

# Licensing and Regulatory Sub-Committee



Forest Heath  
District Council

**Minutes** of a meeting of the **Licensing and Regulatory Sub-Committee** held on  
**Wednesday 17 February 2016** at **10.00 am** at the **Council Chamber,**  
**District Offices,** College Heath Road, Mildenhall IP28 7EY

Present: **Councillors**

**Chairman** Bill Sadler  
Brian Harvey                      Reg Silvester

17. **Apologies for Absence**

There were no apologies for absence.

18. **Substitutes**

There were no substitutes at the meeting.

19. **Election of Chairman**

It was unanimously

**RESOLVED:**

That Councillor Bill Sadler be elected as Chairman.

20. **Temporary Event Notice for the Sale of Alcohol and Provision of Regulated Entertainment at West Row Playing Fields (Report No LSC/FH/16/001)**

The Lawyer welcomed all present to the Hearing, reported that no declarations of interest had been received and introductions to the Panel were made by the Chairman.

The following parties were present at the Hearing:

(a) Applicant

Mr Michael Peachey, Chairman, West Row Village Hall and Playing Fields Association.

(b) Responsible Authority

Ms Julie Roberts, Public Health and Housing Officer, Forest Heath District Council

The Licensing Officer presented the report and explained that an application for a Standard Temporary Event Notice (TEN) had been received by the Council on 3 February 2016 which related to an event on 16/17 July 2016 at West Row Playing Fields.

The licensable activities applied for were for the sale of alcohol by retail from 23.00 to 01.30 and the provision of regulated entertainment (live and recorded music) from 23.00 to 02.00 in a marquee. The TEN notice was attached as Appendix 1 of Report No LSC/FH/16/001.

The Officer explained that a TEN had to be served on the Police and the District Council's Public Health and Housing Team. An objection notice had been received from the Public Health and Housing Team in relation to the prevention of public nuisance and this was attached as Appendix 2.

Paragraph 3.3 of the report explained what the Sub-Committee could determine with regard to the TEN. The current premises licence was attached as Appendix 3, on which there were no specific conditions in relation to noise nuisance.

The Sub-Committee was advised that the TEN should be considered on its own merits, having regard to the Licensing Act 2003, the Government's Guidance on the Act and the Council's Statement of Licensing Policy.

In presenting his case as applicant, Mr Peachey explained that the West Row Village Hall and Playing Fields Association was a registered charity and the annual Band Day event was their biggest fundraising endeavour of the year. However, he advised the Sub-Committee that the last Band Day was held in 2014 and this unfortunately didn't raise as much funding as previously. Hence, the decision was made not to undertake the event in 2015.

In order to try and maximise the amount of fundraising for 2016 the Association decided to apply for the TEN in order to increase the event's hours of operation beyond 11pm as currently permitted by the premises licence.

He explained that Band Day was a community event attended by local people, including a number of families during the day. A professional security firm was always used alongside a large team of volunteers.

The Public Health and Housing Officer then addressed the Hearing and explained the reasons for their objection on the grounds of Prevention of Public Nuisance.

In their professional opinion there was potential for significant public nuisance if the event was permitted to go on until 2.00am. This would subject the surrounding residential, rural area to a prolonged period of noise from within a tent type structure which would not block the volume of music. There would then be further disturbance from those leaving the event at 2.00am followed by potential noise etcetera from the equipment being dismantled and transported away from the site.

All parties present were then given the opportunity to sum up their individual representations.

After hearing the submissions and asking questions of the parties present, the Sub-Committee then retired to another room to give further consideration to the Temporary Event Notice application.

With two voting for the motion and one against, it was

**RESOLVED:**

That the Sub-Committee had read the material presented and listened to all the evidence and submissions of the applicant and the District Council's Public Health and Housing Officer in relation to public nuisance.

The Sub-Committee had considered the National Guidance and the Forest Heath Statement of Licensing Policy and had come to the decision that:

The Temporary Event Notice for an event taking place on 16/17 July 2016 at West Row Playing Fields be **APPROVED**.

Whilst the Sub-Committee gave weight to the representation made by the responsible authority they considered that on the balance of probability there would be no adverse effect on the licensing objection of the Prevention of Public Nuisance.

The Lawyer then advised on the right of appeal prior to the Chairman closing the meeting.

The meeting concluded at 10.35am

**Signed by:**

**Chairman**

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