

**REPRESENTATION FORM**

**OTHER PERSON (Person/Body)**

Your Name/Company Name/Name of Body you represent	Antoinette Jordan
Postal and email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about	The Sheep and Penguin
Address of the premises you are making a representation about	1-2 Tucker Street Wells BA52DZ

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	Approximately 80feet as the crow flies from the drinks garden at the rear of the premises to the bedrooms at the back of our home.
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	We are objecting to the extended licencing hours requested by The Sheep and Penguin. Extending the length of possible drinking hours increases the likelihood of anti social behaviour both at the venue itself, in the areas immediately adjacent to the venue and also on the pedestrian routes away from the pub, which pass our front doors and

	<p>front facing bedrooms. This was our experience when the Sheep and Penguin's predecessor, 'The Mermaid' was operational. During this period, we had a regular traffic of disorderly groups of people wandering home at closing time under the influence of drink who often loitered in the road in the lower part of Portway nearest the Connect Centre end, or who gathered on the raised pavement outside the Connect Centre to drink further and behave anti-socially. At this time, many of the residents, as now, were raising young families and the frequent occurrence of disturbing anti social behaviour was threatening.</p>
<p>PUBLIC SAFETY</p>	<p>Our next nearest provider of alcoholic beverages is Weatherspoons in Princes Road. This establishment is not embedded in a residential area as is the Sheep and Penguin and yet customers are not permitted to drink in the area outside of the building at the front after 7pm and their beer garden at the rear of the building closes at 10pm.</p> <p>In the interests of public safety, as well as the prevention of public nuisance and harm to children, and of course the first of your categories, 'the prevention of crime and disorder', we would like to see the licensing permissions brought into line with those of Weatherspoons. The Sheep and Penguin, in fact, is situated on a busy junction and its entrance to its housing at the rear of the building, together with the entrance/exit gate to the pubs outdoor drinking area is down a small road to the side of the pub. This road is concealed from the adjacent main road and also the trajectory of the pavement it crosses. Even without the pub being open at the moment, the coming and goings of vehicles from the main road and down this side road towards the back of the pub presents a threat to public safety due to its invisibility. With late night drinking, I can only imagine that this is going to be exacerbated.</p>
<p>TO PREVENT PUBLIC NUISANCE</p>	<p>As mentioned above, our next nearest provider of alcoholic beverages is Weatherspoons in Princes Road. This establishment is not embedded in a residential area as is the Sheep and Penguin and yet customers are not permitted to drink in the area outside of the building at the front after 7pm and their beer garden at the rear of the building closes at 10pm. It has to be imagined that these hours reflect the capacity of patrons to create public nuisance. With the opening hours of mid night and then 1am being requested by The Sheep and Penguin, the potential for nuisance noise at these very late hours from their small walled courtyard drinking area seems inevitable. The courtyard, although making a private space, will act as an echo chamber for merry customers.</p> <p>The Sheep and Penguin is surrounded by residential housing on each side, although to its left, private housing is interrupted by a sequence of derelict shops. To the right, a long terrace of homes houses families, including vulnerable groups such as young children, having a pub right behind them is difficult enough, without the potential threat of opening hours, noise from customers and clearing up extending into the small hours. We know so much about the effects of feeling unsafe on the psychological, emotional and neurological development of children. The unruly and uninhibited behaviour which drink and in particular longer hours of drinking can cause, could potentially really damage the wellbeing of not only the young children living yards away from this venue and its outdoor space and its departing guests.</p>

<p>THE PREVENTION OF HARM TO CHILDREN</p>	<p>Please see above.</p> <p>I can only speak for the lower end of Portway when I say that we have several families with young children living in the neighbourhood adjacent to the Sheep and Penguin. Bringing drinking into the neighbourhood and in particular drinking late into the night has the potential to harm the wellbeing of children in our neighbourhood. At the very least, the noise created by outdoor drinking and by merry customers leaving the pub, may not enable them to sleep through the night and could easily make them feel threatened. We frequently have people turning out from the night club or city centre pubs who shout, loiter and argue at full volume on the street outside our bedroom window. This morning, we had to clean our pavements after someone had vomited along the length of our terrace of houses.</p> <p>I imagine that the drinking area at The Sheep and Penguin will need to be illuminated which could impact on all the bedrooms and living spaces at the back of our row of terraces, not only disturbing the circadian rhythms of human beings, but also the community of bats and wildlife in the adjacent copse.</p>

<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</p>	<p>Please could you reconsider the hours during which drinking is permitted in the Sheep and Penguin's outside area. I would like to see this brought into line with Weatherspoons, which, as I mentioned above, is less embedded in a residential area.</p> <p>Please could you also place restrictions on the lighting of the rear of the pub so that nearby sleepers in the adjacent houses are not disturbed.</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: Antoinette Jordan

Date: April 29<sup>th</sup> 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](mailto: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.**