### Salisbury District Licensing Authority Salisbury District Council PO Box 2126 Salisbury, SP2 2DJ

officer to contact:Debbie Mulvey direct line: 01722 434234 email: enhlicence@salisbury.gov.uk web: www.salisbury.gov.uk

# Report

**Report subject:** Bradley House, Maiden Bradley **Report to:** Western Area Licensing Sub Committee

### 1. Type of Licence

Premises licence – with alcohol.

### 2. Applicant Name

Mr David Mattia

#### 3. Premises Address

Bradley House Kingston Lane Maiden Bradley BA12 7HL

Map - Attached as Annex B.

### 4. Representation to Committee

The representation to The Committee concerns an application for a new premises licence to include the following.

The supply of alcohol on and off the premises, including marguees in the garden:

Sunday to Thursday 1000 to 0030 Friday and Saturday 1000 to 0200 Non standard timings 1000 to 0200

Regulated entertainment indoors and out, including marquees in the garden:

Monday to Sunday 1000 to midnight

Late night refreshment indoors and out, including marquees in the garden:

Monday to Sunday 2300 to 0100 Non standard timings 2300 to 0200

Completed sections of the Operating Schedule. – Attached as Annex A

#### 5. Background

None

#### 5. Promotion of Licensable Objectives

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm
- 7. Representation(s) from Responsible Authority(s)

Nil

### 8. Interested Parties

Representation from residents living in the vicinity i.e. within 500m – Attached as Annex C.

### 9. Response from Applicant

Email from applicant – attached as Annex. D

### 10. Policy Considerations

Prevention of Public Nuisance provisions in the Salisbury District Council Statement of Licensing Policy pages 10-12.

#### 11. Recommendation:

That the committee consider the representation and the steps to be taken to promote the licensing objectives, particularly the prevention of public nuisance.

# **Schedule of Appendices**

**Report subject:** Bradley House, Maiden Bradley **Report to:** Western Area Licensing Sub Committee

Author: Debbie Mulvey

Please note the following appendices are attached in relation to the agenda item.

### <u>Annex A</u>

Operating Schedule of licence holder

Please note that only pages 4, 5, 7 to 13 and the plan of the premises are attached.

## Annex B

Map.

### Annex C

Letters of representation from residents living within the vicinity (500m).

### Annex D

Email from applicant amending the operating schedule.

Please give a general description of the premises (please read guidance note1) The premises comprise the stately home of Bradley House and surrounding grounds, all owned by the Duke of Somerset. The house itself is let for weddings and other functions. There are 13 bedrooms available and guests have the run of the house, as detailed in the plan provided.

Marquees are on occasion erected within the grounds either for stand alone functions or in support of functions held within the house. The footprints of the marquees vary throughout the year, hence the full extent of the grounds are outlined in red on the enclosed plan.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

<u>Pr</u>	ovision of regulated entertainment	Please tick yes
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	$\boxtimes$
C)	indoor sporting events (if ticking yes, fill in box C)	
<sup>°</sup> d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	$\boxtimes$
f)	recorded music (if ticking yes, fill in box F)	$\boxtimes$
g)	performances of dance (if ticking yes, fill in box G)	$\boxtimes$
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	$\boxtimes$
<u>Pr</u>	ovision of entertainment facilities:	
i)	making music (if ticking yes, fill in box I)	$\boxtimes$
j)	dancing (if ticking yes, fill in box J)	$\boxtimes$
k)	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	$\boxtimes$
<u>Pr</u>	ovision of late night refreshment (if ticking yes, fill in box L)	$\boxtimes$
<u>Su</u>	pply of alcohol (if ticking yes, fill in box M)	$\boxtimes$

In all cases complete boxes N, O and P

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FAmendments in line with email 14.01.09 pm

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Amendments in line with email 14.01.09 RM

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State the name and details of the individual whom you wish to specify on the licence as premises supervisor

reing authority (if known) re District Council	
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8N7 21A8	Postcode
	Address 130 Cock Ro Horningshan Warminster Wiltshire
 	<b>9msW</b> David Mattia

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Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

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**P** Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

### b) The prevention of crime and disorder

There shall be no promotions that encourage illegal, irresponsible or immoderate consumption.

### c) Public safety

All fire safety equipment will be regularly serviced in accordance with manufacturers instructions.

#### d) The prevention of public nuisance

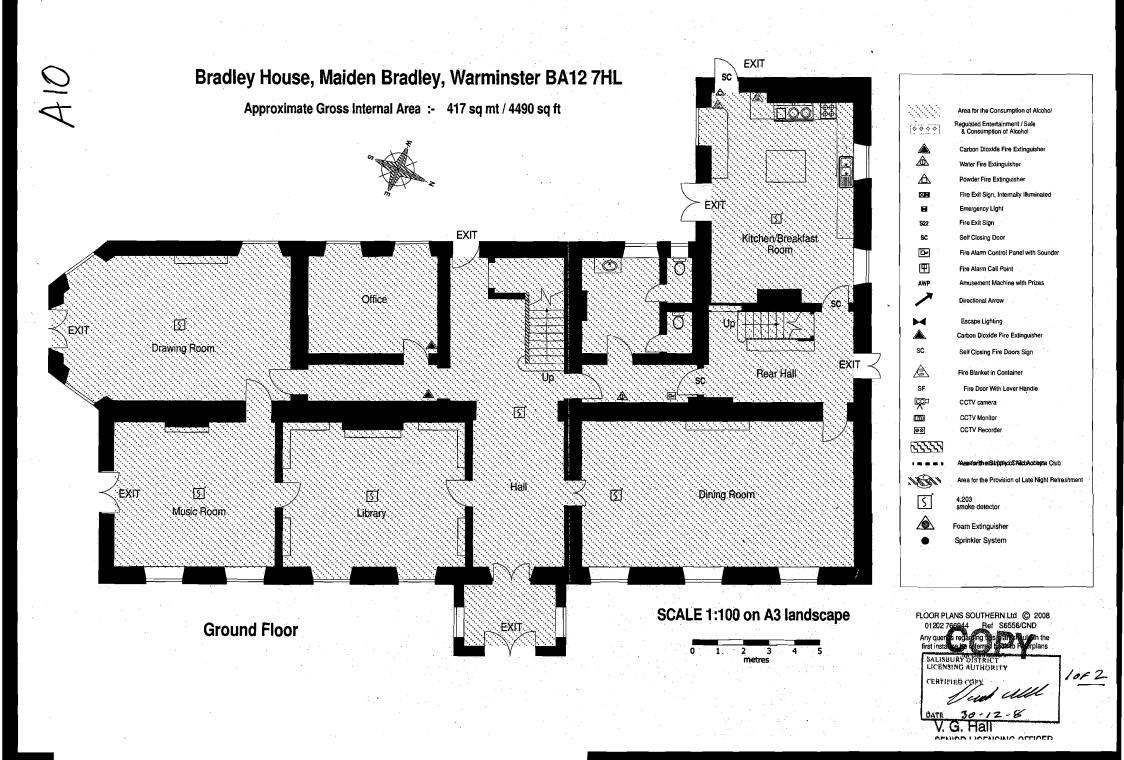
In recognition of the rights of any local neighbours, guests will be asked to leave quietly and prominent signs will be displayed at exits to that effect.

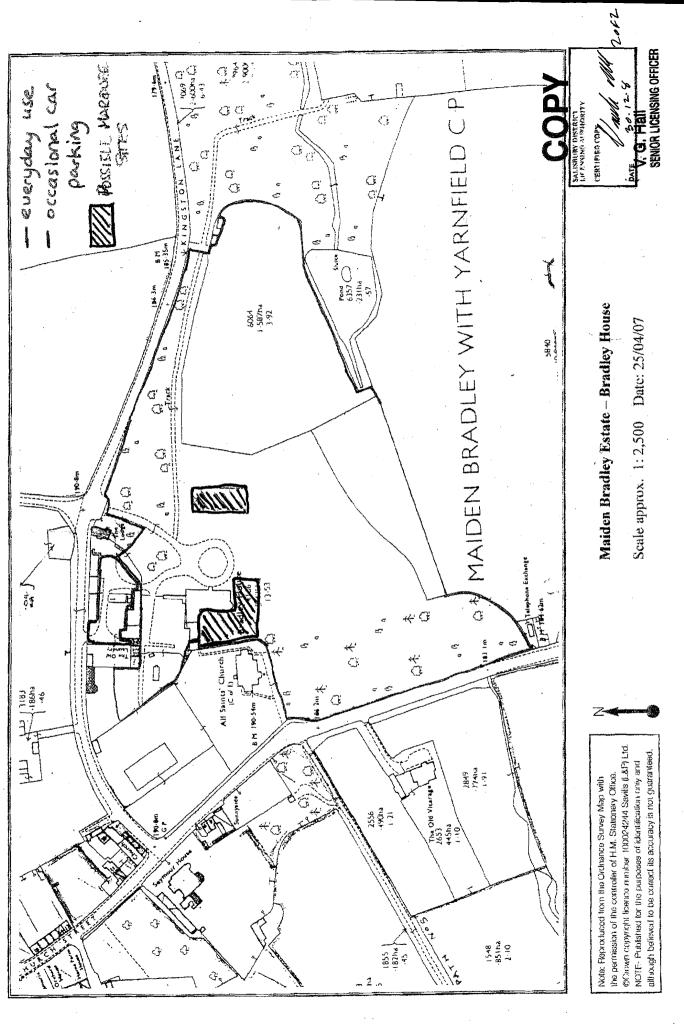
Management will regularly carry out checks to ensure that there is no significant noise break-out from the premises or marquees. There will be no external speakers sited outside the house or marquees.

# See amendment sheet dated 14.01.09

### e) The protection of children from harm

All staff will be trained regarding the law on sales to or consumption by persons under 18. The principles under the 'Challenge 21' scheme will be adopted whereby any customer buying alcohol who looks under 21 will be challenged to prove they are over 18. In case of doubt photographic ID will be required.





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High Street Maiden Bradley Wilts, BA12

12 January 2009

Licensing Officer, Salisbury District Council, PO Box 2126, Salisbury, SP2 2DJ.

Dear Mrs Mulvey,

### Licence application, Bradley House, Maiden Bradley

I am writing in hope of persuading you that the above matter should be determined by elected councillors. If it is relevant, I live across a field from Bradley House, in direct view and hearing, so in rural terms can be considered a close neighbour.

For some years the owner of Bradley House, the Duke of Somerset, retained a portion of the house as a residence, and (via an agent) offered the remainder of the house and the grounds as a location for events, almost always private events. A couple of years ago the Duke moved out, so that the entire house and surrounding grounds are available for events. To the best of my knowledge the licence applicant, David Mattia, has run only private events. Full details are available on <u>www.bradleyhouse.org</u>, and the dates of potentially noisy forthcoming events are published in the monthly Parish News. My understanding is that a licence is not needed for private events of this kind.

Bradley House is not especially large (it can accommodate up to 25), so larger events involve a marquee in the grounds. David Mattia has operated outdoor events on an informal understanding that fireworks will be let off before 10 pm and the noise from music will be noticeably reduced at 11 pm, and for the most part there is acceptance of this in the village as an acceptable compromise. However, there is still a problem of noise from those closest to the marquee, mostly in the area of Kingston Lane and the southern end of the B3092, as well as concern about the impact of fireworks on pets and other livestock.

The compromise is between those who feel that Bradley House is an important local business, and those who consider such activities out of place in a small agricultural community. The former cannot cite much direct employment, but there are benefits to village shop and pub from purchases by people staying in Bradley House. The latter might argue that a noisy event in a marquee immediately adjacent to the Church is much too disruptive in a

predominantly agricultural community. As an editor of the Parish News I get to hear many of these views on both sides of the argument.

If the current position is an uneasy compromise, then I think it would quickly be damaged by a significant increase in the number of events, by open access events, or by an extension of the hours in which noise is permitted. David Mattia says he has no plans for other than small changes to his operations, and I've no reason to doubt him. However, the parameters as set out in the Licence Application represent a substantial change, and have caused much local worry, in particular the potential operating hours.

Maiden Bradley is not an urban setting where there is night life. By 10 pm most people are in bed, and by 7 am most are already well up. Three groups of local people seem particularly vulnerable to late night disruption –

1. Agricultural workers, especially on the local dairy farms, where milking starts around 6 am.

2. Commuters who have to be away early enough for work starts in the likes of Bath and Bristol.

3. Children preparing for school. The earliest school bus picks up in the village at about 7.40 am.

I hope you will take these factors into account.

Yours sincerely,

Cc (by email) Councillor Catherine Spencer

ENVIRONMENTAL SERVICES LICENSING RECEIVED 1 3 JAN 2009 ASSED TO. OPIES 14.01.09

Maiden Bradley. Wiltshire BA12 10th January 2009

The Licensing Officer, Salisbury District Council PO Box 2126 Salisbury SP2 2DJ

Dear Sirs,

### **Bradley House Licence application**

I wish to object strongly to the granting of a licence on the terms applied for. To allow noisy rock/pop music to be played until 2 o'clock in the morning would constitute a completely unacceptable public nuisance to the residents of Maiden Bradley. It would be contrary to Environmental Health legislation which entitles all residents to 'quiet enjoyment' of their home. In short, it would certainly make a misery of our lives.

In the past the thump, thump, thump beat of rock music from Bradley House, together with the inevitable fireworks, has made sleeping impossible. Many village residents, including myself, are elderly. Others have small children. We do not want to have to put up with this nuisance. I am perfectly happy for people to have a good time, and to play whatever sort of music they wish – so long as others not involved in the 'party' do not have to hear it.

This proposal would seem to be well outside the terms of the 2003 Licensing Act. This village is a quiet and small community in an Area of Outstanding Natural Beauty. I, and many others, will be very distressed if this licence is granted. In the unfortunate eventuality of it being granted, the playing of music in the gardens/marquees should certainly cease at 11 p.m.

I am completely bemused as to why the sale of alcohol should be necessary at Bradley House. Surely wedding guests are not expected to pay for their drinks! Are Bradley House authorities trying to open a sort of Night Club? If so, perhaps they should remember the fights, debacles, vandalism, arrests etc. at Oscars Nightclub, a venture on the nearby Longleat estate, which, thankfully, had to be closed down a few years ago. I would not like to see similar scenes in Maiden Bradley, which would surely result if the sale of alcohol was involved.

Please turn this application down in its present form.

Yours faithfully,



Maiden Bradley resident

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7 January 2009

The Chief Licensing Officer Salisbury District Licensing Authority POB 2126 Salisbury SD2 2DJ

### **Bradley House, Maiden Bradley**

Church Street Maiden Bradley Warminster

e-mail:

Wiltshire BA12

**Dear Licensing Officer** 

We write to make representations about the application by Mr David Mattia for a permanent entertainment licence for Bradley House, Maiden Bradley. Our house is approximately 200 metres from the site where marquees are normally sited for larger events at Bradley House. We are therefore directly affected by excessive noise from live bands and discos put on for clients of Bradley House Events Limited.

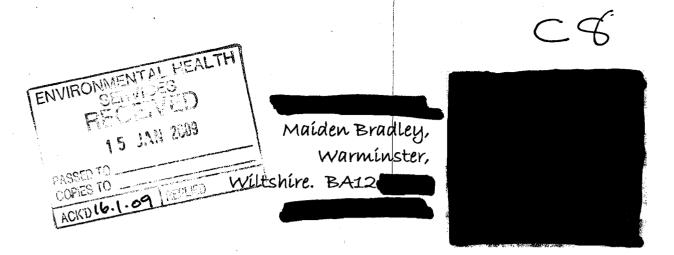
Over the last 10 months Mr Mattia has held evening events in marquees in the grounds of Bradley House on 10 occasions. These are normally weddings and on Saturdays. Mr Mattia has stated publicly that his aim is to hold 40 events during 2009, most of them to be weddings.

In correspondence with Mr Mattia in December 2007 and September 2008 we have made clear our concerns about the public nuisance caused by very loud music on Saturday evenings lasting until the early hours of Sunday. We asked him to site the marquee further away, to place the speakers so that they face away from the village and to control the decibel level. Unfortunately he does not appear to have made a serious effort to take to the concerns of residents into account as we have not recently noticed any improvement.

In this rural corner of Wiltshire noise is carried a great distance, especially late at night when the noise of road traffic is reduced. We think that it is an unacceptable infringement of the rights of those who live in this small village for Mr Mattia to be allowed to inflict very loud music at almost any time of day or night, especially during the early hours of Saturday and Sunday morning. In our view the frequency and duration of such events amounts to a public nuisance. We therefore ask that limits should be imposed on the number of events and that the licensed hours should be fewer and earlier than Mr Mattia has requested.

Yours sincerely

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This is why we oppose the APPINGATION for this ADDRESS.
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14<sup>th</sup> January 2009

Salisbury District Council, PO Box 2126, Salisbury. SP2 2DJ

Dear Sirs,

### **Re: Objection to Bradley House Licence Application**

I write in objection to this planning application, principally on the grounds of prevention of public nuisance, from noise and traffic.

Our house is probably the closest to the property and we currently suffer from considerable disturbance to sleep from the existing noise on the occasions that Bradley House hosts, for instance, a wedding. This is despite of double glazing. In the summer months when windows are open at night, the level of noise is intolerable. We know, from informal discussions with friends in other parts of the village, that they suffer as well.

The application for this licence, for the sale of alcohol and regulated entertainment, including live and recorded music up to 0030 hours will cause excessive disturbance of sleep for anyone in the village but especially those going to work in the morning. Even at weekends, the level of noise to 0200 hours, would be unacceptable.

The noise levels are clearly excessive currently, even when Bradley House is hosting a wedding or party in the House itself. During the summer months, when the activity takes place in a marquee, it is intolerable but for this to occur, potentially, every night of the week, is completely unacceptable.

The additional movement of traffic through the village at these hours is also unacceptable.

Yours faithfully



Copy to: The Duke of Somerset's Estates, The Estate Office, Shadrack, Berry Pomeroy, Totnes, Devon, TQ9 6LR

Page 1 of 2

**Debbie Mulvey** Made 14.01.0

From: David Mattia [david.mattia@bradleyhouse.org]

Sent: 14 January 2009 13:33

- To: Debbie Mulvey
- Cc: Ed Salter; 'Peter Rosser'

Subject: Full amendments to our application

#### Dear Mrs Mulvey

We wish to amend the operating schedule given in our application for the hours of live and recorded music as well as films, performances of dance, anything of a similar description to the above, making of music, dancing and entertainment of a similar description to that falling within the above to finish at 00.00 (midnight).

In order to make this amendment as acceptable as possible to our local village we are prepared to agree to a number of operating conditions:

- All music will be booked and organised through a specialist entertainment provider who knows the house and grounds well and understands the need to maintain a volume of noise that will not cause a nuisance.
- We will ensure that all amplified music is channeled through a "noise limiting devise" that will maintain noise levels at or below a specific decibel level.
- The speakers for amplified music will face South thereby channeling sound away from the village.
- We will not permit the use of any form of "sub-woofer" as part of the provision of live or recorded music.
- We will ensure that marquees in which regulated entertainment is held are on a site most likely to deflect noise away from the village.
- Amend our Terms & Conditions of business to include a condition that regulated entertainment shall not be audible within any residential dwelling outside of Bradley House and its grounds.

I hope that these amendments will be acceptable and will receive the support of everyone concerned with our application.

Regards....



David Mattia Bradley House Office: 01 985 844052 Mobile: 07 809 604 808 Home: 01 985 844306 david.mattia@bradleyhouse.org www.bradleyhouse.org

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14/01/2009