

DORSET COUNCIL - LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 7 AUGUST 2019

Present: Cllrs Derek Beer, Les Fry and Cathy Lugg

Also present: Mr J Bean (Dorset Police)

Officers present (for all or part of the meeting):

Roger Greene (Senior Corporate and Regulatory Lawyer), Roy Keepax (Licensing Officer), Kerry Pitt-Kerby (Environmental Health Manager - Environmental Protection), Aileen Powell (Team Leader Licensing) and Elaine Tibble (Democratic Services Officer)

16. Declarations of interest

No declarations of disclosable pecuniary interests were made at the meeting.

17. Welcome and introductions

Cllr Beer was the Chairman of the Sub-Committee, he welcomed everyone and introductions by all parties were made.

The Chairman outlined the procedure to be followed for the meeting and the order of addressing the councillors present.

18. Objection to Temporary Event Notice for Bredy Gate, Bredy Farm, Bredy Lane, Burton Bradstock.

The Licensing Team Leader set out the report for a Temporary Event Notice (TEN) highlighting the differences between the Premises Licence and the TEN that had been submitted, she explained that the TEN was a notice of an event served on the authority by the applicant, the authority was only obliged to intervene if there was an objection from the Local Police or Environmental Health.

She re-iterated the three decision options for the committee which were detailed within the report and that a TEN sat on top of a Premises Licence so the committee could impose any of the conditions detailed in the Premises Licence into the TEN.

There was some conflicting information relating to timings within the TEN application which was also slightly more restrictive than the Premises Licence which covered the same piece of land, there had been one Police objection to the TEN.

The Applicant explained that he had applied for the Premises Licence in case they decided to expand the events business. They had not operated from one before and sought the security of a TEN because they had operated this way for the past 5 years, this is what they felt comfortable with. They had already secured a TEN for their May and August events and wished to continue using this method. Environmental Health had advised them to apply for a Premises Licence.

The Police Licensing Officer addressed the committee, he advised that if the Police Authority was not comfortable with a TEN they could ask for conditions to be attached to it, it was not usually possible to get conditions attached to a TEN if there was no Premises Licence in place. As there was a Premises Licence in place for this venue it was within the committee's gift to decide which of the conditions from the Premises Licence could be attached to the TEN

The EH Manager advised that there had been a number of events held at the site and a number of noise complaints, an Abatement Notice had been served which was appealed to the Magistrates Court to try and reach an arrangement to continue with the events without causing inconvenience to neighbours, however the Authority had still received some complaints and still had concerns

The Licensing Team Leader reminded the committee that the decision was for them to decide which conditions they felt appropriate to be added to the TEN.

The Applicant told the committee that the venue had been monitored over a number of events, and he had been working with a member of the Environmental Health Team to reduce the noise levels, however there was a history to the complaints. He had offered mediation which had been refused, he had put an earth bund up and incorporated other measures to reduce the effect of sound, this was just a small family event with approximately 400 tickets sold.

In response to a member question the Applicant re-iterated that as he had always run the events with a TEN in the past and he felt comfortable with that, he felt more secure with a TEN and he was happy with the conditions imposed on the Premises Licence.

The noise levels and the effect the weather and earth bund could have on noise was discussed. The event held the previous weekend had been monitored by the applicant and it was 8dB over background noise. He did not have the budget to pay for external independent noise monitoring. Out of the 6 neighbouring properties 3 supported the events and 3 opposed them.

The Senior Corporate and Regulatory Lawyer advised the committee that there had been a lot of discussion at the original meeting for the Premises Licence, all these concerns had been addressed but there had been no independent consultant's report. A large list of conditions had been agreed between Licensing Officers and the Applicant had been happy with these.

The Applicant summarised that so much depended on the weather conditions and wind on the day, this was a family event with children and adults up to around 60 years of age attending, they had various bands and would always attempt to give the louder bands earlier time slots, recorded music would be played until 02.00 for those who wanted to stay up a little later and have a drink in the bar.

The Licensing Team Leader went through the restrictions imposed in the TEN which were more restrictive than the Premises Licence.

The Police Licensing Officer circulated a list of conditions from the Premises Licence that he would like to suggest were applied to the TEN.

The Licensing Team Leader suggested a short adjournment while she took the Applicant aside for a discussion.

Adjournment 10.39 to 10.48

On re-convening the Applicant decided to withdraw the application for the TEN – the reason being that he wished to play incidental music between 11.45 and 02.00 while the bar was open and selling alcohol. The Premises Licence was less restrictive on the playing of background music than the TEN was.

19. **Urgent items**

There were no urgent items.

20. **Exempt Business**

There was no exempt business.

Duration of meeting: 10.00 - 10.50 am

Chairman

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