



STROUD DISTRICT COUNCIL

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LICENSING ACT 2003

APPLICATION TO VARY A PREMISES LICENCE

PREMISES NAME	WOODCHESTER VALLEY VINEYARD AND
PREMISES ADDRESS	WINERY UPPER ATCOMBE FARM, CONVENT LANE, WOODCHESTER, STROUD, GLOUCESTERSHIRE, GL5 5HR
APPLICANT NAME/S	MRS FIONA SHINER
APPLICATION TYPE	VARIATION OF PREMISES LICENCE
APPLICATION REFERENCE	25/01236/LAPRV
DATE OF HEARING	22 DECEMBER 2025
DATE OF DECISION	22 DECEMBER 2025
DECISION	VARIATION GRANTED WITH CONDITIONS

BACKGROUND

Stroud District Council ("the Council"), being the relevant Licensing Authority, received an application dated 4 November 2025 for a variation of the above premises licence under section 34 Licensing Act 2003.

Following seven representations from Other Persons, namely local residents, the Council's licensing sub-committee ("the Panel") held a hearing on 22 December 2025 to determine the application.

HEARING

The Panel comprised of Councillors Martin Brown, Ian Hamilton and Paul Turner.

Pete Rosser (Applicant's representative), Fiona Shiner (Applicant), Niall Shiner (Applicant's husband) and Chloe Shiner (Applicant's daughter) attended.

Katherine Winner (on behalf of the Representors) also attended.

LEGAL MATTERS

The Panel had due regard to:

1. The provisions of the Licensing Act 2003 which confer the powers of the Licensing Authority to deal with the application;
2. The obligation to promote the four licensing objectives; and
3. The relevant sections of the Council's Statement of Licensing Policy and Statutory Guidance.

The Panel considered that it must carry out its functions with a view to promoting the four licensing objectives, as set out in Section 4(2) of the 2003 Act. The Panel cannot take into account Representations which do not relate to one or more of those licensing objectives and acknowledges that any Representations which are received must be relevant and evidenced-based.

HEARING REPORT

The Hearing Report was presented by the Licensing Manager who confirmed that the premises was granted a premises licence by the licensing sub-committee in 2017. The current premises licence permits the sale of alcohol for consumption on and off the premises every day from 11:00 hours to 20:00 hours and opening hours to the public are the same times. There are a number of conditions on the licence that were volunteered by the Applicant.

The Licensing Manager explained that the variation was to extend the hours of sale of alcohol and opening with proposed new hours of 10:00 hours to 21.30 hours every day. In addition, there was a further variation to extend the licensable area to include a barn and a revised plan had been included with the Application.

The Licensing Manager explained that there were no representations from the responsible authorities.

The Licensing Manager reported that the Licensing Authority had received seven representations against the application from local residents and the main relevant concerns relate to an increase in noise nuisance and disturbance from additional traffic over a longer period. There were also concerns that additional traffic would impact on the safety of pedestrians including children using the lane.

The Licensing Manager explained that the Applicant had submitted further supporting documentation towards the end of last week addressing concerns raised in the representations. She said these had been circulated to all parties. However, there were also some supporting emails which the Applicant had asked to be considered. She explained these were new representations that were not received during the representation period. As a result, these cannot be accepted, and these were not taken into account at the hearing.

The Licensing Manager explained that traffic and parking problems would not normally be

relevant matters under licensing but would be under planning law. She explained these are two separate jurisdictions. However, she further explained that if it can be demonstrated that the traffic concerns have a clear link to one or more of the licensing objectives, the Panel can consider and decide how much weight they attach to this when making a decision.

OTHER PERSONS' REPRESENTATIONS

Katherine Winner spoke to the Panel on behalf of the representors. She said she wasn't going to run through the written representations as these will have been seen by the Panel.

Ms Winner outlined her concerns that meetings had been held between the Parish Council and the Applicant, where the residents had not been invited to attend so they had been unable to make representations.

Ms Winner said they only became aware of the variation application by chance, seeing a small notice on the entrance of the Vineyard days before the representations were due to be submitted and therefore it was her belief that this was why further representations were not made as people did not have time.

Ms Winner outlined her concerns relating to planning. She explained the background in relation to the planning and her concerns regarding the business expansion. She said that the area that the Applicant had applied for is an area three times the size of their current licensed area which means they can accommodate three times as many visitors. She explained there was no public transport, so all visitors have to arrive by car or minibus.

Ms Winner informed the Panel that West Oxford Council rejected a licence and planning application submitted by Jeremy Clarkson for a farm restaurant/café with additional parking. She said one of the central reasons was traffic impact, increased traffic on rural roads, parking problems and road safety issues. She said she would expect other councils to operate under the same guidelines. She said the traffic issues in a rural location are the same.

Ms Winner explained it is the residents at the lower part of Convent Lane who have submitted the objections as this is the end of the lane which experiences the majority of the traffic, noise, disturbance, abuse, littering and increase road wear and tear and associated dangers for all the lane users.

Ms Winner said that the variation was based on the Vineyard requiring flexibility, but the flexibility they have already was sufficient. She said if tours start at 11am, the finish time of 1pm was a normal time for lunch but the Applicant also offers grazing lunch. If the Applicant take on more tours, this will increase traffic. She said there would be more traffic in the evening and weekends and this is when they want to enjoy their properties even more without disturbance. She said she did not want this to become a larger event venue.

Ms Winner explained there was only one designated passing area on the lane. The others mentioned by the Applicant are where the residents park which means it is a single lane. Ms Winner said she disagreed that the traffic leaves through the other access route more. She said the traffic comes their way as it was quicker and easier. She said no-one travels 15mph – 20mph. It is a 60mph speed limit. She said there are children and walkers using the lane.

Ms Winner said taxis can go back and forth four times a day for one carload with pick up and drop off. Although there are two access routes, in reality this doesn't happen. She explained that 9.30pm is late for a rural residential location. She said young people and elderly people want to go to bed. Even people who want to be up at that time do not want to be disturbed. She said it would be 10pm before people disperse down the road.

Ms Winner said in relation to vehicle movement, the visitors will be greater, there will be greater noise and disturbance at anti-social hours. Ms Winner mentioned more littering. She also said with more traffic it would be a danger on the road for children. She said residents don't let children out due to traffic. She said it would impact on walkers and riders.

The Panel asked Ms Winner to consider whether if there was an extension of hours whether this may spread the traffic and ease the situation. Ms Winner replied that she did not want to spread the load. She said she wanted it over and done with. She said she didn't want it to impact on her evenings. She said it needed to be restricted not increased.

The Panel asked about safety and pedestrians and whether Ms Winner was aware of incidents that had occurred already in the time of operation of the current premises licence. Ms Winner replied she herself had been walking and had to move out of the way. She was not aware of any incidents that had been reported but said it was always a concern when walking. She said there had been damage to property by cars trying to pass and also people refuse to reverse.

APPLICANT'S REPRESENTATIONS

The Applicant's representative Mr Rosser outlined the variation application was to bring the hours forward by one hour at the beginning of the day and to extend by one and half hours at the end of the day. He also said there was an application to extend the area. He said there was no application for a licence in relation to entertainment and all other conditions on the licence are to remain the same.

Mr Rosser stated that the UK Wine Industry was a success story. Interest in wine had strengthened. He said Woodchester was a great example of success. He said the Vineyard had won many awards. He explained the success could not be taken for granted and the Applicant needed to move with the times to innovate and adapt. They needed better visitor facilities at more user friendly times and were not driven by increase in numbers. Mr Rosser stated that there had been no representations from the Police, Environmental Health or other responsible authorities.

Mr Rosser said in relation to potential for noise nuisance due to increase in traffic that this is assumed by the Representors. There is also concern regarding safety. He said the Applicant and her husband have always tried to work in harmony with the local residents. The Applicant wished to allay any fears and mitigate the possibility of the increase of traffic with any suggestions. He said the Applicant had written the supporting document that has been circulated with the background, facts and route served to better understand the situation. One of the conditions on the licence is that alcohol is restricted to invited guests and prearranged ticketholders only.

The Applicant, Fiona Shiner explained the Vineyard is by agreed appointment only. She said the application to vary the hours is so the hours can be extended slightly and for additional space to allow for a different style of tour. She explained that the style of experience would not increase traffic. There are currently approximately 10,000 visitors to the Vineyard a year. Extended hours would allow better user experience and more user-friendly hours. She said it was not intended to increase numbers and they would like people to stay longer as part of a premium tour which would cost a little more. Tours are around 2 hours, but customers want to know more. She said this variation would allow more information and education to be provided. They would have an enhanced immersive experience. This is for longer tours not additional tours. She said this would spread the traffic out more and they thought this would be a better option. The longer hours give more flexibility when they can start and finish. She explained the hours they have currently don't allow them to be user friendly for visitors who are working and prefer tours to start a little later to give them time to get home from work and then go back out.

The Applicant explained there was a bus that stops by the shop at the bottom of the lane and people do walk up from the hill from the bus stop especially in the summer. The Applicant said they were not Jeremy Clarkson and their tours are not at that capacity. She said the variation would allow people to learn more from them and stay longer. She said this is the purpose of the variation. The guest accommodation is not full all the time. She said in relation to passing spaces there is only one official passing space, the other passing places are not official, but they all use them to pass when residents are not parked outside their properties.

The Panel sought clarification and assurance that the variation was not to increase the volume of the business but in order to provide greater flexibility. The Applicant said as already mentioned they are looking to develop and adapt to modern needs but in a way that doesn't impact on traffic negatively.

The Panel asked the Applicant about litter that had been raised as a concern and asked what measures were in place for managing litter created at the Vineyard. The Applicant said they have a waste disposal contractor. All waste is disposed of onsite. The Applicant said they had never had a single complaint about litter, and it had not been mentioned before.

The Panel asked in relation to the variation had the Applicant met with the neighbours to discuss their concerns and were any compromises discussed. The Applicant said she had put a notice up at the Vineyard. The Applicant said when she became aware through the Parish Council that some residents had flagged it up, she did then put a message on the WhatsApp group to explain her intentions. The Applicant said she also met up with Katherine Winner to discuss and tried to reassure her. The Applicant said they didn't discuss compromises at the time.

The Panel asked the Applicant whether the variation was to improve customer experience today and not part of a long-term plan. The Applicant said the variation was to improve customer experience. The tours and tastings are important. She explained they were not planning to become an event venue, restaurant or wedding venue. She said they were not applying beyond 9.30pm. She said they didn't want to be working late.

The Panel commented about the late traffic noise due to the extension from 8pm to 9.30pm and said this seemed to imply traffic later. They pointed out this is a concern of residents in relation to disturbance and the Panel asked whether this extension was essential to their business. The Applicant replied that they could reduce the extension to 9pm. They said the later extension is so tours in the evening could start at 6.45pm for people coming from work and finish by 9pm. She explained they don't run tours every night. For public tours, they run approximately one tour a month at this time of year. Mid-season they run one to two a week and in the high season they run approximately three public tours a week. She said the private tours are ad-hoc. There are 14 people on private tours and on average they run two to three times a month over the year.

The Panel asked whether there were certain days of the week they have tours. The Applicant said they need the flexibility to accept a private tour otherwise it would be detrimental.

The Panel asked the Applicant about whether a total number of evenings over the year might be workable. The Applicant said it could be workable over the year.

In summing up Katherine Winner on behalf of the Representors said if there were three tours per week, that is nearly half the week they are giving permission until 9pm or 9.30pm, this is still nearly 50 per cent of time. She said also over the summer when it is light and more people using their gardens there will be late disturbance. Ms Winner said the Panel has asked for assurance from the Applicant, but these are not legally binding. The market changes and business changes. They can suddenly increase the number of tours. She said if the Panel limited the tours to a particular number per year this would make it worse.

In summing up, Mr Rosser on behalf of the Applicant said that the Applicant and her husband have put a lot of time and effort into the business. They were requesting an amendment to the hours. This would be more practical for people arriving and leaving and is not to increase numbers. He said it seemed the representations were addressed at the access road. He

said general traffic was for highways and planning. He said he was not aware of any incidents or accidents. He explained these are narrow lanes and the licence was granted in first instance with narrow lanes. He said it does not seem right to restrict when the Applicant has no control. The Applicant is keen to keep good relations. The Applicant does not think it will lead to a significant increase of traffic but are willing to reduce the hours on the application from 9.30pm to 9pm. In relation to the evening tours, the Applicant could offer that they would not exceed 154 per year if the Panel were considering this as a condition. Mr Rosser said on the basis of the Applicant's explanation and concessions, they would ask the variation to be granted.

DECISION

The Panel considered all the representations received from the local residents and also Ms Katherine Winner's representations at the hearing. They note the concerns that have been raised in relation to the potential increase in traffic movement if the premises licence hours are extended. The concerns raised are in relation to noise nuisance, littering and safety of pedestrians. The Panel also considered the representations put forward by the Applicant and her representative.

The Panel have decided to **GRANT** the application to vary the premises licence with the following amendment: -

- 1) Sale of alcohol - Every day from 10:00 to 21:00
- 2) Opening hours - Every day from 10:00 to 21:00

The revised plan extending the area to include the barn is also granted.

In deciding the application, the Panel took into account the concerns raised by the Other Persons, namely the residents and were satisfied that there was the potential for noise nuisance from increased traffic later into the evening. The Panel concluded that this could be adequately mitigated by the proposal put forward by the Applicant that the hours could be extended to 21:00 hours rather than 21.30 hours.

The Panel considered the overall adequacy of the above measures to deal with the potential for nuisance having regard to all the circumstances of the application. The Panel is satisfied with this amendment that the licensing objection of preventing a public nuisance has been met.

The Panel were reassured by the Applicant's representations that the extension of hours was intended to allow flexibility rather than to increase number of visitors and were satisfied that the volume of traffic in the lane would not significantly increase to impact the local residents.

The Panel noted the concerns of safety to pedestrians by any potential increase in traffic.

However, the Panel also heard there had not been any reported incidents during the current operation of the premises license.

APPEAL

All parties are reminded that there are rights of appeal against this the Licensing Authority's decision pursuant to Section 181 of and Schedule 5 to the Licensing Act 2003. An appeal must be made to the Magistrates' Court and commenced within 21 days of notification of the Council's decision.

REVIEW

All parties are reminded of the procedures contained within the Licensing Act 2003 relating to the potential review of a premises licence. This provision allows the public, businesses or Responsible Authorities to apply for a review of a premises licence where problems arise, such as crime and disorder, risks to public safety, public nuisance or failure to protect children from harm.

The Licensing Authority respectfully reminds all parties that for any review to be successful in restricting a licence, evidence would need to be collected of incidents occurring that demonstrated that the licensing objectives were not being adequately promoted. The Council's Environmental Health Service can be contacted out of hours to report complaints of excessive noise nuisance.

*Sharon Green
Legal Advisor to the Panel
24 December 2025*