

Report to: **Development Control and Regulatory Services Panel**  
Date: **July 26<sup>th</sup> 2005**  
Report of: **Environmental Health and Licensing Manager**  
Subject: **Occasional Public Entertainment Licence – Wingate Grange Farm, Wingate**  
Ward:

## **1. Purpose of Report**

- 1.1 This report is produced in response to an application by the owner of the above premises for an Occasional Public Entertainment Licence, for music, singing and dancing.
- 1.2 The licence is requested for August 27<sup>th</sup> 2005 from 12 noon until 3am 28<sup>th</sup> August 2005

## **2. Consultation**

- 2.1 This report has been prepared in consultation with:-

The residents nearest to the premises  
The Police  
The Fire Officer

## **3. Background**

- 3.1 The applicant has applied for an Occasional Public Entertainments Licence permitting music, singing and dancing in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982.
- 3.2 The application is for music, singing and dancing between the hours stated in 1.2 in the grainstore/barn area of the premises. The licence is also in respect of an open area of farmland, where it is proposed the entertainment will take place in association with a festival type event. Event goers will also camp on the farm overnight.
- 3.3 The applicant has indicated the number of persons to be admitted to the event will be 1,000.
- 3.4 The premises are located away from a busy road in a predominantly rural area.
- 3.5 This report is to address the issue of potential noise nuisance and hours of operation.

## **4. Position Statement and Option Appraisal**

- 4.1 As this is a new application residents in the area were informed by letter of the application and given the opportunity to make representations to this authority regarding any concerns they may have.
- 4.2 A map indicating the properties consulted is attached at Appendix 1.
- 4.3 Two written representations were received from residents of the properties consulted,

all objecting to the application. The map at Appendix 1 indicates the position of the properties whose residents made objections.

- 4.4 The grounds for objection to the grant of the licence by the residents are:
- i) Potential noise nuisance from the requested entertainment
- 4.5 The Environmental Health Section has one previous record of a complaint with regard to noise from the premises prior to the present application. This complaint was via a local member and the complainant did not give details of their location in respect of the premises.
- 4.6 No objections have been received from the Fire Officer. No objections have been received from the Police.
- 4.7 The applicant has attended the Easington District Safety Advisory Group and addressed the concerns of the Police, Fire, Traffic management at Durham County Council and Environmental Health in respect of the running of the event.
- 4.7 Objectors and the applicant have been informed of their right to attend this Panel to speak.

## **5. Implications**

### *5.1 Financial Implications*

There are no financial implications.

### *5.2 Legal Implications*

If the application is refused the applicant has right of appeal to the Magistrates Court.

### *5.3 Policy Implications*

There are no Policy Implications.

### *5.4 Risk*

There are no risks outside of the Corporate Appetite.

### *5.5 Communications*

All affected parties have been contacted by letter.

## **6. Corporate Implications**

### *6.1 Corporate Plans and Priorities*

The report accords with the Council Policy of keeping the District safe.

### *6.2 Equality and Diversity*

There are no implications

6.3 *e-government*  
There are no implications as regards this issue

6.4 *Procurement*  
No implications

## 7. **Recommendations**

7.1 The panel has three options in relation to the application.

- i) to grant, as requested by the applicant, the Occasional Public Entertainments Licence
- ii) Schedule 1, paragraph 3 of the Local Government (Miscellaneous Provisions) Act 1982 permits the authority to grant the licence with conditions and restrictions for preventing persons in the neighbourhood being unreasonably disturbed by noise. These may relate to permitted days and hours, or measures to be taken to minimise potential noise nuisance.  
The licence may also be granted for a specified period and reviewed at the end of such period.
- iii) to refuse the application

7.2 The Panel are requested to determine the application.

Documents/Legislation referred to and background papers used in the preparation of this report

**Local Government (Miscellaneous Provisions) Act 1982**  
**Letters of representation from residents consulted.**