MINUTES OF THE MEETING OF THE PREMISES / PERSONAL LICENCES SUB-COMMITTEE,
HELD ON MONDAY, 17TH JUNE, 2024 AT 10.00 AM
HELD IN THE COMMITTEE ROOM, IN THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors J Henderson (Chairman), Davidson, Smith and Casey (stand-by member)
In Attendance:	Linda Trembath (Head of Legal Services & Deputy Monitoring Officer), Michael Cook (Licensing Manager), Ian Ford (Committee Services Manager), Katie Wesley-Smith (Environmental Protection Manager), Sarah Opene (Litigation Lawyer), Emma King (Licensing Officer) and Keith Durran (Committee Services Officer)
Also in Attendance:-	James Kingston (Applicant), Rebecca Duff-Cole (Technical Officer (Environmental Protection)), Larissa Scotney (Technical Officer (Environmental Protection)) and Cheyenne Zephaniah (Technical Officer (Environmental Protection))

1. CHAIRMAN OF THE MEETING

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

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

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence, or substitutions.

3. MINUTES OF THE LAST MEETING

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

RESOLVED that the minutes of the meeting held on Monday 11 March 2024, be approved as a correct record and be signed by the Chairman.

4. DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

5. REPORT OF ASSISTANT DIRECTOR (GOVERNANCE & LEGAL) - A.1 - TEMPORARY EVENT NOTICE - LEFT FIELD, HIGH BIRCH ROAD, WEELEY, REF: TENOP/5161/24 AND TENOP/5162/24

It was reported that two Temporary Event Notifications (TENs) has been sent to the Licensing Authority of Tendring District Council in accordance with Section 100 of the Licensing Act 2003 by Mr James Kingston.

The Sub-Committee was aware that Temporary Event Notices (TENs) were intended to allow an individual to use premises for one or more licensable activities on an infrequent

basis. There was no application process, but the premises user was required to give at least 10 working days' notice to the relevant Licensing Authority, the relevant Chief Officer of Police, and the local authority's Environmental Health department (not including the day of the event or the day of receipt of the Notice). There was no provision to attach any terms, conditions, limitations, or restrictions to such a Notice.

Members were informed that Mr. Kingston (referred to in the Licensing Act as the 'premises user') had submitted the following Temporary Event Notifications to cover the licensable activities on the below dates:

Ref: TENOP/5161/24 – Left Field Event Site

Date	Activity	Times
21/06/2024 22/06/2024 23/06/2024	Sale of Alcohol on the premises and Late Night Refreshment	1800 – 0200 1100 – 0200 1100 – 2300
21/06/2024 22/06/2024 23/06/2024	Provision of Regulated Entertainment	1800 – 2300 1100 – 2300 1100 – 2300

For the above events the main FOH stage system would be closed down at 11.00 p.m. on all days and instead run background music during serving hours.

Ref: TENOP/5162/24 – Left Field Event Site

Date	Activity	Times
12/07/2024 To 14/07/2024	Sale of Alcohol on the premises and Late Night Refreshment and Provision of Regulated Entertainment	1100 – 2300

The address of the event was Left Field, High Birch Road, Weeley. The premises did not hold a valid premises licence under the Licensing Act 2003.

It was reported that the TENs had been submitted electronically to the Licensing Authority on 6 June 2023. Essex Police and Environmental Health had been informed on the same day. During the three full working days' objection period, which had expired on 11 June 2023, the Licensing Authority had received an objection notice from Tendring District Council's Environmental Services department.

The Sub-Committee was made aware that this hearing must therefore consider the points raised in the Objection Notice and to make a determination on the TEN. When carrying out its functions the licensing authority must have regard to the four licensing objectives. The objectives were:-

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

The Sub-Committee was also required to determine the matter in accordance with the Licensing Act 2003 (Section 105), Tendring District Council's own Licensing Policy 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.

The Applicant and Tendring District Council's Environmental Services had been invited to attend the hearing and were given the opportunity to address Members.

Members noted that the Safety Advisory Group, which included Tendring District Council's Environmental Services department had met on Tuesday 14th May 2024 to discuss the proposed event/s. As a result of that meeting, the applicant had been requested to provide sufficient evidence to address the concerns relating to noise impact. More information on that had been provided in the Appendix to the Officer report (A.1).

The Council's Environmental Protection Manager (Katie Wesley-Smith) put forward the statutory body's objections as follows:-

- *Purpose of the Objection was to ensure compliance with the licensing objective for the prevention of public nuisance;*
- *Concerned regarding excessive noise and loud music from this site and also the proposed 2.00 a.m. finish;*
- *Had objected to previous three day electronic music event over May Bank Holiday but had withdrawn in order to enable event organiser opportunity to evidence good noise management from that site. However, Officers not satisfied after monitoring that event that good noise management was in place;*
- *Concerned regarding site location, which was a rural setting with low-level background noise. Complaints received from several residents in relation to Bank Holiday weekend event;*
- *Concerned at number and frequency of these events;*
- *Concerned not necessarily over overall level of noise under the Guidance but rather base levels of noise given that in this rural location noise can carry 1-2kms from site to properties;*
- *Following previous weekend's event, Council had received formal online complaints plus verbal complaints from residents whilst Officers were conducting noise monitoring of the site;*
- *Therefore, Officers not satisfied in relation to multiple day electronic music festival that noise could be managed to such a point that it would not cause a public nuisance or a statutory noise nuisance to nearby residents.*

There were no questions from Members, or the applicant, to Ms. Wesley-Smith, at this juncture.

Mr. Kingston, the applicant then put forward his submission as follows:-

- *He had been an event professional for last 30 years both in UK and abroad. He was now MD of Intersonic Productions, a company that worked in the local area. Had been involved in large festivals across the country and smaller festivals in Colchester. This year was their first involvement within the Tendring District.*
- *These events at Left Field were part of a wider series of 7 planned events at this site which would be a mixture of electronic music and folk/soul festival music events.*
- *There was no intention to destroy the social fabric of the area. Rather it was to bring more arts entertainment and culture to the local area and its residents. Had invited*

the local residents to attend on the Bank Holiday weekend. 19 did so and there was positive feedback on the local Facebook groups.

- *He understood that there had been complaints, which he took seriously. His company had undertaken a huge amount of effort to control noise on the site including building a temporary structure on the site, which had been made soundproof to a degree to reduce the bass music level that could be heard from the site. Had also put 130 large agricultural bales (2.4m long, 1.2m width, 1,000kg weight) around that structure to help control noise.*
- *These events were not 'raves' as had been portrayed by some.*
- *He had reacted to the complaints by employing at great cost the services of Rob Miller (F1 Acoustics) who was the principal sound monitoring engineer for Glastonbury and other major UK festivals. Mr. Miller had carried out a background noise survey, which had established a 44-48 decibel range. That had been provided to TDC Environmental Health along with, subsequently, a Noise Management Plan.*
- *On the previous Saturday, his company had monitored the event at regular intervals. The levels had been within the sound range set for them by Rob Miller.*
- *In UK, when multiple events are held on multiple days at the same site throughout the year the accepted sound levels are reduced drastically. On a one event day at the nearest noise sensitive property the accepted level would be 62db up until 11.00p.m. For multiple events, the db level was reduced, due to the cumulative nuisance that might impinge on local residents, by a further 20db. Hence 46db which was within the range set by Rob Miller.*
- *He had researched and established a presence on the local Facebook groups so that residents could engage with his company.*
- *The Funk and Soul Food event was planned for local residents to come and enjoy free of charge.*
- *He referred to the planning permission for a 'glamping' facility on this site. The landowner wanted to expand his business and to see his 'glamping' site come to fruition. The landowner had brought his company in to control the events, control the sound and to build a professional relationship with TDC and local residents. The best way was to control the sound emissions in conjunction with Environmental Health. He felt that his company had worked with them every step of the way. From his company's readings he felt that there had been an improvement from the bank Holiday event to last Saturday's event.*
- *Mr. Kingston pointed out that the UK music industry was valued at £14billion. Last year there had been 936 successful festivals that had generated one-third of that amount in addition to the indirect monetary benefits to the local economy from use of 'Air B n Bs', garages, hotels, caravan/camping sites etc. In this case the landowner had also benefited to the amount of £2,000 from the provision of the aforementioned bales.*
- *Mr. Kingston also made reference that holding multiple events helped create jobs. In this instance, 20 jobs and potentially 50.*
- *The planned folk festival would involve 75 local musicians from bands or single musicians that usually went to 'open mike' events and did not get the opportunity to play on the big stages. There was always the potential to find the next Ed Sheeran. The UK was renowned for its grass roots music. Music was also one of the UK's biggest 'soft power' exports.*
- *Acknowledged once more and understood there were some local objections. Were always going to be those who wanted to complain and what nothing to change in their locality. Very conscious of that and his company had spent lot of money so far to resolve that and were working with the Environmental Health service.*

- *Fairly astounded that the folk festival had been objected to as it would be just a guy on a double bass though it would be amplified sound. He understood the concerns about the repetitive bass beat of electronic music but with the technology now available specific frequencies could be taken out. The 40-50 herz range could be removed from the amplifiers. This was the range that generated longer distance complaints i.e. the annoying bass sounds. That could be controlled on site.*
- *Mr. Kingston had the figures from the last event and they had registered well within the range set by Rob Miller. Mr. Miller was beyond reproach with regard to his professionalism. He had been in the business for 30 years. He had set those limits based on the guidance given by Environmental Health.*
- *He argued that you had to hold these events in rural areas as they were not suitable in a densely populated area. At the first event he had received only two complaints and he had responded immediately in turning down the volume. For last Saturday's event, he had received no telephone calls this weekend even though residents had access to his telephone number.*

Matters raised by Members of the Sub-Committee:-	**Mr. Kingston's response thereto:-**
How many people, approximately, attend these events?	*Maximum of 300.*
How do you control the noise from people going to and from the site and their impact on local residents especially after 11.00 p.m. or 2.00 a.m. finishes? 300 people who will be alcohol fuelled. They will make a lot noise. How will you govern that?	*We've had no complaints in that regard or notifications from the Police that there was ASB beyond our site. At Saturday's event there were four shuttle buses bringing people backwards and forwards from that event. That limits the traffic we have on site. There are no pedestrians leaving the site at all. Everything is by cabs or shuttle buses. They board high up into the site i.e. not near anyone's houses. They are then taken off the site so there are no pedestrians making noise.*
Where do the shuttle buses take people to?	*Straight back to their homes in Colchester. As it was a three day event some people camped on site.*
Have you got any proof of the musicians that you have booked for either of these events?	*Yes, but I did not think that I would need to bring it with me today.*
Have you got any such proof for the stallholders? *Is anything written down?*	*I have details of communications. Obviously, it is difficult to confirm with agents whilst these events are not yet authorised. It's been economically challenging. The smaller events have had to be private and for the folk festival tickets are being sold but on the proviso that they will be refunded if permission is not forthcoming and the artists will have to be cancelled.* *There are written agreements with the promoters. Though you don't have the same contractural obligations with local artists. Promoter has a budget of £3,500 to book the local musicians.*
The weather was atrocious	*Yes, definitely, our attendance figures were lower*

on Saturday so do you believe that your sound recordings were a true record given the lower attendance?	*than we would have expected/hoped for. Only got permission to hold the event one week beforehand. That impacted on ticket sales. Difficult ticket sales climate nationally. Not recovered post-Covid. Wind and rain can have a very challenging effect on the amplification of sound. The wind can carry the noise further so you can end up with a noise complaint that you would not have necessarily received in good weather conditions.*
How were the shuttle buses and taxis able to access the site given the inclement weather and adverse ground conditions?	*They were fine. It is obviously a farm site that needs upgrading but obviously we are in a position that we have a tranche of proposed improvements such as improving the roads within the site, improving further the soundproofing etc. All of these are very expensive. Without commercial viability it makes it very difficult for us as a company to make those investments which obviously we'd like to. If it's not possible here then we'd have to look at another site in another District. There's a strong economic statement that can be made from these events happening and that has to be weighed against the public concerns about noise and whether they can be managed. Our noise readings over the weekend were very positive for us though to be fair we have taken positive readings before and they did not turn out the way that we expected. We did not receive any calls over the weekend from the Environmental Health service.*
Do you feel that the residents might not be concerned if there were less frequent events? You seem to be wanting more and more two day or three day events rather than a couple here and a couple there. *You have to accept that would not be everyone's favoured experience.*	*Obviously, any change in the countryside environment has an impact on residents. Can't deny that that's the case. It's unfortunate that the current programme has produced back-to-back events. We'll try to avoid that in the future to give some space between events. With regards to three day events, if you do a one day event there's a huge amount of effort as you are bringing everything for that event to the field i.e. power, toilets, the bar and other structure built for that event. Understandably, that's an expensive process and the only way that you can get the economic value back out of that is to do that over a three day period because that's when you get the bar sales. I keep the ticket prices down. The UK average ticket price for a three day event is £147. Our ticket prices for a three day festival are £65. The only way we can deliver those ticket prices is to have a reasonable shot at the bar for those three days. If we only do it for one day then the ticket price has to include all of the infrastructure costs and it becomes too expensive and no one will attend. So there is an economic point. One of the ways that we try to mitigate that is to invite all of the local residents free*

	of charge whether that's the electronic music event which is private (ticket only) and has been going for 13 years. *Yes, 100%, which is why we try to vary the line-up such as the folk festival, which could be more people's 'cup of tea'.*
You referred to putting buffers in place. Were they in place for the last festival? Or is it something that you plan to do?	*Yes, they were but we're improving on that every single time.*
You said that Rob Miller and yourself feel that you have worked well with the Environmental Health team but if that were the case we would not be here today. Somewhere along the line your feeling of working well has not been right so how do we resolve that?	*We respond to the information that is given back to us but it does seem that everything that we want to do is opposed which is a difficult commercial situation for us. We do this across the country; we deal with other Councils. We are always open to working directly with them. We have our sound recordings taken over the weekend, which, for us, were very promising. We were given a limit by Rob Miller which was 46 – 50db (50db if you take into account the "stop and start" as cars went past). We were well within those limits for that weekend, So for a statistical, evidence based approach, a scientific based approach we were within our limits. That does not take into account the Environmental Services team who have the right to supersede that information and determine a noise nuisance.*
What other local authorities have you worked with? What was the outcome?	*Braintree, Bury St. Edmunds, Chelmsford and Colchester. Positive but with occasional issues. Particularly positive 6 year experience with Braintree.*
Why did it end with Braintree?	*A noise complaint meant that the company had to look elsewhere.*

Matters raised by a Councillor:-	**Ms Wesley-Smith's and Mr. Kingston's responses thereto:-**
Have we been in touch with any other Councils?	<u>Ms Wesley-Smith</u> *A query was put out to colleagues in some other local authorities. Chelmsford City Council responded that they had had an 'out of hour' complaint about an unbeknownst event. Their Environmental Senior Protection Officer had considered serving an Abatement Notice in regard to continuing events. Anecdotally they did hold discussions with the site owner and Mr. Kingston in regard to a Temporary Event that was due to take place especially its 3.00 a.m. finish time. It was agreed to end it at Midnight and then it came back with a later finish. The event was then pulled at the*

	last minute due to poor ticket sales. During end September 2023 TDC received four separate complaints from residents that related to two events in July and one in September that TDC was nota ware of as the local authority. Investigations were initiated by colleagues in the Licensing Section with regards to land ownership. TDC first requested NIA form for these events on 14th May, which was seven days after we were notified of all of the 7 events that had been submitted. That was during a Safety Advisory Group. Further request was made after the first event was held in May. Online meeting was held on 3rd June when Mr. Kingston advised he would do his own monitoring of the site. On 6th June Mr. Kingston agreed to have a NIA performed. We had concerns that it was late in the day for the Council to receive the NIA to give it the relevant review that it required and to then outline concerns. Mr. Kingston *In response to the Chelmsford events we had two successful TENs rather than just one. The unsuccessful one being the one cancelled for poor ticket sales. Had a midnight finish for the first two and a 1.00 a.m. extension for the third (later cancelled) event due to successful noise management of the previous events. Other events held were private events on private land i.e. there were no sales of alcohol and no more than 499 attendees.*

Matters raised by Katie Wesley-Smith:-	**Mr. Kingston's response thereto:-**
We have had a number of meetings in relation to these events and several times we requested that a Noise Impact Assessment (NIA) be prepared by a qualified Acoustician to give that Council an idea of the existing background levels. Based on the background levels when you look at the relevant noise guidance and dependent on the number of events that you wish to hold in a calendar year the level of noise is then determined in line with the Guidance. The first event, the Council was unaware of the background levels, there was no NIA performed, we then asked for those. This was done but the NIA was only submitted to this local authority on Friday morning (14th June). The level originally discussed was either 65db LEQ	*We took LEQ readings throughout the day and before 7.00 p.m. and I have the evidence of those readings, which I can share with Environmental Health. During adverse weather conditions, the L90 reading also becomes significant that is the reading at 90% of the 15 minutes, plus the LEQ, which takes into account vehicles, and the inclement weather conditions, et cetera. We were in contact with Rob Miller during the event to discuss with him regarding the impact of the wind and rain.*

over 15 minutes or +15db over the background level. The Acoustician's report clearly outlined that with the corrections made the existing background level, including the +15db above is 46db LEQ not 50. In addition, when this was transferred into a Noise Management Plan (NEP) (which was also submitted to us on Friday morning) it made reference to the noise levels relating to 7.00 p.m. to 11.00 p.m. and no consideration has been given to before or after these times. This weekend noise monitoring was performed by Officers from the Team but given the adverse weather conditions any sound recordings that were taken would be classed as 'null and void' due to the increased wind, rain so it was down to Officers on site and their professional judgement. Officers during the day advised that it was clearly audible which it would given that it is not a defined, closed space it is an open space area so environmental factors do play a huge part in that. In the evening monitoring was performed by myself and another colleague between 10.30 p.m. and 11.00 p.m. The LEAQ at that time (given that the NMP stated that it should not exceed 46db) was actually 54.8db. However, there is a caveat that at that time there was vehicle movement to and from the site. There were also people leaving on foot from the site, which was also apparent on the previous occasion. As advised any sound recordings taken during the day would not be suitable to be put forward due to the adverse weather conditions hence why Officers from the Environmental protection Team when they went out to do the monitoring did not use the sound level monitors. One was performed in the evening when the wind had dropped and there was no rain. That was high but did include vehicle movements. *I will also state that it appeared to Officers that there were private vehicles moving people to and from the site. There were a number of pedestrians walking down the track onto the main road to the Albion Bath Centre, which is adjacent to one of the nearest noise sensitive properties. There is concerns over that as well.*	*At 2.20 p.m. the L90 was 41 dba.* *At 2.40 p.m. the L90 was 40 dba* *At 4.30 p.m. the L90 was 40 dba.* *At 6.45 p.m. the L90 was 34 dba.* *At 7.00 p.m. the L90 was 33.5 dba.* *At 9.42 p.m. the L90 was 33dba.* *The LEQ for that period was 54 but that would be taking into account the inclement weather.* *Readings were taken at Rectory Road and High Birch Road.* *Normal speaking volume is 50-60db. So the readings above were far below speaking volume and right at noise sensitive properties.* *From our perspective everything that has been said has been correct. Our Security team is very reputable company who do events at Wembley Stadium. Unfortunately, one of the Shuttle buses had a mechanical fault so there were a lot of people calling cabs and the easiest place that they could call a cab to was the Albion Bathrooms. Once we were aware of this we stopped people from going down the road.* *We have got actual sound readings but the reason we concentrated on the evening was that was the period that was agreed with Rob Miller and Environmental Health. Our daytime figures show that we were well within the limits.* *We would like the opportunity to work further with Environmental Health.* *We are here and we have spent as much money as we have such as we are professional and looking to run a successful commercial venture whilst not overstepping the bounds of what is legal. Our figures show that we did not overstep those bounds throughout the day in*

We were approached by a lady who, when asked, was unable to provide identification but stated that she was security for the site who requested Officers to show their ID. Officers did choose to show their ID though they were not on the private event site but on an authorised piece of land for the owners of the noise sensitive receptors. *I will also state that Mr. Kingston has advised that there 250+ properties along Heath Road, Rectory Road and High Birch Road. This is incorrect. Additionally, we did request on a number of occasions prior to these events taking place that Mr. Kingston look to undertake a NIA if he is serious with regards to events continuing to take place on this site. This was contentious and efforts were made to negotiate and Mr. Kingston did agree to drop the finish time for the first event from 2.00 a.m. to 1.00 a.m. and Mr. Kingston is correct I did call him on the evening of 25th May at 11.59 p.m. requesting that the level of noise be turned down. Mr. Kingston made attempts to do that and asked her to stay on the telephone whilst he adjusted the sound. However, even with the adjustments the bass level was still audible and would also have been audible within one of the noise sensitive receptors.* *As explained we do have concerns as to compliance with these levels and Mr. Kingston's willingness to work with the Council. If there had been a more productive relationship at the beginning of this process we would have less reservations with regard to continued compliance with the NMP and the NIA.* *We are now satisfied with the NIA that Mr Miller has produced. A telephone conversation was also held with Mr. Miller regarding the Council's concerns. We reiterate that the NMP only refers to noise levels between 7.00 p.m. and 11.00 p.m. It discounts the daytime period i.e. from 11.00 a.m. to 7.00 p.m. We also dispute the Hertz levels stated by Mr. Kingston, as the NIA advises a different Hz range.*	*question.* *To receive an objection after we had followed the guidance was disappointing.*

Overall, we have concerns over the frequency of these events and for the ability for them to be managed without causing undue adverse impacts to residential properties.	

The Chairman (Councillor J Henderson) adjourned the meeting at this time whilst the Sub-Committee retired to deliberate this matter. The Head of Legal Services (Linda Trembath) and the Committee Services Manager (Ian Ford) retired with the Sub-Committee in case they were asked to assist Members in those deliberations.

Upon the resumption of the meeting and upon being asked by the Chairman, the Head of Legal Services confirmed that she had not proffered any legal advice to the Sub-Committee during its retirement.

The Sub-Committee unanimously **RESOLVED** the following decision:-

"The Premises/Personal Licences Sub-Committee have considered all they have heard this morning in relation to both Temporary Event Notices first for what is called a "multiple day electronic music festival" over 21 June to 23 June 2024 and a "3 day 2 stage local live music folk and blues festival" 12 to 14 July 2024. These are two separate applications and we will deal with them separately.

The 21 June to 23 June 2024 multiple day electronic music festival – we have considered all that we have heard and have decided to refuse this application (TENOP/5161/24).

The reasons are that there are significant concerns about the noise levels emanating from the site during the hours noted on the application, from 1800 hours on Friday 21 June 2024 to 2300 hours on Sunday 23 June 2024 – effectively a three day event. Another recent event that was, in part, affected by weather conditions still had unacceptable levels of noise coming from the site, and a number of complaints were made by local residents.

The Sub-Committee have to have regard to the four licensing objectives in considering the application for a Temporary Event Notice, and any objections raised. Here the primary concern is around the prevention of public nuisance, but in all the Sub-Committee have heard, it is possible other licensing objectives might also be of concern such as public safety.

At the recent event, Tendring DC's Environmental Health Officers either attended at various times or were on the phone to the applicant, Mr Kingston, about the noise levels that he said he was reducing but were clearly still audible.

Throughout Mr Kingston's address to the Sub-Committee he referred to his past work in setting up and running events, to the security companies and officers who handled those aspects for him, or to the acoustics or sound engineers specifically referring to a Rob Miller who, the Sub-Committee were told, worked at the Glastonbury Music Festival. Mr Kingston also advised that the number of cars or vehicles coming to or

leaving the site were minimised because people either came on shuttle buses that had been arranged by him or taxis, and that no-one walked to or from the site.

Again although reference was made to all of the companies or contractors who were engaged to perform specific functions for the events, there was little in the way of names or companies actually referred to, and no documentation or other evidence provided. However, none of this detracts from the concerns around noise coming from the site, although some of these matters do raise concerns about public safety because the roads along which people would walk are dark and there would be concerns about people safely negotiating these roads.

Although there appears to have been some engagement with the Council's Environmental Health Team, given the timing of information being sent to that team, and the quality of that information, that engagement does not appear to be all that it could be and it is disappointing that that relationship does not appear to be particularly constructive.

However, the main concern of this Sub-Committee is the noise emanating from the site, throughout the entire time of the event although at night, when all other noise levels will drop, those concerns are greater and, as has been noted, the area is rural so that for both of these reasons any noise will carry, or be heard, further away than either in the day time or in an urban area. In addition, it was noted that a number of complaints were received.

We now move on to the second application.

The Friday 12 July to Sunday 14 July "3 day 2 stage local live music folk and blues festival" – we have considered all that we have heard and have decided to refuse this application number TENOP/5162/24.

It is noted that this particular event is proposed to run from 1100 hours on Friday 12 July 2024 to 2300 hours on Sunday 14 July 2024 – effectively a three day event.

As before, the Sub-Committee have to have regard to the four licensing objectives in considering the application for a Temporary Event Notice, and any objections raised. Here the primary concern is around the prevention of public nuisance, but in all the Sub-Committee have heard, it is possible other licensing objectives might also be of concern such as public safety.

As for the first TENs being considered by this Sub-Committee the same concerns arise and accordingly the reasons for this refusal are the same as for the previous decision. Accordingly the reasons in that decision notice should be read into this decision.

You may have rights to appeal to the Magistrates' Court. The Licensing Team will be in touch with you."

6. EXCLUSION OF PRESS AND PUBLIC

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

RESOLVED that under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the public be excluded from the meeting for the item 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.

7. EXEMPT MINUTE OF THE PREVIOUS MEETING

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

RESOLVED that the Exempt Minute of the meeting of the Sub-Committee, held on Monday, 11 March 2024 be approved as a correct record and be signed by the Chairman.

The meeting was declared closed at 12.34 pm

Chairman