
Application for a Premises Licence

Executive Member(s): Cllr Federica Smith-Roberts

Local Member(s) and Division: Cllrs Leigh Redman and Hilary Bruce North & Central Bridgwater.

Lead Officer: Alan Weldon, Licensing & Fraud Manager

Author: Simon Bawler

Contact Details: Simon.bawler@somerset.gov.uk

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 Cllr Leigh Redman.
2. The premises subject to the objection is: Regresso, Unit 4, 6-8 Monmouth Street, Bridgwater, Somerset, TA6 5EJ.

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 Public Nuisance Licensing Objective.

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 Cllr Redman 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

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 28th March 2023, a Premises Licence application was served on Somerset Council by way of the Council's online application process by Mrs Maria Ferreira trading as Regresso Ltd, Unit 4, 6-8 Monmouth Street, Bridgwater, Somerset, TA6 5EJ. The consultation period had to be restarted after the applicant failed to advertise the application correctly in the newspaper within the allocated time frame.

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

- Sale/supply of alcohol – from 10.00hrs to 23.00hrs (Mon to Thurs) 10.00hrs to 01.00hrs (Fri & Sat) 10.00hrs to 00.00hrs (Sun) – On & Off the premises.
- Late Night Refreshment from 23.00hrs to 01.00hrs (Fri & Sat) and 23.00hrs to 00.00hrs (Sun)
- Initially the applicant also applied for **Anything similar to Live music recorded music or performance of dance**. But on reflection the applicant removed this from the Licensing activities requested.

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

21. The Premises Licence Application requests that the internal area of the premises including the upstairs restaurant area are licensed for the sale/supply of alcohol on and off the premises and Late-Night refreshment on the premises only.
22. An objection to the application for a premises licence has been received within the permitted timeframe from Cllr Redman, and is attached as **Appendix B**.
23. Police have agreed a set of conditions and is attached as **Appendix C**.
24. Plans of the premises are shown as **Appendix D**.
25. Maps of the surrounding area are shown as **Appendix E**.

Background Papers

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

Appendices

- A. Premises Licence Application - Appendix A.**
- B. Representation by Cllr Leigh Redman - Appendix B.**
- C. Police have agreed a set of conditions – Appendix C**
- D. Plans of the premises – Appendix D**
- E. Maps of the surrounding area – Appendix E**