

# Bath & North East Somerset Council

MEETING	<b>Licensing Sub Committee</b>	
MEETING DATE	<b>Thursday 27 June 2024</b>	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Application for a New Premises Licence for:  FLY Fitness Ltd.  3 - 4 Bath Street Bath BA1 1SB	
WARD:	Kingsmead	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>  <b>Annex A</b> Application for a new premises licence.  <b>Annex B</b> Plan of premises submitted with application.  <b>Annex C</b> Representations of objection received.		

## 1 THE ISSUE

- 1.1 An application for a new Premises Licence for FLY Fitness (outside seating area) 3 - 4 Bath Street, Bath BA1 1SB has been made under s.17 of the Licensing Act 2003 by FLY Fitness Ltd.
- 1.2 Relevant representations of objection have been received from residents living in close proximity to the premises within the statutory period.

## 2 RECOMMENDATION

- 2.1 The Committee is asked to determine the application.

## 3 THE REPORT

- 3.1 An application has been received from FLY Fitness Ltd for a new Premises Licence for the outside seating area in front of and to the side of FLY Fitness gym 3 – 4 Bath Street, Bath BA1 1SB. **(Annex A)**.
- 3.2 The application proposes the following licensable activities:

The sale of alcohol for consumption on and off the premises 09:00 to 22:00 every day.

3.3 The application proposes the following opening times:

09:00 to 22:00 every day.

3.4 Following consultation with the police, the following measures have been offered by the applicant to promote the licensing objectives:

All interested parties were made aware of the below proposed measures which replace those offered by the applicant in the original application.

- The premises shall install and maintain a comprehensive digital colour CCTV system which covers all public areas of the licensed premises, including all public entry and exit points. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 31 days with the correct date and time stamping.
- A staff member who is conversant with the CCTV system must be able to produce / download / burn CCTV images upon request by a police officer and licensing authority and no later than 24 hrs. after the request is made.
- A member of staff technically able to operate the system shall be available during all licensable hours and shall comply with any request of an authorised officer of the Council or police to view any data that has been recorded.
- CCTV cameras shall be installed, to the satisfaction of the Police and ICO guidelines. They will be maintained in full working order when the premises are open to the public. Recorded images will be of evidential quality. Signs will be displayed that CCTV is recording.
- If the system is inoperative or faulty for any reason, steps must be taken to repair or replace the equipment within 24 hours.
- The Premises Licence Holder shall require the Designated Premises Supervisor or, in his absence other responsible person, to keep an incident/refusal logbook either in electronic format or in a bound book, in which full details of incidents/refusals are recorded. These records shall be produced to an authorised officer of the police or licensing authority when requested.
- All off sales will be restricted to any authorised outdoor seating area controlled by the Premises Licence Holder.
- A Challenge 25 proof of age scheme shall be adopted, implemented and advertised at any premises. An accepted form of photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Publicity materials notifying customers of the operation of Challenge 25 scheme shall be displayed at the premises including a Challenge 25 sign of at least A4 size at the entrance to the premises and where practicable at each point of sale.

- All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it.
- Employee training shall be repeated every six months and must take place at least twice in every calendar year. Training records must be made available for inspection by the Police & Licensing Authority upon request.
- All children on the premises shall always be accompanied and supervised by a responsible adult.
- The premises must ensure appropriate and frequent waste disposal, particularly of drinking vessels.
- All excess alcohol stock to be secured inside of the premises.
- All tables and chairs to be cleared and secured when the business is not open to the public.
- All drinking glasses used within the premises must be made of plastic and toughened or safety glass to the appropriate safety standard, in that they shall not produce sharp shards when broken.

3.5 The floor plans detailing the extent of the proposed licensed Premises are attached at **Annex B**.

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 made, and to place an advert in a local newspaper within 10 working days of submitting the application to the licensing authority. Due to issues with advertising the application the 28-day consultation period was extended in order to comply with the requirements of The Licensing Act 2003.
- 3.14 Representations of objection have been received within the statutory period from residents living in close proximity to the premises who express concerns that the applicant's proposals are likely to undermine the public nuisance licensing objective. (**Annex C**).
- 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 £315.00

## **6 RISK MANAGEMENT**

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

## **7 CLIMATE CHANGE**

- 7.1 The licensing objectives do not require the applicant to specify steps to mitigate the impact of climate emergency. However, the applicant is encouraged to consider locally sourced ingredients and reducing single use plastic in the operation of their business.

## **8 OTHER OPTIONS CONSIDERED**

- 8.1 None.

## **9 CONSULTATION**

- 9.1 The Council's Monitoring Officer (Head of Legal & Democratic Services and Council Solicitor), Section 151 Officer (Director of Finance) and Head of Service – Community and Compliance 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>	

# Application for a Premises Licence under the Licensing Act 2003

Please read the following instructions first –

Use the Extra Page at the end of the form to provide further details if necessary  
When it is complete you can submit the form directly to us – click on the Submit Form button. You may wish to print and keep a copy of the completed form for your records. For help information about filling in this type of electronic form, click on the help information button

[Please read the available information on the Licensing Act 2003](#)

[Before completing this form please read the guidance notes](#)

What district/local area are you applying to?

I / We  (premises licence holder name)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

## Part 1 – Premises Details

Postal address of premises or, if none, ordinance survey map reference or description

Postcode

Telephone number of premises

Non-domestic rateable value of premises

[\(if you are unsure, you can use this Government link for more information\)](#)

Trading name of the business

## Part 2 – Applicant Details

Please state whether you are applying for a premises licence as:

Please confirm:

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities;

or

I am making the application pursuant to a:

Statutory function or

A function discharged by virtue of His Majesty's prerogative

**INDIVIDUAL APPLICANTS (fill in as applicable)**

Note, names provided in this section must match the premises licence holder names given earlier.

Title

First names

Surname:

Are you 18 years or older? Yes  No

Date of Birth

Current postal address if different from premises address

Postcode

Daytime contact telephone number

Email address

Right to Work - where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'Share code' provided to the applicant by that service.

Input Share code if applicable

**SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)**

Title

First names

Surname

Date of Birth (you must be 18 years old or over)

Current postal address if different from premises address

Postcode

Daytime contact telephone number

Email address

Right to Work - where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'Share code' provided to the applicant by that service.

Input Share code if applicable

OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name

Fly Fitness Ltd

Address

Cloudberry House,  
Perrymead,  
BATH,  
BA2 5AX

Registered number (where applicable)

10956764

Description of applicant (for example, partnership, company, unincorporated association etc.)

Ltd Company

Telephone number (if any)

Email address (optional)



## Operating Schedule

When do you want the premises licence to start?

15/04/2024

Please note, your application for a premises licence may take up to two months to determine.

If you wish the licence to be valid only for a limited period, when do you want it to end?

If 5,000 or more people attend the premises at any one time, please state the number expected to attend

General description of premises

Fly Is A Boutique High End Gym With An Outside Mobile Cafe Open To The Public.

The Premises Is Situated On Bath Street. Bath Street Is A Pedestrianised Street During The Hours Of 10AM-6PM (Only Allowing Emergency Vehicles Through During This Time).

The Mobile Cafe Is Located Outside The Front Of The Building Under The Pillars.

The Mobile Café Can Only Accommodate Customers Outside With 32 Seats Under The Colonnades And A Further 40 Seats On The Street Under A Tables And Chairs Licence. The Outside Seating Area Is Directly Outside The Premises. There Is Cctv Inside And Outside. We Have Used High Spec Security Camera's All Of Which Are On 24HRS A Day And Monitored By Our Reception Staff Throughout Their Shift. All Public Areas Are Covered By Cctv. This Provides Excellent Security

For Both The Safety Of Our Staff And Customers.

The License Is Intended To Be Used For Alcohol Consumption Within The Seating Area. The License Is Not Intended For Use Within The Gym Areas.

The Gym Is Secure And Can Only Be Accessed Through An Electronically Secured Door Operated By Either Electronically Secured Doors Which Are Operated By Either Electronic Security Member Cards (All Accompanied By A Photo Of The Person) Or Manually By Our

Reception Staff Who Man The Front Desk During All Opening Hours.

No Unauthorised Person Is Permitted To Enter The Gym. No Use Of Facilities Is Allowed To The General Public Unless First Authorised By Reception Staff And Only After Signing In And Having Security Pictures Taken. Any Non-Member Or Visiting Customer Signs Up To Our System And Sign In And Out Of The Building.

Operating Schedule Continued

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act)

Provision of regulated entertainment

a) plays (if yes, fill in box A)

b) films (if yes, fill in box B)

c) indoor sporting events (if yes, fill in box C)

d) boxing or wrestling entertainment (if yes, fill in box D)

e) live music (if yes, fill in box E)

f) recorded music (if yes, fill in box F)

g) performance of dance (if yes, fill in box G)

h) anything of a similar description to that falling within (e), (f) or (g) (if yes, fill in box H)

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

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

Is the premises exclusively or primarily selling alcohol for consumption on the premises?

In all cases complete boxes K, L and M (on the following pages)

# A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>				State any seasonal variations for performing plays (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the performance of a play at different times than those listed, please list (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

# B

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

# C

Indoor Sporting Events Standard days and timings (please read guidance note 6)				
Day	Start time	Finish time	Please give further details here (please read guidance note 3)	
Mon	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Tues	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Wed	<input type="text"/>	<input type="text"/>		State any seasonal variations for indoor sporting events (please read guidance note 4)
	<input type="text"/>	<input type="text"/>		
Thur	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for indoor sporting events at different times than those listed, please list (please read guidance note 5)	
	<input type="text"/>	<input type="text"/>		
Sat	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		
Sun	<input type="text"/>	<input type="text"/>		
	<input type="text"/>	<input type="text"/>		

# D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)		
Mon	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Tues	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Wed	<input type="text"/>	<input type="text"/>	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>			
Thur	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Fri	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sat	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sun	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			

# E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)		
Mon	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Tues	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Wed	<input type="text"/>	<input type="text"/>	State any seasonal variations for performance of live music (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>			
Thur	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Fri	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sat	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sun	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			

# F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)		
Mon	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Tues	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Wed	<input type="text"/>	<input type="text"/>	State any seasonal variations for playing recorded music (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>			
Thur	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Fri	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sat	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sun	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			



# G

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

# H

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

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both? (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start time	Finish time	Please give further details here (please read guidance note 3)		
Mon	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Tues	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Wed	<input type="text"/>	<input type="text"/>	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>			
Thur	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Fri	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sat	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
Sun	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption: (please read guidance note 2)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start time	Finish time	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Thur	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times than those listed, please list (please read guidance note 5)		
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Sat	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>						
	<input type="text"/>	<input type="text"/>						

State the name and details of the individual whom you wish to specify on the licence as Designated Premises Supervisor (DPS).

Title

First Name(s)

Surname

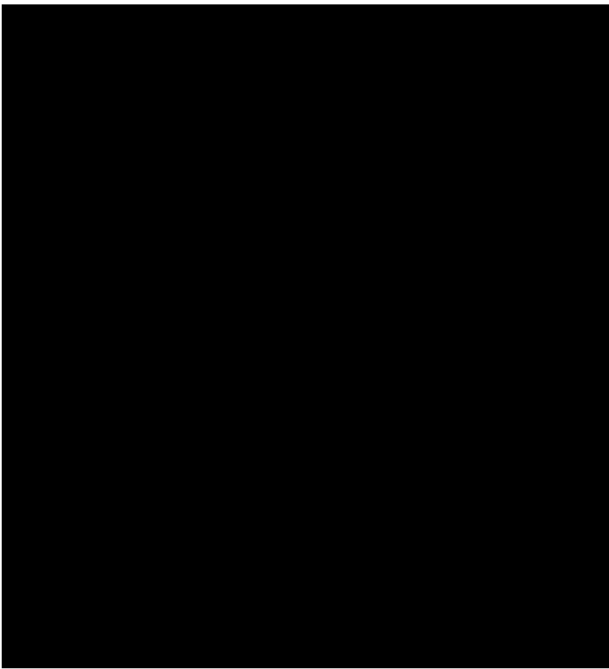
Date of Birth

Address

Postcode

Personal licence number

Issuing licensing authority



Please print the 'Consent of individual to being specified as premises supervisor' form and have the person specified above sign and confirm the details given.

## K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start time	Finish time	
Mon	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>	Non standard timings. Where you intend to use the premises to be open to the public at different times than those listed, please list (please read guidance note 5)
	<input type="text"/>	<input type="text"/>	
Tues	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>	
	<input type="text"/>	<input type="text"/>	
Wed	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>	
	<input type="text"/>	<input type="text"/>	
Thur	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>	
	<input type="text"/>	<input type="text"/>	
Fri	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>	
	<input type="text"/>	<input type="text"/>	
Sat	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>	
	<input type="text"/>	<input type="text"/>	
Sun	<input type="text" value="09:00"/>	<input type="text" value="22:00"/>	
	<input type="text"/>	<input type="text"/>	

M – Describe the steps you intend to take to promote the four licensing objectives:

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

24 HR CCTV in operation in and outside the property. Staff training. All staff to be trained in the prevention of underage sales to a level commensurate with their duties.  
The training should be clearly documented and signed and dated by both the trainer and the member of staff receiving it. The documentation shall be available for inspection on request by an authorised officer of the licensing authority or police.

b) The prevention of crime and disorder

The premises is fitted with 24hr CCTV. The CCTV covers all communal areas of the premises including the outside seating area. We have the live feed running in reception during all opening hours so that staff are aware of what is going on at all times.  
Staff are also trained to take CCTV live feed with them when leaving their desk so that they can keep an eye on when someone is waiting at the desk for them. Having CCTV is an obvious deterrent in the prevention of crime and disorder.  
All staff are trained in customer service and reducing the risk of crime and disorder. Staff will all be trained in risk management and how to deal with crime and disorder.  
FLY Ltd is also part of Bath Business Initiative (BID) whose aim is to reduce crime and prevent crime. We have a radio link in place to contact our wardens directly if we need support immediately.

c) Public safety

We have a fire strategy in the event of fire. The premises complies with all statutory fire safety controls.  
All staff will have level 2 food hygiene.  
Overcrowding will not be an issue due to the nature of our business.  
We have first aid trained staff on the premises, and first aid boxes around the business.  
We pay for Bath BID security and we have a walkie talkie on the reception to contact them if we ever feel threatened.  
Our reception has a phone to call 999 if there is ever a public disturbance or emergency.

d) The prevention of public nuisance

There will be no additional noise created. We are a fully operating mobile café and gym business. The addition of alcohol to our offering will only be an adjunct to our current offering. Noise levels, opening hours and our current business will remain the same.  
There will be no change to our bin store use (we only access bins during opening hours 7am-8pm).

e) The protection of children from harm

We will have a policy to clear glasses quickly to minimise opportunity for children to drink left over alcohol.  
A recognised age verification scheme such as a PASS approved identity card/passport etc.  
All staff responsible for selling age restricted goods should be trained appropriately.  
Display signage to notify the public that the premises operates a Proof of Age scheme;  
Use CCTV or other methods to monitor the outside the premises, to ensure that children are not purchasing by proxy;  
Keep a refusals book.

## Custom Process Configuration

### XML Specific

Application type	<input type="text"/>
Licence Case Type	<input type="text"/>
Licence Status	<input type="text"/>
XML Template	<input type="text"/>
CAPS Reference	<input type="text" value="24/00523/LAPRE"/>

### Payments request

CallingAppID	<input type="text"/>
CallingAppRef	<input type="text"/>
PaymentSourceCode	<input type="text"/>

### Response response

PaymentAuthorisationCode	<input type="text"/>
IncomeManagementReceiptNumber	<input type="text"/>
Originators Reference	<input type="text"/>
CardScheme	<input type="text"/>
CardType	<input type="text"/>
PaymentAmount	<input type="text"/>
ResponseCode	<input type="text" value="00000"/>
ResponseDescription	<input type="text" value="The Payment has been Authorised. 00000"/>
Number of payment lines	<input type="text"/>

### Payment 1

Receipt Number	<input type="text"/>
DueDate	<input type="text"/>
PaymentType	<input type="text"/>
Pay Description	<input type="text"/>
XML Description	<input type="text"/>
PaymentDue	<input type="text"/>
Paid	<input type="text"/>
Payment Date	<input type="text"/>
Fund	<input type="text"/>
Reference	<input type="text"/>

### Form Calculations

Title Casing	<input type="text"/>
Sentence Casing	<input type="text"/>
UPRN for address lookup	<input type="text"/>
Boolean to hide this page	<input type="checkbox"/>
Field for email (Bath or Brom)	<input type="text" value="Bath"/>
Field for fee array	<input type="text" value="BandA,100.00,BandB,190.00,BandC,315.00,BandDNoAlcohol,450.00,BandDWithAlcohol,900.00,BandENoAlcohol,635.00,BandEWithAlcohol,1905.00"/>
WRS custodian initials	<input type="text"/>

### Other Custom Calculations

Calculation for licensable activities	<input type="text"/>	App Day Tel	<input type="text"/>
Subject Line for Email Out	<input type="text"/>	App Email	<input type="text"/>
Body for Internal Email	<input type="text"/>	App Address	<input type="text"/>
Body for External Email	<input type="text"/>	App DOB	<input type="text"/>
Start Date in XML format	<input type="text"/>	App 2 D Tel	<input type="text"/>
End Date in XML Format	<input type="text"/>	App 2 Email	<input type="text"/>
Hours the TEN covers	<input type="text"/>	App 2 Add	<input type="text"/>
DOB	<input type="text"/>	App 2 DOB	<input type="text"/>
Customer Email Acknowledgment	<input type="text"/>	Agent D Tel	<input type="text"/>
Premise Activities Complete	<input type="text"/>	Agent Add	<input type="text"/>
Premise Activities Part 1	<input type="text"/>	Agent Email	<input type="text"/>
Premise Activities Part 2	<input type="text"/>	Open Hours	<input type="text"/>
Premise Address	<input type="text"/>	App 3 D Tel	<input type="text"/>
TP Address	<input type="text"/>	App 3 Email	<input type="text"/>
TP DOB	<input type="text"/>	Ext Pty Email	<input type="text"/>



I will provide the plan of the premises (See [section 2.9](#) of this guidance)

I will provide the consent form

I understand that once my application has been formally accepted, I must advertise my application

I understand that if I do not comply with the above requirements my application will be rejected

I am applying as an individual rather than a business / limited company and have provided proof of my entitlement to work in the UK (for information on what you can provide as evidence, [please reference our evidence guidance notes](#))

Please attach evidence using the 'Upload & Attach Files' button.

Types of files accepted as attachments: gif, jpg, jpeg, tif, tiff, bmp, png and pdf.

Please ensure that the documents you attach are complete and easy to read. If documents are incomplete or are difficult to read this may result in a delay in your application.

Declaration (please read guidance note 10)

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK.

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate.

It is an offence, under section 158 of the licensing act 2003, to make a false statement in or in conviction to a fine of any amount.

It is an offence under section 24b of the immigration act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the immigration, asylum and nationality act 2006 and pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Confirmation of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If confirming on behalf of the applicant please state in what capacity.

Confirmation

Name

~~Richard Campbell~~

Date

26/03/2024

Capacity (owner, director etc.)

Owner

For joint applications confirmation of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 12) If confirming on behalf of the applicant please state in what capacity.

Confirmation

Name

Date

Capacity (owner, director etc.)

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Name

Christopher Clinton

Address

Postcode

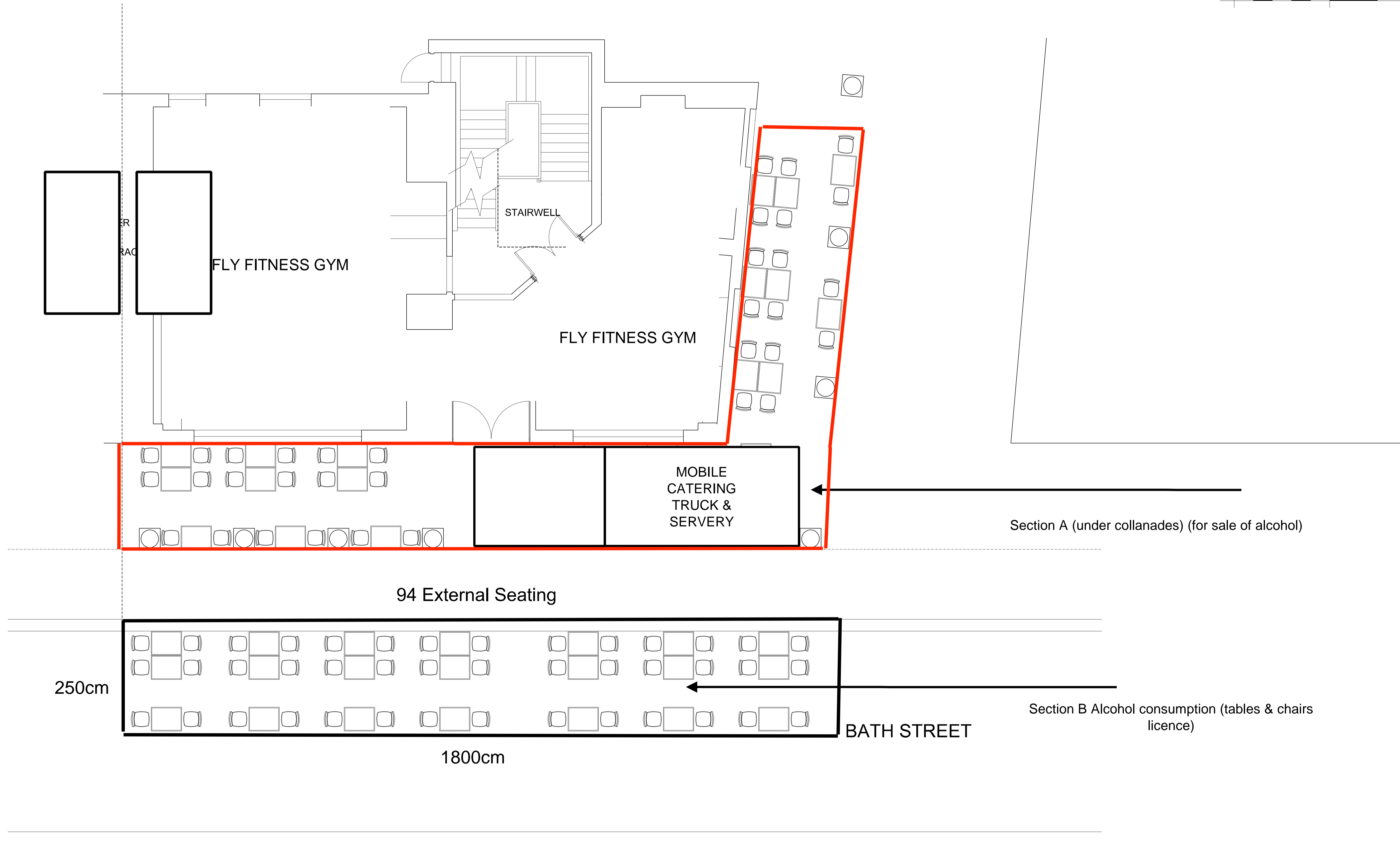
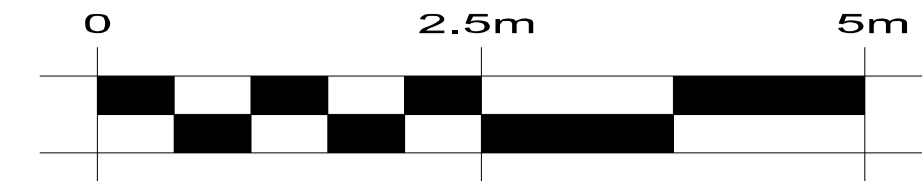
Telephone number (if any)

If you would prefer us to correspond with you by email, your email address (optional)

Use this page if there is any other information that you think we should know about.  
Information entered on this page will be sent to us, along with the data on the rest of the form when



# Annex B



PROPOSED GROUND FLOOR PLAN 01

GENERAL NOTES:			REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:	PROJECT : 3 - 4 BATH STREET BA1 1SJ	
1. DO NOT SCALE FROM THIS DRAWING. UNLESS FOR PLANNING PURPOSES	2. ALL DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO ANY WORKS BEING COMMENCED AND ANY DISCREPANCIES TO BE REPORTED TO DESIGN COMPANY GROUP.	3. ANY DISCREPANCIES BETWEEN THE DRAWING AND ANY WRITTEN SPECIFICATION IS TO BE REPORTED TO DESIGN COMPANY GROUP.										DRAWING TITLE: PROPOSED GROUND FLOOR PLAN OPTION 01 ISSUED FOR:	
4. THIS DRAWING TO BE READ IN CONJUNCTION WITH RELEVANT CONSULTANTS AND SPECIALIST DRAWINGS.	5. ALL WORKS TO COMPLY WITH THE RELEVANT BRITISH STANDARDS, CODES OF PRACTICES AND BUILDING REGULATIONS.	6. IF IN DOUBT ABOUT ANY OF THE WORKS, PLEASE ASK!											DRAWING NUMBER: 1251-SK02
		7. THIS DRAWING IS THE COPYRIGHT OF DESIGN COMPANY GROUP AND IS NOT TO BE REPRODUCED IN ANY FORM WITHOUT PRIOR WRITTEN CONSENT.											
8. ANY WORK DONE ON THE PARTY WALL OR BOUNDARY LINE NEEDS TO HAVE A PARTY WALL AWARD IN PLACE. 9. BOUNDARY LINES AND BOUNDARY LINE MEASUREMENTS ARE APPROXIMATE AND NEED TO BE CONFIRMED.													
© COPYRIGHT EXISTS ON THE DESIGNS AND INFORMATION SHOWN ON THIS DRAWING. This drawing may be scaled or cross referenced to the scale bar for planning application purposes only. Do not scale for any other purpose, use figured dimensions only. Subject to site survey and all necessary consents. All dimensions to be checked by user and any discrepancies, errors or omissions to be reported to Design Company Group before work commences. This drawing is to be read in conjunction with all other relevant materials.													

Annex C - Objection A Crooke

From: Ann Crooke [REDACTED]  
Sent: Wednesday, May 1, 2024 3:58 PM  
To: Licensing <licensing@bathnes.gov.uk>  
Cc: [REDACTED]  
Subject: Fly Fitness Ltd Bath St . Alcohol License Application

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

Licensing Services

Dear Sir/ Madam

I am writing to object most strongly to the proposed granting of an alcohol license to the Fly Gym in Bath St.

Bath Street is an iconic part of Bath enjoyed by many and used in many film and tv productions. This proposal will not encourage them to use Bath Street in their productions. It will also spoil this lovely street by having a bar in its midst.

The gym was granted its licence to operate on the basis of a small cafe to meet the needs of its clients..As time has passed the cafe has been leased to another company, then it was empty, and now, a huge truck is parked on the pavement outside. Tables and chairs are put all over the road and pavement blocking access to pedestrians. They also store their tables and chairs in Bilbury Lane. They seem to have no regard for anyone else but making profits.

Now, they want to sell alcohol from early morning until late at night. We will have intoxicated people hanging around our property at all hours . We will also have loud music from buskers playing late into the evening and rubbish strewn everywhere.

This is not fair!

I hope you will listen to local residents and not only to a Bristol based business.

Yours faithfully

Ann Crooke

Apt 4

1 Bilbury Lane

Bath BA1 1 AZ

cc Abbey Residents Association

Annex C - Objection S Crooke

**From:** Stephen Crooke <[REDACTED]>  
**Date:** 14 May 2024 at 13:29:51 BST  
**To:** Geoff Cannon <[REDACTED]>  
**Cc:** Ian Tarr <[REDACTED]>  
**Subject:** Re: REPLY - FLY FITNESS LTD ,BATH ST.....ALCOHOL LICENSE APPLICATION.  
24/00523/LAPRE

To,  
Geoff Cannon,  
B&NES Licensing Services,

Application "Premises Licence"  
Ref: 24/00523/LAPRE  
Fly Fitness Ltd  
3-4 Bath St,  
Bath  
BA1 1SB

Objection from:-  
Mr. Stephen V. Crooke

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
  
[REDACTED]  
[REDACTED]

Dear Mr Cannon &/others,

I object to the subject application for a "Premises Licence" primarily on the grounds of "Prevention of Public Nuisance" but also in consideration of "Public Safety".

Bath St is for the most part a quiet residential street with the entrance of the Thermae Spa at the far end, as well as the historic attraction of the "Circular Bath", also being at the far end of Bath St. The thoroughfare is particularly quiet with virtually zero tourists present after 17.00hrs. I should add for additional information, our own building and entrance of 1 Bilbury Lane effectively "T" joins with Bath St. under the Collonades opposite the two Bank Santander ATMs.

The sale of alcohol, particularly during the evening hours of Friday, Saturday and Sunday would be totally inappropriate for the street, especially as with the slightest sign of rain, large groups of potentially drunken stag & hen groups, and rugby supporters, will vacate their tables and gather under the Collonades. This will pose a considerable "Public Nuisance" for anyone trying to use the pavement, but particularly for anyone wanting to use the ATMs. My wife is a frail 72 year old and she would be very concerned for her own "( public ) safety" if she had to use the ATMs which she does when the banks are closed ie. Saturday evenings and Sundays.

Furthermore, I am personally disabled and unfortunately have to use a wheelchair for most of the time, as well as occasionally walking up to about 30 yds or so with a static or wheeled frame. We actually have permission from B&NES to have occasional vehicular access to Bath St so that I might more easily access our car which involves my wife having to erect steps etc for me to climb / be lifted/ assisted into our necessary 4x4 car. Trying to do this in the middle of groups of even partially inebriated " lads & lassies" will be something that definitely will make me concerned for my

own “ public safety” .....it’s frightening enough for me to do this normally totally alone, leaving aside being the evening’s entertainment for “Fly Fitness’s” drunken / partially drunk revellers.

I have already mentioned the presence of the ATMs. ....Now whilst I appreciate that some pubs and clubs actually have ATMs within the premises, these particular ATMs will present an open invitation to anyone who feels brave enough or drunk enough to nurse a drink for an hour or two whilst waiting for some poor unsuspecting person to fumble around using the cash machine and grab what they can.! Especially if gathered in groups under the Collonades...!

In conclusion, whether the customers buy their alcohol from inside the “café” , or sitting down around a table in the street,( which is definitely worse!) , it will still involve the unnecessary potential for drunken behaviour that is currently NOT FOR SALE in our street. PLEASE do not make the situation any worse by allowing an unnecessary alcohol licence to Fly Fitness Ltd ( by the way, this is the café originally permitted for the sale of soft drinks and coffee solely to their gym users !!)....

I deeply ask for a sympathetic response,and that you decline the application,

Yours Faithfully,

S V Crooke (mr)

Cc: Ian Tarr, The Abbey Residents Association. ( T.A.R.A.)

+++++

Annex C - Objection R Lapraik

From: Robert Lapraik [REDACTED]  
Sent: Thursday, May 2, 2024 5:01 PM  
To: Licensing <licensing@bathnes.gov.uk>  
Subject: Comment on Fly Fitness Premises Licence

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I write to comment on the current application for Fly Fitness to gain a Premises Licence for 3-4 Bath Street.

The junction of Bath Street and Bilbury Lane is a quiet residential area comprising a number of flats and we are concerned that the retail sale of alcohol both from these premises will change the character of this quiet area and potentially pose a nuisance to residents and people accessing the adjacent cashpoint.

Regards  
Robert and Jane LAPRAIK  
Flat 1  
One Bilbury Lane