

**Minutes of the meeting of Licensing sub-committee held at  
Online meeting on Tuesday 27 October 2020 at 10.30 am**

**Present:** Councillor Alan Seldon (chairperson)  
Councillors: Polly Andrews and Toni Fagan

**Officers:** Legal advisor to the licensing sub-committee and Principal licensing officer

**91. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**92. NAMED SUBSTITUTES (IF ANY)**

There were no substitutes present at the meeting.

**93. DECLARATIONS OF INTEREST**

Councillor Polly Andrews declared that one of the public representations were known to her as they were the former head teacher of Holmer C of E Primary School and Cllr Andrews was a governor for the school. Councillor Andrews declared that there was no close personal association.

**94. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF 'WILD BY NATURE, LOWER HOUSE FARM, LONGTOWN, HEREFORDSHIRE. HR2 0NT- LICENSING ACT 2003**

Before starting the discussion on this item, the chairperson outlined that some of the public representation were in relation to highways matters which were outside of the remit of the Licensing Act 2003. Highways matters outside of the Licensing Act 2003 would need to be considered under the relevant planning legislation.

The principal licensing officer presented the report.

The sub-committee heard from the public representations who highlighted:

- That the highways issues were relevant because of the geography of the land and the location of the premises.
- The applicant was diversifying the business from farming to other activities. Most of the other activities had had little negative impact on the community.
- The families on Lower House Farm are embedded within the community.
- The applicant had amended the application due to concerns raised by the community so that no outdoor music or outdoor cinema timings were now being sought.
- The gateway from the premises went onto an unclassified road and it was approximately 2.3 miles to a T-junction. The road was only wide enough for one vehicle, with very few passing opportunities, there were 3 90 degree corners, no

visibility and the verges were vertical. The condition of the road was considered poor and deteriorating.

- There had been an increase in commercial traffic.
- The premises were at the bottom of a valley which acted like a cone.
- It was noted that weddings could be held on different days so that the business could operate flexibly. This would mean an increase in the numbers of people accessing and leaving the premises on a narrow road. As the premises were located in a rural area, there would be no street lights and there was no footpaths for pedestrians to use which presented a danger to any walkers etc.
- The premises may use mini buses and this would mitigate the amount of traffic but there would still be an increase in the numbers of people using the road.
- It was acknowledged that the premises were well run and that there had been little impact on the community.
- It was requested that the sub-committee look at the frequency of wedding events and what would be manageable for the local community and sustainable for the premises licence holder. A suggestion of one wedding every one or two weeks was suggested and that steak / pizza events were only held when there were no weddings booked at the premises.
- The community were keen to work with the applicant to discuss all the areas of concerns.
- The unclassified road served 15 properties, the majority of which were farms. This would mean that there were tractors and trailers towing livestock using the road and during the summer the road would be used during the night.
- It was noted that if vehicles did meet on the road, there may be a need for a vehicle to reverse potentially back up to the T-junction.
- On the T-junction, there was a holiday cottage which may be impacted by an increase in the number of vehicles using the road and at night, their headlights would flash into the property. As this was a holiday cottage, there may be an impact on that business.
- There was no advantage to the community, aside from occasional bed and breakfast accommodation. There would only be an increase in traffic in the village.
- There was an understanding of the need to diversify but that the premises needed to integrate into the community. As three-quarters of the properties were farms, it was an interlinked community and it was important that the community resolved issues.

The sub-committee then heard from the applicant, who highlighted the following:

- The issues with traffic were understood by the applicant and it was acknowledged that there may need to a separate conversation to try and resolve them.
- They were fully aware of the potential for weddings to cause noise nuisance which was why a licence had been applied for. This was not an intensification of what is happening but an attempt to have more control.
- The premises were proud to offer good quality jobs for local people.
- There was support for communication with the community in order to achieve a good resolution.

The committee carefully considered all the representations, reports and evidence before them today. They have had regard to their duties under S4 of the Licensing Act and considered guidance issued under s182 of the Licensing Act 2003 and Herefordshire Council's statement of licensing policy.

## **DECISION**

The sub committee's decision was to grant the licence.

## **REASONS**

The sub committee had taken into account all the statements from the parties present and the written public representations included within the agenda pack. It was emphasised that the licensing sub-committee cannot take into account highways matters which would sit under the remit of planning legislation and could only take decisions which were evidence based. The licensing sub-committee could not make a decision based on what may happen.

The sub-committee suggested that the applicant notify the community at least 10 days prior to an event which is due to be held for 100 or more people.

### **95. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF BROMYARD SERVICE STATION, 1 THE BYPASS, BROMYARD. HR7 4DJ - LICENSING ACT 2003**

The representations for this application had now been agreed by all parties and the item was withdrawn from the sub-committee's agenda.