

REPRESENTATION FORM

OTHER PERSON (Person/Body)

Your Name/Company Name/Name of Body you represent	Ian Steuart Fotheringham
Postal and email address	
Contact telephone number	

Name of the premises you are making a representation about	Farleigh House
Address of the premises you are making a representation about	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	270m from Farleigh House, with direct line of sight to/from the main house and the proposed marquee area (see below pictures on pages 7 and 8)
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	
PUBLIC SAFETY	Traffic Safety

	<p>The access route to Farleigh House is on narrow country lanes, that are single-track in a number of places and which go past many of the houses where people live. As such, they are not suitable for large volumes of traffic on a regular basis.</p> <p>There is currently a 60mph speed limit on the road that runs from the junction with the A366 to Tellisford, which means cars often coming bombing down the road, which is noisy but also dangerous.</p> <p>My wife and I have two young children (as do a number of other families in the village) and we like to be able to go for family walks on the country lanes, though are mindful of the danger presented – especially to our children - by vehicles on the road.</p> <p>If this licence were to be granted, it would cause a huge increase in traffic volume through the village along these rural roads, increasing the road danger substantially. This is especially the case as – unlike the rugby players and staff at Bath Rugby - lots of those driving wouldn't know the roads.</p> <p>Lots of cyclists and walkers (walking along the Macmillan Way) make use of these small rural roads so it's not just the residents who would be affected but many others too.</p>
<p>TO PREVENT PUBLIC NUISANCE</p>	<p>Our family (my wife, two young children and I) value greatly the peace and quiet of this small rural village. If this application were to be granted for this new wedding and events business at Farleigh House, the scale and regularity of what they are proposing would lead to a huge increase in traffic and noise, which would compromise significantly our quality of life here.</p> <p>Taxi pick-ups and drop-offs (& accompanying noise from guests leaving the site):</p> <p>Our house (along with Chestnut Court and others) shares a postcode with Farleigh House. The result of this is that sat nav will often bring people here (to directly outside our house) when they are aiming to get to Farleigh House. This currently means that there is sometimes taxi pick-up and drop-off immediately outside our property, which already causes a nuisance.</p> <p>If the licence application were to be granted, it would likely lead to large numbers of guests at weddings and other events being dropped off or picked up from directly outside our house, often very late at night.</p> <p>Given that many of these taxi pick-ups will be after weddings at eg 1.30am on a Saturday or Sunday morning, many of the guests waiting are likely to have drunk quite a bit of alcohol, to the extent that they won't be talking as quietly as they think they are. This noise, in addition to the taxis' engine noise and opening and shutting of car doors, would likely wake my wife, young children and me on a regular basis. This would cause a <u>major nuisance every time an event is held</u>, in addition to all the likely taxi drop-offs during the day (plus caterers/suppliers getting lost etc).</p>

The applicant has suggested posting marshalls at road entrances etc for the duration of the event as mitigation, but having a marshall stationed directly outside our house all day and night whenever there is an event would be a regular and unwelcome invasion of our privacy (especially given that because the level of the ground floor of our house is below the road, it means anyone standing there has a clear view into the sitting room of our house, which would mean either we have to tolerate the lack of privacy or have to close the shutters when using the room, neither of which would be particularly satisfactory).

Hugely increased traffic (including late at night):

In addition to our immediate concerns about taxi pick-ups and drop-offs, events for up to 200 people would cause a huge increase in the volume of traffic on the small country lanes in our village - lots of which would be late at night - causing significant noise disturbance as well as increased road danger as mentioned above.

Not only would it be 200 guests arriving and then later leaving again each time (and then many returning again in the morning to collect their cars), but also all the connected caterers, suppliers, marquee companies other staff, etc.

For example:

200 guests arriving

200 guests departing

75 of those guests returning to collect cars

75 of those guests departing again in their cars

50 connected suppliers and staff arriving

50 connected suppliers and staff departing

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650 arrivals and departures generated by just ONE event. Even if you allow for more than one person per car, this would still result in a steady stream of vehicles whenever there is an event.

Currently, the planning conditions in place protect our evenings, weekends and bank holidays from the traffic generated by Bath Rugby's training etc, but it would be a very different and unwelcome picture for the neighbourhood if this licence application were to be approved.

Hugely increased noise (including late at night):

With Farleigh House only 270m from our house and in direct line of sight, it is highly likely that any amplified music being played in a marquee would carry to us very clearly on still (and formerly peaceful) summer evenings.

In addition to amplified music, it's not hard to imagine other noise concerns including the potential for fireworks, as well as the other noise issues mentioned already (the general traffic noise, noise from taxi pick-up and drop-off and guests making a lot of noise while leaving).

To top it all, the company's website mentions samba drums on the lawn and helicopter arrivals! That's a measure of how much thought

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has been given to the impact that weddings and other events would have on Farleigh House's immediate neighbours.

It is also worth noting that prior to this, the neighbourhood has experienced noise disturbance issues caused by Bath Rugby/Farleigh House previously already. A few years ago, without consulting anyone locally, Bath Rugby began using a loud air-horn hooter during training sessions and when the neighbourhood politely asked them whether they could please stop using it, the club refused, saying it was an integral part of their training. As a result, Mendip's Environmental Health Officer then had to attend with sound recording equipment to record evidence, which eventually resulted in Bath Rugby being told they must stop using the hooter immediately.

Respect:

It speaks volumes about the level of respect that the applicant has for the local authority and due process that their wedding website is already live and taking bookings (including advertising that they have a licence to sell alcohol), prior to their licensing application being decided, and before they have applied for the necessary planning permission.

It also says a lot about the respect and due consideration that the applicant has for their immediate neighbours that they did not engage in any local consultation before making their application, and furthermore had not included in their plans any suggested mitigations for noise and traffic issues until local residents pointed out that these were concerns at the Farleigh House site visit on 12th May 2023.

If the application were to be approved with conditions, the numerous occasions on which Bath Rugby has breached existing conditions previously seriously calls into question how much importance they will place on complying with any conditions attached to the issue of a licence.

Change of use required?

Finally (and acknowledging that this is predominantly a planning matter rather than a licensing one), while the applicant argues that holding multiple weddings on a commercial basis is part and parcel of (and ancillary to) operating as a rugby club's training ground and headquarters (which was what they were granted permission to use the buildings for in their 2010 planning application), we and many local neighbours would dispute this assertion strongly.

The applicant was given permission to use the venue as a *rugby training ground and headquarters*, under strict conditions to ensure that it didn't have an undue impact on the local neighbourhood. Clear limits were imposed on training hours, to protect evenings, weekends and bank holidays, and permission was granted based on the understanding that it would be a closed site to be used by rugby players and Bath Rugby staff only (which thereby placed a limit on the maximum traffic flow).

To open it up to the general public on a commercial basis, on a significant scale and for an entirely separate purpose in this way is clearly a change of use therefore, and surely begs the question whether it is appropriate to grant a licence in the knowledge that its

	<p>purpose is to carry out something for which the applicant doesn't have planning permission, and which when carried out would constitute a clear breach of their existing permissions.</p> <p>The wedding business is clearly an entirely new business at the same venue, and as it is a material change of use it surely requires the appropriate planning permission to be granted first.</p> <p>Would it be appropriate for the licensing department of the same local authority to knowingly enable a planning breach, when the opportunity is there to wait until the facts of the planning issue can be established clearly first? Even if they are governed by separate pieces of legislation, this surely must have a bearing on the decision.</p> <p>Conclusion In summary, the new business activity would have a major negative impact on the lives of people who live in Farleigh Hungerford.</p> <p>The decision by Farleigh House/Bath Rugby to apply for this licence is a commercial one made with the aim of generating lucrative returns for the club's owner, but seemingly without much concern for the consequences it will have on the local community.</p> <p>After Bath Rugby's staff have left work and gone home for the night - or finished for the weekend - it is us residents living here who would have to endure the noise and traffic generated by these large events.</p>
<p>THE PREVENTION OF HARM TO CHILDREN</p>	<p>Traffic safety Increased risk of harm to our young children walking along the local country lanes (see above).</p> <p>Noise Noise from amplified music/taxi pick-up/guests leaving etc potentially waking our young children up late at night, on a regular basis (which would be detrimental to their general well-being).</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>There are a number of options for conditions that could be put in place to reduce some of the most negative aspects, but they wouldn't be able to fully remedy the problems identified above, so we respectfully ask that that the application be refused.</p> <p>In the instance that the application is granted anyway, the following conditions could be imposed:</p> <p>To address traffic (including late at night):</p> <ul style="list-style-type: none"> All guests to arrive by coach from the centre of Bath (using a designated route via Tellisford), and depart by coach at the end of the event. [All caterers, suppliers etc to use Tellisford route also]. This would remove most of the vehicle traffic + taxis.
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[NB: Bath Rugby offered this option a number of years ago to a prospective bride and bridegroom who were interested in holding their wedding at Farleigh House.]

- Significantly reduce the number of guests allowed at weddings + other events to a maximum of 50 guests, to reduce the number of vehicles using the road.
- The worst impact of the late-night traffic and noise could be reduced by requiring events to finish significantly earlier, eg 10pm.
- Place a limit on the number of events that can be held annually, eg a maximum of 12 events.

To address noise (including late at night):

If they moved the marquee to the west side of the lawn, it would remove the visual impact of line of sight (which would of course be welcome), but that wouldn't address the issue of noise disturbance from amplified music and speeches coming from a marquee.

Instead, a licence could be granted for amplified music indoors only (ie in the main building), which would allow guests to go indoors for dancing etc in the large 'ballroom'/formal drawing room area in the house, but would remove the noise disturbance from amplified music etc outside. If this included a requirement to keep all doors and windows closed, it would prevent the resulting noise that would flow from an open door or window.

Also a condition could be included that no fireworks would be allowed. Bath Rugby's chief executive Tarquin McDonald clarified when asked during the meeting held on 12/05/23 that they did not envisage fireworks as part of their plans in any case.

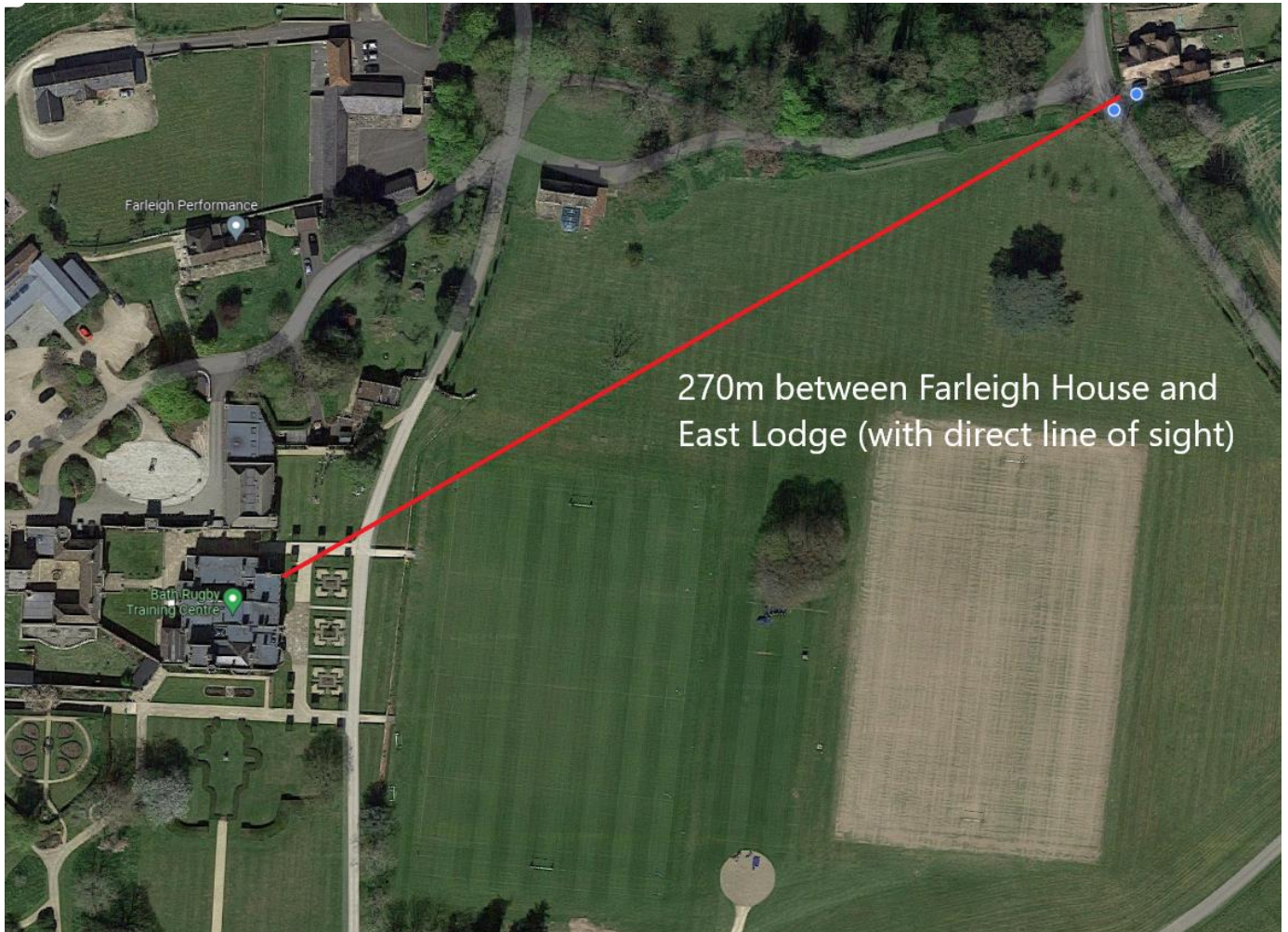
To address taxi pick-ups and drop-offs (& accompanying noise from guests):

The applicant would have to find a way to ensure beyond doubt that there will be no taxi pick-ups or drop-offs immediately opposite our house.

Even if anyone renting the venue told all of their guests, and the applicant made it extremely clear that all pick-ups and drop-offs must happen directly outside the house itself, the majority of taxi drivers and the general public use sat nav and so in practice this would clearly not be an effective solution. We know from experience that lots of taxi drivers get lost and stop outside our house, resulting in lots of pick-ups and drop-offs from here already.

A possible solution would be to require Farleigh House to obtain its own customised postcode, which would then mean all taxis have a specific known location that they would all get to far more easily, and (if used in conjunction with lots of clear, reflective signage that's more easily visible in the dark) would avoid noisy pick-ups and drop-offs from immediately outside our house.

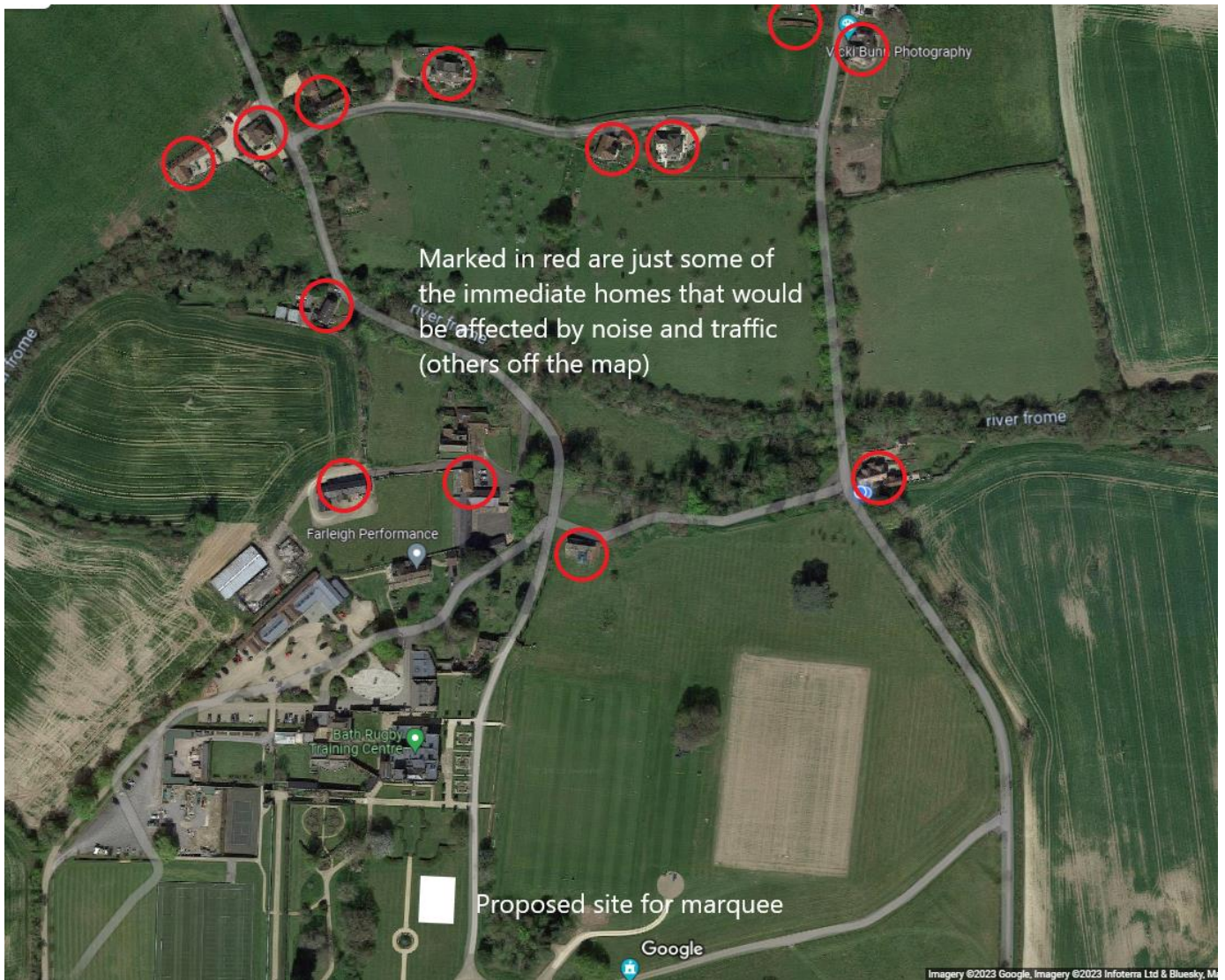
As noted above, having marshalls stationed directly outside our house all day and night whenever there is an event on would be an unwelcome imposition.



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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: 18/05/23

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.