

Representation made by the Local Authority 24 August 2018

I am an officer authorised under the Licensing Act 2003 and I make this representation on behalf of the Licensing Authority

I refer to the grant application made in respect of House meadow, Whitehall Farm, Whitehall Road, Hampton Bishop, Hereford, HR1 4LB.

The application seeks the licensing of an outside area for weddings and private functions through the use of marquees or other temporary structures.

It is noted that the applicant intends to move these temporary structures and position at different locations within the outside area on an ad hoc basis. The Licensing Authority **objects** to this as there is no provision within the act to allow this to happen. The plan forms part of the premises licence and any variation to the plan would require either a minor or full variation.

It is noted that the application requests films, live and recorded music terminating at midnight on every day of the week in an area which is principal residential.

The Licensing Authority also **objects** in principle to the licence as applied for.

It is disappointing that the applicant has failed to consider the Herefordshire Council Model Pool of Conditions, had they done so then it is unlikely that conditions offered would have been unenforceable. It is noted that the word regularly occurs frequently but no definition is provided.

The Licensing Authority therefore seeks the following re-worded conditions:

- The designated premises supervisor or a person nominated by them in writing shall be present during any function and shall ensure all tables are cleared of all empty glasses and bottles at least hourly.

The Licensing Authority also seeks the following conditions:

Electrical wiring and distribution systems

- Temporary electrical wiring and distribution systems shall be signed off by a competent person prior to any licensable activity taking place at the premises. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority. The sign off certificate shall be kept at the premises and shall be made immediately available to an authorised local authority officer
- Any additional electrical work required after the event has commenced shall be signed off by a competent person. The competent person must be a member of a recognised electrical association such as NICEIC, NAPIT, ECA or other association as agreed by the licensing authority. The sign off certificates shall be kept at the premises and shall be made immediately available to an authorised local authority officer.

Structures

- The Premises Licence Holder will ensure that all temporary structures has been inspected and signed off as being safe prior to the commencement of its use.
- A copy of each safety sign off certificate shall be kept at the premises and shall be made immediately available to an authorised local authority officer.
- The maximum permitted numbers in each enclosed structure where licensable activities are to be provided shall be recorded within the fire risk assessment for the structures together with the numbers of these entry/exit points and size.
- Noise or vibration shall not emanate from the premises so as to cause a nuisance.
- The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.
- 'Noise' from the premises must not be 'audible or discernible' within any occupied permanent structure where people normally reside or sleep, when assessed with windows and doors closed. 'In this conditions; 'Noise' -is defined as sound which is created by entertainment consisting of either vocal (recorded or live) or instrumental music (recorded or live) or a combination of both. Audible or discernible is defined as 'noise' which is distinct above the general hubbub of activity on the site which can be identified by the human ear as originating from discrete sources from the licensed premises'.
- Where regulated entertainment is provided, the premises licence holder or DPS or a responsible person nominated by either in writing will monitor noise emanating from the premises at least once a hour to ensure that no noise nuisance is being caused and where there is shall cause the noise to be reduced. A written record shall be kept on the premises detailing the name of the person carrying out the monitoring, the monitoring locations, the date and time and the result obtained. Such record shall be made available on demand of an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or police.
- Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

In addition it is noted that the application makes reference to staff marshalling or directing traffic. It is unclear if this is to be on the highway, if it is then this must be prevented as the member of staff has no power/right to direct traffic on a highway.

If the applicant was to amend the application accordingly and agree the additional conditions then the Licensing Authority would withdraw the representations.

Licensing Officer