
Application for a Premises Licence

Executive Member(s): Cllr Federica Smith-Roberts

Local Member(s) and Division: Cllrs Alan Bradford and Bill Revans N. Petherton

Lead Officer: Alan Weldon, Licensing & Fraud Manager

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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 a relevant representation by way of objection received from Mr & Mrs Whitcombe.
2. The premises subject to the objection is: Maunsel Tea Room, Bankland, North Newton, Somerset, TA7 0DH.

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 objection in this case refers to all four of the 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 Mr & Mrs Whitcombe 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

Other Implications: -

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 3rd April 2023, a Premises Licence application was served on Somerset Council by way of the Council's online application process by Mrs Nicola Westphal for Maunsel Tea Room, Bankland, North Newton, Somerset, TA7 0DH.

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

- Sale/supply of alcohol – from 10.30hrs to 17.00hrs (Daily) – On the premises.
- From May to September the applicant has requested that the Sale/Supply of alcohol is extended from 10.30hrs to 21.30hrs every Friday and Saturday and each time the venue is rented out that the Sale/Supply of alcohol is extended to 21.30hrs.

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

21. The Premises Licence Application requests that internal & an external area of the premises including the rear carpark and frontage seating area along the canal are licensed for the sale/supply of alcohol on the premises only.
22. An objection to the application for a premises licence has been received within the permitted timeframe from Mr & Mrs Whitcombe, and is attached as **Appendix B**.
23. Maps of the surrounding area are shown as **Appendix C1 & C2**.

Background Papers

24. As identified in the report and below under 'Appendices'.

Appendices

- A. Premises Licence Application served on 3rd April 2023.
- B. Representation by Mr & Mrs Whitcombe.
- C. Maps of the Premises and surrounding area.