

REPRESENTATION FORM

OTHER PERSON (Person/Body)

Your Name/Company Name/Name of Body you represent	Beryl Fraenkel
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	Bath Rugby Limited (BRL), Farleigh House
Address of the premises you are making a representation about	Farleigh House, Farleigh Hungerford, Bath, BA2 7RW

The recently implemented Police Reform and Social Responsibility Act 2011 has removed the term '*interested party*' from the Licensing Act 2003 '*the Act*', to be replaced by the term Other Person.

Other persons

An other person for the purposes of the 2003 Act means the following (as per section 13 of the 2003 Act):-

- (a) *persons who live, or are involved in a business, in the relevant licensing authority's area*
- (b) *a body representing persons who live in the relevant licensing authority's area*
- (c) *a person involved in a business in the relevant licensing authority's area*
- (d) *a body representing persons involved in such businesses,*
- (e) *a member of the relevant licensing authority.*

Furthermore the 'vicinity' test has also been removed from 'the Act'. It is for the objector to evidence how they would be affected by the presence of the trading of the business in question. The terms vicinity and interested persons are still referred to within the Mendip District Council Statement of Licensing Policy and should be disregarded.

Please detail the approximate distance between yourself and the premises applying for a licence	0.7miles to Licensable Area and about 0.5miles from Farleigh House
Your representation must relate to one of the four Licensing Objectives. Please detail	Please detail the evidence supporting your representation and the reason for your representation. (Please use separate sheets if necessary)
TO PREVENT CRIME AND DISORDER	Any crime, disorder or anti-social behaviour at the premises or related to the management of the premises is the responsibility of BRL. However, it is unlikely that BRL, particularly in the relation to a 200 guest wedding event, would be able to properly control such large numbers when they have been drinking alcohol over many hours. Furthermore, there is the very real risk of guests driving away from the venue along the very narrow, dark lanes, having consumed too much

	<p>alcohol. Without prejudice to this objection, we consider that disorder or anti-social behaviour would be less likely to occur if the sale of alcohol was restricted to no later than 2300 hours on the premises. No person should be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.</p>
<p>PUBLIC SAFETY</p>	<p>Public safety is a major concern. It is not unreasonable for the Council, as local highway authority, to take into account the wider public in the vicinity of the licensable area. This is a rural, countryside location, and the holding of events for up to 200 guests would significantly increase traffic arriving and leaving in 'surges'. Most people will be unfamiliar with the area and will find themselves using a part of the local highway network that is narrow, single carriageway, with blind bends, no footways or provision for non-motorised transport modes, walking and cycling.</p> <p>The premises are served by an unsuitable highway network that is incapable of safely accommodating this extra traffic. The road to Farleigh House forms part of the Macmillan Way an established walking path and is on the Wiltshire cycle route from Bradford-on-Avon to Mere and is much used by walkers. There is a very real risk of injury</p> <p>There have already been a number of safety issues experienced by local residents caused by:</p> <ul style="list-style-type: none"> • The number of vehicles visiting Farleigh House, especially at peak arrival times • Vehicles visiting Farleigh House other than via the recommended one way system, specifically those approaching via Church Farm Lane, in particular delivery vehicles • The confusion arising from satnav systems directing visitors via narrow lanes rather than the main Tellisford Road • Excess speed and poor driver behaviour along neighbouring lanes • The area in front of East Lodge becoming a car/ taxi dropping off and pick up area.
<p>TO PREVENT PUBLIC NUISANCE</p>	<p>Public nuisance is also a major concern. The application seeks to introduce a late-night entertainment venue into a quiet rural location. Farleigh Hungerford, Farleigh House and the countryside are all situated where, apart from the shouts from the rugby training ground and related noise (e.g. car doors slamming), passing traffic is normally the only interruption to the tranquillity which pervades this locality apart from long-established sounds of the countryside and farming activities.</p> <p>The conditions attached to the current planning permissions which relate to BRL and its activities are all designed "to safeguard the living conditions for occupants of neighbouring properties". The proposed hours of operation go far beyond that which is permitted under those planning conditons.</p> <p>The sound emanating from the premises holding events is bound to be audible within the neighbouring properties. Music being played along with the sound of revellers, late into the evening 7 days a week would cut through the tranquillity of the area, supported by the prevailing winds and topography.</p>

	<p>Noise, disturbance and nuisance would also arise from the arrival and departure of guests, which would extend beyond the 1.00am, and then be followed by the departure of staff and suppliers so likely to extend to between 1.30am and 2.00am at best, further disturbing local residents and their sleep, after the first “surge” of departures. Late evening movements would amount to an unaccustomed level of traffic at what is likely to be an otherwise exceptionally quiet time, and we have no doubt that it would seriously disturb the sleep of local residents, the quality of life and the tranquillity of the area. Floodlighting around the proposed marquee and around the grounds simply adds to light pollution, ruining “dark skies”, drawing attention to the activities and causing visual as well as audible/noise nuisance.</p> <p>For all of these reasons the living conditions of the neighbouring residents would be unacceptably harmed by reason of noise, disturbance and public nuisance. This would be late into the evening and early morning when local residents would not unreasonably expect a quiet night-time environment so they can sleep, rest and enjoy an undisturbed night. Nuisance would be caused by the use of the House, event spaces and associated outside areas, local roads and drop-off/pick-up areas. This combined with the incessant frequency of events and large numbers of guests involved would be intolerable for residents and cannot be satisfactorily mitigated or controlled by BRL.</p>
<p>THE PREVENTION OF HARM TO CHILDREN</p>	<p>Whilst this refers to protecting children from activities on the premises, again, we do not think it is unreasonable for the Council, as highway authority, to take into account excessive traffic along lanes where the houses are a matter of feet from the road, making children vulnerable to road traffic injury.</p>

<p>Suggested conditions that could be added to the licence to remedy your representation, or other suggestions you would like the Licensing Sub Committee to take into account</p>	<p>Attendees should be limited to that allowed by the current planning permissions ie 50. There should be no music outside of the main building and even that should be properly assessed and controlled by metering at regular intervals.</p>
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Generally if there is to be hearing to determine the premises licence (or club premises certificate) application, the Councillors will only be able to consider matters that have been previously disclosed. No new evidence can be introduced at the hearing. It is therefore imperative that you detail all matters that you wish to be considered on this initial representation. (Please attach additional sheets if necessary).

If you do make a representation you will be expected to attend the Licensing Sub Committee and any subsequent appeal proceeding.

All representations in their entirety, including your name and address, will be disclosed to the applicant for the premises licence.

Signed: B.J.M Fraenkel
Date: 20 May 2024

emailed on behalf of Mrs Frankael by Catriona Murfitt

Please return this form along with any additional sheets to: The Licensing Department, Mendip District Council, Cannards Grave Road, Shepton Mallet. BA4 5BT. Or email to licensing@mendip.gov.uk
This form must be returned within the Statutory Period, which is generally 28 days from the date the notice was displayed on the premises or the date specified in the Public Notice in the newspaper. Please contact the Licensing Department to confirm this date.