

# Licensing Act Sub-Committee

## Agenda

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**Date:** Monday, 25th June, 2018  
**Time:** 10.00 am  
**Venue:** Committee Suite 1 & 2, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Appointment of Chairman**

To appoint a Chairman for the meeting.

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda and for Members to declare if they have pre-determined any item on the agenda.

3. **Temporary Event Notice: Alderley Edge Cricket Club, Moss Lane, Alderley Edge, Cheshire SK9 7HN (Pages 7 - 22)**

To consider a temporary event notice which has been served in respect of Alderley Edge Cricket Club, Moss Lane, Alderley Edge, Cheshire SK9 7HN and the objection notice which has been received in respect of this temporary event notice.

### **THERE ARE NO PART 2 ITEMS**

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For requests for further information

**Contact:** Julie Zientek  
**Tel:** 01270 686466  
**E-Mail:** [julie.zientek@cheshireeast.gov.uk](mailto:julie.zientek@cheshireeast.gov.uk)

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## CHESHIRE EAST COUNCIL

**Procedure for Hearings – Licensing Act 2003****The Licensing Committee**

The full Licensing Committee consists of fifteen elected Members of the Council. From this full Committee will be drawn sub-committees of three members to deal with licensing functions under the Licensing Act 2003. The Chairman and Vice Chairman of the Licensing Committee shall have the discretion to refer a matter up to a hearing of the full Licensing Committee.

**Officers at Hearings**

- **The Committee Officer** introduces all parties and records the proceedings
- **The Legal Adviser** provides independent advice to the Members on legal matters and procedure.
- **The Licensing Officer** will introduce the matter and outline the application; the officer will also answer any questions Members may have.

**PROCEDURE**

NOTE: If the Sub-Committee has not already elected a Chairman, that will be the first item of business.

<b>1</b>	<b>Chairman</b>	The Chairman will: (i) call the matter to be considered (ii) call for any declarations of interest (iii) ask all parties to introduce themselves (iv) summarise the procedure to be followed at the hearing (v) will consider any request made by a party for another person to appear at the hearing (v) will advise the parties of any maximum period of time in which it has to present its case (if a maximum is imposed this shall be equal for all parties)
<b>2</b>	<b>Licensing Officer</b>	Will introduce and summarise the application, highlighting areas of contention or dispute.
<b>3</b>	<b>Committee Members</b>	May ask questions of the Licensing Officer
<b>4</b>	<b>Applicant</b>	Will present his/her case, calling witnesses, as appropriate.  <i>(If necessary, applicant will produce any notices required by law. Legal Adviser will draw attention to this if required.)</i>

5	<b>Responsible Authorities</b>  (who have made representations)	Each in turn may ask <u>questions</u> of the applicant, by way of clarification.
6	<b>Other Persons</b>  (who have made representations)	To be invited to ask <u>questions</u> of the applicant, by way of clarification.  <i>It is normal practice for a spokesperson only to speak on behalf of a group of residents.</i>
7	<b>Committee Members</b>	Each in turn may ask <u>questions</u> of the applicant.
8	<b>Applicant</b>	May make a <u>statement</u> or ask his witnesses to clarify any matters which he feels are unclear, or may have been misunderstood.
9	<b>Responsible Authorities</b>	Will make their representations.
10	<b>Applicant</b>	Or his representative or witnesses to ask <u>questions</u> of Responsible Authorities represented at the meeting, by way of clarification.
11	<b>Other Persons</b>  (who have made representations)	May ask <u>questions</u> of the Responsible Authorities represented at the meeting, by way of clarification.  <b>(Note: This is not the point at which they should be stating their objections.)</b>
12	<b>Committee Members</b>	May ask <u>questions</u> of the Responsible Authorities represented at the meeting
13	<b>Other Persons</b>  (who have made representations)	Those who have objected to the application will be invited <b><u>to make observations on the application</u></b> and present the bases of their objections.
15	<b>Applicant</b>	Or his representative or witnesses may ask <u>questions</u> of the other persons, by way of clarification.
16	<b>Committee Members</b>	May ask <u>questions</u> of the other persons.
17	<b>Chairman</b>	To invite both <b>Responsible Authorities</b> and <b>Other Persons</b> to make their closing addresses.
18	<b>Applicant</b>	Or his representative will <u>briefly summarise the application</u> and comment on the observations and any suggested

		conditions.
19	<b>Committee</b>	<u>Will retire</u> to consider the application. The Committee may request the Legal Advisor to advise on legal issues.
20	<b>Committee</b>	<p>Will return to <u>give its decision</u>, with reasons, which will be announced by the Chairman and subsequently confirmed in writing to the applicant and to all the parties that made representations.</p> <p>In cases where a decision cannot be given at the end of the hearing, parties will be advised of the decision within five working days.</p>

### Notes

1. The hearing shall normally be held in public. There may be occasions on which the Committee find it necessary to exclude members of the press and public; any such decision will be taken on the basis that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public.
2. The Chairman may require any person behaving in a disruptive manner to leave the hearing and may (a) refuse to permit that person to return, or (b) permit him/her to return only on such conditions as the authority may specify, but any such person may submit in writing any information which they would have been entitled to provide orally if they had not been required to leave.
3. Prior to the hearing each party shall have given notification and served documentation (eg statements of witnesses or reports of experts) as required. Late representations and evidence will only be considered with the agreement of all parties.
4. Anyone entitled to be heard may be represented by any person, whether or not that person is legally qualified.
5. Hearsay will be permitted but the Sub-Committee will be reminded to give it appropriate weight.
6. Due note shall be taken of the provisions of the Hearings Regulations 2005.
7. The Chair may, in the interests of expediency or convenience of the parties, vary the procedure from time to time, provided notice is given to the parties and the rules of natural justice are observed.

## Summary of Procedure

1. Chairman appointed (if this has not been done previously).
2. Chairman to call for declarations of interest and request that all parties introduce themselves.
3. Chairman summarises the procedure for the hearing
4. The Licensing Officer summarises the application
5. Applicant to present his/her case.
6. Applicant to be questioned by all parties (to clarify points only) following which, he/she can clarify any other matters which he/she feels may have been misunderstood when the application was presented.
7. Applicant to be questioned by the Committee.
8. Responsible Authorities to make their representations following which they can be questioned by all parties by way of clarification.
9. Other Persons will be invited to present the bases of their objections, following which they can be questioned by all parties by way of clarification.
10. The applicant will be invited to sum up his/her case
11. Committee/Sub-Committee withdraws to make its decision
12. Committee/Sub-Committee returns to announce its decision to all present.



*Working for a brighter future together*

## **Licensing Act Sub Committee**

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**Date of Meeting:** 21 June 2018

**Report Title:** Determination of a Temporary Event where an objection notice has been received

**Senior Officer:** Frank Jordan - Executive Director Places

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### **1. Report Summary**

1.1. The report provides details of a temporary event notice submitted by John Berry which has been served in respect of:

Alderley Edge Cricket Club  
Moss Lane  
Alderley Edge  
Cheshire  
SK9 7HN

1.2. The notice requests authorisation for the following licensable activities to take place between 18:00 hours on 27<sup>th</sup> June 2018 to 18:00 hours on the 1<sup>st</sup> July 2018

1.2.1. The sale by retail of alcohol (for consumption on and off the premises)

1.2.2. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club

1.2.3. The provision of regulated entertainment

1.3. A maximum of 220 people can attend the event.

### **2. Recommendation/s**

2.1. The Licensing Act Sub-Committee is requested to consider the temporary event notice served, the objection received and determine whether to give a

Counter Notice under section 105 of the Licensing Act 2003. A Counter Notice will render any licensable activities provided unlawful.

2.2. Members of the Licensing Sub-Committee are reminded that they may not exercise discretion in any case, merely because it considers it desirable to do so. Careful consideration should be given to the notice and objection.

2.3. The Sub-Committee in respect of this application must have regard to the Guidance issued under Section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy.

2.4. Finally, Members are also reminded that in determining the application in accordance with the Licensing Act 2003, Members must also have regard to:

1. The rules of natural justice
2. The provisions of the Human Rights Act 1998

### **3. Reasons for Recommendation/s**

3.1. The Licensing Act Sub-Committee has the power to determine this application in accordance with the provisions of the Licensing Act 2003 and the Council's Constitution.

### **4. Other Options Considered**

4.1. No other options have been considered. This matter must be determined by the Sub-Committee in line with statutory requirements and the Council's Constitution.

### **5. Background**

5.1. On 12<sup>th</sup> June 2018 the Licensing Authority received a Temporary Event Notice in respect of an event to be held at Alderley Edge Cricket Club. A copy of the notice is attached at appendix 1. A summary of the licensable activities is provided in paragraphs 1.2 and 1.3 (above).

5.2. The application was originally submitted in person with a cheque attached, the licensing team notified the notice giver the following day to advise no payment had been received. The notice giver subsequently contacted the Council's Customer Service Team to make payment the following day. Due to the number of days notice given the TEN was originally considered to be a late TEN. However, the notice giver has provided evidence to satisfy the licensing team that the notice should be considered a standard rather than a late TEN.



5.3. The Council's Environmental Health Team has submitted an objection notice in respect of this temporary event notice. A copy of the objection notice is attached as Appendix 3.

5.4. The Cheshire Constabulary has not submitted an objection notice in respect of the temporary event notice.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. Section 104 of the Licensing Act 2003 provides that where a 'relevant person' (i.e. the Chief Officer of Police or the Environmental Health Service) are satisfied that allowing a premises to be used in accordance with a temporary event notice would undermine a licensing objective, that 'relevant person' is required to give a notice ("an objection notice") stating the reasons for being so satisfied.

6.1.2. Where a licensing authority receives an objection notice it is required, by section 105(2) of the Licensing Act 2003 to:

6.1.3. hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the notice and the licensing authority agree that a hearing is unnecessary; and

6.1.4. having regard to the objection notice, give the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.

6.1.5. In circumstances where an objection notice has been given (and not withdrawn) and the licensing authority has determined not to give a counter notice under section 105, the authority may impose one or more conditions on the standard temporary event notice if (a) the authority considers it appropriate for the promotion of the licensing objectives to do so; (b) if the conditions are already imposed on the premises licence that has effect in respect of the premises; and (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.

### **6.2. Finance Implications**

6.2.1. There are no financial implications

**6.3. Policy Implications**

6.3.1. The Licensing Authority has adopted a Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

6.3.2. The Licensing Authority must also have due regard to the guidance issued under section 182 of the Licensing Act 2003.

6.3.3. Members should provide reason(s) for any decision taken and should set out the reasoning where they determine to depart in any way from the Policy or Guidance.

**6.4. Equality Implications**

6.4.1. There are no direct equality implications

**6.5. Human Resources Implications**

6.5.1. There are no human resources implications

**6.6. Risk Management Implications**

6.6.1. The Licensing Sub-Committee will hear representations made on behalf of both the premises user and the 'relevant person' who has submitted the objection notice and will make a decision on the basis of the evidence presented to it. Section 181 and Schedule 5 (part 3) of the Licensing Act 2003 make provision for appeal to the Magistrates' Court of any decision made by the Licensing Authority.

**6.7. Rural Communities Implications**

6.7.1. There are no direct implications for rural communities.

**6.8. Implications for Children & Young People**

6.8.1. There are no direct implications for children and young people.

**6.9. Public Health Implications**

6.9.1. There are no direct implications for public health.

**7. Ward Members Affected**

7.1. Alderley Edge - Councillor Craig Browne

**8. Consultation & Engagement**

8.1. Consultation in respect of the giving of a temporary event notice is prescribed in the Licensing Act 2003 and has been fully complied with.

## **9. Access to Information**

- 9.1. The background papers relating to this report can be made available by contacting the report writer.

## **10. Contact Information**

- 10.1. Any questions relating to this report should be directed to the following officer:

Name: Jennifer Knight

Job Title: Senior Licensing Officer

Email: [Jennifer.knight@cheshireeast.gov.uk](mailto:Jennifer.knight@cheshireeast.gov.uk)

## **APPENDICES**

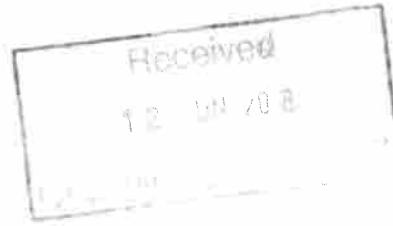
Appendix 1 – Temporary Event Notice

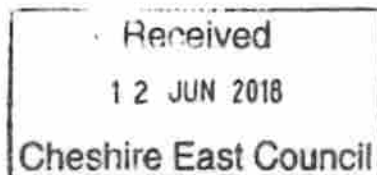
Appendix 2 – Plan

Appendix 3 – Objection Notice

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LCTEN





### Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in **block capitals**. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	BEERY
Forenames	John William
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	Day [redacted]
4. Your place of birth	[redacted]
5. National Insurance Number	[redacted]
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
[redacted]	
Post town	[redacted]
Postcode	[redacted]
7. Other contact details	
Telephone numbers	[redacted]
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	[redacted]
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	
<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
ALDERNEY EDGE CRICKET CLUB	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	CL/0024
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
MARQUEE ON GROUNDS	
Please describe the nature of the premises below. (Please read note 4)	
MULTI SPORTS CLUB	
Please describe the nature of the event below. (Please read note 5)	
FUNDRAISING QUIZ NIGHT CHARITY FASHION SHOW PRIVATE BIRTHDAY PARTY	GIN FESTIVAL VINTAGE FETE

3- The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input checked="" type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
27 <sup>th</sup> JUNE 2018                      30 <sup>th</sup> JUNE 2018 28 <sup>th</sup> JUNE 2018                      1 <sup>st</sup> JULY 2018 29 <sup>th</sup> JUNE 2018		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)		
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input checked="" type="checkbox"/>
27/6/18 - 18.00 - 23.00 28/6/18 - 11.00 - 18.00 29/6/18 - 19.00 - 1.00 (30 <sup>th</sup> JUNE) 30/6/18 - 15.00 - 23.00 1/7/18 - 12.00 - 18.00		

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12)

28/6/18 FASHION SHOW - LIVE SOLO SINGER DURING LUNCH  
 RECORDED MUSIC DURING FASHION SHOW  
 29/6/18 - LIVE MUSIC (TO FINISH BY 23.30)  
 RECORDED MUSIC TO FINISH BY 1.00  
 30/6/18 - RECORDED BACKGROUND MUSIC (TO FINISH BY 22.00)




2. Personal licence holders (Please read note 13)	
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	GRESHAM EAST
Licence number Date of issue Date of expiry Any further relevant details	PERS 2831 23/6/17

3. Previous temporary event notices you have given (Please read note 14 and tick the boxes that apply to you)	
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	2
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

4. Associates and business colleagues (Please read note 15 and tick the boxes that apply to you)	
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

7. Declaration (Please read note 16)	
<b>I have: (Please tick the appropriate boxes)</b>	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

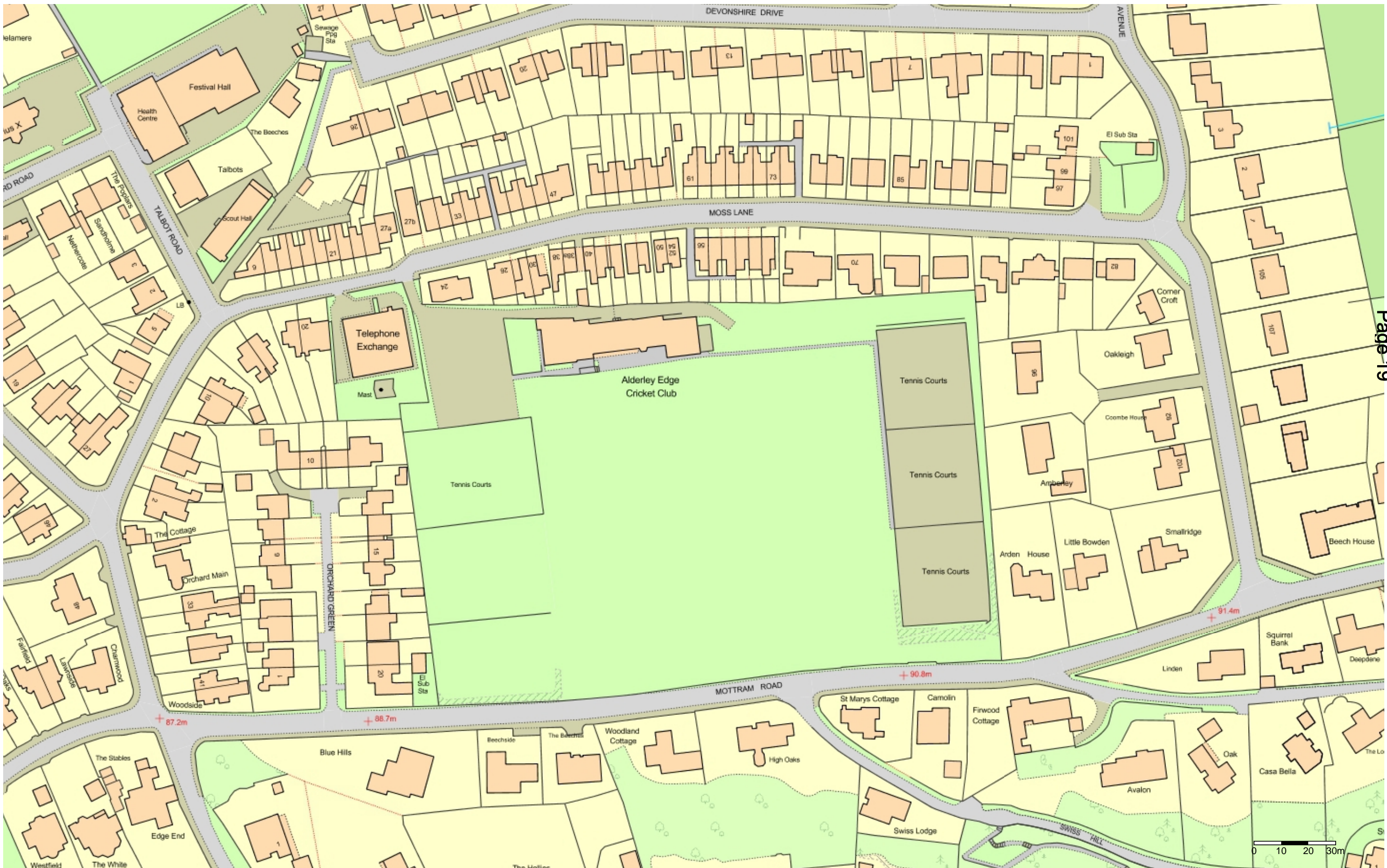
8. Condition (Please read note 17)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declaration (Please read note 18)	
<p>The information contained in this form is correct to the best of my knowledge and belief. I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.</p>	
Signature	
Date	11/6/18
Name of Person signing	John Berry

For completion by the licensing authority

10. Acknowledgement (Please read note 19)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	





19/6/2018



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## LICENSING ACT 2003

### Environmental Health TEN Consultation Response

**Date Received:** 14/6/18

**Name of Applicant:** John William Berry

**Address to which application relates:** Alderley Edge Cricket Club  
Moss Lane  
Alderley Edge  
SK9 7HN

**Date of event(s):** Wednesday 27<sup>th</sup> June – Sunday 1<sup>st</sup> July 2018 (inclusive)

<b>JUNE 2018</b>	Wednesday 27 <sup>th</sup>	18:00 - 23:00
	Thursday 28 <sup>th</sup>	11:00 – 18:00
	Friday 29 <sup>th</sup>	19:00 – midnight
	Saturday 30 <sup>th</sup>	midnight – 01:00
<b>JULY 2018</b>	Sunday 1 <sup>st</sup>	15:00 – 23:00
		12:00 – 18:00

☐

Approve

☒

Object on grounds 'of the prevention of public nuisance.'

#### COMMENTS

- There is a history of noise complaints concerning 'TEN' events held within marquees in the grounds of Alderley Edge Cricket Club.
- No noise mitigation / noise controls submitted as part of the current 'TEN'
- Due to the potential severity of adverse impact and the potential to create a 'public nuisance' arising from the number of events occurring consecutively over a five day period, such discussions should be held in open forum before the Licensing Committee.

#### COMPLAINT HISTORY

The club has a history of noise complaints from residents in proximity to the club arising from TEN's. The most recent noise complaint concerned Friday 24/3/18 until 1am– end of season ball held under a TEN.

Over the last two years every TEN held within a marquee within the grounds of the club has generated noise complaints: April 2018, July 2017 and April 2017. Prior to 2017 noise complaints were received in 2012 concerning a TEN event that generated seven complaints:

Date	Noise Complainant Details	'TEN'
5/4/18	24/3/18 - loud music till 1pm and Saturday 25/3/18 - loud music until 2pm +	TEN - Tennis & Hockey End of Season Ball 23/3/18 - 25/3/18 19:00 -01:00
3/7/17	Music playing in a marquee until 1am.	TEN 30th June, 1st July and 2nd July 2017 19.00-01.00, 19.00-01.00 and 13.00-19.00
3/4/17	Amplified music from marquee event until 1am.	TEN 31st March 6pm to 1am on 1/4/2017 for a tennis fund raising ball and another EVENT on 1st April 7pm to



		1am on 2nd April - end of season dinner dance for the hockey club.
28/6/12	Entertainment Noise from TENs Events	TEN 27 June 2012 – 1 July 2012

The most recent noise complaint concerned Friday 24/3/18 until 1am– end of season ball held under a TEN.

### TEN EVENTS

The TEN for the proposed June/July 2018 events, covers numerous entertainment events to be held over five consecutive days on and nights: Wednesday 27<sup>th</sup> June – Sunday 1<sup>st</sup> July 2018 (inclusive). Events held on Thursday and Sunday to terminate at 18:00.

The events are to be held within a temporary marquee structure, erected within the grounds of the cricket club. Marquees are acoustically weak structures and this Directorate has experience dealing with noise complaints arising from events held within marquees, significantly negatively impacting noise sensitive dwellings.

In respect of the TEN, I do not consider it is possible to hold regulated entertainment events without music being audible within potentially noise sensitive residential properties.

The events are to be held consecutively over five days and nights. I consider that it is highly likely that any entertainment held during this time-frame would result in a public nuisance.

The five consecutive events are to commence from mid week Wednesday 27<sup>th</sup> June 2018 (event terminates at 23:00); it is reasonable to assume that residents in close proximity to the cricket club grounds will need to be up for work and school.

Events on Friday 29<sup>th</sup> June 2018 are to terminate at 1am on Saturday 30<sup>th</sup> June; with a further event on Saturday 30<sup>th</sup> June 2018 commencing at 3pm and terminating at 11pm.

The applicant has stated that the event on Friday 28<sup>th</sup> June 2018 will be 'live music to finish by 11.30pm', 'recorded music to finish by 1am'.

The applicant has stated that the event on Saturday 30<sup>th</sup> June 2018 will be 'recorded background music (to finish by 22:00).

The number of entertainment events held within an acoustically weak marquee structure is excessive and would fail to meet the licensing objective for the prevention of public nuisance.

### NOISE CONTROL

The application does not include how noise has been taken into consideration in respect of minimising the impact to neighbours e.g. letter drop, volume control, management control, noise monitoring, providing a contact number for any complaints during the events etc.

### CONCLUSION

Consequently Environmental Health objects to the granting of the Temporary Event Notice under the 'prevention of public nuisance' licensing objective

**SIGNED:**      **Stephanie Bierwas, Enforcement Officer, Environmental Protection**  
**DATED:**      **14/6/18**