

Supplement 3 to the agenda for

Licensing sub-committee

Wednesday 19 August 2020

10.30 am

Online meeting only

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4.	APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF 'REDBANK BARN EVENTS, REDBANK BARN, NEW GROVES LANE, HAMPTON BISHOP, HEREFORD. HR1 4LD'- LICENSING ACT 2003	3 - 4
5.	APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF 'GILLOW CIDER, GILLOW MANOR, ST OWENS CROSS, HEREFORD. HR2 8LE'- LICENSING ACT 2003	5 - 20

Agenda Item 4: Agreed Environmental Health Conditions for Red Barn Events

In response to your negotiated conditions email on the 10th Aug, please see our response to you.

We accept your offer on the below conditions.

- 1. Noise and vibration shall not emanate from the premises so as to cause a nuisance.
- 2. The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels / frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
- 3. There shall be a written agreed Noise Management Plan with Environmental Protection team no later than 60 days after the granting of licence. The premises licence holder must comply with the written agreed Noise Management Plan.
- 4. All doors and windows at the premises shall be kept closed after 23:00 except during immediate access and egress.
- 5. Loudspeakers shall not be located in the entrance lobby or external to any part of the premises.
- 6. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 7. Large double front door shall remain closed during the main event except for access and egress by disabled persons or in the event of an emergency.
- 8. No Live Music should be permitted after 23:00 Sun-Thurs and 23:30 Fri-Sat.

With regard to the term "Live Music", we must stress that the definition of "Live Music" was discussed with the applicant during the site visit. It is understood and accepted by the applicant that "Live Music" would include "Live Band Music" and "DJ Performance".

I will notify licensing department that the above conditions had been agreed between the applicant of Redbank Barn Event and Environmental Protection Service, and shall be attached to the premises licence application.

Kind regards

Graduate Environmental Health Officer Economy and Place Directorate Environmental Health & Trading Standard

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MEMORANDUM

To:

From: Dr J. O'Mahony

Tel : 01432 261914 My Ref : 309147

Date : Your Ref :

LICENSING ACT 2003

APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE

SITE: Gillow Manor, St Owens Cross, Hereford, Herefordshire, HR2 8LE

DESCRIPTION: Licensing consultation - Gillow Manor,

APPLICATION NO: 309147

1. Introduction.

The

Environmental Health Protection was consulted on the above application, in July 2020, through the licensing process, for a premises licence in pursuant of the licensing objectives Prevention of Public Nuisance as laid out in the Licensing Act 2003.

The application listed extensive operating hours, but there appeared to be a lack of detail about proposed activities and their location, so the Environmental Health Team made representations.

The applicants had not consulted with EH Pollution Team prior to the application being made, nor was a Noise Management Plan provided with the application.

A site visit was undertaken on 10th August 2020 by J. O'Mahony (EHO) & E. Laughland (PEHO), with the owner and agent. Discussions were had and more detail provided to officers, in relation to proposed activities, anticipated frequency of events and proposed hours of entertainment with regard to public noise nuisance. Communication was then maintained with the applicants.

Further details and supporting evidence detailed below.

Supporting Evidence

2. Site Visit

2.1. Location (Figure 1)

The premises, Gillow Manor, is located SW of the A49, near to the hamlet of St. Owen's Cross in South Herefordshire. It is reached by turning off from the A49 between Hereford and Ross on Wye onto the A4137 Monmouth Road, then turning right onto along a single track road, which leads to Michaelchurch hamlet The drive to the property is the first right hand turn by 2 cottages onto a private track (Figure 1.). The venue is a set of barns in fields SW of the main house.



Figure 1. Location of premises, with surrounding A49 to the NE (dark green), A4173 to East/SE (red) and the single track road S & W (yellow).

- St. Owens Cross village is located approx. 960m to the SE of the venue, Tretire hamlet approx. 1400m to the SW, and Michaelchurch hamlet approx. 960m to the west.
- 2.2. Structure of the premises.

Building A (Taproom) (Figure 2)

This is a wood-cladded barn separated in two by a covered area, with the gable ends in an east-west elevation. The eastern side is the location for the proposed taproom. Entrance to the taproom in a single doorway facing west, located under the covered area. The roof and walls of the premises are wooden and thus would most likely have poor sound attenuation properties

Building B: open covered barn – Stage (Figure 3)

This is a partially open monopitched barn, with a northerly/southerly elevation on the gable ends. The open (covered) part of the barn faces in a southeasterly direction. The area in front of the stage will be where the marquee/s are located with the outside bar and sitting areas.

Figure 2: Proposed Taproom 10th August 2020



Figure 3 : Open Covered Barn — Stage area for annual Music Festival



Figure 4: Whole Annual music event area (Marquee for outside bar and sitting area to be included surrounding the area main entertainment area)



2.3. Proposed Licenced Premises (Figure 5)

From the site discussion, the proposed licensed premises is shown on Figure 5. Music entertainment will be both inside the Barn (Building A) taproom (acoustic only) and also in a covered area but open fronted Barn (Building B) facing southeast into the field (during the annual festival) (Figure 3) with amplification.

The proposed taproom will be located in the barn "Building A". It is proposed that piped music and possibly acoustic music (eg guitar) only will be played in this room. There is no amplification proposed. Numbers will be limited to 50.

Barn (Building B) has an open fronted area which is the proposed stage for outdoor entertainment, together with marquees selling alcohol during events and seating areas. It is proposed that live music will be played here, with amplification, currently only during the annual 3-day Cider & Music Festival usually held in June. The outdoor entertainments are proposed to be held in this covered open barn area, with any speakers facing south east. Music events usually operate between 80-90dB in the entertainment area. Due to the rural location of this venue, that background levels will be very low (below 30dB) and any noise may carry over greater distances particularly in still wind conditions.

Figure 5. Proposed Licensable Area



3. The current application for a premises licence

3.1. Premises History

As part of the consideration of the application, the previous history of the premises was checked in relation to complaints/activities.

4.2. Complaints

One complaint regarding the premises was recorded in the Council's database, in May 2018 (Table 1).

Table 1: noise complaints history against the proposed venue.

Reference	Date	Details
257486	29/5/18	Music allegedly not finishing on time 26th May 2018 – a wedding event went on to 01:00hrs.

5.2. Temporary Event Notices (TENS)

Table 2 lists the 8 TENS applications were received by the service in relation to Gillow cider between December 2014 to date (August 2020). Four of these relate to the 3-day Cider and Music Festival usually held in June of each year.

Table 2: TENS history for the premises

Reference	Date	Type of activity
285190	2/7/19	Wedding reception 10-11 Aug 19
273329	8/1/19	Cider & Music Festival 21-23 June 19
225329	6/2/17	Wedding reception, 17-18 June 2017
225327	6/2/17	Cider & Music Festival June 2017
201903	30/6/16	Charity fundraiser
201341	23/2/16	Cider & Music Festival June 2016
181552	3/7/15	BBQ
166380	4/12/14	Cider & Music Festival 19-21 June 2015

CONCLUSIONS

The events concerning this application:

A: Licence premises general activities (tap house)

B: One Annual Music Festival Event (three days Friday – Sunday).

Environmental Health have no objections to this application subject to the applicant agreeing to the followings conditions:

1. Noise and vibration shall not emanate from the premises so as to cause a nuisance. (no change from application)

- 2. The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels / frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police. (no change from application).
- 3. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 4. No regulated entertainment shall be permitted on the premises after 23:00hrs, with the exception of one music festival event a year.
- 5. The Premises Licence will permit one music event per calendar year to take place on the premises. The duration of the music festival event shall not exceed three days for regulated entertainments and all three days shall run consecutively. For the purposes of this licence a music festival event shall be defined as an event where the primary purpose is a concert featuring music acts.
- 6. No regulated entertainment for the music festival event shall be permitted after 01:00 hrs Friday night into Saturday morning, and Saturday night into Sunday morning and 00:00hrs Sunday night
- 7. There shall be an annual Noise Management Plan <u>written & agreed</u> with the Environmental Protection team in advance of each annual music festival event, and no later than 60 days before the event. The premises licence holder must comply with the written agreed Noise Management Plan.

As discussed any other planned event that fall outside of this licence can be applied for under a TENs.

Gillow Cider Licensing Application Visit

Date 10 August 2020



Proposed Tap House



Annual Music Festival event stage area



Whole Annual music event area (Marquee for outside bar and sitting area to be included surrounding the area main entertainment area)



Rural Location in a dip (Photo taken from east side of premises)



Country lane either side leading to entrance to Private road





Application for a Premises Licence GILLOW MANOR

Additional Amended Conditions

Further negotiations have occurred between the applicant and Mr Andrew COCHRANE of Flint Bishop, the Licensing Solicitor representing two of the local residents.

As a result of these negotiations, the applicant seeks to amend the application in the following terms.

- 1. Remove all references to Late Night Refreshment, Live and Recorded Music from Sections 10, 11 & 14.
- 2. Amend the Seasonal Variation to allow one event (running over a consecutive Friday, Saturday and Sunday)per calendar year (defined as running between the 1st January and 31st December) to allow for an Annual Cider Festival on a moveable date, and subject to a Noise Management Plan agreed with EHO which will be shared with the Parish Council in time for their meeting immediately prior to the event.

Licensable Activities for this event shall include:

Sale of Alcohol extended to terminal hour of 01:00hrs on Fri & Sat.

Sale of Alcohol extended to terminal hour of 23.00hrs on Sun.

Late Night Refreshment from 23:00 to 01:00hrs on Fri & Sat.

Live & Recorded Music from 11:00 to 01:00hrs Fri & Sat.

Live & Recorded Music from 11:00 to 23.00hrs on Sun.

3. The Noise management plan shall contain details of person who shall receive and respond to complaints including a contact phone number. A copy of the final noise management plan shall be deposited with the Clerk to Ballingham, Bolstone & Hentland Group Parish Council at least 7 days before the event. 4. The DPS will carry out a written risk assessment before each annual event and SIA registered door staff shall be employed on a risk assessed basis.

Mr Paul NEADES, Licensing Consultant and Agent For the applicant, Gillow Manor.