
Representations against the Grant of a Premises Licence under the Licensing Act 2003

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Applicant: Bath Rugby Limited

Premises Name: Farleigh House

Premises Address: Farleigh House, Farleigh Hungerford, Bath, BA2 7RW

Introduction

- 1 An application was submitted for the grant of a premises licence by Bath Rugby Limited, on 25th April 2023. The application can be found at Appendix 1, the plan can be found at Appendix 2 and proposed conditions from the operating schedule can be found at Appendix 3. The application is for the sale by retail of alcohol, the provision of regulated entertainment and the provision of late-night refreshment. The timings for the licensable activities applied for can be found below.
- 2 Farleigh House is a Grade II listed 18th century country house standing on a 135-acre estate and is primarily used by Bath Rugby Club as their headquarters and an elite level training facility. The premises has undertaken a major refurbishment and the applicants are now looking to host weddings, private parties, and corporate events. Farleigh Hungerford is a village within the parish of Norton St Philip in the Somerset Council area, 8 miles north of Frome.

Licensable Activities

Licensable Activity	Days	Start Time	Finish Time
Supply of Alcohol	Sunday - Thursday	10:00	23:00
Supply of Alcohol	Friday & Saturday	10:00	01:00
Regulated Entertainment	Friday & Saturday	10:00	01:00
Late Night Refreshment	Friday & Saturday	23:00	01:00

Reason for referral to Licensing Sub-Committee

- 3 A total of 34 representations were received that relate to all four of the Licensing objectives. A site visit took place on the 12th of May, a Licensing officer was present, along with 3 representatives of Bath Rugby, several local residents and two Ward Members. A second meeting between the applicant and local residents took place on the 16th of May. No agreement was forthcoming from these meetings therefore representations were submitted. These have been considered relevant and the matter is for the Licensing Sub-Committee to determine.

Relevant Observations

- 4 Whilst there have been 34 representations made, several of them are of a similar nature and an overview of these representations can be found at Appendix 39. There have been concerns / points raised in relation to Planning but these would be deemed not relevant as Planning and Licensing act independently of each other. It is the responsibility of the premises to ensure they are compliant with both Licensing and Planning conditions. No representations have been made by any Responsible Authority.
- 5 A map showing the premises location and nearby properties that have made representations can be seen at Appendix 40.

Legal Implications

- 6 **The Live Music Act 2013 and the Legislative Reform (entertainment licensing) order 2014**

Live and Recorded Music is deregulated between 08:00 and 23:00 on premises authorised to sale alcohol on the premises, subject to a maximum audience of 500 persons.

The Licensing Authority has the power to remove the exemptions but only if and when it carries out a formal Review of the Premises Licence.

Decision Making Process

- 7 The Sub-Committee must consider this application on its own merits and from the information contained within the application and this report.

Members are reminded that the duty of the Licensing Authority is to take steps necessary to promote the licensing objectives in the interests of the wider community, the Licensing Objectives, as follows:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

In its decision-making process, the Licensing Sub-Committee must have regard to:

- Licensing Act 2003, and subsequent amendments
- The Statutory Guidance issued under Section 182 of the Licensing Act 2003.

- Somerset Council's Statement of Licensing Policy. The policy is available on request and from the Somerset Council website [Licensing Policies and Policy Consultations \(somerset.gov.uk\)](http://somerset.gov.uk)

The options available to the committee are as follows: -

- Grant the application with no modifications, and only attach conditions as required by the 2003 Act. These shall include mandatory conditions and conditions consistent with the operating schedule.
- Grant the application, modified to such an extent as the Licensing Authority considers appropriate for the promotion of the Licensing Objectives
- Refuse the application, giving reasons for its decision.

Should the Committee be mindful to attach conditions to the licence, they must only do so if they are:

- Appropriate, necessary, and proportionate
- Precise, clear, and unambiguous
- Practical, realistic, and enforceable
- Non-duplicative of existing statutory requirements or offences
- Modern and fit for purpose.
- Consideration must also be given the number of conditions being attached.

The Licensing Authority recognises that most Licence Holders seek to follow the law and any enforcement action will normally follow a graduated approach and in the first instance will include education and support. Where licence holders continue to flout the law or act irresponsibly firm action will be taken.

Right of Appeal

- 8 All relevant parties to the decision of the Licensing Authority have the right of appeal to Magistrates Court, in connection with this matter. This must be done within 21 days of being notified in writing of the relevant decision.

Appendices

- 9 Appendix 1 – Application for the Grant of a Premises Licence
 Appendix 2 – Plan of the Premises
 Appendix 3 – Proposed Conditions from Operating Schedule

Representations

- Appendix 4 – Catriona Murfitt representation
 Appendix 5 – Charlotte Bright representation
 Appendix 6 – Matthew Bright representation
 Appendix 7 – Andrew Ralston representation
 Appendix 8 – Michael Smith representation
 Appendix 9 – Anna Fraenkel representation
 Appendix 10 – Nicola Harrill representation
 Appendix 11 – Roy Harrill representation
 Appendix 12 – Janet Thomas representation
 Appendix 13 – Lord Ian MacLaurin representation
 Appendix 14 – Paula MacLaurin representation
 Appendix 15 – Stephanie Campbell representation
 Appendix 16 – Linda Eastment representation
 Appendix 17 – Rex Eastment representation

Appendix 18 – Beryl Fraenkel representation
Appendix 19 – Molly Schlenker representation
Appendix 20 – Peter Schlenker representation
Appendix 21 – Simon Hill representation
Appendix 22 – Nadia Hill representation
Appendix 23 – Deborah Allen representation
Appendix 24 – Robin Allen representation
Appendix 25 – Katherine Allen representation
Appendix 26 – John Davidson representation
Appendix 27 – Virginia Davidson representation
Appendix 28 – Allegra Hill representation
Appendix 29 – Romilly Hill representation
Appendix 30 – Cllr Adam Boyden representation
Appendix 31 – Norton St Philip Parish Council representation
Appendix 32 – Nick Shipp representation
Appendix 33 – Duncan Chadwick representation
Appendix 34 – Ian Steuart Fotheringham representation
Appendix 35 – Laura Steuart Fotheringham representation
Appendix 36 – Sarah Neill representation
Appendix 37 – Dilys and Terry McKechnie representation

Supporting documents

Appendix 39 – Overview of representations

Appendix 40 – Map showing nearby properties

END OF REPORT