

Agenda

Licensing Sub-Committee

Date: **Monday 2 October 2023**

Time: **10.45 am**

Place: **Online Meeting**

Notes: Please note the time, date and venue of the meeting. Please access the following link for the live webcast of the meeting:
[Licensing Sub-Committee - Monday 2 October 2023 10.45 am](#)

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Matthew Evans on 01432383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Licensing Sub-Committee

Membership

Councillor Polly Andrews (Chairperson)

Councillor Dave Davies
Councillor Peter Hamblin

Agenda

	Pages
PUBLIC INFORMATION	
THE NOLAN PRINCIPLES	
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY)	
To receive any details of Members nominated to attend the meeting in place of a Member of the committee.	
3. DECLARATIONS OF INTEREST	
To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
4. 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	11 - 78
To consider an application for a grant of a premises licence in respect of The Byres, Townsend Farm, Brampton Abbots, Ross-on-Wye, HR9 7JE under the Licensing Act 2003.	

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YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
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Licensing Hearing Flowchart



**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Application for a grant of a premises licence in respect of 'The Byres, Townsend Farm, Brampton Abbots, Ross-on-Wye. HR9 7JE– Licensing Act 2003

Meeting: Licensing sub-committee

Meeting date: Monday 2 October 2023 at 10:45am

Report by: Senior Licensing Technical Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

Old Gore

Purpose

To consider an application for a grant of a premises licence in respect of The Byres, Townsend Farm, Brampton Abbots, Ross-on-Wye. HR9 7JE under the Licensing Act 2003

Recommendation(s)

That:

The sub committee determine the application with a view to promoting the licensing objectives in the overall interests of the local community. They should give appropriate weight to:

- a) The steps that are appropriate to promote the licensing objectives,
- b) The representations (including supporting information) presented by all parties,
- c) The guidance issued to local authorities under Section 182 of the Licensing Act 2003, and
- d) The Herefordshire Council Statement of Licensing Policy 2020 – 2025.

Reasons for Recommendations

Ensures compliance with the Licensing Act 2003

Alternative options

1. There are a number of options open to the sub-committee:
 - a) Grant the licence subject to conditions that are consistent with the operating schedule accompanying the application and the mandatory conditions set out in the Licensing Act 2003,
 - b) Grant the licence subject to modified conditions to that of the operating schedule where the sub-committee considers it appropriate for the promotion of the licensing objectives and add mandatory conditions set out in the Licensing Act 2003,
 - c) To exclude from the scope of the licence any of the licensable activities to which the application relates
 - d) To refuse to specify a person in the licence as the premise supervisor, or
 - e) To refuse the application

Key considerations

Licence Application

2. The application for the grant of a premises licence has received relevant representations and is therefore brought before the sub-committee for determination.
3. Herefordshire Council Statement of Licensing Policy 2020 to 2025 states “All representation must be ‘relevant’, for example they must be about the likely effect of the grant of the application”. This followed paragraph 8.57 in the s182 Guidance which uses the same wording.
4. The details of the application are:

Applicant	Benjamin Taylor-Davies	
Agent	Not applicable	
Type of application: Grant	Date received: 8 August 2023 28 day consultation started: 9 August 2023	28 Days consultation ended: 5 September 2023

Summary of Application

5. The application and advice was applied for using the licensing authority's pre-application service and can be found at appendix 1. The application requests the grant of a premises licence to allow the following licensable activities, during the hours shown;

Live & Recorded Music (Indoors/Outdoors),
Friday 18:00 - 21:00, Saturday 13:00 - 22:00, Sunday 15:00 – 19:00

Sale/Supply of Alcohol (consumption on and off the premises) Friday 15:00 – 22:00,
Saturday 13:00 – 23:00, Sunday 13:00 – 20:00

Non-Standard Timings:

Bank Holiday Sunday's 12:00 – 22:00, Bank Holiday Monday's 12:00 – 19:00,
Christmas Eve 12:00 – 23:00, New Year's Eve 12:00 – 01:00, Valentine's Day 12:00 – 23:00
Late Night Refreshment (Indoors/Outdoors) New Year's Eve 23:00 – 01:00

Under the Live Music Act 2012 (as amended), an alcohol licenced premises can have live and/or recorded music from 08:00 – 23:00 for up to 500 people, without the need for these activities to be on a premises licence

Late Night Refreshment is only applicable between the hours of Monday – Sunday 23:00 – 05:00

A set of conditions to promote the licensing objectives based upon a model pool of conditions from Herefordshire Council's Licensing Policy 2020-2025 were proposed by the applicant and these will form as part of the licence if granted (Appendix 2).

Summary of Representations

6. One (1) representation has been received from the responsible authorities Environmental Health. The sets of conditions proposed have been accepted by the applicant and can be found at Appendix 3.
7. 14 relevant representations have been received from members of the public in line with the licensing objective Prevention of Public Nuisance, which the licensing authority have accepted as being relevant (Appendix 4).
8. Two (2) representations were received from members of the public and were not accepted by the licensing authority as being relevant, therefore was rejected. A copy has been kept on file for future reference.
9. A number of relevant public representations highlighted concerns about the increased traffic, though the licensing sub-committee and all parties should be made aware, this cannot be considered under the Licensing Act 2003. All parties have been advised of this prior to today's hearing.
10. On 17 September 2023, the applicant wrote to the objectors outlining the application made and the conditions he has proposed and agreed to adhere to (appendix 5).
11. As a result, two (2) representations made by the public have been withdrawn (appendix 6).

Community impact

12. Any decision may have an impact on the local community.

Environmental Impact

13. This report is in relation to a premises license under the Licensing Act 2003 and as such there are minimal environmental impacts for the council.

Equality duty

14. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. There are no equality issues in relation to the content of this report.
 16. This report has human rights implications for both the premises licence holder and the residents from the local neighbourhood. Any of the steps outlined in section 1 of this report may have financial implications for a licensee's business and livelihood and/or may have impact upon the day to day lives of residents living in close proximity to the premises.
 17. Article 8(i) of the European Convention of Human Rights provides that everyone has the right to respect for his/her private and family life and his/her home (which includes business premises). This right may be interfered with by the council on a number of grounds including the protection of rights and freedoms of others. The First Protocol – Article 1 – also provides that every person is entitled to the peaceful enjoyment of his possessions and shall not be deprived of his possessions except in the public interest and conditions provided for by law. Members must accordingly make a decision which is proportionate to the hearing and endeavour to find a balance between the rights of the applicant, residents and the community as a whole.

Resource implications

18. This report is in relation to a premises license under the Licensing Act 2003 and as such there are minimal resource implications for the council.

Financial implications

19. There are unlikely to be any financial implications for the council as licensing authority at this time.

Legal implications

20. As relevant representations have been received, the sub committee must determine the application under Section 3.5.7 (c) of the Herefordshire Council constitution. The representations must relate to the licensing objectives and the sub committee must determine the likely effect of the grant of the premises licences on the promotion of the licensing objectives.
21. The licensing authority must have regard to the promotion of the four licensing objectives namely; the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm in exercising its functions under the Licensing Act 2003. Further regard should be had to the statutory guidance under Section 182 of the Act and the Council's own statement of licensing policy. The options available to the licensing authority are set out in section 1 of this report.
22. The sub committee should be aware of a number of stated cases which have appeared before the Administrative Court and are binding on the Licensing Authority.
23. The case of Daniel Thwaites Plc v Wirral Borough Magistrates' Court (Case No: CO/5533/2006) at the High Court of Justice Queen's Bench Division Administrative Court on 6 May 2008, [2008] EWHC 838 (Admin), 2008 WL 1968943, Before the Honourable Mrs Justice Black. In this case it was summed up that: -
24. A licensing authority must have regard to guidance issued by the Secretary of State under section 182. Licensing authorities may depart from it if they have reason to do so but will need to give full reasons for their actions.
25. Furthermore the Thwaites case established that only conditions should be attached to a licence with a view to promoting the Licensing objectives and that 'real evidence' must be presented to support the reason for imposing these conditions.
26. This judgement is further supported in the case of The Queen on the Application of Bristol Council v Bristol Magistrates' Court, CO/6920/2008 High Court of Justice Queen's Bench Division The Administrative Court, 24 February 2009, [2009] EWHC 625 (Admin) 2009 WL 648859 in which it was said:

'Licensing authorities should only impose conditions which are necessary and proportionate for the promotion for licensing objectives'.
27. In addition to this it was stated that any condition attached to the licence should be an enforceable condition.

Right of Appeal

28. Schedule 5, Part 1, Section 1 of the Licensing Act 2003 gives a right of appeal which states:

Rejection of applications relating to premises licences

(1) Where a licensing authority-

(a) Rejects an application for a premises licence under section 18,

....

The applicant may appeal against the decision.

Schedule 5, Part 1, Section 2 of the Licensing Act give a right of appeal which states:

Decision to grant premises licence or impose conditions etc.

- (1) This paragraph applies where a licensing authority grants a premises licence under section 18.
 - (2) The holder of the licence may appeal against any decision—
 - (a) to impose conditions on the licence under subsection (2)(a) or (3)(b) of that section, or
 - (b) to take any step mentioned in subsection (4)(b) or (c) of that section (exclusion of licensable activity or refusal to specify person as premises supervisor).
 - (3) Where a person who made relevant representations in relation to the application desires to contend—
 - (a) that the licence ought not to have been granted, or
 - (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in subsection (4)(b) or (c) of that section, he may appeal against the decision.
 - (4) In sub-paragraph (3) “relevant representations” has the meaning given in section 18(6).
29. Appeals should be made to the Magistrates Court and must be made within 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against

Risk management

30. There is little risk associated with the decision at this time as the legislation allows a right of appeal to the Magistrates Court within a period of 21 days of being notified of the decision in writing.

Consultees

31. All responsible authorities and members of the public living within Herefordshire.

Appendices

- Appendix 1 – Application form
- Appendix 2 – Proposed conditions offered by the applicant
- Appendix 3 – Environmental Health representation
- Appendix 4 – Public representations
- Appendix 5 – Letter from applicant to public
- Appendix 6 – Withdrawal confirmation of two (2) public reps

Background papers

None Identified

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Benjamin Taylor-Davies

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
The Byres Townsend Farm Brampton Abbotts			
Post town	Ross-on-Wye	Postcode	HR9 7JE
Telephone number at premises (if any)		07710 814475	
Non-domestic rateable value of premises		£0	

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Taylor- Davies			First names Benjamin		
Date of birth		██████████	I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes
Nationality British					
Current residential address if different from premises address		██████████ ██████████ ██████████			
██████	town	██████████	Postcode		██████
Daytime contact telephone number			██████████		
E-mail address (optional)		██████████			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	09	2023

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Farm intending to hold community gatherings, supplying regenerative produced food on our farm, also the wine from our vineyard and beer from our brewery to hold not only functions celebrating local produce, but also walking tours of the vineyard and where the fields in which we produce malting barley and hops. The consumption will be weather dependent, for instance sunny evenings could be in our sensory garden or at our vineyard or if raining within one of our barns next to or adjacent to the brewery. Food will also be sold but not expected to be later than 11pm, and sometimes live folk music will accompany the food and drink. It's not your standard pub, more a community offering where we are hoping to provide a community gathering for some home produced beer, wine and food.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment (please read guidance note 2) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
						<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
						<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Tue					
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur								
Fri	18:00	21:00				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) Bank Holiday Sunday's 12:00 – 22:00 Bank Holiday Monday's 12:00 – 19:00 Christmas Eve 12:00 – 23:00 New Year's Eve 12:00 – 01:00 Valentines Day 12:00 – 23:00		
Sat	13:00	22:00						
Sun	15:00	19:00						

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) Bank Holiday Sunday's 12:00 – 22:00 Bank Holiday Monday's 12:00 – 19:00 Christmas Eve 12:00 – 23:00 New Year's Eve 12:00 – 01:00 Valentine's Day 12:00 – 23:00		
Fri	18:00	21:00			
Sat	13:00	22:00			
Sun	15:00	19:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

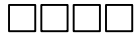
Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon				
Tue				
Wed				
Thur				
Fri				
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)	
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)	
			New Year's Eve 23:00 – 01:00	
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri	15:00	22:00			
Sat	13:00	23:00			
Sun	13:00	20:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) Bank Holiday Sunday's 12:00 – 22:00 Bank Holiday Monday's 12:00 – 19:00 Christmas Eve 12:00 – 23:00 New Year's Eve 12:00 – 01:00 Valentines Day 12:00 – 23:00		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Benjamin Taylor-Davies
Date of birth	██████████
Address	██████████ ██████████ ██████████ ██████████
Postcode	██████████
Personal licence number (if known)	██████████
Issuing licensing authority (if known)	Herefordshire Council



K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>Bank Holiday Sunday's 12:00 – 22:00 Bank Holiday Monday's 12:00 – 19:00 Christmas Eve 11:00 – 23:00 New Year's Eve 11:00 – 01:00 Valentines Day 11:00 – 23:00</p>
Tue			
Wed			
Thur			
Fri	15:00	22:00	
Sat	11:00	23:00	
Sun	13:00	20:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

The Premises Licence Holder shall install and maintain a CCTV system at the premises giving coverage at all entry points and areas to which customers have access.
The CCTV system shall provide clear images in all lighting conditions.
The CCTV system shall continuously record whilst the premises are open for licensable activities and shall be capable of providing frontal identification of customers.
All CCTV recordings shall be retained for a minimum of 31 days and shall be date and time stamped.
CCTV recordings should be made available for inspection upon receipt of a request by the Police and/or Authorised Officer of the Licensing Authority.
A member of staff shall always be present on the premises whilst they are open who is capable of operating the CCTV system and able to facilitate immediate viewing of CCTV footage upon the request of the Police and Authorised Officer of the Licensing Authority.

All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB Level 1 or any equivalent training course within 1 month of commencing employment at the premises. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 12 monthly intervals. Training records shall be kept on the premises and produced to the police of an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:

- (a) all crimes reported to the venue (where relevant to licensing objectives)
- (b) any incidents of disorder (where relevant to the licensing objectives)
- (c) any visit by a relevant authority or emergency service
- (d) any faults in the CCTV system or searching equipment or scanning equipment

c) Public safety

First aid
A First Aid Kit capable of treating 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

d) The prevention of public nuisance

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.

'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.

The Premises Licence Holder or DPS or the responsible person 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

e) The protection of children from harm

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.

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).

Internet Sales Purchase

Prior to purchasing alcohol on line the purchaser shall be required to confirm that they are aged 18 years old or over. The website shall contain a statement to the effect 'The company will not deliver alcohol to any person until it has been verified that the person is over 18 years of age'.

The Premises Licence Holder shall ensure that any person who purchases from the site shall register with the site. Such registration details shall include the person's full name, full address and phone number. Records of such checks shall be kept for a period of 12 months and shall be produced on demand of 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.

The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol being handed over. No alcohol shall be

handed over to a person under 18. The only acceptable proof of identity shall be a photographic driver's licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect.

The terms and conditions of the company website will contain the following: -

- a) The company will not sell alcohol to any person until it has been verified that the person is over 18 years of age.
- b) An age confirmation requirement when registering to purchase.
- c) The only payment acceptable shall be 'PayPal' or bank payment card or any other similar type of payment which requires the person to be aged 18 years old or over to obtain such method of payment.
- d) Reference to the operating of a Challenge 25 policy.
- e) That no parcels will be left by the courier if the person at the delivery address is under 18 years of age.

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	04.08.2023
Capacity	Applicant

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Consent of individual to being specified as premises supervisor

Benjamin Taylor-Davies

I

.....
[full name of prospective premises supervisor]

of

.....
.....
.....
.....
.....

.....
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Grant a Premises Licence

.....
[type of application]

by

Benjamin Taylor-Davies

.....
[name of applicant]

relating to a premises licence **TBC**

.....
[number of existing licence, if any]

for

The Byres
Townsend Farm
Brampton Abbotts
Ross-on-Wye
HR9 7JE

.....
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Benjamin Taylor-Davies

.....
[name of applicant]

concerning the supply of alcohol at

The Byres
Townsend Farm
Brampton Abbotts
Ross-on-Wye
HR9 7JE

.....
[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

██████████

.....
[insert personal licence number, if any]

Personal licence issuing authority

Herefordshire Council, Plough Lane, Hereford. HR4 0LE

.....
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

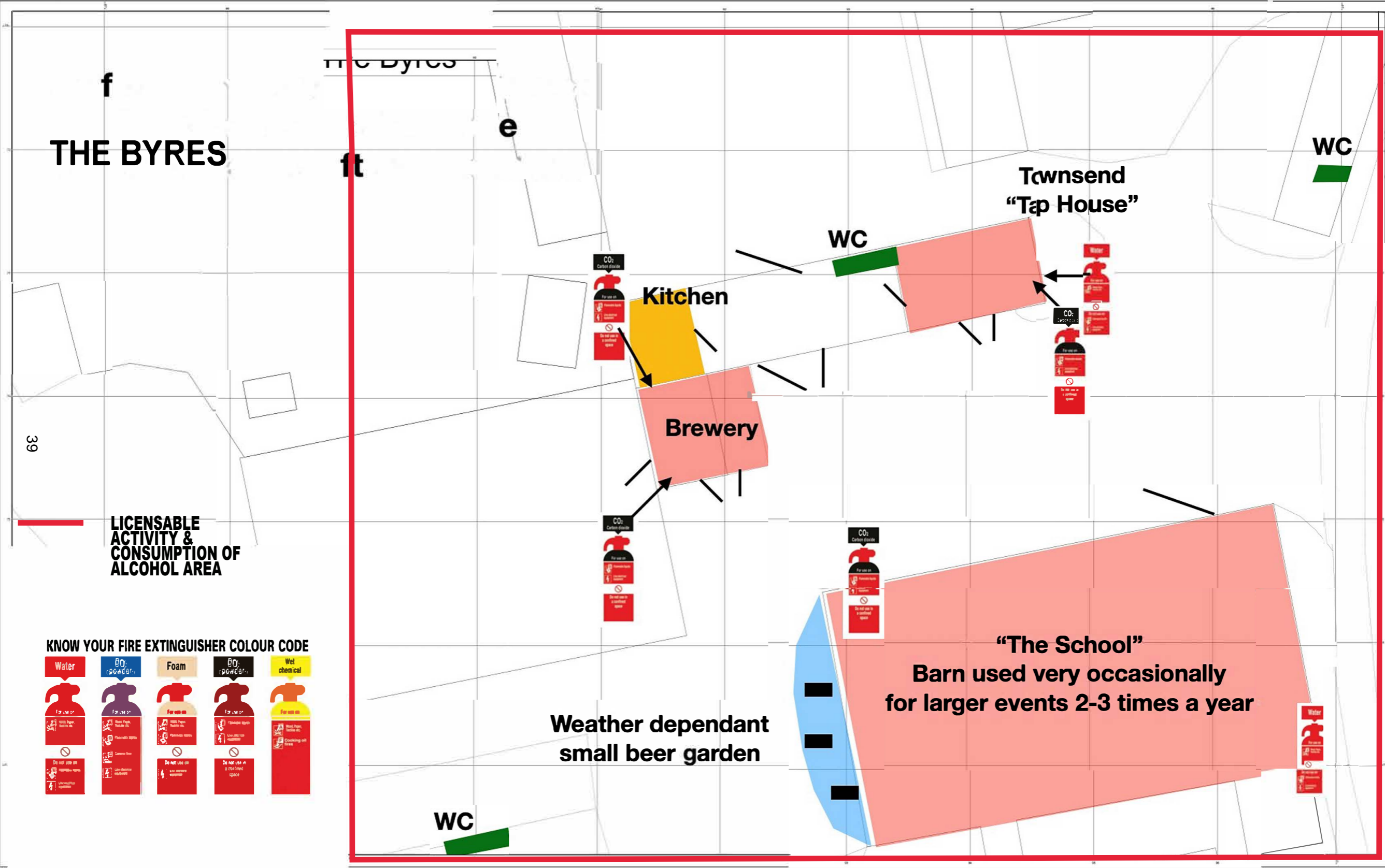
.....
██

Name (please print)

.....
BENJAMIN TAYLOR-DAVIES

Date

.....
04.08.2023



**LICENSABLE
ACTIVITY &
CONSUMPTION OF
ALCOHOL AREA**

KNOW YOUR FIRE EXTINGUISHER COLOUR CODE

Water	CO ₂ powder	Foam	CO ₂ powder	Wet chemical
For use on: • Class A fires (solid combustibles) • Class B fires (liquids) • Class C fires (gases)	For use on: • Class B fires (liquids) • Class C fires (gases)	For use on: • Class A fires (solid combustibles) • Class B fires (liquids)	For use on: • Class B fires (liquids) • Class C fires (gases)	For use on: • Class F fires (cooking oil fires) • Class B fires (liquids)
Do not use on: • Class D fires (metals) • Class E fires (live electrical equipment)	Do not use on: • Class A fires (solid combustibles) • Class D fires (metals)	Do not use on: • Class C fires (gases)	Do not use on: • Class A fires (solid combustibles) • Class D fires (metals)	Do not use on: • Class A fires (solid combustibles) • Class C fires (gases)

**Weather dependant
small beer garden**

**"The School"
Barn used very occasionally
for larger events 2-3 times a year**



Scale 1:100

Scale 1:100

CONDITIONS PROPOSED BY THE APPLICANT TO PROMOTE THE LICENSING OBJECTIVES

The prevention of crime and disorder

The Premises Licence Holder shall install and maintain a CCTV system at the premises giving coverage at all entry points and areas to which customers have access.

The CCTV system shall provide clear images in all lighting conditions.

The CCTV system shall continuously record whilst the premises are open for licensable activities and shall be capable of providing frontal identification of customers.

All CCTV recordings shall be retained for a minimum of 31 days and shall be date and time stamped.

CCTV recordings should be made available for inspection upon receipt of a request by the Police and/or Authorised Officer of the Licensing Authority.

A member of staff shall always be present on the premises whilst they are open who is capable of operating the CCTV system and able to facilitate immediate viewing of CCTV footage upon the request of the Police and Authorised Officer of the Licensing Authority.

All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB Level 1 or any equivalent training course within 1 month of commencing employment at the premises. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 12 monthly intervals. Training records shall be kept on the premises and produced to the police of an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:

- (a) all crimes reported to the venue (where relevant to licensing objectives)
- (b) any incidents of disorder (where relevant to the licensing objectives)
- (c) any visit by a relevant authority or emergency service
- (d) any faults in the CCTV system or searching equipment or scanning equipment

Public safety

First aid

A First Aid Kit capable of treating 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

The prevention of public nuisance

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.

'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.

The Premises Licence Holder or DPS or the responsible person 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 protection of children from harm

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.

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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).

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Prior to purchasing alcohol on line the purchaser shall be required to confirm that they are aged 18 years old or over. The website shall contain a statement to the effect 'The company will not deliver alcohol to any person until it has been verified that the person is over 18 years of age'.

The Premises Licence Holder shall ensure that any person who purchases from the site shall register with the site. Such registration details shall include the person's full name, full address and phone number. Records of such checks shall be kept for a period of 12 months and shall be produced on demand of 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.

The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol being handed over. No alcohol shall be handed over to a person under 18. The only acceptable proof of identity shall be a photographic driver's licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect.

The terms and conditions of the company website will contain the following: -

- a) The company will not sell alcohol to any person until it has been verified that the person is over 18 years of age.
- b) An age confirmation requirement when registering to purchase.
- c) The only payment acceptable shall be 'PayPal' or bank payment card or any other similar type of payment which requires the person to be aged 18 years old or over to obtain such method of payment.
- d) Reference to the operating of a Challenge 25 policy.
- e) That no parcels will be left by the courier if the person at the delivery address is under 18 years of age.

MEMORANDUM

To : LICENSING OFFICER

From : Mrs Warren-McCauley

Tel : 01432 260158 My Ref : JWM/386498/

Date : 15/08/2023 Your Ref :

LICENSING ACT 2003
APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE
The Byres, Townsend Farm, Brampton Abbots, Ross-On-Wye, Herefordshire, HR9 7JE

Having assessed the above application, I would like to make the following representation:

Representation	Industry Guidance
PREVENTION OF CRIME & DISORDER	
PUBLIC SAFETY	
<p>PREVENTION OF PUBLIC NUISANCE</p> <p>Noise or vibration shall not emanate from the premises so as to cause a nuisance.</p> <p>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.</p> <p>All doors and windows at the premises shall be kept closed after 2200 hours except during immediate access and egress.</p> <p>Live or Recorded music shall be restricted to the area marked on the premises plan</p> <p>Outside tables and chairs shall be rendered unusable by 22.00 hours each day.</p> <p>External area at the premises shall not be used after 22:00 hours.</p> <p>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.</p> <p>Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to any beer garden, patio area, smoking area or similar, requesting the public to respect the needs of local residents and to be quiet.</p> <ul style="list-style-type: none"> • 	

REFERENCES

Please Reference the industry guidance from which your representation has been sourced.

**SPECIALIST TECHNICAL OFFICER (ENV
HEALTH) HEREFORDSHIRE COUNCIL**

From: [REDACTED]
Sent: 04 September 2023 14:08
To: Licensing <licensing@herefordshire.gov.uk>
Subject: Alcohol/entertainment licence for Ben Taylor-Davies of The Byres, Townsend farm, Brampton Abbots.

I am writing to strongly object to the above application for the following reasons;

The area is within an A.O.N.B which needs to be preserved. The applicant intends to hold entertainment outside where lighting will be required. There is also a 'beer garden' suggested which will be across the farmyard and adjacent to two houses. This too will need to be lit for safety. At present the area is dark and should remain so for the protection of nocturnal species which have been recorded close by. There needs to be a protection of 'dark skies'.

There is one single track lane which leads to the farm. It is unlit and has no pavements. Another safety issue for people. There will also be late night traffic which WILL disturb villagers. If glass receptacles are used then this is an issue for livestock and children or if plastic is used then the usual litter will enter the surrounding area as purchasers tend to walk further away from site if there isn't a need for returns. It does not matter whether it's biodegradable or otherwise. Farms have always been noted as areas of safety concern due to the machinery used. The 'pub' is in the centre of a working farm.

The hours suggested are too extensive which will have a big impact on the serenity of the village. For the selling of wine, beer and food they do not need to be in the evening. Even the slightest conversation can be heard in the quiet of the moment. Any extension of this will be detrimental to the enjoyment of the area. The noise doesn't cease after the licencing hours end.

Not sure who the 'pub' is for. The village were only made aware of this application by the single A4 notice. It is not for the enjoyment of the village community yet they will face the disruption caused.

There are plenty of public houses and entertainment within Ross-on-Wye where safety and disturbance is easier to manage.

Regards,

[REDACTED]

Concerned resident of Brampton Abbots.

My representation is Against the following License Application for The Byers, Townsend Farm, Name of Premises: The Byers, Townsend Farm, Brampton Abbots.

Data Protection: I would not want my personal details circulated.

My representation is based on the need to Protect Public Nuisance and Public Safety.

Community Venture

This application is sought as a Community amenity. No residents have been canvassed and asked if this is something they would want in the village. We already have a Village Hall that acts as a community hub, for a small hamlet. The Village Hall has recently undergone a complete

refurbishment at a cost to local residents as an Annual Precept payment on their Council Tax. Residents have a financial vested interest in supporting their Village Hall.

Public Safety

If this application is accepted it will draw in more traffic from the surrounding area. There is one narrow winding road that leads to The Byers, with increased traffic late at night and during the day there is potential for public safety on the road to be compromised. There are no pavements or street lighting, nor should there be in a hamlet of this size in an AONB, so both pedestrians and drivers, as well as wildlife, would be at high risk.

Brampton Abbots lies in the Wye Valley AONB, it is a very rural community and does not lend itself to this type of enterprise.

Noise Pollution

The application asks for permission to play live and recorded music during the stated opening hours. The venues would not be sound proofed and the music played inside and outdoors would travel to properties nearby.

This became very evident over the August BH weekend when the music from the Wye Fest in Ross on Wye could be heard over that weekend. The sound travelled over a couple of miles and could be heard indoors, even with doors and windows closed and the television on.

Recently the Hope and Anchor pub in Ross has been asked to cease playing live music as this has caused a disturbance for neighbours.

The playing of live music at venues has increasingly become a nuisance for those residents living near the venues. In Brampton Abbots, people have moved to the area for its beautiful countryside and peace and quiet and do not want this to change.

Over Extended Trading Hours

The application ask permission for 3 nights per week, Friday, Saturday and Sunday, as well as Bank Holidays and other festive occasions.

This demonstrates that the applicant sees his venture as a commercial business venture, and not a one off event each year. As a commercial event it would be of economic benefit to the applicant alone and not to the Community. I understand that the farming community need to look at ways of diversifying, but this venture would be at the compromise of the local community and the rural environment we live in.

As a resident of Brampton Abbots, I see myself as a custodian of the character of the hamlet for the present and to make sure that future residents can enjoy the rural aspect as I have. To allow this application to go forward would compromise the character of Brampton Abbots, as one local resident said ' Glastonbury ' started life as a small venue on a local farm and look at it now the biggest festival in the world. Our hamlet would not be able to sustain this possible growth in the future, so we must protect it now. I would ask that you do just that by refusing this application.

Sent: 04 September 2023 14:37

To: Licensing <licensing@herefordshire.gov.uk>

Subject: Licence application for Townsend Farm

Ref application for Mr Benjamin Taylor-Davies

The Byres

Please do not grant an alcohol/entertainment licence for this applicant.

1. The ambient noise levels in the village are very low, especially at night and would suffer greatly from a large increase in noise pollution. From previous events of live music held in the structure labelled as the 'School' the noise levels are invasive from our dwelling's location. Music could still be heard with the windows shut. Also, the application is very loose in the specifying where 'outdoor' events may occur, this could be even more noise invasive than the indoor venue.
2. The frequency and time duration on the application is excessive.
3. Traffic arriving and departing events is along a no through road which is tortuous and predominantly single-track lane with no pavements or lighting increasing the risk of accident to pedestrians and traffic alike. Late night traffic would be disturbing to residents with the increased probability of driving under the influence of alcohol.
4. As lighting conditions are stipulated by ecology reports for local planning applications, there is a need to keep light pollution to a minimum. Lighting would need to be provided for the venue during night time events (even during summer as the finish times are so late) for health and safety reasons, this would be at the cost of disturbing the local fauna.
5. A risk assessment would need to be fully evaluated and mitigating measures applied as the area defined is the hub of a working farm with farm machinery either transiting or parked. Various other structures may also present a hazard. In addition, the farmyard is the access to a residence at the 'Cotts' and holiday let at the 'Old Brampton Barn' and a public right of way.

In summary I do not believe there would, on balance, be a positive effect to the local community/residents of Brampton Abbots and would have a detrimental effect to the village with the prospect of regular disturbing events. The application is too wide ranging with the opportunity for 'feature creep' and does not contain enough detail for myself to come to any conclusion but to object.

I do appreciate the need for farms to diversify to remain profitable and Townsend Farm is certainly pioneering as it does have an impressive portfolio of revenue streams.

Consultancy / International lecturing by Mr. Taylor-Davis.

A local produce shop.

High end meat production.

Shooting events in season.

Farm tours with food provided.

Partnership with a brewery on site.

Newly erected Glamping pods.

Wedding venue.

Vineyard.

I do wish them continued success with all the ventures mentioned above.

Regards

██████████

Resident Brampton Abbots

From:

Sent: 01 September 2023 17:53

To: Licensing <licensing@herefordshire.gov.uk>

Subject: Representation Against License Application

My Representation is Against the Following License Application for
The Byres, Townsend Farm, Brampton Abbotts.

Name of Premises: The Byres, Townsend Farm, Brampton Abbotts.

Data Protection: I would not want my personal details circulated.

My representation based on the need to Prevent Public Nuisance.

My key points are:

Community Venture.

The application is sought as a Community amenity. Yet no residents have been canvases to see if this is something they would want in the village. We already have a Village hall that acts as a Community Hub. The Village Hall has recently been refurbished and part of the cost of this has fallen on the residents as an Annual Precept payment on Council Tax. Why would we want something else to act as a Community Centre.

Increased Traffic on the Roads - Public Safety

The roads leading to the farm are narrow and would not be suitable for the increased level of traffic that could be generated by this activity, with visitors coming from outside of the local village community. There are no pavements and no street lighting and this would add to a danger to pedestrians, other drivers, and local wildlife.

As Brampton Abbotts lies in an AONB area it would be unreasonable to have street lighting adding to the light pollution that already exists.

Noise Pollution - Public Nuisance

My main objection is on the grounds of Noise Pollution. The playing of live or recorded music in spaces that are not totally soundproofed, would have the music travelling across to adjacent properties.

Just this last weekend music was heard each night over the BH weekend from Ross on Wye that was hosting the Wye Fest. This could be heard indoors over the sound of our television, with our double glazed windows closed.

I have also heard that a local pub, The Hope and Anchor, in Ross on Wye has been asked to stop playing live music as local residents nearby have complained. In Brampton Abbotts any sound from music would travel and be intolerable.

Over Extended Trading Hours - Public Nuisance

The application asks for permission to open for 3 nights a week, Friday, Saturday and Sunday as well as BH Sundays and Mondays and other festive dates. This is not a one off event to happen once a year but a full time business venture that does not sit comfortably in this rural environment.

There is already a small honesty shop on the site and farm produce and other local produce is sold there. So I see no need for a further site to be used for the sale of local produce and in particular alcohol to be consumed on the premises.

As a resident I see myself as custodian of the character of the village while I live in it. I would not want to see this venture go ahead and potentially open up in the future to become a venue for music festivals . And if this application is accepted that is what we could see happen. As one resident said this is how "Glastonbury" started all those years ago, and now look at it!

I hope that my points will be considered and that the application will be denied.

I have no suggested conditions.

-----Original Message-----

Sent: 01 September 2023 15:33

To: Licensing <licensing@herefordshire.gov.uk>

Subject: Premises Licence, The Byers, Townsend Farm, Brampton Abbots

Dear Sirs,

I would like you to consider my objection to granting a licence at the above address. I live in the village, very close to Townsend Farm. This village is within the AONB and those of us who live here relish the peace and tranquility of the beautiful surrounding countryside. If this application was granted, we would have to contend not only with noise and light pollution but also increased traffic along country lanes. We already have increased traffic due to new housing developments and these are due to increase when the latest housing project is completed in Church Lane. We have a newly refurbished Village Hall, partly funded by the precept agreed with the Parish Council which every household in the village contributes to. The church has also been newly renovated and Community Events are rightly envisaged at both the amenities. These are the right buildings for such events to take place and we do not need another venue in such a small village. The thought of having to contend with live or recorded music every weekend and major Bank Holidays is a very worrying prospect indeed. How long before a music festival is considered and all that that entails?

I would respectfully ask you to consider this application very carefully, please.

Thank you.

Please return this form, and any additional information within the statutory period to:
**The Licensing Section,
 Herefordshire Council,
 8 St Owen Street,
 Hereford,
 HR1 2PJ**
 licensing@herefordshire.gov.uk

**HEREFORDSHIRE COUNCIL
 Licensing Act 2003**

REPRESENTATION FORM – INTERESTED PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.
When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: eg local, resident/local business <i>THE BYRES, TOWNSEND FARM IS WITHIN MY LOCAL NEIGHBOURHOOD</i>
Name & Address of premises you are making a representation about: <i>SAME POSTCODE</i> <i>THE BYRES TOWNSEND FARM</i>	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder /
Public Safety /

To Prevent Public Nuisance

THERE HAVE BEEN PRIVATE PARTIES WHICH HAVE GENERATED NOISE OF SUFFICIENT VOLUME TO BE HEARD INSIDE. IF THE NUMBER OF EVENTS IS LIMITED TO GENUINE COMMUNITY SERVING OCCASIONS WITH NO MORE THAN 6 A YEAR. OR, TAKE THE EVENTS INDOORS

To Protect Children from Harm

TO HAVE MARSHALLS FOR EACH EVENT. TO ENSURE THAT TRAFFIC MOVES SAFELY TO THE VENUE AND THAT "WILD" PARKING IS PREVENTED.



Representation Form – Interested Parties

Suggested Conditions

Premise: THE BYRES TOWNSEND FARM Your name: [REDACTED]

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

/

Public Safety

/

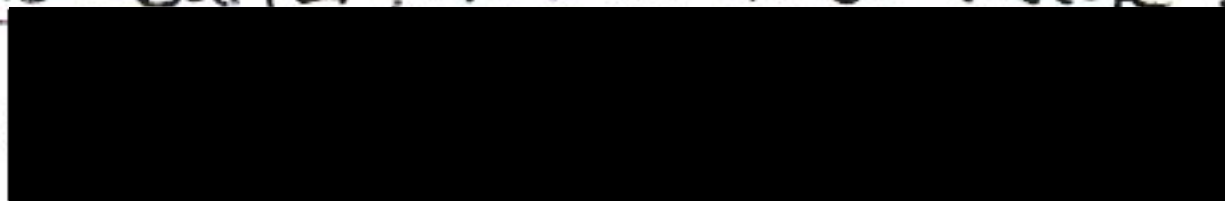
Prevent Public Nuisance

AN OUTDOOR VENUE PLAYING MUSIC UP TILL 23.00 WILL UNAVOIDABLY DISTURB RESIDENTS NOT ONLY IN THE IMMEDIATE VICINITY BUT ALSO, BECAUSE OF THE TOPOLOGY OF THE VILLAGE, RESIDENTS WITHIN THE WHOLE VILLAGE

Protect Children from Harm

TRAFFIC CONCERNS: THERE IS A SINGLE TRACK ROAD LEADING TO TOWNSEND FARM WHICH IS A CUL-DE-SAC. THERE IS NO PEDESTRIAN PAVEMENT, AS IS USUAL, AND LIMITED VERGE SPACE.

Signed:



Date: 5th SEPTEMBER 2023

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

HEREFORDSHIRE COUNCIL
Licensing Act 2003

REPRESENTATION FORM – INTERESTED
PARTIES

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**The Licensing Section,
Herefordshire Council,
8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk**

Your Name: [REDACTED]	Contact Telephone No. [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
Please state your interest in the premises you are making a representation about: eg <i>LOCAL RESIDENT</i>	
Name & Address of premises you are making a representation about: <i>THE BYRES, TOWNSEND FARM, BRADPTON ABBOTTS</i>	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder <i>NONE</i>
Public Safety <i>THE FARM IS LOCATED AT THE END OF A SINGLE TRUCK LANE THROUGH THE VILLAGE. ANTICIPATED TRAFFIC FLOW AND PEDESTRIAN TRAFFIC WILL BE A SIGNIFICANT CONCERN, IT MUST BE ASSUMED THERE WILL BE A LOT OF TRAFFIC TO MAKE ANY EVENT PROFITABLE</i>
To Prevent Public Nuisance <i>THE FARM IS PART OF A SMALL VILLAGE, QUIET WITHOUT A PUB, TO HAVE MUSIC, OUTDOOR OR INDOOR EVERY FRIDAY, SATURDAY AND SUNDAY PLUS OTHER TIMES IS NOT APPROPRIATE FOR THE LOCATION</i> <i>PLEASE ATTACHED DOCS</i>
To Protect Children from Harm <i>NONE</i> [REDACTED]

Signed:

Date:

31/8/23

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761



**Representation Form – Interested Parties
Suggested Conditions**

Premise: THE BYRES Your name: 

TOWNSEND FARM

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

Public Safety

REMOVE THE PLAYING OF LIVE AND RECORDED MUSIC AND REDUCE TRADING HOURS TO THE STANDARD DAYS AND TIMINGS EXCLUDING ALL NON STANDARD TIMINGS (SECTION 5)

Prevent Public Nuisance

REMOVE THE PLAYING OF LIVE AND RECORDED MUSIC AND REDUCE TRADING HOURS TO THE STANDARD DAYS AND TIMINGS EXCLUDING ALL NON STANDARD TIMINGS (SECTION 5)

Protect Children from Harm

Signed: 

Date:

31/08/23

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

Representation Form - Additional information

The licensing application from Townsend Farm states, and I quote, “not your standard pub, more a community offering where we are hoping to provide a community gathering for some home produced beer, wine and food”. This is a very laudable statement. Yet, to make any success of the venture there will be a desire to attract as many people as possible. The applicant may say no, but there will be nothing, if the licence is granted, to stop expansion of events based on the hours and days requested. Remember once a licence is granted it is valid indefinitely.

To submit for approval for music and the selling of alcohol on every Friday, Saturday and Sunday plus Bank Holidays, Christmas Eve, New Years Eve and Valentine’s Day is not aimed at those of the community if we use the word community in a true sense. This looks to be the start of a large business.

There are a number of issues to consider.

With all these gatherings and music events comes the need for lighting to cover the proposed entertainment areas for safety and therefore general light pollution. Which in a small village with beautiful surroundings just goes against the idea of rural.

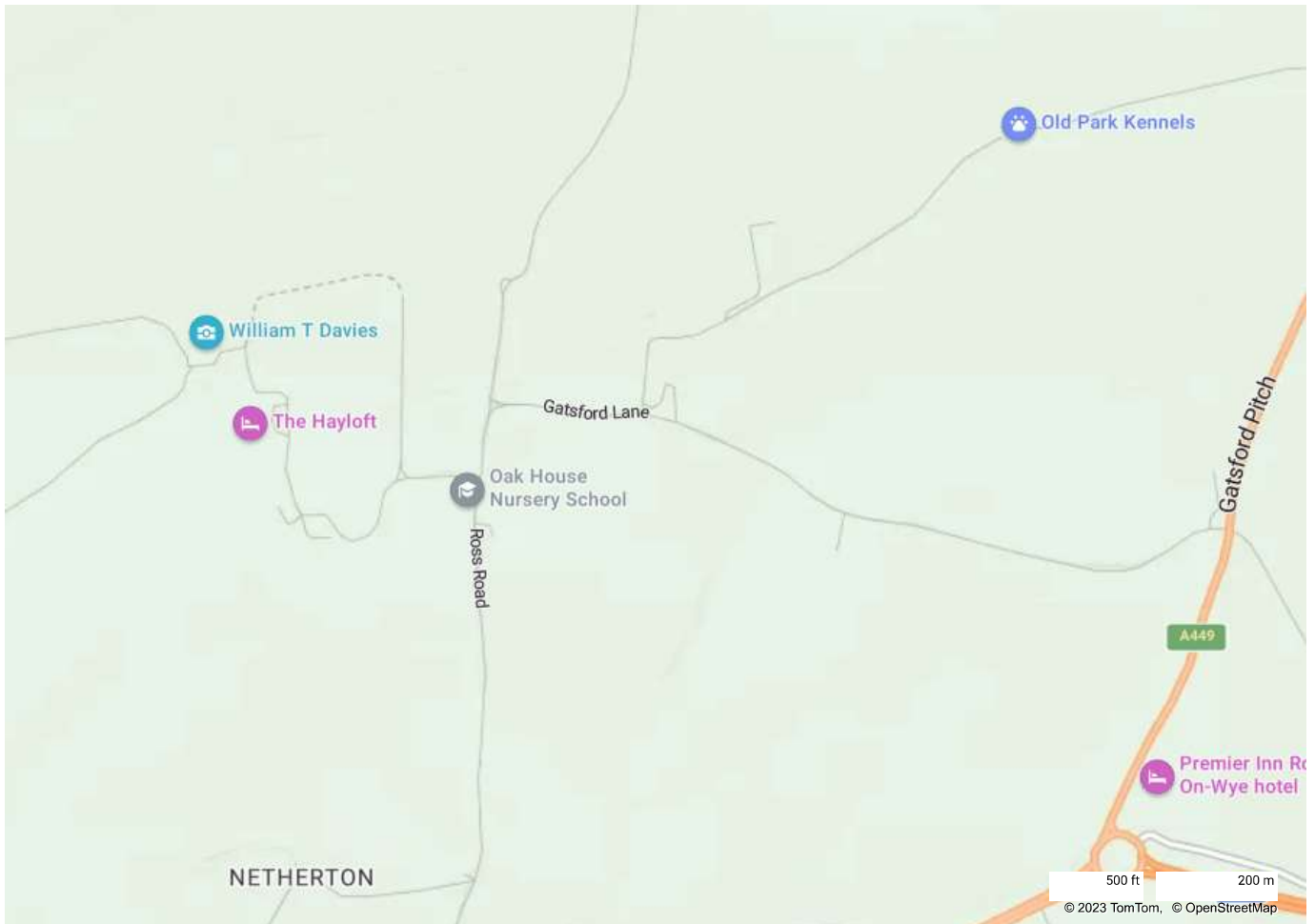
We must assume that this venture will be successful, and therefore those attending will bring increased traffic both pedestrian and vehicular along the single track lane that constitutes the only access to the farm. The lane is narrow and twisty from the junction of Ross Road and not designed for heavy traffic flow. There is no pavement, kerbs or street lighting. Imagine the traffic leaving the farm at 1 O’clock in the morning on New Years Day.

The live and recorded music the application asks to play is for every Friday, Saturday and Sunday plus Bank Holidays, Christmas Eve, New Years Eve and Valentine’s Day. This is a quiet village that people walk through as part of the Herefordshire Trail and it is an Area Of Outstanding Natural Beauty The last thing needed is the annoyance of music heard every weekend which will be licenced to begin at midday and not finish until 1 O’clock in the morning. Did we not choose to live here because of the quiet environment? There is extensive and varied entertainment to be found in Ross, Ledbury and Hereford.

I have nothing against somebody wanting to promote their laudable ideas on the future of farming and sell their produce. However this application is asking for approval to run an events business 52 weeks of the year which would amount to up to 160 events every year.

In my opinion totally out of proportion to the location.

Notes



HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

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The Licensing Section,
8 St Owen Street, Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.

When completing this form please print clearly and legibly.

Your Name: [REDACTED]	[REDACTED]
[REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: eg local resident/local business
Name & Address of premises you are making a representation about: The Byres, Townsend Farm, Brampton Abbots, Ross on Wye HR97JE	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety Single winding Lane with no street lighting or footpaths & only one way in & out of the central village.
To Prevent Public Nuisance This application would have too many events per year which will cause light & noise pollution.
To Protect Children from Harm

[Redacted]

Date:

Representation Form – Interested Parties Suggested Conditions

Premise: _____ **Your name:** [Redacted] _____

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder
Public Safety
Prevent Public Nuisance I would not object to six weekend events per year
Protect Children from Harm

Signature

Date:

[Redacted Signature and Date]

If you have any queries about this form or are unsure of when the statutory period ends please contact the
Licensing Helpline on 01432 261761

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

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licensing@herefordshire.gov.uk

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When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. 0 [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	[REDACTED] the premises you are making a representation about: <i>Local Resident</i>
Name & Address of premises you are making a representation about: The Byres, Townsend Farm, Brampton Abbots, Ross on Wye, HR9 7JE	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety Greater volume of traffic along pavement-free lanes I would add the important point that after 5 years of effort the parish now has [since May] a partially rebuilt, refurbished village hall, run by a most capable committee. This not-for-profit operation is already organising a range of events, including the occasional music evening, and including locally produced beer. The committee is aware of, & very capable of, responding to the wishes of parishioners & other local people who come together at genuine community events. Few would argue that another centre of social activity within the parish would greatly serve the needs of those who actually live locally.
To Prevent Public Nuisance To seek permission for live and recorded music on 3 evenings a week + the 5 'non-standard timings' is excessive in the extreme. Noise will be very frequent, doubtless loud [particularly when outdoors] & will carry across the open spaces of the village. This will be

especially intrusive during April-September when parishioners might wish to be relaxing in their own gardens.
It might be noted as a comparison that even indoors, with closed double glazed windows, music at the recent Ross Regatta – a mile or so away – could be heard throughout the evening. The venue for which permission is currently sought is perhaps 200 m from our address, and closer to some others. Noise travels clearly across an intervening orchard.

To Protect Children from Harm

Signed:
Date:

Representation Form – Interested Parties Suggested Conditions

Premise: _____ Brampton Abbots, HR9

7JD

Your name: _____

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

Public Safety

See comment below

Prevent Public Nuisance

If permission is to be granted at all – which I would rather it wasn't - then it must be restricted to very few occasions indeed. I would strongly urge a limit of 2-3

such occasions per annum.

Protect Children from Harm

[Redacted]

Signed:

[Redacted]

Date: 29/08/23

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline** on **01432 261761**

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

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When completing this form please print clearly and legibly.

Your Name: <input type="text"/>	<input type="text"/>
Address: <input type="text"/>	E-mail address: <input type="text"/>
	Please state your interest in the premises you are making a representation about: eg local resident/local business Neighbour
Name & Address of premises you are making a representation about: The Byres Brampton Abbotts Ross-On-Wye HR97JE	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety Very narrow and winding lane, no street lighting and no footpaths Plus very little parking
To Prevent Public Nuisance Light and Noise pollution for 3 Days a week plus bank holidays
To Protect Children from Harm

|

Representation Form – Interested Parties Suggested Conditions

Premise: Neighbour **Your name:** 

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder
Public Safety
Prevent Public Nuisance I would have no object to a few weekends events per year but no more then 3
Protect Children from Harm

Signe 

Date: 

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

**HEREFORDSHIRE COUNCIL
Licensing Act 2003**

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HR1 2PJ
licensing@herefordshire.gov.uk**

REPRESENTATION FORM – INTERESTED PARTIES

On making your representation please have regard to the 'Making Representations Guidance Notes' which further explains the process and the information that can be considered by the licensing authority.
When completing this form please print clearly and legibly.

Your Name: [REDACTED]	Contact Telephone No. 0 [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: eg local resident/local business Local Resident
Name & Address of premises you are making a representation about: The Byres, Townsend Farm, Brampton Abbots, Ross on Wye, HR9 7JE	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety If large numbers of people are attracted there will be potential problems on the narrow, twisty lane through the village. There are no pavements and extreme care is needed when driving up Church Road.
To Prevent Public Nuisance Previous events at The Byres have attracted participants from outside the community, with very little, if any, involvement of local people, so I would doubt the applicant's assertion that these will be community events. They will be commercial events rather than for the benefit of the community. There is a Village Hall where true community events are held. In addition, any music at the venue will inevitably be heard across the village - there are very few buildings to prevent the sound carrying, so local residents will be denied peaceful enjoyment of their gardens in the spring, summer and autumn. As it is, the music at the Regatta at Ross Rowing Club, much further away than The Byres, can be heard inside local houses even through closed double-glazed windows.
To Protect Children from Harm

Signed: [REDACTED]

Date: 28/08/23

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline** on **01432 261761**

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

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8 St Owen Street,
Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk**

Your Name: [REDACTED]	Contact Telephone No.
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: Parish Council
Name & Address of premises you are making a representation about: The Byres, Townsend Farm, Brampton Abbots, ROSS-ON-WYE HR9 7JE	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety All the surrounding roads are narrow country lanes, often with minimal passing opportunities. There are no pavements, nor should there be within this rural parish in the AONB, so any pedestrians will be at risk with the inevitable significant vehicle numbers arriving / leaving the venue before / after / during events.
To Prevent Public Nuisance Noise Pollution : <ol style="list-style-type: none">1. There is no doubt that the noise from this location would affect the entire parish. Noise pollution is already experienced within the parish, from events held in Ross-on-Wye, so given the proximity, the impact if this were to go ahead would be considerable.2. Based on the detail within the application, the granting of a licence could result in

160 events per annum. This is excessive for such a small parish and inappropriate for the location.

3. Although the music may end at 22.00 there will continue to be noise associated with the attendees – either remaining for a period of time, or leaving, so the total timeframe for noise and disruption would be much longer than that detailed in the application.
4. There are dwellings in very close proximity to the site, two of which are right next door
5. The parish falls within the AONB, visited and enjoyed for its beauty and tranquillity and its abundance of wildlife, all of which would likely be significantly negatively impacted by this proposal.
6. In official terms, noise may be assessed based on impact when windows and doors are closed, but in reality, throughout the spring / summer, residents will have their windows open, and will want to (and indeed should be able to) enjoy their gardens, and the impact on local residents should therefore be assessed on that basis.
7. There is a lack of detail as to the proposals for the site as a whole, the barn itself is open sided in places.

Light Pollution :

1. There is, particularly within AONBs a desire to encourage a reduction in light pollution and a move towards “dark skies” in rural areas, not only to reduce emissions but also to help provide suitable habitats for wildlife. Given the size of the site and the dispersal of attendance between various structures, the proposal would result in an unacceptable light pollution effect.

Highways :

1. With only one road in and out of the village, there is simply no capability to accommodate the significant numbers of additional vehicles suggested within the application.
2. The local roads are narrow country lanes with occasional passing places, able to accommodate the cars associated with the properties currently in situ. It is simply not feasible for dozens, or potentially hundreds for larger events, of additional vehicles to use this limited infrastructure 3 days per week, day and night, throughout the year, without a significant negative impact on local residents being experienced.
3. There is no reference to how the existing site as identified will be adapted to accommodate the events, including car parking

The NDP for the Parish supports proposals for the development of small-scale business enterprises suitable to a rural area such as this, where there is a lack of facilities/infrastructure that take account of the road system, and they do not have a significant adverse impact on the valued landscape (AONB) or rural character of the Neighbourhood Development Plan area, its residential amenity, infrastructure or traffic (both volume and size) or tranquillity. The NDP may apply to planning applications, but it still shows the concerns of the Parish in respect of maintaining its unique nature and tranquillity.

To Protect Children from Harm

Signed: [REDACTED]

[REDACTED] September 2023

If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761



Representation Form – Interested Parties Suggested Conditions

Premise: _____ Your name: _____

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

After careful deliberation, the parish council does not consider that there are any conditions that would make this application acceptable for the local community.

Public Safety

After careful deliberation, the parish council does not consider that there are any conditions that would make this application acceptable for the local community.

Prevent Public Nuisance

After careful deliberation, the parish council does not consider that there are any conditions that would make this application acceptable for the local community.

Protect Children from Harm

After careful deliberation, the parish council does not consider that there are any conditions that would make this application acceptable for the local community.

Signed: _____

Date: 5th September 2023

If you have any queries about this form or are unsure of when the statutory period ends please contact the
Licensing Helpline on 01432 261761

HEREFORDSHIRE COUNCIL
Licensing Act 2003

**REPRESENTATION FORM – INTERESTED
PARTIES**

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Hereford,
HR1 2PJ
licensing@herefordshire.gov.uk

Your Name: [REDACTED]	Contact Telephone No.: [REDACTED]
Address: [REDACTED]	E-mail address: [REDACTED]
	Please state your interest in the premises you are making a representation about: Local Resident eg local resident/local business Local resident
Name & Address of premises you are making a representation about: The Byres Townsend Farm Brampton Abbots	

DATA PROTECTION ACT 1998. Please indicate by ticking here if you are not content for your personal details to be circulated as necessary prior to any hearing .

A representation must reflect one or more of the licensing objectives, therefore please write the details of your representation in the relevant boxes below:

To Prevent Crime & Disorder
Public Safety
To Prevent Public Nuisance. Given that the site is essentially an outdoor area, or in the case of "the school" an open fronted agricultural building, it seems unlikely that it is possible to comply with the noise regulation – especially with the close proximity of domestic dwellings. Our past experience of events held at these premises are that noise levels from live and recorded music are clearly audible within our property. This has not been a major concern because of the occasional nature – but a licence allowing live and recorded music would change the nature of the area fundamentally.

To Protect Children from Harm

Signed:
Date:



If you have any queries about this form or are unsure of when the statutory period ends please contact the Licensing Helpline on 01432 261761

**Representation Form – Interested Parties
Suggested Conditions**

Premise: _____ **Your name:** _____

It would help us with this application if you could suggest conditions you would be happy for the premise to operate under to rectify the problems you are experiencing.

All suggested conditions shall be considered in line with the Herefordshire Council Licensing Policy, the Licensing Act 2003 and the Licensing Objectives.

To Prevent Crime and Disorder

Public Safety

Prevent Public Nuisance

Protect Children from Harm

Signed: 

Date: 25th August 2023

If you have any queries about this form or are unsure of when the statutory period ends please contact the **Licensing Helpline** on **01432 261761**

Ben Taylor-Davies
The Byres
Townsend Farm
Brampton Abbots
Ross-on-Wye
HR9 7JE

Dear Sir/Madam

Re: Application to Grant a Premises Licence at The Byres

We have been given sight of your objection to our application which understandably we are disappointed about.

The application is to allow us to have

Live & Recorded Music (Indoors/Outdoors),

Friday 18:00 - 21:00, Saturday 13:00 - 22:00, Sunday 15:00 – 19:00

Sale/Supply of Alcohol (consumption on and off the premises)

Friday 15:00 – 22:00, Saturday 13:00 – 23:00, Sunday 13:00 – 20:00

Non-Standard Timings:

Bank Holiday Sunday's 12:00 – 22:00, Bank Holiday Monday's 12:00 – 19:00,

Christmas Eve 12:00 – 23:00, New Year's Eve 12:00 – 01:00

Valentine's Day 12:00 – 23:00

Late Night Refreshment (Indoors/Outdoors) New Year's Eve 23:00 – 01:00

As you can see, we do not require the licence every day of the week, we are intending to hold community gatherings, supplying regenerative produced food on our farm, also the wine from our vineyard and beer from our brewery to hold not only functions celebrating local produce but also the celebration of the AONB in which we live in which there were so many concerns. Thankfully I am only one of two AONB specialist demonstration farms in the UK working closely with them to develop the FIPL (Farming In Protected Landscapes) program of sustainable farming for people, history, knowledge exchange, the environment and food and for every reason have liaised with them about our proposals.

It would also be useful to know the operating hours are based on the maximum (according to licensing laws of which we do not want to fall foul due to the duty of care of a a licence) meaning that very little music is intended and when it is we were thinking of a lone acoustic guitar or carol singers at Christmas - not continuous live bands and music festivals (however all live music needs to be covered to uphold the law) The same for recorded music, if the lone guitarists have a recorded backing track, or wants to play low level music between a set, then the law requires an obligation to have a recorded music licence.

It was our intention to have a walking tour of the farm once a week during the summer (Friday evenings) and once a month during the winter, however it was also realised having only a Friday licence would compromise ourselves if for whatever reason a Saturday or Sunday was required instead of a Friday.

Townsend farm and my world wide consultancy reputation on regenerative agriculture would be totally and utterly compromised if whilst trying to farm with the environment, I had 160 live loud music events during the year.

I am more than happy to discuss conditions in terms of music as it seems what we have envisaged and the objections are wildly off the mark and surprised that the ethos of the farm and it's huge national and international reputation hasn't been understood well enough to realise the intention was to comply with the law and not to cause a nuisance of any type.

It is not our intention to bring increased noise/issues or cause any disturbance to our neighbours.

These are the conditions attached to our licence in relation to public nuisance that we will have to abide by when the licence is in operation. I hope these go to somewhat alleviate your concerns

Prevention of Crime & Disorder

The Premises Licence Holder shall install and maintain a CCTV system at the premises giving coverage at all entry points and areas to which customers have access.

The CCTV system shall provide clear images in all lighting conditions.

The CCTV system shall continuously record whilst the premises are open for licensable activities and shall be capable of providing frontal identification of customers.

All CCTV recordings shall be retained for a minimum of 31 days and shall be date and time stamped.

CCTV recordings should be made available for inspection upon receipt of a request by the Police and/or Authorised Officer of the Licensing Authority.

A member of staff shall always be present on the premises whilst they are open who is capable of operating the CCTV system and able to facilitate immediate viewing of CCTV footage upon the request of the Police and Authorised Officer of the Licensing Authority.

All staff engaged in the sale of alcohol to be trained in responsible alcohol retailing to the minimum standard of BIIAB Level 1 or any equivalent training course within 1 month of commencing employment at the premises. No person shall be authorised to sell or supply alcohol until this training is completed. Refresher training will be conducted at 12 monthly intervals. Training records shall be kept on the premises and produced to the police of an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:

- (a) all crimes reported to the venue (where relevant to licensing objectives)
- (b) any incidents of disorder (where relevant to the licensing objectives)
- (c) any visit by a relevant authority or emergency service
- (d) any faults in the CCTV system or searching equipment or scanning equipment

Public Safety

First aid

A First Aid Kit capable of treating 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

Prevention of Public Nuisance

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.

'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible' -is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.

The Premises Licence Holder or DPS or the responsible person 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
Noise or vibration shall not emanate from the premises so as to cause a nuisance.

All doors and windows at the premises shall be kept closed after 2200 hours except during immediate access and egress.

Live or Recorded music shall be restricted to the area marked on the premises plan

Outside tables and chairs shall be rendered unusable by 22.00 hours each day.

Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to any beer garden, patio area, smoking area or similar, requesting the public to respect the needs of local residents and to be quiet

Protection of Children from Harm

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.

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).

Internet Sales Purchase

Prior to purchasing alcohol on line the purchaser shall be required to confirm that they are aged 18 years old or over. The website shall contain a statement to the effect 'The company will not deliver alcohol to any person until it has been verified that the person is over 18 years of age'.

The Premises Licence Holder shall ensure that any person who purchases from the site shall register with the site. Such registration details shall include the person's full name, full address and phone number. Records of such checks shall be kept for a period of 12 months and shall be produced on demand of 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.

The person delivering the alcohol to the premises shall operate a Challenge 25 policy and shall require proof of age prior to the alcohol being handed over. No alcohol shall be handed over to a person under 18. The only acceptable proof of identity shall be a photographic driver's licence, a passport or an Identity Card containing the PASS Hologram. The website shall contain a declaration to this effect.

The terms and conditions of the company website will contain the following: -

- a) The company will not sell alcohol to any person until it has been verified that the person is over 18 years of age.
- b) An age confirmation requirement when registering to purchase.
- c) The only payment acceptable shall be 'PayPal' or bank payment card or any other similar type of payment which requires the person to be aged 18 years old or over to obtain such method of payment.
- d) Reference to the operating of a Challenge 25 policy.
- e) That no parcels will be left by the courier if the person at the delivery address is under 18 years of age.

In the meantime, if you wish to discuss this further, please do not hesitate to contact me

Yours faithfully

Ben Taylor Davies

Ben Taylor Davies

From:
Date: 17 September 2023 at 12:35:05 BST
To: Regen Ben
Subject: Re: Licensing letter to residents

Dear Ben

Thank you for your email and attached letter explaining your plans for Townend farm. We were worried that we would have to put up with 156 nights of music but we now feel assured with cctv monitoring & huge bands not playing we would have no objections to you doing a number of musical weekend events per year. We have both attended events at your farm and admire what you have done. We have also spoken to a very nice lady at your farm shop.

Kind Regards

From: Regen Ben
Sent: 17 September 2023 05:01
Subject: Licensing letter to residents

Ben Taylor-Davies

