
Representations against the Grant of a Premises Licence under the Licensing Act 2003

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Applicant: Wookey Hole Limited

Premises Name: Bucklegrove Caravan Park

Premises Address: Wells Road, Rodney Stoke, Cheddar, Somerset, BS27 3UZ

Introduction

- 1 An application was submitted for the grant of a premises licence by Wookey Hole Limited on 31 May 2023. The application can be found at **Appendix 1**, the plan can be found at **Appendix 2** and proposed conditions from the operating schedule can be found at **Appendix 3**.
- 2 Bucklegrove Holiday Park is a family friendly park situated at the foot of the Mendip Hills on the outskirts of Rodney Stoke, which is just over 3-miles from the town of Cheddar. A map of the area can be found at **Appendix 4**. The Park is approximately 7.5 acres in size. The Park offers a range of accommodation including:
 - 3 lodges with hot tubs
 - 34 static caravans (of which 6 are privately owned)
 - 40 seasonal pitches for touring caravans
 - 2 woodland camping cabins
 - 1 pod
 - 36 camping pitches
 - 25 touring caravan / motor home hard standing pitches

Park facilities include:

- A heated, indoor swimming pool and toddler pool
- Games room
- Outdoor play area
- Shop and guest reception
- The Lodge – Bar & Restaurant
- Guest toilets, shower facilities and laundrette

The application is for the sale by retail of alcohol, the provision of regulated entertainment and the provision of late-night refreshment. The timings for the licensable activities are:

Licensable Activities

Licensable Activity	Days	Start	Finish	Location
Supply of Alcohol	Monday - Sunday	08:00	02:00	On/Off the Premises
Regulated Entertainment	Monday – Sunday	06:00	02:00	Indoors/Outdoors
Plays	Monday - Sunday	23:00	00:00	Indoors/Outdoors
Indoor Sporting Events	Monday - Sunday	23:00	00:00	-
Late Night Refreshment	Monday - Sunday	23:00	05:00	Indoors/Outdoors

Reason for referral to Licensing Sub-Committee

- 3 A total of eight representations were received that relate to at least one of the four Licensing objectives. Where sections of the representation are not valid this has been crossed through and should not be taken into consideration by the Sub Committee.

There have been several site visits undertaken during the representation period with the applicant and the Licensing Authority, Somerset Council’s Environmental Protection team, Avon and Somerset Constabulary’s Liquor Licensing Officer and the Chairperson of Rodney Stoke Parish Council.

At the end of the representation period representations from Other Persons remained that are considered under the Act as relevant, and the matter is now for the Licensing Sub-Committee to determine.

Relevant Observations

- 4 Whilst there have been eight representations made, several are of a similar nature, these representations can be found at **Appendix 6 to 13**. There have been concerns/points raised in relation to Planning, but these are classed as not relevant as Planning and Licensing act independently of each other. It is the responsibility of the premises to ensure they are compliant with both Licensing and Planning conditions. Residents raised concerns in relation to the highway and sewage networks, both of which are part of national infrastructure and under The Licensing Act 2003 are not classed as valid.

The applicant arranged pre-application liaison with the Licensing Authority through a site visit on 25 April 2023. Police and Environmental Protection Officers visited the site on 12th May 2023. Following the visit, they were given a draft application to allow for any comments they may have wanted to make prior to the application being officially served on the Licensing Authority. Agreement was made with the applicant for relevant conditions to be attached to the licence, should it be issued, under the prevention of crime and disorder and public nuisance.

No representations were made by any Responsible Authority.

- 5 A map showing the premises location and nearby properties that have made representations can be seen at **Appendix 5**.

Legal Implications

6 **The Live Music Act 2013 and the Legislative Reform (entertainment licensing) order 2014**

Live and Recorded Music is deregulated between 08:00 and 23:00 on premises authorised to sale alcohol on the premises, subject to a maximum audience of 500 persons.

The Licensing Authority has the power to remove the exemptions but only if and when it conducts a formal Review of the Premises Licence.

Decision Making Process

7 The Sub-Committee must consider this application on its own merits and from the information contained within the application and this report.

Members are reminded that the duty of the Licensing Authority is to take steps necessary to promote the licensing objectives in the interests of the wider community, the Licensing Objectives, as follows:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

In its decision-making process, the Licensing Sub-Committee must have regard to:

- Licensing Act 2003, and subsequent amendments
- The Statutory Guidance issued under Section 182 of the Licensing Act 2003.
- Somerset Council's Statement of Licensing Policy. The policy is available on request and from the Somerset Council website [Licensing Policies and Policy Consultations \(somerset.gov.uk\)](http://somerset.gov.uk)

The options available to the committee are as follows: -

- Grant the application with no modifications, and only attach conditions as required by the 2003 Act. These shall include mandatory conditions and conditions consistent with the operating schedule.
- Grant the application, modified to such an extent as the Licensing Authority considers appropriate for the promotion of the Licensing Objectives
- Refuse the application, giving reasons for its decision.

Should the Committee be mindful to attach conditions to the licence, they must only do so if they are:

- Appropriate, necessary, and proportionate
- Precise, clear, and unambiguous
- Practical, realistic, and enforceable
- Non-duplicative of existing statutory requirements or offences
- Modern and fit for purpose.
- Consideration must also be given the number of conditions being attached.

The Licensing Authority recognises that most Licence Holders seek to follow the law and any enforcement action will normally follow a graduated approach and in the first instance will include education and support. Where licence holders continue to flout the law or act irresponsibly firm action will be taken.

Right of Appeal

- 8 All relevant parties to the decision of the Licensing Authority have the right of appeal to Magistrates Court, in connection with this matter. This must be done within 21 days of being notified in writing of the relevant decision.

Appendices

- 9 Appendix 1 – Application for the Grant of a Premises Licence
Appendix 2 – Plan of the Premises
Appendix 3 – Proposed Conditions from Operating Schedule

Supporting Documents

- Appendix 4 – Map of the area surrounding the premises
Appendix 5 – Map showing properties representations have come from

Representations

- Appendix 6 – Michael Sealey (Chair) Rodney Stoke Parish Council (1)
Appendix 7 – Michael Sealey (Chair) Rodney Stoke Parish Council (2)
Appendix 8 – A J Smith
Appendix 9 – C & J Symes
Appendix 10 – Cllr R Wyke
Appendix 11 – V Bullen
Appendix 12 – Dr P & A Cole
Appendix 13 – K Glanville

END OF REPORT