

# Bath & North East Somerset Council

MEETING	Licensing Sub Committee	
MEETING DATE	Thursday 18 April	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Application for a Variation of a Premises Licence for: Bargain Booze 18 High Street Keynsham Bristol BS31 1DQ	
WARD:	Keynsham North	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>  <b>Annex A</b> Application for a Variation of the Premises Licence.  <b>Annex B</b> Current Premises Licence.  <b>Annex C</b> Plan of existing Licensable activities area.  <b>Annex D</b> Representation of objection to the application		

## 1 THE ISSUE

- 1.1 An application to vary the Premises Licence for Bargain Booze 18 High Street Keynsham BS31 1DQ 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 A relevant representation has been received from Avon and Somerset Police.

## 2 RECOMMENDATION

- 2.1 The Committee is asked to determine the application.

## 3 THE REPORT

- 3.1 An application has been received from Mr. Jairaj Dukhi and Mrs. Manprit Dukhi to vary the Premises licence for Bargain Booze 18 High Street Keynsham BS31 1DQ (**Annex A**).

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

- To extend the sale of alcohol (for consumption on and off the premises) and the opening hours from 09:00 - 23:00 every day to 24 hours every day.
- To include Late Night Refreshment (outdoors) 23:00 – 0500 every day. (Note: The application form states 'indoors' but confirmation has been received from the applicant that Late Night Refreshment will be provided for consumption off the premises i.e., 'outdoors').

### 3.3 Measures offered by the applicant to promote the Licensing Objectives are:

#### Existing Conditions:

- A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 28 days. The data will be made available to the Police and other Responsible Authorities upon reasonable request.
- The consumption of alcohol shall be permitted on the premises only on occasions where a customer wishes to taste an alcohol product with a view to a purchase. The alcohol will be offered only as a 25ml sample and the 'Challenge 25' and all other appropriate checks will be employed with any tasting of an alcoholic product.
- The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25 they will be asked for proof of their age, to prove that they are 18 years or older.
- Posters will be on display advising customers of the 'Challenge 25' policy.
- The only forms of identification that will be accepted at the premises are a passport, photo-card driving licences and cards bearing the PASS hologram.
- Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Training will be documented and made available to the Police and authorised officers of the council upon reasonable request.
- A register of refusals of alcohol will be maintained at the premises either electronic or written. The register will be made available for inspection by the Police and other authorised officers of the Council upon reasonable request.

#### Proposed additional measures:

- A member of staff technically able to operate the system shall be available during all licensable hours and shall comply with any reasonable request of an authorised officer of the Council or police to view any data that has been recorded. The premises licence holder shall ensure that a member of staff shall be able to reproduce data that has been recorded. The premises licence holder shall ensure that a member of staff shall be able to reproduce data on a removable format within twenty-four hours following any request from an authorised officer of the Council or police. The requirements of this

condition are subject to the legal requirement of the Data Protection Act.

- CCTV will be installed to cover outside the main entrance to the premises and will cover the night pay window.
- Between the hours of 23:00 and 06:00 the store will be closed to customers and all sales of alcohol will be made via a night pay window.
- Alcohol shall not be sold in an open container.
- There will be no deliveries of alcohol to the premises between the hours of 21:00 and 07:00.

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 A representation of objection has been received within the statutory period from Avon and Somerset Police who express concerns that the applicant's proposals are likely to undermine the Prevention of Public Nuisance, Prevention of Crime and Disorder and Public Safety objectives (**Annex D**).
- 3.15 As a relevant representation has been received, the Licensing Sub Committee must determine the application in accordance with the Licensing Act 2003.

#### **4 STATUTORY CONSIDERATIONS**

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

#### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The costs of processing licences are covered by the fees charged. The fee for this application is £190.

#### **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.

<b>Contact person</b>	Geoff Cannon Public Protection Officer (Licensing) 01225 396719
<b>Background papers</b>	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
<b>Please contact the report author if you need to access this report in an alternative format</b>	

# 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 **Jairaj Dukhi and Manprit Dukhi**

*(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**

<b>Premises licence number</b> 15/01290/LAPRE
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### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Bargain Booze 18 High Street Keynsham			
Post town	Bristol	Postcode	BS31 1DQ

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			
Post town		Postcode	

### 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
2	0	0324

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**

This variation is to extend the sale of alcohol and opening hours of the premises to 24 hours.

Late night refreshment is also being added to the licence.

I have pre-consulted with Ben Allen and we have agreed stringent conditions to uphold the licensing objectives. These conditions can be found in section M.

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

#### Part 4 Operating Schedule

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

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

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

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

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



A

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

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon	.....	.....	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue	.....	.....	
Wed	.....	.....	
Thur	.....	.....	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri	.....	.....	
Sat	.....	.....	
Sun	.....	.....	
	.....	.....	

D

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

F

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

G

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

# H

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



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23:00	05:00	<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue	23:00	05:00			
Wed	23:00	05:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
Thur	23:00	05:00			
Fri	23:00	05:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6)  <b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Mon	00:00	24:00			
Tue	00:00	24:00			
Wed	00:00	24:00			
Thur	00:00	24:00			
Fri	00:00	24:00			
Sat	00:00	24:00			
Sun	00:00	24:00			

K

<p><b>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</b> (please read guidance note 10).</p> <p>NONE</p>
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L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b><u>State any seasonal variations</u></b> (please read guidance note 6)          <b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 7)
Day	Start	Finish	
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

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 existing

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

*A member of staff technically able to operate the system shall be available during all licensable hours and shall comply with any reasonable request of an authorised officer of the Council or police to view any data that has been recorded. The premises license holder shall ensure that a member of staff shall be able to reproduce data on a removable format as specified in the OR within twenty-four hours following any request from an authorised officer of the Council or police.*

*CCTV to be installed to cover outside the main entrance to the premises.*

*Between the hours of 23:00 and 06:00 the store will be closed to customers and all sales of alcohol will be made via a night pay window*

*Intoxicating Liquor shall not be sold in an open container.*

*There will be no deliveries of goods to the premises between the hours of 21:00 and 07:00.*

**c) Public safety**

As existing

**d) The prevention of public nuisance**

. As existing

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

As existing

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	S.Sherratt
Date	20/02/24
Capacity	Authorised Agent

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 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)

Licensing Matters Ltd  
54 Fairfield Drive

<b>Post town</b>	Clitheroe	<b>Post code</b>	BB7 2PE
<b>Telephone number (if any)</b>	[REDACTED]		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			
[REDACTED]			

## Annex B

### Part B

#### Premises Licence Summary

**Premises Licence Number**

15/01290/LAPRE

#### Premises Details

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

Bargain Booze  
18 High Street  
Keynsham  
Bristol  
BS31 1DQ

**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**

Every Day 09:00 - 23:00

**The opening hours of the premises**

Every Day 09:00 - 23:00

**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Alcohol is supplied for consumption both on and off the premises

**Name, (registered) address of holder of premises licence**

Mr Jairaj Dukhi  
Mrs Manprit Dukhi

15/01290/LAPRE



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

Registered Business Number - Not applicable

**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 17 December 2018

PUBLIC REGISTER COPY

## 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.

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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.

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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.

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

A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 28 days. The data will be made available to the Police and other Responsible Authorities upon reasonable request.

The consumption of alcohol shall be permitted on the premises only on occasions where a customer wishes to taste an alcohol product with a view to a purchase. The alcohol will be offered only as a 25ml sample and the 'Challenge 25' and all other appropriate checks will be employed with any tasting of an alcoholic product.

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25 they will be asked for proof of their age, to prove that they are 18 years or older.

Posters will be on display advising customers of the 'Challenge 25' policy.

The only forms of identification that will be accepted at the premises are a passport, photo-card driving licences and cards bearing the PASS hologram.

Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Training will be documented and made available to the Police and authorised officers of the council upon reasonable request.

A register of refusals of alcohol will be maintained at the premises either electronic or written. The register will be made available for inspection by the Police and other authorised officers of the Council upon reasonable request.

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

PUBLIC REGISTER COPY

**Annex 4 – Plans**

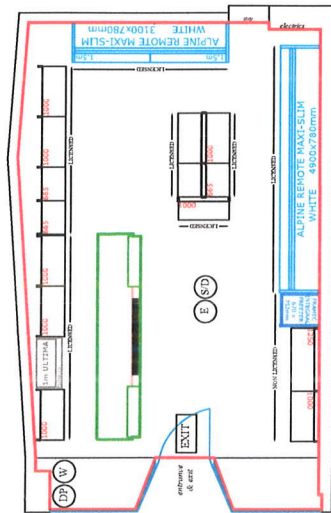
As submitted with application.

PUBLIC REGISTER COPY



Note: Any items shown on the plan that are not subject to the requirements under the regulations to the Licensing Act 2003 are subject to change at any time.

# Annex C



**LEGEND**

- (E) EMERGENCY LIGHTING POINT
- (DP) FIRE EXTINGUISHER (DRY POWDER)
- (W) FIRE EXTINGUISHER (WATER)
- (SD) SMOKE DETECTOR
- (EXIT) ILLUMINATED EXIT SIGN

**KEY:**

- LICENSABLE ACTIVITY (OFF SALES OF ALCOHOL)
- STORAGE AREA
- POINT OF SALE (ALCOHOL)

CLIENT: ROCKY SEHMBI 18 HIGH STREET KEYNESHAM BRISTOL BS31 1DQ	REVISIONS:	DATE:
	A:	
	B:	
	C:	
	D:	
	E:	
DRAWN BY: DAVE NEEDHAM	BRANCH NO: TBC	
SCALE: 1:100		
DATE: 02.05.2015		
		SQ FT: DAVE NEEDHAM

IT IS THE RETAILERS RESPONSIBILITY TO ENSURE THAT THE SITE COMPLIES WITH THE DISABILITY DISCRIMINATION ACT 1995 PART 111 AND THAT ALL RELEVANT FIRE SAFETY EQUIPMENT, EMERGENCY LIGHTS AND SMOKE DETECTORS WHERE APPLICABLE ARE INSTALLED PRIOR TO OPENING.



## Annex D

### Representation Form

**Responsible Authority** : Please delete as appropriate  
POLICE

Your Name	Ben Allen	
Job Title	Licensing officer	
Postal and email address	Avon and somerset Police, Lewis House, Manvers Street, Bath, BA1 1JG.	
Contact telephone number	101	
Name of the premises you are making a representation about.	Bargain Booze	
Address of the premises you are making a representation about.	18, High Street, Keynsham, BS31 1DQ.	
Which of the four licensing Objectives does your representation relate to? Please state yes or no.	Yes Or No	Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary
General – all four licensing objectives.		<p>An application has been received by Jairaj Dukhi and Manprit Dukhi for a variation to extend the sale of alcohol and opening hours of the premises to 24 hours and for the provision of late-night refreshment to be added to the licence.</p> <p>On behalf of the Chief Officer of Police we submit our formal representation in respect of this application.</p> <p>Having considered the application and the details provided by the applicant the Police are not satisfied that the issuing of the notice in its current format will promote the licensing objectives. Avon and Somerset Constabulary do not consider that the</p>
To prevent Public Nuisance	YES	
To prevent crime and disorder	YES	
Public Safety	YES	

The protection of children from harm.

applicant has provided sufficient detail within their application for the police to consider whether the four licensing objectives will be promoted.

Keynsham is a popular town located between Bristol and Bath and has a population of 19,602 in 2021. The town centre has various shops, supermarkets and licensed premises, some of which operate within the nighttime economy. The premises is located at number 18, BS31 1DQ, within the main high street of Keynsham. The premises has now applied for a 24-hour licence to permit the sale of alcohol and late-night refreshment.

Prior to the submission of the licence application pre-consultation emails were exchanged between the police licensing officer Ben Allen and the applicant's agent Sam Sherratt from Licensing Matters. During the pre-consultation dialogue, the following was discussed.

- CCTV coverage of the premises
- Customer access restriction between 23:00 – 06:00
- Installation of a night pay window
- Having an ABV restriction in place
- Having a trained CCTV operator on site during all licensable hours.

Provisional advice was provided with regards to police conditions. Following the pre-consultation meeting a licence application has now been received with the addition of late-night refreshment.

On the 26<sup>th</sup> of February, we visited the premises and spoke with the DPS Mrs Manprit Dukhi. The following questions were asked:

1. Who are their target customers during the hours requested for the variation? We were informed that they are wishing to provide additional alcohol for those persons leaving the pub directly located next door. Furthermore, they informed us that they were hoping to increase their sales by offering 'top ups' and selling people extra alcohol to take home. These sales were to be provided via a service hatch.
2. Clarification was sought over the location of the proposed night hatch. We were informed that the whole front of the shop is going to be redesigned to incorporate the hatch, the DPS was unsure precisely where the hatch would go, it was either going to go parallel with the till point or be incorporated into the front door.
3. Location of any nearby residents living around the premises? The DPS informed us that someone lives upstairs but they are aware of the application. The DPS stated that there are no other businesses operating with a 24-hour 7-day alcohol license within the vicinity.

The extra time frame that will allow people to purchase and consume more alcohol in an area with already high levels of ASB would undermine the provision of prevention of crime and disorder and may promote other businesses to try and follow suit. (Please see appendix A and B)

The licensing officer has not been made aware by the DPS of any arrangements that will be made to ensure already intoxicated people are dealt with safely. The premises is situated next to a main road, intoxicated people consuming more alcohol could wander into the road and are at risk of injury undermining the provision of public safety.

We asked the DPS if they were planning to have a home delivery service during the hours requested in the variation. We were told the company have a franchise website where people can order alcohol online and it is delivered by Deliveroo or uber eats. None of the alcohol would be delivered by their own couriers.

The provision of public nuisance could be undermined by a home delivery service operating late at night and into the early hours with external couriers coming to pick up home deliveries. There have been no measures or conditions proposed to limit noise and ensure these 3<sup>rd</sup> party couriers would be conducting age verification checks at the point of delivery.

During a phone call Ben had with the licensing agent, Ben was informed from the DPS that their plans for the late-night refreshment were to just to serve coffee. If this variation is allowed to go through, the premises in the future could start to serve hot food to drunk customers from the pub next door (The Old Bank) who could gather outside in large numbers queuing for food. Potentially causing issues relating to public nuisance like litter and noise pollution. There have been no arrangements or conditions proposed to ensure people can dispose of glass bottles and litter. This could also link to people buying more alcohol from the shop when purchasing their food which could link to more crime and disorder and public safety concerns. (Please see appendix C and D)

If late night refreshment is granted, it may not only permit the provision of coffee but also would permit ancillaries, including up to full meals. At present allowing 24-hour alcohol sales would change the profile of the whole area by attracting those who have already consumed alcohol in the locality to drink well into the small hours and possibly longer, potentially adding more incidents the police must respond to (Please see appendix E)

With the scope to be able to provide hot food to patrons leaving a nearby licensed premises this could potentially cause public nuisance issues and encourage people to stay and gather in large groups rather than to dissipate away thus leaving the area in a relatively orderly manner.

It is frustrating that there was no mention of the licensable activity late night refreshment during the pre-consultation process and the police are unsure why.

	<p>In summary, the sale of alcohol throughout the evening and early hours proposed by this application would undermine the provision of crime and disorder, public safety and public nuisance by allowing already drunk people to carry on drinking, as stated by the applicant during the visit to the premises, they intend to 'top up' and extra alcohol to take home.</p> <p>This will no doubt fuel anti-social behaviour. This could lead to more crime and assaults with these containers being used as weapons.</p> <p>Together not mentioning the provision of late-night refreshment during pre-consultation and not proposing any conditions suggests the premises at a later date will ramp up home deliveries in the early hours, provide hot food to members of the public leaving the pub and passing by, thus causing large groups to form, adding to the already high levels of ASB and crime in the area.</p> <p>The police object to this application for the reasons outlined above.</p>
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<p>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</p>	

N.B If you, as the Responsible Authority, make a representation, a member from your Authority will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

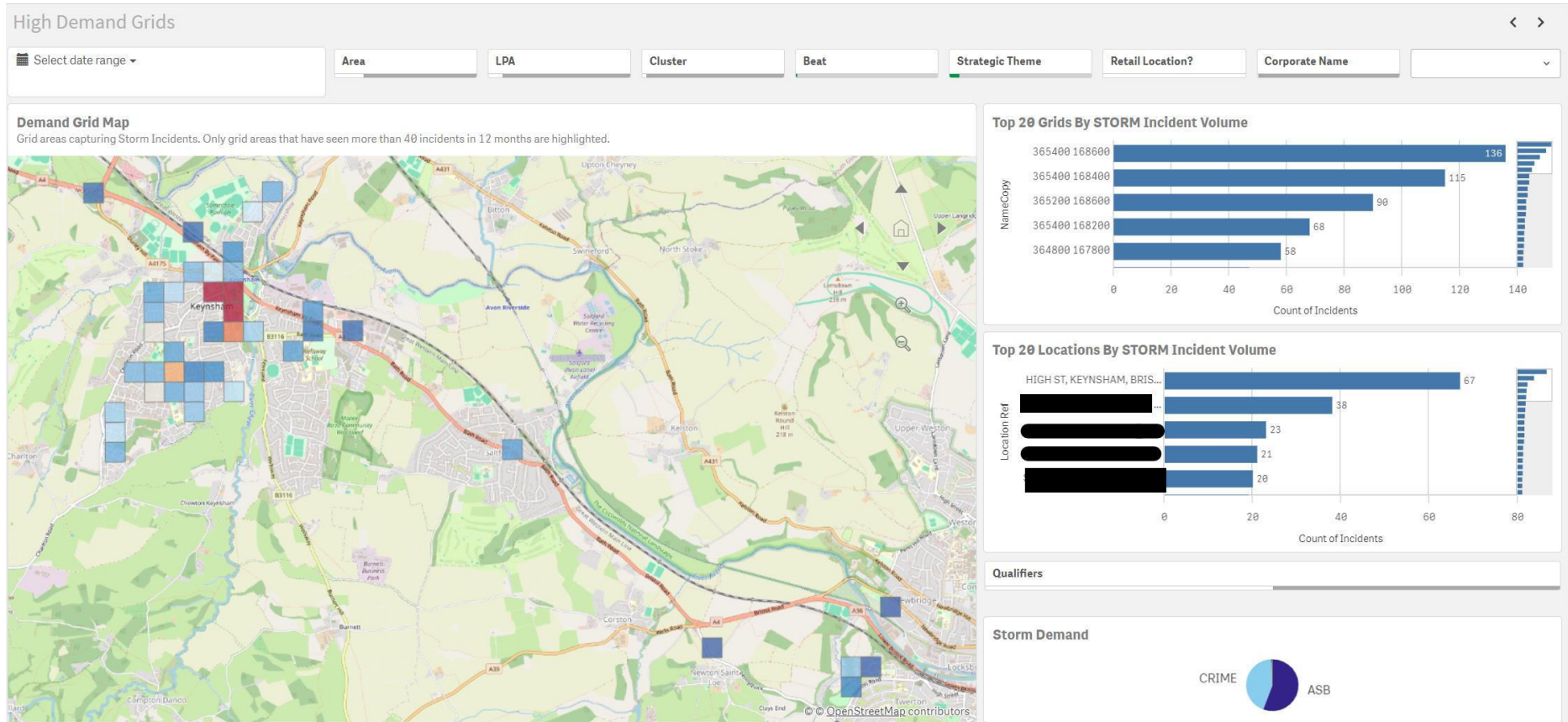
Signed: Ben Allen

Date 07/03/2024

This form must be returned within the Statutory Period.

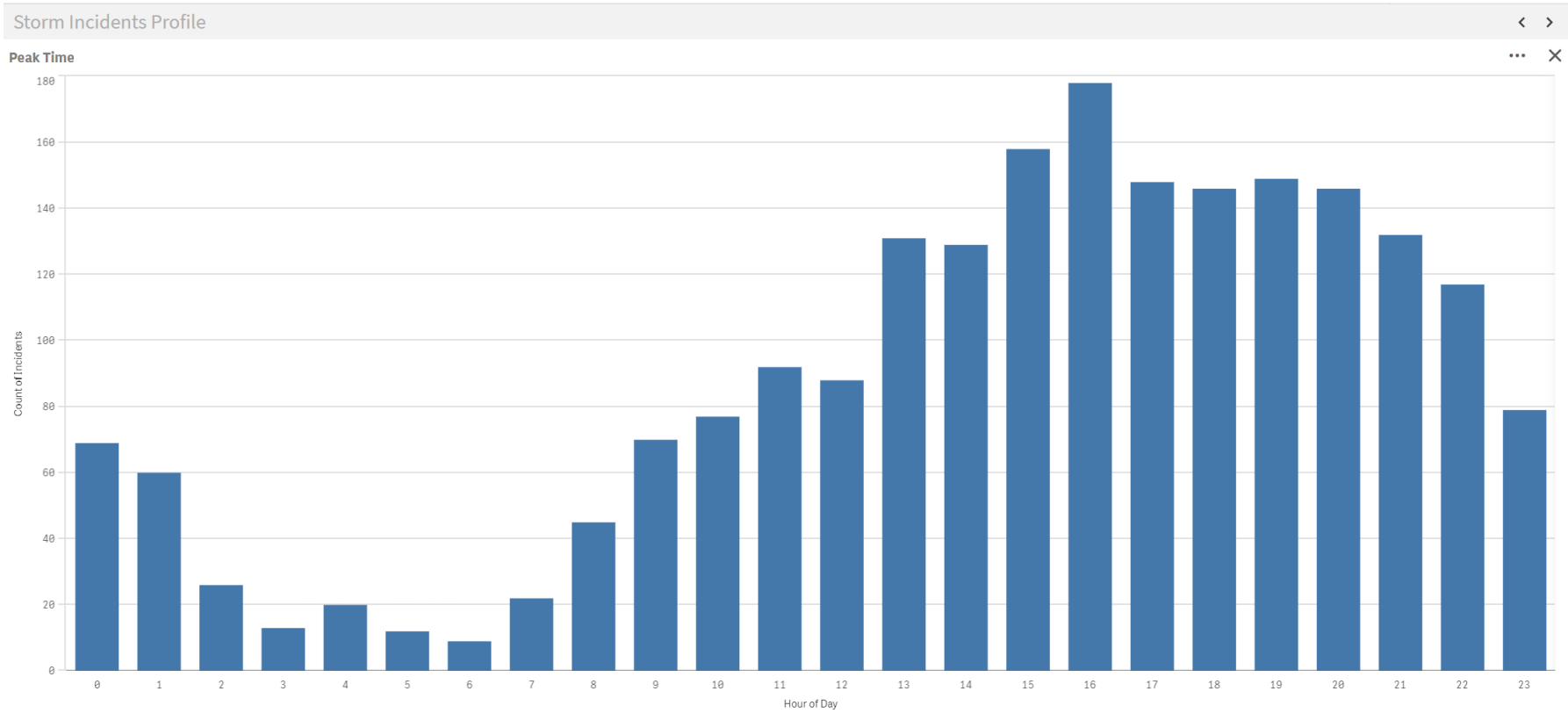
APPENDIX A

ANTI SOCIAL BEHAVIOUR IS HIGHEST AROUND HIGH STREET KEYNSHAM OVER LAST 3 YEARS AND 2 OTHER LICENSED PREMISES ARE IN TOP 5.



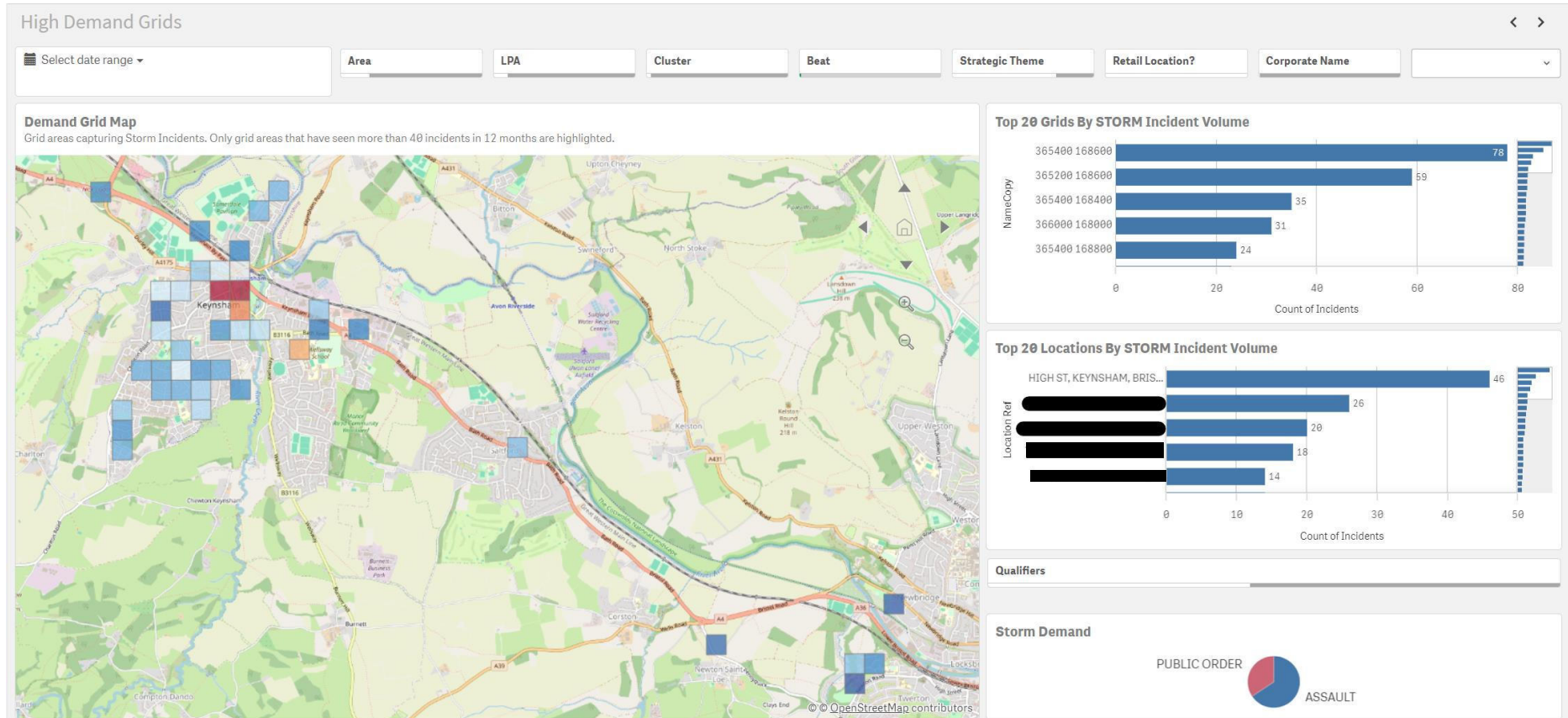
## APPENDIX B

IF I MERGE THESE STATS OF ASB/ASSAULT/PUBLIC ORDER AND LOOK AT DISTRIBUTION THROUGHOUT THE DAY THEY PEAK TOWARDS THE EVENING TIME AND CONCERN WOULD BE A 24 HOUR ALCOHOL OUTLET WOULD ADD TO THE AMOUNT OF CRIME AND DISORDER AND ASB



# APPENDIX C

ASSAULTS AND PUBLIC ORDER ARE ALSO HIGHEST AROUND HIGH STREET, KEYNSHAM OVER LAST 3 YEARS AGAIN 2 LICENSED PREMISES IN TOP 5



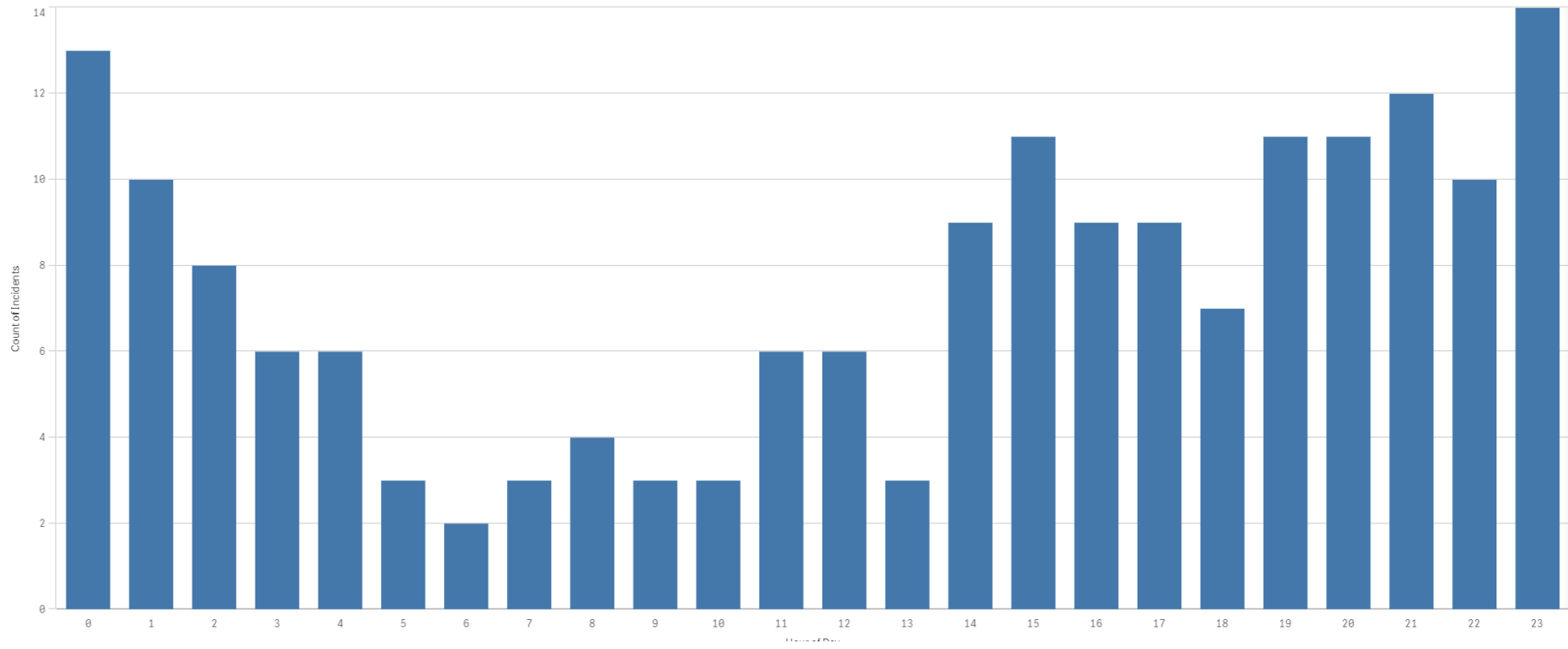


APPENDIX D  
ALCOHOL RELATED INCIDENTS FOR BEAT CS222 - 3 YR DATA

Storm Incidents Profile



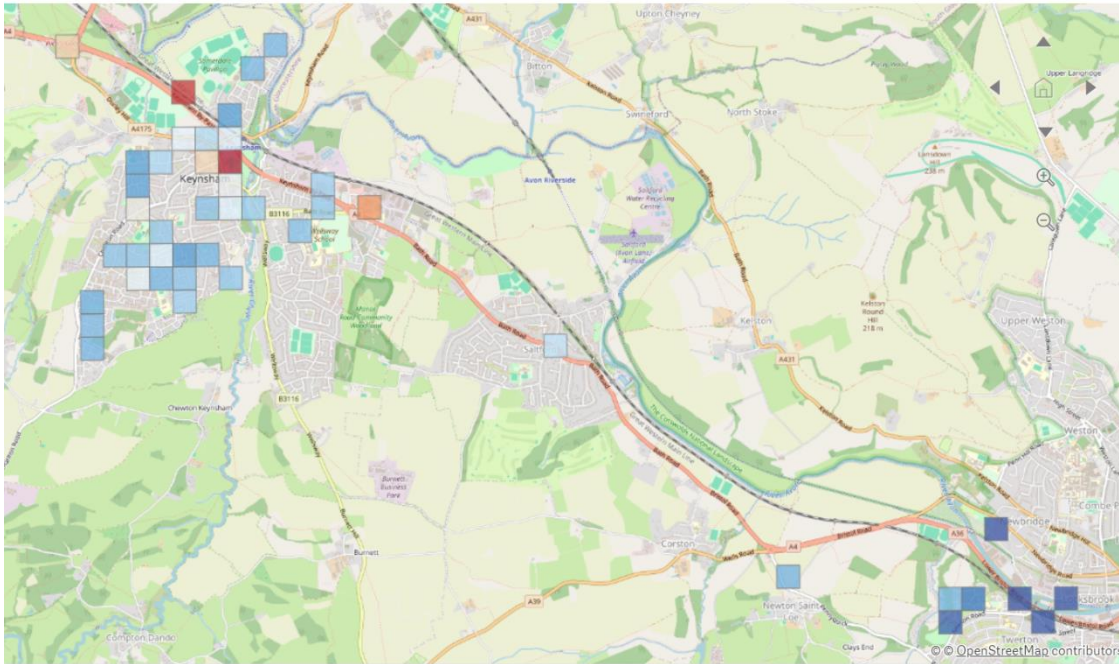
Peak Time



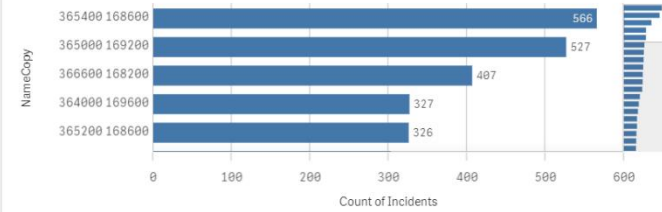
APPENDIX E  
 LOOKING AT BEAT AREA CS222  
 HIGH STREET KEYNSHAM HAS THE 2ND HIGHEST DEMAND FOR THE BEAT AREA FOR ALL INCIDENTS OVER LAST 3 YEARS

**Demand Grid Map**

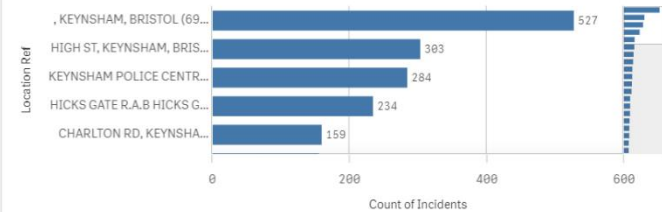
Grid areas capturing Storm Incidents. Only grid areas that have seen more than 40 incidents in 12 months are highlighted.



**Top 20 Grids By STORM Incident Volume**



**Top 20 Locations By STORM Incident Volume**



**Qualifiers**

**Storm Demand**

