

**SWT Licensing Sub - Committee  
Hearing**

**Thursday, 29th September, 2022,  
11.00 am**

**Somerset West  
and Taunton**

**Virtual Meeting**

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**Members: Mark Lithgow (Chair), Anthony Trollope-Bellew and  
Loretta Whetlor**

**Agenda**

**1. Declarations of Interest**

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

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

**2. Application for the grant of a Premises Licence under  
the Licensing Act 2003**

(Pages 3 - 38)



**ANDREW PRITCHARD  
CHIEF EXECUTIVE**

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Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group. These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using [governance@somersetwestandtaunton.gov.uk](mailto:governance@somersetwestandtaunton.gov.uk)

Any requests need to be received by 4pm on the day that provides 1 clear working day before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Friday prior to the meeting.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the [Somerset West and Taunton webcasting website](#).

The meeting rooms, including the Council Chamber at The Deane House, are on the first floor and are fully accessible. Lift access to The John Meikle Room (Council Chamber), is available from the main ground floor entrance at The Deane House. The Council Chamber at West Somerset House is on the ground floor and is fully accessible via a public entrance door. Toilet facilities, with wheelchair access, are available across both locations. An induction loop operates at both The Deane House and West Somerset House to enhance sound for anyone wearing a hearing aid or using a transmitter.

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For further information about the meeting, please contact the Governance and Democracy Team via email: [governance@somersetwestandtaunton.gov.uk](mailto:governance@somersetwestandtaunton.gov.uk)

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# Somerset West and Taunton Council

## Licensing sub-committee – Thursday 29<sup>th</sup> of September 2022

### Application for the grant of a Premises Licence under the Licensing Act 2003

This matter is the responsibility of Cllr Andrew Sully

Report Author: Brad Fear – Licensing Officer

#### 1 Executive Summary / Purpose of the Report

1.1 Members are asked to consider an application to grant a Premises Licence under the Licensing Act 2003 for 48 East Street, Taunton, Somerset TA1 3NA.

#### 2 Recommendations

2.1 As a relevant representation has been received by the licensing authority, the sub-committee must take such steps as it considers appropriate for the promotion of the four licensing objectives, being:

- The prevention of crime and disorder;
- The prevention of public nuisance;
- Public safety;
- The protection of children from harm.

2.2 The steps the sub-committee may take are to:

- Grant a premises licence subject to conditions identified in the applicant's operating schedule/agreed position (modified to such extent as the authority considers appropriate for the promotion of the licensing objectives) and any appropriate mandatory conditions.
- Grant a premises licence subject to variations to the licensable activities and or timings proposed in the application, or to propose additional conditions relevant to the four licensing objectives.
- Reject the application.

#### 3 Risk Assessment (if appropriate)

3.1 The matters to which this report relates does not impact on any of the issues identified

within the Corporate and Function Risk Registers.

## 4 Background and Full details of the Report

- 4.1 The premises is situated in central Taunton along East Street; a building that was formerly licensed for alcohol and has housed pubs/businesses such as Handsome Harry's and Retro. The previous premises licence for this building lapsed in October 2021, following the dissolving of the company previously named as the licence holders. The building has not been licensed since then.
- 4.2 A completed application and associated paperwork were received from applicant Julian Abraham, on behalf of the Lager Company Ltd, for the granting of a premises licence for 48 East Street, Taunton and this was circulated to relevant responsible authorities on 4<sup>th</sup> August 2022. A period of 28 days consultation commenced from this date with responsible authorities and for interested parties/members of the public – the final date of which fell on Thursday 1<sup>st</sup> September 2022.
- 4.3 A copy of the application can be found attached as **Appendix A**. The applicant is looking to be licensed to sell alcohol for consumption on the premises only, between the hours 08:00-23:30 Sunday to Wednesday, 08:00 – 00:30 Thursday, and 08:00 – 02:30 Friday and Saturday. This includes non-standard timings on New Year's Eve and Christmas Eve, allowing sale of alcohol up to 02:30am. They are also looking to be licensed for live music (12:00 – 23:30 Sunday to Thursday, 12:00-01:00 Friday and Saturday), recorded music and late-night refreshment (08:00-23:30 Sunday to Wednesday, 08:00 – 00:30 Thursday, and 08:00 – 02:30 Friday and Saturday).
- 4.4 Following a visit to the site by the Avon & Somerset Constabulary Area Licensing Practitioner, a number of conditions were proposed to form the basis of an operating schedule/agreed position. The conditions proposed are attached as **Appendix B**.

### Representations

- 4.5 Representations against the application has been received from interested local parties within the 28-day consultation period. The content of their objections is shown in **Appendix C**. The main areas of concern are the possibility of public nuisance/disturbance to local residents/neighbours, caused by late night live/recorded music and drunk customers, as well as concerns around the long hours of trading (i.e. from 8am to late at night) and the impact this will have on anti-social behaviour (for example, urination and vomiting on the public footpath).

### Representations from Responsible Authorities

- 4.6 No formal objections/representations were raised by responsible authorities during the 28 day consultation period.

### 4.7 Mediation

The Licensing Authority made contact with the objecting parties following receipt of their representations and also made contact with the applicant to confirm the nature of the concerns raised. This gave us the opportunity to forward on assurances and measures proposed by the applicant to concerned parties, as well as inviting objecting parties to make their own suggestions on amendments to the proposed activities or propose conditions which might address their concerns.

A mediation meeting between the applicant, objecting party and Licensing Officer took place at the Deane House in Taunton on Friday 9<sup>th</sup> September, with the intention of discerning if any compromise could be reached that might fully alleviate the

concerns addressed.

Not all objecting parties were able to attend the mediation meeting, however points for further discussion—expanding upon those raised in their initial objections—were submitted by a couple of objecting parties, to be discussed at mediation. These additional observations are attached as **Appendix D**.

A summary of points discussed at the mediation meeting at the Deane House are attached as **Appendix E**. In this are included some proposed application amendments and assurances that the Mr Abraham has offered in order to address the concerns of the objecting parties. This includes a willingness to amend the proposed terminal hour of licensable hours on Fridays and Saturdays from 2:30am to 1:30am, as well as the addition of a condition that restricts sale of alcohol in the morning (from 8am to 11am) to purchases made with food only. Mr Abraham expressed a desire to work closely with the premises' neighbours to mitigate any potential disturbances caused by licensable activities.

A summary of the points and amendments discussed at mediation were circulated by e-mail to all objecting parties and to the applicant on Monday 12<sup>th</sup> September. At the time of writing this report, we have not received confirmation from any of the objecting parties stating a desire to withdraw their objections, based on the proposals made at the mediation meeting.

#### Responses to notice of hearing

- 4.8 Notices of hearing were sent out by e-mail to the applicant and all objecting parties on Thursday 8<sup>th</sup> September 2022. Those responses to the notice of hearing which have been received at the time of writing this report are attached as **Appendix F**.

#### Relevant Licensing Policy considerations

- 4.9 Section 1.2 of the Authority's Licensing Policy states: "The Act requires the Licensing Authority to carry out its various licensing functions so as to promote the four licensing objectives". "These four objectives will be the paramount considerations when determining a course of action in relation to the Licensing Authority's licensing functions. Each objective will be given equal importance". The four objectives are: the prevention of crime and disorder, public safety, prevention of children from harm and prevention of public nuisance.

#### Conditions

- 4.10 Section 1.5.2 of the Policy states "The Licensing Authority may only impose conditions on a premises licence if they are consistent with the operating schedule or after receiving relevant representations. Any conditions attached to the licence must relate to the promotion of the Licensing Objectives".
- 4.11 The Act requires that licensing conditions should be tailored to the size, style, characteristics and activities taking place at the premises concerned.
- 4.12 The guidance issued under Section 182 of the Licensing Act 2003 states: "(9.38) *All licensing determinations should be considered on a case by case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. (9.39) The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. (9.40) Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step*

*would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters.”*

## **5 Links to Corporate Aims / Priorities**

- 5.1 Under the Licensing Act 2003, the licensing authority has a statutory requirement to ensure that licences are granted with consideration given to the four licensing objectives (public safety, protection of children from harm, prevention of crime and disorder, prevention of public nuisance).

## **6 Finance / Resource Implications**

- 6.1 None.

## **7 Legal Implications**

- 7.1 The Licensing Sub Committee, when determining this application, must comply with the Licensing Act 2003. It should also have due regard to the Home Office Guidance and the Council's Licensing Policy.
- 7.2 In determining an application relating to a Premises Licence, any Responsible Authority or other party can make representations in relation to the application.
- 7.3 The Licensing Act 2003 created four licensing objectives and in determining this application, only factors that relate to the licensing objectives can be taken into account. Any representation must relate to the licensing objectives and any conditions added by the Licensing Sub Committee must relate to the promotion of the licensing objectives.

### Human Rights Act 1998

- 7.4 The sub-committee must also have regard to the provisions of the Human Rights Act 1998 when determining this application. The 1998 Act made the European Convention of Human Rights directly enforceable in British courts. The relevant provisions are Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 11 (freedom of association) and Article 1 of the First Protocol (right to peaceful enjoyment of one's possessions). These provisions require the sub-committee to identify correctly the competing interests, give each appropriate weight in the circumstances of the case, and balance them against each other in order to arrive at a fair and reasonable decision.

### Appeals

- 7.5 If the sub-committee modifies conditions or rejects the application, the applicant may appeal within 21 days of notification of the decision to the Magistrates' Court. Those making relevant representations may appeal if they believe that the licence should not have been granted, or that, when granting the licence, the Licensing Authority ought to have imposed different additional conditions or excluded a licensable

activity. The Magistrates' Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates' Court may make any costs order it thinks fit.

**8 Environmental Impact Implications (if any)**

8.1 None identified

**9 Safeguarding and/or Community Safety Implications (if any)**

9.1 None identified.

**10 Equality and Diversity Implications (if any)**

10.1 None identified.

**11 Social Value Implications (if any)**

12 No social value implications were identified.

**13 Partnership Implications (if any)**

14 No partnership implications were identified.

**15 Health and Wellbeing Implications (if any)**

15.1 Through effective regulation, confidence in licensed premises and activities can be maintained, helping communities to thrive.

**16 Asset Management Implications (if any)**

16.1 No asset management implications have been identified.

**17 Consultation Implications (if any)**

17.1 None identified.

**18 Scrutiny Comments / Recommendation(s) (if any)**

18.1 Not applicable.

**Democratic Path:**

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – No**
- **Full Council – No**

**Reporting Frequency :**  **Once only**  **Ad-hoc**  **Quarterly**

**Twice-yearly**  **Annually**

## List of Appendices

Appendix A	Application to grant a premises licence for 48 East Street, Taunton
Appendix B	Agreed position/operating schedule agreed between applicant and Avon & Somerset Constabulary
Appendix C	Objections/representations received from interested parties
Appendix D	Additional observations/comments submitted by interested parties (in advance of mediation meeting)
Appendix E	Summary of points raised at mediation meeting (including proposed amendments to licence application)
Appendix F	Responses to Notice of Hearing (at time of submission of report)

## Contact Officers

Name	Brad Fear
Direct Dial	01823 219447
Email	B.Fear@somersetwestandtaunton.gov.uk



**APPLICATION FOR A PREMIES LICENCE – 48 EAST STREET, TAUNTON**



**Somerset West and Taunton**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[communityprotection@somersetwestandtaunton.gov.uk](mailto:communityprotection@somersetwestandtaunton.gov.uk)  
 Telephone: 0300 304 8000

\* required information

Section 1 of 21		
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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="Whirligig License"/>	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?	<input type="radio"/> Yes <input checked="" type="radio"/> No	Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
<b>Applicant Details</b>		
* First name	<input type="text" value="Julian"/>	
* Family name	<input type="text" value="Abraham"/>	
* E-mail	<input type="text" value="REDACTED"/>	
Main telephone number	<input type="text" value="REDACTED"/>	Include country code.
Other telephone number	<input type="text" value="REDACTED"/>	
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		
Are you:		
<input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader		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.
<input type="radio"/> Applying as an individual		
<b>Applicant Business</b>		
Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="08536653"/>	
Business name	<input type="text" value="The Lager Company Limited"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="REDACTED"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	

APPENDIX A

<i>Continued from previous page...</i>	
Your position in the business	Owner/Director
Home country	United Kingdom
The country where the headquarters of your business is located.	
<b>Registered Address</b>	Address registered with Companies House.
Building number or name	Whirligig House
Street	Church Square
District	
City or town	Taunton
County or administrative area	Somerset
Postcode	TA1 1SA
Country	United Kingdom
<b>Section 2 of 21</b>	
<b>PREMISES DETAILS</b>	
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 Address</b>	
Are you able to provide a postal address, OS map reference or description of the premises?	
<input checked="" type="radio"/> Address <input type="radio"/> OS map reference <input type="radio"/> Description	
<b>Postal Address Of Premises</b>	
Building number or name	48
Street	East Street
District	
City or town	Taunton
County or administrative area	Somerset
Postcode	TA1 3NA
Country	United Kingdom
<b>Further Details</b>	
Telephone number	
Non-domestic rateable value of premises (£)	49,500

APPENDIX A

<b>Section 3 of 21</b>	
<b>APPLICATION DETAILS</b>	
In what capacity are you applying for the premises licence?	
<input type="checkbox"/> An individual or individuals	
<input checked="" type="checkbox"/> A limited company / limited liability partnership	
<input type="checkbox"/> A partnership (other than limited liability)	
<input type="checkbox"/> An unincorporated association	
<input type="checkbox"/> Other (for example a statutory corporation)	
<input type="checkbox"/> A recognised club	
<input type="checkbox"/> A charity	
<input type="checkbox"/> The proprietor of an educational establishment	
<input type="checkbox"/> A health service body	
<input type="checkbox"/> A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	
<input type="checkbox"/> A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England	
<input type="checkbox"/> The chief officer of police of a police force in England and Wales	
<b>Confirm The Following</b>	
<input checked="" type="checkbox"/> I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities	
<input type="checkbox"/> I am making the application pursuant to a statutory function	
<input type="checkbox"/> I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative	
<b>Section 4 of 21</b>	
<b>NON INDIVIDUAL APPLICANTS</b>	
Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.	
<b>Non Individual Applicant's Name</b>	
Name	<input type="text" value="The Lager Company Ltd"/>
<b>Details</b>	
Registered number (where applicable)	<input type="text" value="08536653"/>
Description of applicant (for example partnership, company, unincorporated association etc)	

APPENDIX A

*Continued from previous page...*

Limited Company

**Address**

Building number or name

Street

District

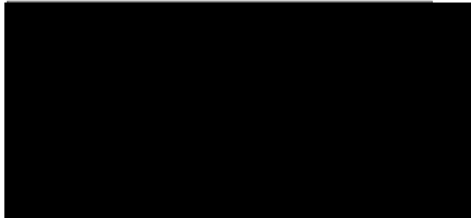
City or town

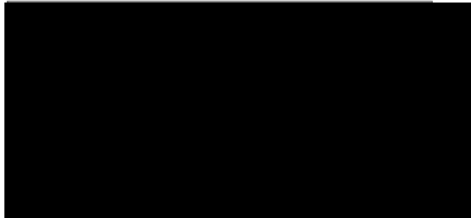
County or administrative area

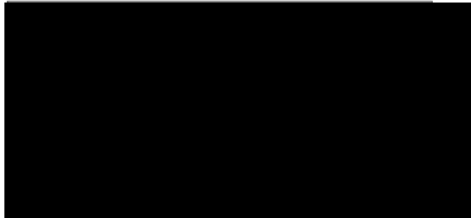
Postcode

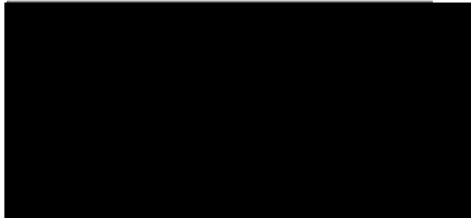
Country

**Contact Details**

E-mail 

Telephone number 

Other telephone number 

\* Date of birth 

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

APPENDIX A

*Continued from previous page...*

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

Yes  No

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**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

Yes  No

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**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

Yes  No

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**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

Yes  No

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**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

Yes  No

**Standard Days And Timings**

MONDAY		Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>	Give 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.
		Start	<input type="text"/>	End	<input type="text"/>	
TUESDAY		Start	<input type="text" value="12:00"/>	End	<input type="text" value="23:30"/>	
		Start	<input type="text"/>	End	<input type="text"/>	

APPENDIX A

Continued from previous page...

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

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 tick 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.

Amplified and Acoustic Live Music.

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.

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

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

New Years Eve - until 01:00 am  
 Christmas Eve - until 01:00am

APPENDIX A

<i>Continued from previous page...</i>					
<b>Section 11 of 21</b>					
<b>PROVISION OF RECORDED MUSIC</b>					
<a href="#">See guidance on regulated entertainment</a>					
Will you be providing recorded music?					
<input checked="" type="radio"/> Yes <input type="radio"/> No					
<b>Standard Days And Timings</b>					
MONDAY	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; padding: 2px;">Start <input style="width: 60px;" type="text" value="08:00"/></td> <td style="width: 50%; padding: 2px;">End <input style="width: 60px;" type="text" value="23:30"/></td> </tr> <tr> <td style="padding: 2px;">Start <input style="width: 60px;" type="text"/></td> <td style="padding: 2px;">End <input style="width: 60px;" type="text"/></td> </tr> </table>	Start <input style="width: 60px;" type="text" value="08:00"/>	End <input style="width: 60px;" type="text" value="23:30"/>	Start <input style="width: 60px;" type="text"/>	End <input style="width: 60px;" type="text"/>
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Will the playing of recorded music take place indoors or outdoors or both?					
<input checked="" type="radio"/> Indoors <input type="radio"/> Outdoors <input type="radio"/> Both					
Where taking place in a building or other structure tick 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.					
Amplified and acoustic recorded music					

APPENDIX A

*Continued from previous page...*

---

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 in the column on the left, list below

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

---

New Years Eve - until 02:30am  
 Christmas Eve - until 02:30am

---

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes  No

---

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

---

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Standard Days And Timings**

MONDAY	Start <input type="text" value="08:00"/>	End <input type="text" value="23:30"/>	Give 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.
	Start <input type="text"/>	End <input type="text"/>	
TUESDAY	Start <input type="text" value="08:00"/>	End <input type="text" value="23:30"/>	
	Start <input type="text"/>	End <input type="text"/>	



APPENDIX A

Continued from previous page...

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

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors
  Outdoors
  Both

Where taking place in a building or other structure tick 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.

Hot Meals and Hot drinks

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 late night refreshments at different times from those listed in the column on the left, list below

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

APPENDIX A

Continued from previous page...

New Years Eve - until 02:30 am  
 Christmas Eve - until 02:30am

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give 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

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.

APPENDIX A

*Continued from previous page...*

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 in the column on the left, list below

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

New Years Eve - until 02:30 am  
Christmas Eve - until 02:30am

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

**APPENDIX A**

*Continued from previous page...*

Electronically, by the proposed designated premises supervisor  
 As an attachment to this application

Reference number for consent form (if known) 
If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**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

Give 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.

N/A

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Give 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.

APPENDIX A

Continued from previous page...

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.

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

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

New Years Eve - 03:00  
Christmas Eve - 03:00

**Section 18 of 21**

**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.

With a breadth of experience going back 25 years my history demonstrates that I have a proven track record in running licensed premises, my last business being a very busy, town centre pub and hotel. I will ensure that there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the license and for preventing crime and disorder. I shall ensure that all staff undertake their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

b) The prevention of crime and disorder

1. Qualified and registered Doorsafe personnel will be employed during busy times to ensure complete compliance with local and national licensing objectives.
  2. CCTV will be installed on the premises.
  3. Glasses will be the standard industry specification.
  4. Customers will not be permitted to take open containers of alcohol or soft drinks from the premises.
  5. Bottle bins for collection or empty bottles will not be accessible to members of the public.
  6. We will join the local Pubwatch scheme and comply with all relevant requirements. We will send a representative to meetings.
  7. All-inclusive nights or other irresponsible drinks promotions will not be permitted.
  8. We will have an anti-drugs policy in line with safer clubber guidance.

## APPENDIX A

*Continued from previous page...*

### c) Public safety

1. A suitable Fire Risk Assessment at the premises will be undertaken and the necessary control measures implemented.
2. All exit doors will be easily operable without the use of a key, card, code or similar means.
3. Exit doors to be regularly checked to ensure they function satisfactorily.
4. All fire doors are maintained unobstructed and effectively self closing and will not be held open other than with approved devices.
5. Notices detailing the actions to be taken in the event of fire or other emergency to be prominently displayed and maintained in good condition.
6. Fire drill and emergency lighting tests will be conducted weekly / monthly. Records of these tests will be available upon request.
7. Adequate arrangements exist to enable the safe movement within the premises of disabled people and their safe evacuation in the event of an emergency
8. Adequate and appropriate First Aid equipment and materials will be available on the premises.
9. At least one suitable trained First Aider will be on duty when the public are present.
10. In the absence of adequate daylight sufficient artificial lighting is provided and maintained in any area accessible to the public.
11. Fire safety signs to be adequately illuminated
12. Emergency lighting will be installed and will be regularly maintained.
13. Electrical Installation condition reports and periodic inspections to be carried out on a 5 year cycle along with CORGI gas safety inspections and reports.
14. The premises will have current and suitable Public Liability Insurance in the sum of £10 million. A certificate will be obtained each year and displayed at the premises.
15. All fire fighting equipment will be serviced annually, certificates available on site.
16. We operate a complete no smoking policy at the premises.

### d) The prevention of public nuisance

1. The premises will be air conditioned to avoid the need to open doors and windows for ventilation.
2. Doors and windows will be kept closed when regulated entertainment is taking place.
3. The entrance has an effective lobby to minimise the breakout of noise.
4. Prominent, clear and legible notices are to be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
5. The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas will not be permitted.
6. Disposal of empty bottles into waste receptacles outside the premises will not be permitted to take place between the hours of 23:00 hrs and 07:00 hrs to minimise disturbance to nearby occupiers.
7. All ventilation and extract systems will be designed and maintained so as to prevent noxious smells causing a nuisance to nearby properties.
8. The company will have a waste collection contract to remove waste.
9. Staff will undertake a daily litter pick around the premises.

### e) The protection of children from harm

1. The premises will operate a proof of age policy. Those appearing under 25 will be asked for ID as proof of age.
2. Use CCTV to monitor the premises.
3. Policy on clearing glasses to minimise opportunities for children to access left-over alcohol.
4. Signs will be displayed and the company commitment to laws relating to alcohol and children.

APPENDIX A

*Continued from previous page...*

\* 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?"

\* 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/apply-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

APPENDIX A

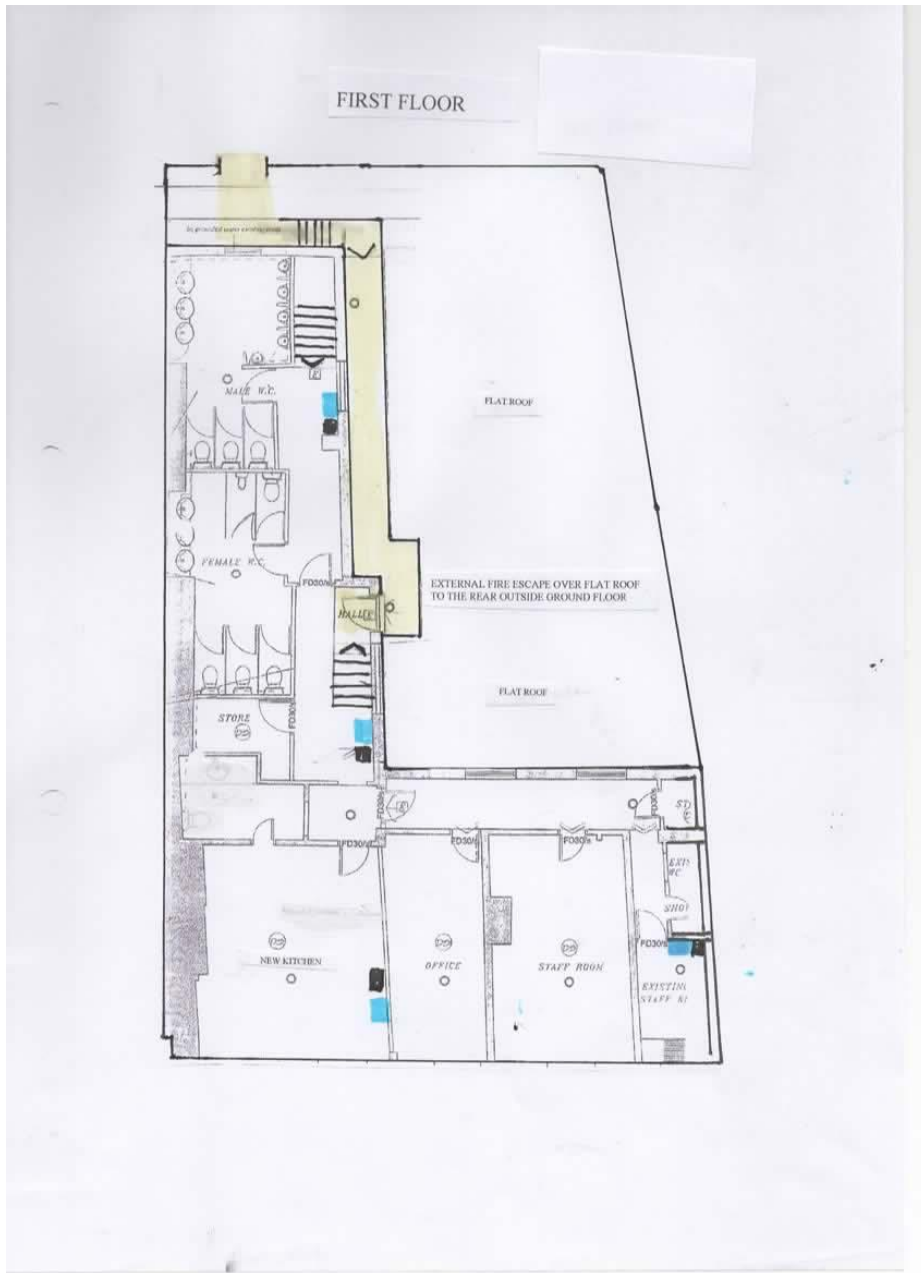
**PROPOSED LICENSABLE AREA OUTLINED IN RED:**





APPENDIX A

Note: no licensable area applied for on first floor



Notes relating to plans

<b>Exits</b> Please note there is an emergency exit route from the first floor over the flat roof to the outside ground floor at the rear of the building	Marked on the plan in Yellow
<b>Live music area</b>	Marked on the plan in Orange
<b>Fixed structures</b>	Marked as XXXXXXXXXXXX
<b>Fire Break Glass Points</b>	Marked on the plan in Blue
<b>Fire extinguishers, water &amp; Co2</b>	Marked on the plan in Black
<b>Seating Area A</b>	There are 4 steps up to this area which gives a raised floor height of 65cm
<b>Standing Area A</b>	There are two small steps to this area.

**Agreed position/operating schedule agreed between applicant and Avon & Somerset Constabulary**

- 1) The premises must install and maintain a comprehensive surveillance system as per the minimum requirements of Avon and Somerset Constabulary. The system must record at all times when the premises is open for licensable activities and while customers remain within the immediate vicinity of the premises. The correct time and date must be generated on all recordings. Recordings must be retained for a minimum period of 31 days and copies will be made available, on request, to the police or authorised officer of the licensing authority. If the system is inoperative or faulty for any reason, steps must be taken to repair or replace the equipment within 24 hours. A staff member from the premises who is conversant with the operation of the system must be on the premises at all times when the premises is open to the public. This staff member must be able to provide police or authorised officer of the licensing authority recent data or footage with the absolute minimum of delay when requested.
- 2) The Premises Licence Holder must ensure that there are sufficient number of staff on the premises at all times when licensable activities take place in order to fully promote the licensing objectives.
- 3) SIA Registered doorstaff must be employed at all times if following a risk assessment or advice from the Police, it is considered necessary.
- 4) The Licensee must ensure that where security personnel are employed on the premises, they enter in a register, their full name, 'SIA' Badge number & expiry date and times of duty. The register must be kept on the premises and made available for inspection by Responsible Authorities on request. Registers must be retained for at least 12 months.
- 5) Customers must not be permitted to enter or leave the premises with open containers of alcohol, including when leaving the premises to smoke.
- 6) An incident register must be kept of all incidents occurring on the premises or outside and associated with the premises. Records must be kept for a minimum of 12 months and made available on request to a Police Officer or an Authorised Officer of the Licensing Authority.
- 7) A refusals register must be kept and used on the premises, to record instances where the sale of alcohol and proxy sales to a patron is refused. Records must be kept for a minimum of 12 months and must be made available request to the Local Authority, Police and Trading Standards Officers upon request. Records must be audited on a regular basis by the Designated Premises Supervisor.
- 8) All employees involved in the sale of alcohol, must receive training on commencement of employment, with regards to preventing the sale of alcohol to

## APPENDIX B

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 six months. Records must be made available for inspection by the Police & Licensing Authority.

- 9) The Premises Licence Holder must operate a written 'zero tolerance' anti-drugs policy in relation to drugs at the premises and all staff must receive training with regards to this policy. Full co-operation must be given to any drugs initiatives undertaken by the Police.
- 10) At least one qualified first aider, equipment and materials must be available on the premises when the public are present.
- 11) Doors and windows must be kept closed whenever regulated entertainment takes place other than for entrance/egress to or from the premises.
- 12) Prominent, clear and legible notices must be displayed at the exit requesting that patrons respect the needs of local residents and leave the premises quietly.
- 13) Disposal of empty bottles into waste receptacles outside the premises must not take place between the hours of 2300hs and 0700hrs to minimise disturbance to nearby residents.
- 14) Tables must be regularly cleared of empty drinking vessels.
- 15) The premises must operate a "Challenge 25 policy", whereby anyone wishing to purchase alcohol that appears to be under the age of 25 years, must be asked to provide photographic identification eg. Passport, driving licence, PASS card. Challenge 25 posters must be displayed.
- 16) The premises must remain participating members of Pubwatch so long as such a scheme exists and regularly attend meetings.
- 17) All inclusive nights or any other irresponsible drink promotions must not be permitted.

## APPENDIX C

### **Objections/representations received from interested parties**

#### **REPRESENTATION 1: ETERNAL BEAUTY (UK) LTD**

49/50 East Street is our commercial premises, from which we have conducted our business for the last 4 and a half years, reliant upon a professional and peaceful environment. We have an office space as well as training facility which would also would suffer from disturbances that may come from the hours requested under this application.

We therefore make the following representations. Playing music during normal business working hours will be detrimental to our office environment adjacent to the premises requesting the licence

The proposed licence hours for the service of alcohol from 08.00am are excessive and likely to lead to anti-social behaviour in the immediate environs of our business property. For breakfast and morning coffee trade, there should be no requirement to serve alcohol.

The late night hours proposed are likely to lead to anti-social

behaviour in the immediate environs of our business property, including noise and fouling of the footpath between our business property and the subject property. Playing music until 02.30 am and will be detrimental to the town centre environment as a whole, including to other residential properties in the immediate vicinity. We respectfully request that the licence application as drafted is refused, and that a revised application with reduced hours in keeping with the immediate environment be promoted. Also we would expect to see stringent conditions attached to any licence granted to include the provision of door staff to control customer behaviours, and a realistic limit on the time music is permitted, and on noise measured outside the premises during the working day so as to limit disruption to our business.

#### **REPRESENTATION 2: ROSALIND WENT**

I am the freehold owner of 49/50 East Street, Taunton, the property adjacent to the application site.

My property is occupied by an estate agent on the ground floor with professional office users above.

I have the following serious concerns about the licence application:

1. Music playing during office hours will not be conducive to a professional environment.
2. If alcohol is available from 8am it will lead to anti-social behaviour. The breakfast and coffee trade are surely not reliant on the sale of alcohol.
3. The late night hours proposed are likely to lead to anti-social behaviour, fouling of the lane between the two properties and dropping of cans, etc.

Can I ask that you review the licence application as it stands. Please can conditions be attached to the licence to include door staff to ensure considerate behaviour and prevent fouling in the surrounding area. If there is fouling or rubbish dropped this should be immediately cleaned up. There should be a restriction on the volume of the music so it does not affect the neighbours' enjoyment of their own premises.

## APPENDIX C

### **REPRESENTATION 3: DAVID WHITE, HATFIELD WHITE LTD (on behalf of occupiers of 49/50 East Street)**

My Firm is retained by the freehold owner of 49/50 East Street, Taunton, property adjacent to the application site, in connection with property management matters.

49/50 East Street is a commercial premises, fully occupied by an estate agent and two professional office users, reliant upon a professional and peaceful environment.

On behalf of my client, and their commercial occupiers, I make the following representations.

Playing music during normal business working hours will be detrimental to the office environment adjacent.

The proposed licence hours for the service of alcohol from 08.00 am are excessive and likely to lead to anti-social behaviour in the immediate environs of my client's property. For breakfast and morning coffee trade, there should be no requirement to serve alcohol.

The late night hours proposed are likely to lead to anti-social behaviour in the immediate environs of my client's property, including noise and fouling of the surrounding area and in particular the footpath between my client's property and the subject property. Playing music until 02.30 am and will be detrimental to the town centre environment.

On behalf of my client, and their commercial occupiers, I respectfully request that the licence application as drafted is refused, and that a revised application with reduced hours in keeping with the immediate environment be promoted. Also we would expect to see stringent conditions attached to any licence granted to include (i) the provision of door staff to control customer behaviours, (ii) a realistic limit on the time music is permitted, (iii) an upper limit for noise measured outside the premises and (iv) ensuring any fouling in the surrounding area (and in particular the footpath between my client's property and the subject property) is prevented and/or immediately cleaned.

### **REPRESENTATION 4: KAREN WHITE, TAUNTON HERITAGE TRUST**

The Taunton Heritage Trust is the freehold owner of Grays Almshouse, a Grade I Listed Building of significant historic importance and which adjoins the application site. Grays was built in the 1600's to provide homes for local people in need in the town. The building still provides homes for people today, and consists of almshouse flats for elderly and in some cases, vulnerable people, on low incomes. Grays also has a beautiful chapel with a historic hand painted mural ceiling.

One of the main priorities for the Taunton Heritage Trust, when providing housing is to ensure Residents feel safe and secure in their own homes and in a Residents survey carried out in May 2022, 87% said they did so.

In the past the Taunton Heritage Trust has experienced a lot of issues with this neighbouring building when it traded as both Happy Harry's and The Retro bar in terms of anti-social & drunken behaviour and loud and thumping music into the early hours. As you would expect, this has caused a lot of distress for our Residents. There were a number of occasions when vomit and urine/excrement were deposited on their doorsteps as drunken people spilled out of the adjoining building.

## APPENDIX C

Whilst we acknowledge that having the adjoining property empty can attract anti-social behaviour, we are concerned that the extensive licensing hours requested and the extensive hours for live and recorded music, well into the night, could cause significant disruption and distress for our Residents.

If you consider this to be an appropriate use of the building, we request that the licensing hours be reduced to more sociable hours in order to minimise the impact on our Residents lives and that conditions be imposed to include provision of security staff to ensure loud and anti-social behaviour does not spill out onto the curtilage of Grays Almshouse. We would also like the provision of sound monitoring to protect our Residents quiet enjoyment of their homes and beautiful communal garden to the rear of the almshouse.

### **REPRESENTATION 5: DAVID WHITE, HATFIELD WHITE LTD (on behalf of occupiers of Grays Almshouse)**

My Firm is retained by the freehold owner of Grays Almshouse, a Grade I Listed Building adjoining the application site, in connection with property management matters.

Grays Almshouse is an historically important property dating back to the 1600s and still today used as almshouses for people in need in the Taunton area. The almshouses provide secure and sheltered residential accommodation for elderly and vulnerable people.

On behalf of my client, and their residential occupiers, I make the following representations.

Playing live or loud music during normal daytime/evening hours could be detrimental to the residential environment adjacent and would certainly be detrimental if played to 2.30 am in the morning.

The proposed licence hours for the service of alcohol from 08.00 am are excessive and likely to lead to anti-social behaviour in the immediate environs of my client's property. For breakfast and morning coffee trade, there should be no requirement to serve alcohol.

The late-night hours proposed (until 2.30 am) are likely to lead to anti-social behaviour in the immediate environs of my client's property, including noise and fouling of the public footpath and entrance steps outside my client's property. Historic licenced use of 48 East Street has resulted in people urinating and vomiting on the doorsteps of Grays Almshouses requiring additional cleaning by residents/staff.

On behalf of my client, and their vulnerable residential occupiers, I respectfully request that the licence application as drafted is refused, and that a revised application with reduced hours in keeping with the immediate environment be promoted. Also we would expect to see stringent conditions attached to any licence granted to include the provision of door staff to control customer behaviours, and a realistic limit on the time music is permitted, and on noise measured outside the premises.





APPENDIX D

**Additional observations/comments submitted by interested parties (in advance of mediation meeting)**

Thanks for the update and notification of the forthcoming mediation reference the above. I represent the freehold owners of 49/50 East Street and Grays Almshouse.

Regrettably I am unable to attend the mediation.

I note and welcome the proposed conditions by ASC, but make the following observations:

Surveillance - Please could the definition of comprehensive include a specific requirement that the system covers the exterior of adjoining properties and the pedestrian alley between 48 East Street and 49/50 East Street

Noise – there is no mention of noise restriction. Assuming this is a matter for Environmental Health, please can you ensure that their input is obtained, and further appropriate conditions controlling noise are imposed on any licence granted.

Regards

David White BSc FRICS, Registered Valuer

HATFIELD WHITE

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Attn: Brad Fear

Further to your notification below, I write further on behalf of my client, freeholder of 49/50 East Street, Taunton.

We previously requested conditions dealing with the prevention/cleaning up of any fouling in the surrounding area, notably in the pedestrian footpath between the application site and my client's property. I note that the proposed conditions do not deal with this issue, and request that such a condition be imposed on any licence granted.

Please ensure that this issue is raised and dealt with during the mediation session on Friday 09 September.

David White BSc FRICS, Registered Valuer - Agent for Adjoining Owner 49/50 East Street

HATFIELD WHITE

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## APPENDIX D

Good evening, apologies for the delay in getting back to you.

I am afraid that I will be unable to make the meeting however I have outlined the main points as I see them from our perspective.

The live music for us would be an issue - especially from lunch time on weekdays - unless the licensee could provide assurances that there would be sufficient soundproofing in the venue that the sound could not be heard from the outside of the building. We have both an office and training facility next door and having music would be a disturbance during our hours of operation and the only way for us not to hear it would be to ensure our windows are closed - not as much of an issue during the colder months but when it is a bit warmer it seems unfair that our staff and students should have to be uncomfortable without the windows open, or inconvenienced by the noise from the venue next door.

Likewise with the emptying of bottle bins etc - while I appreciate that this has to be done, if it can be done outside of office hours to avoid disruption to our business it would be greatly appreciated.

We would like assurances that there will be sufficient CCTV covering the alley between the venue and our property. It has always been a hotspot for anti-social behaviour but more so when there was a previous late night venue open. Bottles and glasses were thrown or discarded on a regular basis which makes the entrance to our business unsightly and it seems unfair that we should have to deal with it or clean it up. We have also had our property damaged on several occasions and while we have no evidence that this was directly linked to the venue, it has not happened since it has been closed..

I would like the licensee to accept responsibility for the cleanliness of the alley after they have closed ensuring that any litter directly relating to their patrons is cleared - while I note that Avon and Somerset police have mentioned that there should be no drinks containers taken out of the venue, even with the best door staff it still happens and with the council seemingly removing the bin from the bus stop outside the venue it is our concern that rubbish will end up outside our premises when patrons are leaving and venture up the alley to urinate or worse - as was also a common sight when coming into the office.

We fully understand that the licensee in this case is not the same as when the other issues happened we would like very much for them not to happen again should the premises be granted a licence.

We also don't wish for another person's business to suffer because of our objections but we feel it's important that we can both coexist without either of us being unable to carry out our business because of disruption from the other

Many thanks

Ben England, Director

Eternal Beauty (UK) Ltd

## APPENDIX E

### Summary of points raised at mediation meeting (including proposed amendments to licence application)

- **The applicant proposes bringing back the terminal licensable hour on Fridays and Saturdays from 2:30am to 1:30am instead; with licensable activities to end one hour earlier than proposed in the original application on those days.**
- **The applicant also proposes the addition of another condition (added to the ones already agreed with the Police and outlined in a previous e-mail), which would limit the sale of alcohol in the morning (between 8am and 11am) to restrict these to sales *with food purchases only*. E.g. *'Between the hours of 8am and 11am daily, alcohol must only be sold to customers also making a purchase of food.'***
- The Police have agreed a condition requiring the use of CCTV already, and the applicant has observed that there does seem to be a CCTV camera located down the alleyway between 48 East Street and 49/50 East Street (albeit not currently active). The applicant is going to check with Somerset West and Taunton's Planning team to see if this is something they can utilise, given that it looks onto a public highway, and he is more than happy to use this if possible. The applicant also mentioned having discussions with Planning about CCTV at the front of the building, but emphasised that this option might prove more of a struggle with Planning than the camera in the alleyway.
- The applicant offered assurances that the business does not intend to hold live music events during the daytime, and so there shouldn't be noise disturbance to neighbouring businesses during office hours. With regard to evenings, the applicant has also advised that the sort of music/performance they would usually look to have in the evening would be varied, but ultimately they would not be looking to hold events loud enough to disrupt customers (i.e. so that they can't hear each other speaking within the premises) or neighbours. It was noted in mediation that some conditions are already in place, following the agreed position with police, in relation to noise nuisance:
  - Doors and windows must be kept closed whenever regulated entertainment takes place other than for entrance/egress to or from the premises.
  - Prominent, clear and legible notices must be displayed at the exit requesting that patrons respect the needs of local residents and leave the premises quietly.
- In addition to the above points on noise nuisance, discussions were had regarding the possibility of implementing measures to control noise after 11pm, to ensure neighbouring residents in the Almshouses are not being disturbed late into the night. Though no objections were submitted by Environmental Health (following a visit to the premises by an Environmental Health Officer during consultation), a further

## APPENDIX E

condition could be imposed to mitigate noise nuisance, at the discretion of the Licensing Sub-Committee. For example, a condition may possibly be implemented which requires music to be inaudible from certain premises at a set time. An example of the wording of this sort of condition might be: *'Music must not be audible from the nearest residential property from 11pm onwards'*.

- The applicant has expressed that he is keen to have a strong relationship with neighbours and would therefore be happy to regularly check in with these properties to ensure there are no ongoing concerns.

APPENDIX F

Responses to Notice of Hearing (at time of submission of report)

**From:** David White

**To:** Enquiries

**Subject:** RE: MA/53947 NOTICE OF HEARING - Application for a premises licence

Brad

I reply as required:

- a) I do not intend to attend the hearing;
- b) I do consider a hearing to be necessary;
- c) I do not request permission for any other person to appear at the hearing
- d) You have received my representations on behalf of two adjoining owners, acknowledged receipt, and confirmed that these will be presented to the mediation and the hearing.

Regards

David White BSc FRICS, Registered Valuer

HATFIELD WHITE

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**Following received on SWT451373962**

RE: MA/53947 NOTICE OF HEARING - Application for a premises licence

Dear Brad

On behalf of the Taunton Heritage Trust I can respond as follows -

- a) We do not intend to attend the hearing;
- b) We do consider a hearing to be necessary
- c) We do not request permission for any other person to appear at the hearing
- d) You have received our representations on behalf of the Taunton Heritage Trust, acknowledged receipt, and confirmed that these were presented to the mediation and the hearing.

Regards,

Karen White

CHIEF OFFICER

TAUNTON HERITAGE TRUST

