

**REPRESENTATION FORM**

**OTHER PERSON (Person/Body)**

Your Name/Company Name/Name of Body you represent	Somerset Councillor Adam Boyden, Frome North division
Postal and email address	[REDACTED]
Contact telephone number	[REDACTED]

Name of the premises you are making a representation about	Farleigh House
Address of the premises you are making a representation about	Farleigh Hungerford, Somerset 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	N/A
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)

<p>TO PREVENT CRIME AND DISORDER</p>	
<p>PUBLIC SAFETY</p>	<p>Traffic from the up to 200 proposed guests at the events, as well as events staff, would potentially leave the site by vehicle after 1am on event days. The number of vehicles likely travelling along the local narrow country lanes late at night or in the early hours of the morning has the potential to present road safety concerns if potential speeding and poor driver behaviour (which has been observed by residents in the past) is considered, along with the derestricted speed limit of Tellisford Road and other lanes. As no Traffic Management Plan or Travel Plan has been submitted with the application, again the potential traffic-related impacts and the ability to mitigate or control these cannot be objectively assessed, and residents have had to assume the worst case level of disturbance. Consideration might be given in any future Travel Plan to reducing local speed limits, formalising the informal one-way system between the A366 and Farleigh House, and introducing traffic calming measures and improved signage.</p>
<p>TO PREVENT PUBLIC NUISANCE</p>	<p>I have met with the applicants and concerned residents and parish councillors about this application, including on site. Although Farleigh House and its immaculately landscaped grounds is a stunning potential future venue, I wish to object to this application due to the potential for public nuisance to arise. I have seen objections from a large number of nearby residents, which raise reasonable points, highlighting the potential for public nuisance to arise from the proposed licensed activities. My concerns include the following issues relating to potential public nuisance:</p> <ol style="list-style-type: none"> <li>1. Noise from live music and recorded music up to 1am (or 1230am as may have been volunteered by the applicants), which may include music in an outdoor marquee, which has the potential to disturb and prevent sleep in what is otherwise a very quiet rural area. As no noise survey or assessment or Noise Management Plan have been submitted it is not possible to objectively assess the likely noise nuisance for residents or any measures necessary to mitigate or control this such as noise level limits and monitoring measures. Therefore residents have made representations based on their lived</li> </ol>

	<p>experiences with the Club’s activities at Farleigh House in the last few years, and have assumed worst case impacts.</p> <ol style="list-style-type: none"> <li>2. Traffic from the up to 200 proposed guests at the events, as well as events staff, would potentially leave the site by vehicle after 1am on event days. The number of vehicles likely travelling along the local narrow country lanes late at night or in the early hours of the morning has the potential to cause noise and physical disturbance to nearby residents living along these lanes, and concerns about taxis and other vehicles stopping outside nearby residential properties to await their passengers in the early hours. As no Traffic Management Plan or Travel Plan has been submitted with the application, again the potential traffic-related impacts and the ability to mitigate or control these cannot be objectively assessed, and residents have had to assume the worst case level of disturbance. Consideration might be given in any future Travel Plan to reducing local speed limits, formalising the informal one-way system between the A366 and Farleigh House, and introducing traffic calming measures and improved signage.</li> <li>3. The application proposes an almost unlimited number of events/event days per year, although the applicants have helpfully now volunteered to limit the events to 15 in 2023 and 50 in 2024. However no assessment has been undertaken of the impacts of this number of events on the potential nuisance for nearby residents, for noise or traffic as above. I would expect some form of assessment to have been submitted.</li> <li>4. The potential for lighting to cause a visual disturbance, if lighting is used outside during events, cannot be discounted in the absence of an assessment.</li> <li>5. The proposed hours in the application (even if as may be amended) are much later than currently allowed for the two main planning permissions in 2010 and 2016 for Bath Rugby’s HQ and rugby training facility and as a corporate training venue. These include planning conditions that restrict uses and outdoor activities at the site ‘in the interest of safeguarding the living conditions’ of the residents of nearby properties, and indicate the sensitivity of the area to new uses that generate noise and visitor activity. I understand that the site may not yet benefit from planning permission for use as a wedding or events venue, and may require a new planning application for a material change of use to authorise this under the planning system, and that this issue is being reviewed by the Council’s planning enforcement team separately. However, although the planning status of the site is separate from the licensing system, I understand the Council’s Licensing Policy does allow (para 3.6.2) for non-compliance with other statutory requirements to be taken into account in reaching a decision on a licensing application, if relevant representations are received. Please can you confirm that a representation has been requested and received from the Council’s planning / enforcement team/s on this important and relevant matter.</li> </ol> <p>It is also a concern that the applicants are already advertising the House as a licensed wedding venue available for hire in 2023 on several websites, and on their website as being ‘available for private</p>
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	hire, we can host ... weddings of any size', which would potentially exceed the 200 guest limit proposed. Confirmation is therefore needed as to the applicant's intentions for the size of events.
THE PREVENTION OF HARM TO CHILDREN	The above potential nuisance and safety risks are relevant to children insofar as several children are known to live in the nearest properties to the property, from which objections/ representations have been made.

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	Potential controls and monitoring as set out above for noise and traffic which could be included in a Noise Management Plan and Travel/ Traffic Management Plan, but have not been submitted.
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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: 

Date: 23/5/2023

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](mailto: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.**

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