

AGENDA SUPPLEMENT (1)

Meeting: Northern Area Licensing Sub Committee

Place: The Large Hall, Calne Town Hall, The Strand, Calne SN11 0EN

Date: Tuesday 30 November 2021

Time: 10.30 am

Matter: Application for a Variation of a Premises Licence made by Venue Catering and Events Ltd in respect of The Pear Tree, Purton, Swindon, SN5 4ED

The Agenda for the above meeting was published on **22 November 2021**. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Kevin Fielding, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01249 706612 or email committee@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

6I **Further submission on behalf of Representation 9 (Pages 3 - 8)**

A further submission has been made on behalf of Representation 9 and this is attached.

DATE OF PUBLICATION: 29 November 2021

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Letter from representation 9, xx Church End, Purton,

date : 25-November 2021

Jemma Price,
Public Protection Officer (Licensing),
Wiltshire Council,
Monkton Park,
Chippenham
WILTS **SN15 1ER**

Noise Nuisance, The Peartree, Purton
Variation Application

Dear Ms. Price,

Further to mine of 07 November, I have only just become aware of the very recent actions of the Applicant, who had clearly become aware of my written submission to the Licensing body, and doubtless those of the other two principal complainants too, from my immediate neighbours at nos. at [REDACTED] Church End. The Applicant has sought to make personal contact with my wife and I as the residents of [REDACTED] Church End. He has actually visited the premises of our neighbours ([REDACTED], [REDACTED], Church End), and claimed he did not know there was residential property there, in close proximity to the old Peartree Hotel. I have refused to meet him.

Added to this I have now studied all 230 pages of the Hearing/Agenda pack, including in particular Representations 19 and 20. It is now quite clear that the Applicant had formally been told he would need a revised Licence, back in 2018, for what was always intended to be a grossly enlarged scale of activity, in expanded premises. I had tacitly assumed that when the new Peartree opened he had always anticipated that there would be noise causation, (obviously, with up to 200 guests on occasions) but it would go unchallenged, and that if he had actually sought a License variation for his large-scale wedding product making use of the (unlicensed outdoors), it would probably not have been granted.

I quite understand the terms of the Hearing set for 30 November, regarding the presentation of new issues, and concerns, since those already formally tabled, and in particular the procedural point on p.8, item 7.1 : Documentation. I therefore wish to table two further plans (map extracts) as evidence that the Applicant has brought the nuisance about partly through mis-selling, by passing off the new Peartree (with his massive expansion) as something which it is not, an old country house in its own grounds where exclusivity can be conferred implicitly because there are no neighbours to take into account, namely, (in the Applicant's words) :

(Peartree Wedding Venue marketing evidence, to mislead)

The most romantic of Wiltshire wedding venues, say ‘I do’ at The Pear Tree, located in the village of Purton on the cusp of the Cotswolds only 10 minutes from Swindon. Exclusively yours, the 400-year-old private house, purpose-built honey-stone orangery and sweeping staircase to the terrace, gardens and vineyards below make it perfect for an English country wedding. Fall for The Pear Tree for your wedding venue in Wiltshire with charming accommodation for you and your guests.

(The underlining is mine)

The core of the new Peartree is a modest former vicarage built in the early 1920s. As can be seen on **Plan A**, the site was a field in the 1890s and the original Purton vicarage was within the present-day churchyard, clearly identified. The residential properties in Church End (at which I referred to as 100% of all immediately-adjacent residents as being complainants) are also clearly identified, within the (modern-day) defined Conservation Area.

The former vicarage on Manor Hill can be seen on **Plan B** in the form it existed until disposed of by the CofE in the 1980s, when the then incumbent (Canon Blake) was “relocated” to a (temporary) replacement for it in Church Street, much closer to the village centre. I would respectfully contend that the members of the Licensing Committee ought to be fully aware that the current Peartree premises are not as the Applicant has represented them, by isolation or by age/character, whether by oversight (as his lawyer effectively concedes), or outright misrepresentation through advertising.

I think this information is particularly important to inform the Members of the Licensing Committee who, you emphasised, are not likely to be aware of this detail of the Parish of Purton and its geography around Church End which can almost appear detached from the core village despite the existence of the church. More specifically, I wish to make it clear that the deception (promoting a largely, brand-new premises, for large scale wedding/catering events which can exploit the outdoors aspect of the site) is deeply worrying, but as the Applicant has invested around £4m, it is simply not plausible to now apologise for an oversight to get off the hook, or profess ignorance of local built structures next to his.

Even if it cannot at this late stage be added to the briefing papers to the Licensing Committee Members, in advance of the hearing, it will form the basis of what I would wish to say if/when given the opportunity to respond to the Committee, in accordance with the defined procedure.

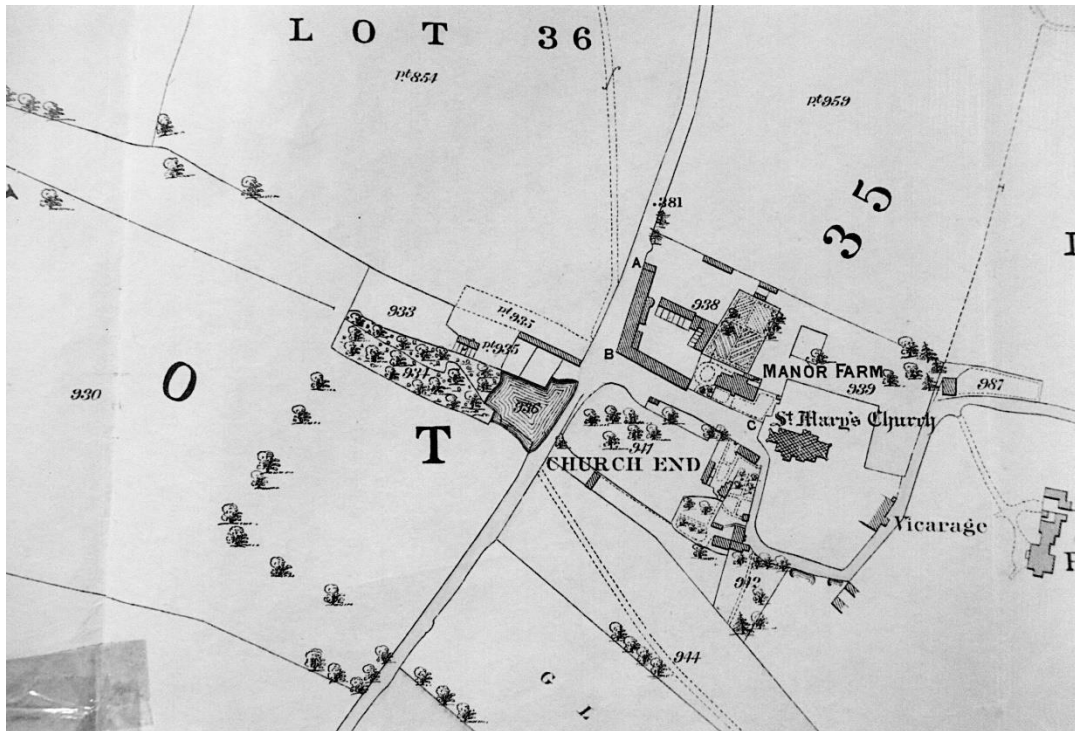
As one of the complainants, I should stress I am already greatly relieved that the Enforcement already enacted has helped, at least with the music issue. I further note the formality of Wiltshire Council in tabling its objection, and that in addition the Purton Parish Council has also formally objected, as Representation 11. Nevertheless, I would ask that the Committee be provided with this Plan-based information, as the lawyer acting on the Applicants behalf is seeking to pretend his client did not know that Church End residential properties were there, inconveniently marring the seclusion of his supposedly 400 year-old private house. I shall further ask that the Committee consider imposition of a further License condition, to not allow the outdoors evening dining/drinking which will by next Spring re-appear as core nuisance source, if left unchecked now, on the basis of this plans-based submission to you as the Officer.

I apologise for the length of this submission, and its late transmission to the Licensing Authority.

Yours sincerely,

Representative 9

PLAN A (no Peartree, nor vicarage)



1892 OS (pre-Vicarage on Manor Hill)

Note to PLAN A.

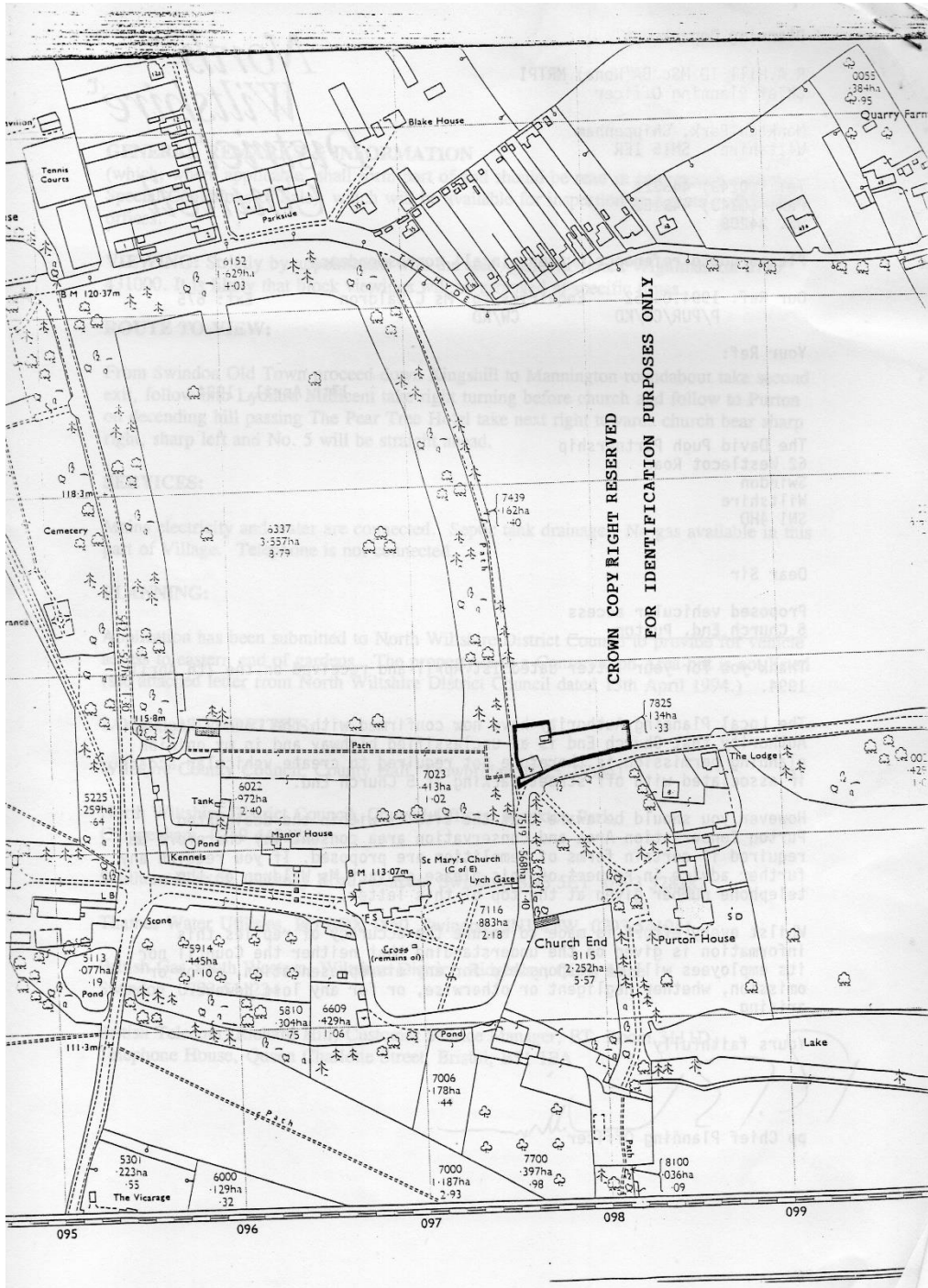
The field (small triangular area, centre, to right of Manor Hill, running SW-NE) contained no buildings.

The Manor Farm (as shewn here, now The Manor, to the n.w. of St. Marys Church, is generally accepted (Pevsner) as of c.1600 construction. This may have given rise to the confusion and false claim of the new Peartree being a 400-year old country house.

The old Peartree Hotel (c.1990-2017) was built around the 1920s vicarage by the addition of a large modern block of bedrooms, such that the overall frontage (under very strict Planning conditions, in the designate Conservation) gives the appearance of an old building. The Applicant demolished the old (1990) dining-room/conservatory in 2018-19 to replace it by what is now referred to as an Orangery, strictly separate to the main building, with connecting passageways. At least half of the present wedding venue (by enclosed volume) was therefore brand-new when the Applicant began trading in June/July 2021.

The Applicant cannot therefore sell exclusivity as he claims to be able to in the outdoors part of the overall site, as numerous residential properties were all there long before even the old Peartree Hotel was built, yet traded without License breach, let alone triggering Enforcement.

PLAN B (still no Peartree, old vicarage in churchyard demolished)



c.1970's OS (Vicarage on Manor Hill, then functioning)

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