

#### **AGENDA FOR**

#### LICENSING HEARING PANEL

Contact:: Julie Gallagher Direct Line: 0161 2536640

*E-mail:* julie.gallagher@bury.gov.uk

Web Site: www.bury.gov.uk

**To:** All Members of Licensing Hearing Panel

**Councillors**: J Grimshaw, D Jones and G Keeley

Dear Member/Colleague

#### **Licensing Hearing Panel**

You are invited to attend a meeting of the Licensing Hearing Panel which will be held as follows:-

Date:	Thursday, 25 May 2017	
Place:	Council Chamber - Town Hall	
Time:	11.00 am	
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.	
Notes:		

#### **AGENDA**

#### 1 APOLOGIES

#### 2 DECLARATION OF INTEREST

Members of the Licensing Hearings Panel are asked to consider whether they have an interest in any of the matters on the agenda and, if so, to formally declare that interest.

AN OBJECTION NOTICE BEING RECEIVED FROM A RELEVANT PERSON IN RESPECT OF A TEMPORARY EVENT NOTICE AT THE PADDOCK, SHEEP HEY FARM, LEACHES ROAD RAMSBOTTOM, BLO OND (Pages 1 - 80)

A report from the Assistant Director (Localities) is attached.



Agenda Item

# **REPORT FOR DECISION**

DECISION OF:	LICENSIN	IG HEARINGS PANEL		
DATE:	25 <sup>th</sup> May 2017			
SUBJECT:	THIS REPORT RELATES TO AN OBJECTION NOTICE BEING RECEIVED FROM A RELEVANT PERSON IN RESPECT OF A TEMPORARY EVENT NOTICE.			
REPORT FROM:	ASSISTA	NT DIRECTOR (LOCALITIES)		
CONTACT OFFICER:	MR M BRIDGE			
TYPE OF DECISION:	COUNCIL			
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain			
SUMMARY:	This report relates to an objection notice being given to the Licensing Authority, by a relevant person pursuant to section 104(2) of the Licensing Act 2003, in respect of a proposed temporary event to be held at the Paddock, Sheep Hey Farm, Leaches Road, Ramsbottom, BLO OND between the hours of 13:00 and 23.00 on the 28 <sup>th</sup> July 2017.			
OPTIONS & RECOMMENDED OPTION	<ul> <li>To give a counter notice to the Temporary Event Notice giver pursuant to section 105(2)(b) of the Licensing Act 2003, if the Local Authority considers it necessary for the promotion of the Licensing Objectives- (preventing the event from taking place).</li> <li>Not to give a counter notice and to provide the relevant person and the notice giver with a copy of the decision and reasons.</li> </ul>			
IMPLICATIONS:				
Corporate Aims/Policy Framework:		Do the proposals accord with the Policy Framework? <b>Yes</b> No		
Statement by the S151 Officer: Financial Implications and Risk Considerations:		There are no specific issues from the report other than potential costs/risks associated with legal appeals.		
Statement by Executive Director of Resources:		The cost of the licensing function are funded through the fees and charges levied by the		

	Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.		
Equality/Diversity implications:	Yes <b>No</b> (see paragraph below)		
Considered by Monitoring Officer:	Yes Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.		
Wards Affected:	Ramsbottom		
Scrutiny Interest:	Overview and Scrutiny Panel		

#### TRACKING/PROCESS

#### DIRECTOR:

Chief Executive/ Strategic Leadership Team	Exective Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

#### 1.0 BACKGROUND

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations is the relevant legislation.
- 1.2 The Panel will make a decision on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

#### 2.0 BACKGROUND

- 2.1 The Temporary Event Notice has been given by Mrs Carol Rothwell. The date of the event that the Temporary Event Notice covers is the 28<sup>th</sup> July 2017 between the hours of 13:00 and 23:00 for the retail sale of alcohol and the provision of regulated entertainment.
- 2.2 The Health and Environmental Protection Team (relevant person) have complied with all the necessary procedural requirements laid down by the Act.
- 2.3 Under the provisions of section 104(2) of the Act, where the relevant person is satisfied that allowing the premises to be used in accordance with the Temporary Event Notice would undermine a licensing objective, the relevant person must give a notice stating the reasons why he is so satisfied.
  - (a) To the relevant licensing authority

- (b) To the premises , and
- (c) To every other relevant person.
- 2.4 Bury Council's Health and Environmental Protection Team have submitted an objection notice which states the following:-

# Public Nuisance, namely noise nuisance caused by amplified music played at the event

Our first complaint regarding an event on this site was following a wedding on 18<sup>th</sup> July 2015. No Temporary event Notice had been given for this event. Mr & Mrs Rothwell were advised by the Licensing Service at that time that Temporary Event Notices (TEN's) would be required for any future events.

Events held in at The Paddock, on 31<sup>st</sup> December 2015 and on 23<sup>rd</sup> April 2016 resulted in several complaints being received from nearby residents relating to nuisance from loud music being played. Both these events had TEN's.

After the wedding on 31<sup>st</sup> December 2015 we received 4 complaints from neighbours of the Paddock. These complainants were contacted by Environmental Health. Each complainant provided a witness statement to Environmental Health.

A copy of each of these statements had been redacted and attached at Appendix 01

The statements relate to loud music being played at the wedding on 31<sup>st</sup> December from 4p.m. till 12.30a.m, they also commented on the loud music played from 4-6p.m. on 30<sup>th</sup> December, this could be due to the band practicing the day before the event.

Some of these statements did make reference to an event on 23<sup>rd</sup> December 2015 which also had a TEN but it finished early about 7 p.m. and caused little concern.

A letter was sent to Mr and Mrs Rothwell advising them that a number of complaints had been received. No response was received. A copy of the letter is enclosed at Appendix 02

When an application for a further Temporary Event Notice was received for an event to be held at The Paddock on 23<sup>rd</sup> April 2016, it was agreed with the complainants that an Environmental Health Officer would attend to see if nuisance was created.

An Environmental Health Officer attended on 23<sup>rd</sup> April 2016 between 9.40p.m. and 10.15p.m. The evidence gained during the visit led to the conclusion that nuisance was being caused. Inside one of the complainants houses the Environmental Health Officer confirmed that the base beat of the music could be heard above the TV. When a window was opened the music could be heard word for word.

The officers statement is attached at Appendix 03

A further complaint was received following this event on 23<sup>rd</sup> April 2016. A copy of this complaint is attached at Appendix 04

Two more Temporary Event Notice Applications were received for events on 24<sup>th</sup> June 2017 and 18<sup>th</sup> May 2018. Due to time constraints Environmental

Health did not make representations to these, however a letter was sent to Mr and Mrs Rothwell advising them that objections would be made to any future applications due to the number of complaints received by Environmental Health.

A copy of this letter is enclosed at Appendix 05.

On 1<sup>st</sup> March 2017 an Environmental Health Officer visited Kay's Cottage to meet with Mrs Rothwell to discuss the matter of noise management and possible future events.

Mrs Rothwell responded by submitting a Noise Management Plan. Consideration was given to the Noise Management Plan and it is not considered that the action proposed will sufficiently reduce the level of noise to prevent nuisance being caused. The plan attempts to reduce the noise of patrons attending the event outside the marquee/tipi and on leaving the event but does little to address the main issue of music being played.

A copy of the Noise Management Plan is attached at Appendix 06

The complainants were consulted on the Noise Management Plan. Their responses have been attached at Appendix 07

Mrs Rothwell was advised that the Noise Management Plan failed to adequately address the issue of noise nuisance.

A copy of the email is attached at Appendix 08

A sixth complainant has contacted Environmental Health to complain about past events and wishing to object to future events on The Paddock.

This additional complaint is attached at Appendix 09

I have also enclosed a site map indicating the complainants at Appendix 10

Due to the close proximity of The Paddock to neighbouring properties it is envisaged that any amplified music played at an event in a marquee or tipi on this site will cause public nuisance from to noise which is expected to result in further complaints being received by the Environmental Health Section. A marquee or tipi by its very nature is not able to provide any level of sound proofing.

Mrs Rothwell has reported that the events so far have all been for family and friends. It should be noted however that Mrs Rothwell has a website advertising a bespoke wedding service and is obviously hopeful of extending this as a wedding business in the future.

A copy of the website is attached at Appendix 11

In light of the above information, Bury Council's Health and Environmental Protection Team request the members of the Licensing and Safety Panel issue a Counter Notice to stop this event going ahead.

#### 3.0 GUIDANCE TO LICENSING AUTHORITY

- 3.1 The Secretary of State Guidance issued under section 182 of Licensing Act 2003 (April 2017) states as follows:
  - 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad

common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

- 7.10 The police and environmental health authority (EHA) have a period of three working days from when they are given the notice to object to it on the basis of any of the four licensing objectives.
- 7.28 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a "notice (statement of conditions)") and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.
- 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 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.

#### 4.0 OBSERVATIONS

4.1 After hearing the evidence representation and evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

**Temporary Event Notice** Relevant person Objection Notice

#### For further information on the details of this report, please contact:

Mr M Bridge Licensing Unit Manager 3 Knowsley Place Duke Street Bury

Telephone No: 0161 253 5209

Email: <u>m.bridge@bury.gov.uk</u>

Application Number (if known):

# The Licensing Act 2003

## Responsible Authority Representation Form

# Section 1 - Application Details We object to the following Application: Wedding event to be held at The Paddock, Kays Cottage, Sheephey Farm, Leaches Road, Bury, BL0 0ND Date 28<sup>th</sup> July 2017 from 13.00 to 23.00 Type of application. Temporary Event Notice New Premises Licence

#### Section 2 – Responsible Authority's Details Responsible Authority's Details: Please tick appropriate box: Police Fire Authority **Planning Authority** Health and Safety **Environmental Health Service Child Protection** Weights and Measures **Licensing Authority Public Health Department** Full name: **Margaret Waddington** Job Title: Senior Environmental Health Officer (Commercial Section) Tele number: 0161 253 5523 Email: m.waddington@bury.gov.uk

# Department of Communities and Wellbeing 3 Knowsley Place Duke Street Bury BL9 0EJ

	Section 3 – Representations		
We objec	t to the application being granted at all to the application being granted in its current form* his option remember to tell us in section 3B what changes you e.		
You need to complete the boxes below as fully as possible. If you do not then the Licensing Sub-Committee may not understand why you have made a representation (objection).  Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant's name and your name to each page.			
Section 3A – The Objectives			
To prevent crime and disorder	Please state your reasons:		
Public safety	Please state your reasons:		

Pocument f public nuisance	Please state your reasons:  Public Nuisance, in the form of noise nuisance resulting from the playing of amplified music.  See attached documentation	
The protection of children from harm	Please state your reasons:	

Document F	Pack Page 10 ection 3B – Suggestions/Further information	

Signed M. Waddigt dated 16/5/17

N.B if you do make a representation you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

#### Representations in respect of a Temporary Event Notice (TEN).

I can confirm that on **11**<sup>th</sup> **May 2017** Bury Council's Environmental Health Section, in our capacity as a Responsible Authority, as defined by the Licensing Act 2003, received a Temporary Event Notice in respect of the following premises:

Name of Premises: The Paddock

**Licence No:** 

Address of Premises: Kays Cottage, Sheephey Farm, Leaches Road,

Bury, BLO OND

Name of Notice giver: Carol Rothwell

To hold a temporary event involving licensable activities between the

following

**Dates and times:** 28<sup>th</sup> July 2017 13.00 – 23.00

I wish to make representations in respect of this Temporary Event Notice, on the following grounds:

# Public Nuisance, namely noise nuisance caused by amplified music played at the event

Our first complaint regarding an event on this site was following a wedding on 18<sup>th</sup> July 2015. No Temporary event Notice had been given for this event. Mr & Mrs Rothwell were advised by the Licensing Service at that time that Temporary Event Notices (TEN's) would be required for any future events.

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#### **Appendices**

- 01. Complainants statements after event on 31st Decemember 2015
- 02. Letter sent to Mr & Mrs Rothwell on 15th January 2016
- 03. Statement of EHO attending event on 23<sup>rd</sup> April 2016
- 04. Complaint received after event on 23<sup>rd</sup> April 2016
- 05. Letter sent to Mrs Rothwell on 21st February 2017
- 06. Noise Management plan
- 07. Complainants comments
- 08. Email to Mrs Rothwell regarding the Noise Management Plan
- 09. Sixth complaint
- 10. Site map showing complainants
- 11. Wedding events website

# Appendix 01

SW/WS1



# STATEMENT OF WITNESS Statement

(Criminal Procedure Rules, r 27.2); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)

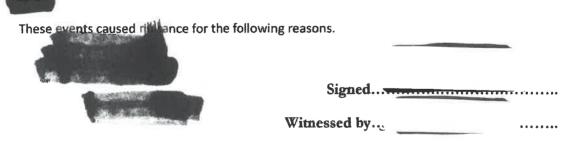
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STATEMENT	•	
Age of Witness		
Occupation of Witness -	Employes	
This server and apprinting of 2 manus and vi	ional by me is tought to the bast of my knowle	den and bulief and I make

This statement, consisting of 3 pages each signed by mg, is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

We live a Our neighbours, who own 'The Paddock', applied for two licences over the Christmas period for events held in tipis situated around 50m away from our house. They did not consult with, or even inform, any of the neighbours that they planned this. The first we knew of it was when the tipis turned up on 15<sup>th</sup> December.



When I stopped and asked the owner) why the tipis were there she told me about the wedding on the 31<sup>st</sup> December. We subsequently found out about the second event on 23<sup>rd</sup> December through the Licencing Department at the Council, - this was never mentioned by



Rev 4.0 / Section 5.0 - Statement of witness - unlined / SW/WS1 / Jan 2015

#### Statement of Witness

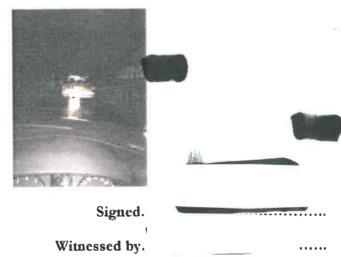
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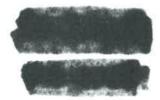
Page 2 of 3

During construction of the tipis access down the single track road to our properties was
restricted due to vehicles and trailers parked by the tipi company. We were unable to
gain access without having to drive on the grass verge for two days. Larger emergency
vehicles would not have been able to pass.



- The event on 23<sup>rd</sup> December was uneventful as very few people turned up and it was over by 7:00 PM
- 3. The wedding band practiced/sound checked in the tipis on 30<sup>th</sup> December for just over an hour. I could hear the bass and the microphone testing whilst working in our study which is the furthest point in our house away from the tipis. Our house is triple glazed and all of the windows and doors were closed.
- 4. On the day of the wedding, most of the time there were two people marshalling traffic. However, on his way back from work at around 6:20 PM, our son had to squeeze past a car that had been left in the middle of the road on the grass verge. I believe this vehicle also obstructed one of our neighbours. At that time there was no one from the organisers supervising traffic.





Rev 4.0./ Section 5.0 - Statement of witness - unlined / SW/WSI / Jan 2015

#### Statement of Witness

Continuation statement of

Page 3 of 3

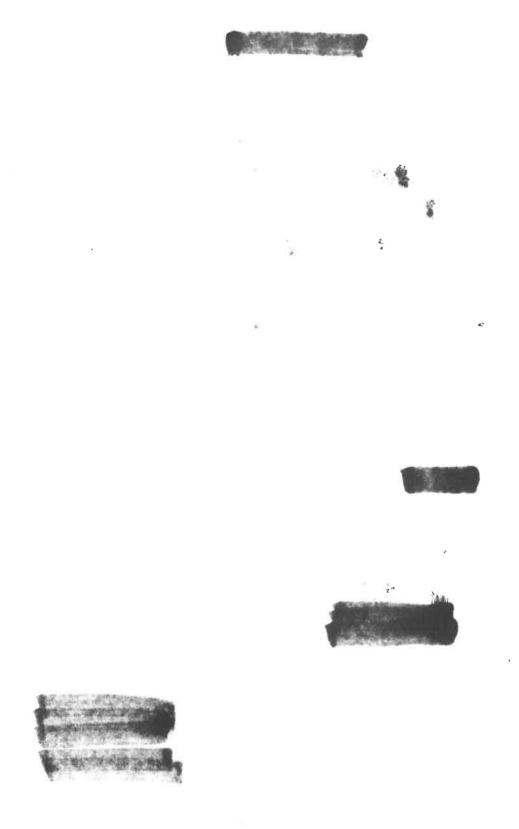
5. Separately, we returned from dropping our middle son off at a party to find a different car parked in the middle of the road. The organisers were there and went to find the driver but we were stuck for several minutes. Again, there would have been no access for an emergency vehicle.



6. The music at the wedding was audible above the television in the lounge even with all of the windows closed. When we went to bed (the first photo is taken from our bedroom window) we could clearly hear the music and also the noise of the people at the party.
Our
edroom is next door to ours and also faces out on to 'The Paddock'.

Whilst the music was not as loud as the event that was held in the summer (18<sup>th</sup> July), had it been a warmer time of year, our triple glazed windows and French doors are generally open and that would have made our lounge and bedrooms unusable while the music was on.

	Witnessed by	
	Signed	7-10-2
*##		
Signed		
Dated the 21st day of January 2016		





# STATEMENT OF WITNESS

C	DUNGIL	O.J.Zi. Statement
(0	Criminal Procedure Rules, r 27.2); Crimi	inal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)
STAT	TEMENT OF:	
	of Witness: over	rson involved in serious crime enquiry, otherwise "over 18" will suffice)
	pation of Witness:	
knowin	g that if it is tendered in evidence, I shall b lse or do not believe to be true.	ned by me, is true to the best of my knowledge and belief, and I make it the liable to prosecution if I have wilfully stated in it anything which I know
Dated	d the	day of MARCH 20. 16
		Signed
1.	I own and occupy	with my family. This address is one of eight
	residential properties on th	e site of what was Sheep Hey Farm. Another one
	of these properties is Kays	Cottage which is owned and occupied by Mr. & Mr.
	who also own	an agricultural field (this is the permitted use)
	adjacent to and less than	50 metres from the residential properties. The
	Rothwells have named this	field "The Paddock".
2.	The only road access to	the residential properties at Sheep Hey is along
	Leaches Road which is a s	single track tarmac road with narrow soft verges in
	front of field fencing	
·		Signed.
		Witnessed by
		A TOWNSON WAS ALLEAST AND A SECTION OF SECTI

- 3. On 15.12.2015 a large Tipi style tent was erected in the field and functions were held in the tent on 23.12.2015 and 31.12.2015. The erection of the tent on 15.12.2015 caused disruption of access to my property a) from contractors vehicles delivering the tent b) from contractors vehicles delivering equipment to kit out the tent c) from contractors/people delivering food and drink for consumption inside the tent d) from people attending the function on 31.12.2015. Vehicles were regularly parked on Leaches Road blocking and restricting access. The same situation happened in reverse during early January 2016 when the same contractors and their vehicles returned to take equipment and materials away.
- 4. Mr & Mrs Rothwell further restricted access along Leaches Road by erecting stakes into to the narrow verges adjacent to their field. These stakes would become dangerous projectiles if hit by a car.
- 5. This restriction and denial of access along Leaches Road not only effects the residents at Sheep Hey but risks denying access to emergency vehicles, refuse collection vehicles etc.
- 6. I was on holiday on 23.12.2015 and cannot speak to the function that was held
- 7. On 30.12.2015 a live band was playing in the tent between about 4.00pm and 6.00pm. This was a booming base sound clearly audible above the TV in the lounge of my property which is at the rear of my property. I understand that the Rothwell's did not have a licence for live music on this evening.
- 8. On 31.12.2015 a wedding function was held in the tent which started from around 4.00pm. Access along Leaches Road was very substantially restricted Signed.

by many vehicles arriving for the function some of which were abandoned on Leaches Road and parked on the verges including a coffee van. I twice had to drive onto the narrow sloping verges to make my way along Leaches Road. The verges were very wet because of the rain. My wife also had to wait while the Rothwell's customers queued across Leaches Road to the coffee van.

- 9. Loud music was playing in the tent from about 4.00pm to about 12.30am. At 2.00am the tent was still fully lit with people talking loudly in it which was audible from my daughter's bedroom at the front of our property 50 metres away.
- 10. I understand that the Rothwell's did have alcohol and entertainment licences for the functions on 23.12.2015 and 31.12.2015 but they did not have the courtesy to tell me or their other neighbours what they were doing. If I had been given notice I would have objected to the licenses before the functions took place. These functions held by the Rothwell's are creating substantial access and noise nuisance for the residents of Sheep Hey and in the wider valley.
- 11. The Rothwell's held another function on 18.7.2015 into the early hours of 19.7.2015 which caused the same access an noise nuisance. I understand that the Rothwell's did not apply for a licence for this function.
- 12. Exhibit EG1 is a photograph showing the size of the tent structure and the proximity to the residential properties at Sheep Hey. The temporary staking in the verges on both sides of Leaches Road is shown.

13. Exhibit EG2 is a ph	otograph showing the temporary staking of the v	verges on
Leaches Road and a	at the verges are narrow and claning	
	Signed	

Witnessed by.....

SW	/N	V	S	1
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- 14. Exhibit EG3 is a photograph showing a car abandoned on Leaches Road on the evening of 31.12.2015 preventing access.
- 15. Exhibit EG 4 is photograph showing vehicles parked on Leaches Road. The bright light in distance is the coffee van parked on Leaches Road.
- 16. I am willing to support any action deemed necessary by Bury Council and am prepared to attend Court.

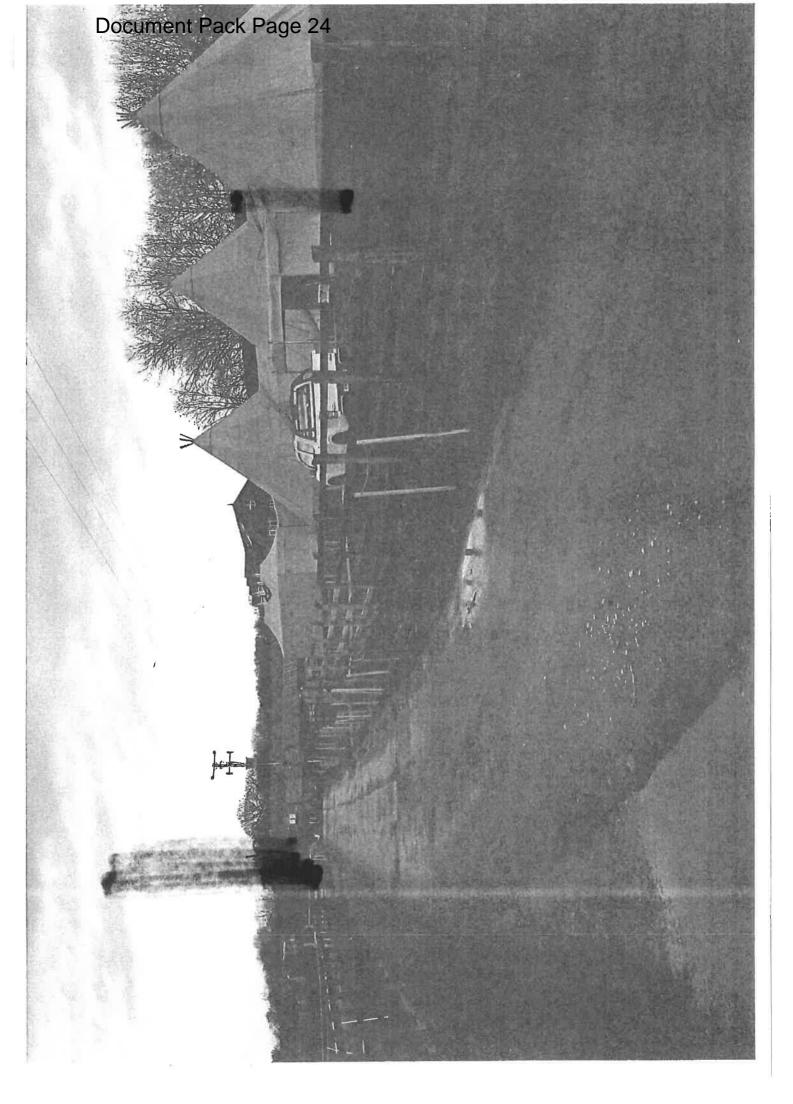
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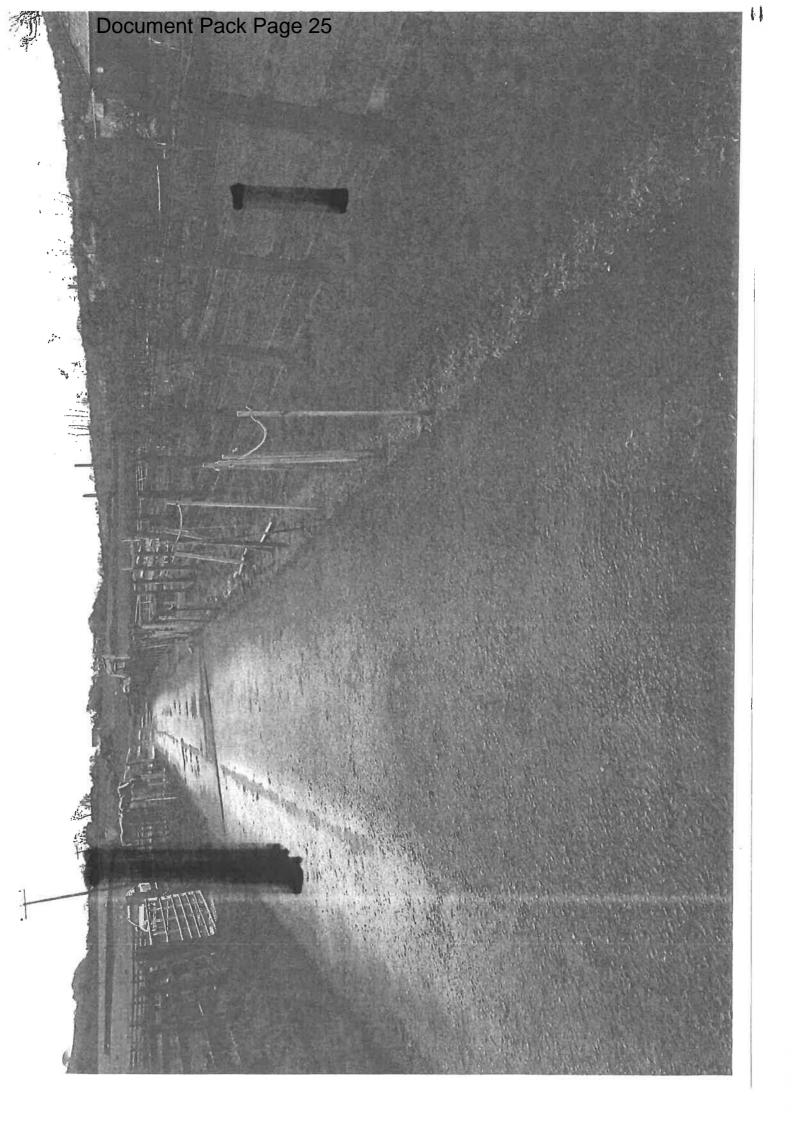
Signed
Signad
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Witnessed by

Rev 4.0 / Section 5.0 - Statement of witness - unlined / SW/WS1 / Jan 2015

This is Exhibit EG1 referred to in the statement of

4	
Signed	
Witnessed by	***************************************

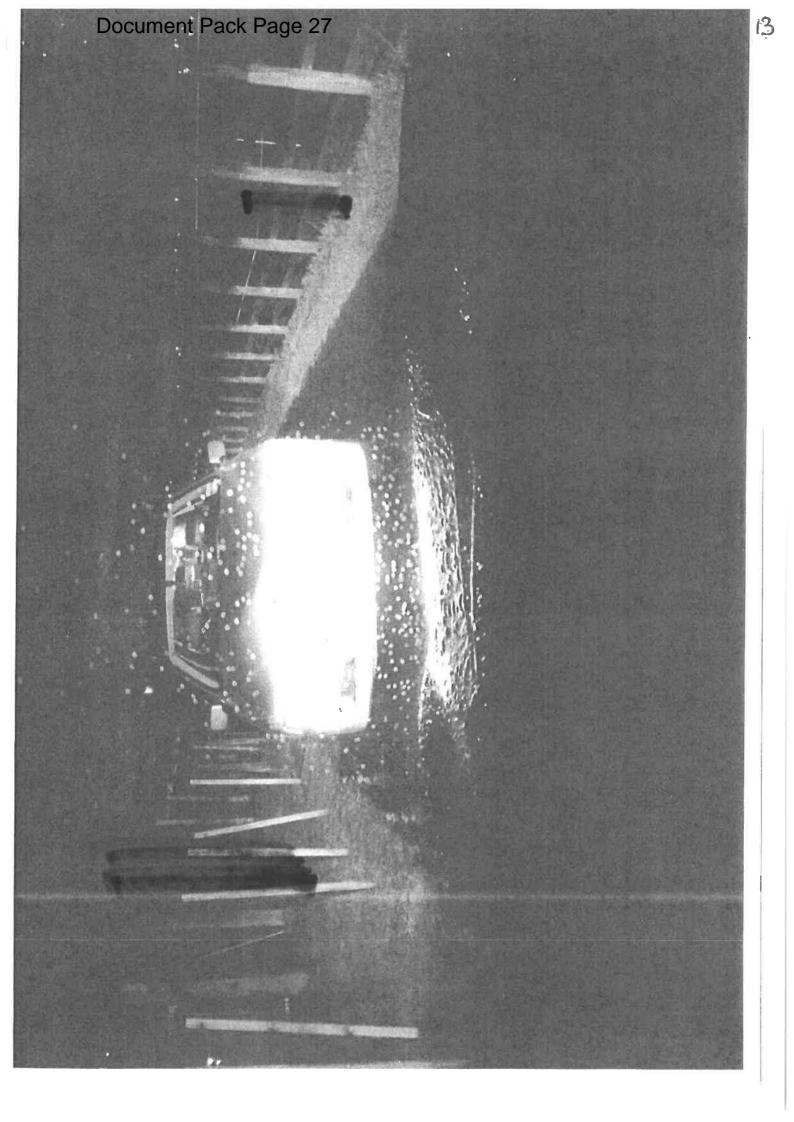




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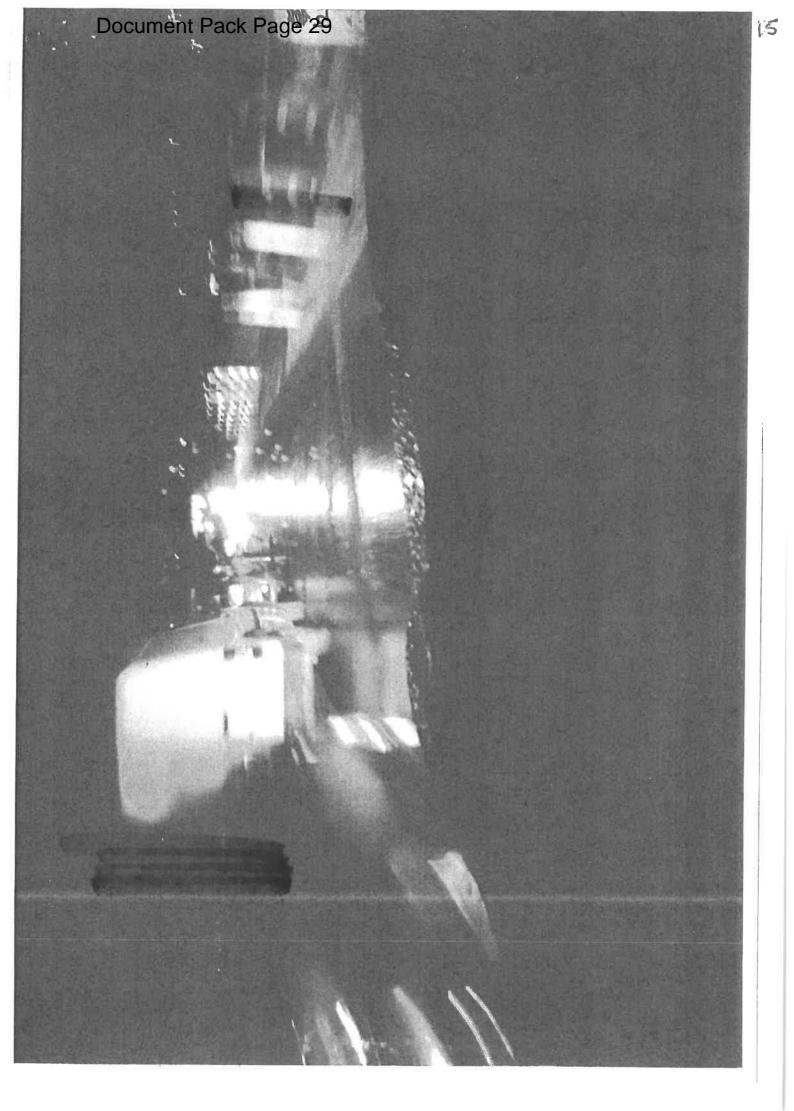


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SW	/W	<b>S</b> 1
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This is Exhibit EG3 referred to in the statement of

Signe	
Witnessed by	



Document F	ack	Page	30
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CTV/	
- XY/	/WS1
JW.	/WS1

This is Exhibit EG4 referred to in the statement of

Signed	- 42
Vitnessed by	

f ·	STATEMENT OF WITNESS C.J.A. Statement	
+		

(Criminal Procedure Rules, r 27.2); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)

STATEMENT OF



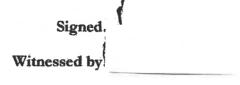
Age of Witness Over

Occupation of Witness

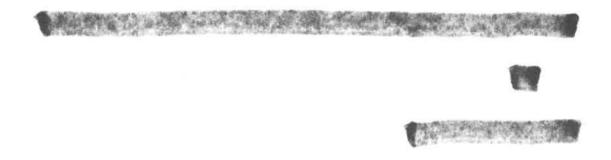
A flyer which we received through our door has now left me in no doubt that the very loud music we heard on 30/12/15 at around 5.30pm was coming from The Paddock in Sheephey. I read on this flyer that more events are to be held at The Paddock making this a regular occurrence, hence my communication with Bury Council and this Witness Statement.

On 30th December 2015 we arrived home at around 5.30pm we heard loud music when we parked up our car at the back of our house and before we even opened the car doors. It was so loud that once we got into our house even with our back door shut I could easily state what the songs were. We live on

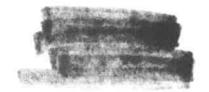
1 Stubbins so a good distance away from Sheephey. I did wonder if this was a sound check for a later event as the music stopped at around 5.50pm. We went out on 31/12/15 so I am unable to corroborate this. I understand from The Paddock's Facebook page that it is available to hire for Weddings and Parties.



Rev 4.0 / Section 5.0 - Statement of witness - unlined / SW/WS1 / Jan 2015







#### Continuation sheet number 1

The Paddock looks like a fabulous place from the photos I saw on Facebook but I'm really concerned at the levels of noise these events will create.

I understand that some disturbance is inevitable when living amongst others but I feel that this sound level on 30/12/15 was unacceptable especially if there are more events planned. There was an event last year that was very loud and which came from the same direction but, thinking that it was a one-off, I didn't bother to make a complaint or even worry about it. However, it's the fact that this may/will become a regular occurrence at The Paddock that concerns me now. I've been in bands, on and off, over the last 19 years and have always appreciated how important it is to respect those who live in the vicinity of events and live music being played.

This statement, consisting of 2 pages each signed by me, is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

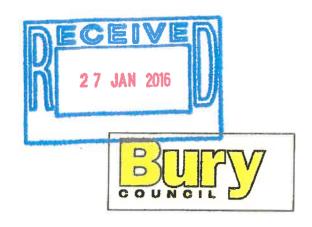
Dated the 20<sup>TH</sup> day of Jawary 20.16



Rev 4.0 / Section 5.0 - Statement of witness - unlined / SW/WS1 / Jan 2015



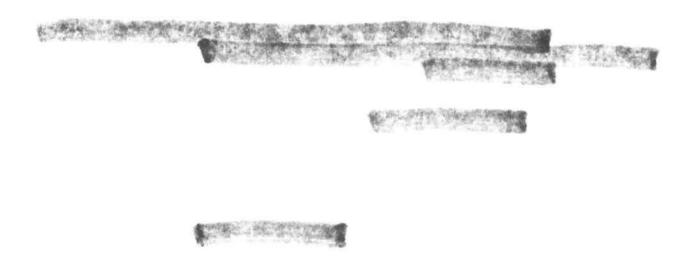


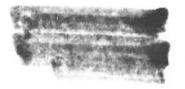


SW/WS1

## STATEMENT OF WITNESS C.J.A. Statement

(Criminal Procedure Rules, r 27.2); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)
STATEMENT OF
Age
(True age to be shown where witness as a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)
Occupation of Witness
This statement, consisting ofpages each signed by me, is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.
Dated the 23 Danie De day of January 20 16
Signed
kays Cottage, Romsbottom, Bio OND held a wedding at the venue known as The Paddock. This wedding was hard for monetary gain by the Rothwell The noise from the nusic could be heard unlide our property from late afternoon until lane despite our double greging, windows closed and TV on. We were also disturbed by the sound Checks taking prace the previous day (30/12/15) at approx. Hpm
Signed
Witnessed by
Rev 4.0 / Section 5.0 - Statement of witness - unlined / SW/WS1 / Jan 2015





# Patrochen Communities & Wellbeing

Our Ref Your Ref

Date Please ask for

Direct Line 0161-253 Direct Fax 0161-253

E-Mail

SR150556.6

15 January 2016 Mr Gary Brown

6136 5563

G.Brown@bury.gov.uk

Appendix 02

Department for Communities & Wellbeing

Lesley Jones
Director of Public Health

Mr. and Mrs. Rothwell Kays Cottage, 2 Sheep Hey Leaches Road Shuttleworth Ramsbottom Bury BLO OND

Dear Mr. and Mrs. Rothwell

### Loud music from the event held on the 31st December 2015

This Department has received a number of complaints about the above matter. It is reported that the event held by you in the marquee on land adjacent to Leaches Road on the 31<sup>st</sup> December caused nuisance and disturbance to a number of your neighbours with intrusive loud music going until late at night. I am also advised that the sound check carried out the day before the event also caused similar disturbances.

I would welcome any comments that you may wish to make about this matter. I am also required to advise you that further complaints being received by this department may result in that noise alleged to be coming from your premises being monitored.

Yours faithfully

Gary Brown
Unit Manager (Neighbourhoods Enforcement)



RESTRICTED (when complete)

Appendix 03

SW/WS1



STATEMENT OF WITNESS C.J.A. Statement

(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B

STATEMENT OF Melanie Walsh

#### Age of Witness over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

#### Occupation of Witness Environmental Health Officer

This statement, consisting of ...1...pages each signed by me, is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

#### Dated the 16th May 2017

I am an Environmental Health Officer employed by Bury Council. I am empowered and authorised to act on their behalf. I work as part of the Neighbourhoods
Enforcement Team. My duties include investigating fly tipping incidents, littering complaints and complaints of Statutory Nuisance including noise nuisance. As part of my role I am also required to make comments and provide representation, where necessary to planning applications, TENs etc. On the 23<sup>rd</sup> April 2016, as a result of previous complaints received, in relation to Temporary Events Notices at The Paddock, Leeches Road, Bury I attended the area to ascertain the levels of noise emanating from a wedding that was located in what I would describe as tents in a field adjacent to the complainants properties located on Leeches Road, I arrived at approximately 21:40 outside the complainant's hous leeches Road, Bury. I could clearly hear amplified music and recognised the song playing as HAPPY by Pharrell Williams. On entering the complainant's property I was told that the windows were triple glazed. There were several residents from the area sitting in the lounge of

Signed	•••
Witnessed by	• • •

# RESTRICTED (when complete)

SW/WS1

property. I asked the complainant	o turn their television on.
I could still hear the bass beat of the music. At 21:55 I was	asked to enter the court
yard area, as the other complainant's properties were locat	ed in this area. The
amplified music could be clearly heard in the court yard ar	nd I recognised the song as
being RFUGHT MY FIRE by Take That. A few minutes	later I returned to the front
lounge c eeches Road and despite all the windows being	ng shut J could still hear
music, although I could not identify the song. Before I left	I asked to
open a window in his living room, as I wanted to ascertain	the level of noise that was
likely to be heard in the summer months. I could hear Stev	vie Wonder playing. Before
I left the complainants property I heard car horns beeping	. I led eeches Road at
approximately 22:15.	,

pen a window in his living room, as I wa	nted to ascertain the leve	el of noise tnat was
kely to be heard in the summer months.	I could hear Stevie Won	der playing. Before
left the complainants property I heard ca	r horns beeping. I le	eeches Road at
pproximately 22:15.		•
	Signed	
	Signed	
	Witnessed by	
	-	

# Appendix 04

Telephone conversation between EHO & complainant on 23/5/16

Spoke to Mr Bissell and explained the current situation with TENs and a little about the planning process/issue. Mr Bissell advised that during the 'wedding'event, they could hear every word the DJ said and the noise kept the children awake. Please contact him if further evidence is required for grounds for refusal of future TENs.

## Document Pack Page 43 Pat Jones-Greenhalgh CSS, MSc in Management Executive Director of Communities & Wellbeing

Our Ref

Please ask for

Sr160666 & SR160752

Your Ref Date 21st February 2017

Mrs Margaret Waddington Direct Line 0161 253 5523 Direct Fax 0161 253 5222

E-mail m.waddington@bury.gov.uk Appendix 05

Department for Communities & Wellbeing

Lesley Jones Director of Public Health

Mrs C Rothwell, Kays Cottage, Sheep Hey Farm, Leaches Road, Shuttleworth. Bury, BLO OND

Dear Mrs Rothwell

#### **Wedding Events at The Paddock**

We have recently received two Temporary Event Notice applications for wedding events at The Paddock to be held on 18<sup>th</sup> May and 24<sup>th</sup> June 2017. The date for objections has passed but I wish to inform you that Environmental Health will object to any similar events planned to be held on this site in the future on the grounds of expected public nuisance.

I wish to explain the reasoning behind this. Last year we received many complaints about the noise levels when events were held at The Paddock, these were not all from neighbours in the immediate vicinity. Several complainants also provided Witness Statements relating to their noise complaints outlining how intrusive the noise levels were.

During the evening of 23<sup>rd</sup> April 2016 an Environmental Health Officer visited properties on Leaches Road. Music from the wedding at The Paddock was clearly audible inside with the windows closed, this clearly constitutes a nuisance.

Should you or any other individual wish to apply for Temporary Event Notices in the future for these premises then we will object, the application will then be brought before the Licensing Hearings panel to consider issuing a counter notice to stop the temporary event.

I am giving you advance warning of the decision made by this department to object to future functions to prevent you from taking bookings unnecessarily. If the two events already planned go ahead without cause for complaint we may review our decision with regards to future events.

Should you wish to discuss this letter please do not hesitate to contact me.

Yours sincerely,



Document Pack Page 44 Waddington
Senior Environmental Health Officer



# Appendix 06



## **NOISE ASSESSMENT**

on behalf of

### THE PADDOCK

for the site at

THE PADDOCK, KAYS COTTAGE, 2 SHEEP HEY, LEACHES ROAD, SHUTTLEWORTH, RAMSBOTTOM, BURY, BL0 0ND

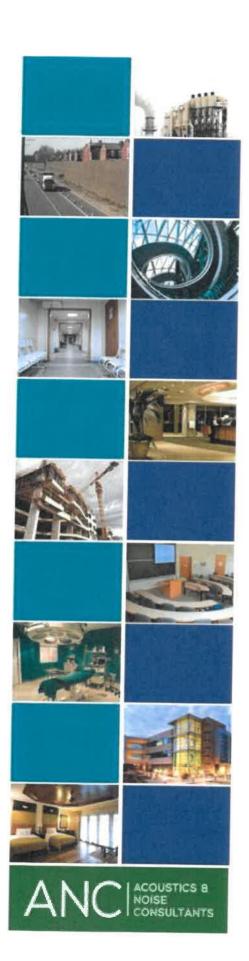
**REPORT DATE: 19TH APRIL 2017** 

Miller Goodall Ltd Ground Floor Ashworth House Deakins Business Park Blackburn Road Egerton Bolton Lancashire BL7 9RP

Tel: 01204 596166

www.millergoodall.co.uk

Company registration number 5201673



Report No. The Paddock

The Paddock, Kays Cottage, 2 Sheep Hey, Leaches Road, Shuttleworth, Ramsbottom, Bury, BLO OND

## **Summary**

A noise management plan has been developed in response to concerns raised about a public nuisance from events held at The Paddock, Kays Cottage, Sheep Hey Farm, Leaches Road, Shuttleworth, Bury.

The noise management plan is aimed at minimising any potential noise during the proposed weddings.

#### **Record of changes**

Prepared By Joanne Miller MIOA Reviewed By Colin Foster MIOA

Signed Signed Signed 19th April 2017 Date 19th April 2017

Date	Change	Initials
19th April 2017	Issued	JLM

The Paddock, Kays Cottage, 2 Sheep Hey, Leaches Road, Shuttleworth, Ramsbottom, Bury, BLO OND

The Paddock

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Page 2 of 7 19th April 2017

Report No. The Paddock

The Paddock, Kays Cottage, 2 Sheep Hey, Leaches Road, Shuttleworth, Ramsbottom, Bury, BLO OND

# **Contents**

Sı	immary	1
Co	ontents	3
	Introduction	
	Noise Management Controls	
	Conclusions	
	pendix 1: Location of The Paddock	
	ossarv of Terms	

#### Introduction 1

Document Pack Page 50

- Miller Goodall Ltd has, on behalf of The Paddock, assessed the activities being undertaken to provide advice 1.1 on controlling noise from the site.
- Bury Council have received complaints relating to noise from events and are concerned at the ongoing 1.2 activities at the site. The Paddock have applied for a Temporary Event Notice for 2 events, one a wedding. The site is located within the red line plan in Appendix A.
- The proposed events for which a temporary event license are for 2 weddings. The events are proposed for 1.3 one within a heavy canvas tipis and one within a marquee. Marquee and tipis are hired in for each event and the bands are hired for each occasion. By the nature of the marquee, it is difficult to provide suitable sound insulation controls. The controls therefore proposed are by way of noise management to minimise the noise where practical. The events are only 2 per year as such with the controls in place it is not felt that a public nuisance would be caused.
- The noise management plan provided within this document provides evidence of the controls the organisers 1.4 have over events and aims to minimise noise on the two proposed events.

#### **Noise Management Controls** 2

- It is recommended that the following measures are taken by the manager of The Paddock to assist in reducing 2.1 the noise levels to local residents:
  - The main marquee/tipi to be located as far as practically possible from the closest residential properties.
  - A formal verbal relationship with the performer(s) and anyone else involved such as the agent or fixer, to include among other matters an awareness of the issues surrounding noise and the need to control the levels during an event.
  - All music to be concluded by 23:30 and the main marquee/tipi to close at midnight
  - Regular sound checks at the boundary of the property by staff of The Paddock to control any excess outdoor 'people' noise will be undertaken. Where the noise is considered excessive the performers will be advised to reduce the volume of noise.
  - Carry out regular monitoring checks to ensure noise is being adequately controlled.
  - Locate signs within the external areas to promote awareness of potential local residential noise disturbance e.g. 'This is a residential area, please refrain from making excessive noise'.
  - The contact numbers of management staff within The Paddock provided to local residents. In the unlikely event where a noise nuisance can be heard at these locations the site manager shall be contactable on the number during the opening hours
  - Staff from the Paddock to supervise the area immediately outside the main marquee/tipi area to reduce any unnecessary noise, particularly during dispersal
  - A dispersal policy shall be implemented.
  - Notices shall be displayed at exits of the premises requesting customers to leave the area quietly and as directed by staff from The Paddock
  - A formal arrangement made with a local taxi operator(s) to ensure adequate taxis are available for customers leaving the site

19th April 2017 Page 4 of 7

Report No. The Paddock

The Paddock, Kays Cottage, 2 Sheep Hey, Leaches Road, Shuttleworth, Ramsbottom, Bury, BLO OND

- Customers to remain within the Marquee/tipi whilst waiting for taxis and a sign with taxi numbers provided and requesting customers to remain inside
- No fireworks to be permitted at any events.
- Consideration could be given to making free lollipops available to customers as they leave
- Supervisors to ensure that customers do not leave the premises with bottles or glassware.

### 3 Conclusions

3.1 The noise management plan has been developed to assist with the control of noise from the site. Events at The Paddock occur once or twice a year. With the controls in place it is felt that The Paddock have taken best practical means to control the noise from the proposed events.

The Paddock, Kays Cottage, 2 Sheep Hey, Leaches Road, Shuttleworth, Ramsbottom, Bury, BLO OND

Report No. The Paddock



Page 6 of 7 19th April 2017

### **Glossary of Terms**

- Decibel (dB) The unit used to quantify sound pressure levels; it is derived from the logarithm of the ratio between the value of a quantity and a reference value. It is used to describe the level of many different quantities. For sound pressure level the reference quantity is 20 μPa, the threshold of normal hearing is in the region of 0 dB, and 140 dB is the threshold of pain. A change of 1 dB is usually only perceptible under controlled conditions.
  - dB L<sub>A</sub> Decibels measured on a sound level meter incorporating a frequency weighting (A weighting) which differentiates between sounds of different frequency (pitch) in a similar way to the human ear. Measurements in dB L<sub>A</sub> broadly agree with an individual's assessment of loudness. A change of 3 dB L<sub>A</sub> is the minimum perceptible under normal conditions, and a change of 10 dB L<sub>A</sub> corresponds roughly to halving or doubling the loudness of a sound. The background noise level in a living room may be about 30 dB L<sub>A</sub>; normal conversation about 60 dB L<sub>A</sub> at 1 meter; heavy road traffic about 80 dB L<sub>A</sub> at 10 meters; the level near a pneumatic drill about 100 dB L<sub>A</sub>.
  - L<sub>A90,7</sub> The A weighted noise level exceeded for 90% of the specified measurement period (7). In BS 4142: 1997 it is used to define background noise level.
  - L<sub>Aeq,T</sub> The equivalent continuous sound level. The sound level of a notionally steady sound having the same energy as a fluctuating sound over a specified measurement period (7). L<sub>Aeq,T</sub> is used to describe many types of noise and can be measured directly with an integrating sound level meter.



V	V	ac	bk	lin	g	to	n,	Ma	rg	ar	et	
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From: Sent:

om]

Appendix 07

To: Subject:

Dear



I have heard from a friend that there is to be another wedding at The Paddock (Camp Site). I have previously complained about excessive noise from the site during the weddings and indeed I then objected to the camp site on the basis of future events causing a noise disturbance. We live a contribution of the Paddock. Therefore to be able to hear word for word what the DJ and guests are saying on the PA and then to hear every word of the music is quite astonishing.

There was a lot of criticism of the paddock on the Ramsbottom facebook group after the last wedding and the owners and their friends basically lied and made out the noise was from elsewhere in Ramsbottom. Given their willingness to blame others what makes the council confident that they will comply with any noise testing you impose on them?

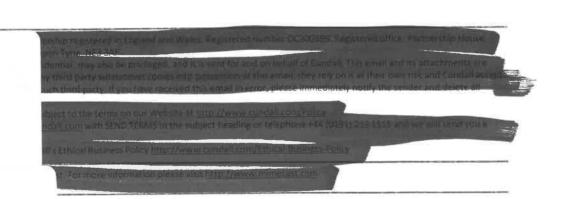
I will not have my kids kept awake yet again because of the selfish actions of the owners of the paddock. Could you please pass me the relevant numbers so I can complain about the noise levels when they become excessive. At what time should the music stop?

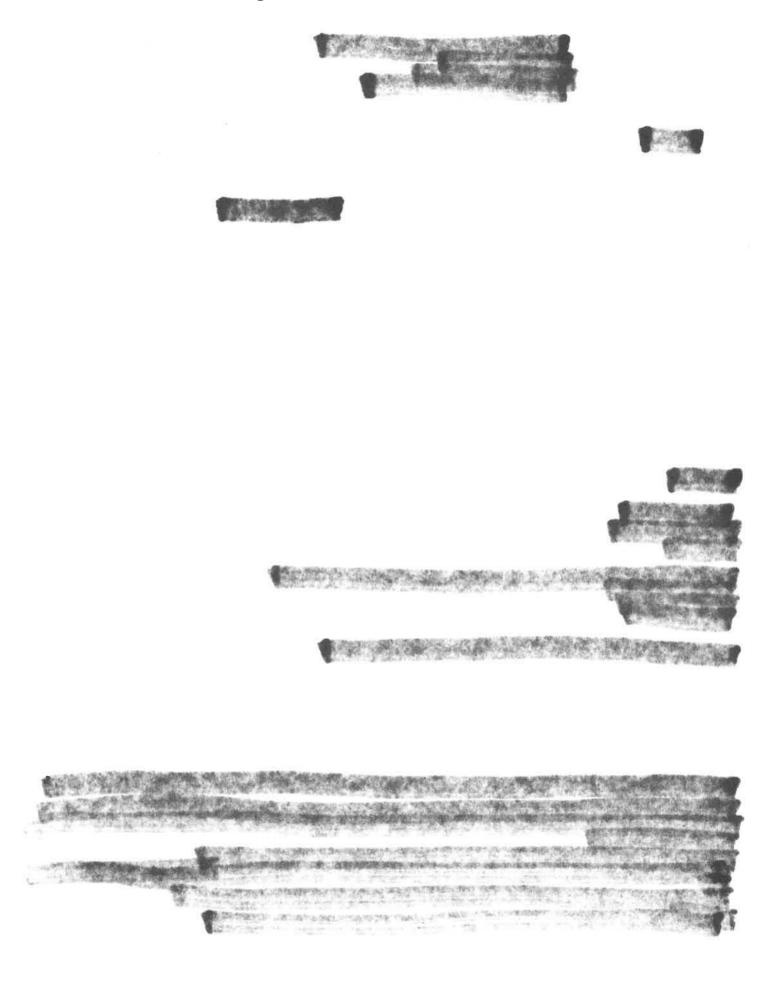
Regards











### Waddington, Margaret

From: Sent: To: Cc: Subject:



Hi, please see below my response to the proposed 'noise management plan' as submitted by Carol Rothwell.

It is recommended that the following measures are taken by the manager of The Paddock to assist in reducing the noise levels to local residents:

- The main marquee/tipi to be located as far as practically possible from the closest residential properties. The marquee/tipi cannot be situated any further away from the residential properties than where it has been previously sited it is interesting that when this venture first started it was suggested to planning that the event field be situated in another paddock that is next door to Mrs Rothwells property out of sight from the rest of the properties and also further away from the other residents. Mrs Rothwell would not consider this option then and I cannot see her doing so now.
- A formal verbal relationship with the performer(s) and anyone else involved such as the agent or fixer, to include among other matters an awareness of the issues surrounding noise and the need to control the levels during an event. Verbal agreement? meaningless
- All music to be concluded by 23:30 and the main marquee/tipi to close at midnight so the residents still have to be subjected to loud music from speakers till then? The marquees/tipis are not sound proof in anyway.
- Regular sound checks at the boundary of the property by staff of The Paddock to control any excess

outdoor 'people' noise will be undertaken. Where the noise is considered excessive the performers will be advised to reduce the volume of noise. Who decides what is excessive? Surely if the music can be heard from the RESIDENTIAL properties it is excessive.

- Carry out regular monitoring checks to ensure noise is being adequately controlled. See above comment how / with what will they monitor the noise
- Locate signs within the external areas to promote awareness of potential local residential noise disturbance e.g. 'This is a residential area, please refrain from making excessive noise'. The main issue is noise from music over loudspeakers not 'people' noise
- The contact numbers of management staff within The Paddock provided to local residents. In the unlikely event where a noise nuisance can be heard at these locations the site manager shall be contactable on the number during the opening hours And? they will do what?
- Staff from the Paddock to supervise the area immediately outside the main marquee/tipi area to reduce any unnecessary noise, particularly during dispersal The main issue is noise from music over loudspeakers not 'people' noise
- A dispersal policy shall be implemented. ? meaning what/
- Notices shall be displayed at exits of the premises requesting customers to leave the area quietly and as directed by staff from The Paddock The main issue is noise from music over loudspeakers not 'people' noise
- A formal arrangement made with a local taxi operator(s) to ensure adequate taxis are available for customers leaving the site The main issue is noise from music over loudspeakers not 'people' noise. Where are these taxis going to park? The lane has previously been blocked by traffic to events preventing residents leaving/getting to their properties. Plus the entrance to the field is now on a blind bend not as stated when planning permission was given for a camping site which has led to near misses as their customers have driven out onto the lane.
- Customers to remain within the Marquee/tipi whilst waiting for taxis and a sign with taxi numbers provided and requesting customers to remain inside The main issue is noise from music over loudspeakers not 'people' noise
- No fireworks to be permitted at any events given the VERY close proximity to 2 sets of stables one would presume this would not happen anyway.
- Consideration could be given to making free lollipops available to customers as they leave -seriously!! The main issue is noise from music over loudspeakers not 'people' noise
- · Supervisors to ensure that customers do not leave the premises with bottles or glassware. -

As residents of regards

we object very strongly to the granting of any further licenses to The Paddock.



#### Waddington, Marga

From: Sent:

To:

01 May 2017 20:29

To: Subject:

Thanks for getting in touch. It is unfortunate that the deadline was missed for the event on the 24<sup>th</sup> June but I know that all Councils are underfunded and short staffed, and so understand how this can happen.

My neighbours also inform me that there is a further licence granted for 18<sup>th</sup> May 2017 for alcohol only. This is a Thursday and hence school night so I trust that the playing of music will therefore not be allowed under that licence? Could you look into this?

We wish to object to any future licences and appreciate your support in objecting to this.

Our responses to the management plan, which we feel is simply paying lip service to some of our concerns, are below. The majority of these actions only address the 'people' noise which is a smaller issue for most of the night – it was the disco noise that was intolerable from 7.30 through to midnight in April and on other occasions. When the disco was on you could not hear people leaving, only at the end of the night did you hear the screaming and laughing.

At previous events where they have had a band the overall level has been far, far worse.

When Environmental Health visited us in April and sat in the lounge we could all hear which songs were being played even with the television on – and we have triple glazed windows and doors. In the summer we should be able to have them open but this field is less than 50 metres from the front of the house (which is the lounge and all the bedrooms).

Please let us know if you need any further information or wish to visit on 24<sup>th</sup> June to check the noise with your sound meters.

Thank you for your help

From: Waddington, Margaret [mailto:M.Waddington@bury.gov.uk

Sent: Wednesday, April 26, 2017 11:05 AM Subject: Vedding events at The Paddock

Dear sir/madam

A Temporary Event Notice has been granted for an event at The Paddock on 24th June 2017. Unfortunately Environmental Health missed the deadline for objection but wrote at that time to advice Mrs Rothwell that any future applications would be formally objected to on the grounds of nuisance from noise.

We have now received a Noise Management Plan for consideration in advance of the application for a Temporary Event Notice for another wedding to be held in July.

It seems appropriate to contact all the people who have complained to us about noise from the events on 31st December 2015 and 23st April 2016.

Can you please give the following your consider the suggested measures insufficient in achieving an acceptable level of noise.

It is recommended that the following measures are taken by the manager of The Paddock to assist in reducing the noise levels to local residents:

- The mall populate age 60 ractically possible from the closest residential properties. Tipi cannot be moved much further away from our property as that would then interfere with the entrance to the field that they use (we have also informed GMP that this is dangerous as it is on the blind bend and there has already been a near miss at a previous event). Furthermore this is a tent and as a complainant from the other side of the valley said, a tent is acoustically transparent. Also, there is a bank on that side of the field so the sound will simply bounce off that back towards us if the tent is moved towards it.
- A formal verbal relationship with the performer(s) and anyone else involved such as the agent or fixer, to include among other matters an awareness of the issues surrounding noise and the need to control the levels during an event. A formal verbal relationship isn't worth the paper it is written on! What does it mean, what noise levels will be agreed and by whom? What equipment will be used to monitor and control it? We all have experience of how the noise levels from bands and discos tend to increase as the night wears on.
- All music to be concluded by 23:30 and the main marquee/tipi to close at midnight. Our son goes to bed at 9 at the weekend and we are generally in bed by 10:00 to 1030. Our new neighbours have a 4 year old and a baby....
- Regular sound checks at the boundary of the property by staff of The Paddock to control any excess outdoor 'people' noise will be undertaken. Whilst the music is on there is no chance of hearing any people noise this will only be an issue afterwards when the music is off.

Where the noise is considered excessive the performers will be advised to reduce the volume of noise. How will it be measured, what levels will be agreed with the performer and are the band and the wedding party likely to listen anyway once into the swing of the party? We understand the wedding is that of a Rothwell family member and so 'staff' of The Paddock (which is Carol and Andrew Rothwell and Carol's daughter Charlotte) are all likely to be guests at the wedding and so not on duty as this suggested measure implies.

- Carry out regular monitoring checks to ensure noise is being adequately controlled. How and what limits will be set?
- Locate signs within the external areas to promote awareness of potential local residential noise disturbance e.g. 'This is a residential area, please refrain from making excessive noise'. Seen these elsewhere, is there any evidence that anyone takes any notice once alcohol has been consumed?
- The contact numbers of management staff within The Paddock provided to local residents. In the unlikely event where a noise nuisance can be heard at these locations the site manager shall be contactable on the number during the opening hours. From your visit to our home at a previous event you know how loud the music was: it is not an 'unlikely event' that nuisance will be caused. What good will being able to phone the site manager achieve? We could recognise the songs being played by the disco through our triple glazing with the television on, it will be worse if a band is playing.
- Staff from the Paddock to supervise the area immediately outside the main marquee/tipi area to reduce any unnecessary noise, particularly during dispersal. How drunk people laugh and shout when leaving a party? How can that possibly be controlled? People do not leave a wedding at the end of the night, rather they leave anytime from around 9pm in our experience so this is a long period of time and not just the time around 23.30 to midnight.
- A dispersal policy shall be implemented. What is this, no details offered, how will it reduce noise and congestion from taxis waiting at the pedestrian entrance? We were stuck behind a taxi for more than 5 minutes during the 31<sup>st</sup> December event and our son and previous neighbour similarly by a guest who had just abandoned their car on the road.
- Notices shall be displayed at exits of the premises requesting customers to leave the area quietly and as directed by staff from The Paddock See above
- A formal arrangement made with a local taxi operator(s) to ensure adequate taxis are available for customers leaving the site. How does this reduce noise? These taxis will no doubt park on the single track road and make things worse
- Customers to remain within the Marquee/tipi whilst waiting for taxis and a sign with taxi numbers provided and requesting customers to remain inside. This is a tent so no real difference between outside and inside.
- · No fireworks to be permitted at any events.
- Consideration could be given to making free lollipops available to customers as they leave. Not even worth commenting on how ridiculous this is
- · Supervisors to ensure that customers do not leave the premises with bottles or glassware.

A further issue not covered above:

 Sound checks. At past events involving bands, the band has practiced the evening before the event, generally outside of the hours of the licence. What action can we take if this occurs at either of the events for which a licence has already been granted (18<sup>th</sup> May and 24<sup>th</sup> June)?

If objections are received from people living close to the paddock then Environmental Health will object to any future Temporary Event Notice applications. This does not necessarily mean that the event cannot go ahead but that the matter is brought before a Licensing Hearings panel who will consider issuing a counter notice to stop the temporary event.

If you wish to discuss this matter I can be contacted or 10161 253 5523 but please note I work part time and am normally in the office Mondays, Tuesdays and Wednesday mornings.

Yours faithfully,

Senior Environmental Health Officer, Commercial 3 Knowsley place Duke Sreet Bury BL9 OEJ Tel 0161 253 5523 e.mail



Waddington, Margaret

From: Sent:

To: Subject:

ice. Wedding events at The Pauldock

Hello and many thanks for your email - it is very positive that the owners of this establishment have come forward with a list of points to consider - I'm unsure about the lollipop idea - but the whole size of a crowd at a function would prove impossible to manage in terms of noise levels after a party when people have had a good time etc. I would not support these points and would still object to any future functions. Many thanks

From:

Sent: 26 April 2017 11:04

Subject: Wedding events at The Paddock

Dear sir/madam

A Temporary Event Notice has been granted for an event at The Paddock on 24th June 2017. Unfortunately Environmental Health missed the deadline for objection but wrote at that time to advice Mrs Rothwell that any future applications would be formally objected to on the grounds of nuisance from noise.

We have now received a Noise Management Plan for consideration in advance of the application for a Temporary Event Notice for another wedding to be held in July.

It seems appropriate to contact all the people who have complained to us about noise from the events on 31st December 2015 and 23st April 2016.

Can you please give the following your consideration and respond within 7 days to advise if you consider the suggested measures insufficient in achieving an acceptable level of noise.

It is recommended that the following measures are taken by the manager of The Paddock to assist in reducing the noise levels to local residents:

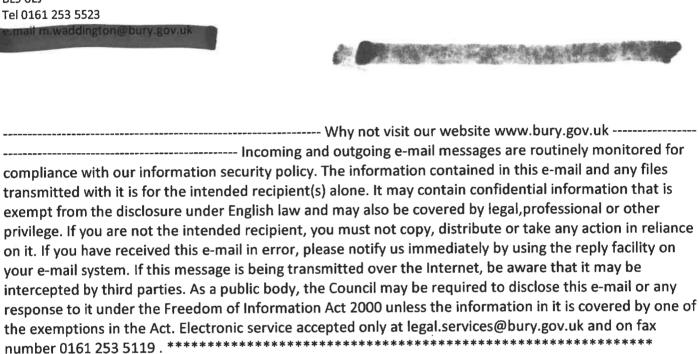
- The main marquee/tipi to be located as far as practically possible from the closest residential properties.
- A formal verbal relationship with the performer(s) and anyone else involved such as the agent or fixer, to include among other matters an awareness of the issues surrounding noise and the need to control the levels during an event.
- · All music to be concluded by 23:30 and the main marquee/tipi to close at midnight
- Regular sound checks at the boundary of the property by staff of The Paddock to control any excess outdoor 'people' noise will be undertaken. Where the noise is considered excessive the performers will be advised to reduce the volume of noise.
- Carry out regular monitoring checks to ensure noise is being adequately controlled.
- Locate signs within the external areas to promote awareness of potential local residential noise disturbance e.g. 'This is a residential area, please refrain from making excessive noise'.
- The contact numbers of management staff within The Paddock provided to local residents. In the unlikely event where a noise nuisance can be heard at these locations the site manager shall be contactable on the number during the opening hours
- Staff from the Paddock to supervise the area immediately outside the main marquee/tipi area to reduce any unnecessary noise, particularly during dispersal
- A dispersal policy shall be implemented.
- Notices shall be displayed at exits of the premises requesting customers to leave the area quietly and as directed by staff from The Paddock
- A formal arrangement made with a local taxi operator(s) to ensure adequate taxis are available for customers leaving the site
- Customers to remain within the Marquee/tipi whilst waiting for taxis and a sign with taxi numbers provided and requesting customers to remain inside
- · No fireworks to be permitted at any events.
- · Consideration could be given to making free lollipops available to customers as they leave
- Supervisors to ensure that customers do not leave the premises with bottles or glassware.

If objections are received from people living close to the paddock then Environmental Health will object to any future Temporary Event Notice applications. This does not necessarily mean that the event cannot go ahead but that the matter is brought before a Licensing Hearings panel who will consider issuing a counter notice to stop the temporary event.

If you wish to discuss this matter I can be contacted on 0161 253 5523 but please note I work part time and am normally in the office Mondays, Tuesdays and Wednesday mornings.

Yours faithfully,

Senior Environmental Health Officer, Commercial 3 Knowsley place Duke Sreet Bury BL9 OEJ



### Waddington, Margaret

From: Sent: Waddington, Margaret 02 May 2017 14:59

To: Cc: 'The Paddock'
'Jo@millergoodall.co.uk'

Subject:

RE: The Paddock

Dear Mrs Rothwell,

#### Re the Noise Management Plan

I was initially approached by the Accoustic Company to ask if a Noise Management Plan would be considered with regards to this department not objecting to future Temporary Event Applications.

Appendix 08

I replied that there would be little that could be done to reduce the likelihood of nuisance occurring due to the site being so close to neighbouring properties and marquees/tipis offering no sound barrier.

The plan you have presented deals with management of people outside the venue both during and after ie leaving the event quite satisfactorily but this is not the main problem.

The matter of amplified music being a nuisance has not been adequately addressed. The music does not have to be excessive to cause nuisance. Under licensing requirements music from entertainment venues should not be able to be heard inside other premises.

I have contacted the original complainants to seek their thoughts and if they will tolerate some degree of noise due to the limited number of events, they have unanimously said no, previous events have been too intrusive and they do not wish to be subjected to this again.

I am very sorry but the decision made by this department to object to any future Temporary Event Applications still

If you make application then the matter will be brought before the Licensing Hearings Panel who will have to decide if they will allow an event to take place. Your neighbours are not allowed to be present or make objection but we are duty bound to bring their concerns before the panel as well as our evidence collected last April.

Yours sincerely

Margaret Waddington

Senior Environmental Health Officer, Commercial 3 Knowsley place
Duke Sreet
Bury
BL9 0EJ
Tel 0161 253 5523
e.mail m.waddington@bury.gov.uk

From: The Paddock [mailto:sheepheyfarm@qmail.com]

Sent: 20 April 2017 14:42

To: Brown, Gary; Waddington, Margaret

Subject: The Paddock

Hi

Please see our Noise Management Page 66 The Paddock. Leaches Road. Shuttleworth. Bury. Lancs. BL0 0ND

We would be obliged if you could come back to us at your earliest convenience as previously discussed we have 2 events this year and need to apply for the second licence asap as the event is in July this year.

Kindest Regards

Carol Rothwell.

The Paddock Ramsbottom www.paddockcamping.com t. 07768 700 227 From:

Sent:

Appendix 09

To: Cc: Subject:

Dear

One of my neighbours has passed on this email to us and we would like to register our profound concern about the development that is taking place on the other side of our boundary wall. Until recently, this was a field frequented by sheep and horses with the occasional event held by the owners for family and friends (to which we had no objections), but now it appears to be developing into a permanent campsite with regular large events taking place at weekends.

land to the east of the field in question. On two We are the owners of occasions we have already had to ask crespassers to return on to their own side of the boundary wall, the latest of these being on Monday this week. The boundary is clearly inadequate, the instructions given to children on the field insufficient and the facilities to "entertain" them clearly lacking. We can see this developing into a serious problem in the future.

Regarding the noise management plan for the forthcoming event, please see our comments below.

We have 6 children and we moved to Sheep Hey for the quiet seclusion and rural context. The advent of a permanent campsite and event venue on our doorstep with all the associated issues of noise, nuisance and even trespassing is profoundly concerning.

Please give due weight to our concerns; we would appreciate your kind consideration and response.

With kind regards,

From: Waddington, Margaret [mailto:M.Waddington@bury.gov.uk]

Sent: wednesday, April 26, 2017 11:05 AM Subject: Wedding events at The Paddock

Dear sir/madam

A Temporary Event Notice has been granted for an event at The Paddock on 24th June 2017. Unfortunately Environmental Health missed the deadline for objection but wrote at that time to advice Mrs Rothwell that any future applications would be formally objected to on the grounds of nuisance from noise.

We have now received a Noise Management Plan for consideration in advance of the application for a Temporary Event Notice for another wedding to be held in July. It seems appropriate to contact all the people who have complained to us about noise from the events on 31st December 2015 and 23rd April 2016.

Can you please give the following your consideration and respond within 7 days to advise if you consider the suggested measures insufficient in achieving an acceptable level of noise.

It is recommended that the following measures are taken by the manager of The Paddock to assist in reducing the noise levels to local residents:

- The maiocument pack reagents as far as practically possible from the closest residential properties. While this is appreciated, the size of the field is so small that it will make virtually no difference!
- A formal verbal relationship with the performer(s) and anyone else involved such as the agent or fixer, to include among other matters an awareness of the issues surrounding noise and the need to control the levels during an event. This is a very wordy statement with no specifics and so of no real import.
- All music to be concluded by 23:30 and the main marquee/tipi to close at midnight This is too late considering that we have small children aged 7 and 9 years who will have been in bed for many hours and will be disturbed by the noise.
- Regular sound checks at the boundary of the property by staff of The Paddock to control any excess outdoor 'people' noise will be undertaken. Where the noise is considered excessive the performers will be advised to reduce the volume of noise. Again, levels of noise are subject to opinion and what one considers just fine may be far too loud for others. Nothing specific here to give any reassurance.
- Carry out regular monitoring checks to ensure noise is being adequately controlled. Same again.
- Locate signs within the external areas to promote awareness of potential local residential noise disturbance e.g. 'This is a residential area, please refrain from making excessive noise'. Same again. Who determines what is excessive noise? How can this be controlled if alcohol is being served?
- The contact numbers of management staff within The Paddock provided to local residents. In the unlikely event where a noise nuisance can be heard at these locations the site manager shall be contactable on the number during the opening hours Sadly the relationship of local residents with the owners has broken down and I fear that there will be no possibility of "friendly agreement" regarding noise levels. The owners have done nothing to allay our fears and the probability of further tensions and disagreements is high.
- Staff from the Paddock to supervise the area immediately outside the main marquee/tipi area to reduce any unnecessary noise, particularly during dispersal How many people will there be? How much alcohol will they have consumed? Who determines what is unnecessary noise?
- A dispersal policy shall be implemented. What are the details of this policy?
- Notices shall be displayed at exits of the premises requesting customers to leave the area quietly and as directed by staff from The Paddock How many staff will be available? What kind of training do they have in determining levels of noise? Will they have noise-measuring equipment to hand? How will they deal with those who are making too much noise?
- A formal arrangement made with a local taxi operator(s) to ensure adequate taxis are available for customers leaving the site Is there a plan to restrict the number of vehicles coming and going at any one time?
- Customers to remain within the Marquee/tipi whilst waiting for taxis and a sign with taxi numbers provided and requesting customers to remain inside OK No fireworks to be permitted at any events. Good.
- Consideration could be given to making free lollipops available to customers as they
  leave Not sure how this relates to noise control? Is there a connection between artificial
  colours and sweeteners and the reduction of noise?
- Supervisors to ensure that customers do not leave the premises with bottles or glassware. Good.

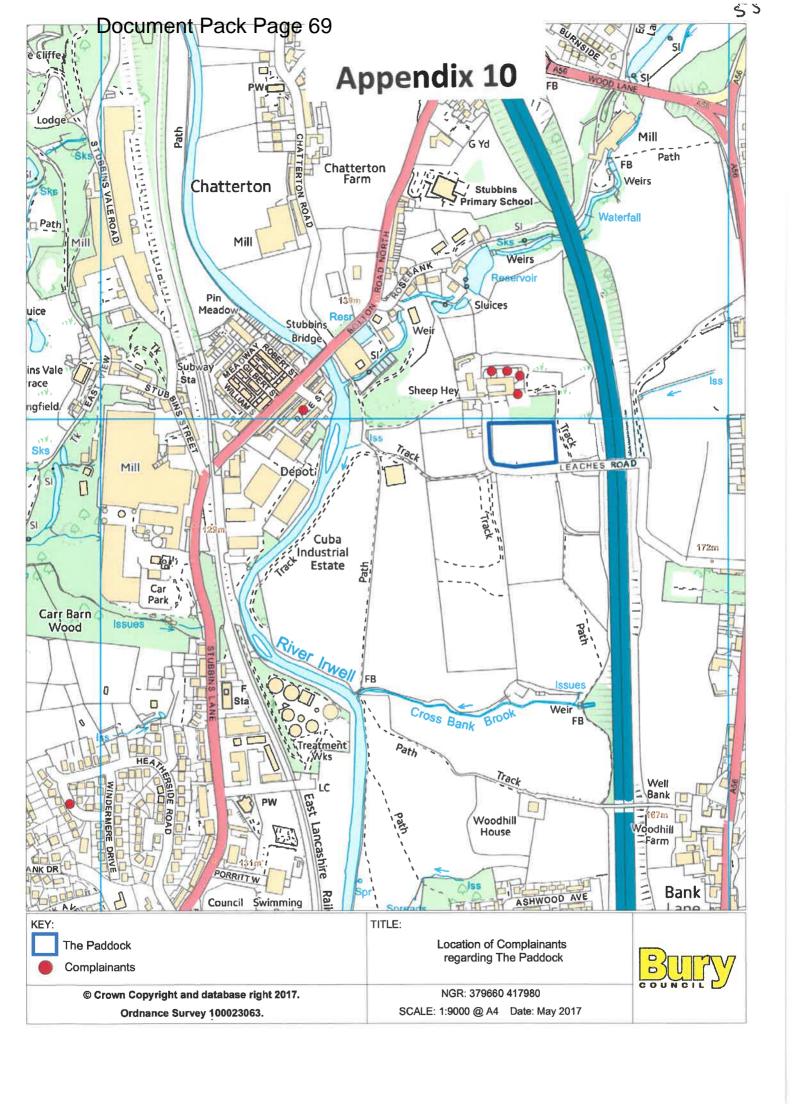
If objections are received from people living close to the paddock then Environmental Health will object to any future Temporary Event Notice applications. This does not necessarily mean that the event cannot go ahead but that the matter is brought before a Licensing Hearings panel who will consider issuing a counter notice to stop the temporary event.

If you wish to discuss this matter I can be contacted on 0161 253 5523 but please note I work part time and am normally in the office Mondays, Tuesdays and Wednesday mornings.

Yours faithfully,

Margaret Waddington

Senior Environmental Health Officer, Commercial



# Appendix 11

# MOONLIGHT WEDDINGS

A truly unique celebration

We hold a very limited number of Bespoke Wedding Receptions per year and we have had the pleasure of holding our very own Wedding Reception only a couple of years ago using the amazing Tipis.

We have the most amazing Wedding Planners that will get you sorted with everything you could possibly need. Sue & Sheila have over 20 years experience in outdoor events from Weddings to corporate events.

Please contact Sue on 07966 364 274 for more information about the event planning or the office for availability via our <u>Contact us form.</u>





















# Dunn

#### **EVENT FRIENDS**

## HAMMA

#### TIPIS & MARQUEES

Big Chief Tipis 01204 544 906 www.bigchieftipis.com

CK Marquees 01253 731 697 www.ckmarquees.co.uk

#### **PHOTOGRAPHY**

Karen Dexter 07951 563001 www.karendexter.com

Silver Trailer Photo Booth www.bellestudio.co.uk

#### **STATIONARY**

Rodo Creative 07751 730 305 www.rodocreative.co.uk

#### FOOD & DRINKS

Pig & Rhubarb 01204 296 747 www.pigandrhubarb.com

The Eagle & Child 01706 557 181 www.eagle-and-child.com

Ice Cream Dub 07875 633 793 www.ice-creamdub.co.uk

Brewsmith Beer 01706 82 9380 www.brewsmithbeer.co.uk

Fizz and Flute 07874 252 221 www.fizzandflute.co.uk

XLII Ramsbottom (bar service) 01706 82 8242

#### **FLOWERS**

Sheila & Sue's Brilliant Bloomers Artisan Florist & Interior Designers 07792 019940 or 07966 364274



Bury
Temporary Event Notice
Licensing Act 2003

For help contact licensing@bury.gov.uk Telephone: 0161 253 5208

\* required information

Section 1 of 9	AND THE THE PARTY OF THE PARTY	
You can save the form at any	time and resume it later. You do not need to l	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	Julia Christie	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 be	ehalf of the applicant? 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	CAROL	
Family name	ROTHWELL	
E-mail address	sheepheyfarm@gmail.com	
Main telephone number	07768700227	Include country code.
Other telephone number		
☐ Indicate here if you wo	uld prefer not to be contacted by telephone	
Are you:		
<ul><li>Applying as a business</li><li>Applying as an individu</li></ul>	or organisation, including as a sole trader ual	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?		Note: completing the Applicant Business section is optional in this form.
Is your business registered outside the UK?		
Business name	THE PADDOCK	If your business is registered, use its registered name.
VAT number -		Put "none" if you are not registered for VAT.
Legal status	Partnership	

Continued from previous page		
Your position in the business	PARTNER	
Home country	United Kingdom	The country where the headquarters of your business is located.
Business Address		If you have one, this should be your official
Building number or name	KAYS COTTAGE, SHEEP HEY FARM	address - that is an address required of you by law for receiving communications.
Street	LEACHES ROAD	
District	SHUTTLEWORTH	
City or town	BURY	
County or administrative area	LANCS	
Postcode	BLO OND	
Country	United Kingdom	
Section 2 of 9		
APPLICATION DETAILS (See a	also guidance on completing the form, gene	ral notes and note 1)
Have you had any previous or	maiden names?	
<ul><li>Yes</li></ul>	○ No	
Enter details of any previous na	ames or maiden names	
First name	CAROL	
Family name	HANLEY	
First name	CAROL	]
Family name	BUCKLEY	
ranny name	Remove this name	
	Add another previous name	
Your date of birth	18 / 12 / 1960 dd mm yyyy	Applicant must be 18 years of age or older
National Insurance number	WL874657A	This box need not be completed if you are an individual not liable to pay UK national insurance.
Place of birth	BURY	

Continued from previous page						
Correspondence Address						
Is the address the same as (or s	similar to) the address given in section one?	If "Yes" is selected you can re-use the details				
• Yes	Ç: No	from section one, or amend them as required. Select "No" to enter a completely new set of details.				
Building number or name	KAYS COTTAGE, SHEEP HEY FARM					
Street	LEACHES ROAD					
District	SHUTTLEWORTH					
City or town	BURY					
County or administrative area	LANCS					
Postcode	BLO OND					
Country	United Kingdom					
<b>Additional Contact Details</b>						
Are the contact details the sam	ne as (or similar to) those given in section one?	•				
Yes	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.				
E-mail	sheepheyfarm@gmail.com					
Telephone number	07768700227					
Other telephone number						
Section 3 of 9						
THE PREMISES						
activity at the premises described Give the address of the premises	ve notice under section 100 of the Licensing Ac bed below. es where you intend to carry on the licensable a nance Survey references). (See also guidance o	activities or if it has no address give a detailed				
Does the premises have an add						
C Yes	♠ No					
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?						
Neither						
Location Details						
Give an Ordance Survey (OS) map reference (if a full address 53.6585789782, has not been given) Give an Ordnance Survey (National Grid) reference e.g. TL683365						
Provide further details about the location of the event						
Its at The Paddock, a campsite which is located in the field on the lane.						

Continued from previous page  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	y (see also guidance on completin	g the form, note 3)			
		•			
	remises below (see also guidance o	on completing the form, note 4)			
campsite/ field					
Describe the nature of the ev	rent below (see also guidance on c	completing the form, note 5)			
A wedding recention on the	Friday held within a thick canyas	tipi. The structure is much thicker than a marquee.			
A wedding reception on the	Thiday field within a thick canvas	ipi. The structure is much thicker than a marquee.			
Section 4 of 9	The second second				
LICENSABLE ACTIVITIES					
State the licensable activities	that you intend to carry on at the	premises			
(see also guidance on comple	eting the form, note 6):				
	ohol				
T					
member of the club	y or on behalf of a club to, or to th	e order of, a			
	ted entertainment				
☐ The provision of late nig	aht refreshment				
	-	Late notices can be given no later than 5			
☐ The giving of a late tem	porary event notice	working days but no earlier than 9 working			
		days before the event.			
		(See also guidance on completing the form,			
Event Dates		<u>note 7).</u>			
	least 10 working days between th	e date you submit this form and the date of the earliest event			
	premises for licensable activities.				
Charte the dates on which you intend to use these premises for linear the cativities					
State the dates on which you intend to use these premises for licensable activities					
(see also guidance on comple	eting the form, note 8)				
Event start date	28 / 07 / 2017	The maximum period for using premises for licensable activities under the authority of a			
	dd mm yyyy	temporary event notice is 168 hours or seven			
		days.			
Event end date	28 / 07 / 2017				
	dd mm yyyy				

Continued from previous page	
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 9)	
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 (see also guidance on completing the form, note 10)	Note that the maximum number of people cannot exceed 499.
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 11):  On the premises only	
Off the premises only	
C: Both	
Section 5 of 9	
RELEVANT ENTERTAINMENT (See also guidance on completing the form	
State if the licensable activities will include the provision of relevant entertain period that you propose to provide relevant entertainment	ment. If so, state the times during the event
There will be having a bar within the tipi providing the sale of alcoholic drinks. Shoulder Of Mutton Pub in Holcombe Village There will be a band and dj that turned down at 10.30n and off at 11pm	s. Run by James & Andy Morris from the will be providing music. the music will be
Section 6 of 9	
PERSONAL LICENCE HOLDERS (See also guidance on completing the form	m, note 13)
Do you currently hold a valid personal licence? Yes • No	
Section 7 of 9	
PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing	ng the form, note 14)
Have you previously given a temporary event notice in respect of any premises for events falling in the same Yes No calendar year as the event for which you are now giving this temporary event notice?	

Continued from previous page						State the number of temporary event notices you have given for events in that same calendar year	1
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 b) Begins 24 hours or less after the event period proposed in this notice?	C	Yes		•	No		
Section 8 of 9	6011	EAGUEG	(0)				
ASSOCIATES AND BUSINESS	COLI	LEAGUES	(See also	gui	dance on compl	eting the form, note 15)	
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?	C	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 b) Begins 24 hours or less after the event period proposed in this notice?	<u></u>	Yes		•	No		
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		С	No		
State the total number of temporary event notices your business colleague(s) have given for events in the same calendar year	1						

### 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 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 17) 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 18) \* I Declare that to the best of my knowledge and belief the informatin provided on this application is true. $\boxtimes$ 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

CAROL ROTHWELL

**PARTNER** 

11 / 05 / 2017 dd mm yyyy

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 <a href="https://www.gov.uk/apply-for-a-licence/temporary-event-notice/bury/apply-1">https://www.gov.uk/apply-for-a-licence/temporary-event-notice/bury/apply-1</a> 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	Julia Christie
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	
< Previous <u>1</u> <u>2</u> <u>3</u> <u>4</u>	<u>5 6 7 8 9</u> Next >