

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Licensing Sub-Committee                      **Date:** 17 July 2017

**Place:** Council Chamber, Civic Offices,                      **Time:** 10.05 - 11.25 am  
High Street, Epping

**Members Present:** R Morgan (Chairman), D Dorrell, L Hughes and B Surtees

**Other Councillors:** -

**Apologies:** -

**Officers Present:** A Mitchell (Assistant Director (Legal Services)), G J Woodhall (Senior Democratic Services Officer), H Ibrahim (Licensing Officer), K Tuckey (Licensing Manager) and M Richardson (Environment and Neighbourhood Officer)

### **17. DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Member Code of Conduct.

### **18. PROCEDURE FOR THE CONDUCT OF BUSINESS**

The Sub-Committee noted the agreed procedure for the conduct of business.

### **19. APPLICATION TO VARY A PREMISES LICENCE - MOOROS EVENTS, WOOLSTON HALL, ABRIDGE ROAD, CHIGWELL**

The three Councillors that presided over this item were Councillors R Morgan (Chairman), L Hughes and B Surtees. The Chairman welcomed the participants and requested that they introduce themselves to the Sub-Committee. In attendance on behalf of the application was Mr L Marns, the Applicant. There were no objectors in attendance. The Chairman then introduced the Members and Officers present, and outlined the procedure that would be followed for the determination of the application.

#### (a) The Application before the Sub-Committee

The Licensing Enforcement Officer informed the Sub-Committee that an application to vary a Premises Licence had been received from Hunt Enterprises for Mooros Events based at Woolston Hall in Abridge Road, Chigwell, along with representations from interested parties. The application was requesting permission to extend the hours of the following licensable activities by one hour to permit:

- (i) Live Music from 7.00pm to 1.00am on Fridays and Saturdays;
  - (ii) Recorded Music on Thursdays and Sundays from 7.00pm to 12.00am;
  - (iii) Recorded Music on Fridays and Saturdays from 7.00pm to 1.00am;
- and

- (iv) the Supply of Alcohol on all days from 11.00am to 1.00am.

The Licensing Enforcement Officer reported that the responsible authorities had received a copy of the application, and a representation had been made by the Council's Environment & Neighbourhoods Manager. Following discussions with the Applicant, and their agreement to accept two further conditions on their Premises Licence, this representation had been withdrawn. Two representations had also been received from residents of the nearby Woolston Manor apartments; these related to the prevention of crime and disorder, and the prevention of public nuisance. Essex Police had offered no objections nor any further conditions to be added to the existing Premises Licence.

(b) Presentation of the Applicant's Case

Mr Marns informed the Sub-Committee that Mooros Events ran private hire events at Woolston Hall, such as weddings, birthday parties, Christenings, School Proms and Office Christmas parties. The venue was not a Nightclub establishment, and nor was it open to the general public. The premises were currently licensed to serve alcohol until 12.00am with a 12.30pm closing time; Mooros Events wished to extend this by an hour with sale of alcohol until 1.00pm with a 1.30pm closing time.

Mr Marns stated that there had only ever been one incident at the premises since Mooros Events had taken over, and no fights had taken place. In fact, Mr Marns contended that there were considerably more incidents at the nearby Top Golf establishment than there was from events held at Woolston Hall.

Mr Marns stated that a meeting had taken place with Essex Police and a Noise Limiter had been installed on the advice of the Crime and Disorder Team.

(c) Questions for the Applicant from the Sub-Committee

In response to questions from the Sub-Committee, Mr Marns stated that:

- there were 16 flats opposite the Premises, but only one resident ever complained;
- the noise levels from the music at the Premises was very faint at the flats and Mr Marns regularly walked over to the boundary of the nearest apartment to check the noise levels;
- there was regularly more noise emanating from the customers leaving Top Golf nearby than there was from any events at Woolston Hall;
- it was reiterated that the venue was not a nightclub and not open to the general public;
- numerous measures to limit the noise had been implemented, and the trees also provided an element of screening for the Woolston Manor Apartments; and
- properly accredited SIA registered Door Supervisors were employed for all events at the Premises.

(d) Consideration of the Application by the Sub-Committee

The Sub-Committee acknowledged that the primary issue was the possible noise disturbance for the residents of the nearby Woolston Manor Apartments. However, the Sub-Committee also noted that this had been the prime concern of the Council's Environment & Neighbourhoods Manager, and a further two conditions for the Premises Licence had been agreed with the Applicant to counter this issue. Therefore, the Sub-Committee agreed to grant the variation to the existing Premises

Licence with the extra conditions agreed with the Council's Environment & Neighbourhoods Manager.

**Decision:**

(1) That the application to vary a Premises Licence for Mooros Events at Woolston Hall in Abridge Road, Chigwell for the Performance of Live Music, the Playing of Recorded Music and the Supply of Alcohol be granted, subject to the addition of the following two extra conditions previously agreed with the Council's Environment & Neighbourhoods Manager:

(i) An automatic noise control device shall be used to control the volume of live and recorded music. All sound equipment must be subject to control by the noise control device i.e. if those hiring the venue are allowed to bring in their own equipment then the equipment must be subject to control by the automatic control device.

(ii) All windows and doors on the rear and side face facing Woolston Manor Apartments shall be kept closed whilst any live or recorded music is being played that is audible at the boundary with Woolston Manor Apartments.

**20. ANY OTHER BUSINESS**

**Resolved:**

(1) That, as agreed by the Chairman and in accordance with Section 100B(4)(b) of the Local Government Act 1972, the following item of urgent business be considered following the publication of the agenda:

(a) Temporary Event Notice – The Sun Inn, Common Road, Nazeing.

**21. TEMPORARY EVENT NOTICE - THE SUN INN, COMMON ROAD, NAZEING**

The three Councillors that presided over this item were Councillors R Morgan (Chairman), D Dorrell, and B Surtees. The Chairman welcomed the participants and requested that they introduce themselves to the Sub-Committee. In attendance on behalf of the application was Mr P Gould, the Designated Premises Supervisor for the Sun Inn. In attendance on behalf of the Council's Environment & Neighbourhoods Manager was Mr M Richardson. There were no objectors in attendance. The Chairman then introduced the Members and Officers present and outlined the procedure that would be followed for the determination of the application.

(a) The Application before the Sub-Committee

The Licensing Manager informed the Sub-Committee that an application for a Temporary Event Notice at the Sun Inn on Common Road, Nazeing had been received for the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment from 12.00pm to 11.30pm on 2 September 2017 in the garden area of the premises. The patio area of the Premises were licensed but the garden area of the premises currently fell outside the licensed area at the premises. Essex Police and the responsible authority for Environmental Health had been consulted, and an objection had been received from the Council's Environment & Neighbourhoods Manager (the responsible authority for Environmental Health). This objection had stated that the proposed event was likely to require a volume of

music that would be audible at neighbouring noise sensitive premises and potentially cause a public disturbance.

(b) Presentation of the Applicant's Case

Mr Gould stated that the application had been made to licence the garden area/field behind the premises to play live music for a Soul/Motown music festival on 2 September 2017. There would be five bands who would play throughout the day and the expected attendance was at least 300 people. The Applicant had been previously unaware of any objections but acknowledged that a local resident had made representation to the Environment & Neighbourhoods team of the Council. The Applicant had held meetings with the Environment & Neighbourhoods Manager, and sound monitors had been installed. The music was currently scheduled to finish at 10.00pm, but the Applicant was happy to finish the playing of live music at 9.00pm.

(c) Questions for the Applicant from the Sub-Committee

In response to questions from the Sub-Committee, Mr Gould explained that he ran six different public houses, each of which had a manager to run the premises. The Sun Inn was one of these establishments and he was the Designated Premises Supervisor. It had been the Manager of the Sun Inn, Mr R Burgess, who had made the original application.

Mr Gould stated that there would not be continuous music from 12.00pm until 11.30pm; there would be band changes and the music was scheduled to run from 2.00pm to 9.00pm on the day. Two previous similar events had been held at the Premises and the attendance had been between 300 and 400 people. Mr Gould had mistakenly thought that the field where the event was due to take place had to be licensed until closing time. However, he was happy to compromise and requested that the application be amended to run from 2.00pm until 9.00pm on 2 September 2017.

(d) Questions for the Applicant from the Environment & Neighbourhoods Officer

In response to questions from the Environment & Neighbourhoods Officer, Mr Gould stated that a security company would be hired for the event, who would control access to the field where the festival was being held. There would be five bands playing at the Festival; each set would be approximately one hour, so there would be roughly 5 hours & 15 minutes of music in total including encores.

(e) Presentation of the Environment & Neighbourhoods Officer's Case

The Environment & Neighbourhoods Officer reminded the Sub-Committee that a representation had been made for this application concerning the duration of the event with potentially over 11 hours of music, and that there were two properties in close proximity to the garden area/field that could be disturbed by the music from this event. As the event envisaged an attendance of 300 people, it was likely to require a volume of noise that would be audible at the neighbouring noise sensitive premises and potentially cause a public nuisance.

The Environment & Neighbourhoods Officer further explained that it was 50 metres from the stage to the nearest resident and 160 metres from the stage to the next nearest resident. The music festival was likely to generate noise levels in excess of 90 decibels, which would generate a noise level of 70 decibels at the nearest residence. It was reassuring to hear the reduced hours offered by the Applicant, but the Officer could not think of any conditions that would address their concerns.

Therefore, it was up to the Sub-Committee to decide as to whether to allow a noise nuisance to occur for over 5 hours on the day in question.

(f) Questions for the Environment & Neighbourhoods Officer from the Sub-Committee

In response to questions from the Sub-Committee, the Environment & Neighbourhoods Officer agreed that the stage could be relocated on the premises which would improve matters a little, and directional speakers could also be used which would improve the situation for high frequency sounds but not the bass. Officers were concerned about the overall volume of noise that would be generated by the event.

The Officer explained that the neighbours had tolerated the first event, believing it was a one-off, but when the neighbours had held discussions with the Applicant after the second event they discovered that there was plans for four similar events each year. The Officer informed the Sub-Committee that lower noise levels could be set as a condition for the Notice, but the Assistant Director of Governance (Legal Services) advised that conditions could not be imposed on a Temporary Event Notice.

The Applicant clarified that he was not aware of any complaints concerning previous events until this application had been made, and reiterated that he did not wish to upset the residents of the neighbouring properties. The Environment & Neighbourhoods Officer advised the Applicant that an open dialogue with the neighbouring residents and some good public relations would greatly help matters.

(g) Applicant's Closing Statement

The Applicant made a final statement in support of this application, and reiterated that he was content for the application to be amended to seek reduced hours for the Temporary Event Notice of 2.00pm to 9.00pm on 2 September 2017.

(h) Consideration of the Application by the Sub-Committee

The Sub-Committee noted the concession of reduced hours by the Applicant but acknowledged that there were aspects of the event which the Sub-Committee could not control. The Sub-Committee also noted that this was exactly the type of premises where an event of this nature could normally take place without too much disturbance. The Assistant Director of Governance (Legal Services) reminded the Sub-Committee that it could not impose conditions on an application for a Temporary Event Notice, and that the application could only be amended by the Applicant.

The Sub-Committee fully considered the objection raised by the Environment & Neighbourhoods Manager, welcomed the reduced hours proffered by the Applicant and took account of the assurances from the Applicant to do everything possible to minimise the noise disturbance from the Premises during the event.

**Decision:**

(1) That the application for a Temporary Event Notice at the Sun Inn on Common Road, Nazeing between the hours of 2.00pm and 9.00pm on 2 September 2017 be granted for the following licensable activities in the garden area/field behind the Premises as shown on the application:

- (a) supply of alcohol;

- (b) the provision of regulated entertainment – live music; and
- (c) the provision of late night refreshment.

**22. EXCLUSION OF PUBLIC AND PRESS**

The Sub-Committee noted that there was no business which necessitated the exclusion of the public and press.

**CHAIRMAN**