



Notice of Meeting of

LICENSING AND REGULATORY COMMITTEE

Monday, 24 June 2024 at 2.00 pm

John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE

To: The members of the Licensing and Regulatory Committee

Chair: Councillor Simon Carswell

Vice-chair: Councillor Marcus Kravis

Councillor Peter Clayton
Councillor
Lance Duddridge

Councillor Mike Murphy
Councillor Tony Robbins

Councillor Andy Soughton

Councillor Simon Coles
Councillor Tony Lock

Councillor Connor Payne
Councillor
Diogo Rodrigues

Councillor Hugh Davies
Councillor Martin Lovell

Councillor Tom Power
Councillor Brian Smedley

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

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticservicesteam@somerset.gov.uk by **5pm on Tuesday, 18 June 2024**.

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

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Thursday, 13 June 2024

AGENDA

Licensing and Regulatory Committee - 2.00 pm Monday, 24 June 2024

Public Guidance Notes contained in Agenda Annexe

5 - 6

Click here to join the online meeting

1 Apologies for Absence

To receive any apologies for absence.

2 Minutes from the Previous Meeting (Pages 7 - 10)

To approve the minutes from the previous meeting.

3 Declarations of Interest

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

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

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

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, please see details under 'click here to join online meeting'.

Exclusion of Press and Public

PLEASE NOTE: Although the main report for this item not confidential, supporting appendices available to Members contain exempt information and are therefore marked confidential – not for publication. At any point if Members wish to discuss information within this appendix then the Council will be asked to agree the following resolution to exclude the press and public:

Exclusion of the Press and Public

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public 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, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

5 Hackney Carriage and Private Hire Licensing (Pages 11 - 14)

To receive an update on the Council's hackney carriage and private hire licensing functions.

6 Minutes of the Licensing and Regulatory Sub-Committees (Pages 15 - 34)

The Licensing and Regulatory Committee are asked to note the minutes of the Sub-Committees.

Guidance notes for the meeting

Council Public Meetings

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

Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

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

Members' Code of Conduct requirements

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

Minutes of the Meeting

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

Public Question Time

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

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

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

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

Meeting Etiquette for participants

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

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

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

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

Exclusion of Press & Public

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

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

Recording of meetings

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



Minutes of a Meeting of the Licensing and Regulatory Committee held in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE, on Thursday, 11 April 2024 at 2.00 pm

Present:

Cllr Simon Carswell (Chair)
Cllr Marcus Kravis (Vice-Chair)

Cllr Peter Clayton
Cllr Martin Lovell
Cllr Tony Robbins

Cllr Tony Lock
Cllr Mike Murphy
Cllr Andy Soughton

Other Members present remotely:

Cllr Diogo Rodrigues

Cllr Leigh Redman

30 Apologies for Absence - Agenda Item 1

Apologies were received from Councillor Tom Power.

31 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Licensing and Regulatory Committee held on 15 February 2024 be confirmed as a correct record.

In response to questions it was confirmed that a report on training for drivers would be brought to the Committee shortly. The Chair also confirmed that the Lead Members for Transport and Digital and the Chair of Scrutiny – Children and Families would be contacted as resolved at the last meeting.

32 Declarations of Interest - Agenda Item 3

The following declarations in respect of membership of city, town and parish councils were automatically recorded:

Simon Carswell	-	Street Parish Council
Marcus Kravis	-	Minehead Town Council
Peter Clayton	-	Burnham & Highbridge Town Council
Tony Lock	-	Yeovil Town Council
Martin Lovell	-	Shepton Mallet Town Council
Mike Murphy	-	Burnham & Highbridge Town Council
Tony Robbins	-	Wells City Council
Andy Soughton	-	Yeovil Town Council
Diogo Rodrigues	-	Bridgwater Town Council

33 Public Question Time - Agenda Item 4

No members of the public had registered to speak.

34 Hackney carriage and private hire vehicle testing and emergency equipment - Agenda Item 5

The Committee considered the report and acknowledged the need for a unified approach to vehicle testing across the County.

Members noting that their concerns, over the difficulties in booking MOTs in some areas, the cost to drivers and the need to make them aware of the new requirements would be addressed with the proposals, unanimously supported the recommendations.

Resolved:

1. To adopt the hackney carriage and private hire vehicle testing and emergency equipment policy
2. To amend the legacy policies with the changes outlined in Appendix 2 of the report.
3. That the Policy and amendments above come into effect on a date to be determined by the Licensing Manager/Specialist, prior to which licence holders will be given no less than 6 weeks notice, via email. To ensure that the implementation is co-ordinated with the nomination of test stations.

35 Minutes of the Licensing and Regulatory Sub-Committees - Agenda Item 6

(The meeting ended at 2.59 pm)

.....

CHAIR

This page is intentionally left blank

Somerset Council
Licensing & Regulatory Committee – 24th June 2024



Hackney carriage and private hire licensing

Lead Officer: John Rendell, Licensing Manager
Author: John Rendell, Licensing Manager
Contact Details: 01823 219491, john.rendell@somerset.gov.uk
Executive Lead Member: Cllr Federica Smith-Roberts
Division / Local Member: Licensing & Regulatory Committee

1. Summary

1.1 The purpose of this report is to provide the Committee with an update on the Council's hackney carriage and private hire licensing function.

2. Issues for consideration/recommendations

2.1 This report be noted.

3. Background

3.1 Hackney carriage and private hire licensing is one of the Council's busiest licensing functions, accounting for around 20% of all applications and service requests.

3.2 At this moment in time, this licensing function is exercised in almost entirely the same way as it was by each of the predecessor district councils, due to the continuation of the five policies that were in existence at the time of the creation of Somerset Council. There are five licensing 'zones', governed by a different policy:

Zone	Policy document
Sedgemoor	Guidance & Statement of Policy - Licensing of Hackney Carriage & Private Hire Vehicles, Drivers and Operators
Mendip	Taxi and Private Hire policy
South Somerset	Hackney Carriage and Private Hire Licensing Policy

Taunton Deane	Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook
West Somerset	Hackney Carriage/Private Hire Regulations

- 3.3 Each zone document sets out the certain specifications and policies that are relevant to the drivers, vehicles and private hire operators licensed to work in that zone.
- 3.4 It logical and fair to both the licensed trade and travelling public that the Council would seek to, at the earliest opportunity, harmonise all hackney carriage and PHV policy to remove regional differences in standards, irrespective of any decision to abolish the zone boundaries which restrict where licence holders can ply for hire and operate.
- 3.5 The Licensing Manager is in the process of drafting a new hackney carriage and private hire licensing policy for Somerset, which would see the entire regime harmonised. Such a document would set out a number of policies and arrangements, including the following:
- (a) Aim, purpose and justification for the policy.
 - (b) Decision making protocols.
 - (c) Whistleblowing policy.
 - (d) Approach to enforcement, which could include use of a penalty points system.
 - (e) Full arrangements for driver licensing, including:
 - (i) Arrangements for determining applicants' right to work in the UK.
 - (ii) Language comprehension.
 - (iii) Medical standards.
 - (iv) Background checks e.g. DBS and certificates of good conduct from applicants that have lived overseas.
 - (v) Policy on criminal convictions etc.
 - (vi) Tax conditionality.
 - (vii) Driving proficiency.
 - (viii) Safeguarding awareness.
 - (ix) Knowledge test.
 - (x) Use of NR3S (national register of refusals, revocations and suspensions).
 - (xi) Licence conditions.
 - (f) Full arrangements for vehicle licensing, including:
 - (i) Exercising control of hackney carriage quantity restrictions, or not as is currently the case.
 - (ii) Any age restrictions.

- (iii) Environmental policy.
- (iv) Vehicle accessibility (inc. wheelchair accessibility), guided by an 'inclusive service plan'.
- (v) Background checks on vehicle proprietors.
- (vi) Policy on criminal convictions etc.
- (vii) Vehicle testing.
- (viii) Roof signs and advertising policies.
- (ix) Limousines and other specialist vehicles.
- (x) Licence conditions.

(g) Full arrangements for private hire operator licensing, including:

- (i) Background checks on vehicle proprietors.
- (ii) Policy on criminal convictions etc.
- (iii) Record keeping requirements.
- (iv) Requirements for vetting booking and dispatch staff.
- (v) Licence conditions.

(h) Fee setting.

- 3.6 The Committee has already made a resolution enabling a new vehicle testing and emergency equipment 'mini policy' to be implemented ahead of the wider harmonisation work, in turn supporting the nomination of vehicle testing stations.
- 3.7 With the possible exception of vehicle accessibility, which relies on the Council creating an 'inclusive service plan', the Licensing Manager is intending to publish and consult on a draft hackney carriage and private hire policy in full, as has been the case with the policies for the Gambling Act 2005 and Licensing Act 2003. It is hoped that a consultation can begin before the end of 2024. As indicated at paragraph 3.5(e)(viii), this piece of work would result in a new, harmonised approach to safeguarding awareness and training, which has been discussed at recent Committee meetings.
- 3.8 The Department for Transport's (DfT) 'Statutory taxi and private hire vehicle standards' state that *"All licensing authorities should provide safeguarding advice and guidance to the trade and should require taxi and private hire vehicle drivers to undertake safeguarding training."*
- 3.9 In setting the hackney carriage and private hire policy, the Council will need to consider:
- (a) The format of such training and whether it is acceptable for it to be achieved via an external training provider.
 - (b) Whether 'refresher' training will be necessary and if so, the frequency of refresher courses.
 - (c) The interval(s) at which training must be completed.

- 3.10 Providing in-house, face to face training to drivers would allow the Council to control the content of such training but undoubtedly prove a challenge to deliver across Somerset in a streamlined Licensing service, particularly if refresher training were required. A more practical option would be direct drivers to external training providers and require that they provide evidence of having completed the training e.g. certificate. This is already the case with the practical taxi driving assessment which applicants have to complete before they can be granted a licence. Naturally, this option does rely on there being appropriate and affordable training available. The Licensing Manager has established that there are a number of CPD member training providers offering online, safeguarding training that is tailored to the taxi trade. Whilst online training might not be as engaging as face to face training, it can be done by a person at a time and place of their choosing, which would better promote the Council's climate aims.
- 3.11 In terms of the timing of training, a straightforward and sensible option would be to make it compulsory for a person to evidence training has been completed prior to a licence being granted, and, if it were decided that refresher training were necessary, prior to renewal of a licence.
- 3.12 Turning to vehicle accessibility; at its meeting on the 10th of April 2024, the Scrutiny Committee for Communities resolved that 'wheelchair accessible taxi availability' be added to its work programme. To that end, the Licensing Manager will be writing a report for its meeting on the 1st of August. Any comments, observations and recommendations made by the Scrutiny Committee will be brought back before the Licensing & Regulatory Committee for consideration.

4. Consultations undertaken

- 4.1 None.

5. Implications

- 5.1 None.

6. Background papers

- 6.1 None.

Note For sight of individual background papers please contact the report author

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Public Agenda Pack



Minutes of a Meeting of the Licensing Sub-Committee held in the Committee Room 2, The Deane House. Belvedere Road, Taunton TA1 1HE, on Tuesday, 2 April 2024 at 10.30 am

Present:

Cllr Simon Carswell (Chair)

Cllr Hugh Davies

Cllr Brian Smedley

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

Councillor Brian Smedley proposed Councillor Simon Carswell be appointed as the Chair for today's hearing and this was seconded by Councillor Hughes.

45 Apologies for Absence - Agenda Item 2

No apologies were received.

46 Declarations of Interest - Agenda Item 3

There were no declarations of Interests.

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

It was confirmed that the meeting would follow the procedure as set out in the agenda pack.

48 Variation of a Premises Licence - The Chapel, Graham Way, Cotford St Luke, Taunton, TA4 1HX - Agenda Item 5

The Chair of the Panel welcomed everyone to the hearing and asked those present to introduce themselves:

Councillor Simon Carswell – Chair of the panel
Councillors Brian Smedley and Hugh Davies – panel members
Alison Evens – Licensing Officer
Stephen Elliott – Applicant
Lesley Dolan – Legal Officer
Leila Nicholson – Democratic Services Officer

The Licensing Officer presented her report explaining that the applicant of The Chapel, Cotford St Luke wished to vary their premises licence by extending the supply of alcohol for an extra hour for Thursday and Friday and an hour and a half on a Saturday. They also wished to provide live and recorded music for slightly longer than currently authorised under the current authorisation. The officer confirmed that 1 objection had been from a resident who lived opposite the premises, however it was noted that there had no contact with the officer, applicant or the Council in response to the licensing hearing. It was also noted that there had been no reports of anti-social behaviour relating to these premises to either the licensing or Environmental health departments. No other representations had been received about this application from the police or the Parish Council or other local residents.

The applicant then made his presentation confirming that he had lived in Cotford St Luke for 15/16 years and took over the premises in December 2022, with the purpose of bringing it back as the village pub. They hold events there all through the year including for children, the intention being that bands or events will be held on a monthly basis which currently is being covered by TENS notices, however it was considered that to amend the premises licence would give the business more flexibility. Bands tended to be “middle of the road” local bands with clients attending from the local surrounds. Mr Elliott confirmed that he had not received any complaints from the neighbours or authorities; Mr Elliott had spoken to 1 neighbour who lived next to the premises, but the objector had not engaged with him at any time.

The panel members then questioned the applicant as follows:

Please explain how acoustic music is played? Tends to be cover bands and they provide their own PA system although there are facilities within the pub, the noise levels are checked and doors are kept shut, the speakers are positioned so that sound is directed within the building, the outside area is also checked for sound levels. The applicant also has notices on the doors to ask customers to leave quietly and they monitor those leaving.

Has there been any dealings with Environment Health? No, sound checked by themselves by standing by the neighbouring houses and have previously changed position of the bands playing away from the windows after consultation with the nearest neighbour, speakers are positioned so sound will project away from the

windows.

Later hours requested on application? Only will be in use when events are in place to allow bands etc to clear away. Additional staffing on band nights and experienced and can also monitor those leaving the venue in a reasonable manner.

Use of car park? Public car park but is used by customers of Co-Operative supermarket and the community centre, have a good relationship with manager of supermarket but they have had issues with anti-social behaviour, not customers of the pub.

The applicant explained they also had a coffee shop at the rear of the pub so all ages were catered for.

The objector was not present at the hearing so the panel or applicant were unable to question the objector's statement or their comments made as some did not relate to licensing. The Other Person had not engaged with the Licensing Officer nor the applicant at any time so no mediation had been able to be undertaken.

The Licensing Officer did confirm to the panel that there was a condition already on the license about noise limits outside the venue.

After summing up from both the Licensing Officer and the applicant which reiterated their earlier submissions.

The panel retired to consider their decision in private with the Legal Officer and Democratic Services Officer also present.

On reconvening, the Chair informed those present of the decision of the Licensing sub-committee.

Decision

After retiring to deliberate, the Sub-Committee returned and delivered their decision as below.

The application has been advertised in accordance with the legislation and any conditions need to be appropriate, necessary, and proportionate.

Responsible Authorities

The Sub-Committee noted that there had been no representations made by the Police and Environmental Health or any other as Responsible Authorities: that is organisations and bodies identified as such in the Act.

Consideration

Having considered the submissions, the Statutory Guidance and the Act, the Sub-Committee does not consider that this Application will undermine the licensing objectives.

The Other Party was not present before the Sub-Committee and therefore not able to answer questions or elucidate on matters set out in their written representation. Accordingly given the above circumstances the Sub-Committee has had to allocate the appropriate weight to the Other Party's representations.

Conclusion

On the evidence before it, having considered all the circumstances, the Sub-Committee grants the application for a variation to the Premises Licence as applied for together with the Conditions that the Applicant has offered up in section 16 of its application (agenda page 25).

Parties are reminded that there are rights of appeal against this the Licensing Authority's decision pursuant to Section 181 of and Schedule 5 to the Licensing Act 2003. An appeal may be made to any Magistrates' Court in England and Wales, but it is expected that an appellant would bring an appeal to a Magistrates' Court in the area in which they or the Premises are situated. In this case the Magistrates' Court sitting at St. John's Road, Taunton TA1 4AX.

Any appeal must be commenced within a period of 21 days beginning with the day on which the appellant is notified by the Licensing Authority of the decision which is being appealed i.e. within 21 days beginning with the day on which this Decision Notice is given to the appellant.

All parties are also reminded of the procedures contained within the Licensing Act 2003 relating to review of the Premises licence. This provision permits nearby residents, businesses, or responsible authorities to apply for a review of a Premises licence where problems with crime and disorder, public safety, public nuisance, or the protection of children from harm are occurring. The Sub-Committee respectfully reminds all parties that for any review to go ahead, evidence would need to be collected of incidents occurring that undermine the licensing objectives.

The meeting ended at 11.14am.

(The meeting ended at 11.14 am)

.....
CHAIR

Public Agenda Pack



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

Present:

Cllr Marcus Kravis (Vice-Chair)

Cllr Simon Coles
Cllr Tony Robbins

Cllr Connor Payne

Other Members present remotely:

Cllr Hugh Davies

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

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

50 Apologies for Absence - Agenda Item 2

There were none.

51 Declarations of Interest - Agenda Item 3

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

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

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

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

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

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

53 Minutes of the Sub-Committee - Agenda Item 5

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

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

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

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

Current Licensable Activities

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLVED:

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

(The meeting ended at Time Not Specified)

.....
CHAIR

Public Agenda Pack



Minutes of a Meeting of the Licensing Sub-Committee held in the Council Chamber, Council Offices, Cannards Grave Road, Shepton Mallet BA4 5BT, on Friday, 12 April 2024 at 2.00 pm

Present:

Cllr Marcus Kravis (Vice-Chair)

Cllr Simon Coles

Cllr Connor Payne

Other Members present remotely:

Cllr Hugh Davies

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

Councillor Simon Coles proposed and Councillor Marcus Kravis seconded that Councillor Connor Payne be appointed as Chair of the Sub-Committee.

56 Apologies for Absence - Agenda Item 2

Anita Forsyth

Fiona Wyatt

Peter and Sally Bawdon

Sandra and Neil Foster

57 Declarations of Interest - Agenda Item 3

There were none.

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

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

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

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

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

59 Consideration of an application for a Premises Licence in respect of Street Football Club, Tannery Ground, Middle Brooks, Street, Somerset, BA16 0TA - Agenda Item 5

The Licensing and Business Support Officer presented his report and highlighted:

An application was submitted for the grant of a premises licence by Street Football Club Committee, on 09th February 2024. Due to errors with the site notice, the application period restarted on 15th February 2024. The application was at Appendix 1, the plan at Appendix 2 and proposed conditions from the operating schedule was at Appendix 3 of the agenda papers. The application was for the sale by retail of alcohol, the provision of regulated entertainment and the provision of late-night refreshment.

The football club held a current club certificate, but the applicant wished to obtain a premises licence, to allow for greater flexibility with the premises. A comparison between the current certificate and the new application is below. The current licence was at Appendix 4 of the agenda papers.

The Licensing Officer explained that a premises certificate was used for a club with private membership only whereas a premises licence was used for the general public.

Proposed Licensable Activities - Premises Licence

Licensable Activity	Days	Start Time	Finish Time	
Supply of Alcohol	Monday - Thursday	09:00	00:00	On and off sales
	Friday and Saturday	09:00	02:00	
	Sunday	09:00	01:00	

Regulated Entertainment Films Live Music and Recorded Music	Monday – Sunday	12:00	23:00	Indoors and outdoors
	Monday – Sunday	11:00	01:00	
	Monday – Sunday	10:00	01:00	
Late Night Refreshment	Monday – Thursday	23:00	01:00	Indoors and outdoors
	Friday and Saturday	23:00	02:00	
	Sunday	23:00	01:00	

Current Licensable Activities – Club Certificate

Licensable Activity	Days	Start Time	Finish Time	
Supply of Alcohol	Monday – Thursday	11:00	23:59	On and off sales
	Friday	11:00	02:30	
	Saturday	12:00	02:30	
	Sunday	09:00	01:00	
Regulated Entertainment Films Live Music Recorded Music	Monday – Thursday	11:00	23:59	Indoors and outdoors
	Friday and Saturday	11:00	02:30	
	Sunday	12:00	23:30	
Late Night Refreshment	N/A	N/A	N/A	N/A

Street Football Club was established in 1880, there was one full size football pitch with flood lights and stands for supporters. There was a club house with changing rooms, two function rooms and a skittle alley. The club had teams ranging from youth teams up to veterans, with the men’s first team competing in the Toolstation Western League Premier Division

A total of 9 representations were received from “Other Persons” against this application.

An overview of representations was at Appendix 5 of the agenda papers.

The representations raised concerned all 4 of the Licensing Objectives.

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

The two representatives on behalf of the applicant were invited to speak and, firstly, Ms Stimpson explained that she had become a Director a year ago and Ms Culliford confirmed that she was appointed only 3 months ago. Ms Culliford noticed that there were flaws in the way that the club was operating and suggested some changes such as applying for this premises licence.

In response to questions Ms Culliford confirmed that the Tannoy system was only used on match days as they did not want complaints from residents.

The Licensing Officer further confirmed that the complaints which had been received in the past were:

2019 – Smoke

2016 – Light pollution

2015 – Light pollution

2015 – Bonfire

2015 – Bonfire

2014 – 3 noise complaints arising out of a single event

He further confirmed the implications of the Live Music Act 2013 and the Legislative Reform (Entertainment Licensing) Order 2014. Live and recorded music was de-regulated between 08:00 and 23:00 on premises authorised to supply alcohol on the premises, subject to a maximum audience of 500 persons.

The applicant offered up conditions to be added to the licence in the event that it was granted which could be seen at Appendix 3 of the agenda papers.

In addition the applicant would be prepared to create and submit a Noise Management Plan to the Council for approval.

The representees were then invited to speak.

Mr Adrian Williams voiced his concerns, which were the same as Mrs Sharon Perry's, and related to noise from the club interfering with the neighbouring properties as, he maintained, this had happened twice previously.

He further informed the Sub-Committee that the cleaners played music through the

loud speakers in the mornings which bothered the residents as it was loud.

Mr Williams confirmed that he did not mind the noise on fun days or match days.

Following discussion regarding the submitted application being filled out incorrectly, Ms Stimpson advised the Sub-Committee that they were prepared to amend the application so that at Box E (agenda page 27) and Box F (agenda page 28) only "Indoors" was ticked and not "Both". This then indicated that the performance of live music would only take place indoors. She further advised that all staff were now employed by the club and they were therefore in a position to tell cleaners not to play music through the loud speakers in the morning.

Ms Stimpson advised, on behalf of the applicant, that they would like to support the community, especially families, and that their end goal was to operate sustainably, they did not make any profit and the club needed to be as active as it could be.

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

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

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

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

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

Members of the Sub-Committee considered their decision in private session and were mindful of the advice given to them by the Legal Officer.

RESOLVED

The Licensing Sub-Committee hearing held on 12 April 2024 in respect of the consideration for the grant of a premises License for Street Football Club, Tannery Ground, Middle Brooks, Street, Somerset, BA16 0TA be granted as applied for together with the conditions that the applicant had offered up through the operating schedule in Section M of the application with the exception that conditions 6 and 7 would be replaced by a new condition –

A Noise Management Plan will be created by the applicant and approved by the Council and should include matters that are set out in the proposed condition 6 and 7.

In reaching its decision, the Sub-Committee is aware and would remind all Other Persons that, the premises already has a current club premises certificate.

(The meeting ended at 15:05)

.....
CHAIR