
Consideration of an application for a Premises Licence in respect of Owen's Sausages and Hams Limited

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Applicant: Owen Barratt

Premises Name: Owen's Sausages and Hams Limited

Premises Address: Unit 3, 3 Station Approach Industrial Estate, Station Approach, Frome, BA11 1RE

Introduction

1 Owen's Sausages and Hams is a Delicatessen style Sausage Bar and Kitchen. The premises has recently undergone renovation, including building of the new sausage kitchen. The proposed licensable area covers the ground floor only, and the outside yard to the rear of the building. The space will be used primarily as a dining area for customers.

The premises are located towards the rear of a large building, which contains other licensed premises. The building is situated close to Frome Train Station, on the Station Approach Industrial Estate.

The applicant has applied for a premises licence in order to sell alcohol on and off the premises. A copy of the application is at **Appendix 1**.

A copy of the plan for the premises can be found at **Appendix 2**.

An aerial photo of the area is shown at **Appendix 3**.

Licensable Activities

Licensable Activity	Days	Start Time	Finish Time
Supply of Alcohol	Monday – Sunday	09:00	23:00
Hours Premises are open to the Public	Monday – Sunday	09:00	23:30

Reason for referral to Licensing Sub-Committee

2 During the representation period one representation was received from 'Other Persons'.

The representation was deemed to be valid as it was relevant to at least one of the four licensing objectives.

A copy of the representation received can be found at **Appendix 4**.

Relevant Observations

- 3** During the representation period the Licensing Officer for Avon and Somerset Constabulary spoke with the applicant and agreed conditions to be attached to the licence.

The applicant has also offered conditions through the Operating Schedule, which have been agreed.

All conditions to be added to the licence, should it be granted, can be seen at **Appendix 5**.

No representations have been received from Relevant Authorities in relation to this application.

A map showing the location of the premises is at **Appendix 6**.

The applicant has applied for Temporary Event Notices (TENS) whilst the application is being processed. The Licensing Authority has been served 10 TENS for events to be held at the premises between 24 November 2023 and 17 February 2024. Details of the dates, times and activities can be found at **Appendix 7**.

Legal Implications

- 4** **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 carries out a formal Review of the Premises Licence.

Decision Making Process

- 5** 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 \(somerset.gov.uk\)](https://www.somerset.gov.uk/licensing-policies-and-policy-consultations)

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

- 6** 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

- 7** Appendix 1 - Application for a premises licence
Appendix 2 - Plan of proposed licensed area
Appendix 3 - Aerial Photograph of proposed licensed area
Appendix 4 - Representation
Appendix 5 - Conditions Agreed
Appendix 6 - Map showing location of premises
Appendix 7 - Details of TENs

END OF REPORT