

Charney Bassett Parish Council

Charney Manor

Application for Premises Licence

Residents Meeting (by Skype) – Wednesday 24th March 2021 at 6.30 pm

Meeting Note

31 Attendees – see attached list.

The Chair welcomed everyone to the meeting (see his typed address – separate file). He stressed this was a residents meeting and encouraged all to participate and have their say. He in particular welcomed Richard Brown (RB - VoWHDC Licensing Officer) who had offered to attend to explain the process.

RB advised he was one of four Licensing Officers and would be dealing with the application. He then explained the process that would be followed:

- It is governed by national legislation and not influenced by the need for any other consents e.g. planning permission which, if needed, would be applied for separately;
- The application was received and validated on 5th March;
- VoWHDC had no prior knowledge that the application would be made;
- No requirement to consult anyone but equally anyone is entitled to comment;
- Notices have to be served on specified authorities e.g. Police; OCC Highways;
- No responses have been received yet from any of these authorities;
- The period for representations is 28 days from validation (in this case 2nd April);
- If no representations are received VoWHDC is obliged to issue a licence;
- 2 obvious objections have been received from residents, so the application will be considered by the VoWHDC Licensing Sub-Committee (3 Councillors from across the District);
- Richard presents a report to the Sub-Committee;
- The Sub-Committee has to meet within 28 days of the end of the period for representations;
- Richard's report is not a public document but will be copied to anyone who has submitted comments;
- The report will be sent to those entitled to receive it at least 10 days before the meeting;
- It will confirm names and addresses of any residents who have commented;
- At the Sub-Committee Richard presents his report, the Manor can speak then anyone who has made representations (if they wish);
- If possible, representations making the same point should be made by a nominated spokesperson;
- A decision on the application on the same day as the Sub-Committee meeting. This could be:
 - o Approval as applied for;
 - o Approval with additional conditions that may vary the terms of the approval;
 - o Rejection of the application.
- Within 21 days anyone can appeal against the decision to the Magistrates Court;
- After a licence has taken effect anyone can ask for it to be reviewed. This could lead to:
 - o Continuation of the licence as already approved;
 - o The imposition of extra conditions;
 - o Revocation of the licence.

RB then drew attention to the Live Music Act (LMA) – brought in after the Licensing Act. The LMA provides that where an alcohol licence exists, events attended by no more than 200 people (subsequently corrected: the limit is now 500) are allowed to play amplified live or recorded music up to 23.00 hours any day. Noise is regulated under the Environmental Health Act 1990 and the provisions of statutory nuisance would apply. That said, the LMA exemption can be removed on review.

RB then took a number of questions and provided answers as follows:

- Q. How easy is it to revoke a Live Music Licence?
- A. Quite easy. There is a specific procedure to be followed.
- Q. Can it then be re-instated again?
- A. Yes – on appeal to the Magistrates Court.
- Q. Once granted, can a Licence be sold on if the property changes hands?
- A. Yes, by following the transfer procedure.
- Q. Who would monitor if 20 events a year was exceeded?
- A. One of the proposed conditions requires a written record to be kept of every event.
- Q. When assessing any harm from noise, is the proximity of residential property relevant?
- A. One of the proposed conditions requires that no noise be audible at the property boundary.
- Q. Can music be played within a marquee.
- A. No, only in a building. A marquee is not a building.
- Q. The application form says a building can include a tent. Is this not relevant?
- A. In my opinion a marquee is not a building.
- Q. Have you really only received 2 objections?
- A. I have received others but not yet clear they are objections.
- Q. Is the Manor already able to hold events without a Licence?
- A. Yes, background music would be possible and alcohol would not be able to be served.
- Q. The application does not define what constitutes an event. What qualifies?
- A. Can't really comment. Can put you in touch with the agent for clarification.
- Q. There are no noise levels provided – existing or predicted. Is this unusual in such applications?
- A. Again unclear. Possibly something for the agent.
- Q. What causes an application to be refused?
- A. You need to support any objections with clear evidence.
- Q. If approved, when could the Licence be activated?
- A. Within 28 days of 2nd April when the Licensing Sub-Committee must meet.
- Q. I am definitely objecting, even if you say you think I'm not. I'll write again and make that clear. Is it more important that for more residents to write than for you to hear from the Parish Council?
- A. Yes.

There being no further questions RB left the meeting. He was thanked by the Chair for his time and help.

The Parish Clerk then read out a statement (separate document) that had been received from two of the Manor trustees. He explained that they had wanted to attend but having already spoken at the Parish Council meeting on 10th March had been advised this was unlikely to produce fresh information.

There then followed a discussion amongst residents and the following points were made:

- Only 30 people are allowed in the Solar and the Barn (limited to 50) construction was not built with insulation to mitigate noise;
- It is reasonable to assume that many events will rely on temporary accommodation being erected in the grounds;
- Is the Charity's Constitution compatible with serving alcohol for anything other than an accompaniment to a meal?
- There was a marquee erected on the lawn last September;
- There appears to have been a breakdown in trust between the Manor and Village of late;
- It seems to be important that everyone with a concern should write in and do so in their own individual format;
- Offering to be put in touch with the agent (as suggested by the Licensing Officer) would not be a good move at this stage. In addition, time would make this difficult. The priority should be to get our objections in before the deadline;
- 20 events is just asking for too much;
- Where will cars park (in the sheep paddock presumably?);
- Representations should be evidence based as far as possible. Refer to previous incidents that may have been troublesome; the fact the barn is not insulated against noise; how many properties are affected;
- Whether we like it or not, play it the way the Licensing Officer wants it and make sure you say you are objecting to the grant of a Licence;
- What are we after? Are we objecting to everything or should we just be objecting to the anti-social activities after 23.00 hours?
- For those not in attendance this evening another update to the village would be sensible;
- Worth mentioning the location of comparable facilities. At a guess these are all far more isolated or in more commercial locations e.g. Lains Barn (isolated) and 4 Pillars Oxford. Neither trouble residential property.

The Chair thanks everyone for attending and for their contributions. He confirmed the Parish Council would be making a submission following on from what had been said and that it was clear the village felt this move by the Manor had to be opposed.

Meeting closed at 20.00 hours (1.5 hours).

Trevor Brown
Parish Clerk