

REPRESENTATION FORM

OTHER PERSON (Person/Body)

Your Name/Company Name/Name of Body you represent	Ina Cole
Postal and email address	██ ██
Contact telephone number	████████████████████

Name of the premises you are making a representation about	Sheep & Penguin Ltd
Address of the premises you are making a representation about	1 – 2 Tucker Street, Wells, BA5 2DZ

The recently implemented Police Reform and Social Responsibility Act 2011 has removed the term '*interested party*' from the Licensing Act 2003 '*the Act*', to be replaced by the term Other Person.

Other persons

An other person for the purposes of the 2003 Act means the following (as per section 13 of the 2003 Act):-

- (a) *persons who live, or are involved in a business, in the relevant licensing authority's area*
- (b) *a body representing persons who live in the relevant licensing authority's area*
- (c) *a person involved in a business in the relevant licensing authority's area*
- (d) *a body representing persons involved in such businesses,*
- (e) *a member of the relevant licensing authority.*

Furthermore the 'vicinity' test has also been removed from 'the Act'. It is for the objector to evidence how they would be affected by the presence of the trading of the business in question. The terms vicinity and interested persons are still referred to within the Mendip District Council Statement of Licensing Policy and should be disregarded.

Please detail the approximate distance between yourself and the premises applying for a licence	Approx. 40 feet (directly opposite the Sheep & Penguin)
Your representation must relate to one of the four Licensing Objectives. Please detail	Please detail the evidence supporting your representation and the reason for your representation. (Please use separate sheets if necessary)
TO PREVENT CRIME AND DISORDER	

PUBLIC SAFETY	
TO PREVENT PUBLIC NUISANCE	<p>I'm writing to object to the proposed 1am, 7 days a week opening of the Sheep & Penguin (with alcohol served to midnight). This is not appropriate in a residential area, where family members have to work, and children need to sleep. The 1am closing time will inevitably encourage anti social behaviour and cause distress to residents.</p> <p>Please note that the premises were previously The Mermaid, and nuisance behaviour included:</p> <ul style="list-style-type: none"> • Shouting and swearing late at night, affecting residents of Tucker Street, Portway and Portway Avenue; • Urinating in the side passage of my property; • Litter and bottles in the street and in the side passage of my property; • Fighting in the road, causing a nuisance to passing cars; • Trespassing the Little Theatre premises, and the side passage of my property. <p>Hence, I'm concerned that this will reoccur if the Sheep & Penguin remain open to 1am, 7 days a week. It will merely cause customers to become inebriated and lose control, which is the inevitable consequence of alcohol. In addition, as the Sheep & Penguin wish to remain open after other venues in Wells have closed, it could attract customers that are already inebriated, and incite them to drink even more, which would exacerbate the whole situation.</p> <p>Other venues in Wells do not have a 1am license. For example, The Crown closes at 10.30pm; The King's Head at 10.30pm (except Sat); The Globe at 11pm (except Sat); The City Arms at 11pm; Rose & Crown at midnight; and Weatherspoons at midnight (except Fri/Sat). It is therefore inappropriate for the Sheep & Penguin to be such an anomaly.</p>
THE PREVENTION OF HARM TO CHILDREN	

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	<p>The Sheep & Penguin's opening hours should align to that of other venues in Wells, as per the examples given.</p> <p>I'd also like the committee to consider what plans the Sheep & Penguin have in place to mitigate potential nuisance behaviour impacting on the residents of the area.</p>
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Generally if there is to be hearing to determine the premises licence (or club premises certificate) application, the Councillors will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. (Please attach additional sheets if necessary).

If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

All representations in their entirety, including your name and address, will be disclosed to the applicant for the premises licence.

Signed:

A black rectangular box redacting the signature of the person who signed the document.

Date: 30 April 2023

Please return this form along with any additional sheets to: The Licensing Department, Mendip District Council, Cannards Grave Road, Shepton Mallet. BA4 5BT. Or email to licensing@mendip.gov.uk
This form must be returned within the Statutory Period, which is generally 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Department to confirm this date.