



**Review of a premises licence in respect of: Out to Grass, Woodend Farm Cradley, Herefordshire, WR13 5JW called by Environmental Health as a Responsible Authority- Licensing Act 2003**

**Meeting: Licensing sub-committee**

**Meeting date: Monday 23 March 2026 at 10:00hrs**

**Report by: Senior Licensing Technical Officer**

**Classification**

Open

**Decision type**

This is not an executive decision

**Wards affected**

Bishops Frome & Cradley

**Purpose**

To consider an application for a review of a premises licence in respect of Out to Grass, Woodend Farm, Cradley, Herefordshire. WR13 5JW called by the Environmental Health as a Responsible Authority 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:

- the steps that are appropriate to promote the licensing objectives,
- the representations (including supporting information) presented by all parties,
- the guidance issued to local authorities under Section 182 of the Licensing Act 2003 (appendix 6), and
- 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 committee in relation to the review:
  - a) The modification of the conditions of the premises licence.
  - b) The exclusion of any licensable activities from the scope of the licence.
  - c) To refuse to specify a person in the licence as the premises supervisor.
  - d) The suspension of the licence for a period not exceeding 3 months; and
  - e) The revocation of the licence.
2. Where the licensing authority takes a step mentioned in bullet point a, b and d above it may provide that the modification, exclusion or suspension is to have effect for only such period (not exceeding three months) as it may specify.
3. Alternatively, it is open to the licensing authority to determine that no action is required to promote the licensing objectives or issue an informal warning in writing to the licence holder and/or to recommend improvement within a specified period of time.

## Key considerations

The licensing authority must take into account any relevant representations made.

Relevant representations are those that:

- relate to one or more of the licensing objectives;
- have not been withdrawn; and
- are made by the premises licence holder, a responsible authority or an interested party

4. The details of the application are:

Applicant	Environmental Health as a Responsible Authority	
Solicitor/Agent	Not applicable	
Type of application: <b>Review</b>	Date received: 2 February 2026  28day consultation started: 3 February 2026	28 Days consultation ended 2 March 2026

## Summary of Application

The application for the review is attached (appendix 1)

5. Copies of the application were sent to the premise licence holder and all responsible authorities.
6. Environmental Health's grounds for the review are:

Environmental Heath have concerns regarding this site, noise nuisance and their current licence suitability to meet the licensing objective 'Prevention of Public Nuisance.

## Premises History

7. The premises was first licensed in January 2013.
8. Since first being licenced, the Licensing Authority has received one (1) application to Vary Designated Premises Supervisor (DPS) which was granted in January 2016.
9. On 30 July 2022, the Licensing Authority were in receipt of a letter sent by the duty officer of Environmental Health stating that on 20 July 2022 at 23:38pm their night-time noise team witnessed amplified music emanating from the premises, which was excessive in volume and that noise of that type can amount to a Statutory Nuisance, which the Environmental Protection Act 1990 legislation is designed to control. Letter found at Appendix 3.

## Current Licence

10. The licence at (appendix 2) authorises the following licensable activities during the hours shown:

Live Music, Recorded Music (both indoors and outdoors),

Sunday – Thursday 12:00 – 24:00

Friday – Saturday 12:00 – 02:00

Late Night Refreshment (indoors and outdoors)

Sunday – Thursday 23:00 – 24:00

Friday – Saturday 23:00 – 02:00

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

Sunday – Thursday 12:00 – 23:00

Friday – Saturday 12:00 – 01:00

Non standards timings

An additional 2 hours at the end of permitted hours on Christmas Eve and Boxing Day, if these fall on a day other than a Saturday.

An additional 2 hours at the end of permitted hours on the Sunday of Bank Holiday weekends.

From the end of permitted hours on New Years Eve until the commencement of permitted hours on New Years Day.

An additional hour at the end of permitted hours on the day British Summertime begins

The licence is also subject to certain conditions that the premises has to comply with when open for licensable activities.

## Circumstances Leading to the Review

11. The Environmental Health Department has raised concerns in respect of public nuisance relating to music events held at the premises and in particular the bass levels which are clearly audible in the general area/vicinity of the premises. Due to 'bowl' topography of the land surrounding the premises and the very quiet rural location of the premises, complaints have been received in the immediate locality and further afield especially later into the evenings.
12. The Out of Hours noise team have witnessed bass music audible outside and inside local residents' properties. These were witnessed on the 20 July 2025 at 00:40am, 26 July 2025 at 23:11pm 30 August 2025 at 23:14pm and 5 September 2025 at 23:50pm. A number of noise complaints from local residents were also reported.
13. The current license conditions were originally agreed in 2013, when it was understood the site would hold two (2) main music events one (1) in May and the other in September. The number

of music events have since intensified and increased considerably. The site is now operating as an event/festival, glamping, camping site with events taking place most weekends over the extended summer months of April to September.

14. There has been a long history of noise complaints, subsequent investigations actions and enforcement action carried out in relation to the music events held at this premises – Noise Abatement notices were served in 2001, 2015 and 2025.
15. As a result of the continued noise complaints, this review was launched.

### **Summary of Representations**

16. No representations were received from the responsible authorities.
17. Seven (7) representations were received from members of the public that the Licensing Authority has accepted as being relevant. The representations state noise issues arising from the premises on more than one (1) occasion (appendix 4).
18. 97 letters of support for the premises were received within the consultation period. The letters of support largely relate to members of the public attending events and are surprised that there have been complaints about noise (appendix 5).
19. One (1) representation was received from a member of the public and deemed not relevant by the Licensing Authority. To be considered a relevant and complete, your representation must, include your name and address, which the member of the public failed to do and did not respond to the request within the consultation period.
20. Five (5) letters of support were received outside of the consultation period, therefore cannot be accepted but have been placed on file for future reference.

### **Community impact**

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

### **Environmental Impact**

22. 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, as the licensing authority.

### **Equality duty**

23. 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.
- 24. There are no equality issues in relation to the content of this report.
- 25. 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.
- 26. 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**

- 27. 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, as the licensing authority.

## **Financial implications**

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

## **Legal implications**

- 29. 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.
- 30. 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.
- 31. 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: -
- 32. 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.
- 33. 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.
- 34. 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:

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

## **Right of Appeal**

37. Schedule 5 Part 1 Paragraph 8 of the Licensing Act 2003 gives a right of appeal which states:  
Review of premises licence.
  - (1) This paragraph applies where an application for a review of a premises licence is decided under section 52.
  - (2) An appeal may be made against that decision by
    - (a) the applicant for the review
    - (b) the holder of the premises licence, or
    - (c) any other person who made relevant representations in relation to the application
  - (3) In sub paragraph (2) "relevant representations" has the meaning given in section 52(7).
38. 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**

39. 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**

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

## **Appendices**

- Appendix 1 – Application Form for Review
- Appendix 2 – Copy of Current Premises Licence
- Appendix 3 – Warning Letter
- Appendix 4 – Public Representations
- Appendix 5 – Letters of Support
- Appendix 6 – Relevant pages of the Section 182 Guidance Background papers

## **Background papers**

None identified

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

## **DPS – Designated Premises Supervisor**