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1 March 2022

## PLEASE NOTE START TIME OF MEETING

Meetings of Council Committees are broadcast live through the [Mid Sussex District Council's YouTube channel](#). Owing to continuing public health restrictions, very limited space is available to observe proceedings in-person. Those wishing to do so must reserve a seat by completing a [Registration Form](#) by 4pm on the working day prior to the meeting.

Dear Councillor,

A meeting of **LIQUOR LICENSING COMMITTEE** will be held via **COUNCIL CHAMBER** on **WEDNESDAY, 9TH MARCH, 2022 at 10.00 am** when your attendance is requested.

Yours sincerely,  
KATHRYN HALL  
Chief Executive

### A G E N D A

- |   | Pages   |
|---|---------|
| 1. To receive apologies for absence.  |         |
| 2. To receive Declaration of Interests from Members in respect of any matter on the Agenda.   |         |
| <p><b>The procedure the Licensing Panel will follow in considering the application is set out in the Licensing Act 2003, its attendant Regulations and was agreed by the Licensing Committee on 2nd February 2005. The Licensing Panel, in accordance with rule 14 of the Licensing Act 2003 (Hearings) Regulations 2005 decide to exclude the public from all or part of the hearing where the Licensing Panel considers that it is in the public interest to do so.</b></p> |         |
| 3. To confirm Minutes of the previous meeting of the Liquor Licensing Committee held on 17 December 2021.   | 3 - 10  |
| 4. Determination of Objection Notice to Temporary Event Notice.   | 11 - 28 |

## Human Rights Act Implications

### Licensing Act 2003

A licensing authority must carry out its function under the Licensing Act 2003 with a view of promoting the licensing objectives.

The Licensing objectives are:-

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

In carrying out its licensing functions a licensing authority must also have regard to:-

- (a) its licensing statement published under Section 5 of the Licensing Act 2003 (this may be viewed on the Mid Sussex District Council website);

and

- (b) any guidance issued by the Secretary of State under Section 182 of the Licensing Act (this may be viewed on the Department for Culture, Media and Sport website).

Members are asked to consider the human rights implications for both the licensee who has rights under Article 1 of the First Protocol, the Right to Property (which includes the licence):and the objectors who have rights under Article 8 to Respect for Private and Family Life, and Article 1 of the First Protocol, their right to enjoy peaceful use of their possessions.

To: **Members of Liquor Licensing Committee:** Councillors R Cromie, J Dabell and R Webb

**Minutes of a meeting of Mid Sussex District Council Liquor Licensing  
Committee  
held on Friday, 17th December, 2021  
from 10.03 am - 10.31 am**

**Present:** Councillors: J Dabell (Chairman)  
R Webb  
C Laband

**Officers in attendance:** Tom Clark, Solicitor to the Council  
Sonya Baameur, Solicitor  
Jon Bryant, Senior Licensing Officer  
Lucinda Joyce, Senior Democratic Services Officer

**Also in attendance:** Sam Heynes, Parish Clerk, Applicant

**LS.1 ROLL CALL AND VIRTUAL MEETING EXPLANATION.**

The Chairman welcomed everyone to the meeting.

Tom Clark, Solicitor to the Council explained the virtual meeting procedure noting that Councillor Laband is present in place of Councillor Cromie who was listed on the papers. He noted that as the meeting is held in accordance with the Licensing Act 2003 there is no requirement to meet in person and given the current levels of Covid the decision has been made to meet virtually.

**LS.2 TO RECEIVE APOLOGIES FOR ABSENCE.**

None.

**LS.3 TO RECEIVE DECLARATION OF INTERESTS FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.**

None.

**LS.4 TO CONFIRM MINUTES OF THE PREVIOUS MEETING OF THE LIQUOR LICENSING COMMITTEE HELD ON 12 OCTOBER 2021.**

The minutes of the meeting held on 12 October 2021 were agreed as a correct record and were electronically signed by the Chairman.

**LS.5 APPLICATION TO VARY A PREMISES LICENCE - LICENSING ACT 2003.**

Introduction and outline of the report

Jon Bryant, Senior Licensing Officer introduced the report noting that it's purpose is to provide information for the Committee to determine whether to agree an application to vary a premises licence.

He confirmed that an application, pursuant to Section 34 Licensing Act 2003, has been made by Cuckfield Parish Council to vary a Premises Licence at The Queens

Hall, High Street, Cuckfield, RH17 5EL. He noted that representations against the application have been made by an Interested Party.

Therefore the Committee is asked to determine the application in accordance with the Licensing Act 2003, MSDC Licensing Policy and the Home Office Guidance issued under Section 182 Licensing Act 2003, whilst having due regard to the applicant's submissions and relevant representations.

He confirmed that the background to this matter is as follows. The Queens Hall is situated on the High Street, Cuckfield. It is a listed, Victorian Village Hall in the centre of Cuckfield. There is a large hall to the rear of the building and beyond that is a garden which extends to the Cuckfield Recreation Ground.

The Hall has residential properties to both sides and land adjacent to the garden was obtained by the Parish Council on a 25 year lease in 2020 and is being converted into a nature garden for the public and hirers of the hall. The garden area contains a gazebo which is licensed for wedding ceremonies. The Premises was issued with a Premises licence by this Council in 2005 when the previous Justice's 'On' Licence was converted under the Licensing Act 2003.

He confirmed that item 6 of the report sets out the current licensable activities and times and noted that this application for a variation does not affect the timings for indoor activities. He noted that alcohol is licensed for consumption on the Premises and currently the Licensed premises consists of the building only. He also noted that there are two additional conditions currently attached to this licence which are detailed at section 8 of the report.

On the 2nd November 2021, Cuckfield Parish Council submitted an application to vary the current premises licence. Their intention is to extend the licensed premises area to include the garden to allow the consumption of alcohol in this area. There is a Gazebo in the garden that is licensed for wedding ceremonies. The application additionally requests music to be played outside only during a wedding ceremony. The variation application includes a request for an outdoor play to be held in the garden area on one occasion a year. Currently this performance is held on the Cuckfield Recreation Field and it is planned to move this performance to the garden area where there may be amplified music during the performance, but just one performance a year.

A resident of the High Street, Cuckfield, Olivia Barnard, who lives near to The Queens Hall has submitted a representation on the grounds of the prevention of crime and disorder and the prevention of public nuisance. This representation has not been resolved during the consultation period.

There was one other representation made during the consultation period from one of the neighbours which was resolved by the acceptance of additional conditions offered by Cuckfield Parish Council in respect of the additional garden area.

As stated, in order to attempt to resolve issues with neighbours, Cuckfield Parish Council have offered a number of additional conditions to be attached to the Premises Licence These are outlined in the attached appendices and are that:

1. Music will only be played outside during wedding ceremonies, there will be no amplified or unamplified music played in the garden other than this.
2. On one occasion a year an outdoor play will be held with amplified music
3. The use of the garden area for the consumption of alcohol will only be permitted to 2100 hours.

The extant representation is from Olivia Barnard. She lives in an adjacent property on the High Street, and these are in respect of the additional licensable activities that have been requested.

In brief she states that her premises directly adjoins the garden area of Queens Hall and states they have already been disturbed by events at the Hall held under the existing licence. She outlines that her partner works from home almost every day of the week and is already affected by noise from the Hall and he feels unable to make business calls due to the noise. She has further stated that performances outside will be considerably louder than those held inside. She states that the music allowed under the current licence is already overpowering and if it is allowed in the garden area it will affect their well-being.

The Senior Licensing Officer confirmed that the representation is attached to the report in full at Appendix 5. The initial representation is at p.43. He drew the Panel's attention to p46-49 which is the Senior Licensing Officer's correspondence with Olivia Barnard in an attempt to resolve the representation. He noted that it did appear that some of the representation was as a result of a misunderstanding initially as to the extent of the variation requested which he has tried to explain to Ms Barnard. In documentation from the Parish Council they have also addressed the representations but unfortunately the Senior Licensing Officer confirmed that that he has not had any reply from Ms Barnard regarding the most recent emails in respect of this.

He confirmed that the consultation period took place between 4th November and the 2nd December 2021. It was correctly advertised at the site during this period and in the Mid Sussex Times on the 11th November 2021 and site notices clearly stated the extent of the variation application.

In terms of policy context, the Senior Licensing Office confirmed that the Committee must determine the application in accordance with the Licensing Act 2003 (LA03), MSDC Licensing Policy and the current Home Office Guidance issued under Section 182 Licensing Act 2003, whilst having due regard to the applicant's submissions and relevant representations.

He noted that section 34 is set out in the report for the benefit of the committee. Moving on to relevant representations, he noted that the Licensing Act 2003 requires representations to address the four licensing objectives which are

1. Prevention of Crime and Disorder
2. Promotion of Public Safety
3. Prevention of Public Nuisance
4. Prevention of Harm to children and young persons

A representation is a 'relevant representation' if it is about the likely effect of the grant variation of the licence on the promotion of the licensing objectives. The objector must establish that such a consequence is a likely effect of a grant - (i.e. more probable than not).

He noted that it is for the Panel to consider the representations and add what weight they feel appropriate. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. He confirmed that this isn't a review of the current licence, it is a consideration of the variation application.

The Senior Licensing Officer drew the Panel's attention to the background papers which include a plan of the garden in Appendix 1 to provide context in respect of where the application actually applies for. Appendix 3 includes some photographs of the rear area for context and Appendix 4 is submissions by the Parish Council in response to representations which have been forwarded to Olivia Barnard, and her representation too.

#### Questions from Members to the Senior Licensing Officer

A Member sought clarification that there have been no formal complaints made up until this application was submitted, regarding the use of the hall. The Senior Licensing Officer confirmed that he has received no formal complaints with regards to noise from any resident and when it was alluded to by Olivia Barnard he requested further details to investigate, none of which have been forthcoming.

A Member wished to clarify the outside use in terms of the garden noting the suggested condition to terminate the supply of alcohol outside at 2100hrs. He asked if outside use would therefore cease completely at 2100hrs.

The Senior Licensing Officer confirmed there would still be outside use for the benefit of people smoking as there has to be an outside space for that, but consumption of alcohol would cease at 2100. In essence it would fall back to the current situation where smokers can use the outside space but not to drink.

A question was asked in terms of the 1-night use of the area for the play, as to whether there is a termination time for that as well. It was noted an example that an event in Haywards Heath takes place all day and ceases at 2200hrs but is considerably more noisy than the proposed application here. The Senior Licensing Officer confirmed that on speaking to the applicant it is likely to be around 2200hrs, but it may be something that the Panel may wish to consider fixing during their deliberation, after hearing from the applicant.

#### Sam Heynes, Parish Clerk, Applicant addressed the Committee

She noted that the Queens Hall is very popular especially for weddings. They only hold one wedding at a time at the hall and over time have extended this to the garden to make it possible to be married in the Gazebo as well as inside the hall. Therefore there is a need to formalise the licensing of this area. With taking over the lease of the adjacent space it has really expanded the garden and they are really looking forward to developing it over coming years into a nature garden in memory of Angela Fox, a renowned resident of the village.

She confirmed that they are very mindful of their neighbours and aware that they are situated in a residential area with neighbours on both sides. One neighbour in particular is adjacent to the hall garden and she commented "I don't want to be dealing with complaints every Monday morning from residents after a rowdy party in the garden, it is not a good use of anyone's time and I don't want to alienate residents, our aim is to live in harmony with them." She confirmed that the Parish Council has liaised with Mid Sussex and taken on feedback when planning the garden. They felt that that 9pm is good time to say that use stops and people must come inside, noting that it is usually getting dark around this time. They also decided not to allow music in the garden other than during actual ceremony when walking up aisle and back again.

She noted that Queens Hall as a facility means that you can have event inside and outside, so if the weather is bad there can be music in the hall and then guests can mill outside if the weather is suitable. Similarly, if you are planning a wedding you can make your decision on the day whether to hold it inside or outside depending on the weather. It is a flexible space and the applicant is just trying to make it as usable as possible for the people who want to use the space.

Regarding the play, she confirmed that it has been held every year for “I don’t know how many years on Cuckfield Rec”, which is situated immediately the other side of the boundary of the garden. It typically has no more than 100 people attending and is a nice event for residents of the village. She believes it starts around 7pm and finishes about 10pm with an interval and by the time the production company have cleared up they have gone by 10.30pm. She confirmed that it is not a big and rowdy event and from a noise perspective won’t make much difference as it has been occurring just outside the boundary up to this point.

Ms Heynes asked the Senior Licensing Officer for clarification of the location of the individual party who submitted the representation. Her understanding is that the location is a cottage just along from the hall, and there is quite a gap as there is the Helmy Hallet yard in between. She also observed that there are other establishments in the village that use their outside areas longer than the hall does, in the middle of the village surrounded by residents. As applicants, she confirmed that the Hall has deliberately chosen to contain the use of the garden just to make better for their neighbours. She noted the compromise of the use of the hall which has been there 130 years before neighbours arrived, being mindful that people are entitled to a decent standard of living in their own gardens especially in the summer.

She confirmed that notices are at the front of the hall saying to be mindful when you leave and she believes they have them at the back as well but if not will ensure that they do. She confirmed that they emphasis to all hirers that it is a residential area and people need to be respectful of that. They also have someone who comes to the hall at the end of the event to make sure that everyone is finished and done according to the licence terms and the hall is closed. She did not believe that would be needed for the garden use but will make sure the licensee is aware of the new conditions, as they would need to be and that they know to make sure people are not drinking in the garden after 9pm.

Ms Heynes asked the Senior Licensing Officer if there has been a response from any other responsible authorities in relation to the licence application. The Senior Licensing Officer confirmed that there has been no other representations from any of the responsible authorities and noted that the Environmental Protection team had no objection and were happy with it as it stands. He also confirmed that within Appendix 3 there are 2 photographs with the end view of the garden and in the distance is where he believes the individual who made the representation actually resides.

The Applicant confirmed that wedding income for the hall is a key stream of income for The Parish Council. They really rely on it, especially missing it in the last year with Covid. If they were unable to continue to generate this revenue it will have impact on village as they will have to reflect that in pre-set rates. The Hall is popular well-loved venue and they see the use of the garden as an enhancement of that and are trying to do so in a respectful way being mindful of the neighbours.

#### Questions from the Members to Ms Heynes

A Member noted that no official complaints have been received at licensing level and asked Ms Heynes if as proprietors, have they received any complaints over the past year. Ms Heynes confirmed that one complaint had been received earlier in the summer from a neighbour who's garden is adjacent to the nature garden. There was a wedding that took place on a Friday which is unusual. They were playing music in the garden and were disturbing the neighbours and she confirmed that is a big part of why the Parish Council have proposed the additional conditions. They have taken on board the neighbours feedback and appreciate that what occurred at the time was unpleasant for the neighbour and have ensured it has not happened again since. The Parish Council have made it clear to all wedding hirers that music cannot be played in the garden and that is why they want to put that restriction in to give that reassurance to neighbours that they have taken their feedback seriously and appreciate the update it caused them at the time. That is the only complaint that they have had.

The Chairman asked for an estimation of how many weddings are expected to take place outside. Ms Heynes confirmed that across a year it is approximately 20. It is a little busier at the moment as they are dealing with postponed weddings. The weddings take place from March to November and the number of them held in the garden is a third or possibly a quarter depending on the weather if they can go outside.

The Solicitor to the Council sought clarification from Ms Heynes regarding the play. He asked if the suggestion from a Member to make sure the play is cleared from the garden by 2230 would be acceptable as part of the licensing conditions. Ms Heynes confirmed that she would be happy to put a restriction in place but would want to double check how quickly they can get out to make sure we aren't imposing something that is not achievable. She noted that an alternative might be to ask them to start earlier but they are a travelling group from Gloucestershire who have to travel down and set up, usually start around 7pm. Whilst putting everything away there is no sound playing, just the sound of packing. She reiterated that it was once a year and the idea is that people come and have picnics on the ground and sit out to watch the show.

A Member noted that 2230 could be draconian and if the Panel were to seek to put a cap on it, as it is only once a year, 2300 is more than reasonable or it could extend even further.

#### Interested Party Representation

The Chairman directed the Panel to the representation made by Ms Barnard. She was not able to attend the meeting but the details are in the report and he sought confirmation from the Panel that they have all read and considered the representation. The Panel confirmed that they had by a show of hands.

#### Summing Up from Ms Heynes

Ms Heynes confirmed that they were hoping to formalise the licence to use the garden, for predominantly weddings throughout the year when the weather is good enough. They are happy to impose the 9pm end time for use of the garden with alcohol and there will be no music other than a couple of songs for the ceremony. They will also make sure that all hirers are aware of the restrictions and ask that they respect them. The Parish Council has a deposit system in place too and will make sure that any rules which are broken will result in a loss of deposit to encourage them



to be mindful to stick to the rules to respect the neighbours so they can continue to enjoy a peaceful relationship with them.

The Solicitor advised the public participants that the Panel would retire to deliberate and make a decision today which will be recorded in a decision letter.

As there were no further questions the public meeting finished at 10.31am so that the Committee could deliberate.

**RESOLVED**

The application to vary a premises licence was approved based on the existing conditions of the license and the proposed additional conditions supplied by the Parish Council and stipulated in the report.

The meeting finished at 10.31 am

Chairman

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## Determination of Objection Notice to Temporary Event Notice

REPORT OF: Tom Clark, Head of Regulatory Services

Contact Officer: Jon Bryant, Senior Licensing Officer  
Email: [jon.bryant@midsussex.gov.uk](mailto:jon.bryant@midsussex.gov.uk) Tel: 01444 477428

Wards Affected: Crawley Down

Key Decision No

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### Purpose of Report

1. To provide information in order that the Licensing Committee can determine an objection to a Temporary Event Notification (TEN).

### Summary

2. A Temporary Event Notification (TEN) has been sent to the Licensing Authority for Mid Sussex District Council in accordance with Section 100 Licensing Act 2003 by Mr Charles Sydenham. Mid Sussex District Council Environmental Protection Team have submitted an objection notice citing the grounds of the prevention of a public nuisance.
3. The Committee is asked to determine the matter in accordance with the Licensing Act 2003, MSDC Licensing Policy and the Home Office Guidance issued under Section 182 Licensing Act 2003, having due regard to the applicant's submissions and objections by the statutory body.

### Background

4. When carrying out its functions the licensing authority must have regard to the four licensing objectives. The objectives are:
  - The prevention of crime and disorder
  - Public Safety
  - The prevention of public nuisance
  - The protection of children from harm
5. The system of permitted temporary activities is intended as a light touch process designed to allow low risk events to take place without the requirement of a full premises licence. As such the process relies on the openness and clarity in the description of the event in the notice to enable the relevant Responsible Authorities to determine whether the event going ahead would pose any risk to the licensing objectives
6. Mr Sydenham (referred to in the Licensing Act as the 'premises user') has submitted a Temporary Event Notification to cover the supply of alcohol and the provision of regulated entertainment between 12:00 hours to 03:00 hours on Friday 16<sup>th</sup> September 2022, from 12:00 hours to 03:00 hours on Saturday 17<sup>th</sup> September 2022 and from 12:00 hours to 23:00 hours on Sunday 18<sup>th</sup> September 2022.

7. The address of the event is Floran Farm, Hophurst Hill, Crawley Down RH10 4LP. This location is not licensed. The location in the Notice is described as 'We will only be using the event space on Floran Farm which sits at the back of the estate' and 'The premises is a flat field at the back of the farm which has previously been used for weddings, parties etc.'

Mr Sydenham has supplied a plan area proposed to be covered by the temporary Event Notice.

8. The notification states the nature of the event as '*I'm running a party to help raise funds for a charity that I hold very close to my heart. My father passed away a few year's ago so we put on a party to help raise funds for the hospice he passed at, whilst also getting our friends and family together. There will be amplified music and the sale of alcohol across the weekend so I know I need to apply for a TEN.*'. The notice states that the maximum number of people at the event will be 499. The licensable activities applied for are for the supply of alcohol, the provision of Late Night Refreshment and the Provision of Regulated Entertainment.

9. Mid Sussex District Council Environmental Protection Team (referred to in the Licensing Act as 'a relevant person') has submitted an objection notice under section 104(2) of the Licensing Act 2003, to the notification on the grounds of the prevention of a public nuisance. They have stated:

*The Temporary Event Notice by the applicant is giving notice that the event will take place on Friday 16 September 2022 from 1200 midday to 0300 the following morning; continuing on Saturday 17 September 2022 from 1200 midday to 0300 the following morning; and continuing on Sunday 18 September 2022 from 1200 midday to 2300.*

*To allow this would give permission for nearby residents to be exposed to 41 hours of music over one weekend not only during the day but also extending deep into the night period. Not only would the evening period be hugely impacted but a total of 8 hours of music in the night-time period is being requested. Sleep disturbance is likely and for prolonged periods over consecutive nights on one weekend.*

*Noise and disturbance from recorded and/or live amplified music; people talking, shouting and singing; vehicles and attendees arriving and leaving the site, particularly late at night; and clearing up, bottling out and preparing the area for the next day; are all likely to have an impact on nearby residents. The drinking time proposed amounts to 15 hours on the Friday, 15 hours on Saturday and 11 hours on Sunday. Controlling noise emissions from music and people becomes increasingly difficult with increased alcohol consumption.*

10. My Sydenham has provided further information regarding the event to the Environmental Protection Team outlining the location plan for the event together with measures that are proposed to mitigate the potential for noise and disturbance from amplified music and event noise
11. The notification was submitted electronically to the Licensing Authority on 24<sup>th</sup> February 2022. Sussex Police and Environmental Health were informed on the same day. The objection was received on 24<sup>th</sup> February 2022
12. This hearing must therefore consider the points raised in the Objection Notices and make a determination on the Temporary Event Notice.

## Policy Context

13. The Committee should be aware that a Temporary Event Notice is not an application for the purposes of the Licensing Act 2003. It is a notification that licensable activities are going to take place at a certain venue and at notified times. The limit on numbers at such an event, including audience, staff and performers is 499. The Police and Environmental Health have the right to object if, they are of the opinion that allowing the event to take place would undermine any of the licensing objectives.
14. The Committee's 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.
15. If the Committee decide not to issue a counter notice and allow the event to go ahead the premises user and the relevant persons must be given a notice of that decision.
16. If the Committee decide not to issue a counter notice and allow the event to go ahead it must be noted no conditions can be added to the Notice.
17. The TEN can be modified (times, layout of venue, licensable activities) but only with the agreement of the premises user and all relevant persons.
18. The Committee must determine the matter in accordance with Section 105 Licensing Act 2003.
19. Section 105 Licensing Act 2003 Section (2) states:  
  
The Licensing Authority must –
  - a) Hold a hearing to consider the objection notice, unless the premises user (Mr Sydenham), the relevant person (Mid Sussex District Council Environmental Protection Team) who gave the objection notice and the authority agree that a hearing is unnecessary.
  - b) Having regard to the objection notice, give the premises user a counter notice under this section if it considers it appropriate for the promotion of the licensing objectives to do so.
20. Section 105 Licensing Act 2003 Section (3) states:  
  
The Licensing Authority must –
  - a) In a case where it decides not to issue a counter notice under this section, give the premises user and each relevant person a notice of the decision.
  - b) In any other case –
    - i. Give the premises user the counter notice and a notice stating the reasons for its decision and,
    - ii. Give each relevant person a copy of both of those notices.  
Section (4) further states:  
  
A decision must be made under subsection (2)(b), and the requirements of subsection (3) must be met, at least 24 hours before the beginning of the event period specified in the temporary event notice.

21. Section 106(A) of the Act states in respect of attaching conditions on a standard temporary event notice following objection
- (1) This section applies where—
- (a) a relevant person has given an objection notice under section 104(2) in respect of a standard temporary event notice,
- (b) the objection notice has not been withdrawn, and
- (c) the relevant licensing authority has decided under section 105 not to give a counter notice under that section.
- (2) The relevant licensing authority may impose one or more conditions on the standard temporary event notice if—
- (a) the authority considers it appropriate for the promotion of the licensing objectives to do so,
- (b) the conditions are also imposed on a premises licence or club premises certificate that has effect in respect of the same premises, or any part of the same premises, as the temporary event notice, and
- (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.
- (3) Where the authority decides to impose one or more conditions under subsection (2)—
- (a) the authority must give the premises user notice of the decision,
- (b) the notice must be accompanied by a separate statement (the “statement of conditions”) which sets out the conditions that have been imposed on the temporary event notice, and
- (c) a copy of the notice and statement of conditions must be given to each relevant party.
- (4) The notice and statement of conditions under subsection (3) must—
- (a) be in the prescribed form,
- (b) be given to the premises user in the prescribed manner, and
- (c) be given no later than 24 hours before the beginning of the event period specified in the temporary event notice

### **Financial Implications**

22. A decision made by the Committee is subject to appeal at the Magistrates Court by the premises user or a relevant person.

### **Risk Management Implications**

23. None

### **Equality and customer service implications**

24. None.

### **Other Material Implications**

25. None

### **Sustainability Implications**

26. None

### **Background Papers**

Appendix 1 – Temporary Event Notification

Appendix 2 – Copy of Email from Applicant providing further details of the application and site plans.

Notices of Objection

Appendix 3 – Environmental Protection Team

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**service\_team\_name** Licensing Team

**service\_email\_address** licensing@midsussex.gov.uk

### Personal Details of Premises User

**Title** Mr

**Name** Charles Sydenham

**Address** details redacted

**Date of birth** details redacted

**Place of birth** England

**Email** details redacted

**Phone** details redacted

### Personal Details of Premises User - Previous Name(s)

**Have you ever been known by any other name?** No

### Alternative Address for Correspondence

**Do you wish for us to correspond with you using an alternative address?** No

### Details of Premises

**Does your premises have an address?** Address

**Postcode** RH10 4LP

**Please select address** FLORAN FARM HOPHURST HILL, CRAWLEY DOWN, CRAWLEY RH10 4LP

### Ordinance Survey Reference

### Premises / Club Licence

**Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?** No

### Details of Premises

**Do you intend to use the whole or just part of premises?** Only Part of Premises (please specify below)

**If you intend to use only part of the premises at this address or intend to restrict the area to which** We will only be using the event space on Floran Farm which sits at the back of the estate.

**this notice applies, please give a description and details below. (Please read note 3)**

**Please describe the nature of the premises below. (Please read note 4)** The premises is a flat field at the back of the farm which has previously been used for weddings, parties etc.

**Please describe the nature of the event below, being specific as to the type of activities you are seeking, i.e. disco, live band, play, film show etc. (Please read note 5)** I'm running a party to help raise funds for a charity that I hold very close to my heart. My father passed away a few year's ago so we put on a party to help raise funds for the hospice he passed at, whilst also getting our friends and family together. There will be amplified music and the sale of alcohol across the weekend so I know I need to apply for a TEN.

### Licensable Activities

**The sale by retail of alcohol** Yes

**The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club** No

**The provision of regulated entertainment** Yes

**The provision of late night refreshment** Yes

### Late Temporary Event Notice

**Are you giving a late temporary event notice? (Please read note 7)** No

### Event Date(s) - Licensable Activities

**Date from** 16/09/2022

**Date to** 19/09/2022

### Event Information - Date & Times

**Please state the date & times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)** I would like the licensable activities to take place between 1200-0300 on the 16/09/22 and 17/09/22, then 1200-2300 on the 18/09/22.

### Event Information - Numbers

**Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the** 499

times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10).

### Event Information - Licensable Activities

Will the licensable activities include the supply of alcohol. (Please read note 11) On premises only

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 12) I would like the entertainment to take place between 1200-0300 on the 16/09/22 and the 17/09/22 and then 1200-2300

### Personal Licence Holders

Do you currently hold a valid personal licence? No

### Previous Temporary Event Notice

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? 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 b) begins 24 hours or less after the event period being proposed in this notice? No

### Associates and Business Colleagues

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?

**Associates and Business Colleagues**

Q2 Has any associate of  
yours already given a  
temporary event notice for  
the same premises in  
which the event period: a) No  
ends 24 hours or less  
before; or b) begins 24  
hours or less after the  
event period proposed in  
this notice?

**Associates and Business Colleagues**

Has any person with  
whom you are in business  
carrying on  
licensable activities given  
a temporary event notice No  
for an event in the same  
calendar year as the event  
for which you are now  
giving a temporary event  
notice?

**Associates and Business Colleagues**

Has any person with  
whom you are in business  
carrying on licensable  
activities already given a  
temporary event notice for  
the same premises No  
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?

**Conditions**

**Declarations**

Please confirm  
declarations:-I confirm yes

Payment due 21

Email address to receive  
confirmation email details redacted

Confirm email details redacted

Amount to be paid: GBP 21

Order summary:

Item	Price	Total
Payment due	£21.00	£21.00
<b>TOTAL</b>	<b>£21.00</b>	

The message has been sent from 82.26.226.69 (United Kingdom) at 2022-02-23 19:00:30 on Chrome  
98.0.4758.101  
Entry ID: 61

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**From:** [Charlie Sydenham](#)  
**To:** [Jon Bryant](#); [Adam Dracott](#)  
**Subject:** Notice of objection  
**Date:** 01 March 2022 09:32:01

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Please discard last email and refer to this one.

Thank you.

Dear Mr. Dracott,

Thank you for taking the time to review my TEN that I applied for, I have read through your notice of objection and completely understand your concerns regarding noise disturbance to the surrounding areas. It's my sincere intention to minimize and reduce any disturbance to any local resident, **in line with the 4 licensing objectives**, which is why I'm writing to reassure you that we are putting all necessary plans, systems and precautions in place.

This private event is very small in comparison to some events, each "stage" will be sized accordingly and relative to the amount of guests we have. The same logic applies for the sound system's we intend to use – there will most likely only be a max of 50-80 guests inside each tent, so there's no need for any big sound system. Furthermore, we will make sure that no speaker is facing any local resident's, as we have created a sufficient site plan, showing directions of audio sources, and have mapped out our stage locations to taper any background noise. Where appropriate an audio quadrophenic set up will be adopted, hence controlling the sound inside the tents by placing the speakers in specific places and facing them inward, creating the peak sound in the centre of the tent, so if you were to be on the outer-perimeter of the event space the sound would be hard to observe, and **barely audible by the time it reaches the perimeter of our site.**

After 11pm we will be reducing the volume of the tents to further reduce any disturbance and ensure inaudibility **1m from the facade of any local residents.** There will be Tech and stage managers and an engineer on each stage constantly monitoring the sound levels and EQ's making sure they stay within all suitable parameters.

I have been consulted by a professional audio consultant, with over 25 years outdoor temp events noise management and certified by the **Institute of Acoustics (IOA) with full competence in Environmental Noise Management** and i am confident i can achieve a comfortable volume for my guests whilst not creating any problems for anyone outside the event space. On Sunday the 18/09/2022 we plan on shutting down at 10pm latest.

The genres of music that will be played range from some dance music, ska, indie, pop, a nice variety of entertainment for people to enjoy. **The bands will finish at 11pm** and then there will just be some pre-recorded music at a localised level to

keep the last few late night attendees nicely entertained, before bed, at incidental background levels.

Regarding the noise from waste disposal, we will only have bins emptied and the site tidied in the daytime so to lessen the impact of background noise. The gates to the site will close from 8pm (unless of any emergencies) so there won't be any site traffic at inappropriate times. I think the scale of this private party is very manageable for us and we really look forward to working with you as a governing body to help make this work.

Please let me know if there is anything I can do, or if you have any questions that need answering please don't hesitate to contact me personally, **as i am dedicated to do all that is 'reasonably practicable'**, with in the means and scale of our small event.

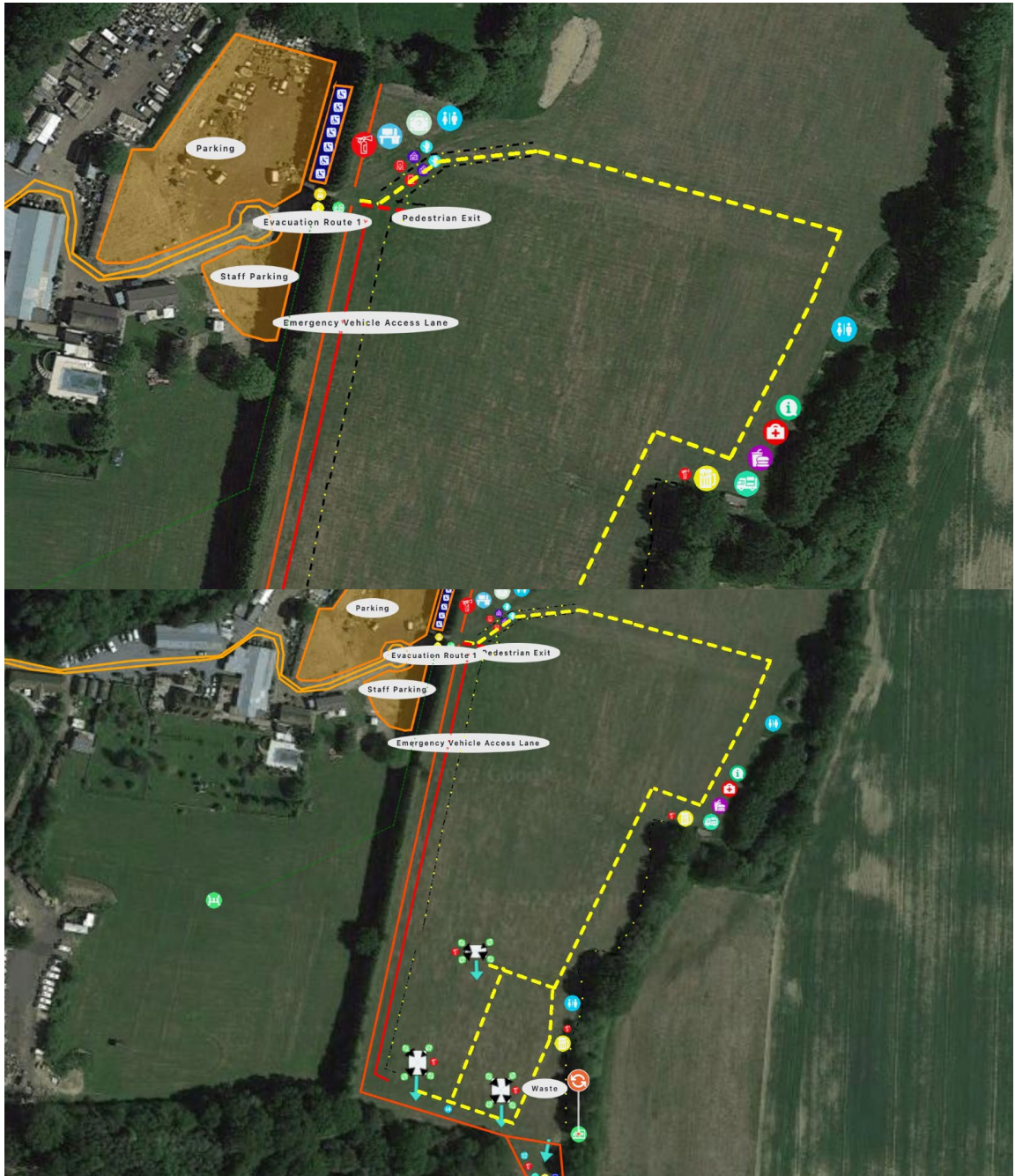
Attached is our site map, with relevant / requested information

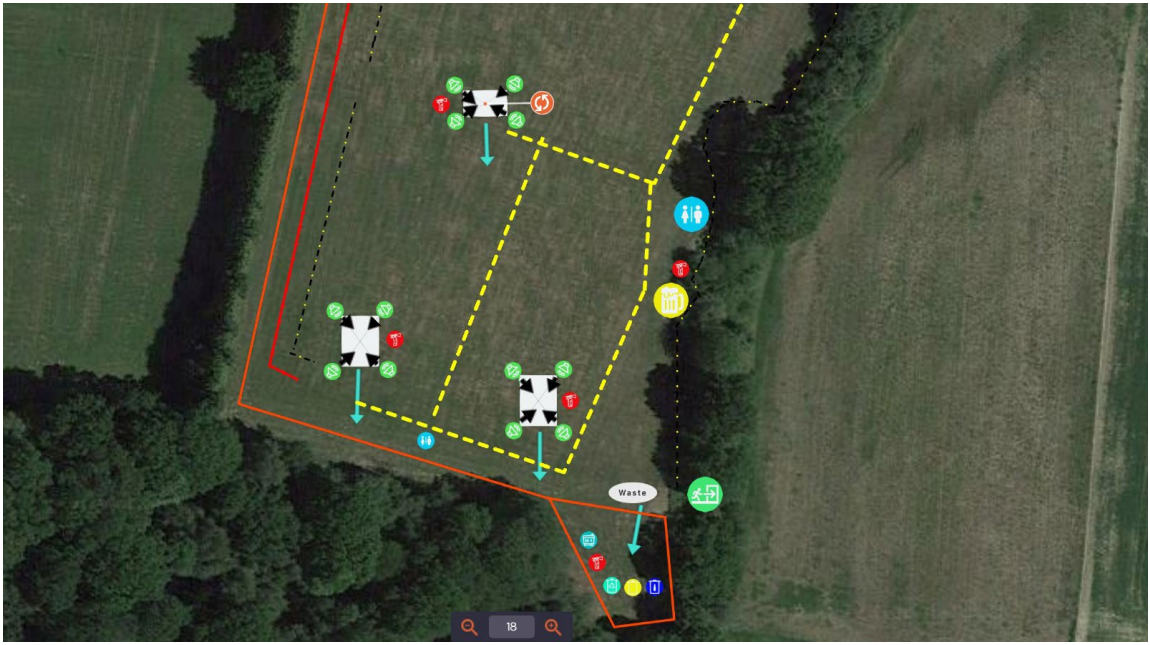
Kind Regards

Charlie.









[Sent from Yahoo Mail on Android](#)

**Contact:** Mr Adam Dracott  
**Direct Line:** 01444 477382  
**Email:** adam.dracott@midsussex.gov.uk

**Our Ref:** SR/22/0662  
**Your Ref:** LI/22/0262

**Date:** 24 February 2022

**APPENDIX 3**

Mr J Bryant  
Senior Licensing Officer  
Mid Sussex District Council  
Oaklands  
Haywards Heath  
West Sussex  
RH16 1SS

Dear Jon

**Temporary Event Notice for event at Floran Farm Hophurst Hill on 16-18 September 2022**  
**Notice of Objection under Section 104 of the Licensing Act 2003**

Notice of objection is hereby given by the Environmental Protection Team at Mid Sussex District Council for the above Temporary Event Notice on the grounds of the prevention of public nuisance.

The Temporary Event Notice by the applicant is giving notice that the event will take place on Friday 16 September 2022 from 1200 midday to 0300 the following morning; continuing on Saturday 17 September 2022 from 1200 midday to 0300 the following morning; and continuing on Sunday 18 September 2022 from 1200 midday to 2300.

To allow this would give permission for nearby residents to be exposed to 41 hours of music over one weekend not only during the day but also extending deep into the night period. Not only would the evening period be hugely impacted but a total of 8 hours of music in the night-time period is being requested. Sleep disturbance is likely and for prolonged periods over consecutive nights on one weekend.

Noise and disturbance from recorded and/or live amplified music; people talking, shouting and singing; vehicles and attendees arriving and leaving the site, particularly late at night; and clearing up, bottling out and preparing the area for the next day; are all likely to have an impact on nearby residents. The drinking time proposed amounts to 15 hours on the Friday, 15 hours on Saturday and 11 hours on Sunday. Controlling noise emissions from music and people becomes increasingly difficult with increased alcohol consumption.

The applicant has not provided any details as to the layout of the site in relation to the proposed entertainment, the location of the stage(s), the orientation of the speaker stacks, the type of music and the event management procedures. There are no details of the proposed mitigation measures to reduce the deleterious effects on nearby residents especially given that the background noise levels in the area are extremely low and any noise emissions will be highly noticeable.

It is my opinion that if this event was to take place as proposed by this Temporary Event Notice then this is likely to cause public nuisance. The Environmental Protection Team therefore ask that a Counter Notice for this TEN is issued by the Licensing Authority.

Yours sincerely



Adam Dracott, Team leader Environmental Protection

c.c. West Sussex Licensing Inspector, Sussex Police, Centenary House, Durrington Lane  
LPO C. Robin Gorn, Essex, 9 Mar 2022  
1100, Stone Road, Hove, East Sussex BN3 3RN

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