

# Public Agenda Pack



Notice of Meeting of

## **LICENSING SUB-COMMITTEE**

**Tuesday, 4 March 2025 at 10.00 am**

**Sedgemoor Room, Bridgwater House, King  
Square, Bridgwater, TA6 3AR**

To: The members of the Licensing Sub-Committee

Chair: Councillor Simon Carswell  
Vice-chair: Councillor Marcus Kravis

Councillor Simon Coles

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For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services: [democratic@somerset.gov.uk](mailto:democratic@somerset.gov.uk).

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.

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Issued by (the Proper Officer) on Monday, 24 February 2025

## **AGENDA**

**Licensing Sub-Committee - 10.00 am Tuesday, 4 March 2025**

**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 Minutes of the Sub-Committee**

To authorise the Chair of the meeting to agree the accuracy and sign the minutes as a correct record following circulation to the members of the Sub-Committee.

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

**6 Application for variation of Premises Licence for NTS Retail, Taunton Road, Bridgwater (Pages 11 - 28)**

## **Guidance notes for the meeting**

### **Council Public Meetings**

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](mailto: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](http://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. At each meeting of a Sub-Committee there will be an item on the agenda to authorise the Chair of the meeting to agree the accuracy and sign the minutes as a correct record.

### **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 1(S)(S)A (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.

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Passcode: 8vx9dt3Z

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Phone conference ID: 483 584 159#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

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## **Procedure to be followed when considering Licensing Applications under the Licensing Act 2003**

### **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) The Applicant/Licence Holder will present their case and call any witnesses.
- (e) Any Party may question the Applicant/Licence Holder and any witnesses.
- (f) Members may question the Applicant/Licence Holder and any witnesses.
- (g) Responsible Authorities will present their case and call any witnesses.
- (h) Any Party may question the Responsible Authorities and any witnesses.
- (i) Members may question the Responsible Authorities and any witnesses.
- (j) Other Person(s) will present their case in turn and call any witnesses.
- (k) Any Party may question the Other Person(s).
- (l) Members may question the Other Person(s).

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.

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## Appendix 1 – existing premises licence

**Premises licence number**

SDCTA6 /023171

**Part 1 - Premises details**

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Bridgwater Service Station	
9-11 Taunton Road	
<b>Ordnance survey map reference (if applicable),</b>	
33003511	
367503	
<b>Post town</b> Bridgwater, Somerset	<b>Post code</b> TA6 3LP
<b>Telephone number</b> 01278 453913	

<b>Where the licence is time limited the dates</b>
N/A

<b>Licensable activities authorised by the licence</b>
The provision of late night refreshment Sale/ supply of alcohol for consumption off the premises only

<b>The opening hours of the premises</b>
Daily from 00.00 hrs to 24.00 hrs

<b>Where the licence authorises supplies of alcohol whether these are on and/ or off supplies</b>
Sale/ supply of alcohol for consumption off the premises only

<b>The times the licence authorises the carrying out of licensable activities</b>
The provision of late night refreshment Daily from 23.00 hrs to 05.00 hrs
Sale/ supply of alcohol for consumption off the premises only Daily from 05.30 hrs to 02.00 hrs

## Part 2

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

NTS Retail Ltd  
53 Burlington Road  
New Malden  
KT3 4LP

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

7676305

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

Kajendran Vettivel

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

7692 issued by London Borough of Brent

## Annex 1 - Mandatory conditions

1.

No supply of alcohol may be made under this Premises Licence at a time when there is no Designated Premises Supervisor in respect of the licence

2.

No supply of alcohol may be made under this Premises Licence at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

3.

Every sale of alcohol under this Premises Licence must be made or authorised by a person who holds a Personal Licence.

4. (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 licence 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.

5 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.

For the purposes of the condition

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(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) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(a).

Where the permitted price given by the calculation is not a whole number of pennies, the price given by that calculation shall be taken to be the price rounded up to the nearest penny.

(f) Where the permitted price 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, 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**

None

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

1. The premises must install and maintain a comprehensive CCTV system as per the minimum requirements of Avon and Somerset Constabulary's operational requirement guidance dated 31/3/14.
2. The CCTV system must record at all times when the premises is open for licensable activities. The correct time and date must be generated on all recordings.
3. CCTV recordings must be retained for a minimum period of 31 days and copies must be provided on to cd/dvd, to the police upon reasonable request. The CCTV system must incorporate at least one camera covering the entrance door and the alcohol display areas. Images must be of evidential quality.
4. If CCTV is in operative or faulty for any reason, steps must be taken to repair or replace the equipment within 24 hours or as soon as is practicable.
5. An authorised staff member from the premises who is conversant with the operation of the CCTV system must be able to provide the Police recent data or footage with the absolute minimum of delay when requested and within 24 hours.
6. All employees must receive training on commencement of employment, with regards to preventing the sale of alcohol to persons who are under the required age and proxy sales. This training must also include refusals to persons who are intoxicated. This training must be documented and signed for by employees to acknowledge that they have received this training. All employees must receive refresher training every twelve months. Records must be made available for inspection by the Police & Licensing Authority.
7. Appropriate training manual to be used,
8. A bound incident & refusal register must be kept and used on the premises, to record instances where the sale of alcohol and proxy sales to a customer is refused. Records must be kept for a minimum of 12 months and must be made available to the Local Authority, Police and Trading Standards upon request. Records must be audited on a regular basis by the designated premises supervisor.

9. A risk assessment in relation to staff safety when working between 23.00 hours and 06.00 hours must be in place and made available on request to the Police or authorised officer of the Licensing Authority.

10. Spirits must be located behind the counter,

11. The premises must operate a Challenge 25 policy, whereby anyone wishing to purchase alcohol who appears to be under the age of 25 years and unknown to the staff member serving as a person over 18 years of age, must be asked to provide photographic i.d. Eg. Passport, driving licence, "pass" card. Challenge 25 posters must be displayed prominently.

12. When only one staff member is on duty between 23.00 hours and 06.00 hours all sales must be conducted via the night pay window.

13. Facilities for depositing litter and the collection of litter generated by customers purchasing food and drink must be available and maintained.

14. Prominent, legible notices requesting people to leave the premises and the area quietly must be displayed at all exits.

15. The premises must be participating members of any pub watch/partnership scheme including the use of radio equipment so long as any such scheme remains in existence.

16. The premises licence holder via his agent will produce monthly customer flow / footfall figures for a period of six months from the date of grant together with the supporting EPOS data to allow the Licensing Authority to audit the data. The data will be sent to the Council's licensing department and the Police Licensing Department each month and will be in the same format as that which has been so far supplied.

### Premises Licence Summary

**Premises licence number**

SDCTA6 /023171

#### Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>	
Bridgwater Service Station	
9-11 Taunton Road	
<b>Ordnance survey map reference (if applicable),</b> 33003511 367503	
<b>Post town</b> Bridgwater, Somerset	<b>Post code</b> TA6 3LP
<b>Telephone number</b> 01278 453913	

<b>Where the licence is time limited the dates</b>
N/A

<b>Licensable activities authorised by the licence</b>
The provision of late night refreshment Sale/ supply of alcohol for consumption off the premises only

<b>The times the licence authorises the carrying out of licensable activities</b>
The provision of late night refreshment Daily from 23.00 hrs to 05.00 hrs
Sale/ supply of alcohol for consumption off the premises only Daily from 05.30 hrs to 02.00 hrs

<b>The opening hours of the premises</b>
Daily from 00.00 hrs to 24.00 hrs



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

Sale/ supply of alcohol for consumption off the premises only

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

NTS Retail Ltd  
53 Burlington Road  
New Malden  
KT3 4LP

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

767305

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Kajendran Vettivel

**State whether access to the premises by children is restricted or prohibited**

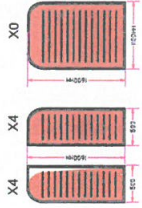
Not applicable

# Appendix 1 – existing premises licence

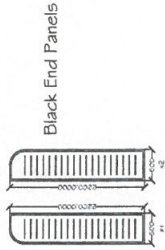
THIS DRAWING MUST BE READ IN CONJUNCTION WITH COSTCUTTER SUPERMARKET GROUP LTD'S HEALTH AND SAFETY NOTES

KEY  
 FF FIXTURES/INTERIOR - PLANNED  
 CP CEILING CANOPY

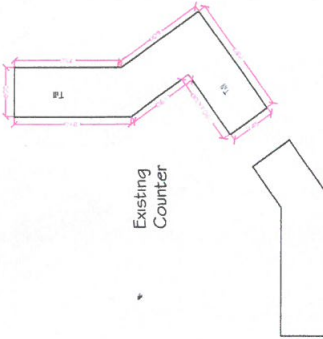
Walnut Woodwork  
 Black Woodwork



COSTCUTTER LOCAL END PANELS:  
 END PANELS IN GRAYS - 15MM WALNUT MATCH WITH WHITE  
 PANELS AND WHITE RECURRING BOARD TRIMS TO MATCH  
 PANELS

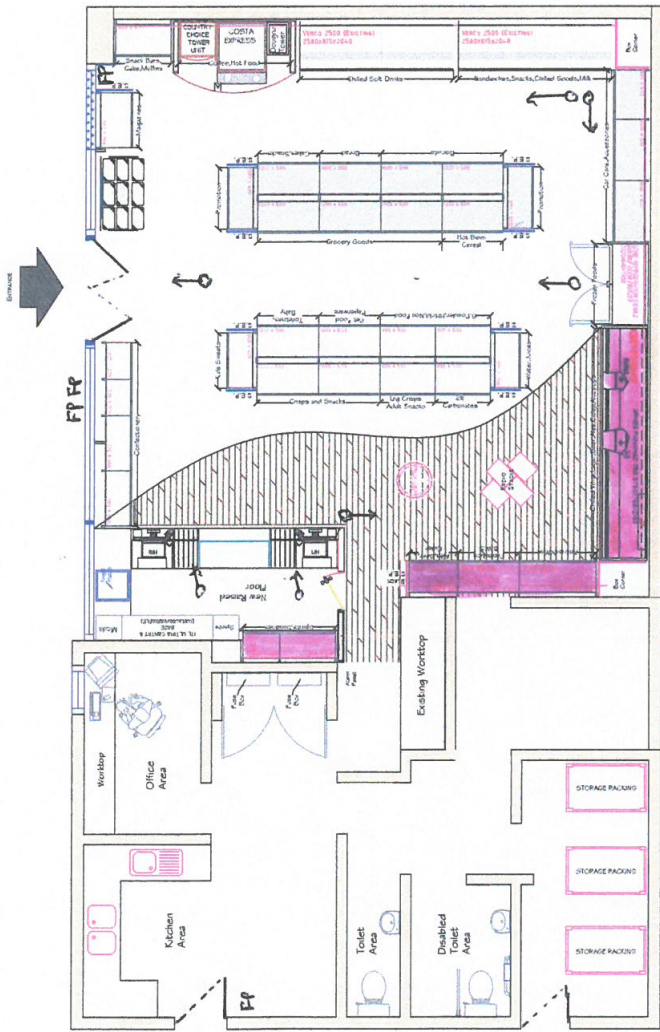


Black End Panels



Existing Counter

Black Canopy



DRAWING TITLE		SITE NAME	
1575 COSTCUTTER		TEXASO TOLLWAY ROAD	
SCALE		DRAWING NO	
1:50		SY/L/101	
DATE		REVISIONS	
06/06/2016		A	
DRAWN		STEFAN VOJACEK@COSTCUTTER.COM	
COSTCUTTER		HARRODT HILLS, COVINGTON, LOUISIANA, 70018	
TELEPHONE: 800.468.5522 FAX: 870.468.2323		WWW.COSTCUTTER.COM	

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## Application to vary a premises licence - Stage 1

SC669421336

Case created on: 2024-12-10 11:48:50

### Introduction and guidance

#### Applicant details

Are you an agent acting on behalf of the applicant?

##### Applicant details

**Title**   
**First name**   
**Family Name**   
**E-mail**   
**I am applying as**

##### Applicant Business

**Is your business registered in the UK with Companies House?**   
**Commercial Register**   
**Registration number**   
**Business name**   
**VAT Number**   
**Legal Status**   
**Your position in the Business**   
**Home country**

##### Registered Address

**Building number or name**   
**Street**   
**City or Town**   
**Postcode**   
**Country**

##### Agent details

**Title**   
**First name**   
**Family Name**   
**E-mail**   
**I am applying as**

##### Agent Business

**Is your business registered in the UK with Companies House?**   
**Registration number**   
**Business name**   
**VAT Number**

<b>Legal Status</b>	Limited Liability Partnership
<b>Your position in the Business</b>	Licensing Assistant
<b>Home country</b>	United Kingdom

#### Agent Registered Address

<b>Building number or name</b>	Arbor
<b>Street</b>	255 Blackfriars Road
<b>City or Town</b>	London
<b>Postcode</b>	SE1 9AX
<b>Country</b>	United Kingdom

#### Application details

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

<b>Premises Licence Number</b>	SDCTA6/023171
--------------------------------	---------------

#### Premises location

<b>Postcode</b>	TA6 3LP
<b>Premises address</b>	9-11 TAUNTON ROAD,BRIDGWATER,TA6 3LP

#### Variation

<b>Do you want the proposed variation to have effect as soon as possible?</b>	Yes
---	-----

<b>Do you want the proposed variation to have effect in relation to the introduction of the late night levy?</b>	No
--	----

<b>Describe briefly the nature of the proposed variation and the premises.</b>	A petrol forecourt store located on Taunton Road, Bridgwater. The variation is to extend the sale of alcohol to between the hours of 0000 and 2400 daily for consumption off the premises.
--	--

#### Activities

<b>Will you be providing plays?</b>	No
-------------------------------------	----

<b>Will you be providing films?</b>	No
-------------------------------------	----

<b>Will you be providing indoor sporting events?</b>	No
--	----

<b>Will you be providing wrestling or boxing entertainments?</b>	No
--	----

<b>Will you be providing live music?</b>	No
--	----

<b>Will you be providing recorded music?</b>	No
--	----

<b>Will you be providing performances of dance?</b>	No
---	----

<b>Will you be providing anything similar to live music, recorded music or performances of dance?</b>	No
---	----

<b>Will you be providing late night refreshment?</b>	Yes
--	-----

<b>Will you be selling or supplying alcohol?</b>	Yes
--	-----

#### Late night refreshment

<b>Monday</b>	No change 23:00-05:00
---------------	-----------------------

<b>Tuesday</b>	No change 23:00-05:00
----------------	-----------------------

<b>Wednesday</b>	No change 23:00-05:00
------------------	-----------------------

<b>Thursday</b>	No change 23:00-05:00
-----------------	-----------------------

<b>Friday</b>	No change 23:00-05:00
---------------	-----------------------

<b>Saturday</b>	No change 23:00-05:00
-----------------	-----------------------

<b>Sunday</b>	No change 23:00-05:00
---------------	-----------------------

<b>Will the activity take place indoors or outdoors or both?</b>	Both
--	------

<b>State type of activity to be authorised, if not already stated, and give relevant further details.</b>	The provision will take place inside the premises but customers may leave the premises with items purchased.
---	--

## Supply of alcohol

<b>Monday</b>	00:00-24:00
<b>Tuesday</b>	00:00-24:00
<b>Wednesday</b>	00:00-24:00
<b>Thursday</b>	00:00-24:00
<b>Friday</b>	00:00-24:00
<b>Saturday</b>	00:00-24:00
<b>Sunday</b>	00:00-24:00
<b>Will the activity take place indoors or outdoors or both?</b>	Outdoors

## Adult entertainment

txt\_21\_informationAdult N/A

## Hours premises are open to the public

<b>Monday</b>	00:00-24:00
<b>Tuesday</b>	00:00-24:00
<b>Wednesday</b>	00:00-24:00
<b>Thursday</b>	00:00-24:00
<b>Friday</b>	00:00-24:00
<b>Saturday</b>	00:00-24:00
<b>Sunday</b>	00:00-24:00
txt_17_conditionsRemoved	None, the existing conditions will remain on the licence.
<b>I have enclosed the premises licence</b>	Yes

## Licensing Objectives

- |   |   |
|---|---|
| a) General "all four licensing objectives (b,c,d,e) | The existing conditions will remain on the licence. |
| b) The prevention of crime and disorder             | The existing conditions will remain on the licence. |
| c) Public safety                                    | The existing conditions will remain on the licence. |
| d) The prevention of public nuisance                | The existing conditions will remain on the licence. |
| e) The protection of children from harm             | The existing conditions will remain on the licence. |

## Payment details

<b>Non-domestic rateable value of premises (Â£)</b>	29750
<b>Is the premises primarily used for the consumption of alcohol on the premises?</b>	No
<b>Fee based on non-domestic rateable value of premises (Â£)</b>	190
<b>If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend</b>	0
<b>Additional fees based on the expected number of attendees (Â£)</b>	0
<b>Total fee (Â£)</b>	190

## Declaration

### Declaration

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 (please read guidance note 15). 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 (please see note 15)

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

**Full name** Woodworth Sherwood LLP

**Position** Agent

**Date** 10 December 2024

## Appendix 3 - representation

From: Planning <planning@bridgwater-tc.gov.uk>  
Sent: 23 December 2024 09:37  
To: Licensing Sedgemoor  
Subject: RE: Full Variation - NTS Retail Limited

Good morning,

Please see comments below.

Bridgwater Town Council have worked hard with the Neighbourhood Police Team to address the problem of street drinkers and associated Anti-Social Behaviour prevalent in the Town Centre. It is our view that making liquor available on a 24-hour basis on a site adjacent to the Town Centre would lead to increased levels of crime and disorder and potentially create a public nuisance. Trinity Gardens close to the Petrol filling station is already a hotspot for street drinkers and having a 24 hour liquor available nearby could lead to further public nuisance.

Kind regards  
Amy

Amy Storey  
Democratic Services Officer and Office Manager  
Bridgwater Town Council  
Town Hall  
High Street  
Bridgwater  
TA6 3AS  
Phone: 01278 427692  
Visit our website

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## **Consideration of an application to vary of a premises licence**

Lead Officer: Kate Trunks, Assistant Licensing Officer  
Author: Kate Trunks, Assistant Licensing Officer & John Rendell, Specialist  
Contact Details: 01278 435543, [kate.trunks@somerset.gov.uk](mailto:kate.trunks@somerset.gov.uk)  
Executive Lead Member: Lead Member for Communities, Housing Revenue  
Account, Culture and, Equalities and Diversity  
Division / Local Member: Councillor Brain Smedley, Councillor Kathryn Pearce

### **1. Summary**

- 1.1 An application has been made by Winckworth Sherwood LLP on behalf of NTS Retail in accordance with the Licensing Act 2003 (LA2003), to vary a premises licence in respect of 9-11 Taunton Road, Bridgwater, TA6 3LP
- 1.2 The Licensing Authority has received a relevant representation and must therefore hold a hearing for the Licensing Sub-Committee to determine the application.

### **2. Issues for consideration/recommendations**

- 2.1 The Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives, being to:
  - (a) Grant the application.
  - (b) Modify the conditions of the licence by way of altering, omitting or adding any new one.
  - (c) Reject the whole or part of the application;
- 2.2 In determining the application, the Sub-Committee 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.

- The Licensing Authority’s Statement of Licensing Policy.
- Human Rights considerations, in particular Article 6, Article 8, and Article 1 of Protocol 1.

### 3. Background

- 3.1 The premises is a petrol forecourt and store, trading as Esso Service Station. The premises licence that is the subject of the application is attached at **Appendix 1**.
- 3.2 The premises is authorised to supply alcohol for consumption off the premises daily from 05:30 hours through to 02:00 hours, and provide late night refreshment daily from 23:00 hours through to 05:00 hours. The opening hours of the premises are 24 hours a day. As well as the usual mandatory conditions, the licence is subject to 16 conditions attached at a previous Licensing Sub-Committee hearing (see Annex 3 of Appendix 1).
- 3.3 The Licensing Authority received the application to vary the licence on the 10<sup>th</sup> of December 2024. A copy of the full application at **Appendix 2**. The holder of the licence is seeking to vary the licence to authorise the supply of alcohol 24 hours a day, 7 days a week.
- 3.4 The applicant’s original intention was that, if granted, the activities would be subject to the conditions already on the licence. However, having liaised with the Police Licensing Practitioner, they did agree to amend their application to:

- (a) Replace conditions 1 through to 5 of Annex 3 of the licence (Conditions attached after a hearing by the licensing authority) with the following condition:

A comprehensive surveillance system must be installed and maintained in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions and particularly regarding facial recognition. Cameras must capture entrance/exit to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs. The system must be maintained in full working order and must record at all times when the premises is open for licensable activities. The correct time and date must be generated on all recordings which must be retained for a minimum period of 31 days. A Data Controller who is conversant with the operation of the system and competent at downloading CCTV footage in a recordable format must be appointed and able to provide Police recent data or footage on request. The CCTV equipment must be kept in a secure environment under the control of the Data Controller. An operational daily weekly report must be maintained endorsed by signature, indicating the system has been checked and is compliant. If the system is inoperative or faulty for any reason, steps must be taken to repair or replace the equipment within 24 hours. Management, storage, giving and sharing

of data recordings must comply with the general data protection regulations at all times and ICO guidelines.

(b) Add the following conditions:

- i. There must be no sales of single cans of beer, cider, or lager at any time.
- ii. No super-strength beer, lagers, ciders of 6.5% ABV (alcohol by volume) or above will be sold from the premises.
- iii. Cider must not be sold at the premises in plastic bottles of 2 litre capacity or more.

(c) Remove the following conditions in Annex 3 of the licence – ‘Conditions attached after a hearing by the licensing authority’:

- i. 15. The premises must be participating members of any pub watch/partnership scheme including the use of radio equipment so long as any such scheme remains in existence.
- ii. 16. The premises licence holder via his agent will produce monthly customer flow / footfall figures for a period of six months from the date of grant together with the supporting EPOS data to allow the Licensing Authority to audit the data. The data will be sent to the Council's licensing department and the Police Licensing Department each month and will be in the same format as that which has been so far supplied.

3.5 As required by the LA2003 and associated regulations Act, the applicant published public notice of the application in The Bridgwater Mercury on 17<sup>th</sup> December 2024, and displayed notices at the premises. Details of the application were also published on the Council website.

3.6 The Licensing Authority received one representation; from Bridgwater Town Council on the 23<sup>rd</sup> December 2024. This representation is attached as **Appendix 3**.

#### **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. Existing premises licence
2. Application
3. Representation

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