as above.

3.3 No additional measures have been offered by the applicant to promote the licensing objectives in addition to existing conditions attached to the operating schedule.

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

3.5 The floor plan(s) showing the extent of the current licensable activities areas is attached (**Annex C**).

3.6 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.

3.7 Each objective is of equal importance and 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.

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

3.9 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 December 2023;
- c) Sections 4, 9, 10, 11, 12, 13, 16, 17, 18, 23, 182, and 183 of the Act.

3.10 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.

- 3.11 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.
- 3.12 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.
- 3.13 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 deemed valid, and to place an advert in a local newspaper within 10 working days of submitting a valid application to the licensing authority.
- 3.14 Representations of objection have been received within the statutory period from two residents who live near to the premises and who express concerns that the applicant's proposals are likely to undermine the Prevention of Public Nuisance Licensing Objective (**Annex D**).
- 3.15 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 £315.

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 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	Geoff Cannon Public Protection Officer (Licensing) 01225 396719
Background papers	Licensing Act 2003 Guidance issued under s.182 of the Licensing Act 2003 Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2005 B&NES Statement of Licensing Policy
Please contact the report author if you need to access this report in an alternative format	

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 Electric Bear Brewing 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	23 / 00835 / LAPRE
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Unit 12, The Maltings Industrial Estate Brassmill Lane Newbridge Bath			
Post town	BATH	Postcode	BA1 3JL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Electric Bear Brewing Company Ltd 11 Laura Place Battwick Bath		
Post town	Bath	Postcode	BA2 4BL

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

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)

We would like to extend the hours we are able to sell alcohol on a Wednesday to match the hours we currently have on a Thursday. In association with this, we would also like to extend the opening hours of the premises on a Wednesday to match the opening hours we currently have on a Thursday.

The variation does not mean we would always be open during these hours on a Wednesday.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

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

B

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

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance 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					
			<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					

I

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"/>
Day	Start	Finish	Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)	
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)	
Wed			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)	
Thur				
Fri				
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"/>	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 6)			
Tue						
Wed	11:00	22:00				
Thur				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri						
Sat						
Sun						

K

<p>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).</p>
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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			<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)
Tue			
Wed	11:00	22:00	
Thur			
Fri			
Sat			
Sun			

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)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

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


Signature	<i>Clive Milner</i>
Date	<i>16th February 2024</i>
Capacity	<i>Operations Director, Electric Bear Brewing Co.</i>

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

*CLIVE MILNER
ELECTRIC BEAR BREWING CO LTD
UNIT 12 THE MALTINGS IND EST
BRASSMILL LANE*

Post town	<i>BATH</i>	Post code	<i>BA1 3JL</i>
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.

12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Licensing Act 2003
Premises Licence

Premises Licence Number

23/00835/LAPRE

Premises Details

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

Electric Bear Brewing Company Ltd
Unit 12
The Maltings
Brassmill Lane
Newbridge
Bath
BA1 3JL

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 Wednesday	11:00 - 19:00
Thursday	11:00 - 22:00
Friday	11:00 - 23:00
Saturday	10:00 - 23:00
Sunday	12:00 - 19:00

The opening hours of the premises

Monday to Wednesday	11:00 - 19:00
Thursday	11:00 - 22:00
Friday	11:00 - 23:00
Saturday	10:00 - 23:00
Sunday	12:00 - 19:00

The times listed cover all anticipated opening times. From Monday to Wednesday typically the premises will be open on a more restricted timescale than that listed.

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

Electric Bear Brewing Company Ltd

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

Registered Business Number - 08845807

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 12 May 2023

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 Act 1995 (c. 4), section 7 of and paragraph 2(a) of Schedule 2 to the Finance Act 1991(c. 31), section 3 of the Finance Act 1993 (c. 34), section 227 of and paragraph 51 of Schedule 39 to the Finance Act 2012 (c. 14), section 1 of the Finance Act 1995, section 1 of and Part 2 of Schedule 1 to the Finance Act 1988 (c. 39), section 5 of the Finance Act 1997 (c. 16) and Article 2 of the Alcoholic Liquor Duties (Definition of Cider) Order 2010 (S.I. 2010/1914). Section 2 was amended by article 6 of the Alcoholic Liquors (Amendment of Enactments Relating to Strength and to Units of Measurement) Order 1979 (S.I. 1979/241), regulation 2 of S.I. 1992/3158, section 11 of and Part 2 of Schedule 8 to the Finance Act 1981 (c. 35), section 7 of and paragraph 3 of Schedule 2 to the Finance Act 1991 and section 5 of the Finance Act 1997. Section 3 was amended by article 7 of S.I. 1979/241. Section 4 was amended by article 8 of S.I. 1979/241, section 15 of and paragraphs 2 and 3 of Schedule 1 to the Finance Act 2011 (c. 11) and section 227 of and paragraphs 51 of Schedule 39 to the Finance Act 2012 (c. 14). Section 5 was amended by section 1 of the Finance Act 1982 (c. 39) and section 180 of the Finance Act 2013. Section 36 was amended by section 7 of the Finance Act 1991, section 4 of and paragraph 1 of Schedule 1 to the Finance Act 2002 (c. 23), sections 14 and 15 of paragraphs 2 and 4 of Schedule 1 to the Finance Act 2011, section 180 of the Finance Act 2013 and section 1 of and paragraph 9 of Schedule 1 to the Finance Act (No. 2) Act 1992 (c. 48). Section 37 was amended by section 15 of and paragraph 1 of Schedule 1 to the Finance Act 2011 and section 180 of the Finance Act 2013. Section 54 was amended by section 1 of and paragraph 12 of Schedule 1 to the Finance (No. 2) Act 1992 and section 5 of the Finance Act 1985 (c. 54). Section 55 was amended by section 1 of the Finance Act 1984 (c. 43) and section 1 of and paragraph 13 of Schedule 1 to the Finance (No. 2) Act 1992. Section 62 was amended by section 3 of the Finance Act 1996 (c. 8), section 10 of the Finance (No.2) Act

1997 (c. 58), section 180 of the Finance Act 2013, section 4 of the Finance Act 1998 (c. 36) and section 3 of the Finance Act 1997. There are other amendments which are not relevant to this Order.

(b)* 1994 c. 23. Section 2 was amended by section 3 of the Finance (No.2) Act 2010 (c.31). Section 7 was amended by section 76 of and Part 1 of Schedule 36 to the Finance Act 2009 (c. 10) and section 203 of and paragraphs 2 and 3 of Schedule 28 to the Finance Act 2012 (c. 14). Section 24 was amended by section 19 of and paragraph 1 of Schedule 8 to the Finance (No.3) Act 2010 (c.33). There are other amendments which are not relevant to this Order.

From 1 October 2014:

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

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

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

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

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

PUBLIC REGISTER COPY

Annex 2 – Conditions consistent with the Operating Schedule

A CCTV system will be installed at the premises in consultation with the police. The system will be maintained in working order. The images will be of evidential standard and recordings will be kept for 31 days and made available to the police on reasonable request. There will be signs indicating that CCTV is in operation.

All staff will be trained in the sale of alcohol and records kept at the premises of such training, and made available to the police and licensing authority for inspection.

Any event at the premises will be restricted to 200 persons.

A refusal of sales register will be maintained and kept at the premises and made available to the police and licensing authority for inspection.

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

A 'Challenge 25' policy will operate at the premises

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

PUBLIC REGISTER COPY



Annex 4 – Plans

As submitted with application.

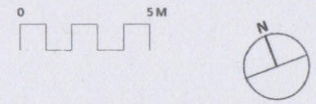
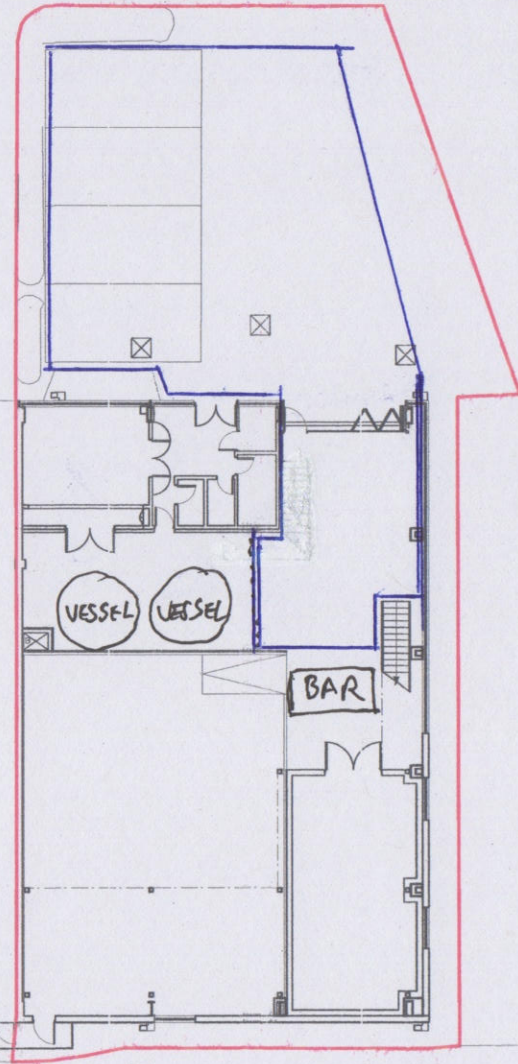
PUBLIC REGISTER COPY

Annex C

Notes:

 = Extent of licensed premises
 = Area to be used for consumption of alcohol

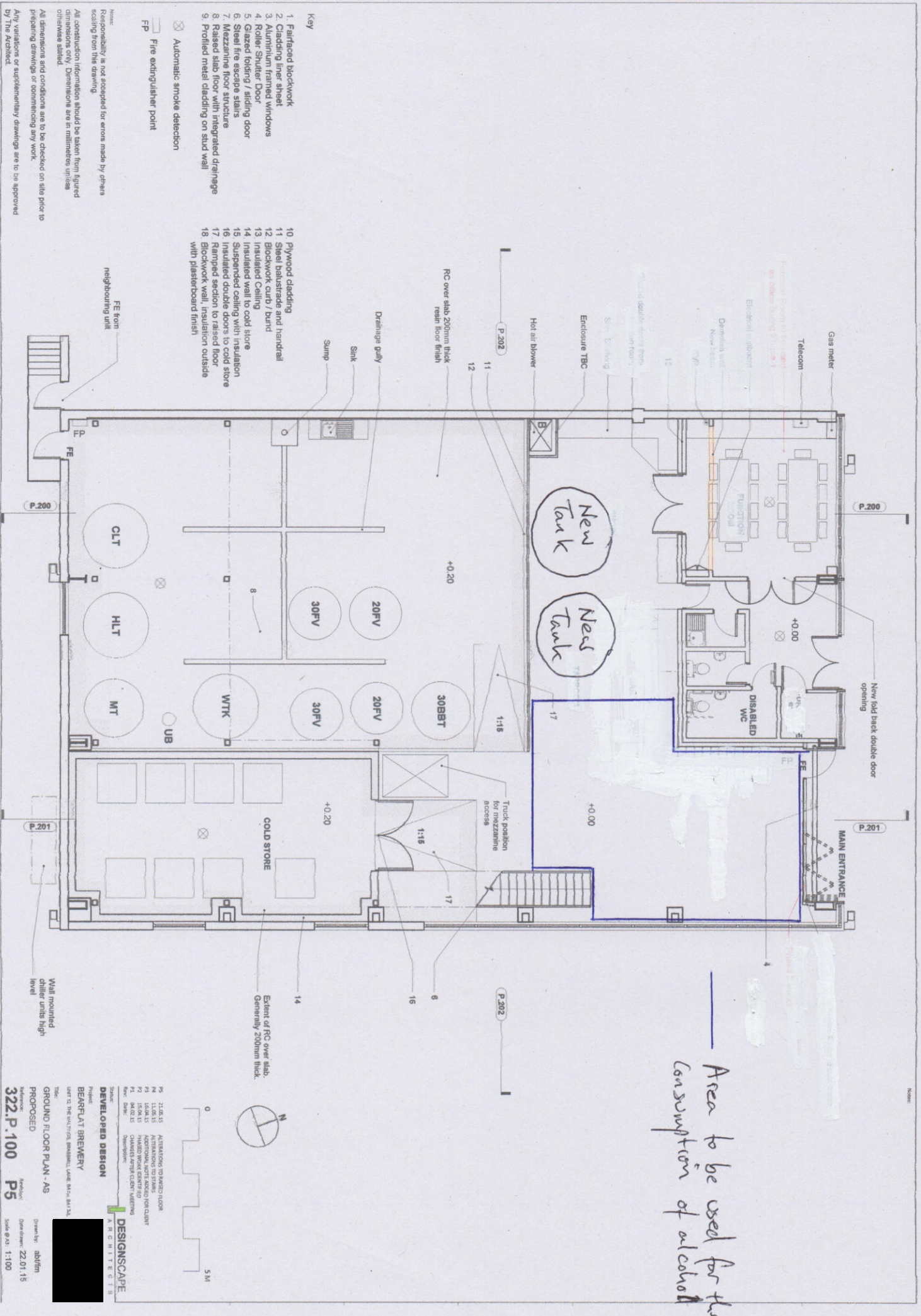
13



Notes:
 Responsibility is not accepted for errors made by others scaling from this drawing.
 All construction information should be taken from figured dimensions only. Dimensions are in millimetres unless otherwise stated.
 All dimensions and conditions are to be checked on site prior to preparing drawings or commencing any work.
 Any variations or supplementary drawings are to be approved by The Architect.

PA	11.05.15	ALTERATIONS TO STAIRS
P3	16.04.15	ADD ONAL NOTE ADDED FOR CLIENT
P2	15.04.15	PHASED WORK IDENTIFIED
P1	04.02.15	CHANGES AFTER CLIENT MEETING
Rev:	Date:	Description:

DESIGNSCAPE ARCHITECTS
 Bath Brewery
 Project: BEARFLAT BREWERY
 UNIT 12, THE MALTING, BRIDGEMILL LANE, BATH, BA1 3JA
 Title: **SITE PLAN**
 - AS PROPOSED
 Reference: **322.P.010 P4**
 Drawn by: abt/fm
 Date drawn: 22.01.15
 Scale @ A3: 1:200



- Key**
1. Fairfaced blockwork
 2. Cladding liner sheet
 3. Aluminium framed windows
 4. Roller Shutter Door
 5. Glazed folding / sliding door
 6. Steel fire escape stairs
 7. Mezzanine floor structure
 8. Raised slab floor with integrated drainages
 9. Profiled metal cladding on stud wall

10. Plywood cladding
11. Steel balustrade and handrail
12. Blockwork curb / bund
13. Insulated Ceiling
14. Insulated wall to cold store
15. Suspended ceiling with insulation
16. Insulated double doors to cold store
17. Ramped section to raised floor
18. Blockwork wall, insulation outside with plasterboard finish

Automatic smoke detection
 Fire extinguisher point

Note:
 Responsibility is not accepted for errors made by others
 scaling from this drawing
 All conditions, information should be taken from figured
 dimensions only. Dimensions are in millimetres unless
 otherwise stated.
 All dimensions and conditions are to be checked on site prior to
 preparing drawings or commencing any work.
 Any variations or supplementary drawings are to be approved
 by The Architect

Area to be used for the consumption of alcohol

Project:
BEARFLAT BREWERY
 DEVELOPED DESIGN
 Architect:
DESIGNSCAPE ARCHITECTS
 22.01.15
 322.P.100 P5
 Date drawn: 22.01.15
 Scale: 1:100



Area to be used for consumption of alcohol

- Emergency Light Directional
- Emergency Lighting Point
- Normal Lighting Point
- Smoke Detector
- Heat Detector
- Water Extinguisher (9L capacity unless otherwise stated)
- Foam Extinguisher (9L capacity unless otherwise stated)
- Illuminated Exit Sign (75mm lettering unless otherwise stated)
- Fire Alarm Sounder
- Fire Alarm Sounder Beacon
- Fire Alarm Auditing Point
- Fire Exit do not obstruct (50mm lettering unless otherwise stated)
- General Fire Notice
- Fire Alarm / Zone Indicator Panel
- Roller Shutter Door

- AREA TO BE USED FOR THE CONSUMPTION OF ALCOHOL
- STAFF ONLY
- BREW HOUSE AREA, GUIDED TOURS ONLY, GENERALLY STAFF ONLY.
- EXTENT OF LICENCED PREMISES
- ALCOHOL STORAGE
- TOILET AREAS

- 1. Faciaed blockwork
- 2. Cladding liner sheet
- 3. Aluminium framed windows
- 4. Roller Shutter Door
- 5. Gazed roofer / sliding door
- 6. Steel fire escape stairs
- 7. Mezzanine floor structure
- 8. Raised slab floor with integrated drainage
- 9. Profiled metal cladding on stud wall
- 10. Plywood cladding
- 11. Steel balustrade and handrail
- 12. Blockwork curb / bund
- 13. Insulated Ceiling
- 14. Insulated wall to cold store
- 15. Suspended ceiling with insulation
- 16. Insulated double doors to cold store
- 17. Ramped section to raised floor
- 18. Blockwork wall, insulation outside with plasterboard finish

Notes:

Responsibility is not accepted for errors made by others scaling from this drawing.

All construction information should be taken from figured dimensions only. Dimensions are in millimetres unless otherwise stated.

All dimensions and conditions are to be checked on site prior to preparing drawings or commencing any work.

Any variations or supplementary drawings are to be approved by The Architect.

0 5M

Project: BEARFLAT BREWERY
 License: BEARFLAT BREWERY
 License: THE NATIONAL BREWERY, LAKE MARY, SA1 5L

322.P.111 P1

AS PROPOSED

12.08.15

1:100

Annex D

Objection - Nigel Gardner

From: [REDACTED]

Sent: Saturday, February 24, 2024 1:20 PM

To: Licensing <licensing@bathnes.gov.uk>

Subject: Electric Bear Brewing Co Ltd

CAUTION: This email originated from outside of the organisation. Do not follow guidance, click links, or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam

I wish to object to the application which has been made by the Electric Bear Brewing Company to extend their opening hours from 11am to 10pm on Wednesdays. This is on the grounds of intrusive noise, a significant change of use of the premises to an entertainment venue as well as pressure on car parking in the area; in particular Osborne Road.

Unit 12 of The Maltings Industrial Estate is directly adjacent to Osborne Road which is a residential street. Prior to the opening of the Electric Bear their was very little noise or nuisance. When we took up residence ten years ago I understood that the industrial estate did not operate at night and there was never any noise from there in the evenings. Like many residents we find the noise generated by the Electric Bear is an increasing source of nuisance and disturbs those who need to get to sleep before 10pm. This is particularly evident in the summer when music is often very loud and there are large gatherings outside in the carpark. The buildings act as an echo chamber and the noise can be particularly intrusive and aggravating. Customers and staff leaving the venue can also be inconsiderate and loud. In addition customers seem to park in neighbouring streets rather than on the industrial estate. There is an increasing pressure on parking in Osborne road and residents often find they are unable to park.

As a resident I feel it is perfectly acceptable to use the unit as a brewery, however by degrees it is being transformed into a public house and party venue. It gives the impression of seeking to establish itself as a go-to place seeking to draw in large numbers of customers and parties of visitors. This is inappropriate for the location and means we increasingly find ourselves living next to an entertainment venue rather than a light industrial estate.

This constitutes a major change of use from an industrial unit to an entertainment venue and I therefore lodge an objection.

Nigel Gardner
9 Osborne Road
Bath
BA1 3JR

**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:	24/00310/LAPRE
Applicant's name:	Electric Bear Brewing Company Ltd
Premises name and address:	Electric Bear Brewing Company Ltd Unit 12, The Maltings, Brassmill Lane , Newbridge, Bath, BA1 3JL
Application for a:	Variation of Premises Licence

Objector Details:

Objector's Name:	Mr N J Gardner
Objector's Address:	9 Osborne Road Bath BA1 3JR
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 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

Nigel Gardner

Date

28/02/2024

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.

Objection - Simon Thomas

From: Simon Thomas [REDACTED]
Sent: Sunday, February 25, 2024 6:48 PM
To: Licensing <licensing@bathnes.gov.uk>
Subject: 24/00310/LAPRE application for refusal

Dear Lauren

I am writing as a local resident to express my concern over the extension of the license for the Electric BEAR Brewing LTD.24/00310/LAPRE

I live opposite the site and at the moment can just about tolerate the extra noise from the brewery as it is! The issue is not just the actual hours but the noise levels from the premises, it does of course obey the hours for last orders but there is still a lot of noise after closure, the sounds of staff clearing up and the sound of large bear kegs moving around is disturbing.

I just don't think its an appropriate location for a Brewery apart from a few times a week, ie at weekend as it stands now, a lot of drinkers drive to this venue, park on our street and pick the cars up the following day which does cause issues for us residents who have problems parking.

They also take delivery of products really early in the morning which can be disturbing and so of course there would be more deliveries....

There is a lot of extra noise which does carry onto our street from the actual venue but also a lot of footfall and noise during and after the events, it can be overbearing sometimes, I don't think the owners are even aware of the high noise levels from their music sometimes, they seem to think they are in a quite industrial estate, which is true but there are plenty of nearby houses too! I think they have outgrown the location and as a presence not appropriate for the location anymore.

The music and noise levels these days are just too loud and overbearing.

I worry that should this application go through then they will apply for more days licensing and before we know it they are open everyday! Whilst we all want to enjoy ourselves, I have in the past drunk at their premises a lot, but I think everything should be in balance.

This application is concerning as it tips the balance for me in the wrong direction, whilst it works as a tap room open on some days of the week now, almost making it into a pub is definitely not the right move!

I look forward to hearing from you on this matter, I hope I have made contact with the right person but if not please advise me, I hope I have made my case heard but should this application succeed then do let me know of what further steps I can make to prevent this happening?

Many Thanks

Simon

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:	24/00310/LARE
Applicant's name:	Electric Bear Brewing Company
Premises name and address:	Unit 12 The Maltings Brassmill Lane Newbridge Bath
Application for a:	

Objector Details:

Objector's Name:	Simon Thomas
Objector's Address:	7 Osborne Road Bath BA1 3JR
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
YES

Protection of children from harm

Public safety

Making Bath & North East Somerset an
even better place to live, work and visit

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 feel there is enough noise and disturbance from the Electric bear as it is, The noise does carry onto our houses and with Music does mean we can't have our windows open in the summer without it being a nuisance.

The venue is open Thursday nights through to Sunday and can get noisy with the customers being quite noisy especially when leaving the premises which is open well after last orders, Its annoying on a Thursday night when you have to go to work on Friday after a disturbed night!

The Electric bear want to open on Wednesday nights too and I feel this is too much for us neighbours, another disturbed night with loud noise would impact too much on us, It would become a pub and not a Tap room anymore!

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

Simon Thomas

Date

05 03 24

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.

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Name Simon Thomas

I will be attending the hearing YES 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/

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Manvers Street
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