

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