

# Public Agenda Pack



Notice of Meeting of

## **LICENSING SUB-COMMITTEE - NORTH**

**Tuesday, 20 June 2023 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

Councillor Hugh Davies

Councillor Tony Robbins

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

All members of the public are welcome to attend our meetings.

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

The meeting will be webcast and a recording made.

Issued by (the Proper Officer) on Tuesday 30 May 2023.

# **AGENDA**

**Licensing Sub-Committee - 10.00 am Tuesday, 20 June 2023**

**Public Guidance Notes contained in Agenda Annexe (Pages 5 - 8)**

**Click here to join the online meeting (Pages 9 - 10)**

## **1 Apologies for Absence**

To receive any apologies for absence.

## **2 Declarations of Interest (Pages 11 - 12)**

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 of Somerset Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

## **3 Bason Bridge Tap Room (Pages 13 - 46)**

To consider an application for a new premises licence for the Bason Bridge Tap Room, Unit 3, 129 Church Road, Bason Bridge, Highbridge, Somerset, TA9 4RG following objections having been received.

## **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 [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@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, which the Committee will be asked to approve as a correct record at its next meeting.

### **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.

### **PROCEDURE AT THE HEARING**

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

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

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

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

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

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

**NOTE:**

In producing this procedure the following has been considered: -

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

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## **UNITARY COUNCILLORS WHO ARE ALSO TOWN AND/OR PARISH COUNCILLORS**

<b>UNITARY COUNCILLOR</b>	<b>TOWN AND/OR PARISH COUNCIL</b>
Jason Baker	Chard Town Council
Simon Carswell	Street Parish Council
Peter Clayton	Burnham Highbridge Town Council
Jenny Kenton	Chard Town Council
Marcus Kravis	Minehead Town Council
Tony Lock	Yeovil Town Council
Tony Robbins	Wells City Council
Brian Smedley	Bridgwater Town Council

**Their memberships of Parish or Town Councils will be taken as being declared by these Councillors to be Disclosable Interests in the business of the Somerset Council meeting and need not be declared verbally.**

**Any Unitary Councillor who has a Disclosable Interest by virtue of their Membership of a Parish or Town Council, or who has a special involvement by virtue of being a Parish or Town Councillor, in a matter to be discussed by the Somerset Council will be expected to declare that disclosable interest personally or bring to the attention of the Somerset Council meeting their special involvement.**

**H CLARKE, Unitary Solicitor, April 2023**

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### Application for a Premises Licence

Executive Member: Cllr Federica Smith-Roberts

Local Members and Division: Cllrs Suria Aujla and Mark Healey – Huntspill Division

Lead Officer: Alan Weldon, Licensing & Fraud Manager

Author: Simon Bawler

Contact Details: [Simon.bawler@somerset.gov.uk](mailto:Simon.bawler@somerset.gov.uk)

### Summary / Background

1. **The Hearing** is required to determine the application for a Premises licence in accordance with the Licensing Act 2003 following receipt of four relevant representations by way of objection received from Mr & Mrs O'Brien, Mr & Mrs Wall, Mr & Mrs Litton and Mr Dorothy.
2. The premises subject to the objection is: Bason Bridge Tap Room, Unit 3, 129, Church Road, Bason Bridge, Highbridge, Somerset, TA9 4RG.

### Recommendations

3. The **Licensing Sub-Committee** is required to determine the application in accordance with the Act and must resolve to do one of the following:
  - a. To grant the application as applied for
  - b. To grant the application with attached conditions.
  - c. To grant the application in part.
  - d. To grant the application in part with attached conditions.
  - e. To refuse the application.

## **Reasons for recommendations**

4. The **Licensing Sub-Committee** is to consider an application for a new Premises Licence under the Licensing Act 2003. It is therefore the duty of the **Licensing Sub-Committee** to determine the application with a view to promoting the licensing objectives which are: -
  - The prevention of crime and disorder
  - public safety
  - The prevention of public nuisance; and
  - The protection of children from harm.
5. The objections in this case refer to Crime & Disorder, Public Nuisance and Public safety Licensing Objectives.

## **Other options considered.**

6. Not applicable.

## **Links to Council Vision, Business Plan and Medium-Term Financial Strategy**

7. The Council must carry out its functions in accordance with the Act with a view to promoting the licensing objectives and this remains the prime consideration of this report.

## **Financial and Risk Implications**

8. There are no financial implications.
9. There are no significant risks identified providing the granting of a Premises Licence is determined correctly, in accordance with the legislation and having due regard to the Sedgemoor Licensing Policy.

## **Legal Implications**

10. The Licensing Officer has determined that the representations submitted by four objectors are relevant. It is, therefore, the duty of the **Sub-Committee** to determine the Premises Licence Application with regards to the licensing objectives.

11. The issue for the **Licensing Sub-Committee** is whether the application as submitted, sufficiently promotes the licensing objectives, whether the promotion of the licensing objectives requires the application to be granted subject to conditions, or whether the application requires it to be rejected because the licensing objectives cannot be met by the imposition of conditions.

The applicant and/or objector may appeal against any decision made by the Licensing Sub-Committee. Any appeal must be made to the Magistrate's Court.

### **HR Implications**

12. None

### **Equalities Implications**

13. None.

### **Community Safety Implications**

14. None.

### **Climate Change and Sustainability Implications**

15. None.

### **Health and Safety Implications**

16. None.

### **Health and Wellbeing Implications**

17. The **Licensing Sub-Committee** may consider any factors that would promote or, conversely, undermine the licensing objectives.

### **Social Value**

18. As the contents of this report do not relate to a procurement process, there are no social value implications.

## **Scrutiny comments / recommendations:**

19. This report relates to a statutory function of the Council, which is the responsibility of the Licensing & Regulatory Committee (delegated to a Sub-Committee), so there are no scrutiny comments or recommendations to make.

## **Background**

20. On 21<sup>st</sup> April 2023, a Premises Licence application was served on Somerset Council by way of the Council's online application process by Mr Tim Cullum trading as Cheddar Valley Pub Group Ltd, 1, New Street, Wells, Somerset, BA5 2LA.

The application seeks authorisation for the following licensable activities to take place: -

- Sale/supply of alcohol – from 12.00hrs to 23.00hrs (Mon to Sat) and 12.00hrs to 22.30hrs (Sun) – On the premises only. Seasonal variation - 12.00hrs to 01.00hrs New Years Eve
- Live music from 12.00hrs to 23.00hrs (Mon to Sat) and 12.00hrs to 22.30hrs (Sun)- Internal only
- Recorded music from 12.00hrs to 23.00hrs (Daily) – Internal & External.

A copy of the redacted Premises Licence Application is shown as **Appendix A**.

21. The Premises Licence Application requests that the internal area of the premises and an outside green space area are licensed for the sale/supply of alcohol on the premises and Live Music internally only and Recorded music internally and externally.
22. Objections to the application for a premises licence have been received within the permitted timeframe from four different objectors and are attached as **Appendices B, C, D and E**.
23. Police have agreed a set of conditions and is attached as **Appendix F**
24. Environmental Health have agreed conditions and is attached as **Appendix G**.
25. Plans of the Premises are attached as **Appendix H**.

26. Maps of the surrounding area attached as **Appendix I.**

27. Ariel View of the Premises attached as **Appendix J.**

### **Background Papers**

28. None.

### **Appendices**

- A.** Premises Licence Application - **Appendix A**
- B.** Representation by Mr & Mrs O'Brien - **Appendix B**
- C.** Representation by Mr & Mrs Wall - **Appendix C**
- D.** Representation Mr & Mrs Litton - **Appendix D**
- E.** Representation Mr Dorothy - **Appendix E**
- F.** Police have agreed a set of conditions - **Appendix F**
- G.** Environmental Health have agreed a set of conditions - **Appendix G**
- H.** Plans of the premises - **Appendix H**
- I.** Maps of the surrounding area - **Appendix I**
- J.** Ariel view of the Premises - **Appendix J**

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**Application for a premises licence - Stage 1**  
**SDC509720128**  
**Case created on: 2023-04-21 18:48:18**

**Introduction and guidance**

**Personal details**

Are you an agent acting on behalf of the applicant? No

Applicant details

**Title** Mr  
**First name** Tim  
**Family Name** Cullum  
**E-mail** [REDACTED]  
**Main telephone number** [REDACTED]  
**Other telephone number** [REDACTED]  
**I am applying as** a business or organisation, including as a sole trader

Applicant Business

**Is your business registered in the UK with Companies House?** Yes  
**Commercial Register** 56302 - Public houses and bars  
**Registration number** 10985041  
**Business name** Cheddar Valley Pub Group Ltd  
**VAT Number** None  
**Legal Status** Public Limited Company  
**Your position in the Business** Director  
**Home country** United Kingdom

Registered Address

**Building number or name** 1  
**Street** New Street  
**District** Mendip  
**City or Town** Wells  
**County or administrative area** Somerset  
**Postcode** BA5 2LA  
**Country** United Kingdom

**Supporting documents**

**Upload documents here** Confirmed Passport.jpeg, HHF Business Unit 3 approx dims 1 04 2023.pdf

**Premises details**

Premises location

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

<b>Building number or name</b>	Unit 3
<b>Street</b>	129 Church Road
<b>District</b>	Sedgemoor
<b>City or Town</b>	Bason Bridge
<b>County or administrative area</b>	Somerset
<b>Postcode</b>	TA9 4RG
<b>Country</b>	United Kingdom

### Application details

<b>In what capacity are you applying for the premises licence?</b>	A limited company / limited liability partnership
<b>Confirm the following:</b>	I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

### Applicant details

Name

<b>First Name</b>	Tim
<b>Family Name</b>	Cullum

Details

Address

<b>Street</b>	
<b>City or Town</b>	
<b>County or administrative area</b>	
<b>Postcode</b>	
<b>Country</b>	United Kingdom

Contact details

<b>E-mail</b>	
<b>Telephone number</b>	
<b>Date of birth</b>	
<b>Nationality</b>	British

### Operating schedule

<b>When do you want the premises licence to start?</b>	01 June 2023
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<b>Provide a general description of the premises</b>	The adjacent building to Bason Bridge Brewing Company with the purpose of providing a Tap room for the working brewery, allowing visitors to the brewery an opportunity to sample the products brewed and provide a show case to help promote the beers produced.
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<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>	Yes
--	-----

<b>Will you be providing recorded music?</b>	Yes
--	-----

<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>	No
--	----

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

## Live music

<b>Monday</b>	12.00 until 23.00
<b>Tuesday</b>	12.00 until 23.00
<b>Wednesday</b>	12.00 until 23.00
<b>Thursday</b>	12.00 until 23.00
<b>Friday</b>	12.00 until 23.00
<b>Saturday</b>	12.00 until 23.00
<b>Sunday</b>	12.00 until 22.30
<b>Will the activity take place indoors or outdoors or both?</b>	Indoors
<b>State type of activity to be authorised, if not already stated, and give relevant further details.</b>	There will be low volume background music played when opened along with the occasional solo or duo guitarists or singers on special brewery open showcase days
<b>State any seasonal variations for the activity.</b>	Predominately the premises are planned to be open during limited hours around brewery open days and weekends during the summer months. With potentially more days during the holiday periods to showcase the brewery to visiting tourists to the area.
<b>State any non standard timings - when the premises will be used for the performance of a play at different times from those listed above.</b>	Potentially to 1am on New Years Eve for a ticket only evening for supporters of the Brewery

## Recorded music

<b>Monday</b>	12.00 until 23.00
<b>Tuesday</b>	12.00 until 23.00
<b>Wednesday</b>	12.00 until 23.00
<b>Thursday</b>	12.00 until 23.00
<b>Friday</b>	12.00 until 23.00
<b>Saturday</b>	12.00 until 23.00
<b>Sunday</b>	12.00 until 23.00
<b>Will the activity take place indoors or outdoors or both?</b>	Both

## Supply of alcohol

<b>Monday</b>	12.00 until 23.00
<b>Tuesday</b>	12.00 until 23.00
<b>Wednesday</b>	12.00 until 23.00
<b>Thursday</b>	12.00 until 23.00
<b>Friday</b>	12.00 until 23.00
<b>Saturday</b>	12.00 until 23.00
<b>Sunday</b>	12.00 until 10.30
<b>Do you intend to sale/supply alcohol for consumption on or off the premises or both?</b>	On the premises

## Designated Premises Supervisor

<b>Full name</b>	Christopher Jake Yeomans
<b>Date of birth</b>	[REDACTED]
<b>Address</b>	[REDACTED]
<b>Building number or name</b>	[REDACTED]
<b>Street</b>	[REDACTED]
<b>District</b>	[REDACTED]
<b>City or Town</b>	[REDACTED]
<b>County or administrative area</b>	[REDACTED]
<b>Postcode</b>	[REDACTED]
<b>Country</b>	[REDACTED]
<b>Personal licence number (if known)</b>	[REDACTED]

Issuing licensing authority (if known) Shropshire

### 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

None

### Hours premises are open to the public

<b>Monday</b>	12.00 until 23.00
<b>Tuesday</b>	12.00 until 23.00
<b>Wednesday</b>	12.00 until 23.00
<b>Thursday</b>	12.00 until 23.00
<b>Friday</b>	12.00 until 23.00
<b>Saturday</b>	12.00 until 23.00
<b>Sunday</b>	12.00 until 22.30

State any seasonal variations for the activity.

Predominately the premises are planned to be open during limited hours around brewery open days and weekends during the summer months. With potentially more days during the holiday periods to showcase the brewery to visiting tourists to the area.

### Licensing Objectives

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

We will have a capacity limit of <100 to prevent overcrowding and a CCTV system has been installed with recordings maintained for 30 days. We will operate a strict proof of age policy and zero drugs policy with all bar staff undertaking training regarding drug awareness and will not undertake any irresponsible drinks promotions. We will have clearly displayed crime prevention notices along with a customer code of conduct notice.

b) The prevention of crime and disorder

A CCTV system has been installed with recordings maintained for 30 days with a notice displayed at the entrance to the premises. Alcohol and soft drinks will be served in plastic or toughened glasses. We will operate a strict proof of age policy and zero drugs policy with all bar staff undertaking training regarding drug awareness and will not undertake any irresponsible drinks promotions. We will have clearly displayed crime prevention notices along with a customer code of conduct notice.

c) Public safety

We have conducted a fire risk assessment and have suitable fire extinguishers on site. The site is level and both exit doors are easily operable without any locks or handles. Adequate and appropriate First Aid equipment and materials are available on the premises. Public liability insurance is in place in the sum of £5m and a certificate will be displayed on the premises. We will have a capacity limit of <100 to prevent overcrowding and will not undertake any irresponsible drinks promotions

d) The prevention of public nuisance

Noise levels will be kept at an appropriate level to not disturb any neighbouring properties and the playing of live or recorded music in the outside seating area of the premises is not permitted after 22.00hrs.

e) The protection of children from harm

We will operate a strict proof of age policy and although a brewery tap room will have suitable soft drinks and refreshments available for a families visiting the premises.

### Fees

Non-domestic rateable value of premises (£) 0

Is the premises primarily used for the consumption of alcohol on the premises? Yes

<b>Fee based on non-domestic rateable value of premises (Â£)</b>	100
<b>Additional fees based on the expected number of attendees (Â£)</b>	0
<b>Total fee (Â£)</b>	100

## 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** Timothy Edward Cullum

**Capacity** Director

**Date** 21 April 2023

## Payment

**chk\_paymentConfirmation**  I have confirmed that I have read and understood the above information and wish to proceed to payment.

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## LICENSING ACT 2003

### Representations

Details of the representees:

Names: Richard O'Brien and Susan O'Brien  
Address: Babbs Farm, Westhill Lane, Bason Bridge, Highbridge, Somerset  
Postcode: TA9 4RF  
Telephone Number: [REDACTED]  
Email address: [REDACTED]

Details of the application to make representation(s) on:

Application Reference Number: **SDC509720128**  
Name of Premises: Unit 3  
Premises Address: 129 Church Road, Bason Bridge, Somerset  
Postcode: TA9 4RG

### The Prevention of Crime and Disorder:

The application is for the consumption of alcohol, and for musical entertainment, on premises named "The Beer Shed". The applicant proposes to cater for up to 99 customers from noon to 22:30 or 23:00, seven days a week, throughout the year. Given the opportunity for customers to drink alcohol for up to 11 unbroken hours, we are concerned at the probability that some will become intoxicated and liable to become rowdy or – at worst – violent and destructive, and the application does not provide any convincing reassurances.

It refers to the prevention of crime, but not how they will deal with it when it appears imminent, or when it actually occurs, including the protection of adjacent properties. They "will not undertake any irresponsible drinks promotions", a policy of non-intervention which is not the same as an active policy to monitor customers' drinking behaviour and levels of intoxication, and to prevent it from developing into criminal or disorderly behaviour.

### Public Safety:

The site is a rural location, and most customers will arrive by car, but the application does not include a policy to prevent drink driving. This part of Church Road is near the end of a long straight, in which motorists are prone to stretch the 40 mph speed limit, and there is a risk of serious accidents involving customers emerging from the driveway into the path of an oncoming vehicle if their attention is in any way impaired.

### **The Prevention of Public Nuisance:**

The site in the application lies within 200 metres of our property, over open fields, and it is inevitable that we will be aware of sound coming from the site, as will those in other nearby properties. The question is whether it will become a nuisance, and we are very concerned that it will.

We were not approached by the applicant to inform or reassure us about their intentions, nor to elicit our views. We value the peace and tranquillity of the area, where we have lived for 33 years, and anything that upsets this tranquillity will be a disturbance. The application is vague and non-committal in this respect: it does not define an "appropriate level" of noise, nor what their neighbours might regard as disturbing. It states that "there will be low volume background music" (without defining "low volume"), but it does not say whether "the occasional solo or duo guitarists or singers" will also be at low volume, nor whether the live performances will be amplified. Live performance seeks the audience's attention, and it is likely that they will be loud. To be indoors is no protection for neighbours if windows or doors are kept open, which is likely in the summer.

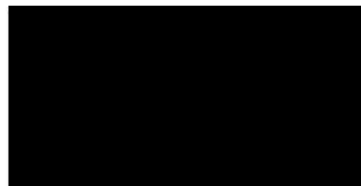
The application confusingly refers to "the playing of live or recorded music in the outside seating area" up to 22:00, yet they ask for a licence to play recorded music outside up to 23:00, and live music indoors up to 22:30. They do not commit to seasonal variations, other than saying "potentially more days during the holiday periods", so they are essentially seeking a licence for every day of the year.

The prospect of 11 hours of noise, at a level they choose, and on any days they decide, is alarming, and the application contains no specific reassurances.

Signed:



Richard O'Brien



Susan O'Brien

Date: 17<sup>th</sup> May 2023

Please send completed form to: Licensing, Somerset Council, Bridgwater House, King Square, Bridgwater, Somerset, TA6 3AR



*Reed Farm, 44 Church Road, Bason Bridge,  
Highbridge, Somerset, TA9 4RG  
Tel: [REDACTED]*

22<sup>ND</sup> May 2023

Licensing,  
Somerset Council,  
Bridgwater House,  
King Square,  
Bridgwater,  
Somerset  
TA6 3AR

Dear Sirs,

**Application for Premises Licence: SDC509720128**

Please find enclosed Representations relating to the above-numbered Application.

Can you please acknowledge safe receipt to email address [REDACTED]

Thank you

Yours faithfully,

[REDACTED]  
ME & SE Wall

21<sup>st</sup> May 2023

Licensing,  
Somerset Council,  
Bridgwater House,  
Kings Square,  
Bridgwater  
Somerset  
TA6 3AR

Dear Sirs,

**LICENSING ACT 2003 – REPRESENTATIONS**

**Detail of Representees:**

**Nams:** Maurice Wall and Susan Wall  
**Address:** Reed Farm , Church Road, Bason Bridge, Highbridge, Somerset  
**Post Code:** TA9 4RG  
**Telephne Number:** [REDACTED]  
**Email address:** [REDACTED]

**Details of the application to make representations on:**

**Application Reference Number:** SDC509720128  
**Name of Premises:** Unit 3  
**Premises address:** 129 Church Road, Bason Bridge, Highbridge, Somerset  
**Postcode:** TA9 4RG

**The Prevention of Crime and Disorder:**

The application is for the consumption of alcohol and for musical entertainment on premises named "The Beer Shed". The applicant proposes to cater for up to 99 customers from noon to 23.00 hours seven days a week throughout the year giving the opportunity for customers to drink alcohol for up to 11 unbroken hours. We are concerned at the possibility that some will become intoxicated and liable to rowdy or, at the worst, violent and destructive, and the application does not provide any convincing reassurances. It refers to the prevention of crime but not how they intent to deal with it when it appears imminent or when it actually occurs including the prevention of adjacent properties. The applicants 'will not undertake any irresponsible drinks promotions', a policy of non-intervention which is not the same as an active policy to monitor customers' drinking behaviour and levels of intoxication, and to prevent it from developing into criminal or disorderly behaviour.

## **Public Safety**

The site is in a rural location and customers will arrive by Cars, Motor Bikes, Tractors etc and on foot from either Bason Bridge/East Huntspill/ Highbridge. We have evidence of walkers walking home late at night in either direction and many times depositing litter in our driveway and roadside ditch. The premises 129 Church Road is near the end of a long straight road in which the traffic mostly exceeds the 40mph limit. There is a risk of a serious accident involving customers emerging from the driveway into the path of oncoming vehicles.

The driveway from Church Road is a single track (Not owned by the Applicant), no passing bays or footpath thus we consider the access totally unsuitable for such a business.

We have evidence of a number of HGV Vehicles parking on Church Road whilst making deliveries/collections from Unit 3 and the Brewery; these vehicles are unable to access the premises.

No details available regarding Toilets (currently Portables ones) Cloakrooms, Health & Safety Policy, Security, monitoring of Under Age Drinking.

## **The Prevention of Public Nuisance**

The site in the application is within 150 metres of our property over open fields and it is inevitable that we will hear sound coming from the site as will those in other nearby properties.

We have evidence of sound coming from Rich's Cider Premises at Watchfield which is some 400 metres – live music from a marquee.

We have had no approach from the Applicants to inform us of their application or to reassure us about their intention nor to seek our views. We value the peace and tranquillity of the area where we have lived for over 50 years and anything that upsets this tranquillity will be a disturbance and will de-value our property. The application is vague and non-committal as it does not define an 'appropriate level' of noise nor what the neighbours might regard as disturbing. It states that 'there will be low level background music' with no definition of 'low volume' and it does not state whether 'the occasional solo or duo guitarists or singers' will also be at low volume nor whether the live performances will be amplified. Live performances seek the audience's attention so it is likely that they will be loud. To be indoors is no protection for neighbours if windows or doors are kept open, which is likely in the summer.

The application confusingly refers to 'the playing of live or recorded music in the outside seating area' up to 22.00 hours yet they ask for a licence to play recorded music outside up to 23.00 hours and live music inside until 22.30 hours. They do not commit to seasonal variations other than saying 'potentially more days during the holiday periods' so they are essentially seeking a licence for every day of the year.

The prospect of 11 hours of noise, at a level they choose, and on any days they decide, is alarming and the application contains no specific reassurances.

The application states it is up to 99 persons – clearly this is to accommodate future parties, functions that will create additional noise with live music in addition to traffic problems.

To date the premises has only opened on Friday, Saturday and Sundays with limited hours for the past three weeks – with no music serving beer, cider, spirits etc. – much like a 'pub'

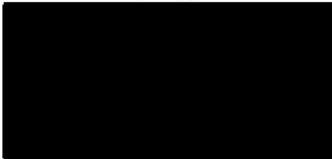
Within the application the emphasis would read the licence is required to showcase the beer produced.

Why is it necessary to have opening times of 11 hours per day seven days a week to showcase the business?

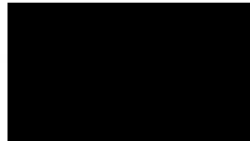
Why is it necessary to have music to assist in show casing the beers produced?

From a noise perspective 99 people on the premises will create enough to be a nuisance.

Yours faithfully,



Maurice E. Wall



Susan Wall

**Mr Nigel Litton  
Mrs Heather Litton  
46 Church Road  
Bason Bridge, Highbridge  
Somerset TA9 4RG**

E-mail: 

22<sup>nd</sup> May 2023

Licensing  
Somerset Council  
Bridgwater House  
Kings Square  
Bridgwater  
Somerset  
TA6 3AR

Dear Sir or Madam,

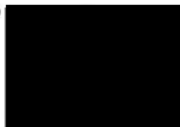
**Re: Application for Premises Licence SDC509720128**

Please find enclosed our representation regarding the above application. The details of the application were passed to us by a neighbour. We believe that we certainly will be affected by their proposals.

We have sent this by post, as we are unsure if an emailed signature is acceptable.

Yours sincerely,

Nigel Litton  
Heather Litton





**LICENSING ACT 2003**

**Representations**

Details of the representee:

Nigel Litton & Heather Litton

Name .....  
46 Church Road, Bason Bridge, Highbridge

Address.....

Postcode.....  
TA94RG

Telephone Number ..... [REDACTED]

Email address ..... [REDACTED]

**Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.**

Details of the application to make representation(s) on:

Application Reference Number.....  
SDC509720128

Name of Premises .....  
UNIT 3

Premises Address.....  
129 CHURCH ROAD BASON BRIDGE SOMERSET

Postcode.....  
TA94RG

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

**The Prevention of Public Nuisance**

This area already has, within a mile radius, 3 well established venues where alcohol can and is consumed on a daily basis. The ability to monitor and control the prevention of crime, disorder and behaviour in the vicinity is questionable as it is difficult to monitor and control with so little policing in this area. What is 'The Beer Shed' able to offer in reassurances to residents that they can monitor and control irresponsible drinking and subsequent potential behaviour of their customers? There are some concerns re the potential for lengthy drinking times and *under age drinking* because of the position and vicinity of the rural site and area.

**Public Safety**

This site location, although rural, already has a problem with numerous speeding vehicles which are often late into the evening/night as well as heavy lorries, farming and haulage vehicles all day every day!!! The emerging driveway to and from 'The Beer Shed' onto Church Road (B3141) is directly onto this busy and often dangerous fast straight road. Individuals through intoxication whether driving or walking on the narrow and often overgrown pathway could result in serious accidents.

**The prevention of Public Nuisance**

How is the noise level going to be successfully monitored when the venue has such a large outside area, presumably where customers will be drinking? Open fields around where noise from music, singers, groups which may be amplified is not adequately addressed by the applicant. Livestock in the surrounding fields could be disturbed and for this potential noised to be throughout the yea is, we feel, totally unacceptable and not in keeping with the area.

SIGNED .....  ..... Nigel Litton  
Signed .....  ..... Heather Litton

DATE...22<sup>ND</sup> May 2023

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Heron Bank  
Westhill Lane  
Bason Bridge  
HIGHBRIDGE  
Somerset TA9 3RF  
Tel [REDACTED]

Email: [REDACTED]

Licensing  
Somerset Council  
Bridgwater House  
King Square  
Bridgwater Somerset TA6 3AR

20<sup>th</sup> May 2023

Dear Sir/Madam

**RE Application for premises licence SDC509720128**

I own and occupy the above mentioned property which abuts the site of unit 3 129 Church Road Bason Bridge Somerset. I have read and fully endorse and agree with the representations submitted by Richard and Susan O'Brien of Babb's Farm Westhill Lane Bason Bridge and would add the following comments:-

1. Public Safety – The use of the site as a music venue will doubtless increase access and egress by delivery vehicles as well as private cars. I have already noticed a delivery lorry reversing back from the site to the main road which is dangerous and more traffic will only increase that danger.
2. Prevention of public nuisance – I agree with Richard and Susan O'Brien's concerns about noise and would ask what proposals the applicant has regarding maximum decibel noise or whether the licensing authority will impose any limit on this, particularly in view of the number of hours throughout which music could be played.

Yours faithfully

[REDACTED]

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### Police Agreed Conditions 24.5.23.

1. The premises must install and maintain a comprehensive surveillance system to the satisfaction of the Police and ICO guidelines. The system must be maintained in full working order and record at all times when the premises is open for licensable activities. The correct time & date must be generated on all recordings which must be retained for a minimum period of 31 days. Recorded images must be of evidential quality. Copies must 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 Data Controller who is conversant with the operation of the system must be available at all times when the premises is open to the public and be able to provide police or authorised officer of the licensing authority recent data or footage with the absolute minimum of delay when requested. Management, storage, giving and sharing of data recordings must comply with the general data protection regulations at all times.

*(The attached document may be helpful and please ensure that your system is registered via [www.ico.org.uk](http://www.ico.org.uk) as outlined in the attached document).*

2. An incident register must be kept and maintained to record all incidents occurring on the premises or outside and associated with the premises. Records must be made available to the Police & Licensing Authority on request and records will be kept for at least 12 months.

3. A refusals register must be kept at the bar and used on the premises, to record instances where any sale of alcohol and proxy sales to a patron is refused. This must also include refusals to persons who are intoxicated. 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.

4. 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 e.g. Passport, driving licence, PASS card. Challenge 25 posters must be displayed.

5. All persons involved in the sale of alcohol 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 illegal drug use and refusing sale of alcohol 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 upon request.

6. The licence holder must operate a 'zero tolerance' policy in relation to drugs at the premises and all staff must receive training with regards to this policy. Drugs seized by staff must be securely stored, until they can be collected by the Police.

7. The Premises Licence holder or DPS must ensure that any outside area attached to the premises for smoking or included in the licence must be controlled in a safe and effective manner to the same standard operated within the premises building and must pay special attention to the impact that the use of the outside area has on the surrounding community. Outside areas must be regularly supervised.

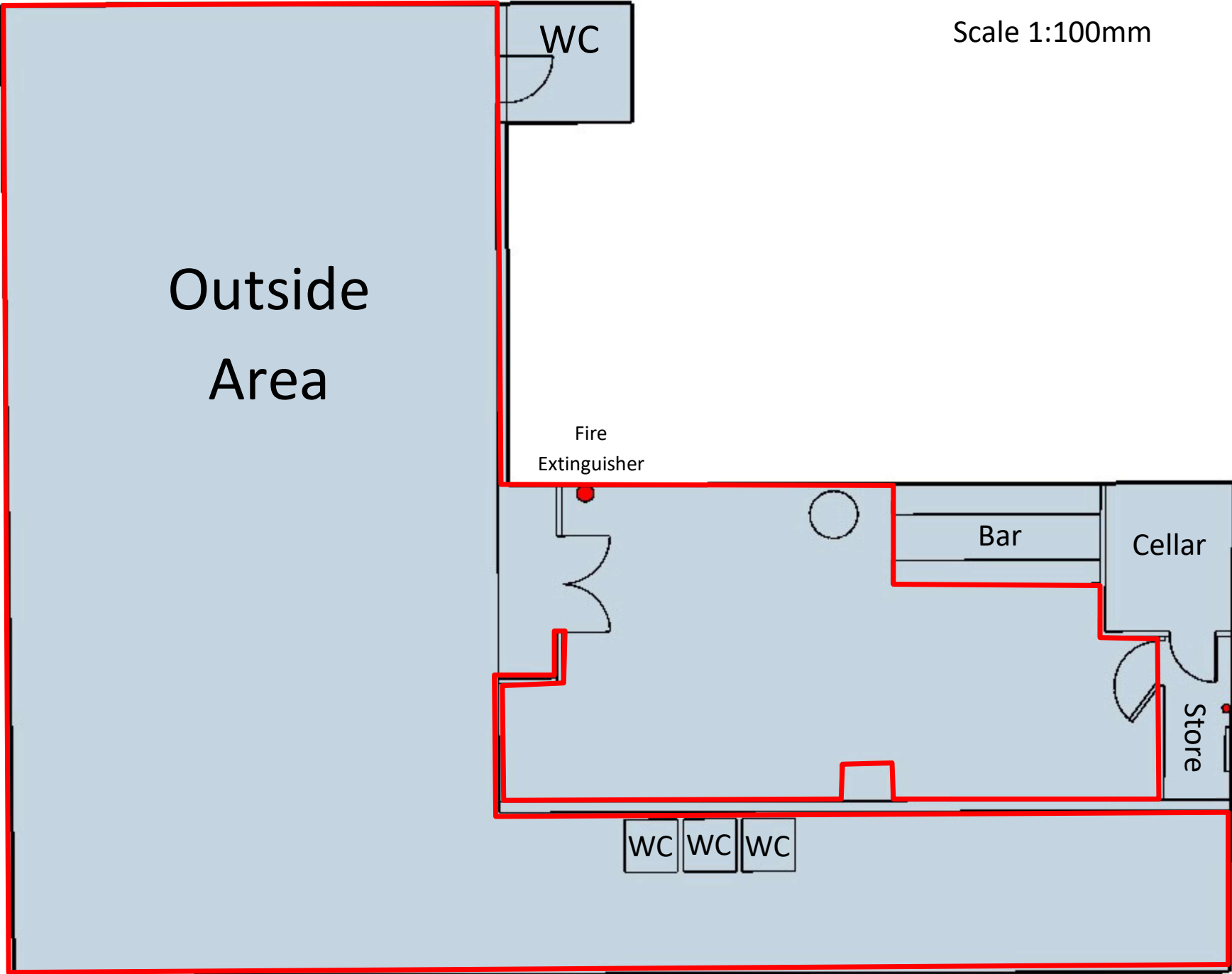
8. A risk assessment shall be drawn up if the premises is to host 'special events' and shall include the requirement for SIA registered doorstaff.

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Environmental Health Agreed Conditions 15<sup>th</sup> May 2023

1. The Licence Holder or nominated person shall ensure that no Regulated Entertainment, Live or Recorded music shall occur in any external areas of the premises.
2. Regulated entertainment shall be limited to indoors Thursday – Saturday 1900hrs – 2300hrs.
3. All entrance/exit doors shall be kept closed during regulated entertainment, except for the purpose of access or egress.

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Scale 1:100mm

Outside Area

WC

Fire Extinguisher

Bar

Cellar

Store

Fire Extinguisher

WC

WC

WC

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Annotations

Circle2

Circle1

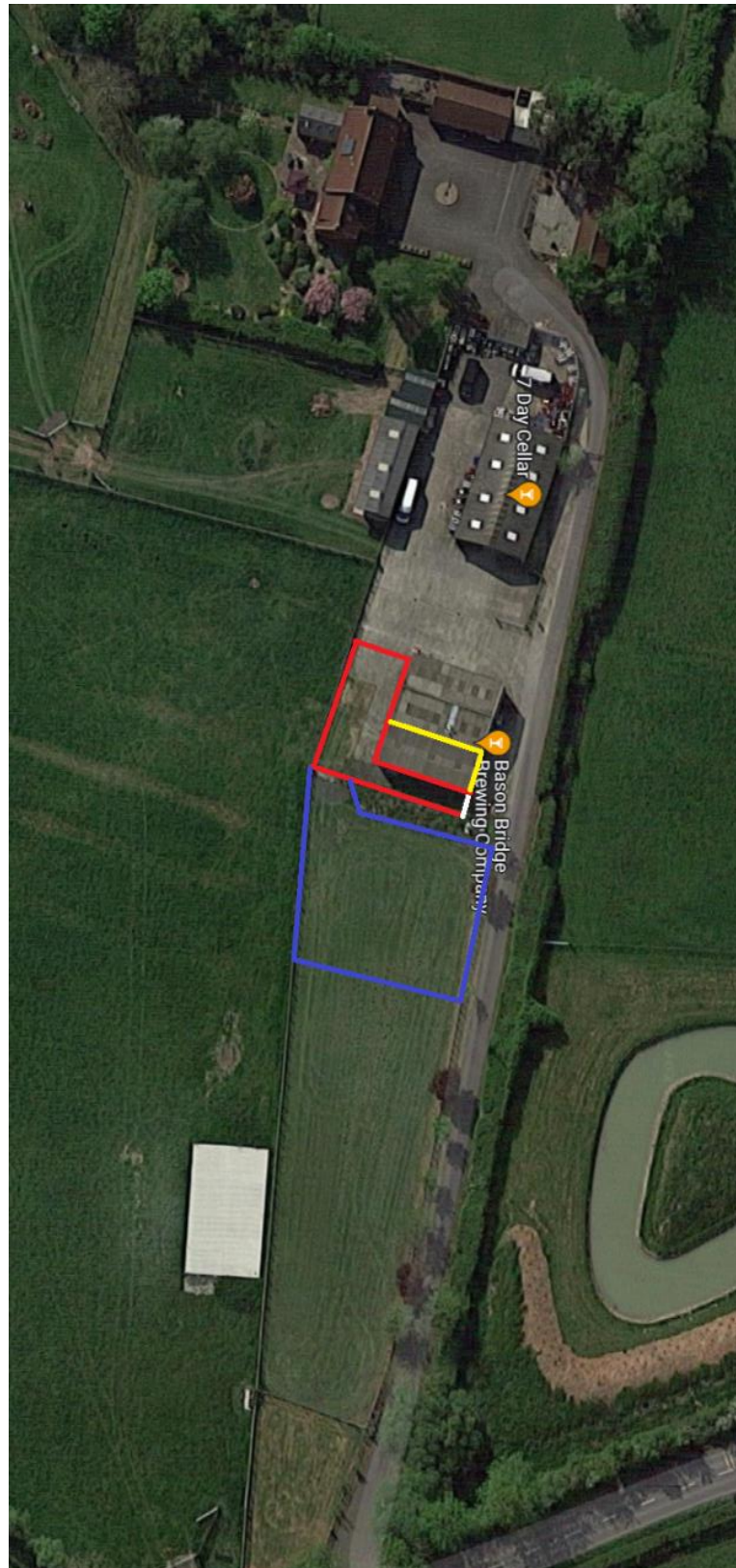


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Blue = Car Park area

Red= Outside licensed area

Yellow = Licensed premises



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