



Notice of Meeting of

LICENSING SUB-COMMITTEE

Monday, 19 June 2023 at 10.00 am

**Council Chamber, Council Offices, Cannards
Grave Road, Shepton Mallet BA4 5BT**

All Somerset Council Members are requested to attend.

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticservicesteam@somerset.gov.uk

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticservicesteam@somerset.gov.uk by **5pm on Tuesday, 13 June 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by David Clark on Friday, 9 June 2023

AGENDA

Licensing Sub-Committee - 10.00 am Monday, 19 June 2023

- 3 Objection Notice received in respect of Bath Rugby Limited, Farleigh House, Farleigh Hungerford, Bath, BA2 7RW (Pages 5 - 16)**

Please find attached additional documentation to the application for a premises licence for Bath Rugby Limited Farleigh House, Farleigh Hungerford, Bath, BA2 7RW

- 4 Procedure to be followed when considering Licensing Applications under the Licensing Act 2003 (Pages 17 - 20)**

Please find attached the procedure to be followed when considering licensing applications under the Licensing Act 2003 (the incorrect procedure was included in the original agenda pack).

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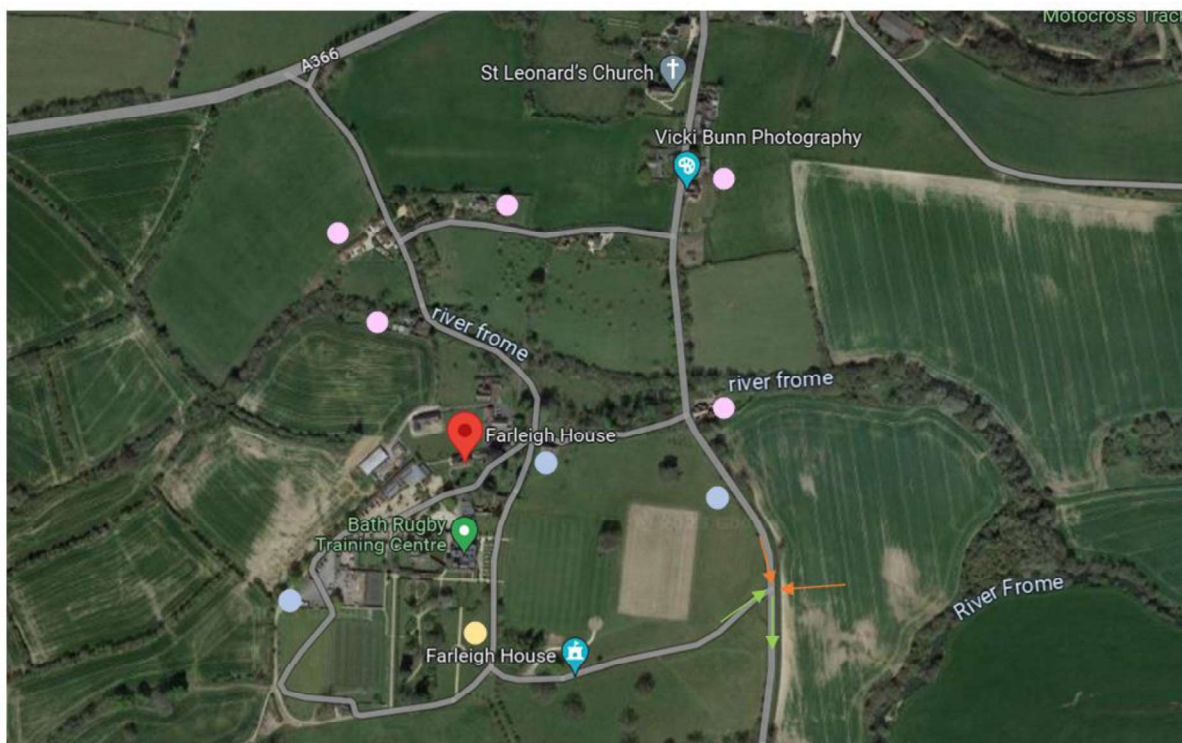
APPENDIX 1

Map of Farleigh House:

Showing entrance and exit routes.

Proximity of neighbours (further demonstrated in Appendix 2).

Marquee location within the Farleigh House grounds, on the opposite side of the grounds to the neighbouring properties.



Key

- Location of marquee ●
- Location of noise sensitive properties ●
- Entrance to Farleigh House →
- Exit to Farleigh House →
- Predetermined locations on boundary ●

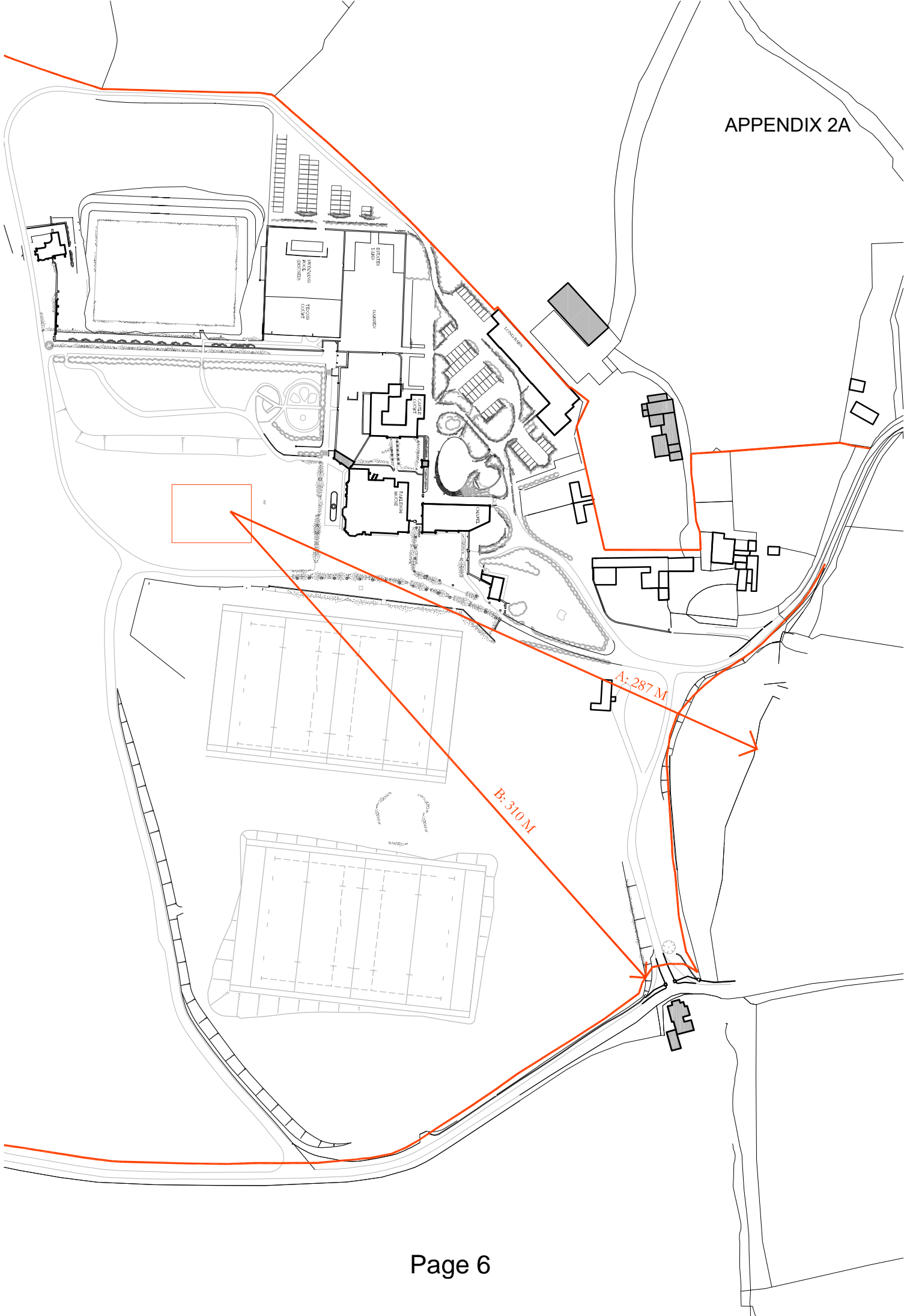


Image 1 – Proposed marquee location



Image 2 – Proposed marquee location



Image 3 – Proposed marquee location



Image 1 - Entrance into Farleigh House



Image 2 - Entrance into Farleigh House from the road



Image 3 - Exit from Farleigh House



Image 4 - Looking up Tellisford Road from entrance, where traffic will be directed on exit of an event



Noise Management Plan

We acknowledge that we have a responsibility to ensure that our premises do not generate unreasonable noise-disturbance. The purpose of this plan is to detail the procedures to ensure, as far as possible, the minimisation of disturbance to local residents by activities in and around music playing at the premises.

Whilst these measures do not constitute conditions on the Premises Licence they are implemented as standard procedures, in conjunction with relevant licence conditions, to ensure that effective controls are in place at the premises.

We want to ensure that whilst our guests enjoy their visit, any entertainment provided does not cause any noise disturbance.

Component	Noise Management Plan - Measures in place / to be taken
Inside Music	<p>When music is played inside the property, wherever possible doors and windows will be closed.</p> <p>The premises licence holder and or DPS will monitor audio levels to minimise disturbance at noise sensitive locations.</p> <p>We will work with specialist and experienced contractors; we will ensure only our list of approved suppliers are used when sound equipment is operated inside Farleigh House.</p>
Outside (Marquee) music	<p>Working with specialist and experienced contractors, we will ensure only our list of approved suppliers are used when sound equipment is operated inside a marquee.</p> <p>The marquee and stage within the marquee will be positioned as shown in the appended site plan in APPENDIX 1.</p> <p>The marquee will be located behind Farleigh House with the property located in between the marquee and sensitive receptors to the North.</p> <p>Any music/PA system will always be focussed in a South-Westerly direction, away from noise sensitive receptors to the North.</p> <p>During sound check, the DPS/duty Manager will tour the boundary of the premises and listen at pre-determined points as marked on the map in APPENDIX 1 and noise levels taken to record the sound levels.</p> <p>If the music is audible at a level that in their opinion could cause noise disturbance at the nearest residential premises, they will inform the band/DJ and a further check will be carried out until a level is reached where the DPS/PLH deems a nuisance will not be caused from the music.</p> <p>A further check will be carried out by the Designated Premises Supervisor at the designated points at the start of the entertainment to ensure the agreed levels are maintained and any required adjustment is made</p> <p>Any change in entertainment, such as new band or change of DJ and a further check will be carried out.</p> <p>If the DPS suspects that levels have been increased, a further check will be undertaken at the designated points.</p> <p>The event will monitor audio levels to minimise disturbance at noise sensitive locations.</p>

	<p>Assessments will be taken in immediate proximity to the nearest local residents' property, or any other noise sensitive location made known to the event.</p> <p>Bands and DJs are to be told prior to playing that the DPS/PLH has complete discretion over noise limits and levels.</p> <p>If they do not turn down on request, the manager will instruct them to stop playing.</p>
Deliveries and collections	<p>Deliveries will take between the hours of 09:00 – 18:00.</p> <p>The delivery location is on the opposite side of the grounds and house to the local residents.</p>
Smoking shelters, external seating and eating areas	<p>There will be designated smoking areas on site in close proximity to the location of the main event meal</p>
Refuse and recycling bins, barrels, bottles and stores	<p>Recycling and refuse will be carried out in the morning, not late in the evening.</p>
Complaints	<p>A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.</p> <p>Any complaints received as to noise levels will be immediately dealt with by the DPS/Manager with a further check of noise levels at the pre-determined points and if it is deemed that the noise levels are excessive then the artist/DJ will be asked to turn the sound level down to an acceptable level. All of this will be recorded within the incident book.</p>
Noise Complaints	<p>The PLH recognises that noise complaints should be dealt with effectively. Most complaints will be dealt with informally by the organisers. It is expected that complaints will be directed to the DPS/Manager via the dedicated telephone number.</p> <p>Upon receipt of a complaint, the PA contractor will dispatch a member of the team to the complainant address. The PLH will monitor the noise level and assess whether it is in breach of the volunteered conditions above.</p> <p>If a breach has occurred, the operative will communicate with the DJ/ band who will reduce noise levels to within the specified limits.</p> <p>All attendance at complainant properties will be recorded.</p>

Traffic Management Plan

We acknowledge that we have a responsibility to ensure that our premises do not generate unreasonable traffic-disturbance. The purpose of this plan is to detail the procedures to ensure, as far as possible, the minimisation of disturbance to local residents by activities in and around traffic arriving at and departing from an event at our venue.

Whilst these measures do not constitute conditions on the Premises Licence they are implemented as standard procedures, in conjunction with relevant licence conditions, to ensure that effective controls are in place at the premises.

Component	Traffic Management Plan - Measures in place / to be taken
Customers & Car Parks	<p>Signage will be erected emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos.</p> <p>A preferred list of responsible taxi companies will be shared with all guests prior to their event and we will deploy car park attendants to potential 'loitering' locations on the perimeter of the grounds.</p> <p>What3Words location will be shared with all taxi companies instead of post code, dedicated to our exact location. This is a dedicated location-based technology designed for increased accuracy.</p>
Vehicles arriving to site	<p>What3Words location will be shared with all taxi companies and the client instead of post code. This is a dedicated location-based technology designed for increased accuracy.</p> <p>Entrance & Exit routes to the property will be shared with the client ahead of the event.</p> <p>Dedicated coach & minibus parking located in the southwest of the estate – the opposite side of the House to any neighbouring properties.</p> <p>Entrance to the site by all vehicles will be monitored by a dedicated parking attendant.</p> <p>Event signage will be erected to guide guests around the site to ensure they use the correct entrance route.</p>
Vehicles exiting the site	<p>To reduce traffic exiting the site via the existing 'one way system' (something created with the local residents and implemented by Bath Rugby), all event traffic will be directed to exit the site via the current entrance and encouraged to turn right out of the property, towards Rode on the Telisford Road.</p> <p>Members of the event team will be positioned at specific locations on the perimeter of the property to direct traffic through the correct entrance & exit routes.</p> <p>Event signage will be erected to guide guests around the site to ensure they use the correct exit route.</p>

Procedure to be followed when considering Licensing Applications under the Licensing Act 2003

1. The Chair will open the Hearing and introduce the Sub-Committee and Officers. They will then ask each Party to introduce themselves.
2. The Chair will confirm that if a Party is not present their representation/application will be read and taken in to account in reaching the decision.
3. The Chair will address any registerable interest arising under the Code of Conduct.
4. The Chair will consider any submitted requests from a Party for permission for another person to appear at the Hearing. If necessary, the Sub-Committee will retire to deliberate before making a decision.
5. The Chair will confirm that the Hearing will take the form of a round-the-table discussion led by the Sub-Committee in accordance with this procedure. If all Parties present confirm that they have seen and understood the procedure to be followed at the Hearing and agree that they are ready to proceed then the Hearing shall commence.
6. The Chair will remind everyone that the purpose of the Hearing should be borne in mind at all times i.e.

To enable those with a right to appear, to amplify their written application or representation. It is also to assist the Sub-Committee to gather evidence and understand the relevant issues.

7. The Chair will confirm what advance papers have been received and that these have been read.
8. The Chair will make clear that all Parties should only address the Sub-Committee in relation to matters they have raised in their application/representation. Any Party wishing to submit late evidence at the Hearing will only be able to do so with the consent of all Parties present and with the consent of the Sub-Committee.
9. The Chair will confirm whether all Parties have seen and understood the procedure to be followed and are ready to proceed with the Hearing.

10. The Chair will ask the Applicant whether they wish to make any amendments to their application with a view to addressing any issues raised by representations.

11. Order of Oral Presentation

- (a) The Licensing Officer will present their report outlining the details of the application/notice/representations received.
- (b) Any Party may question the Licensing Officer.
- (c) The Members may question the Licensing Officer.
- (d) Responsible Authorities will present their case and call any witnesses.
- (e) Any Party may question the Responsible Authorities and any witnesses.
- (f) Members may question the Responsible Authorities and any witnesses.
- (g) Other Person(s) will present their case in turn and call any witnesses.
- (h) Any Party may question the Other Person(s).
- (i) Members may question the Other Person(s).
- (j) The Applicant/Licence Holder will present their case and call any witnesses.
- (k) Any Party may question the Applicant/Licence Holder and any witnesses.
- (l) Members may question the Applicant/Licence Holder and any witnesses.

The Chair at their discretion, may change the order of oral presentation at any stage, if it is considered to be beneficial to the flow of the hearing.

12. Before moving on to the next Party, the Chair will check there are no further points the current Party wishes to make or any further questions that need to be put to that Party.

13. The Licensing Officer may present any further information such as proposed non-mandatory Conditions deriving from the Operating Schedule or suggested by any Party. However, it will remain for the Sub-Committee to determine what conditions will apply, if any, should the application be successful.

14. Each Party will be invited to make closing submissions in the following order –

- a. Responsible Authorities
- b. Other Persons
- c. The Applicant
- d. Licensing Officer

15. The Chair will then close the Hearing and the Sub-Committee will retire to determine the matter. The Legal Advisor will retire with the Sub-Committee to answer any points of law.

16. The Sub-Committee will come to a decision which will be sent to the Applicant and all other relevant Parties together with the details of the right to appeal.

NOTE:

In producing this procedure the following has been considered: -

The relevant legislation and statutory guidance together with local policies and procedures.

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