



# Haverling

LONDON BOROUGH

## LICENSING SUB-COMMITTEE OLD WHITE HORSE - TEN

### AGENDA

<b>10.30 am</b>	<b>Thursday 1 September 2022</b>	<b>Council Chamber - Town Hall</b>
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Members 3: Quorum 2

**COUNCILLORS:**

Natasha Summers (Chairman)  
Laurance Garrard  
Christine Vickery

**For information about the meeting please contact:**

**Taiwo Adeoye - 01708 433079  
taiwo.adeoye@onesource.co.uk**

## **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

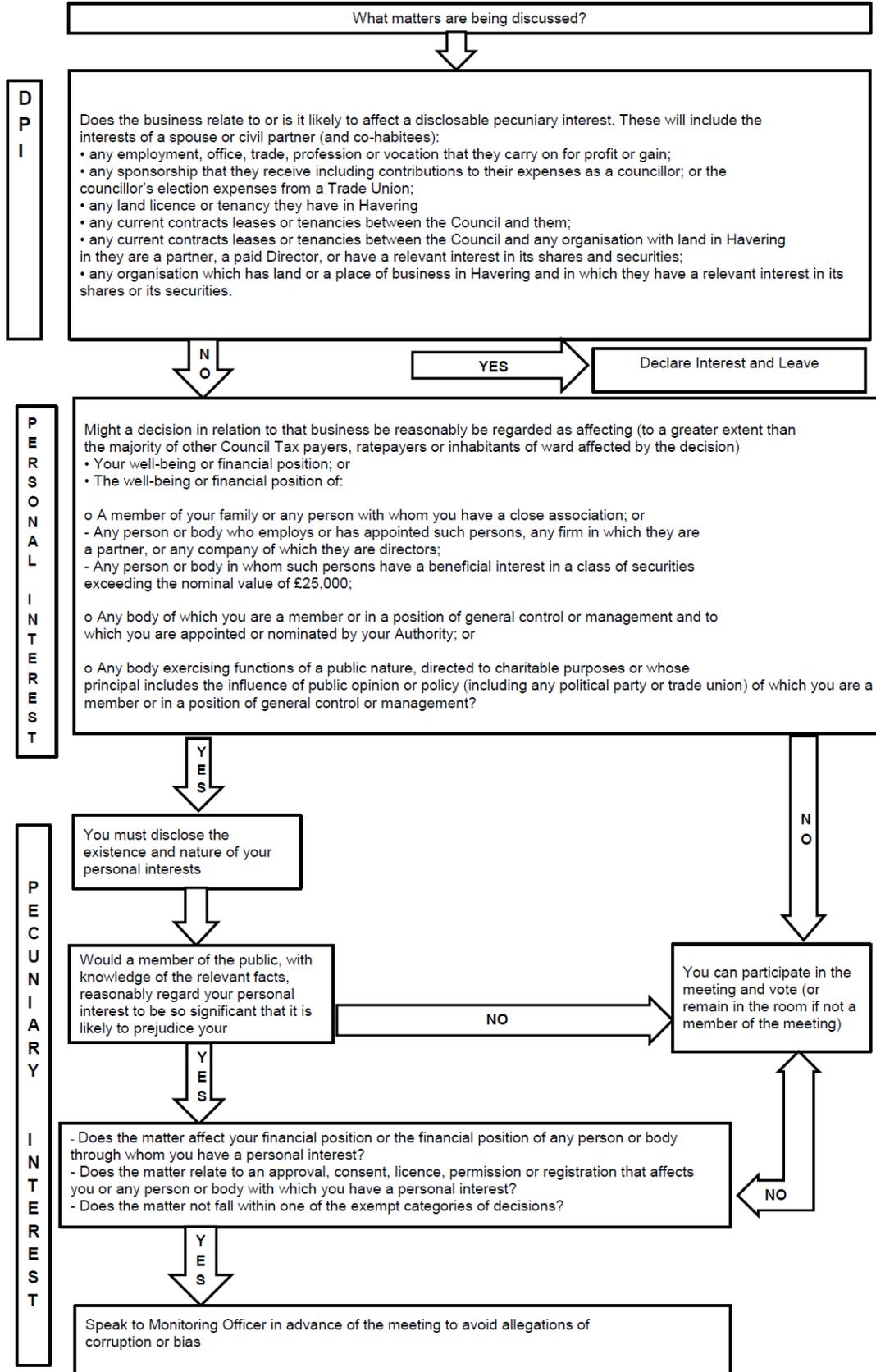
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

**DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF**



**AGENDA ITEMS**

**1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive

**2 DISCLOSURE OF INTERESTS**

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any interest in an item at any time prior to the consideration of the matter.*

**3 CHAIRMAN'S ANNOUNCEMENT**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

**4 REPORT OF THE CLERK (Pages 1 - 6)**

Procedure for hearing attached

**5 APPLICATION FOR A TEMPORARY EVENT NOTICE - THE OLD WHITE HORSE, OCKENDON ROAD, UPMINSTER, RM14 3PS (Pages 7 - 24)**

This temporary events notice (TEN) is given by Mr Harry Watkins under section 100 of the Licensing Act 2003.

Report attached

**Zena Smith**  
**Democratic and Election Services Manager**



# LICENSING SUB-COMMITTEE

1 September 2022

**Subject Heading:**

**Procedure for the Hearing: Licensing Act 2003**

**Report Author and contact details:**

**Taiwo Adeoye - 01708 433079**  
**e-mail: taiwo.adeoye@onesource.co.uk**

## **PROCEDURE FOR THE HEARING: LICENSING ACT 2003 (TEMPORARY EVENT NOTICE)**

This is a hearing to consider an application for a temporary events notice under section 100 of the Licensing Act 2003. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration.

Members are advised that, when considering an application, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

(a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and

(b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application

now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

### **1. Membership of the Sub-Committee:**

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
  - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
  - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
  - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
  - 1.2.4 has a personal interest in the application.

### **2. Roles of other participants:**

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

### **3. Location and facilities:**

- 3.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 3.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

### **4. Notification of attendance:**

- 4.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

## **5. Procedural matters:**

- 5.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 5.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

### **Introduction of the application:**

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

### **Documentary evidence:**

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

### **Representations:**

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee

or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.

- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

### **Cross-Examination:**

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

### **Relevance:**

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

**The prevention of crime and disorder;**

**Public safety;**

**The prevention of public nuisance; and**

**The protection of children from harm.**

## **6. Failure of parties to attend the hearing:**

- 6.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

## **7. Adjournments and extension of time:**

- 7.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

## **8. Sub-Committee's determination of the hearing:**

- 8.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 8.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 8.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

## **9. Power to exclude people from hearing:**

- 9.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:
- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
  - that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

## **10. Recording of proceedings:**

- 10.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

## **11. Power to vary procedure:**

11.1 A written record of the hearing will be produced and kept for 6 years from the date. The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.



Licensing Officer's Report

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# LICENSING SUB-COMMITTEE

# REPORT

1<sup>st</sup> September 2022

Subject heading:

The Old White Horse  
Ockendon Road Upminster RM14 3PS  
Temporary events notice

Report author and contact details:

Mr P Jones Public Protection Officer  
licensing@havering.gov.uk  
01708 432777

This temporary events notice (TEN) is given by Mr Harry Watkins under section 100 of the Licensing Act 2003. The TEN was received by Havering's Licensing Authority on 2<sup>nd</sup> August 2022.

## Geographical description of the area and description of the building

The TEN is intended to take place in the garden of the Old White Horse public house which is located in North Ockendon. There are a number of residential properties within the vicinity of the premises.



**Details of the TEN**

<b>The provision of regulated entertainment</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Saturday 10/09/22	13:00	22:00

**Summary**

Havering's Environmental Health noise team submitted an objection notice against this TEN.



**Havering**  
LONDON BOROUGH

Copy of Application

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\* required information

**Section 1 of 9**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

EG10/09

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

HARRY

\* Family name

WATKINS

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?

Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

13348035

Business name

Eastern Grooves LTD

If your business is registered, use its registered name.

VAT number

-

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 9**

**APPLICATION DETAILS** ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

- Yes  No

\* Your date of birth  /  /   
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

**Correspondence Address**

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail

Telephone number

Other telephone number

### Section 3 of 9

#### THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

\* Does the premises have an address?

Yes  No

#### Address

Is the address the same as (or similar to) the address given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

\* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither  Premises licence  Club premises certificate

#### Location Details

\* Provide further details about the location of the event

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

*Continued from previous page...*

AREA. THE AREA WILL BE SEPARATED FROM THE MAIN PUB BUILDING BY USE OF METAL BARRIERS, TO ENSURE REGULAR CUSTOMERS TO THE PUB WILL STILL EXPERIENCE EFFICIENT SERVICE, AND TO CONTROL THE AMOUNT OF ATTENDEES IN OUR EVENT AREA.

THERE WILL BE OUTDOOR PORTA-LOOS PROVIDED FOR OUR ATTENDEES WITHIN THE FENCED EVENT AREA, WHICH ARE FOR OUR EVENT USE ONLY, TO ENSURE THE SEPARATION BETWEEN EVENT AND PUB CUSTOMERS.

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

THE EVENT IS A DANCE MUSIC / DJ EVENT SHOWCASING A SELECTION OF LOCAL HOUSE MUSIC DJs.

THERE WILL BE NO BEVERAGES BROUGHT IN FROM OUTSIDE THE VENUE, ONLY ALCOHOLIC / NON ALCOHOLIC DRINK SOLD WITHIN THE VENUE CAN BE CONSUMED IN THE VENUE.

WE WILL NOT BE SELLING/PROVIDING ANY FOOD OR BEVERAGES FOR/ON BEHALF OF THE VENUE, THE VENUE WILL TAKE FULL RESPONSIBILITY AND HOLD THE RELEVANT LICENSES REQUIRED TO SELL FOOD, BEVERAGES AND ALCOHOL.

THERE WILL BE SIA REGISTERED SECURITY EMPLOYED ON THE NIGHT, WHO WILL BE STAFFED ACCORDING TO EXPECTED ATTENDANCE.

SEARCHES WILL BE CONDUCTED AT THE DOOR PRIOR TO ENTRY, ANY REFUSAL TO COOPERATE WILL RESULT IN DENIAL OF ENTRY TO THE EVENT.

THERE IS A NO EXCUSE POLICY TOWARDS ANY PERSON/PERSONS ATTEMPTING TO BRING ALCOHOL/DRUGS/WEAPONS INTO THE EVENT AND IF REQUIRED, ADDITIONAL STEPS IN CONTACTING THE POLICE WILL BE MADE.

WE HAVE PUT A MAXIMUM CAPACITY OF 400 PEOPLE AT THE VENUE, HOWEVER THERE WILL ONLY BE 300 TICKETS FOR SALE AND THE REMAINING CAPACITY WILL BE FOR THE BAR STAFF/SECURITY, AND REGULAR CUSTOMERS OUTSIDE OF OUR FENCED AREA TO THE MAIN PUB BUILDING.

TICKET SALES AND ATTENDEES WILL BE PROCESSED THROUGH AN ONLINE TICKET SITE/APP , WHICH ALLOWS US TO TRACK HOW MANY PEOPLE WE EXPECT TO ATTEND, AND ALSO PROVIDE EFFICIENT ENTRY ON THE DOOR TO REDUCE QUEUES/ LOITERING.

#### Section 4 of 9

#### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

([See also guidance on completing the form, note 7](#)).

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

([See also guidance on completing the form, note 8](#)).

Continued from previous page...

### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 9\)](#)

Event start date  /  /   
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date  /  /   
dd mm yyyy

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
- Off the premises only
- Both

### Section 5 of 9

#### RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

The activities will provide live music broadcast via sound system to the pub garden area and surrounding vicinity. We will ensure the sound level will be kept at a consistent volume and will take into consideration the local area and inhabitants.

We have scheduled the event to run from 1200-2300 however, the first and last hour will be for setting up/taking down equipment and getting attendees in/out from the event efficiently and safely. The entertainment will run from 1300-2200.

### Section 6 of 9

#### PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

*Continued from previous page...*

Do you currently hold a valid personal licence?  Yes  No

### Section 7 of 9

#### PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?  Yes  No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or  Yes  No

b) Begins 24 hours or less after the event period proposed in this notice?

### Section 8 of 9

#### ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?  Yes  No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or  Yes  No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?  Yes  No

*Continued from previous page...*

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes  No

- a) Ends 24 hours or less before; or
- b) Begins 24 hours or less after the event period proposed in this notice?

**Section 9 of 9**

**CONDITION** [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. This formality requires a fixed fee of £21

**DECLARATION** [\(See also guidance on completing the form, note 19\)](#)

- \* The information contained in this form is correct to the best of my knowledge and belief
- \* I understand that it is an offence:
  - \* (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
  - \* (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

*Continued from previous page...*

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/havering/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="EG10/09"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)



**Havering**  
LONDON BOROUGH

Representation from the  
Environmental Health  
Responsible Authority

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**From:** Mike Richardson <[REDACTED]>

**Sent:** 03 August 2022 10:19

**To:** harrywatkins [REDACTED]

**Cc:** [REDACTED]

**Subject:** SRU139058 - Temporary Event Notice for The Old White Horse, Ockendon Road, Upminster

Dear Mr Watkins

I refer to the application for a TEN to hold a DJ event at The Old White Horse on 10 September 2022 between 12.00-23.00 hours. I am responding on behalf of the Council's Public Protection Unit, regarding the prevention of public nuisance.

I have significant concerns that the event will cause a public nuisance due to the music being played in the beer garden of the venue, and the impact that it will have on the nearest noise sensitive premises, with potentially 11 hours of music being played. Last year, a number of complaints were received regarding events held outside the venue, and whilst no nuisance was witnessed at the time, it would appear that these events did cause some disturbance to the local residents.

Within the application (which I appreciate is not required for a TEN) there is no information concerning a noise management plan or other such measures to control the public nuisance from the event, apart from stating that the "sound level will be kept at a consistent volume and will take into consideration the local area and inhabitants".

The closest noise sensitive properties are between 30-50m from the centre of the beer garden at the rear of the pub, so assuming that the noise levels are 95dB at 10m from the speaker at the venue (which one would consider reasonably consider to be required for a good audience experience), I have calculated that it would provide a noise level of between 80- 5dB at the closest noise sensitive premises. This is not a reasonable noise level for the residents to endure for the 11 hours of the event (although I appreciate that you indicate that the first and last hours would be for set-up/take down, but it is still a high noise level for the residents to endure for the day).

If the target level of 65dBA at the nearest noise sensitive premises is applied (from the Noise Council's Code of Practice on Environmental Noise Control at Concerts 1995), it would provide a noise level within the beer garden of about 75 dbA, which would not provide a good experience for the customers for a dance music event.

It should be noted that this calculation does not take into account the dominance of any bass frequencies, which would be more noticeable over longer distances and would cause a more significant issue at properties further away.

This predicted noise level is considerably above that suggested in the Noise Council's Code of Practice on Environmental Noise Control at Concerts 1995, which recommends that for 1-3 events in urban and rural sites, the Music Noise Level (MNL) is no higher than 65dBA, measured over 15 minutes at the façade of the noise sensitive premises. Whilst this guidance has been withdrawn as official guidance, no updated guidance has been produced, and therefore is often used in the absence of any other standards.

As such, I am not convinced that the music from the event will not cause a public nuisance to the nearby residential properties. Due to the nature of the event, it is unlikely that there will be periods of quiet, so residents will be subject to high noise levels for between 9-11 hours during the day into the evening.

Without a suitable noise management plan in place, I am unable to support the event, and therefore recommend the TEN is refused, due to it causing a public nuisance.

If you would like to discuss the matter further, or have any further comments to make, please do not hesitate to contact me.

Regards

**Mike Richardson**

**Senior Public Protection Officer, Environmental Health**

Town Hall Main Road, Romford RM1 3BB

t 01708 [REDACTED]

e [REDACTED]

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