

Minutes of a Meeting of the Licensing Sub-Committee held in the Council Chamber, Council Offices, Cannards Grave Road, Shepton Mallet BA4 5BT, on Friday, 12 April 2024 at 10.00 am

Present:

Cllr Marcus Kravis (Vice-Chair)

Cllr Simon Coles
Cllr Tony Robbins

Cllr Connor Payne

Other Members present remotely:

Cllr Hugh Davies

49 Appointment of Chair for the Sub-Committee - Agenda Item 1

Cllr Marcus Kravis proposed and Cllr Tony Robbins seconded that Cllr Simon Coles be appointed as Chair of the Sub-Committee.

50 Apologies for Absence - Agenda Item 2

There were none.

51 Declarations of Interest - Agenda Item 3

Cllr Tony Robbins declared that he knew the applicant in his personal capacity.

52 Procedure to be followed when considering Licensing Applications under the Licensing Act 2003 - Agenda Item 4

The licensing Sub-Committee noted the procedure to be followed when considering Licensing Applications under the Licensing Act 2023.

The Chair introduced the members of the Sub-Committee and the Officers present at the hearing.

The Chair announced that he would be changing the order of speaking so that the Applicant, would follow the Licensing Officer. The Responsible Authorities and Other Persons would follow in that order.

The Chair confirmed that the Officer's report which related to the case, the procedure to be adopted during the hearing and the documents which the authority was required to provide under the Regulations had been received by all Parties in advance of the meeting.

53 Minutes of the Sub-Committee - Agenda Item 5

The minutes of the meeting held on 18 March 2024 were proposed by Cllr Tony Robbins and Seconded by Cllr Marcus Kravis and confirmed to be a true record of the meeting.

54 Consideration of an application for a Premises Licence in respect of Wookey Hole Limited, Wookey Hole, Wells, BA5 1BA - Agenda Item 6

The Senior Licensing and Business Support Officer introduced his report in respect of Wookey Hole Limited, Wookey Hole, Wells, BA5 1BA highlighting that the reason for the application for a new license was that the applicant wished to amend the hours for licensable activities on his current premises licence and include the provision for off sales. Rather than seek a variation to the existing license the applicant decided to apply for a new license. Comparison between the current licence and the new application could be seen in the table below.

Licensable Activity	Days	Start Time	Finish Time	
Supply of Alcohol	Every Day	06:00	02:00	On & Off Sales
Regulated Entertainment				
Plays & Indoor Sporting Events	Every Day	06:00	00:00	Indoors only
Films, Live Music, Recorded Music & Performance of Dance	Every Day	06:00	02:00	Indoors only
Late Night Refreshment	Every Day	23:00	05:00	Indoors only

Current Licensable Activities

Licensable Activity	Days	Start Time	Finish Time	
Supply of Alcohol	Sun – Thurs Fri & Sat	09:00 09:00	00:00 02:00	On Sales Only
Regulated Entertainment Plays, Indoor Sporting Events, Live Music, Recorded Music & Performance of Dance	Sun – Thurs Fri & Sat	08:00 08:00	00:00 02:00	Indoors and Outdoors
Films	Sun – Thurs Fri & Sat	08:00 08:00	00:00 02:00	Indoors only Indoors only
Late Night Refreshment	None			

The Wookey Hole Hotel opened in 2010, operated all year-round and provided 58 ensuite standard double and luxury family rooms. The hotel was situated within the village of Wookey Hole and was part of the renowned tourist attraction, Wookey Hole Caves. The hotel had a restaurant and bar which opened daily for non-residents as well as guests visiting the tourist attraction and catered for other events such as weddings, theatre shows and corporate engagements.

A total of 8 representations were received from “Other Persons” against this application.

An overview of representations were in Appendix 5 of the agenda papers.

The representations raised were in relation to all 4 of the Licensing Objectives.

The Sub-Committee noted that there had been no representations made by any Responsible Authorities.

The applicant was then invited to speak and he provided an overview of the clientele of the hotel which consisted of tourists, contractors working in the area and holiday makers.

He stated that the business needed to be competitive and as a result applied for a new Premises License.

In summary, some of the hours were extended, outdoor elements had been removed and off sales were requested in regard to the supply of alcohol.

Although longer hours were applied for in relation to the supply of alcohol, the hours would perhaps not be used. They were requested in order to give flexibility to the business.

They are also applying for a small area outside for the consumption of alcohol. It was pointed out that the Wookey Hole Inn and Club also had outdoor facilities.

In terms of safeguarding, they are aware of the needs of the family market.

When questioned by the Sub-Committee about doors and windows being opened or closed during the provision of live music/recorded music, Mr Goodchild advised that in their proposed conditions, they would create a noise management plan. He confirmed that the premises did not have air conditioning.

When cross questioned about the proposed outdoor area, the Applicant acknowledged that this area was different to the outside areas at the Wookey Hole Inn and Club. There was no proposed noise mitigation nor any conditions regarding lighting in the outside area. Mr Goodchild advised that he would install CCTV for this outside area.

The Licensing Officer confirmed that no complaints about noise had been received, but there had been a complaint about a light which had been resolved by the applicant by re-adjustment of the offending light.

When queried about additional lighting in the outside area, the applicant advised that this would be covered off in a Management Plan for the proposed outside area.

The only representee in attendance, Mr Tetley, was then invited to speak. He advised that largely his concerns related to the proposed outside area for alcohol

consumption, namely, disturbance for guests and children in the hotel that would be caused by noise from this area and from the additional lighting that would be required.

The applicant advised that these premises had 58 rooms. He confirmed that they already operated a 24-hour contact number for anybody to use.

The representee proposed that a Condition be imposed that all doors and windows be closed when regulated activity was taking place after 21:00.

He further requested that any Management Plans be available for the public to view.

The Licensing Officer summed up his report and reminded the Sub-Committee that the applicant was offering conditions as referred to in the operating schedule in Part M of the application and specifically at Appendix 3 of the agenda papers.

The Licensing Officer reminded the Sub-Committee of the Decision Making process.

All parties were reminded that there was a right of appeal against the decision of the Licensing Authority's pursuant to Section 181 of and Schedule 5 to the Licensing Act 2003. Such an appeal is to be made within 21 days of the date of receipt of the formal Notice of Determination and should be made to the Magistrates' Court.

All parties were reminded of the procedure contained within the Licensing Act 2003 which related to review of the premises licence. This provision permitted nearby residents, or responsible authorities to apply for a review of a premises licence where problems with crime and disorder, public safety, public nuisance, or the protection of children from harm were occurring. The Panel respectfully reminded all parties that for any review to go ahead, evidence would need to be collected of incidents occurring that undermined the licensing objectives.

All parties confirmed that they were satisfied with the conduct of the hearing.

Members of the Licensing Sub-Committee, the Legal Officer and the Democratic Services Officer, attending in an advisory capacity only, remained in the meeting and all other officers and applicants withdrew to allow the members of the Sub-Committee to consider their decision in private.

RESOLVED:

The Licensing Sub-Committee hearing held on 12 April 2024 in respect of the consideration for the grant of a Premises License for Wookey Hole Limited, Wookey Hole, Wells, BA5 1BA resolved to grant the application for a Premises Licence as applied for.

(The meeting ended at 10:54)

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CHAIR