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## **Consideration of an application for the granting of a premises licence**

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Executive Lead Member: Cllr Federica Smith-Roberts

Division / Local Member: Licensing & Regulatory Committee

### **1. Summary**

- 1.1 An application has been made on behalf Mr Anthony Curtin in accordance with the Licensing Act 2003 (LA2003), for a premises licence in respect of The Bistro, 27 Clayland Corner, Stogursey, Bridgwater. TA5 1TS
- 1.2 The Licensing Authority has received a relevant representation and must therefore hold a hearing for the Licensing Subcommittee to determine the application.

### **2. Issues for consideration/recommendations**

- 2.1 The Subcommittee must take one of the following steps as it considers appropriate for the promotion of the licensing objectives:
  - (a) Grant the licence subject to – the conditions mentioned in subsection 2a modified to such extent as authority considers appropriate for the promotion of the licensing objectives and any condition which must under section 19, 20 or 21 be included on the licence.
  - (b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
  - (c) To refuse to specify a person in the licence as the premises supervisor;
  - (d) To reject the application.
- 2.2 In determining the application, the Subcommittee must have regard, and give appropriate weight, to the following:

- Any relevant representation (including supporting documentation received).
- Revised guidance issued under section 182 of the LA2003 by the Home Office (December 2023).
- The Licensing Authority's Statement of Licensing Policy, published in September 2023.
- Human Rights considerations, in particular Article 6, Article 8, and Article 1 of Protocol 1.

### 3. Background

- 3.1 The business operating from this premises, known as 'The Bistro', will be "a small Bistro and Coffee shop, offering breakfasts, light lunches and afternoon Cream Tea's..." and will "...also provide Sunday Lunches." The premises would like to provide the sale of alcohol for consumption on the premises and late night refreshment.
- 3.2 The Licensing Authority received an application for the granting of a premises licence for this premises on 8<sup>th</sup> July 2024. A copy of the full application and plan of proposed layout is attached at **Appendix 1 and 2**.
- 3.3 The applicant is seeking authorisation to:
- (a) Provide late night refreshment on Christmas Day, New Years Eve and Bank Holiday Weekends from 23:00 to 00:00.
  - (b) Supply of alcohol for consumption on the premises every day from 12:00 to 23:00 and on Christmas Day, New Years Eve and Bank Holiday Weekends from until 00:00.
- 3.4 This application was circulated to responsible authorities on 8<sup>th</sup> July 2024. The Licensing Authority received evidence from the applicant to demonstrate that they had displayed public notices at the premises in accordance with the relevant regulations, and the application information was posted to the Somerset Council 'list of current licence applications' on the Council's website.
- 3.5 The Licensing Authority received a representation from Stogursey Parish Council on 31<sup>st</sup> July 2024. This representation is attached as **Appendix 3**.
- 3.6 The Police negotiated with the applicant and, as a result, the applicant agreed that the operating schedule in their application be revised to include amended/additional conditions. No representation was made by the Police on this basis. The agreed conditions are attached as **Appendix 4**.

3.7 Stogursey Parish Council were made aware of the amended/additional conditions between the applicant and Police and were provided with a copy of these conditions.

**4. Right of appeal**

4.1 All relevant parties have the right to appeal to the Magistrates Court if aggrieved by the decision of the Licensing Authority. This must be done within 21 days of being notified in writing of the relevant decision.

**5. Appendices**

1. Premises Licence Application.
2. Plan of premises
3. Representation from Stogursey Parish Council
4. Conditions to be added to licence as part of an agreed position with Acon and Somerset Police.