

Public Agenda Pack



Notice of Meeting of

LICENSING SUB-COMMITTEE

Tuesday, 2 April 2024 at 10.30 am

Committee Room 2 - The Deane House

To: The members of the Licensing Sub-Committee

Chair:

Councillor Simon Carswell
Councillor Brian Smedley

Councillor Hugh Davies

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticserviceteam@somerset.gov.uk.

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticserviceteam@somerset.gov.uk by **5pm on Monday, 25 March 2024**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Wednesday 20 March 2024

AGENDA

Licensing Sub-Committee - 10.30 am Tuesday, 2 April 2024

Public Guidance Notes contained in Agenda Annexe (Pages 3 - 4)

Click here to join the online meeting (Pages 5 - 6)

1 Appointment of Chair for the Sub-Committee

2 Apologies for Absence

To receive any apologies for absence.

3 Declarations of Interest

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#))

4 Procedure to be followed when considering Licensing Applications under the Licensing Act 2003 (Pages 7 - 10)

5 Variation of a Premises Licence - The Chapel, Graham Way, Cotford St Luke, Taunton, TA4 1HX (Pages 11 - 40)

To consider an application for the variation of a Premises Licence in respect of The Chapel, Cotford St Luke, Taunton, TA4 1HX for which an objection has been received.

Guidance notes for the meeting

Council Public Meetings

The legislation that governs Council meetings requires that committee meetings are held face-to-face. The requirement is for members of the committee and key supporting officers (report authors and statutory officers) to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at

democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

They can also be accessed via the council's website on [Committee structure - Modern Council \(somerset.gov.uk\)](#)

Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

Public Question Time

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email

democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out, or alternatively can attend the meeting online.

A 20-minute time slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. Each speaker will have 3 minutes to address the committee.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish. If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

Meeting Etiquette for participants

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

Speak clearly (if you are not using video then please state your name)

If you're referring to a specific page, mention the page number.

There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

Exclusion of Press & Public

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed.

Recording of meetings

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

Teams Invite

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 397 462 927 607

Passcode: iLJFuh

[Download Teams](#) | [Join on the web](#)

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PROCEDURE AT THE HEARING

1. The Chair will open the Hearing and introduce the Sub-Committee and Officers.
They will then ask each Party to introduce themselves.
2. The Chair will confirm that if a Party is not present their representation/application will be read and taken into account in reaching the decision.
3. The Chair will address any registerable interest arising under the Code of Conduct.
4. The Chair will consider any submitted requests from a Party for permission for another person to appear at the Hearing. If necessary, the Sub-Committee will retire to deliberate before making a decision.
5. The Chair will confirm that the Hearing will take the form of a round-the-table discussion led by the Sub-Committee in accordance with this procedure. If all Parties present confirm that they have seen and understood the procedure to be followed at the Hearing and agree that they are ready to proceed then the Hearing shall commence.
6. The Chair will remind everyone that the purpose of the Hearing should be borne in mind at all times i.e. To enable those with a right to appear, to amplify their written application or representation. It is also to assist the Sub-Committee to gather evidence and understand the relevant issues.

7. The Chair will confirm what advance papers have been received and that these have been read.
8. The Chair will make clear that all Parties should only address the Sub-Committee in relation to matters they have raised in their application/representation. Any Party wishing to submit late evidence at the Hearing will only be able to do so with the consent of all Parties present and with the consent of the Sub-Committee.
9. The Chair will confirm whether all Parties have seen and understood the procedure to be followed and are ready to proceed with the Hearing.
10. The Chair will ask the Applicant whether they wish to make any amendments to their application with a view to addressing any issues raised by representations.
11. Order of Oral Presentation
 - (a) The Licensing Officer will present their report outlining the details of the application/notice/representations received.
 - (b) Any Party may question the Licensing Officer.
 - (c) The Members may question the Licensing Officer.
 - (d) Responsible Authorities will present their case and call any witnesses.
 - (e) Any Party may question the Responsible Authorities and any witnesses.
 - (f) Members may question the Responsible Authorities and any witnesses.
 - (g) Other Person(s) will present their case in turn and call any witnesses.
 - (h) Any Party may question the Other Person(s).
 - (i) Members may question the Other Person(s).
 - (j) The Applicant/Licence Holder will present their case and call any witnesses.

(k) Any Party may question the Applicant/Licence Holder and any witnesses.

(l) Members may question the Applicant/Licence Holder and any witnesses.

The Chair at their discretion, may change the order of oral presentation at any stage, if it is considered to be beneficial to the flow of the hearing.

12. Before moving on to the next Party, the Chair will check there are no further points the current Party wishes to make or any further questions that need to be put to that Party.
13. The Licensing Officer may present any further information such as proposed nonmandatory Conditions deriving from the Operating Schedule or suggested by any Party. However, it will remain for the Sub-Committee to determine what conditions will apply, if any, should the application be successful.
14. Each Party will be invited to make closing submissions in the following order –
 - a. Responsible Authorities
 - b. Other Persons
 - c. The Applicant
 - d. Licensing Officer
15. The Chair will then close the Hearing and the Sub-Committee will retire to determine the matter. The Legal Advisor will retire with the Sub-Committee to answer any points of law.
16. The Sub-Committee will come to a decision which will be sent to the Applicant and all other relevant Parties together with the details of the right to appeal.

NOTE:

In producing this procedure the following has been considered: -

The relevant legislation and statutory guidance together with local policies and procedures.

Somerset Council
Licensing Subcommittee – 2nd April 2024



Consideration of an application to vary a premises licence

Lead Officer: Alison Evens, Licensing Officer

Author: Alison Evens, Licensing Officer

Contact Details: 01823 217499, alison.evens@somerset.gov.uk

Executive Lead Member: Cllr Federica Smith-Roberts

Division / Local Member: Licensing & Regulatory Committee

1. Summary

- 1.1 An application has been made by Stephen Elliott, who is the director of The Chapel CSL Limited, (The Chapel CSL Limited is the premises licence holder), in accordance with the Licensing Act 2003 (LA2003), for the variation of the premises licence in respect of The Chapel, Graham Way, Cotford St Luke, Taunton, TA4 1HX.
- 1.2 The Licensing Authority has received a relevant representation and must therefore hold a hearing for the Licensing Subcommittee to determine the application.

2. Issues for consideration/recommendations

- 2.1 The Subcommittee must, having regard to the representation and take one of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - (a) Modify the conditions of the licence by altering, omitting or adding new ones.
 - (b) Reject the whole or part of the application.

2.2 In determining the application, the Subcommittee must have regard, and give appropriate weight, to the following:

- Any relevant representation (including supporting documentation received).
- Revised guidance issued under section 182 of the LA2003 by the Home Office (December 2023).
- The Licensing Authority’s Statement of Licensing Policy, published in September 2023.
- Human Rights considerations, in particular Article 6, Article 8, and Article 1 of Protocol 1.

3. Background

3.1 The Chapel is authorised by a premises licence which has been in effect since the 13th of June 2008. Broadly speaking, the premises is authorised to provide recorded music and supply alcohol, for consumption on the premises, until 23:00 hours throughout the week. There are certain ‘non-standard’ timings which allow licensable activities to finish later on special occasions, such as Christmas Eve and New Year’s Eve. A full copy of the licence is attached at **Appendix 1**

3.2 The Licensing Authority received an application for the variation of that licence on the 6th February 2024. A copy of the full application is attached at **Appendix 2**.

3.3 The premises is described within the application as a “Pub / Restaurant / Live Music Venue”.

3.4 The applicant is seeking authorisation to:

- (a) Provide live music indoors and outdoors on Thursdays and Fridays from 11:00 to 00:00, and Saturdays from 11:00 to 00:30 the following morning. On Christmas Eve and New Year’s Eve, provision would be until 00:30 and 01:00 respectively.
- (b) Provide recorded music on Thursdays and Fridays until 00:00 (an additional hour) and on Saturdays until 00:30 the following morning

(an additional hour and a half). Also, to extend the provision on Christmas Eve until 00:30 the following morning and New Year's Eve until 01:00 the following morning.

(c) Supply of alcohol for consumption on the premises on Thursdays and Fridays until 00:00 (an additional hour) and on Saturdays until 00:30 the following morning (an additional hour and a half). Also, to supply on Christmas Eve until 00:30 the following morning and New Year's Eve until 01:00 the following morning.

- 3.5 It should be noted that, since the Chapel is already authorised to supply alcohol for consumption on the premises, authorisation is not required to provide live or recorded music between the hours of 8:00 and 23:00 providing the audience does not exceed 500 persons; this is due to paragraph 12A, Schedule 1, Part 2 of the Licensing Act 2003, as amended by the Live Music Act 2012.
- 3.6 This application was circulated to responsible authorities on the 6th of February 2024. The Licensing Authority received evidence from the applicant to demonstrate that they had displayed public notices at the premises in accordance with the relevant regulations, and the application information was posted to the Somerset Council 'list of current licence applications' on the Council's website.
- 3.7 The Licensing Authority received a representation from an interested person on 29th February 2024. The full content of this representation can be found attached as **Appendix 3**.
- 3.8 There are matters in the submission which can be considered both relevant and not relevant to the four licensing objectives. The interested person has expressed concerns regarding anti-social behaviour outside of their home and that noise from live music would cause a nuisance.
- 3.9 Beyond their representation, the interested person has not engaged with the Licensing Authority and therefore it has not been possible to mediate, look for common ground and reach an agreement which could mean the hearing could be dispensed with.
- 3.10 The applicant has been served a copy of the representation. He believes that the 'teenagers' referenced are not a client base of his premises. He did advise that he is aware of teenagers hanging out in the Co-op car park. He is aware

that this is an issue with the Co-op car park and does go out in the mornings and tidy the area.

- 3.11 There have not been any representations from any of the responsible authorities.
- 3.12 There is one recorded 'service request' linked to the Chapel during the time since The Chapel CSL Limited has been holder of the premises licence. The service request, received on 18th December 2023, related to noise coming from the premises when they had bands and from patrons leaving the premises. It was established the licence holder was already taking reasonable steps to prevent noise from within the premises causing a nuisance. They were given some advice in relation to minimising noise from patrons leaving the premises and the service was closed.
- 3.15 The applicant has, over the last year, already been providing amplified live music and recorded music beyond the times permitted by their premises licence and Licensing Act 2003 (as amended by the Live Music Act 2012), by using Temporary Event Notices (TEN's). If the variation were granted, the applicant would not need to use TENs in the future. If this licence application was refused, it is anticipated that they would continue to submit TENs.
- 3.16 At the time of writing this report, the Licensing Authority has not yet received a formal written response to the notice of hearing, or any other correspondence, from the interested person, other than their original representation. Ashleigh Cobden in relation to their representation.

4. Right of appeal

- 4.1 All relevant parties have the right to appeal to the Magistrates Court if aggrieved by the decision of the Licensing Authority. This must be done within 21 days of being notified in writing of the relevant decision.

5. Appendices

1. Application.
2. Premises Licence.
3. Representation received.

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

- System reference This is the unique reference for this application generated by the system.
- Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
- Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
- Yes No

Applicant Details

- * First name
- * Family name
- * E-mail
- Main telephone number Include country code.
- Other telephone number
- Indicate here if you would prefer not to be contacted by telephone

- Are you:
- Applying as a business or organisation, including as a sole trader
- Applying as an individual
- A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

- Is your business registered in the UK with Companies House? Yes No
- Registration number
- Business name If your business is registered, use its registered name.
- VAT number Put "none" if you are not registered for VAT.
- Legal status
- Note: completing the Applicant Business section is optional in this form.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

Pub / Restaurant / Live News Venue

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes
- No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes
- No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Live Music would be amplified , however monitored and kept within reasonable levels .
 Where Live music is performed outside there is no intention for this to continue after 20:00hrs on any given evening.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

As per current License -
 Christmas Eve until -00:30hrs.
 New Years Eve until -01:00hrs

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Any Outdoor amplified music would be limited to a 20:00hrs finish.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

As per current License-
Christmas Eve until 00:30hrs.
New Years Eve until 01:00hrs.

Continued from previous page...

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

As per current License-
Christmas Eve until 00:30hrs.
New Years Eve until 01:00hrs.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Continued from previous page...

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

None

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve until 01:00hrs
New Years Eve until 01:30hrs

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

Non-tolerance policy to any inappropriate behavior , crime or disorder .
CCTV covering all areas including outside areas.

c) Public safety

CCTV covering all areas including outside areas.
Family Friendly and community ethos at heart of business goals.

Continued from previous page...

d) The prevention of public nuisance

CCTV covering all areas including outside areas.
Noise levels both inside and outside monitored to minimise impact on neighbours.
Clear signage at exits.
Requests made at close of Band sessions reminding guests to respect neighbours.
Any late night Music restricted to no more than one event per week.

e) The protection of children from harm

CCTV covering all areas including outside areas.
Family Friendly Ethos at heart of our business goals.
Children to be accompanied by responsible adults at all times.

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/taunton-deane/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)



**Somerset
Council**

Somerset West and Taunton Council PO Box 866 Taunton TA1 9GS	Email: Enquiries@somersetwestandtaunton.gov.uk Website: www.somersetwestandtaunton.gov.uk Telephone: 0300 304 8000
-----------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------

Licensing Act 2003 - Premises Licence

Premises licence number LPP/000407

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description			
The Chapel Cotford St Luke			
Post town	Taunton	Post code	TA4 1HX
Telephone number	01823 431587		

Where the licence is time limited the dates
NOT APPLICABLE

Licensable activities authorised by the licence
The provision of regulated entertainment; recorded music (indoors) The supply of alcohol.

The times the licence authorises the carrying out of licensable activities

Recorded music

Monday to Saturday from 11.00am until 11.00pm
Sunday from 12.00noon until 11.00pm.

Supply of alcohol

Monday to Saturday from 11.00am until 11.00pm
Sunday from 12.00noon until 11.00pm.

Non-standard timings for sale of alcohol:

On Christmas Eve from 11.00am until 12.00 midnight. On New Years Eve from 11.00am until 1.00am.

An extra 2 hours on 12 different occasions per year with 14 days notice to the Licensing Department prior to the event.

The opening hours of the premises

Monday to Sunday from 09:00am until 11.30pm

Non-standard opening times:

On Christmas Eve from 11.00am until 12.00 midnight. On New Years Eve from 11.00am until 1.00am.

Extra 2 hours on 12 different occasions per year with 14 days notice to the Licensing Department prior to the event.

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

On Supplies

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

The Chapel CSL Ltd
6 Nightingales
Cotford St Luke
Taunton
Somerset TA4 1JJ

Steve.thechapelcsl@btinternet.com

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

14497173

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Stephen Elliott



Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

TA/054942

Somerset West and Taunton Council

This licence will take immediate effect, replacing the licence dated 23rd of February 2023

Dated: 06th of April 2023

A handwritten signature in black ink, appearing to read 'C. Munn', positioned above the title of the Executive Director.

Executive Director- Community Services

Annex 1 - Mandatory conditions

Supply of alcohol

1. 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.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (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).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - (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 licences 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 in 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.
6. The responsible person shall 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 whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (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.
7. 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.
8. 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;
 - (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 amount 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) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
9. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the 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.
10. (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.

Annex 2 - Conditions consistent with the Operating Schedule

- 1 CCTV equipment shall be installed at the premises internally and externally to the satisfaction of the police.
- 2 Prominent, clear and legible notices are displayed at the exits requesting patrons to respect the needs of the local residents and to leave the premises and the area quietly.

- 3 Noise emissions arising from the premises from the playing of music or amplified speech shall not be audible between the hours of 11.00pm and 11.00am on any day, or during those times when licensable activities are provided outside the normal standard times, at the façade of any residential premises or other noise sensitive premises.

(Where it is difficult to monitor sound levels at a noise sensitive premises due to access problems, noise monitoring may be carried out at a distance that would be equal to the nearest noise sensitive premises and under similar conditions).

- 4 These conditions shall not apply to amplified broadcasts made in connection with evacuation of the premises in the event of fire or other emergency.
- 5 Children must be accompanied by parents/guardians at all times.
- 6 No children permitted in the bar areas.

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

None

Annex 4 – Plans

Plan Ref: m/31872/2012

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From: Ashleigh Cobden

Sent: Wednesday, February 21, 2024 9:04 AM

To: Somerset West Enquiries <Somersetwestenquiries@somerset.gov.uk>

Subject: Opposition to application number MA/57050, variation of opening hours, Cotford, St Luke, the chapel pub

For the attention of the licensing officer

Opposition to Planning application, MA/57050

The chapel pub Cotford, St Luke

Application to vary premises license extending hours for alcohol and live music

Dear, sir, madam,

I own a house right opposite the chapel pub in Cotford St Luke which is a very small village.

I strongly oppose this application.

The chapel has put an application in to extend the hours to serve our alcohol and for live music, Monday to Friday 11 am until midnight and Saturdays 11 am until 1230 midnight

With the opening hours, even as they are most Friday and Saturday nights late at night going on into midnight myself and my children are woken by drunk people coming out of the pub, shouting and kicking off outside of our house and at times, this has been quite frightening and woken up my children. It also worries me as a single mother. I also worry about damage to my house , and the live music we can hear very loudly but at least we know at the moment with the hours as they are this will stop around 11 1130, but the thought of this going on until midnight is horrendous !! and of course we have now drunks (usually teenagers and young adults) spilling out of the pub after midnight, shouting and kicking off in the co-op car co-op car park which is right outside my house and on many occasions they are stood right outside my house in my front garden arguing shouting, laughing absolutely plastered. I therefore oppose this application and I do hope that others in the village do so, this will not be appropriate for our village.

Also, I strongly believe that these opening hours in the pub as I live right opposite, it may almost definitely affect the selling price of my property as the first thing potential buyers ask is what are the opening hours of the pub!

Also a planning application has been passed for another 80 houses to be built on the fringe of our small village. This of course is going to increase the amount of people using the pub and I suspect the reason why they have put in for these extended hours, another reason to oppose

Kind regards.

Ashleigh Cobden

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