

**Minutes of the meeting of Licensing Sub-Committee held at
Online meeting / Conference Room 2 - Herefordshire Council,
Plough Lane Offices, Hereford, HR4 0LE on Friday 10 April 2026
at 10.00 am**

Present: Councillor Polly Andrews (chairperson)

Councillors: Dave Davies and Peter Hamblin

In attendance: Councillors

Officers: Licensing technical officer and Senior Lawyer - Civil Litigation

52. APOLOGIES FOR ABSENCE

No apologies for absence were received.

53. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

54. DECLARATIONS OF INTEREST

There were no declarations of interest made.

55. REVIEW OF A PREMISES LICENCE IN RESPECT OF: OUT TO GRASS, WOODEND FARM, CRADLEY, HEREFORDSHIRE, WR13 5JW - LICENSING ACT 2003

Members of the Licensing Sub-Committee of the council's Planning and Regulatory Committee considered the above application, full details of which appeared before the members in their agenda and the reports published on 31 March 2026 and the supplements published on 8, 9 and 10 April 2026.

The hearing was attended by the Premises Licence Holder ('PLH') Mr Ian Johnson, the Events Manager, Ms Clair Kelly, Andy Baylass House Sound Engineer and the solicitor to the PLH, Mr Ewen MacGregor. Also in attendance providing evidence were Ms Elisabeth Laughland and Ms Jade Reynolds of Herefordshire Environmental Health. Mr John Ellis, Mrs Neeta Ellis and Mr Chris Moorhead were in attendance as members of the public and local residents who had made representations in respect of the application to review.

Before the Sub-Committee heard evidence in respect of the application, Ms Bowell, Senior Technical Officer Licensing, paid tribute to Principal Licensing Officer Fred Spriggs, who had very sadly passed away recently. The Chair and Members of the Sub-Committee endorsed the tribute paid and echoed Ms Bowell's sentiments towards Fred, who was highly thought of and respected within the Licensing community and those he worked with.

Prior to making its decision, the Licensing Sub-Committee again heard from Ms Bowell, who presented a report which outlined the circumstances leading to the review and the options available to the Sub-Committee.

Ms Laughland and Ms Reynolds, representing Herefordshire Council Environmental Health, provided details of the application for review and detailed a history of visits to the premises. The principal points made were as follows:

- There had been an ongoing issue with noise complaints at the premises which had escalated over a significant period of time.
- Since the licence had been issued, when it had been anticipated the premises would host 2 events per year, there had been an increase in the number of events taking place at the premises.
- Environmental Health had received 38 requests for investigation from 8 different households.
- In 2001, 2015 and 2025 the Environmental Health Department had issued and served abatement notices in relation to the premises.
- Noise issues at the site concerned bass beats as the primary source of nuisance.
- The structures on the site provided little sound attenuation to prevent sound from impacting on the neighbouring properties.
- Music festivals took place over several days, usually Thursday to Sunday which creates ongoing nuisance to local residents.
- Details were provided on the number of events that had been held over recent years and the complaints received.
- A full investigation by Environmental Health over the summer of 2025 had led to a further abatement notice being issued and the current application to review the premises licence.
- A number of sound clips were played providing an illustration of the volume and type of music being played at events taking place at the venue in 2025.
- In July 2025 the Environment Health Department had sent warning letters to the PLH to ask the premises to address bass levels at events being held. These letters had been followed by a site visit and meeting between Environmental Health Officers and the PLH.
- Environmental Health outlined the details of monitoring and visits undertaken.
- Environmental Health had tried everything to avoid a Licensing Review, including advice and meeting with the PLH but had not seen any improvement in addressing the noise issues therefore they had applied for the Review.
- It was requested that conditions to the licence provide a distinction for 2 levels of events; larger impact events and smaller scale general events.
- There was a significant adverse impact posed by the frequency of events which at some points of the year were every weekend.

In response to questions:

- The effectiveness of the mitigations on site had yet to be assessed as they were under development; readings had been taken in 2025. There was doubt that the plyboard mitigations being applied to the Geo-Domes, in which music is played, would have a significant effect upon the impact of low frequency noise and the impact this has on the neighbouring properties.
- Bass sound was the predominant cause of nuisance; if the bass was removed the venue would represent a quiet venue with an acceptable level of noise.
- The bank along Hook Lane, at the rear of the site and adjacent to a neighbouring property, had been in place for a number of years and was therefore considered to have limited effect on lessening the impact of the noise emanating from the premises during events.

Mr Moorhead spoke on the application for review, on behalf of his father. Principal points made were as follows:

- The venue had a responsibility to protect neighbours and the public from the nuisance of noise.
- There had been recurring complaints over many years concerning the venue.
- Environmental Health had made out of hours visits to the site and surrounding area and determined that heavy thumping bass beats from the site intruded into neighbouring homes and had a physical effect on the residents and were a nuisance.
- The scale and frequency of events at the venue were a significant issue; the duration of events caused a public nuisance.
- The proposed limit to the licensable area from the PLH would not affect the causation of noise nuisance.
- The Noise comparison provided by the PLH sought to explain that many of the complaints were unsubstantiated or incorrectly relating to the site, but the recent abatement notice had been based on firm evidence.
- The further information from the PLH referred to the need for 'light touch' regulation and graduated enforcement but the issues had affected the site and locality for a long time and that 'light touch' and graduated enforcement had already been attempted and had failed.
- The appointment of a noise control expert required a proper process to ensure that suitable individual was selected.
- Officers from Environmental Health had explained that despite long term involvement with the site and a number of abatement notices that little change had occurred and noise nuisance persisted.
- The mitigations put in place were not effective and complaints from residents continued.
- Stronger enforceable conditions as proposed by officers were welcomed.

In response to questions:

- Three emails of complaint had been sent by Mr Moorhead's father to the venue and also phone contact had been made with the PLH during an evening event to raise the issue of noise nuisance.

Mr and Mrs Ellis explained that:

- There were long term problems with noise nuisance from the site which had occurred since they had moved to the area approximately 17 years ago.
- The venue was located in a quiet rural area which was not suitable for the events which occurred on site. No music should be played from the site.
- The noise from the site prevented local residents from sleeping and enjoying their homes and gardens.
- Members of the community in the locality experience low frequency bass and drums during events from midday on weekend days to the early hours of the morning.
- The bass noise from music at the site had a substantial adverse impact on physical and mental health of local residents and their general wellbeing.
- It was a perception that the operators of the site were unwilling or unable to make changes to the operation of the venue to reduce the level of nuisance caused by noise.

In response to questions:

- Visits to the site had been undertaken and the PLH was telephoned with complaints about noise. The music may be turned down temporarily but it returned to levels that were a noise nuisance.

Mr McGregor spoke on the application to review:

- The venue was an example of rural diversification and made a contribution to the local economy.
- A number of noise consultants had worked with the venue. Noise checks had been undertaken locally and mitigations proposed.
- A noise management action plan had been produced and was a living document which would be updated regularly. There would be the involvement of environmental health in consideration of the document.
- Mitigation measures included sound proofing of the main dome, increase in the size of straw barriers, a dedicated hotline to address noise issues and sound proofing of the second dome.
- The PLH had addressed complaints in 2025 as relevant but did not address the older complaints as they were historic. Some events that had generated complaints had not been hosted by the venue subject to the review but were linked to other local premises. During an assessment of the complaints, it was necessary to identify when the complaints were not related to the Out to Grass site. There were other venues in the area hosting events where amplified music was played and that these venues could be responsible for some of the issues being linked to Out to Grass. It was also important to acknowledge that the receipt of a complaint was not evidence that the licensing objectives were not being promoted.
- The PLH took noise monitoring seriously and changes/accommodations had been made in response to complaints from local residents to the site.
- It was noted that representations of support for the venue had also been received from the local community.
- It was noted that the Police had not made a representation on the application for review which was evidence that the venue was a well-run and managed premises.
- Conditions had been proposed in the updated operating schedule with days limited to Thursday – Sunday and outdoor music played only up to 11pm. The current licence was for 7 days but it was proposed this is reduced.
- It was further proposed that events should be for up to a maximum of 500 people and the number of days on which licensable activities take place reduce to 40 in a calendar year. It was explained that anything less would not be commercially viable and the condition provided better protection than the TENS process.
- The test for noise was not audibility or discernibility, but the important test was if the impact caused public nuisance.
- The definition of events into larger and other events sought by environmental health was not required in the conditions but would be contained in the noise management plan.

In response to questions:

- Noise level testing was to be undertaken in May 2026 and would attempt to replicate real conditions. Digital and virtual testing had taken place.
- Noise level testing would test the effectiveness of the plywood cladding to the Geo-Domes to mitigate sound from the stages in the Domes. The cladding would reduce the overall loss of sound from the structures and would respond to complaints from residents who lived behind the source of the sound.
- Bass noise was escaping from the stages and travelled a long distance due to the topography around the site.
- Defining larger scale and smaller events in the conditions would restrict the ability of the operator to manage the site and events.
- The log of complaints that would be kept by the operator and would be shared with Environmental Health.

The PLH spoke on the application for review:

- There was a commitment to respond to all people who attempted to make contact with the site.
- It was important that the venue did not disturb neighbours and the process of the review had helped to identify local complainants and allow the site to respond to the issues they raised.

This concluded the evidence to be heard at the hearing.

Having carefully considered those matters brought before them and in reaching their decision, the Members had full regard to both the provisions of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006), the Guidance Issued under Section 182 and Herefordshire Council's statement of licensing policy.

DECISION

The Sub-Committee's decision following a review of premises licence is as follows:

The Sub-Committee consider that the Conditions of the Premises Licence require amendment. Broadly, the Sub-Committee agree to 40 days of Regulated Entertainment and a maximum of 5 Large/High Impact events per calendar year.

The proposed amended and additional conditions are attached to this Decision Notice at Appendix 1.

REASONS

The Sub-Committee has taken into account all the detailed documentary evidence and supplements provided with the Application for Review brought by the Herefordshire Council Environmental Health Department. The Sub-Committee has further considered the comprehensive statement, evidence and submission provided by Mr MacGregor Solicitor for the PLH, the PLH, the Events Manager and House Sound Engineer.

The Sub-Committee has also taken into account the relevant policies and guidance.

The Sub-Committee notes the grounds for review relate to Prevention of Public Nuisance, and specifically noise pollution affecting the surrounding community and locality. The Sub-Committee considered, based on the evidence, that the review had been properly brought and was necessary as the licensing objective of Preventing Public Nuisance was being undermined.

The Sub-Committee considered the detailed and comprehensive evidence and submissions on behalf of the Environmental Health Department. The Sub-Committee noted that the Premises had been in operation since 2001 and that noise emanating from the premises had been an ongoing issue, at various points, since that time. It was further noted that over time the nature and frequency of events being held at the premises had increased markedly and that this was having a greater negative impact on the locality.

The Sub-Committee was concerned that 3 noise abatement notices had been issued in respect of the premises and from the evidence, there had been a number of attempts to engage with the PLH in order to try and address the noise issues but that these actions had not been successful.

The Sub-Committee was very grateful for the detailed and thoughtful submissions from the members of the public who attended the meeting and considered that their evidence was persuasive and compelling. The Sub-Committee was left in no doubt from their evidence, that the noise emanating from the premises was having a significant impact on the wellbeing of those people living in the immediate vicinity and the wider locality and that action needed to be taken.

The Sub-Committee carefully considered the detailed submissions and evidence of the PLH and took into account the length of time that the licence had been held. It was evident to the Sub-Committee that noise was the primary issue in this case and no evidence had been presented to them that suggested there were other issues with the running of the premises.

The Sub-Committee noted the evidence provided on behalf of the PLH which, together with the information gathered during the site visit, gave the Sub-Committee an understanding of how the PLH was trying to address the noise issues. However, the Sub-Committee was mindful that gaps in the evidence remained due to the ongoing development and testing of the noise mitigation measures. Those representing the PLH acknowledged that aspects of the proposed noise mitigation were work in progress and were untested. Therefore, based on the evidence, the Sub-Committee could not be sure that the noise emanating from the premises will be mitigated immediately but considered that the PLH was committed to taking the appropriate steps.

The Sub-Committee carefully reviewed the evidence and balanced the submissions from all parties. The Sub-Committee's starting position is that undermining the licensing objectives is serious.

The Sub-Committee considered the options available to them. It was noted that the Environmental Health Team were not proposing revocation or suspension of the premises licence but were proposing amended/additional conditions that could be placed upon the licence to address the issues identified. It was further noted that the PLH was also proposing amending the licence conditions. The Sub-Committee reviewed the amended and additional conditions that were being recommended by both parties.

The Sub-Committee was satisfied with the submissions made on behalf of the Environmental Health Department and those members of the public that had made representations, and that additional conditions on the licence were necessary. Further to this, the Sub-Committee was persuaded by the PLH's evidence that he was committed to promoting the licensing objectives.

In reaching its decision, the Sub-Committee was conscious that it had to find a balance between the genuinely expressed concerns and wishes of those living in the community, and the stated requirements of the PLH as a business and employer in the local area and his commitment to resolving the issues. The Sub-Committee acknowledge that this was a very difficult and sensitive decision to reach. In making this decision, the Sub-Committee is placing a degree of trust in the PLH and his team to honour the plainly expressed intentions to work with the community and the Environmental Health Department to mitigate the noise emanating from the Premises for the benefit of those living in the locality.

The Sub-Committee considers that the additional conditions to be placed on the licence at Appendix 1 will promote the licensing objective, Prevention of Public Nuisance, and that this is a reasonable and proportionate decision.

However, the Sub-Committee were firm in their view that should the licensing objectives not be promoted and this premises licence comes before the Sub-Committee again for review for similar issues, a more stringent and strict approach will be considered.

APPENDIX – Out to Grass premises licence with new conditions

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**Out To Grass
Woodend Farm
Cradley
Herefordshire
WR13 5JW**

The times the licence authorises the carrying out of licensable activities

Live Music, Recorded Music (Indoors)

Thursday - Sunday 12:00 – 24:00

Live & Recorded Music (Outdoors)

Monday - Sunday 12:00 – 23:00

Late Night Refreshment

Sunday & Thursday 23:00 – 24:00

Friday – Saturday 23:00 – 02:00

Sale/Supply of Alcohol

Sunday & Thursday 12:00 – 24:00

Friday – Saturday 12:00 – 02:00

Non standards timings

The number of Large Impact Events shall be no more than 5 in any calendar year.

Live & Recorded Music (Indoors), Sale/Supply of Alcohol

Sunday & Thursday 12:00 – 24:00

Friday – Saturday 12:00 – 02:00

Late Night Refreshment

Sunday & Thursday 23:00 – 24:00

Friday – Saturday 23:00 – 02:00

Live & Recorded Music (Outdoors)

Thursday - Sunday 12:00 – 23:00

The opening hours of the premises

Sunday & Thursday 12:00 – 24:00

Friday – Saturday 12:00 – 02:00

Annex 2 - Conditions consistent with the operating Schedule

General

Section 177 of the Live Music Act 2012 (as amended) has been dis-applied.

The capacity of the premises, inclusive of staff and performers, shall be no more than 500 people

The total number of days on which Regulated entertainment in the form of amplified live/recorded music, can be provided under the licence shall be no more than 40 days in the course of a calendar year.

'General Events' - Amplified music entertainment noise must not be 'audible or discernible' off the site after 24:00 (Midnight) from an agreed monitoring location set by Environmental Health. Audible or Discernable is defined as 'noise' which is distinct from the general ambient noise of activity on the site which can be identified by the human ear and originating from discrete sources from the licensed premises.

Larger Impact Events - shall be defined as amplified music entertainment, where each event, can have extended audibility of its entertainment music up to 02:00 under management control. The number of Large Impact Events shall be no more than 5 in any calendar year.

Unless otherwise agreed in writing with the Licensing Authority, the dates of any Event shall be notified to the Police and the Licensing Authority at least 14 days before the day of the event, with details of anticipated capacity and category of event i.e General Event or Larger Impact Event.

Prevention of Crime & Disorder

An incident log must be kept at the premises and made immediately available on request to the police or an authorised person (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Hereford Council. The log must record the following:

- (a) All of the ejections of patrons
- (b) Any incidents of disorder
- (c) Seizures of drugs or offensive weapons
- (d) Any refusal of the sale of alcohol
- (e) Any visit by a relevant authority or emergency service

A copy of the incident log will be retained for a period of at least 12 months

SIA door staff will be employed on a Risk Assessed basis. A copy of the risk assessment shall be kept on the premises for 12 months and produced to the police or an authorised person (as defined by Section 13 of the Licensing Act 2003) or a person authorised by the SIA.

Public Safety

A system shall be in place which is capable of showing the number of persons on the premises at any one time. This number shall be given immediately on demand to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police.

First aid

A HSE Compliant Industrial High Response First Aid Kit for 21-50 people shall be kept fully stocked at the premises and kept behind the bar. Such kit shall contain:

- 1 x Guidance Leaflet
- 60 x Washproof Plasters
- 6 x Eye Pads with Bandage
- 8 x Triangular Bandages
- 12 x Safety Pins
- 16 x Assorted Sterile Dressings
- 20 Moist Wipes
- 3 Pairs Disposable Gloves

An accredited First aid trained person must be on duty at all times when the premises operate for licensable activities. [An accredited First Aid trained Person is defined as a

person who holds a current certificate in first aid at work (FAW) issued by a training organisation approved by the Health & Safety Executive (HSE) or a current certificate in emergency first aid at work (EFAW) issued by a training organisation approved by the HSE or by a recognised awarding body of Ofqual or the Scottish Qualifications Authority or any other equivalent qualifications accepted by the Licensing Authority]

Electrical wiring and distribution systems

Temporary electrical wiring and distribution systems shall be signed off by a competent person prior to any licensable activity taking place at the premises. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority. The sign off certificates shall be available for inspection on demand of an authorised person (as defined by Section 13 of the Licensing Act 2003).

Structures

The Premises Licence Holder will ensure that all temporary structures and any other elements of infrastructure or artistic installation have been inspected and signed off as being safe prior to the commencement of its use. The sign off certificates shall be available for inspection on demand of an authorised person (as defined by Section 13 of the Licensing Act 2003).

Prevention of Public Nuisance

Noise or vibration shall not emanate from the premises so as to cause a public nuisance.

Noise is defined as sound which is created by entertainment consisting of vocal (recorded or live) or instrumental music, music bass or drum beat (recorded or live) or a combination of these.

The premises licence holder shall develop, maintain and comply with a Noise Management Plan (NMP).

The NMP shall at least contain the following:

- Differentiate between Large and other events
- Noise Assessment
- Noise Control Measures
- Monitoring and reporting
- Stakeholder engagement
- Complaints Management
- Review and revision date

The Premises Licence holder must appoint an appropriate noise control expert to draft a Noise Management Plan (NMP) for the amplified music activities held on the site, within 2 months of issuing this licence or 28 days prior to the first sites amplified music entertainment activity of the year.

The draft NMP must be submitted to Environmental Health for review. Environmental Health shall communicate any issues with the NMP to the premises licence holder in writing within one calendar month of receipt and agree any amendments with the Premises Licence holder or DPS.

Where notification of any issues is not received within one month of receipt of the NMP the draft NMP shall be deemed to be agreed.

The Premises Licence holder must review the NMP on an annual basis or in the event that further amendments are made to the NMP after submission of the final NMP, the Premises Licence holder or the DPS shall notify the Licensing Authority and Environment Health of the change prior to the start of the season or event.

The Premises Licence holder must comply with the NMP and shall ensure that the promoter or organiser, the sound system supplier and all individual sound engineers are informed of any limitations.

A copy of the NMP shall be retained on site and made available to authorised officers of the licensing authority

The Premises License Holder will maintain a noise monitoring log for each amplified music entertainment events, and this will be kept on the Licence site and will be available at all times for inspection by officers of Herefordshire Council.

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.

The premise licence holder or their nominated person will communicate with all Local Residents, Acton Beauchamp Group Parish Council and Local Businesses to ensure they are aware of contact names and contact details to the hotline and general office, so that they can report any issues directly to the Licensed Premises.

The noise hotline will be operational throughout the hours of regulated entertainment.

A named single point of contact and contact telephone number will be publicised on the Premises website, so that local residents can report any noise issues directly to the Premises.

A record of any call contact to the Hotline during events shall be maintained and shall record:

- (a) Date and time of call
- (b) Name and location of caller
- (c) Nature of complaint/incident
- (d) Any remedial action taken

All contacts received to the noise hotline shall have a timely response.

Litter patrols shall be undertaken during the course of any event and up to, and including the day after any event

Notices shall be placed on the premises, and at all entrances and exits, reminding customers to respect local neighbours and return to the campsites quietly.

Protection of Children from Harm

No person under the age of 18 shall be permitted on the premises unless accompanied by an adult aged 21 or over.

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

The only acceptable identification will be a passport, a photo driving licence, card bearing the official PASS hologram, and any authorised digital identification.

A written register of refusals will be kept including a description of the people who have been unable to provide required Identification to prove their age. Such records shall be kept for a period of 12 months and will be collected on a daily basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by

Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

The meeting ended at 1.00 pm

Chairperson