

Public Document Pack

Ask for Will Stevenson
Email William.stevenson@lichfielddc.gov.uk



District Council House, Frog Lane
Lichfield, Staffordshire WS13 6YU

Customer Services 01543 308000
Direct Line 01543 308199

Friday, 25 August 2023

Dear Sir/Madam

LICENSING AND CONSENTS APPEALS COMMITTEE

A meeting of the Licensing and Consents Appeals Committee has been arranged to take place **THURSDAY, 31ST AUGUST, 2023 at 10.30 AM IN THE COMMITTEE ROOM** District Council House, Lichfield to consider the following business.

Access to the Committee Room is via the Members' Entrance.

Yours faithfully

A handwritten signature in cursive script that reads 'Kerry Dove'.

Kerry Dove
Chief Operating Officer

To: Members of Licensing and Consents Appeals Committee

Councillors B Yeates, Salter and Checkland



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MyStaffs App

AGENDA

1. Apologies for Absence
2. Declarations of Interests
3. DETERMINATION OF OBJECTION TO A TEMPORARY EVENT NOTICE UNDER THE LICENSING ACT 2003 3 - 30



DETERMINATION OF OBJECTION TO A TEMPORARY EVENT NOTICE UNDER THE LICENSING ACT 2003



Date:	31 August 2023
Agenda Item:	3
Contact Officer:	Tracy Caddy
Tel Number:	01543 308066
Email:	tracy.caddy@lichfielddc.gov.uk
Key Decision?	NO
Local Ward	Alrewas & Fradley
Members	Cllr D Cross, Cllr M Wilcox, Cllr S Wilcox

LICENSING AND CONSENTS APPEALS COMMITTEE

1. Executive Summary

- 1.1 A Temporary Event Notice (TEN) was submitted in relation to a festival to be held at Fradley Woods Gorse Lane, Fradley 25-28 July 2024 between 12:00hrs – 04:00 hrs. The licensing team has received an objection from Environmental Health.
- 1.2 The objection relates to the prevention of public nuisance licensing objective.

2. Recommendations

- 2.1 Members are asked to determine the objection to the Temporary Event Notice, under Section 105 section (2) Licensing Act 2003, having due regard to the Council’s Licensing Policy and the guidance issued by the Secretary of State under section 182 of the Licensing Act 2003

3. Background

- 3.1 Section 104 (2) Licensing Act 2003, allows the Police or Environmental Health to object to a Temporary Event Notice if they believe that allowing the premises to be used in accordance with a Temporary Event Notice will undermine one or more of the licensing objectives.
- 3.2 The licensing objectives are:
 - The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 3.3 The Licensing Team received a Temporary Event Notice on 16 August 2023 from Bertie Benson for a festival to be held at Fradley Woods off Gorse Lane Fradley 25-28 July 2024 between 12:00hrs – 04:00 hrs. The TEN is for a maximum of 499 persons (including staff, organisers and performers). It is for the sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment. A copy of the TEN is attached at **Appendix A**
- 3.4 A copy of TEN was served on the responsible authorities, namely Staffordshire Police and Environmental Health, via email on 16 August 2023. A copy is attached at **Appendix B**.

- 3.5 A letter of acknowledgment of the TEN was sent via email 16 August 2023. A copy is attached at **Appendix C**.
- 3.6 On 17 August 2023 an objection was received from Environmental Health on the grounds that allowing the premises to be used in accordance with the Notice would undermine the prevention of public nuisance objective. There were noise issues experienced by residents during this festival in 2021, 2022 & 2023. They also operated outside of the timings authorised by the Notice in 2023. Objection is attached at **Appendix D**.
- 3.6 Details of the procedure, following an objection, were sent via email to the applicant on 17 August 2023. Copy attached at **Appendix E**.

Alternative Options	<ol style="list-style-type: none"> Members decision is whether or not to issue a Counter Notice. If a Counter Notice is issued this means the event cannot take place. A notice with reasons for the decision must also be given. If members decide not to issue a Counter Notice and allow the event to go ahead the premises user and the relevant persons must be given notice of that decision. It should be noted that no conditions can be attached to the TEN. The TEN can be modified, but only with the agreement of all relevant parties.
Consultation	<ol style="list-style-type: none"> A copy of the Notice was served on both Staffordshire Police & Environmental Health The objection was sent to the premises user and Staffordshire Police
Financial Implications	<ol style="list-style-type: none"> The fees for a TEN are payable on submission. They are not refundable. If the application is refused, or granted with conditions, the applicant has the right of appeal to the Magistrates Court against the decision. Similarly, a person who made relevant representations has a right of appeal against a decision to grant a licence, or the conditions imposed upon it.
Approved by Section 151 Officer	Yes/no*
Legal Implications	<ol style="list-style-type: none"> If the application is refused, or granted with conditions, the applicant has the right of appeal to the Magistrates Court against the decision. Similarly, a person who made relevant representations has a right of appeal against a decision to grant a licence, or the conditions imposed upon it. The committee will have legal advice at the meeting.
Approved by Monitoring Officer	Yes/no*
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> Licensing contributes to enabling people, shaping place and developing prosperity.

<p>Equality, Diversity and Human Rights Implications</p>	<ol style="list-style-type: none"> Article 6 of the Human Rights Act 1998, states that in determination of a person's civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Article 8 states that everyone has the right to respect for his private and family life, his home and his correspondence. Part II, Article 1 states that every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to conditions provided for by law and by the general principles on international law.
<p>EIA logged by Equalities Officer</p>	<p>Yes/no* Equalities Officer confirmed not required.</p>
<p>Crime & Safety Issues</p>	<ol style="list-style-type: none"> Staffordshire Police are a statutory consultee in relation to Licensing Act 2003 applications. Under the Crime and Disorder Act 1998, particularly Section 17, local authorities must have regard to the likely effect of the exercise of their functions and do all they can to prevent crime and disorder in their area. The Licensing Authority will have regard to the likely impact of licensing on related crime and disorder in the District, particularly when considering the location, impact, operation and management of licensable activities
<p>Environmental Impact (including Climate Change and Biodiversity).</p>	<ol style="list-style-type: none"> Potential from noise and light pollution can be considered as part of this process.
<p>GDPR / Privacy Impact Assessment</p>	<ol style="list-style-type: none"> Disclosure of personal details making can be done where the circumstances justify such action

	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	Legal challenge	Impact – Yellow Likelihood – Yellow Risk - Yellow	Committee Members are trained in how to conduct a hearing appropriately. Legal advice is provided through a qualified legal officer to advise their decision making	Impact – Yellow Likelihood – Yellow Risk - Yellow
B	Reputation	Impact – Green Likelihood – Green Risk - Green	Committee Members are trained in how to conduct a hearing appropriately. Legal advice is provided through a qualified legal officer to advise their decision making	Impact – Green Likelihood – Green Risk - Green
C				
D				
E				
	Background documents			

Relevant web links

[Revised guidance under section 182 of the Licensing Act 2003](#)

<https://www.lichfielddc.gov.uk/downloads/file/1779/statement-of-licensing-policy-2021-2026>

<http://www.legislation.gov.uk/ukpga/2003/17/contents>

* 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

Wibbly Woods Festival 2024

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

Bertie

* Family name

Benson

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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

13788977

Business name

Wibbly Limited

If your business is registered, use its registered name.

VAT number

- [REDACTED]

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 / /

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?

- 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.

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?

- 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

* 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

This event will be tucked away in Fradley Wood in an opening with the coordinates being 52.717904, -1.800944
This area can be accessed via a gate on Gorse Lane with the coordinates being 52.716134, -1.791037

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 [\(see also guidance on completing the form, note 3\)](#)

This event will be fully restricted to allow only the ticket holders, organisers, security, first aid and performers access. We are

Continued from previous page...

using a ticketing platform so the security team can monitor who has and hasn't bought a ticket. To help with this restriction, we will surround the the area with heras fencing which will also be constantly monitored by security. Security and first aid will be working 24 hours a day to secure the area and guarantee a safe site.

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

The nature of the premises is agricultural land. Most of the land is put into grass with some cereal crops around the site but not within the fenced area of the event.

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

The event is a festival that celebrates the love of art, music, food and culture. We pride ourselves in working closely with up and coming artists and artisans to achieve a creative space. Please see below how we aim to address the 4 statutory objectives and aims of the TEN license;

The prevention of crime and disorder:

- 24 hour SIA certified staff
- Bag searching on entry
- Heras Fencing closely monitored

The prevention of public nuisance;

- Detailed noise and litter management plans
- Technology in place to limit noise levels (digital mixers, DSP software and experienced sound engineers)

Public Safety;

- Access to staff and ticket holders only
- All equipment to be fully PAT tested and controlled by engineers and electricians
- 24 hour SIA security staff to monitor unauthorized access

The protection of children from harm;

- Over 18s only will have access to this event
- Challenge 25 policy in place (ID check both on entrance and at the bar)

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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)

Music 14:00 - 04:00 Bar 12:00 - 04:00
Saturday music will run from 12:00.

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 11)

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 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

We have a variety of acts coming to perform across 2 stages with all the sound systems being fitted with DSP amplifiers, digital mixers and monitored by sound engineers to allow us to adjust the sound levels to keep the volume within the recommended db level.

Timings of licensable activities are as follow;

Areas of licensable activities:

Open Deck Bar (Surrounded y 127 Bales for sound dampening)

Continued from previous page...

Beatwagon (smaller intimate stage)
M.Phipps (Stage located in the denser woodland)

Thursday:
Beatwagon (14:00 - 00:00)
Open Deck Bar (14:00 - 02:00)

Friday:
Beatwagon (14:00 - 23:00)
M.Phipps (14:00 - 02:00)
Open Deck Bar (14:00 - 04:00)

Saturday:
Beatwagon (14:00 - 23:00)
M.Phipps (14:00 - 02:00)
Open Deck Bar (14:00 - 04:00)

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PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

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

Continued from previous page...

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?
- 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 No

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:

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

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

Continued from previous page...

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 / /

Full name

* Capacity

* Date / /

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/lichfield/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

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

1 2 3 4 5 6 7 8 9 Next >

Victoria McKenzie

From: Generic - Licensing
Sent: 16 August 2023 09:54
To: Generic - Pollution Safety (Pollution@lichfielddc.gov.uk);
'licensinghq@staffordshire.pnn.police.uk'
Cc: Jennifer Whittle
Subject: TEN 24/00004/LATENS Wibbly Woods 25-28 July 2024
Attachments: Application.pdf

Dear Licensing Colleague,

Premises: Fradley Wood

Address: Wibbly Woods

Please find attached a standard TEN for your scrutiny.

The last day for reps is 21/08/2023.

Kind regards



Victoria Mckenzie

Licensing Assistant

Operations, Regulation & Enforcement

t: 01543 308735



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Your ref
Our ref 24/00004/LATENS
Ask for Victoria McKenzie
Email licensing@lichfielddc.gov.uk



District Council House, Frog Lane
Lichfield, Staffordshire WS13 6YZ

Direct Line 01543 308073
Customer Services 01543 308000

16 August 2023

Dear Sir/Madam,

Licensing Act 2003 - Receipt of standard Temporary Event Notice (TEN)

Premises: Wibbly Woods, Fradley Wood Gorse Lane Fradley Lichfield Staffordshire WS13 8EN

Date of Event: 25 July 2024 - 28 July 2024

I acknowledge receipt of your temporary event notice for the above event. Please keep a copy of this letter with your copy of the notice. The Authority is no longer required to send you an endorsed copy of the notice.

Unless the TEN has been sent electronically it must also be sent to the Police and Environmental Health. If a TEN has been sent electronically the Licensing Authority must notify the Police and Environmental Health.

Police or Environmental Health objection to TEN

If the Police or Environmental Health 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 all relevant parties an objection Notice. The Police and Environmental Health have a period of three working days from when they are given the notice to object. Where a Standard TEN has been given the Licensing Authority must consider the objection at a hearing before a Counter Notice can be issued.

If you do not receive written notice of objection, the licensable activities will be deemed to be authorised.

Withdrawal of TEN

A temporary event notice may be withdrawn by the premises user by giving the Licensing Authority written notice to that effect no later than 24 hours before the beginning of the event period specified in the TEN.

If you have any enquiries about this TEN, please do not hesitate to contact us.

Yours faithfully

Victoria McKenzie





Temporary Event Notice – FPN

Data Protection – what you need to know:

Data Controller

Lichfield District Council of the District Council House, Frog Lane, Lichfield Staffs WS13 (telephone number 01543 308000) is what is known as the ‘controller’ of your personal data.

Data Protection Officer

Our ‘Data Protection Officer’ can be contacted at the address and via the number given above.

Purpose of processing

As an organisation we process your personal data to enable us assess whether we are able to accept your notice; to seek views of certain responsible authorities and to issue the notice where no representations are made or to determine the notice where representations are made.

Legal basis

Our legal basis for processing your personal data will be either that it is necessary to do so to perform a task carried out in the public interest or it is the exercise of official authority by us.

Recipients

We will share your information with officers within environmental health and Staffordshire Police. If the matter is contentious we may share your information with other officers employed by the Council and elected members.

General

If you wish to submit a temporary event notice you must by law provide the information on the notice to us. If you do not we will not be able to process your notice.

Retention

We will store your information until such time as the notice relates.

Your rights -in brief

If we process your personal data you may, depending on your circumstances have a right of access to it; to correct inaccurate information; to restrict our processing of it or to have your personal data erased. If you wish to exercise a right please contact a member of the licensing team at licensing@lichfielddc.gov.uk, 01543 308735, District Council House, Frog Lane, Lichfield, WS13 6YU.

Complaints

Please speak to a member of the licensing team initially or our Data Protection Officer but if you have any concerns about the way we have processed your personal information then you can



contact the Information Commissioner. They can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF <https://ico.org.uk/concerns/>



Tracy Caddy

From: Jennifer Whittle
Sent: 17 August 2023 11:31
To: Generic - Licensing
Cc: Jack Twomey; Wibbly Woods; licensinghq@staffordshire.pnn.police.uk
Subject: **OBJECTION NOTICE** TEN 24/00004/LATENS Wibbly Woods 25-28 July 2024
Attachments: Application.pdf

Dear Licensing

As a Responsible Authority I would like to object to this TEN on behalf of the Environmental Protection team on the grounds of Prevention of Public Nuisance.

I believe allowing the premises to be used in accordance with the TEN applied for will undermine that licensing objective of Prevention of Public Nuisance. The reasons for my beliefs are:

- The first Wibbly Woods event took place in 2021. We had concerns about the event due to the proximity to residential properties, the early morning finish time of 4am and the event running over several nights. As it was the first event we did not object and instead undertook monitoring. The results of the event were that it was VERY loud and we received multiple complaints from local residents, as well as residents 1.4 miles away as the crow flies. The event organiser at the time was advised that any future events of this nature would be objected to on the basis of the findings from the monitoring that had taken place.
- In 2022 the event organiser changed to Bertie Benson of Wibbly Woods Limited. Due to an oversight within the Environmental Protection team, the objection to the 2022 event did not get copied to the event organiser or the Police Licensing team and as a result it was considered invalid. The event was therefore permitted to go ahead. Due to the problems from the previous year we served a Nuisance Abatement Notice on the organiser on the basis of 'likelihood of a nuisance'. This Abatement Notice was not appealed and still stands.
- Noise levels during the 2022 event were excessive. On one night in 2022 the noise was audible in Elmhurst, some 1.6 miles from the event and at such a level the tune being played was identifiable. We again received numerous complaints from residents in the area. Including complaints from Wychnor (2.6 miles away) and Alrewas (2.4 miles away). It was determined that the event breached the Noise Abatement Notice, however, it was not considered in the Public Interest to prosecute at that time. The event organiser was once again advised that future events would be objected to and it was hoped that the event would be moved to a more appropriate location or time.
- When considering the noise level from such an event we have regard for the "Code of Practice on Environmental Noise Control at Concerts". The code suggests noise limits for such events, but the noise limits only relate to music noise up to 11pm. In relation to noise from events after 11pm section 3.2 of the code states "*For events continuing or held between the hours of 23:00 and 09:00 the music noise should **not be audible** within noise-sensitive premises with windows open in a typical manner for ventilation*". The proposed event will continue for a further 5 hours after 11pm for 3 nights. Due to the reasons outlined in this Objection Notice, we do not feel the event organiser will be able to meet the expectation of the event being inaudible within noise-sensitive properties after 11pm.
- We objected to the TEN for the event this year, where it ran until 4am. This was heard by the licensing committee who determined that such an event would undermine the licensing objective and should not take place. This was then appealed to the Magistrates' Court, who upheld licensing committee's decision.
- A further TEN was applied for an event in 2023, where the event would run until midnight. An objection to this event was made by the Environmental Protection team and the licensing committee allowed the licensable activities to go ahead.
- Monitoring of the 2023 event took place by the Environmental Protection team, we found that the music exceeded the licensable hours applied for. The first night, where music should have stopped at 11pm, continued until after midnight. Jack Twomey emailed the event organisers on 28th July 2023, the Friday, reminding them of their responsibilities and our options for enforcement action. Despite being contacted

music on the Friday and Saturday night, where it should have stopped at midnight, continued 2am. Exceeding the times allowed by the TEN.

- During the 2023 event music was audible near to residential properties after 11pm. Further complaints from residents were received after the event. The event organiser has been invited to attend an interview under the Police and Criminal Evidence Act 1984, to allow us to further investigate breaches in relation to times at Wibbly Woods 2023.

Due to the information provided above, including failure to manage noise levels and confidence in management to complying with the limitations of temporary events notices e.g. timings, it is my belief that this event will undermine the licensing objective of Prevention of Public Nuisance.

If you require any further information please let me know.

Kind regards

Jennifer Whittle (she/her)

Environmental Protection Officer

Operations, Regulation and Enforcement

t: 01543 308736

From: Generic - Licensing <licensing@lichfielddc.gov.uk>

Sent: 16 August 2023 09:54

To: Generic - Pollution Safety <pollution@lichfielddc.gov.uk>; licensinghq@staffordshire.pnn.police.uk

Cc: Jennifer Whittle <Jennifer.Whittle@lichfielddc.gov.uk>

Subject: TEN 24/00004/LATENS Wibbly Woods 25-28 July 2024

Dear Licensing Colleague,

Premises: Fradley Wood

Address: Wibbly Woods

Please find attached a standard TEN for your scrutiny.

The last day for reps is 21/08/2023.

Kind regards



Victoria Mckenzie

Licensing Assistant

Operations, Regulation & Enforcement

t: 01543 308735



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Tracy Caddy

From: Generic - Licensing
Sent: 17 August 2023 15:15
To: Wibbly Woods
Cc: Jennifer Whittle; Jack Twomey; licensinqhq@staffordshire.pnn.police.uk
Subject: Temporary Event Notice Wibbly Woods 25-28 July 2024

Good morning Bertie

As you are aware Environmental Health have objected to your Temporary Event Notice, for an Event 25-28 July 2024, on the grounds of public nuisance.

When an objection is received the licensing authority must hold a hearing to consider the objection notice, unless all parties agree the hearing is unnecessary.

Colleagues in the Governance team will contact you with details.

Meanwhile, if you have any questions, please contact the licensing team.

Kind regards

Tracy

Tracy Caddy (she/her)

Licensing Officer (normal working days Tues – Fri)

Operations, Regulation & Enforcement

t: 01543 308066 | m: 07811 241272



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**LICENSING AND CONSENTS APPEALS
COMMITTEE**

Further Information

- Copies of the representations received are enclosed with the Licensing Authority's report and made available to the Licensing and Consents Appeals Committee
- You are entitled to attend the meeting if you wish. You may also be assisted or accompanied by another person. You are also entitled to be represented by any person whether or not they are legally qualified.
- You will have the opportunity to address the Licensing and Consents Appeals Committee and will be able to question any other party.
- The Legal Adviser present to aid the Committee may question any party or approved representative to ensure that the hearing is conducted fairly and to clarify any matter arising.
- Please note that if you do not attend, the Licensing and Consents Appeals Committee may still consider the matter in your absence. However, the Licensing and Consents Appeals Committee will still consider any representations that you have made at the meeting.
- The Licensing and Consents Appeals Committee has the right to exclude any person who is being disruptive although they may be permitted to return on specified conditions. However, if they had been entitled to provide information verbally to the hearing, they will still retain the right to provide that information in writing.
- The enclosed Procedure will be the one followed at the Committee hearing.

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**PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF
APPLICATIONS FOR TEMPORARY EVENT NOTICES PREMISES OR
PERSONAL LICENSES HAVING REGARD TO THE LICENSING ACT 2003**

(The Licensing Act 2003 (Hearings) Regulations 2005 require that a hearing shall take the form of a discussion led by the Authority and generally cross examination shall not be permitted. The procedure set out below is designed to give some structure to the Hearing and all parties should be aware that the hearing could continue in the absence of the applicant if they fail to attend or fulfil their obligations to the Licensing authority.)

1. The Chair will introduce the Members of the Sub-Committee and invite those present at each hearing to introduce themselves.
2. The Chair will ask those present if they are aware of and understand the Procedure to be followed. No additional representations to that already submitted can be considered.
3. The Senior Licensing Officer will present the application and report. May change depending on who attends committee
4. Responsible authorities will then be allowed to make their representations in respect of the application.
5. The Sub-Committee may ask questions of the responsible authorities through the Chair
6. The Applicant or their representative will present their application and may comment on any representations made.
7. The Sub-Committee may ask questions of the Applicant / representative through the Chair.
8. Finally, the Applicant or their representative can make a short closing speech.
9. All parties will then withdraw to allow the Sub-Committee to consider the case. When a decision is made all parties will return and be told the decision and reasons for that decision by the Chair of the Sub-Committee. Written notice of the decision will follow.

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