

Minutes of the meeting of Licensing Sub-Committee held at Online Meeting on Monday 2 October 2023 at 10.45 am

Present: Councillor Polly Andrews (chairperson)
Councillors: Dave Davies and Peter Hamblin

Officers: Senior Solicitor, Litigation and Principal licensing officer

15. APOLOGIES FOR ABSENCE

No apologies for absence were received.

16. NAMED SUBSTITUTES (IF ANY)

There were no substitutes present at the meeting.

17. DECLARATIONS OF INTEREST

There were no declarations of interest made.

18. APPLICATION FOR A GRANT OF A PREMISES LICENCE IN RESPECT OF THE BYRES, TOWNSEND FARM, BRAMPTON ABBOTTS, ROSS-ON-WYE, HR9 7JE- LICENSING ACT 2003

Members of the licensing sub-committee from the Council's Planning and Regulatory Committee considered the above application, full details of which appeared before the members in their agenda, published on the 22 September 2023.

Prior to making their decision the Council's Principal Licensing Officer presented the report which outlined the options available to the sub-committee. One representation had been received from the responsible authorities, Environmental Health, the applicant accepted the conditions proposed by Environmental Health. Fourteen (14) relevant public representations had been received which were accepted as relevant. Two (2) representations were received from members of the public which were not accepted by the licensing authority as being relevant, therefore were rejected. Two (2) representations were withdrawn following correspondence with the applicant.

The sub-committee heard from the public representatives that:

- Brampton Abbots and Foy Group Parish Council had objected to the application.
- There were concerns locally that the application posed a significant and adverse impact on residential amenity and the landscape.
- Brampton Abbots was a tranquil, rural settlement and the application would not be in keeping with the setting and nature of the area.
- The music proposed in the application would have an adverse impact on the local area and evidence was required that the activities proposed on the site would cause no disturbance on the local community.
- There was a local village hall which was a suitable venue for the activities proposed in the application.

- There was surprise that a planning application was not required for the use of buildings on site and the activities proposed.
- There had not been adequate consultation between the applicant and those members of the local community who would be affected.
- The Parish Council was prepared to engage with the applicant but was concerned with the impact of noise from the site.

The sub-committee then heard from the applicant that:

- The application promoted the licensing objectives and the conditions proposed by Environmental Health had been accepted.
- It was intended that there would be no gatherings of more than 30 people on the site.
- Correspondence had been sent to local objectors to the application which had resulted in two representations being withdrawn.
- The hours sought in the application were not excessive.
- All neighbours had been consulted and there was photographic evidence of site notices and the notice in the local newspaper.
- A number of representations had focused on the village hall. The application would provide extra resources for the local community.
- A number of compromises had been made to the application which fulfilled a number of the objectives in the local Neighbourhood Development Plan.
- It was not intended that large music events would take place and conditions to control the nature of music events would be welcomed.
- The pricing of alcohol would be set to discourage excessive drinking.

Following questioning by the subcommittee it was confirmed that:

- The applicant had made personal contact with local objectors.
- The type of activities that were envisaged on site were pre-booked tours of the vineyard/brewery and food and drink festivals.

The sub-committee carefully considered all the representations, reports and evidence before them. 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 2020 - 2025.

DECISION

The sub-committee's decision is to grant the application as applied for with the additional conditions which were put forward by Environmental Health and agreed by the applicant.

REASONS

The sub-committee has considered the verbal representations heard today and the written representations from members of the public, and fully recognise the concerns raised and the reasons why the representations were made, however the sub-committee considers the application made, with the additional conditions will promote the licensing objectives.

We would like to clarify to members of the public that you can go to the Licensing department at Herefordshire Council with any evidence based concerns.