

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 11 JUNE 2021

Present: Cllrs Susan Cocking, Kate Wheller and Emma Parker

Apologies: Cllr Carole Jones

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

Philip Crowther (Legal Business Partner - Regulatory), Aileen Powell (Team Leader Licensing), Kathryn Miller (Licensing Officer), Michael Hale (Senior Technical Officer), Elaine Tibble (Senior Democratic Services Officer) and George Dare (Democratic Services Officer)

18. Election of Chairman and Statement for the Procedure of the Meeting

Proposed by Cllr Wheller, seconded by Cllr Cocking.

Decision: That Cllr Parker be appointed Chairman for the duration of the meeting.

19. Apologies

An apology for absence was received from Cllr Carole Jones.

20. Declarations of Interest

No declarations of interest were made at the meeting.

21. Objection to a Temporary Event Notice

The Licencing Officer introduced the report for an objection to a Temporary Event Notice (TEN). The TEN applied for was to permit the sale of alcohol on the premises and the provision of regulated entertainment between the hours of 14.00 and 23.00 on Monday, 21 June 2021. An objection notice had been received from Environmental Health. The options available to the Sub-Committee were to either issue a counter notice or not issue a counter notice.

There were no questions of the Licencing Officer.

Mr Morgan, the applicant, explained that the TEN applied for would be used for a musical celebration of young talent. The applicant felt inspired by the date of 21 June because it was the Summer Solstice and the date where social distancing measures were due to end.

The Sub-Committee asked questions of the applicant. In answers to questions, the applicant explained that:

- He felt the proposed times for the event were acceptable.
- Clearing up could be done the following day to avoid disturbance after the event.
- The event would be ticketed to limit the amount of people.
- He felt complaints would be made because residents do not like the type of music.
- The PA System would face away from residential buildings to help reduce noise.
- Good hygiene would be maintained by limiting the amount of people to 99, when there is space for more than that, and webinars on good hygiene at events had been attended.

The Senior Technical Officer, representing Environmental Health, presented their case for objecting to the TEN. He explained that the event had an early start and late finish time and that this was an ordinary Monday with local residents going to school or work the next day. There were two current complaints in the area which were related to private parties which happened in the same place as the event would be held, therefore it was likely that this event would cause complaints from local residents. The complaints that could be made are not likely to be related to the type of music but rather the level of noise. The proposed event lacked a noise management plan and the PA system pointed away from the residential buildings would not reduce noise.

In response to questions asked of the Senior Technical Officer, it was confirmed that: a noise management plan was not specifically asked for, but it would be expected for an event in a built up area; and that complaints would still be likely if the event was shorter.

The Sub-Committee was reminded that the proposed event could not be changed after the hearing had started and that the options available were to either issue a counter notice or not issue a counter notice.

All parties were given the opportunity to sum up their case.

The decision would be sent to all parties within 5 working days and all parties had the right to appeal the decision to the magistrates' court within 21 days.

22. **Urgent items**

There were no urgent items.

23. **Exempt Business**

Proposed by Cllr Parker, seconded by Cllr Cocking.

Decision: That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The Sub-Committee retired to make their decision.

Decision: That a Counter Notice be issued.

Reason for the Decision:

The Sub-Committee carefully considered all of the documents presented to it and the oral and written representations made by the parties. They had regard to the four Licensing Objectives, the Home Office Statutory Guidance and the Dorset Council Statement of Licensing Policy 2021-2026.

The Sub-Committee understood, and took into account, the representations made by the Applicant. He explained that the event would take place on 'Freedom Day' and the solstice and was intended to promote young musicians, DJs and people providing technical support who had been unable to perform during the Coronavirus pandemic. He said that the performance area would be within a sunken location in the garden and the PA would be pointed away from the adjoining residential properties. He further explained that the event would be ticketed and clear up could be done the following day to avoid disturbance after 23:00.

The Sub-Committee also took into account the Environmental Health Officer's representations that the event would be held for a long period, from 14:00 to 23:00 on a weekday when most local residents would be working or going to school the following day. He said that the location meant that the direction of the PA would make very little difference to noise and that no noise management plan had been submitted; as a result there would be no control over the level of music.

However, the Sub-Committee considered that, having regard to the Licensing Objectives, and in particular the prevention of public nuisance a counter-notice should be issued. This was due to the length of the event, its start and end times on a week day which would be likely to cause unacceptable noise for people living and working in the area and the lack of any noise plan which could have mitigated the noise impact.

Duration of meeting: 10.00 - 10.53 am

Chairman

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