

SHEFFIELD CITY COUNCIL

Licensing Sub-Committee

Meeting held 3 April 2014

PRESENT: Councillors Clive Skelton (Chair), George Lindars-Hammond and Joyce Wright

.....

1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Jillian Creasy.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. LICENSING ACT 2003 - TOWNFIELD HEAD FARM, STANNINGTON, SHEFFIELD, S6 6GR

4.1 The Chief Licensing Officer submitted a report to consider an application for the grant of a premises licence made under Section 17 of the Licensing Act 2003 in respect of the premises known as Townfield Head Farm, Stannington, Sheffield S6 6GR.

4.2 Present at the meeting were Mark Woodward (Applicant), Keith Graham, Karen Hyde, Robert Sayles, Suzanne Sayles and Jonathan Wish (objectors), Neal Pates and Jon Round (Environmental Protection Service), Lucy Hirst (Planning Officer), Clive Stephenson (Principal Licensing Officer), Matt Proctor (Senior Licensing Officer), Brendan Twomey (Solicitor to the Sub-Committee) and Jennie Skiba (Democratic Services).

4.3 Brendon Twomey outlined the procedure which would be followed during the hearing.

4.4 Matt Proctor presented the report and it was noted that representations had been received from the Environmental Protection Service, the Planning Service and four public objections and were attached at Appendices "B", "C" and "D", respectively, to the report. South Yorkshire Police and the Health Protection Service had agreed licence conditions with the applicant and these conditions were attached at Appendices "E" and "F", respectively, to the report. Matt Proctor referred to further correspondence that had been received the previous evening from the applicant and the attendees confirmed that they had received this further information.

- 4.5 Neal Pates summarised his concerns which had arisen during his initial consultations with the applicant and sought clarification from him as to how these would be addressed. He said that the premises were located in a quiet rural setting and there were a number of nearby noise sensitive properties, including one adjoining residential neighbour. He felt that the proposal to host up to 10 weddings per year, campsite facilities being set up during the forthcoming Tour de France "Grand Depart", and other functions, had the potential to cause significant nuisance, both from regulated entertainment, noise from guests and from guests' vehicles. Neal Pates added that he had negotiated with the applicant and the applicant had agreed to certain controls which were the best available to allow him to maintain the business as it stands, whilst retaining the opportunity to discuss further a number of issues still to be resolved.
- 4.6 Neal Pates commented that he has experience of similar events and, due to the rural location, noise can be heard some distance away.
- 4.7 Lucy Hirst stated that her concern was that there is potential for noise nuisance to occur both from live entertainment at the premises and from people leaving the premises, particularly late at night. She felt that having live or recorded music being played in tents was going to cause disturbance. In response to questions, she stated that the applicant would be able to hold events on a temporary basis without the need for planning permission. This would mean that in any calendar year the collective total of events must not exceed 28 days.
- 4.8 Keith Graham stated that one field lies between his property and the area of land the applicant uses to position the big tents he uses for the outdoor events held there. He added that the prevailing wind which blows in a westerly direction enhances the noise which travels from the venue to his home. He stated that when the last two events had been held, people had strayed onto his land and walked through his garden to get to the events. Keith Graham felt that with the proposed finishing time of 11.30 p.m. on Fridays and Saturdays, people would still be hanging around at least one hour later and that traffic would be leaving late into the night. With pre-testing of equipment being allowed to start at around 10.00 a.m., there was the possibility of a music noise for approximately 13 to 13 ½ hours per day. During the summer months, he would be forced to keep his windows and doors shut to keep out the noise. He went on to add that the access road to the premises was a single track with many large potholes and no passing points and there was the potential for a serious accident to happen and the emergency services would not be able to get up the lane to assist.
- 4.9 Keith Graham raised further concerns that the toilet blocks were serviced by a septic tank and felt that there was the possibility of the tank overflowing onto the field and he queried where the waste would go.
- 4.10 In response to questions from Members of the Sub-Committee, Mr. Graham stated that his premises were residential, that he owned a few chickens and geese and that no business was run from the property.
- 4.11 Suzanne Sayles produced a map of her family's farmhouse. She had marked various points on the map which showed that the toilet block was 20 metres away

from her property, and the field which was to be used for camping was also 20 metres away in another direction. She added that she and her family had endured the weddings which had been held in the past, adding that the noise emanating from such functions was loud and intrusive, that people stood talking in the courtyard between the properties and there was a significant amount of noise from cars leaving late at night. She went on to state that last year there had been a “pop-up” restaurant at the venue which had lasted for four days and had resulted in cars blocking the drive and car headlights were regularly shining into their windows.

- 4.12 Suzanne Sayles stated that the proposed camping site was adjacent to a livestock store and there was potentially a fire risk. She felt that if wedding guests were invited to camp at the end of the event, there would be no “end-time” and the noise could carry on into the early hours of the morning. Ms. Sayles also felt that the toilet block was inadequate for the projected number of people attending events and that there was no hardstanding for cars to park and that parking would be on a grassed area which would become very boggy if there was a rainy summer.
- 4.13 Jonathan Wish stated that he felt the applicant had not been open and honest with his neighbours. He said that there was nothing to stop music emanating from tents and his two young children had been disturbed by events held previously. He also referred to the track and produced photographs of it being in a poor state of repair, and stated that it was predominantly used by horses and farm machinery.
- 4.14 Mark Woodward responded to the objections by stating that he had held three wedding events over the past three years and had been open and honest about his plans with his near neighbours and there had been no complaints. He indicated that, apart from the pop up restaurants and the one- off Tour de France event, there was unlikely to be many additional events, over and above the 10 weddings already booked. Mark Woodward stated that he had agreed conditions to limit events to 10 weddings and five other events. He added that by holding such events he was helping the economy and local businesses by encouraging clients to use their services in providing catering, bar supplies, flowers, photographers etc.
- 4.15 With regard to the campsite during the Tour de France, Mark Woodward stated that this was probably a “one-off” event and was unsure of the amount of pitches that would be taken up during the “Grand Depart” weekend, but had been encouraged by the Chief Licensing Officer to apply for the licence if the number of pitches exceeds 500. In relation to the comments made about the septic tank, Mr. Woodward stated that the tank had an internal compressor and waste was considerably reduced and was emptied on a regular basis. For larger events, separate facilities would be provided.
- 4.16 In response to questions from Members of the Sub-Committee, Mark Woodward commented that he would endeavour to keep noise levels to a minimum and was looking at ways of limiting noise as he had made a commitment to the Environmental Protection Service to meet the standards set by them. He

informed the meeting that he was in the process of researching technology to reduce noise emanating from the premises, but had, to date, been unsuccessful. He added that there was no significant noise from the “pop-up” restaurant as there was no music involved, and that as regards the other planned events, apart from the weddings, there would be no amplified music, just ambient background music. He further added that he encouraged wedding parties to arrive by double decker buses, thereby reducing the number of vehicles entering the land and these entered the land to the north. He went on to add that he has an agreement with a local taxi firm which helps to reduce traffic. He stated that there was no light pollution at the premises, as no floodlights were used, just low level wall lights.

- 4.17 With regard to questions about publicising events and publishing notice of the application, Mark Woodward stated that his business was advertised in the local press, on facebook, through Welcome to Sheffield and Welcome to Yorkshire and other press agencies. As regards the notice of the licence application, he correctly followed the law and the advice of the Licensing Service by putting the notice in his window and at the bottom of the drive.
- 4.18 In response to further questions, Mark Woodward stated that he and his partner would be in attendance at all events and would be able to keep noise levels to a minimum. Any corporate events would be held on weekdays and indoors.
- 4.19 Mark Woodward summarised his application by stating that it was not his intention to cause unnecessary nuisance to his neighbours and felt that the green belt and countryside should not be restricted to those fortunate enough to live there. He felt that he had co-operated fully with the relevant Authorities.
- 4.20 Matt Proctor outlined the options open to the Sub-Committee.
- 4.21 RESOLVED: That the public and press and attendees involved in the application be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.22 Brendan Twomey reported orally, giving legal advice on various aspects of the application.
- 4.23 At this stage in the proceedings, the meeting was re-opened to the public and press and attendees.
- 4.24 RESOLVED: That the application for a premises licence in respect of Townfield Head Farm, Stannington, Sheffield S6 6GR be refused on the grounds that the Sub-Committee, on considering all the evidence submitted, including the written and oral submissions made by the applicant and objectors, was satisfied, even with the agreed conditions to minimise noise, that there remains a significant and unacceptable likelihood of public nuisance being caused.

(The full reasons for the Sub-Committee’s decision will be included in the written

Notice of Determination).

DRAFT