

# Decision Notice

## Licensing Act 2003



### Decision of the Council's Licensing Acts Panel held on Tuesday 4 May 2021 regarding an application for a premises licence for Charney Manor, Charney Bassett, Wantage, OX12 0EJ.

#### Reason for Hearing

To determine the application for a premises licence made under section 18 of the Licensing Act 2003, ("the Act") Charney Manor, Charney Bassett, Wantage, OX12 0EJ

#### Evidence

The application was for live and recorded music, late night refreshment and the supply of alcohol. The panel<sup>1</sup> considered the licensing officer's report and accompanying documentation and heard submissions from the licensing officer, the applicant and interested parties. The panel also considered supporting documents submitted by the applicant and a map showing the location of the premises and their layout.

#### Decision

The panel hereby grants the application for a premises licence with the operating hours indicated in the table below, to the extent the panel considers necessary for the promotion of the licensing objectives as follows:

Licensable Activity	Proposed Days and Times
Indoor live music	23:00-00:00 on no more than 20 times a year (any day)
Indoor recorded music	23:00-01:00 on no more than 20 times a year (any day)
Indoor late night refreshment	23:00-00:30 on no more than 20 times a year (any day)
Supply of alcohol (on and off sales)	10:00 (off sales) and 12:00 (on sales) -23:00 seven days a week, and 12:00-00:30 on no more than 20 times a year (any day), and 00:00-23:59 for residents and bona fide guests (any day)
Hours premises are open to the public	09:00-00:00 seven days a week and 09:00-01:30 on no more than 20 times a year (any

<sup>1</sup> Councillors Alison Jenner (Chair), Ron Batstone and Val Shaw

	day), and 00:00-23:59 for residents (any day)
--	---

The licence is granted subject to any mandatory conditions prescribed by section 19 of the Licensing Act 2003 and those contained within the operating schedule.

## Reasons for the Decision

The panel took into account the written and verbal evidence submitted by all parties, the relevant provisions of the Act, the Secretary of State's guidance issued under section 182 of the Act, and the council's licensing policy.

The panel accepted that the licence application had been advertised in accordance with the statutory requirements. The panel noted that the responsible authorities had raised no objections to the granting of the licence as applied for.

The panel noted, through written and verbal evidence, the applicant's intentions for the operation of the premises licence. Verbal and written contributions were received from the applicant. Charney Manor Society of Friends trustees and the operator of the premises provided verbal evidence. These parties expressed a wish to continue as a viable business and to work with local residents prior to any events to minimise potential noise problems. The environmental health officer gave evidence in respect of noise nuisance procedures under the Environment Act 1990.

The panel considered carefully the concerns expressed by 31 local residents and Charney Bassett Parish Council who had objected to the application. These written objections were appended to the published report. Additionally, a late representation from a local resident had been emailed to the committee by the democratic services officer some days before the meeting. The representations from all objecting parties included concerns about car parking issues, the proposed hours of operation, disturbance caused by noise generation as a result of recorded and live music, vehicles leaving the premises after events and possible anti-social behaviour. The Panel considered that a careful monitoring of noise levels at the boundaries of the premises at each of the 20 permitted events would address the concerns regarding late night noise and disturbance, and that this was appropriate to promote the licensing objectives.

The Panel agreed to grant the licence after modifying a condition to the extent that the authority considered appropriate for the promotion of the licensing objectives, namely that Part 16 of appendix B should receive additional text at the end of the paragraph.

The Panel agreed that the condition should be amended to read (amendment shown in **bold**);

"16. Live or recorded music from regulated entertainment shall not be audible at the boundary of the nearest noise sensitive property, so as not to cause a disturbance to local residents. The premises licence holder or his/her representative shall conduct regular assessments of the noise coming from the site on every occasion they are used for regulated entertainment. Appropriate steps shall be taken to reduce the level of noise where it is found to be heard at the boundary of the nearest residential property. **On each occasion of live and recorded music that the organisers shall consult with environmental health to limit the possibility of any additional noise.**"

## Informatives

1. Any party may appeal against the panel's decision (under section 206 of the Act). Any appeal must be to the Magistrates' Court within 21 days of the date of this decision notice. This has to be made in the correct manner, accompanied by the required fee.
2. Responsible authorities, local residents, and ward councillors may request a review of the premises licence if the premises are running licensed activities in such a way as to fail to uphold one of the licensing objectives (prevention of crime and disorder, public safety, prevention of public nuisance, protection of children from harm).

Signed by Councillor Alison Jenner (Panel Chair)

A handwritten signature in black ink, appearing to read 'Alison Jenner', written in a cursive style.

Date 24 May, 2021