



PREMISES / PERSONAL LICENCES SUB-COMMITTEE

AGENDA

DATE:	Tuesday, 21 May 2024
TIME:	10.00 am
VENUE:	Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor A Cossens
Councillor Davidson

Councillor Wiggins

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DATE OF PUBLICATION: Friday, 17 May 2024

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Minutes of the Last Meeting (Pages 5 - 6)

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on 11 March 2024.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests of Non-Registerable Interests, and the nature of it, in relation to any item on the agenda.

4 Report of the Assistant Director (Legal & Governance) - A.1 - Temporary Event Notices - Bush Wood, High Birch Farm, Weeley (Pages 7 - 26)

To provide information in order that the Premises/Personal Licensing Sub-Committee can determine objections to seven Temporary Event Notifications (TEN).

5 Exclusion of Press and Public

To consider passing the following resolution:

“That under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the public be excluded from the meeting for the items of business to be considered below on the grounds that the public interest in so doing outweighs the public interest in that part of the hearing taking place in public”.

6 Exempt Minutes of the Previous Meeting (Pages 27 - 28)

To confirm and sign as a correct record, the exempt minutes of the meeting of the Sub-Committee held on 11 March 2024.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Premises / Personal Licences Sub-Committee is to be held as and when it is required.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

**MINUTES OF THE MEETING OF THE PREMISES / PERSONAL LICENCES SUB-COMMITTEE,
HELD ON MONDAY, 11TH MARCH, 2024 AT 11.30 AM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors A Cossens, Davidson, J Henderson and Smith
In Attendance:	Linda Trembath (Head of Legal Services & Deputy Monitoring Officer), Michael Cook (Licensing Manager), Keith Durran (Committee Services Officer) and Emma King (Licensing Officer)
Also in Attendance:	Gary Burke (Sneior Licensing Officer – Essex Police)

28. CHAIRMAN OF THE MEETING

It was moved by Councillor Smith, seconded by Councillor Davidson and:

RESOLVED that – Councillor J Henderson be elected as Chairman for the meeting.

29. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence, or substitutions.

30. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the meeting held on Monday 29 January 2024, be approved as a correct record and be signed by the Chairman.

31. DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

32. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Smith, seconded by Councillor Davidson and:-

RESOLVED that under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the public be excluded from the meeting for the items of business to be considered below on the grounds that the public interest in doing so outweighs the public interest in that part of the hearing taking place in public. For the purposes of this decisions, a party and any person assisting or representing a party shall not be treated as a member of the public.

33. REPORT OF ASSISTANT DIRECTOR (GOVERNANCE & LEGAL) - A.1 - APPLICATION FOR THE GRANT OF A PERSONAL LICENCE

The Sub-Committee convened in private session to decide if Members agreed or disagreed with the Essex Police decision to object to the Personal Licence.

It was **RESOLVED** that the Personal Licence grant application submitted be refused.

34. EXEMPT MINUTES OF THE PREVIOUS MEETING

It was **RESOLVED** that the Exempt Minutes of the meeting of the Sub-Committee, held on Monday, 29 January 2024 be approved as a correct record and be signed by the Chairman.

The meeting was declared closed at 12.07 pm

Chairman

PREMISES/PERSONAL LICENSING SUB-COMMITTEE

21 MAY 2024

REPORT OF ASSISTANT DIRECTOR (GOVERNANCE & LEGAL)

A.1 TEMPORARY EVENT NOTICES – BUSH WOOD, HIGH BIRCH FARM, WEELEY REF: TENOP/5113/24, TENOP/5118/24, TENOP/5114/24, TENOP/5120/24, TENOP/5119/24, TENOP/5115/24, TENOP/5116/24

PURPOSE OF THE REPORT

To provide information in order that the Premises/Personal Licensing Sub-Committee can determine objections to seven Temporary Event Notifications (TEN).

SUMMARY

Seven Temporary Event Notifications (TEN) have been sent to the Licensing Authority of Tendring District Council in accordance with Section 100 of the Licensing Act 2003 by Mr James Kingston.

Essex Police and Tendring District Council Environmental Services Department, the Responsible Authorities within the Tendring District area have submitted objection notices with reference to the prevention of public nuisance.

The Sub-Committee is asked to determine the matter in accordance with the Licensing Act 2003, Tendring District Council Licensing Police and the Home Office Guidance issued under Section 182 Licensing Act 2003, having due regard to the applicant's submissions and objections by the statutory body.

SUPPORTING INFORMATION

When carrying out its functions the licensing authority must have regard to the four licensing objectives.

The objectives are:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance
- The protection of children from harm

Temporary Event Notices are intended to allow an individual to use premises for one or more licensable activities on an infrequent basis. There is no application process, but the premises user must give at least 10 working days' notice to the relevant Licensing Authority, the relevant Chief Officer of Police, and Environmental not including the day of the event or the day of receipt of the Notice. There is no provision to attach any terms, conditions, limitations, or restrictions to such a Notice.

Mr Kingston (referred to in the Licensing Act as the 'premises User') has submitted the following Temporary Event Notifications to cover the licensable activities on the below dates:

Ref: TENOP/5113/24 - Fump Magical Meadows

Date	Activity	Times
24/05/2024	Provision of Regulated Entertainment and Sale of Alcohol on the premises	1800 – 0200
25/05/2024		1200 – 0200
26/05/2024		1200 – 0000
24/05/2024	Late Night Refreshment	2300 – 0200
25/05/2024		2300 – 0200
26/05/2024		2300 – 0000

Ref: TENOP/5118/24 - Deep Street

Date	Activity	Times
15/06/2024	Provision of Regulated Entertainment and Sale of Alcohol on the premises	1200 - 2300

Ref: TENOP/5114/24 - Fump Magical Meadows

Date	Activity	Times
21/06/2024	Provision of Regulated Entertainment and Sale of Alcohol on the premises	1800 – 0200
22/06/2024		1200 – 0200
23/06/2024		1200 – 0000
21/06/2024	Late Night Refreshment	2300 – 0200
22/06/2024		2300 – 0200
23/06/2024		2300 – 0000

Ref: TENOP/5120/24 – Keep it Real Folk Festival

Date	Activity	Times
13/07/2024	Provision of Regulated Entertainment and Sale of Alcohol on the premises	1200 – 2300
14/07/2024		1200 – 2200

Ref: TENOP/5119/24 - Food and Drink Festival

Date	Activity	Times
03/08/2024	Provision of Regulated Entertainment and Sale of Alcohol on the premises	1200 – 2300
04/08/2024		1200 – 2200

Ref: TENOP/5115/24 - Fump Magical Meadows

Date	Activity	Times
23/08/2024	Provision of Regulated Entertainment and Sale of Alcohol on the premises	1800 – 0200
24/08/2024		1200 – 0200
25/08/2024		1200 – 0000
23/08/2024	Late Night Refreshment	2300 – 0200
24/08/2024		2300 – 0200
25/08/2024		2300 – 0000

Ref: TENOP/5116/24 - Fump Winter Solstice

Date	Activity	Times
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20/09/2024	Provision of Regulated Entertainment and Sale of Alcohol on the premises	1800 – 0200
21/09/2024		1200 – 0200
22/09/2024		1200 – 0000
20/09/2024	Late Night Refreshment	2300 – 0200
21/09/2024		2300 – 0200
22/09/2024		2300 – 0000

The address of the event is Bush Wood, High Birch Road, Weeley, Essex. The premises does not hold a valid premises licence under the Licensing Act 2003.

The notifications were submitted electronically to the Licensing Authority on 8 May 2023. Essex Police and Environmental Health were informed on the same day. During the 3 full working day objection period, which expired on 13 May 2023, the Licensing Authority received objection notices from Essex Police and Tendring District Council Environmental Services Department.

This hearing must therefore consider the points raised in the Objection Notices and make a determination on the Temporary Event Notice. The Premises User, Essex Police and Tendring District Council Environmental Services have been invited to attend the hearing and will be given the opportunity to address members.

The Safety Advisory Group which included Essex Police and Tendring District Council Environmental Services Department met on Tuesday 14th May 2024 to discuss the event/s. As a result of this meeting, it was confirmed that the Responsible Authorities would be willing to consider withdrawing their objections to the events should the applicant be able to provide sufficient evidence to address the concerns relating to noise impact and to reduce the finish end time to 0100 hours. In addition to this the applicant was advised they should look to withdraw all temporary event applications, other than the first event known as Fump Magical Meadows on 24th May 2024 – 26th May 2024. More information can be found in the Appendix.

FINANCE, OTHER RESOURCES AND RISK

A decision made by the Sub-Committee is subject to appeal at the Magistrates Court by the premises user or a relevant person.

COUNCIL'S ADOPTED GUIDELINES AND LEGISLATION

The Sub-Committee should be aware that a Temporary Event Notice is not an application for the purposes of the Licensing Act 2003. It is a notification that licensable activities are going to take place at a certain venue and at notified times. The limit on numbers at such an event, including audience, staff and performers is 499. The Police and Environmental Health have the right to object if, they are of the opinion that allowing the event to take place would undermine any of the licensing objectives.

The Sub-Committee's decision is whether or not to issue a counter notice. If a counter notice is issued this means the event cannot take place. A notice with reasons for the decision must also be given.

If the Sub-Committee decide not to issue a counter notice and allow the event to go ahead the premises user and the relevant persons must be given a notice of that decision.

The TEN can be modified (times, layout of venue, licensable activities) but only with the agreement of the premises user and all relevant persons.

The Sub-Committee must determine the matter in accordance with Section 105 Licensing Act 2003.

Section 105 Licensing Act 2003 Section (2) states: The Licensing Authority must –

- a) Hold a hearing to consider the objection notice, unless the premises user (Mr Kingston), the relevant person (Essex Police and Tendring District Council Environmental Services) who gave the objection notices and the authority agree that a hearing is unnecessary.
- b) Having regard to the objection notices, give the premises user a counter notice under this section if it considers it appropriate for the promotion of the licensing objectives to do so.

Section 105 Licensing Act 2003 Section (3) states:

The Licensing Authority must –

- a) In a case where it decides not to issue a counter notice under this section, give the premises user and each relevant person a notice of the decision.
- b) In any other case –
 - i. Give the premises user the counter notice and a notice stating the reasons for its decision and
 - ii. Give each relevant person a copy of both of those notices

The Licensing Sub Committee's decision is whether or not to issue a counter notice. If a counter notice is issued this means the event cannot take place. A notice with reasons for the decision must also be given.

Section 182 Guidance - Police and environmental health intervention

7.32 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.

7.33 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.

7.34 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings (or appeals) in respect of late TENs and if objections are raised by the police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.

7.35 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance – even where the statutory limits on numbers are being observed. The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time. In cases where there is reason to doubt that the numbers will remain within the permitted limit the premises user should make clear what the nature of the event(s) is and how they will ensure that the

permitted persons limit will not be exceeded. For example, where notices are being given for TENs simultaneously on adjacent plots of land it may be appropriate for door staff to be employed with counters. In each case it is important that licensing authorities and relevant persons can consider whether they believe that the premises user intends to exceed the 499 person limit or will be unable to control or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.

7.36 However, in most cases, where for example, alcohol is supplied away from licensed premises at a temporary bar under the control of a personal licence holder, (such as at weddings with a cash bar or small social or sporting events) this should not usually give rise to the use of these powers.

Section 182 Guidance - Applying conditions to a TEN

7.38 The 2003 Act provides that only the licensing authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:

- if the police or the EHA have objected to the TEN;
- if that objection has not been withdrawn;
- if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
- and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

7.39 This decision is one for the licensing authority alone, regardless of the premises user's views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.

RECOMMENDATION(S)

The Licensing Sub Committee must consider in its own right and on its own merits only as to how it might impact on the four licensing objectives which are the Prevention of Crime and Disorder, the Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

The Licensing Sub Committee is therefore asked to determine this notification taking into consideration all the relevant information that has been submitted as part of this report and at the hearing itself.

That the Sub-Committee consider this report together with any other submissions at the hearing and determine if it:

- a. Accepts the objections and issues a Counter Notice for all seven applications, or,
- b. Rejects the objections, allowing all seven events to take place.
- c. Partially accept the objections, reject/accept selected events to take place. Issuing a Counter Notice for the events which have been rejected.

APPENDICES

- Appendix A - Temporary Event Notifications and Location Plan
Appendix B - Essex Police Objection
Appendix C - Tendring District Council Environmental Health Objection
Appendix D - Recommendations from Tendring District Council Environmental Health following the Safety Advisory Group

REPORT CONTACT OFFICER(S)

Name	Michael Cook & Emma King
Job Title	Licensing Manager & Licensing Officer
Email/Telephone	licensingsection@tendringdc.gov.uk 01255 686565

A.1 - APPENDIX A

Temporary Event Notice

TENOP/5113/24 - Application - 24-27 May 2024

Applicant	Mr james Kingston
Applicant address	Given on application
Email address	Given on application
Premises Address	OS Grid Ref:TM 14194 19012Latitude:51°49'43"NLongitude:1°6'26"E
Premises Name	Bush Wood (leftfield)
Does the Premises hold a Premises Licence	No
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	We will be using the woodland and the meadow next to bush wood.
Nature of Premises	The premisis is a glamping and activity site.
Nature of Event	Fump Magical Meadows is a very well established friends of friends party that had been operating in various locations for the last 13 years.
Licensable Activities	The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night refreshment
Dates for the event(s)	May 24th 26th 27th 2024
Times for the event(s)	Friday 24th 18:00 - 00:00 Saturday 25th 00:00 - 02:00 12:00 - 00:00 Sunday 26th 00:00 - 02:00 12:00 - 00:00
Maximun number of people	300
Where will alcohol be sold	On the Premises
Do you hold a personal licence	Yes - Issuing authority - Bury St Edmunds
Confirm Read - Yes Full Name - james kingston Date - 08/05/2024	

A.1 - APPENDIX A

Temporary Event Notice

TENOP/5118/24 - Application - 15 June 2024

Applicant	Mr james Kingston
Applicant address	Given on application
Email address	Given on application
Premises Address	OS Grid Ref:TM 14194 19012Latitude:51°49'43"NLongitude:1°6'26"E
Premises Name	Bush Wood (leftfield)
Does the Premises hold a Premises Licence	No
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	We will be using the woodland and the meadow next to bush wood.
Nature of Premises	The premisis is a glamping and activity site.
Nature of Event	1 day Music event called Deep Street.
Licensable Activities	The sale by retail of alcohol, The provision of regulated entertainment,
Dates for the event(s)	June 15th 2024
Times for the event(s)	Saturday 15th 12:00 - 23:00
Maximun number of people	300
Where will alcohol be sold	On the Premises
Do you hold a personal licence	Yes - Issuing authority - Bury St Edmunds
Confirm Read - Yes Full Name - james kingston Date - 08/05/2024	

A.1 - APPENDIX A

Temporary Event Notice

TENOP/5114/24 - Application - 21-23 June 2024

Applicant	Mr james Kingston
Applicant address	Given on application
Email address	Given on application
Premises Address	OS Grid Ref:TM 14194 19012Latitude:51°49'43"NLongitude:1°6'26"E
Premises Name	Bush Wood (leftfield)
Does the Premises hold a Premises Licence	No
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	We will be using the woodland and the meadow next to bush wood.
Nature of Premises	The premises is a glamping and activity site.
Nature of Event	Fump Magical Meadows is a very well established friends of friends party that had been operating in various locations for the last 13 years
Licensable Activities	The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night refreshment
Dates for the event(s)	June 21st 22nd 23rd
Times for the event(s)	Friday 21st 18:00 - 00:00 Saturday 22nd 00:00 - 02:00 12:00 - 00:00 Sunday 23rd 00:00 - 02:00 12:00 - 00:00
Maximun number of people	300
Where will alcohol be sold	On the Premises
Do you hold a personal licence	Yes - Issuing authority - Bury St Edmunds
Confirm Read - Yes Full Name - james kingston Date - 08/05/2024	

A.1 - APPENDIX A

Temporary Event Notice

TENOP/5120/24 - Application - 13-14 July 2024

Applicant	Mr james Kingston
Applicant address	Given on application
Email address	Given on application
Premises Address	OS Grid Ref:TM 14194 19012Latitude:51°49'43"NLongitude:1°6'26"E
Premises Name	Bush Wood (leftfield)
Does the Premises hold a Premises Licence	No
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	We will be using the woodland and the meadow next to bush wood.
Nature of Premises	The premises is a glamping and activity site.
Nature of Event	Keep it Real Folk Festival
Licensable Activities	The sale by retail of alcohol, The provision of regulated entertainment,
Dates for the event(s)	July 13th - 14th 2024
Times for the event(s)	Saturday 13th 12:00 - 23:00 Sunday 14th 12:00 - 22:00
Maximum number of people	300
Where will alcohol be sold	On the Premises
Do you hold a personal licence	Yes - Issuing authority - Bury St Edmunds
Confirm Read - Yes Full Name - james kingston Date - 08/05/2024	

A.1 - APPENDIX A

Temporary Event Notice

TENOP/5119/24 - Application - 3-4 August 2024

Applicant	Mr james Kingston
Applicant address	Given on application
Email address	Given on application
Premises Address	OS Grid Ref:TM 14194 19012Latitude:51°49'43"NLongitude:1°6'26"E
Premises Name	Bush Wood (leftfield)
Does the Premises hold a Premises Licence	No
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	We will be using the woodland and the meadow next to bush wood.
Nature of Premises	The premises is a glamping and activity site.
Nature of Event	2 day Food and drink Festival.. Funk and Soul food
Licensable Activities	The sale by retail of alcohol, The provision of regulated entertainment,
Dates for the event(s)	August 3rd 4th 2024
Times for the event(s)	Saturday 3rd 12:00 - 23:00 Sunday 4th 12:00 - 22:00
Maximum number of people	300
Where will alcohol be sold	On the Premises
Do you hold a personal licence	Yes - Issuing authority - Bury St Edmunds
Confirm Read - Yes Full Name - james kingston Date - 08/05/2024	

A.1 - APPENDIX A

Temporary Event Notice

TENOP/5115/24 - Application - 23-25 August 2024

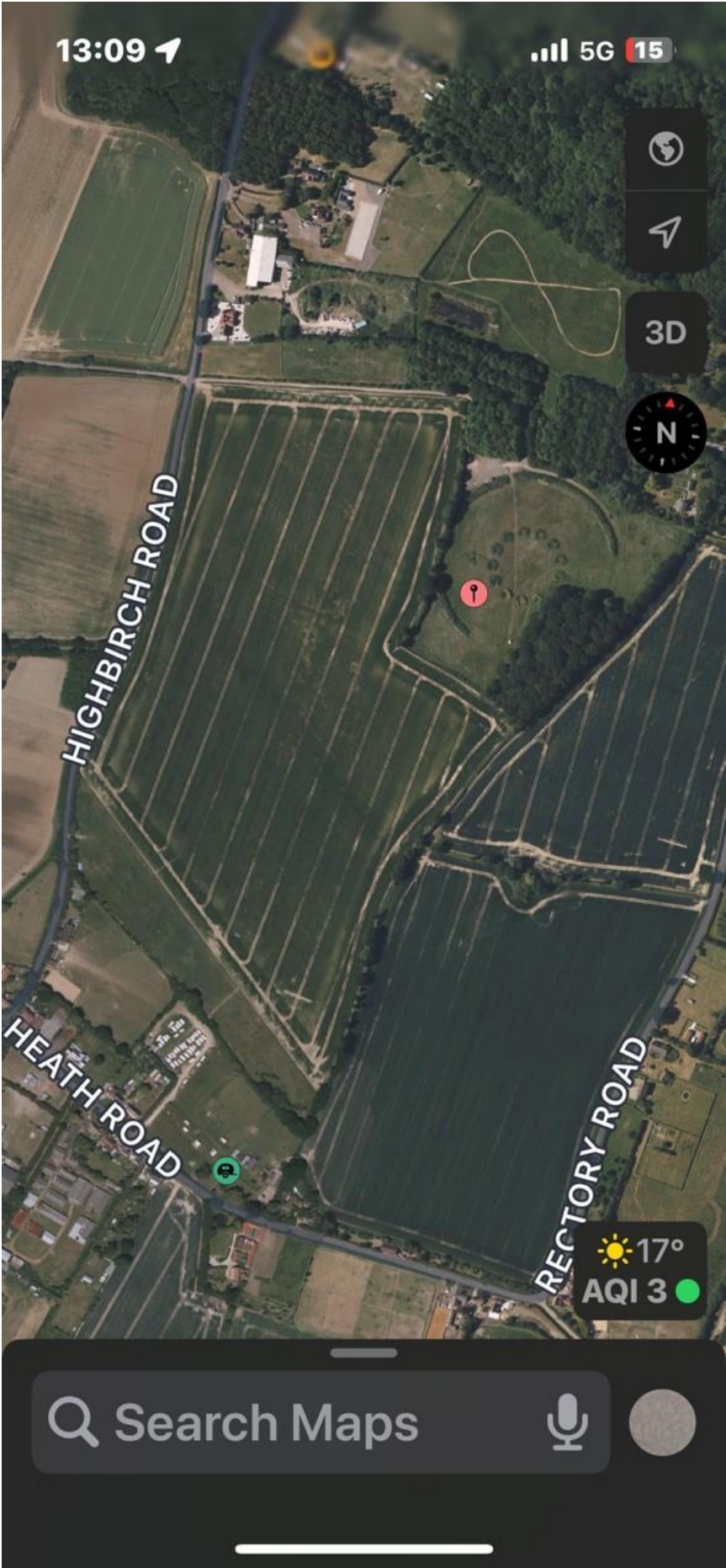
Applicant	Mr james Kingston
Applicant address	Given on application
Email address	Given on application
Premises Address	OS Grid Ref:TM 14194 19012Latitude:51°49'43"NLongitude:1°6'26"E
Premises Name	Bush Wood (leftfield)
Does the Premises hold a Premises Licence	No
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details	We will be using the woodland and the meadow next to bush wood.
Nature of Premises	The premises is a glamping and activity site.
Nature of Event	Fump Magical Meadows is a very well established friends of friends party that had been operating in various locations for the last 13 years
Licensable Activities	The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night refreshment
Dates for the event(s)	August 23rd 24th 25th 2024
Times for the event(s)	Friday 23rd 18:00 - 00:00 Saturday 24th 00:00 - 02:00 12:00 - 00:00 Sunday 25th 00:00 - 02:00 12:00 - 00:00
Maximun number of people	300
Where will alcohol be sold	On the Premises
Do you hold a personal licence	Yes - Issuing authority - Bury St Edmunds
Confirm Read - Yes Full Name - james kingston Date - 08/05/2024	


A.1 - APPENDIX A

Temporary Event Notice

TENOP/5117/24 - Application - 20-22 September 2024

Applicant	Mr james Kingston
Applicant address	Given on application
Email address	Given on application
Premises Address	OS Grid Ref:TM 14194 19012Latitude:51°49'43"NLongitude:1°6'26"E
Premises Name	Bush Wood (leftfield)
Does the Premises hold a Premises Licence	No
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	We will be using the woodland and the meadow next to bush wood.
Nature of Premises	The premisis is a glamping and activity site.
Nature of Event	Fump Magical Meadows is a very well established friends of friends party that had been operating in various locations for the last 13 years
Licensable Activities	The sale by retail of alcohol, The provision of regulated entertainment, The provision of late night refreshment
Dates for the event(s)	September 20th 21st 22nd
Times for the event(s)	Friday 20th 18:00 - 00:00 Saturday 21st 00:00 - 02:00 12:00 - 00:00 Sunday 22nd 00:00 - 02:00 12:00 - 00:00
Maximun number of people	300
Where will alcohol be sold	On the Premises
Do you hold a personal licence	Yes - Issuing authority - Bury St Edmunds
Confirm Read - Yes Full Name - james kingston Date - 08/05/2024	





James KINGSTON
150 MERSEA ROAD,
COLCHESTER,
ESSEX,
CO28PU

Essex Police Licensing Unit
Blyth's Meadow
Braintree
Essex CM7 3DJ

01245 452035

13th May 2024.

POLICE OBJECTION NOTICE to a Temporary Event Notice (TEN) Section 104 Licensing Act 2003

Name of Premises User: James KINGSTON

Address of Premises: BUSHWOOD, (LeftField) Highbirch Rd, Weeley.

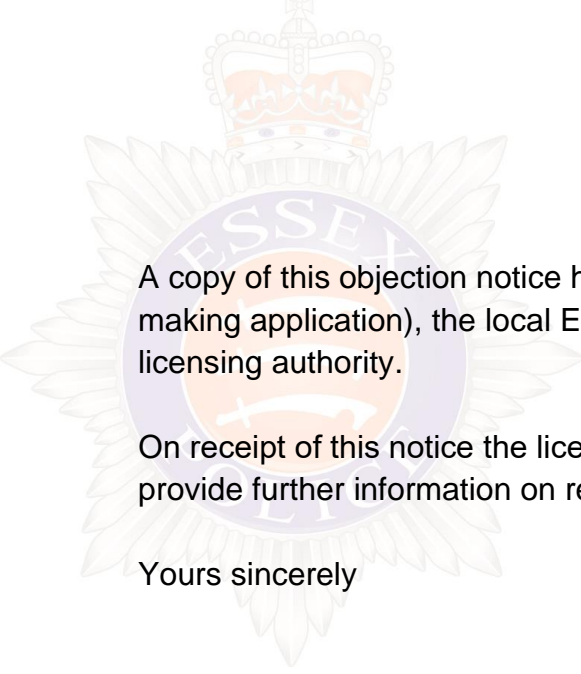
Date(s) required for TEN(s) -
24 – 26 May 2024.
13 – 14 July 2024.
03 – 04 August 2024.
15 June 2024.
21 – 23 June 2024.
23 – 25 August 2024.
20 – 22 September 2024.

On 08 May 2024, Essex Police received the above Notices.

The Police are satisfied that the allowing the premises to be used in accordance with the notices would undermine one or more of the licensing objectives.

The licensing objective(s) of relevance to this objection notice would be the prevention of public nuisance of the Licensing Act 2003.

To allow this activity to take place, with a DJ playing music until 0200 would cause severe noise disruption and distress to those living close to the venue and those further away, as it is a rural area, sound will travel over a far greater distance.



A copy of this objection notice has been served upon the premises user (or agent making application), the local Environmental Health Department and the relevant licensing authority.

On receipt of this notice the licensing authority will issue a 'Counter Notice' and provide further information on related procedures.

Yours sincerely

Steven BENNETT

Licensing.applications@essex.police.uk

A.1 - APPENDIX C

From: Katie Wesley-Smith <kwesley-smith@tendringdc.gov.uk>

Sent: Monday, May 13, 2024 3:25 PM

To: Licensing Section <licensingsection@tendringdc.gov.uk>

Subject: Intersonic Productions: Temporary Event Applications: Land at High Birch Road / Rectory Road, Weeley

Importance: High

Good Afternoon – with reference to the below Temporary Event applications and the subsequent consultation request.

Environmental Protection wish to lodge an *objection* to the following requested events, submitted by Intersonic Productions:

FUMP MAGICAL MEADOWS: Friday 24/05/24 18:00 – 00:00
Saturday 25/05/24 00:00 – 02:00
Saturday 25/05/24 12:00 – 00:00
Sunday 26/05/24 00:00 – 02:00
Sunday 26/05/24 12:00 – 00:00

DEEP STREET: Saturday 15/06/24 12:00 – 23:00

FUMP MAGICAL MEADOWS: Friday 21/06/24 18:00 – 00:00
Saturday 22/06/24 00:00 – 02:00
Saturday 22/06/24 12:00 – 00:00
Sunday 23/06/24 00:00 – 02:00
Sunday 23/06/24 12:00 – 00:00

KEEP IT REAL (FOLK FESTIVAL) Saturday 13/07/24 12:00 – 23:00
Sunday 14/07/24 12:00 – 22:00

FUNK & SOUL FOOD: Saturday 03/08/24 12:00 – 23:00
Sunday 04/08/24 12:00 – 22:00

FUMP MAGICAL MEADOWS: Friday 23/08/24 18:00 – 00:00
Saturday 24/08/24 00:00 – 02:00
Saturday 24/08/24 12:00 – 00:00
Sunday 25/08/24 00:00 – 02:00
Sunday 25/08/24 12:00 - 00:00

FUMP WINTER SOLSTICE: Friday 20/09/24 18:00 – 00:00
Saturday 21/09/24 00:00 – 02:00
Saturday 21/09/24 12:00 – 00:00
Sunday 22/09/24 00:00 – 02:00
Sunday 22/09/24 12:00 – 00:00

This response has been formed in relation to our responsibilities to ensure compliance with the Licencing Objectives, in this instance Prevention of Public Nuisance.

There are a number of factors of which have given rise to this objection and the considerations are listed below –

A.1 - APPENDIX C

- Concerns over excessive noise / loud music
- Finishing times of 0200
- Location is within a rural setting with low existing background levels, with a number of residential properties within the surrounding area
- Complaints received from several nearby residential properties last year (2023) concerning excessive noise and timings from an event at that location

Should sufficient information be presented to the Environmental Health representative in relation to controls regarding noise, then consideration will be given in relation to withdrawing this objection.

Should you have any queries, please do not hesitate to contact me.

Kind Regards

Katie

Katie W Smith BSc (Hons) MCIEH CEnvH
Chartered Environmental Health Practitioner
Environmental Protection Manager
Tel: 01255 686 763 / 686 767
Email: kwesley-smith@tendringdc.gov.uk / environmental.services@tendringdc.gov.uk

A.1 - APPENDIX D

From: Katie Wesley-Smith <kwesley-smith@tendringdc.gov.uk>
Sent: Wednesday, May 15, 2024 3:52 PM
To: 'james@intersonic.co.uk' <james@intersonic.co.uk>
Cc: Licensing Section <licensingsection@tendringdc.gov.uk>
Subject: Temporary Event Notices - Bush Wood, High Birch Road, Weeley - Various Dates

Good Afternoon Mr KINGSTON – with reference to your Temporary Event Applications concerning the below dates at the site known as Land Adjacent Bush Wood, Rectory Road, Weeley Heath:

FUMP MAGICAL MEADOWS:	Friday 24/05/24	18:00 – 00:00
	Saturday 25/05/24	00:00 – 02:00
	Saturday 25/05/24	12:00 – 00:00
	Sunday 26/05/24	00:00 – 02:00
	Sunday 26/05/24	12:00 – 00:00
DEEP STREET:	Saturday 15/06/24	12:00 – 23:00
FUMP MAGICAL MEADOWS:	Friday 21/06/24	18:00 – 00:00
	Saturday 22/06/24	00:00 – 02:00
	Saturday 22/06/24	12:00 – 00:00
	Sunday 23/06/24	00:00 – 02:00
	Sunday 23/06/24	12:00 – 00:00
KEEP IT REAL (FOLK FESTIVAL)	Saturday 13/07/24	12:00 – 23:00
	Sunday 14/07/24	12:00 – 22:00
FUNK & SOUL FOOD:	Saturday 03/08/24	12:00 – 23:00
	Sunday 04/08/24	12:00 – 22:00
FUMP MAGICAL MEADOWS:	Friday 23/08/24	18:00 – 00:00
	Saturday 24/08/24	00:00 – 02:00
	Saturday 24/08/24	12:00 – 00:00
	Sunday 25/08/24	00:00 – 02:00
	Sunday 25/08/24	12:00 - 00:00
FUMP WINTER SOLSTICE:	Friday 20/09/24	18:00 – 00:00
	Saturday 21/09/24	00:00 – 02:00
	Saturday 21/09/24	12:00 – 00:00
	Sunday 22/09/24	00:00 – 02:00
	Sunday 22/09/24	12:00 – 00:00

As you are aware this Service has submitted a formal objection to the proposed events of which we discussed at the Safety Advisory Group meeting on Tuesday 14th May 2024. As a result of this meeting we confirmed we would be willing to consider withdrawing our objection to your events should you be able to provide sufficient evidence to address the concerns relating to noise impact. In addition to this you advised you would look to withdraw all temporary event applications, other than the first event known as Fump Magical Meadows on 24th May 2024 – 26th May 2024. You also stated that you would reduce the end time of this event to 0100 hours.

In light of this I am contacting you to formally offer advice on what we would like to see included within a robust noise management plan. The following information is for guidance purposes only and

A.1 - APPENDIX D

we would suggest inclusion of evidence of compliance with relevant legislation and guidance and any other controls you may have in place to reduce the impact the noise from the event will have on nearby residential premises:

- Site plan including location of staging area /s
- Information pertaining to equipment utilised and sound power levels
- Directional setting of amplifiers
- Information on whether any noise limiters are to be installed and if so, to what level
- Information relating to noise monitoring for the event – site plan confirming monitoring locations / type of monitoring equipment used / frequency of monitoring / levels being monitored / level at monitoring points you consider acceptable / plans to manage excessive noise
- Confirmation of complaints procedure for residents

As you are aware we are uncomfortable with the end time for the event and given the existing background levels for the location are low, therefore we are satisfied the noise from the event is likely to cause a public nuisance. We originally requested that the noise emitted from the site does not exceed +15dB(A) L_{A90} at the boundary of the nearest noise sensitive receptor, over a 15min period, up until 2300 -this was due to the number of events you were hoping to hold over a 12 month period at this site. However, as we are now only currently considering the one event on the site, we would as a matter of course, request that the levels emitted from the site to not exceed +15dB(A) L_{A90} above background or 65dB(A) L_{A90} , over a 15min period, whichever is the lower level. You were unable to confirm to us what overall levels were going to be emitted from the site, but you advised you would implement a number of techniques to dampen the sound; however, we are still uncertain of the actual levels you will be emitting and whether they will be within the realms of the above. We are aware that even if the levels are within the recommended levels, it does not mean complaints will not be received, but it does go some way to evidencing your attempts for compliance.

Given we have tentatively agreed to your proposal of a finishing time of 0100 and that the outcome of this event would hinge on any future event applications being submitted, we do strongly suggest the above information is considered and submission of a robust noise management plan is submitted to us, including but not limited to the guidance provided, before the arranged Licencing Committee Meeting on Tuesday 21st May 2024 at 1000. Should the information you submit supply us with more confidence in relation to how you will manage this event, we will consider withdrawing our objection.

Please be aware this email pertains only to noise from the event, and has not considered any other aspect of the management of the event.

Should you have any queries concerning this, please do not hesitate to contact to contact us.

Regards

Katie W Smith BSc (Hons) MCIEH CEnvH
Chartered Environmental Health Practitioner
Environmental Protection Manager
Tel: 01255 686 763 / 686 767
Email: kwesley-smith@tendringdc.gov.uk / environmental.services@tendringdc.gov.uk

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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