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22 July 2015

To: Chairman – Councillor Deborah Roberts
Members of the Licensing (2003 Act) Sub-Committee – Councillors
Andrew Fraser and Alex Riley

Applicant: Mr D Christian

Dear Sir/Madam

Please find below the agenda, and attached the relevant papers, for the hearing by the **LICENSING (2003 ACT) SUB-COMMITTEE** of the application for a review of a premises licence at Over Community Centre. The hearing will be held in the **SWANSLEY ROOM A AND B - GROUND FLOOR** meeting room at South Cambridgeshire Hall on **THURSDAY, 30 JULY 2015 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

AGENDA

	PAGES
1. INTRODUCTIONS / PROCEDURE	1 - 2
The Chairman will introduce the members of the Sub-Committee and the officers in attendance at the meeting.	
A copy of the Licensing (2003 Act) Committee procedure is attached.	
2. DECLARATIONS OF INTEREST	
3. OVER: REVIEW OF PREMISES LICENCE AT THE COMMUNITY CENTRE	3 - 164

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South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

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Agenda Item 1

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL LICENSING (2003 ACT) COMMITTEE

HEARING PROCEDURE

1. Introduction

- The Chairman of the sub-committee will welcome and introduce everyone present, giving explanations of roles where necessary, and outline the procedure to be followed.
- The hearing will take the form of a discussion to be led by the sub-committee.
- Members of the sub-committee will be able to ask questions of any party, or the Licensing Officer, at the hearing. They will try, so far as possible, to ask their questions at the conclusion of each party's submission.
- The sub-committee will consider any requests for permission to ask questions of other parties. It will decide if questions are required in order for it to consider the case properly. If permission is given to one party, it will usually be given to all other parties.
- The Chairman may ask any person behaving in a disruptive manner to leave and may refuse to permit that person(s) to return or may permit them to return with specified conditions. Such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.
- Members of the sub-committee will be asked to make any Declaration of Interests.

2. Witnesses

The sub-committee will consider any requests from any of the parties to call witnesses.

3. New evidence/information

The sub-committee will consider any requests for permission to present new evidence or information not previously disclosed to all the parties and the sub-committee prior to the hearing. The general rule is that such information or evidence must not be considered unless all parties at the hearing agree to it being considered on the day of the hearing. A request may be made for a short adjournment to allow time for everyone to receive copies of the extra information and time to read it.

4. Allocation of time

Each party will be asked for a time estimate for the presentation of their case. The sub-committee will hear all estimates and then allocate each party an equal amount of time to speak.

5. Licensing Officer's report

The Council's Licensing Officer will outline details of the application and representations received by the council. No recommendation to members will be made.

6. Applicant's case

The applicant will present their case first. They have a right to:

- address the sub-committee on any points of clarification the council has sought;
- address the committee generally; and
- call any witnesses that they have been given permission to call. Witnesses may be cross-examined if permission is granted. If this happens, the time taken for questions will count towards the allocated time of the party asking the questions, not the party answering them.

Members of the sub-committee may ask questions of the applicant.

7. Police representations

The Police will make any representations about the application, with the same rights as listed at s.6. Members of the sub-committee may ask questions of the police representative.

8. "Responsible authorities" representations

Other "responsible authorities" (Police/Fire/Environmental Health Officer/Social Services/Trading Standards/Planning Directorate) will then make representations, with the same rights as listed at s.6.

Members of the sub-committee may ask questions of those authorities represented.

9. Any other representations

Anybody else making representations will go last, with the same rights listed at s.6.

Members of the sub-committee may ask questions of any person who has made a representation.

10. Legal advice

Once all parties have presented their cases to the sub-committee, and the members of the sub-committee have no more questions for any of the parties, the Council's Legal Officer will be asked to outline any relevant legal guidance.

11. Decision-making

The sub-committee will remain in the room to make its decision. The Council's Legal Officer and Democratic Services Officer will also remain with members to advise where necessary and take notes of the decision. All other persons present will vacate the room.

12. Notification of decision

Depending on the nature of the application, a determination of the case will either be made at the conclusion of the hearing, or within 5 working days. In most cases, all parties will be notified of the decision in writing.

Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing (2003 Act) Sub-Committee

30 July 2015

AUTHOR/S: Director, Health & Environmental Services

APPLICATION FOR A REVIEW OF A PREMISES LICENCE UNDER S.51 OF THE LICENSING ACT 2003 FOR OVER COMMUNITY ASSOCIATION, THE DOLES, OVER CB24 5NW

Purpose

1. To consider the application made by Mr D Christian for the review of premises licence number SCDCPL0230, currently in place at Over Community Centre, The Doles, Over, Cambridgeshire CB24 5NW, (**Appendix A**) for consideration by the Licensing Sub-Committee and to establish whether:
 - There is sufficient evidence, that indicates any breach of the Licensing Act or any conditions imposed under it as part of a licence, held by Over Community Association in respect of the Over Community Centre
 - If evidence is found, what the proportionate response is to address the situation, in accordance with the Licensing Act 2003

Background

2. Over Community Association have held a Premises Licence for provision of regulated entertainment and sale of alcohol by retail since the introduction of the Licensing Act 2003 on 25 November 2005. Attached to this report is a copy of the current licence (**Appendix B**) and a map showing the proximity of the complainant to the Community Centre (**Appendix C**).
3. During the period 25 November 2005 to November 2013 no complaints were raised by any residents or responsible authorities about the activities at Over Community Centre.
4. Mr Christian moved into the area in May 2013 and in November 2013 the Council received a complaint (**Appendix D**) via Housing Services, regarding noise from Over Community Centre on Sunday 23 November 2013, which Mr Christian stated was affecting his viewing of the television during the evening. Mr Christian claimed that he could not hear the television even though it was turned up to 75% of its maximum volume. A housing officer discussed the issue with Mr Christian and advised him of the Council's noise investigation procedure. Following this complaint, Russell Watkins, an Environmental Health Officer (EHO) employed by the Council at the time, contacted the Community Centre to advise them that a complaint had been received by the Council. On this occasion Mr Christian made no further complaints to Housing, Licensing or Environmental Health. It appeared that the complaint was an isolated incident and no further action was deemed necessary.
5. During July 2014 Mr Christian made 2 calls reporting 3 incidents of noise specifically relating to loud music and noise from people leaving the premises. Both the contact centre and Ms Stallabass, the Council's Licensing and Communities Officer, advised Mr Christian to compile a noise diary over a four week period in accordance with the Council's Noise Investigation Policy.

6. Upon consideration of the complaint relating to music and noise from people, whilst there was no clear evidence that the noise arose from licensable activities Ms Stallabrass wrote to the Management of the Community Centre on 28 July 2014 advising them that a complaint had been received and reminding them of the necessity to comply with the conditions attached to their licence. Subsequently, Sean Watkiss, Manager of Over Community Centre contacted Ms Stallabrass by telephone, that in view of the complaints, he proposed to do additional boundary checks at regular intervals and to do hand held noise assessments. He also confirmed that he had reiterated to staff the necessity to keep doors and windows closed during licensed events.
7. Mr Christian did not return the noise log sent in July and in accordance with policy the complaint was closed at the end of August.
8. Further complaints were then received by Mr Christian in October relating to doors being left open whilst music was being played and people being noisy outside of the premises.
9. The matter was investigated by Russell Watkins (EHO) who referred to the Licensing Officer (Ms Stallabrass) in his consideration of the most appropriate course of action. His investigation included the installation of noise recording equipment inside Mr Christian's house to establish whether a statutory nuisance was taking place and to identify the times for licensing purposes. During the period 11 November 2014 to 2 December 2014 a number of 5 minute snapshot recordings were made which showed that on several occasions music was audible in Mr Christian's property at an intrusive level.
10. Between October 2014 and February 2015 the EHO and the Licensing Officer, in accordance with the Council's Enforcement Policy conducted a mediation process between parties to establish sound levels that were set at such a level that both were satisfied. This was achieved on 16 January 2015 and the noise limiter in the main hall was set on 21 January 2016 to cut out at levels above those agreed.
11. Complaints from Mr Christian continued to be received and noise recording equipment was installed again in Mr Christian's home on 17 February 2015 to ascertain if noise causing a disturbance related to licensable activities.
12. Recording with the noise kit took place during Feb/March 2015 (**Appendix E**) and the following summary of the evidence evaluated is set out below
 - a. 11 recordings were made (7 of which were of the 18th Birthday Party on 28/2/15)
 - b. 2 recordings made at 22:47 and 22:55 on 28 February captured some shouting/screaming/crying of a female from outside the property with faint voices/people noise detectable in the distance and a faint bass beat
 - c. 9 recordings captured internal movements, talking and sound from the television or radio within the property.
13. Investigation showed that the noise recordings related to the following events taking place at the premises.

Date	Event	Sound File	Subjective assessment of recordings
28/2/15	• 18 th Birthday	SE004 –	1. No music heard

	Party held in the White Room	SE010 (7 separate recordings between 22:39 – 23:28)	<p>2. Some shouting/ screaming/crying heard from outside- female Faint voices detectable in distance Faint bass beat heard, otherwise very quiet</p> <p>3. Faint people noise heard in distance</p> <p>4. Coughing, very quiet, virtually nothing audible</p> <p>5. Coughing, very quiet, virtually nothing audible</p> <p>6. Coughing, motion noise close to microphone, male voice</p> <p>7. Very quiet, virtually nothing audible</p>
6/3/15	<ul style="list-style-type: none"> • Wedding Reception held in the White Room • Singers & Drummers Concert 	SE011(19:25)	Male voice talking- quiet, in another room. Talking about noise levels, conversation interspersed with swearing Possible faint TV sound in background
10/3/15	<ul style="list-style-type: none"> • Zumba Class 	SE012 (20:47)	Coughing TV noise- quiet Conversation between male and female in house Movement close to microphone
13/3/15	<ul style="list-style-type: none"> • Rehearsal for Over Girl Guides Show 	SE013 (19:48) & SE014 (19:50)	TV heard faint in background Pull chord type light switch, shortly followed by WC flush Kettle being filled, then sound of it heating up Breathing and movement close to microphone

14. Of the activities taking place it is the view of the Licensing Officer that none were licensable due to the type of activity taking place i.e. a dance class or were a specific exemption such as rehearsals or time periods covered by the provisions of the Live Music Act (**APPENDIX F**) (S.182 Guidance ch 15 on).
15. These findings were discussed fully with Mr Christian at a meeting held at the council offices on 17 April 2015 and a summary letter was sent by Mr Bebbington on 23 April 2015 (**Appendix G**).
16. Mr Christian has continued to disagree with the Officers findings and has lodged further complaints, detailed in paragraph 21 of this report.
17. On the 3 June 2015 Mr Christian requested that the existing premises licence be reviewed (**Appendix A**) due to alleged ongoing breach of conditions and noise emanating from the premises. Mr Christian's statement in support of the application is

detailed below:

*“Dear Review Board I am requesting you to look and review the licence of the named premises because conditions of the licence are not being upheld. On July 21st 2014 I Douglas Christian raised a complaint with South Cambridgeshire District Council regarding excessive noise coming from the Over Community Centre. It was in October when the council decided to investigate after police reports made to Cambridge police Environmental Health Officers installed sound equipment in my property in November 2014 for a period of three weeks the highest reading was 65dbs and interpreted as an interference. On January 17th The Environmental Health Team adjusted the sound limiter in the community centre to reduce the volume level with instruction to the licensee not to use maximum base tone volume this has been ignored. I have proceeded with the councils complaint procedure and addressed the complaint with the Government Ombudsman Office of which is in the process of being authorised for a investigation into the conduct of the councils actions
I Douglas Christian am not employed my wife was diagnosed with dementia and became fully incontinent in September 2014 the council are fully aware of this my wife’s sleep patterns are all over the place and she needs constant attention I have to sleep and rest when I can and when she is in bed its my private rest time but not when you have noise pounding into your house all I want is peace and quiet in my own home of which we are entitled.”*

18. Whilst it is the view of the Licensing Officer (Mr Bebbington) that no sufficient breach of the legislation or any conditions attached have taken place, the appeal has been granted on 15 June 2015 to allow all sides to present any evidence that may not have previously been available and to act in full accordance with Government guidance which states:-
 - a. *“It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.”*
19. In view of this review, appropriate notices were displayed at the premises; responsible authorities were notified in accordance with legislative procedures inviting representations either for or against the licence to be received by the licensing section no later than the 14 July 2015.
20. Representations (**copied in full at Appendix H**) have been received from the following :-
 - a. Environmental Health
 - b. Licensing Officer
 - c. The Over Players
 - d. Over Day Centre
 - e. 7 Residents living in the vicinity of the premises
 - f. Over Community Centre
 - g. Mr Christian

Summary of Evidence/representations (full details included at Appendix H)

21. Mr Christian has provided further detailed evidence in support of his call for a review, this briefly comprises :
- Covering letter and itemised list of documents to be used in evidence
 - Licence Review Complaint Summary: Details of his tenancy and the history of the complaints about noise, sound limiter reset, reference to reports to police since 21 January 2015, concerns regarding conflicts of interest, comments on licence conditions and sound levels, and a closing statement.
 - E-mails detailing issues of noise since the limiter was set (these have been cross-referenced with the Community Centre Bookings (**Appendix I**) and highlighted in **bold italics**. They include the Puddleduck's sports day, Zumba class, carnival committee fundraiser, Over sports end of season party and a charity fundraiser 80's evening.
 - Compiled report, including Letter from Russell Watkins dated 19 January 2015, confirming his visit to set the limiter and a summary of facts from the meeting with Myles Bebbington at South Cambridgeshire Hall on 17 April 2015.
 - Police reports made since limiter reset in January 2015, (these have been cross-referenced with the Community Centre Bookings (**Appendix I**) and include charity fundraiser 80's evening, Over Sports end of season party (2 calls), football session on the all-weather pitch and a 30th birthday party.
 - File note of Claire Whiteman, Housing Officer, relating to a tenancy visit made to Mr Douglas Christian after he visited the Over Community Centre.
 - Map of the area showing the location of the Community Centre and 33 The Doles.
 - Two witness statements obtained by Mr Christian
 - Noise guidance document, containing numerous cut and paste references from the internet.
 - Public protection document, an advice note prepared by Central Bedfordshire for organisers of large events.
 - Proposed actions for sub-committee, suggesting controls that might reduce the impact of noise.
22. Over Community Centre have outlined the management controls and measures implemented in promotion of the licensing objective to prevent public nuisance and supplied a list of events which have been held at the venue since April 2014 or are booked to take place over the coming months. Briefly the measures include:
- a. Schedule of service requirements and terms and conditions of the hire signed upon booking requiring that
 - i. The Hirer shall ensure that the minimum of noise is made on arrival and departure
 - ii. Noise control equipment is operational within the hall. Instructions regarding use must be adhered to. Non compliance will result in a power cut off.
 - b. A notice permanently situated by the front door asking customers to leave the premises quietly to avoid disturbing local residents.
 - c. The main hall has been fitted with a sound monitor for the past 14 years. The equipment monitors sound levels and cuts the power when sound levels are too high for the pre-set levels. This level was reduced in February 2015 following consultation with officers of South Cambridgeshire District Council and agreement of all parties.
 - d. Staffing – the Duty Manager is present at each event to monitor the front doors and periodically check the perimeter of the site to assess the noise

levels. Additionally the front doors are monitored by CCTV and can be viewed by staff in the bar. For some events SIA approved door supervisors are employed.

23. The Environmental Health Officer concludes “recordings taken in February/March 2015” at Mr Christian’s home “appear to demonstrate the volume of music has been reduced to a level that was virtually inaudible.” And “considering these recordings there is no evidence to substantiate the allegations that the management of the community centre are acting in a manner that is contrary to the licensing objective of preventing public nuisance when live or recorded music is played at the premises”. A chronology of complaints and actions taken by Environmental Health is attached at **Appendix J**.
24. Seven residents living in the vicinity of the premises have made representations in support of the community centre:
- a. The Over Players (an amateur dramatic society) purport that they are “mindful” of volume levels during performances, particularly relating to music” and stress that the “Management Committee acts as a good neighbour with surrounding residents” and has done so “since 1999”.
 - b. Over Day Centre affirms the use of equipment to monitor noise levels during events at the centre and that they have not noticed any unacceptable noise from people leaving these events. Neither have they received any complaints themselves.
 - c. Mr Brian Smith, a local resident states “I support the centre as much as possible and have never yet found it to be a public nuisance. The staff are very approachable and are always alert to the effects that noise might have on their closest neighbour to the point of taking events inside the building if they think it might cause offence.
 - d. Ms Amie Baker, a local resident confirms “there is no juke box in the community centre. They always keep all the doors shut to prevent noise. The staff will always crack down on any nuisance behaviour although I have only ever seen children being a little naughty.”
 - e. Mr Rob Bevington, a local resident emphasised that “The community centre does everything it can to limit the noise emanating from the various functions that it supports. This is in the form of being strict in turning music off promptly at the end of the night in line with its licensing agreement. Staff (and visitors) closing exit doors and internal doors if inadvertently left open. Functions never go on later than allowed”
 - f. Ms Samantha Nicholson another local resident agrees “external doors closed, staff asking customers to keep the noise down when leaving the premises and respect others”
 - g. Mr Brown, a local resident lives directly adjacent to the Community Centre and is Mr Christian’s neighbour, he believes that “the licence granted does not result in any public nuisance, neither from the centre activities nor from the people using it”. He adds, “music is never unreasonably loud and events always finish at a reasonable time and in our view, the licence is treated responsibly”.
 - h. Mr & Mrs Blanchflower, who live in the vicinity, affirm that “we (very occasionally) hear activity from the Centre, it is never unreasonably loud and always ends at a reasonable time.” It is their view that “OCC manage the facility and their licence considerably and responsibly.”
 - i. Ms Peck, who lives in the vicinity, simply states “I live in the area of the community centre and I haven’t experienced any antisocial behaviour or noise that is too excessive”.

Licensing Act information relevant to this hearing

25. The Licensing Act 2003 came into force on the 25 November 2005 amalgamating a number of previous pieces of legislation administered by the Magistrates Courts and Local Authorities There are 4 key objectives which all representations and decisions must relate to, these 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.
26. The Act brought together licensing the sale of alcohol and regulated entertainment all to be administered and enforced by Local Authorities Within the original piece of legislation. Licensable activities are defined as :-
- a. the sale by retail of alcohol;
 - b. the supply of alcohol by or on behalf of a club to, or to the order of, a member of
 - c. the club;
 - d. the provision of regulated entertainment; and
 - e. the provision of late night refreshment.
27. To be licensable, one or more of these activities needs to be provided for the purpose (at least partly) of entertaining an audience; has to be held on premises made available for the purpose of enabling that activity; and must also either:
- a. take place in the presence of a public audience, or
 - b. where that activity takes place in private, be the subject of a charge made with a view to profit
28. There are a number of exemptions that mean that a licence (or other authorisation) under the 2003 Act is not required. the following activities are examples of entertainment which are not licensable:
- a. activities which involve participation as acts of worship in a religious context;
 - b. education – teaching students to perform music or to dance;
 - c. the rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;
 - d. Morris dancing (or similar)
 - e. Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity;
 - f. Incidental film – an exhibition of moving pictures if it is incidental to some other activity;
 - g. A spontaneous performance of music, singing or dancing;
 - h. Garden fetes – or similar if not being promoted or held for purposes of private gain;
 - i. Television or radio broadcasts – as long as the programme is live and simultaneous;
 - j. Games played in pubs, youth clubs etc. (e.g. pool, darts and table tennis);
 - k. Stand-up comedy; and
 - l. Provision of entertainment facilities (e.g. dance floors)
29. As a result of deregulatory changes that have amended the 2003 Act since its inception, no licence is required for the following activities:

- **Plays:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - **Dance:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500 .
 - **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser
 - (a) gets consent to the screening from a person who is responsible for the premises; and
 - (b) ensures that each such screening abides by age classification ratings.
 - **Indoor sporting events:** no licence is required for an event between 08.00 and 23.00 on any day, provided that those present do not exceed 1000.
 - **Boxing or wrestling entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- m. **Live music:** no licence permission is required for a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - n. **a performance of amplified live music** between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o. **a performance of amplified live music** between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - p. **Recorded Music:** no licence permission is required for any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - q. any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - r. Events held in private are not licensable unless those attending are charged for the entertainment with a view to making a profit (including raising money for charity). For example, where a party is held for friends in a private dwelling featuring amplified live music, if a charge or contribution is made solely to cover the costs of the entertainment, the activity is not regulated entertainment. Similarly, any charge made to the organiser of a private event by musicians, other performers, or their agents does not of itself make that entertainment licensable – it would only do so if the guests attending were themselves charged by the organiser for that entertainment with a view to achieving a profit. The fact that this might inadvertently result in the organiser making a profit would be irrelevant, as long as there had not been an intention to make a profit.
 - s. Schedule 1 to the 2003 Act also makes it clear that before entertainment is regarded as being provided for consideration, a charge has to be:

- t. made by or on behalf of a person concerned with the organisation or management of the entertainment; and
- u. paid by or on behalf of some or all of the persons for whom the entertainment is provided.

Considerations

- 30. The Licensing Act 2003, places a general duty on the Licensing Authority to arrange a hearing where it receives an application for review by an interested party.
- 31. The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives. Including:-
 - a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time.
 - modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
- 32. The Sub-Committee is reminded that Licensing Authorities do not have the power to judge the decision of any other process such as an Environmental Health decision, the Corporate complaints procedure or an Ombudsman decision.

Options

- 33. When determining the application the Sub-Committee is reminded that each case presented to the Sub-committee must be considered on its individual merits. Where action is deemed *appropriate and proportionate* for the promotion of the Licensing objectives, the sub-committee may take any of the following steps:
 - (a) The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives
 - (b) to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - (c) to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing or recorded music (where it is not within the incidental live and recorded music exemption);
 - (d) to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - (e) to suspend the licence for a period not exceeding three months;
 - (f) to revoke the licence.

Implications

34. Financial	N/A
Legal	Both parties will have a right of appeal to a magistrates court within 21 days beginning with the day on which the appellant is notified of any decision made by the Licensing Sub-Committee
Staffing	N/A
Risk Management	N/A
Equality and Diversity	N/A
Equality Impact Assessment completed	No This hearing is by way of a specific appeal and does not affect any policy adopted by SCDC
Climate Change	N/A

Conclusions / Summary

35. The application before the Sub-Committee is for the review of premises licence number SCDCPL0230 currently in place at the Over Community Centre, The Doles, Over.
36. Mr Christian as an interested party has applied for a review, as in his opinion the premises breach both the Licensing Act 2003 and conditions imposed upon them by virtue of the Act.
37. The Sub-Committee must deliver their decision with the Licensing Objectives in mind contained within S.4 of the Act within 5 working days of the hearing.
38. In accordance with guidance, the Sub-Committee should give comprehensive reasons for the decisions made in anticipation of any appeals to the Courts. Failure to give adequate reasons for decisions made in determining the review may in itself give rise to grounds for an appeal.

Background Papers: the following background papers were used in the preparation of this report:

Licensing Act 2003
Amended Guidance Issued under S.182 of the Licensing Act 2003
South Cambridgeshire District Council Licensing Policy

Contact Officer:

Susan Walford, Operational Manager Environmental Health & Licensing. Ext 3124.

Mr Douglas Christian
Mrs Margaret Christian
33, The Doles
Over
Cambridge
CB245NW

Date 30th May 2015

Dear Sir or Madam

I have been requested by The Licensing Section of South Cambridgeshire District Council to submit this Application Licence Review Application in connection to review the licence conditions of The Over Community Centre in Over Cambridge CB24 5NW

This request has been requested because you are named as a Responsible Authority please find enclosed Licence Review Application

Regards

Mr D Christian [Carer] Tenant & Resident

Mrs Margaret Christian Tenant & Resident receiving care [Dementia]

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application for the review of a premises licence or club premises certificate under the
Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure
that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I Mr Douglas Raymond Christian

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club
premises certificate under section 87 of the Licensing Act 2003 for the premises described in
Part 1 below (delete as applicable)

Part 1 - Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Doles	
Post town Over, Cambridge	Post code (if known) CB245NW
Name of premises licence holder or club holding club premises certificate (if know Mr Sean Antony Baker / Over Community Centre / SCDCPLO230	
Number of premises licence or club premises certificate (if known) Licence No PA0395	

Part 2 - Applicant details

I am Council Tenant / Resident

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

Douglas Raymond

First names

Christian

I am 18 years old or over

Please tick ✓ yes

Current postal
address if
different from
premises
address

33, The Doles

Post town

Over, Cambridge

Post Code

CB24 5NW

Daytime contact telephone number

01954 202366

E-mail address
(optional)

DOUGANDMAGS@HOTMAIL.CO.UK

(B) DETAILS OF OTHER APPLICANT

Name and address

Mrs Margaret Christian

Telephone number (if any)

01954 202366

E-mail address (optional)

Please tick <input checked="" type="checkbox"/> yes									
Have you made an application for review relating to the premises before	<input type="checkbox"/> <i>we</i>								
If yes please state the date of that application	Day Month Year <table border="1"><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table>								

If you have made representations before relating to the premises please state what they were and when you made them

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address /South cambridgeshire District Council Environmental Health Carnbourne Business Park, Carnbourne, Cambridgeshire, CB23 6EA	
Telephone number (if any)	03450 450 500
E-mail address (optional)	WWW.SCAMES.GOV.UK

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

Please state the ground(s) for review (please read guidance note 2)
Breach Of Licence/ Public Disturbance/

The Breach of licence relates to Paragraph 3 Heading Windows And Door.s on the premises licence. When events are being held the doors are being left open this is a breach of the licence condition of which warning letters have been issued by South Cambridgeshire County Council of which are being ignored by the licenced premises

Public Disturbance relates to music still being played above the sound limiter level because music is played in a room with no sound limiter Installed so sound levels are not controlled this causing excessive disturbance and when request are made to reduce the noise, request are ignored. sound reduction can only be requested by an Environmental Health Officer of which no officer is available outside of council office hours so we have to tollarate the noise from 7.30pm until midnight

DR Christian - Mrs McChristian

Please provide as much information as possible to support the application (please read guidance note 3)

Dear Review Board I am requesting you to look and review the licence of the named premises because conditions of the licence are not being upheld
On July 21st 2014 I Douglas Christian raised a complaint with South Cambridgeshire District Council regarding excessive noise coming from the Over Community Centre it was in October when the council decided to investigate after police reports made to Cambridge police Environmental Health Officers installed sound equipment in my property in November 2014 for a period of three weeks the highest reading was 65dbs and interpreted as an interference On January 17th The Environmental Health Team adjusted the sound limiter in the community centre to reduce the volume level with instruction to the licensee not to use maximum base tone volume this has been ignored I have proceeded with the councils complaint Procedure and addressed the complaint with the Government Ombudsman Office of which is in the process of being Authorised for a investigation into the conduct of the councils actions

I Douglas Christian am not employed my wife was diagnosed with Dementia and became fully incontinent in September 2014 the council are fully aware of this my wifes sleep patterns are all over the place and she needs constant attention I have to sleep and rest when I can and when she is in bed its my private rest time but not when you have noise pounding into your house all I want is peace and quite in my own home of which we are entitled

DR Christian

Mrs. M.E. Ehrsticker

This licence is issued by :- South Cambridgeshire District Council, Cambourne Business Park, Cambourne, Cambridgeshire, CB23 6EA. Contact t: 03450 450 500 f: 01954 713149 e: scdc@scambs.gov.uk dx: 729500 Cambridge 15 www.scambs.gov.uk

Licensing Act 2003

Premises Licence

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Over Community Association

The Doles, Over, Cambridge, CB24 5NW.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Commences **05/01/15**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
B. Exhibition of films (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
C. Indoor sporting event	Monday to Sunday	Noon	10:30pm
	Sunday	Noon	10:00pm
E. Performance of live music (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
F. Playing of recorded music (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
G. Performance of dance (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	12:30am



This licence is issued by :- South Cambridgeshire District Council, Cambourne Business Park, Cambourne, Cambridgeshire, CB23 6EA. Contact t: 03450 450 500 f: 01954 713149 e: scdc@scambs.gov.uk dx: 729500 Cambridge 15 www.scambs.gov.uk

Licensing Act 2003

Premises Licence

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES (continued)

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...	New Years Eve	9:00am	1:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted	Midnight	Midnight

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Sean Antony Baker 9 James Wadsworth Close, Over, Cambridge, CB24 5AA.

REGISTERED NUMBER OF HOLDER FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Sean Antony BAKER 9 James Wadsworth Close, Over, Cambridge, CB24 5AA.

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES FOR THE SUPPLY OF ALCOHOL

Licence No. PA0395 Issued by South Cambridgeshire

ANNEX

MANDATORY CONDITIONS

NO SUPPLY OF ALCOHOL MAY BE MADE AT A TIME WHEN THERE IS NO DESIGNATED PREMISES SUPERVISOR IN RESPECT OF THE PREMISES LICENCE OR:
 AT A TIME WHEN THE DESIGNATED PREMISES SUPERVISOR DOES NOT HOLD A PERSONAL LICENCE OR HIS/HER PERSONAL LICENCE IS SUSPENDED.

EVERY SUPPLY OF ALCOHOL UNDER THE PREMISES LICENCE MUST BE MADE OR AUTHORIZED BY A PERSON WHO HOLDS A PERSONAL LICENCE.

Licensing Act 2003

Premises Licence

ANNEXES continued

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE OR AGREED WITH A RESPONSIBLE AUTHORITY

1. ALL EVENTS WHERE ALCOHOL IS BEING SOLD OR SUPPLIED WILL BE PREBOOKED EVENTS.
2. AT SUCH EVENTS NO NEW PATRONS WILL BE PERMITTED INTO THE PREMISES AFTER 23.00 WITHOUT EXPRESS PERMISSION FROM THE LICENCE HOLDER OR NOMINATED REPRESENTATIVE
3. REGULATED ENTERTAINMENT EVENTS SHALL BE LIMITED TO NO MORE THAN 6 (SIX) EVENTS PER CALENDAR MONTH
4. AN EXTERNAL NOTICE BOARD SHALL BE PROVIDED AT THE ROAD ENTRANCE TO THE PREMISES. DETAILS OF FORTHCOMING EVENTS SHALL BE DISPLAYED AT LEAST TWO WEEKS AHEAD, INCLUDING THE START AND FINISH TIMES. THE NOTICES SHALL BE PROTECTED FROM DAMAGE OR DEFACEMENT.
3. WINDOWS AND DOORS SHALL BE KEPT CLOSED DURING REGULATED ENTERTAINMENT EVENTS EXCEPT FOR ACCESS TO AND EGRESS FROM THE ROOM WHERE THE ACTIVITY IS TAKING PLACE
4. MAIN DOORS SHALL BE STEWARDED DURING REGULATED ENTERTAINMENT EVENTS
5. NOTICES SHALL BE DISPLAYED AT THE MAIN EXITS ADVISING PATRONS TO LEAVE AS QUIETLY AS POSSIBLE SO AS TO NOT DISTURB LOCAL RESIDENTS
6. FOR EVENTS WHERE CAR PARKING IS LIKELY TO BE FULLY UTILISED, STEWARDS SHALL ENSURE THAT THE OVERFLOW PARKING AREA IS USED BEFORE THE NORMAL PARKING AREA SO AS TO MINIMISE THE NEED FOR PATRONS TO PARK IN NEARBY STREETS.
- 7 SOUND LEVELS SHALL BE REDUCED IMMEDIATELY AT THE REQUEST OF AN ENVIRONMENTAL HEALTH OFFICER IF, IN HIS OPINION THIS IS NECESSARY TO PREVENT DISTURBANCE TO NEARBY RESIDENTS.



This licence is issued by :- South Cambridgeshire District Council, Cambourne Business Park, Cambourne, Cambridgeshire, CB23 6EA. Contact t: 03450 450 500 f: 01954 713149 e: scdc@scambs.gov.uk dx: 729500 Cambridge 15 www.scambs.gov.uk

Licensing Act 2003

Premises Licence

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Licensing Act 2003

Premises Licence Summary

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Over Community Association

The Doles, Over, Cambridge, CB24 5NW.

WHERE THE LICENCE IS/ARE LIMITED THE DATES

Commences **05/01/15**

Fee due date **04/01/16**

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
B. Exhibition of films (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
C. Indoor sporting event	Monday to Sunday	Noon	10:30pm
	Sunday	Noon	10:00pm
E. Performance of live music (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
F. Playing of recorded music (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
G. Performance of dance (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am



This licence is issued by :- South Cambridgeshire District Council, Cambourne Business Park, Cambourne, Cambridgeshire, CB23 6EA. Contact t: 03450 450 500 f: 01954 713149 e: scdc@scambs.gov.uk dx: 729500 Cambridge 15 www.scambs.gov.uk

Licensing Act 2003

Premises Licence Summary

THE PREMISES LICENCE AUTHORISES THE FOLLOWING ACTIVITIES (WHETHER ON OR OFF THE PREMISES) (WHETHER CONTINUOUS OR INTERMITTENT)

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	9:00am	12:30am
	New Years Eve	9:00am	1:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Unrestricted	Midnight	Midnight

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Sean Antony Baker 9 James Wadsworth Close, Over, Cambridge, CB24 5AA.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORIZES THE SUPPLY OF ALCOHOL

Sean Antony BAKER

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

NONE

ADDITIONAL CONDITIONS ATTACHED TO THE ISSUE OF

Premises Licence No. SCDCPL0230

Over Community Association

Commences 05/01/2015

Expires 04/01/2016

MANDATORY CONDITIONS

NO SUPPLY OF ALCOHOL MAY BE MADE AT A TIME WHEN THERE IS NO DESIGNATED PREMISES SUPERVISOR IN RESPECT OF THE PREMISES LICENCE OR:
AT A TIME WHEN THE DESIGNATED PREMISES SUPERVISOR DOES NOT HOLD A PERSONAL LICENCE OR HIS/HER PERSONAL LICENCE IS SUSPENDED.

EVERY SUPPLY OF ALCOHOL UNDER THE PREMISES LICENCE MUST BE MADE OR AUTHORISED BY A PERSON WHO HOLDS A PERSONAL LICENCE.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE OR AGREED WITH A RESPONSIBLE AUTHORITY

1. ALL EVENTS WHERE ALCOHOL IS BEING SOLD OR SUPPLIED WILL BE PREBOOKED EVENTS.
2. AT SUCH EVENTS NO NEW PATRONS WILL BE PERMITTED INTO THE PREMISES AFTER 23.00 WITHOUT EXPRESS PERMISSION FROM THE LICENCE HOLDER OR NOMINATED REPRESENTATIVE
3. REGULATED ENTERTAINMENT EVENTS SHALL BE LIMITED TO NO MORE THAN 6 (SIX) EVENTS PER CALENDAR MONTH
4. AN EXTERNAL NOTICE BOARD SHALL BE PROVIDED AT THE ROAD ENTRANCE TO THE PREMISES. DETAILS OF FORTHCOMING EVENTS SHALL BE DISPLAYED AT LEAST TWO WEEKS AHEAD, INCLUDING THE START AND FINISH TIMES. THE NOTICES SHALL BE PROTECTED FROM DAMAGE OR DEFACEMENT.
3. WINDOWS AND DOORS SHALL BE KEPT CLOSED DURING REGULATED ENTERTAINMENT EVENTS EXCEPT FOR ACCESS TO AND EGRESS FROM THE ROOM WHERE THE ACTIVITY IS TAKING PLACE
4. MAIN DOORS SHALL BE STEWARDED DURING REGULATED ENTERTAINMENT EVENTS
5. NOTICES SHALL BE DISPLAYED AT THE MAIN EXITS ADVISING PATRONS TO LEAVE AS QUIETLY AS POSSIBLE SO AS TO NOT DISTURB LOCAL RESIDENTS

ADDITIONAL CONDITIONS ATTACHED TO THE ISSUE OF

Premises Licence No. SDCPL0230

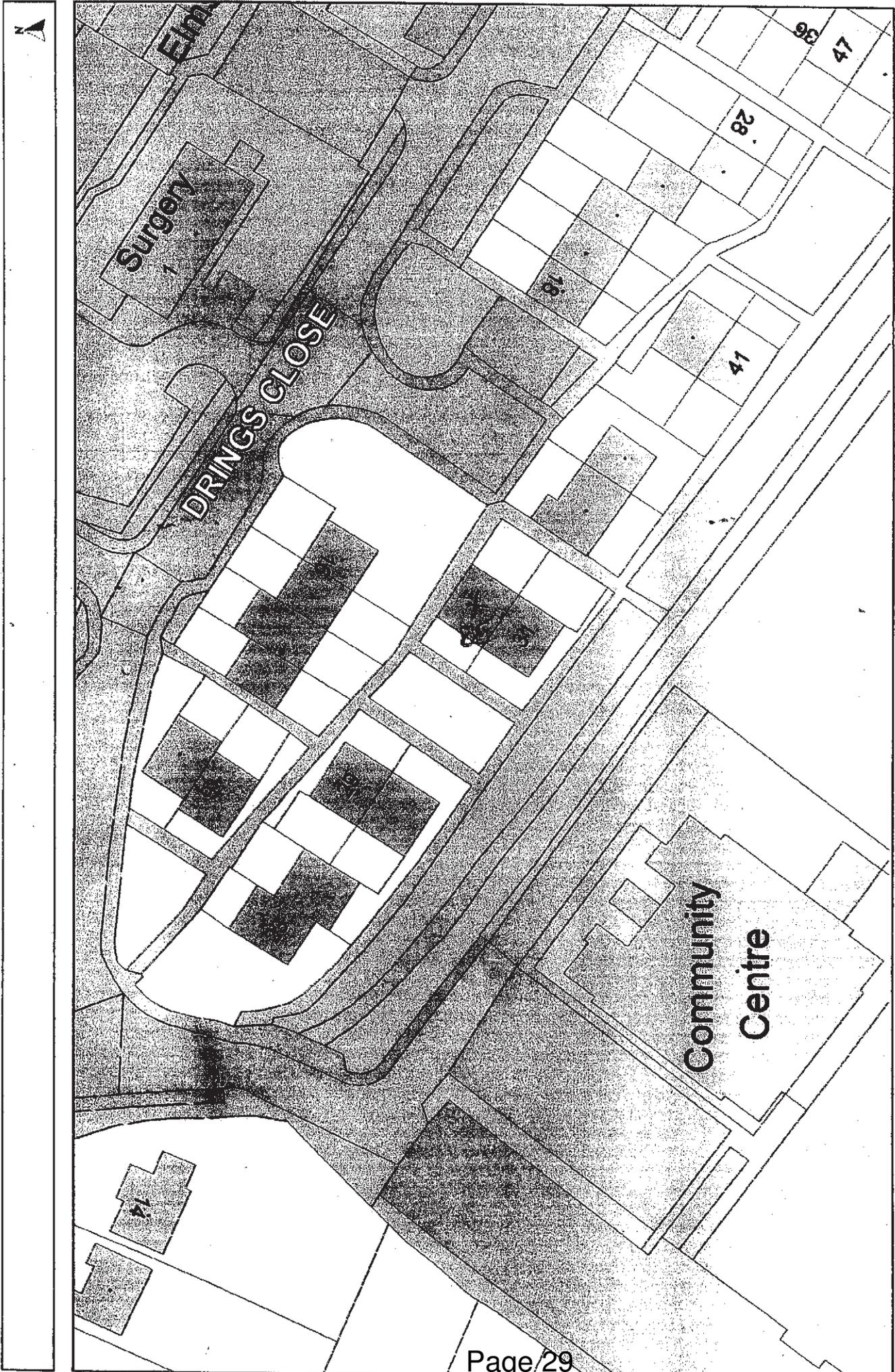
Over Community Association

Commences **05/01/2015**

Expires **04/01/2016**

6. FOR EVENTS WHERE CAR PARKING IS LIKELY TO BE FULLY UTILISED, STEWARDS SHALL ENSURE THAT THE OVERFLOW PARKING AREA IS USED BEFORE THE NORMAL PARKING AREA SO AS TO MINIMISE THE NEED FOR PATRONS TO PARK IN NEARBY STREETS.

7 SOUND LEVELS SHALL BE REDUCED IMMEDIATELY AT THE REQUEST OF AN ENVIRONMENTAL HEALTH OFFICER IF, IN HIS OPINION THIS IS NECESSARY TO PREVENT DISTURBANCE TO NEARBY RESIDENTS.



Scale 1/455

Date 17/4/2015

Centre = 537232 E 270409 N

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From: GEN@SCDC.ngcc.bt.com [mailto:GEN@SCDC.ngcc.bt.com]
Sent: 26 November 2013 16:42
To: Duty Housing
Subject: Douglas Christian 33 The Doles Over Cambridge CB24 5NW

Hi

Douglas Christian 33 The Doles Over Cambridge CB24 5NW 07908235998 has asked for a call back from Gail Cooke please regarding the noise from the community centre at night, he said he had to go over there at 10.30 on Sunday and ask them to turn it down.

He had his tele at 75% and still could not hear it. He thinks he should have been made aware of the community centre when he was showed round and wants to discuss this please

Thank You

Christine

This page is left blank intentionally.

Sound file No	Date	Start time of recording	Event	Subjective assessment of audio recordings
SE001	Tues 17/2/15			Russell Watkins set up statement
SE002	Tues 17/2/15			RW 2 nd check
SE003	Tues 17/2/15			RW 3 rd check
SE004	Sat 28/2/15	2239	Wedding Reception	Occasional faint talking heard in property- male voice No music heard Very quiet No other noise sources in property heard e.g. tv/radio
SE005	Sat 28/2/15	2247		Some shouting/screaming/crying heard from outside- female Some faint voices detectable in distance Faint base beat heard Otherwise very quiet No other noise sources in property heard e.g. tv/radio
SE006	Sat 28/2/15	2255		Faint people noise heard in distance Noise of motion of person in house detected
SE007	Sat 28/2/15	2301		Coughing Noise of motion of person in house detected Otherwise very quiet, virtually nothing audible
SE008	Sat 28/2/15	2306		Coughing Noise of motion of person in house detected Otherwise very quiet, virtually nothing audible
SE009	Sat 28/2/15	2321		Coughing Noise of motion of person in house detected

SE010	Sat 28/2/15	2328			Movement close to microphone "Fuck off" - male voice
SE011	Fri 6/3/15	1925	Over community drummers & choir practice		Noise of motion of person in house detected Otherwise very quiet, virtually nothing audible Noise of motion of person in house detected Male voice talking- quiet, in another room. Talking about noise levels, conversation interspersed with swearing and has a threatening tone. Possible faint TV sound in background
SE012	Tues 10/3/15	2047	Zumba class		Coughing TV noise- quiet Conversation between male and female in house Movement close to microphone
SE013	Fri 13/3/15	1948	Over Girl Guides rehearsal		Collision with equipment- recording cut short
SE014	Fri 13/3/15	1950			TV heard faint in background Pull chord type light switch, shortly followed by WC flush Kettle being filled, then sound of it heating up Breathing and movement close to microphone

15. Regulated entertainment

Types of regulated entertainment

15.1 Schedule 1 to the 2003 Act sets out what activities are regarded as the provision of regulated entertainment and when they are licensable and those activities which are not and therefore exempt from the regulated entertainment regime. Changes to regulated entertainment are due to take effect on 6 April 2015. Therefore, up until that date you should refer to chapter 15 of the guidance published in October 2014.

15.2 The descriptions of entertainment activities licensable under the 2003 Act are:

- a performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- a boxing or wrestling entertainment;
- a performance of live music;
- any playing of recorded music;
- a performance of dance; and
- entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance.

15.3 To be licensable, one or more of these activities needs to be provided for the purpose (at least partly) of entertaining an audience; has to be held on premises made available for the purpose of enabling that activity; and must also either:

- take place in the presence of a public audience, or
- where that activity takes place in private, be the subject of a charge made with a view to profit.

15.4 Guidance around what constitutes audiences and private events is at paragraphs 15.11-15.14.

Overview of circumstances in which entertainment activities are not licensable

15.5 There are a number of exemptions that mean that a licence (or other authorisation¹⁵) under the 2003 Act is not required. This Guidance cannot give examples of every eventuality or possible entertainment activity that is not licensable. However, the following activities are examples of entertainment which are not licensable:

- activities which involve participation as acts of worship in a religious context;
- activities in places of public religious worship;
- education – teaching students to perform music or to dance;
- the demonstration of a product – for example, a guitar – in a music shop;
- the rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;
- Morris dancing (or similar)¹⁶;
- Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity;
- Incidental film – an exhibition of moving pictures if it is incidental to some other activity;
- A spontaneous performance of music, singing or dancing;
- Garden fetes – or similar if not being promoted or held for purposes of private gain;
- Films for advertisement, information, education or in museums or art galleries;
- Television or radio broadcasts – as long as the programme is live and simultaneous;

- Vehicles in motion – at a time when the vehicle is not permanently or temporarily parked;
- Games played in pubs, youth clubs etc. (e.g. pool, darts and table tennis);
- Stand-up comedy; and
- Provision of entertainment facilities (e.g. dance floors)

15.6 As a result of deregulatory changes that have amended the 2003 Act²⁰, no licence is required for the following activities:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser
 - (a) gets consent to the screening from a person who is responsible for the premises; and
 - (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for an event between 08.00 and 23.00 on any day, provided that those present do not exceed 1000.
- Boxing or wrestling entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000

Live music: no licence permission is required for:

- A performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- A performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500²².
- A performance of amplified live music between 08.00 and 23.00 on any day, in a workplace²³ that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- A performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- A performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500²⁴.

- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days

15.7 The deregulatory changes mean that, for example, an indoor sporting event that takes place between 07.00 and 23.30 on a particular day is licensable in respect of activities taking place between 07.00-08.00 and 23.00-23.30. Similarly, where the audience for a performance of dance fluctuates, those activities are licensable if, and for so long as, the number of people in the audience exceeds 500. If organisers are uncertain as to audience sizes or if audience migration is likely, it might be easier and more flexible to secure an appropriate authorisation. Examples of where a Temporary Event Notice (TEN) could still be required include if the activity is the playing of recorded music or the exhibition of a film that requires an authorisation; or if the entertainment is not authorised by an existing licence or certificate and its conditions.

15.8 Of course, anyone involved in the organisation or provision of entertainment activities – whether or not any such activity is licensable under the 2003 Act – must comply with any applicable duties that may be imposed by other legislation relevant to the event (e.g. in areas such as crime and disorder, fire, health and safety, noise, nuisance and planning)

Any such person should take steps to be aware of relevant best practice, and may find responsible authorities a useful source of expert support and advice.

An authorisation for regulated entertainment is always required for entertainment activities that take place before 08.00 or after 23.00, unless exempted under any other provision of the 2003 Act, as amended.

Audience

- 15.11 For the purposes of regulated entertainment, the term “audience” refers to any person for whose entertainment (at least in part) any licensable activities are provided. An audience member need not be, or want to be, entertained: what matters is that an audience is present³⁰ and that the purpose of the licensable activity is (at least in part) intended to entertain any person present. The audience will not include performers, together with any person who contributes technical skills in substantial support of a performer (for example, a sound engineer or stage technician), during any associated activities. This includes setting up before the entertainment, reasonable breaks (including intervals) between activities and packing up thereafter. Similarly, security staff and bar workers will not form part of the audience while undertaking their duties.
- 15.12 More than one entertainment activity (or for a single activity, more than one performance or event) can be held concurrently, provided that the audience for each such performance or event does not exceed the threshold at which such a performance or event becomes licensable. In some circumstances, there will be a clear distinction between performances or events; for example, their taking place in separate rooms or on separate floors. However, organisers will have to ensure that audiences do not grow or migrate, so that the audience exceeds the relevant limit for any one performance or event at any time. If there is the possibility of audience migration, it might be easier and more flexible to secure an appropriate authorisation.

Private events

- 15.13 Events held in private are not licensable unless those attending are charged for the entertainment with a view to making a profit (including raising money for charity). For example, where a party is held for friends in a private dwelling featuring amplified live music, if a charge or contribution is made solely to cover the costs of the entertainment, the activity is not regulated entertainment. Similarly, any charge made to the organiser of a private event by musicians, other performers, or their agents does not of itself make that entertainment licensable – it would only do so if the guests attending were themselves charged by the organiser for that entertainment with a view to achieving a profit. The fact that this might inadvertently result in the organiser making a profit would be irrelevant, as long as there had not been an intention to make a profit.
- 15.14 Schedule 1 to the 2003 Act also makes it clear that before entertainment is regarded as being provided for consideration, a charge has to be:
- made by or on behalf of a person concerned with the organisation or management of the entertainment; and
 - paid by or on behalf of some or all of the persons for whom the entertainment is provided.

Circumstances in which entertainment activities are no longer licensable

- 15.15 No licence is required for certain entertainment activities on specified premises, as follows:
- Local authorities, hospital healthcare providers and school proprietors:
cross-entertainment activity exemption
- 15.16 No licence is required for any entertainment provided by or on behalf of a local authority, health care provider, or school proprietor to the extent that it takes place on defined premises, between 08.00-23.00 on any day provided that:

- for entertainment provided by, or on behalf of, a local authority it takes place on premises in which that authority has a relevant property interest, or is in lawful occupation;
- for entertainment provided by, or on behalf of, a health care provider it takes place on any premises forming part of a hospital in which the provider has a relevant property interest, or is in lawful occupation; and
- for entertainment provided by, or on behalf of, a school proprietor it takes place on the premises of the school.

15.17 This Guidance cannot give examples of every eventuality where entertainment is not licensable under this exemption through being provided “by or on behalf of”. It will depend on the facts in each case. However, the following are examples of activities that are not usually considered to be licensable under this exemption:

- Any entertainment activity hosted by a local authority on their own premises, where there is a significant relationship between the local authority and the provider of the entertainment (e.g. principal and agent);
- Any entertainment activity organised on a local authority’s behalf on that local authority’s premises by a cultural trust in discharge of a local authority’s discretionary power to arrange entertainment provision and support for the arts, including festivals and celebrations.
- Any entertainment activity organised by a healthcare provider on their own hospital premises in partnership with a hospital charity;
- Any entertainment event on school premises organised by the Parent Teacher Association (PTA) to benefit the school.

15.18 It is for the local authority, health care provider or school proprietor to determine whether, and on what basis, they can (or wish) to provide entertainment activity under this exemption, including consideration of issues around fundraising, profit making, governance or use of public funds. However a pure hire of premises by a third party does not constitute the provision of an entertainment event “on behalf of” a local authority, healthcare provider, or school proprietor and nor does commercial entertainment which the local authority merely facilitates through providing a public space.

Live music

15.26 Live music is licensable:

- where a performance of live music – whether amplified or unamplified – takes place before 08.00 or after 23.00 on any day;
- where a performance of amplified live music does not take place either on relevant licensed premises, or at a workplace that is not licensed other than for the provision of late night refreshment;
- where a performance of amplified live music takes place at a time when the relevant licensed premises are not open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
- where a performance of amplified live music takes place at relevant licensed premises, or workplaces, in the presence of an audience of more than 500 people; or
- where a licensing authority intentionally removes the effect of the deregulation provided for by the 2003 Act when imposing a condition on a premises licence or club premises certificate as a result of a licence review

15.27 In any of the above circumstances, unless the performance of live music is appropriately authorised by a premises licence, club premises certificate or TEN,

allowing it to take place could lead to enforcement action and, where relevant, a review of the alcohol licence or certificate.

- 15.28 A public performance of live unamplified music that takes place between 08.00 and 23.00 on the same day no longer requires a licence under the 2003 Act in any location. An exception to this is where a specific condition related to live music is included following a review of the premises licence or club premises certificate in respect of relevant licensed premises.
- 15.29 As a result of the amendments to the 2003 Act, section 177 of the 2003 Act now only applies to performances of dance.

Key terms used in relation to live music

- 15.30 Under the live music provisions, “music” includes vocal or instrumental music or any combination of the two. “Live music” is a performance of live music in the presence of an audience which it is intended to entertain. While a performance of live music can include the playing of some recorded music, ‘live’ music requires that the performance does not consist entirely of the playing of recorded music without any additional (substantial and continual) creative contribution being made. So, for example, a drum machine or backing track being used to accompany a vocalist or a band would be part of the performance of amplified live music. The performance of a DJ who is merely playing tracks would not be classified as live music, but it might if he or she was performing a set which largely consisted of mixing recorded music in a live performance to create new sounds. There will inevitably be a degree of judgement as to whether a performance is live music (or recorded music) and organisers of events should check with their licensing authority if this consideration is relevant to whether the activity is authorised by a licence or certificate. In the event of a dispute about whether a performance is live music or not, it will be for the licensing authority initially and ultimately, for the courts to decide in the individual circumstances of any case.
- 15.31 A “workplace” is as defined in regulation 2(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 and is anywhere that is made available to any person as a place of work. It is a very wide term which can include outdoor spaces, as well as the means of entry and exit.
- 15.32 A “relevant licensed premises” for the purposes of this chapter is one which is authorised to sell or supply alcohol for consumption on the premises by a premises licence or club premises certificate. Premises cannot benefit from the deregulation introduced by the 2012 Act by virtue of holding an authorisation for the sale or supply of alcohol under a TEN.

Recorded music

- 15.33 No licence is required for recorded music where it takes place on premises which are authorised by a premises licence or club premises certificate to be used for the supply of alcohol for consumption on the premises. However, recorded music remains licensable:
- where the playing of recorded music takes place before 08.00 or after 23.00 on any day;
 - where the playing of recorded music takes place at a time when the relevant licensed premises are not open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;

- where the playing of recorded music takes place at relevant licensed premises in the presence of an audience of more than 500 people; and
- where a licensing authority intentionally removes the effect of the deregulation provided for by the 2003 Act (as amended).

Plays and dance

- 15.34 No licence is required for a performance of a play or dance to the extent that certain qualifying conditions are satisfied. However a performance of a play or dance remains licensable:
- where the performance takes places before 08.00 or after 23.00 on any day; or
 - where the performance takes place in front of not more than 500 people

Licence conditions

Live Music or recorded music

- 15.36 Any existing licence conditions (or conditions added on a determination of an application for a premises licence or club premises certificate) which relate to live music or recorded music remain in place, but are suspended between the hours of 08.00 and 23.00 on the same day where the following conditions are met:
- at the time of the music entertainment, the premises are open for the purposes of being used for the sale or supply of alcohol for consumption on the premises;
 - if the music is amplified, it takes place before an audience of no more than 500 people; and
 - the music takes place between 08.00 and 23.00 on the same day.
- 15.37 Whether a licence condition relates to live or recorded music will be a matter of fact in each case. In some instances, it will be obvious that a condition relates to music and will be suspended, for example “during performances of live music all doors and windows must remain closed”. In other instances, it might not be so obvious: for example, a condition stating “during performances of regulated entertainment all doors and windows must remain closed” would be suspended insofar as it relates to music between 08.00 and 23.00 on the same day to an audience of up to 500, but the condition would continue to apply if there was regulated entertainment after 23.00.
- 15.38 More general licence conditions (e.g. those relating to overall management of potential noise nuisance) that are not specifically related to the provision of entertainment (e.g. signage asking patrons to leave quietly) will continue to have effect.
- 15.39 Chapter 9 of this Guidance sets out how a licensing authority must determine applications for a new licence or to vary an existing premises licence. Licence conditions imposed, in accordance with paragraphs 9.41 to 9.43, for live or recorded music activities will only apply if the activity meets the criteria of having more than 500 people present, and/or the activities are taking place between 23.00 and 08.00.
- 15.40 These conditions will, in effect, be suspended between 08.00 and 23.00 if a performance of live music or the playing of recorded music takes place before an audience of 500 people or fewer, but will remain on the face of the licence for when these activities may take place under other circumstances.
- 15.41 Where a performance of live music or the playing of recorded music on relevant licensed premises is not licensable, it remains possible for anyone to apply for a review of a licence

or certificate, if there are appropriate grounds to do so

Plays, dance and indoor sport

15.45 Where qualifying conditions are satisfied⁶⁶, any current licence condition that relates to a performance of a play or dance, or an indoor sporting event for which a licence is no longer required will (except in the circumstances described in the next paragraph) have no effect.

15.46 Where, however, these non-licensable activities take place at the same time as other activities for which a licence is required (e.g. the sale or supply of alcohol for consumption on the premises), conditions included in a licence may nevertheless apply to the non-licensable activities in the circumstances set out in paragraphs 15.52 and 15.53 (conditions relating to other non-licensable activities).

15.47 Dance that is sufficiently sexual in nature continues to be regulated. Performances of dance which are “relevant entertainment” within the meaning of the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) are not deregulated, regardless of the size of the audience or the time of day. “Relevant entertainment” is defined in the 1982 Act as a live performance or live display of nudity that, ignoring financial gain, can

Licence reviews: Live and recorded music

15.55 On a review of a premises licence or club premises certificate, section 177A(3) of the 2003 Act permits a licensing authority to lift the suspension⁷¹ and give renewed effect to an existing condition relating to music. Similarly, under section 177A(4), a licensing authority may add a condition relating to music as if music were regulated entertainment, and as if that premises licence or club premises certificate licensed the music. In both instances the condition should include a statement that Section 177A does not apply to the condition.

15.56 An application for a review in relation to relevant premises can be made by a licensing authority, any responsible authority or any other person. Applications for review must still be relevant to one or more of the licensing objectives and meet a number of further requirements⁷².

Incidental music

15.57 The performance of live music or playing of recorded music is not regulated entertainment under the 2003 Act if it is ‘incidental’ to another activity “which is not itself a description of entertainment falling within paragraph 2” of Schedule 1 to the 2003 Act.

15.58 The incidental music exemption can apply to an indoor sporting event or a performance of a play or dance for which no licence is required, as it takes place between 08.00 and 23.00 on the same day and before an audience which does not exceed the relevant limit. This is because such an activity is no longer a description of entertainment within the meaning of paragraph 2 of Schedule 1 to the 2003 Act. This means that, while a performance of live music or the playing of recorded music cannot be incidental to a boxing or wrestling entertainment⁷³ such

music may be within the scope of the incidental music exemption for an indoor sporting event or performance of a play or dance for which no licence is required.

15.59 Whether or not music is “incidental” to another activity will depend on the facts of each case. In considering whether or not live or recorded music is incidental, one relevant factor could be whether, against a background of the other activities already taking place, the addition of music will create the potential to undermine the promotion of one or more of the four licensing objectives of the 2003 Act. Other factors might include some or all of the following:

Is the music the main, or one of the main, reasons for people attending the premises and being charged?

Is the music advertised as the main attraction?

Does the volume of the music disrupt or predominate over other activities, or could it be described as ‘background’ music?

15.60 Conversely, factors which would not normally be relevant in themselves include:

the number of musicians, e.g. an orchestra providing incidental music at a large exhibition;

whether musicians are paid;

whether the performance is pre-arranged; and

whether a charge is made for admission to the premises.

15.61 In any disputed case, it will be for the licensing authority initially and, ultimately, for the courts to consider whether music is “incidental” in the individual circumstances of any case.

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Appendix G

Mr D Christian
33 The Doles
Over
Cambridge
CB24 5NW

Our ref: 250603
Your ref:
23 April 2015

Health & Environmental Services
Contact: Myles Bebbington
Direct dial: 01954 713140
Email: myles.bebbington@scambs.gov.uk

Dear Mr Christian

Over Community Centre

Thank you once again for attending the meeting on Friday 17 April 2015 to discuss the outcome of the SCDC investigation into the noise from Over Community Centre.

As discussed and was evident from the sound recordings, we feel there has been a significant improvement in the noise levels from the community centre since November 2014 and that the recordings made during February and March 2015 do not substantiate a statutory nuisance. The district council is therefore unable to take any formal action against the community centre. In addition we have considered whether there are any warranted actions under The Licensing Act 2003, but feel at this present time this not the case.

We have committed to the following:

- Obtain a list of community centre events over the coming months (already requested)
- Further monitoring of activities from the community centre over the coming months
- Raise the issue with the local police force via our tasking group

In addition, as agreed at the meeting enclosed is

- CD of the sound recordings made back in November 2014
- copy of the notes taken at the meeting

As discussed at the meeting it was agreed by all that in order to sustain the improvements we will look to work with both the centre management and yourself to ensure the situation does not deteriorate back to the levels encountered last year. To this end we will meet with the centre manager to feedback our investigation outcomes and agree a way forward for the benefit of all.

Yours sincerely

Myles Bebbington

Head of Environmental Health and Licensing

Appendix I

Function Booking 2014 - 2015		
	Booked Event	Centre Event
April		
5th	21 st Birthday Party	
6th	Christening	
	Children's Party	
7th	Funeral Wake	
13th	Puddleducks Fundraising Event	
	Children's Party	
26th	Sam Pudney - singer	
	Children's Party	
27th	Scouts – St George's Day celebration	
May		
3rd	Children's Party	
10th	Children's Party	
11th	Jazz Afternoon	
16th	Wedding Reception	
17th	Children's Party	
18th	Bowls Competition	
	65 th Birthday Party	
24 th	Over Sports Presentation Dinner	
25th	Children's Party	
28th	Funeral Wake	
31st	40 th Birthday Party – White Room	
June		
1st	Children's Party	
7th	Wedding Reception	
8th	Over Colts – Thai Dinner Fundraiser	
14th	40 th Birthday Party	Fun Day/Fete (Back Ground Music 1-4pm)
21 st	Puddleducks Sports Day	
	Birthday Party – White Room	
22 nd	Wedding Anniversary – White	

	Room	
	Children's Party	
29 th	Bridal Show	
July		
2 nd	Primary School Production	
3rd	Primary School Production	
5th	Children's Party	
9th	Cambs Scouts Presentation Evening	
12th	50th Birthday Party	
13th	Children's Party	
19th	30th Birthday Party	
26th	Wedding Reception	
August		
9th	Silver Wedding Anniversary	
16th	British Legion Flower Show	
17th	Christening	
30th	Wedding Reception – White Room	
September		
5th	Cambs Cricket Presentation	
19th	WI Quiz	
21st	Over Jazz Club	
27th	Silver Wedding Anniversary	
	Children's Party	
October		
4th	British Legion – Standard Bearers Competition	Big Ten Band
5th	Carpet Bowls Competition	
	Children's Party	
11th	British Legion – 1940's Afternoon Tea	
	Children's Party	
12th	MG Owners Club	
	Children's Party	
17th	Funeral Wake	
	Over Players Old Time Music	

	Hall	
18th	Naming Ceremony	
19th	Children's Party	
24th	New Road Preschool – Band Night	
25th	Wedding Reception	
26th	Children's Party	
31st		Children's Halloween Disco (3-5pm)
November		
1st	Children's Party	Firework Display Children's Disco (5:30 – 7:00pm)
7th	Baptist Church/World Vision Event	
8th	New Road – Autumn Fair	
	Fishing Club Quiz Night	
9th	Children's Party	
11th	Riding Club Fundraiser	
12th	Young Farmers AGM & Disco	
13th	British Legion – Wine Tasting	
15th	40 th Birthday Party	
	Children's Party	
16th	Children's Party	
21st	Over Vets Quiz Night	
22nd	2's Company	
23rd	Children's Party	
25th	Children's Party	
28th	Cabaret Evening	
29th	Cabaret Evening	
30th	Puddleducks Christmas Fair	
December		
6 th – 13th	Over Players Panto	
6th	Surprise 40 th Party – White Room	
	Children's Party	
14th	Children's Party	
17th		OAP Christmas Lunch (School Choir 2-3pm)
18th	Puddleducks Nativity Play	

	Children's Christmas Disco	
	Cambs Mammal Group	
19th		Christmas Party Night
21st	Children's Party	
29th	Children's Party	
31st		New Years Eve Party
January		
4 th	Children's Party	
16th	21st Birthday Party	
18th	Children's Party x 2	
24th	Children's Party x 2	
25th	Children's Party	
26th	Funeral Wake	
31st	Evening of Mediumship	
	Children's Party	
February		
3rd	Funeral Wake	
6th	Music Festival	
7th	Music Festival	
	Children's Party	
14th	Birthday Party	
15 th	Carpet Bowls Competition	
18th	Children's Party	
20th	Funeral Wake	
21st	MG Snowdrop Run	
	Charity Fundraiser – 80s night Police called @ 11:30pm	
28th	Birthday Party	
	18th Birthday Party – White Room	
	Children's Party	
March		
1st	Children's Party	
6th	Wedding Reception – White Room	
	Singers and Drummers Concert	
7th	Children's Party x 3	

14th	Guide Association – Show	
21st	Primary School – Race Night	
	Diamond Wedding – White Room	
	Children’s Party x 2	
28 th	40 th Birthday Party	
29th	Carpet Bowls Competition	

Function Booking 2015 - 2016		
	Booked Event	Centre Event
April		
4th	Wedding Reception	
12 th	Childs Party	
19th	Over Jazz	
19 th	Band Practice	
22 nd	Band Practice	
23 rd	Funeral Wake	
24 th	Childs Party	
25 th	Day Centre Fundraiser	
May		
1st	Retirement Party	
2 nd	Children's Party	
3 rd	Band Practice	
6 th	Funeral Wake	
9th	Over Sports End of season party Children's Party 7:30 – 12:00 2 calls to police	
25 th	Acorn Labels – Fundraiser	
23 rd – 30th	Over Players Show	
June		
7 th	Children's Party x 2 Band Practice	
12th	Carnival Committee Fundraiser Soundcheck at 10:30 & Noise from 1pm – 4pm	
13th	Football Tournament	Fun Day/Fete (Back Ground Music 1-4)
14th	Children's Party Band Practice	
20th	Sam Pudney – Singer	
21st	Children's Party Band Practice	
22nd	Police called Carpet Bowls in Main Hall Football on All-weather pitch (8-	

	9)	
23rd	8pm – 9:15pm loud noise Zumba 8:30 – 9:30 Carpet Bowls AGM	
26th	Funeral Wake	
27th	30 th Birthday Party Police called	
28th	Vintage Fair Children's Party	
July		
4 th	Puddleducks Sports Day	
5 th	Dance Presentation	
6th	Primary School Production	
7th	Primary School Production	
11th	Engagement Party 40 th Birthday Party – White Room	
12th	Children's Party x 2	
19th	Over Colts Presentation Children's Party	
25th	Birthday Party	
31st	Baby Shower	
August		
1st	Birthday Party – White Room 21 st Birthday Party	
8th	70 th Birthday Party	
15th	British Legion Flower Show	
16th	BBQ Party	
22 nd	Anniversary Party – White Room	
31st	90 th Birthday Party – White Room	
September		
5th	50 th Birthday Party	
11th	Over Players Fundraiser	
12th	60 th Wedding Anniversary	
19th	Wedding Reception	

26th	Dance workshop	
October		
3rd	British Legion - Standards Bearers Competition 40 th Wedding Anniversary	
10 th	British Legion – 1940's Afternoon Tea	
17th	Fishing Club Quiz	
18 th	MG Owners Club	
24th	Cambs Young Farmers	
31st		Childrens Halloween Disco (3pm- 5pm)
November		
1 st	Vintage Fair	
7th		Firework Display Childrens Disco (5.30pm – 7pm)
8th	Carpet Bowls Competition	
14th	Wedding Reception	
18th	Young Farmers AGM & Quiz	
21 st	New Road Craft Fair Over Day Centre – 80's Night	
27 th	Cabaret Evening	
28 th	Cabaret Evening	
29 th	Puddleducks Christmas Fair	
December		
5 th -12 th	Over Players Panto	
16 th		OAP Christmas Lunch (School Choir 2-3pm)
18 th		Christmas Party Night
31 st		New Years Eve Party

White Room refers to the Conservatory



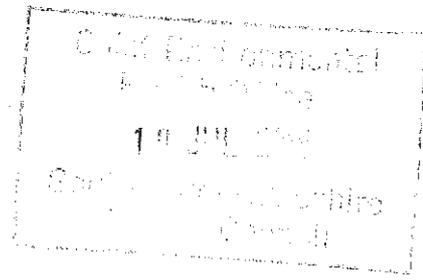
Over Conference and Community Centre

The Doles Over Cambridge CB24 5NW
Phone: 01954 206600
Email: info@thecentreatover.co.uk
www.thecentreatover.co.uk

South Cambs District Council
Licensing Section
South Cambs Hall
Cambourne Business Park
Cambourne
CB23 6EA

8th July 2015

Dear Sir/Madam



Please find enclosed the representation document on behalf of Over Community Centre in relation to the review of the premises licence.

Yours Sincerely

Sean Watkiss
General Manager

Representation document for Over Community Centre following the application for a review of Premises Licence.

This document outlines the management controls and measures in place at Over Community Centre to minimise the effect the Centre has on local residents.

The Centre's Management Team of the last ten years recognise its responsibility and role in meeting the licensing objectives in respect to:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance ; and
- The protection of children from harm

Throughout this time we are unaware of any other formal complaints from local residents in relation to any of the licensing objectives.

Throughout the last year the Centre's Management team have happily complied and worked with Environmental Health and Licensing Officers of South Cambridgeshire District Council although it has to be noted that contact/conversations with the complainant have been difficult.

The management team are broadly aware of the changes to the licensing Act 2003 by the Live Music Act 2012 and the Licensing Act 2003 order 2013 but have continued with the same policies throughout the last ten years.

Opened in June 1999 Over Community Centre aims to provide, manage and develop a Community facility for all ages and interests for the residents of Over and neighbouring villages.

Current users include Over Players, WI, Zumba Classes , Over Badminton Club, Aerobics, Over Gardening Club, Cambridgeshire Young Farmers, Clayland farmers, Bingo, Guide Association, Scouts, Puddleducks Pre school, Friendship Club, Over Carpet Bowls, Royal British Legion, Over Primary School, Over Riding Club, New Road Play Group and Ladies Badminton.

The Centre continues to also be used for a variety of events and functions throughout the year including Childrens Birthday Parties, Birthday Parties, Presentation evenings, Christening's, Fundraising events and Wedding Receptions.

Appendix A outlines events throughout 2014/2015.

The column headed Function Bookings 2014/2015 lists the events where the Centre's facilities have been hired for use and the hirer arranges any entertainment. The right hand column lists the events arranged by the Centre and is responsible for the entertainment.

On booking each hirer receives from the Centre a schedule of service requirements and terms and conditions of hire.

Appendix B

Please note points 6 and 19

6. The Hirer shall ensure that the minimum of noise is made on arrival and departure

19. Noise Control Equipment is operational within the hall. Instructions regarding use must be adhered to. Non compliance will result in a power cut off.

A further notice is permanently situated by the front door asking customers to leave the premises quietly to avoid disturbing local residents.

Sound Monitor

The Main Hall has been fitted with a sound monitor for the past 14 years. The equipment monitors sound levels and cuts the power when sound levels are too high for the preset levels. This level was reduced in February 2015 following consultation with officers of South Cambridgeshire District Council and agreement of all parties. The Centre was happy to facilitate this by arranging for a disco to attend and meet the associate costs involved

Staffing

A Duty Manager is present at each event to monitor the Front Doors and periodically check the perimeter of the site to assess the noise levels. Additionally the front doors are monitored by CCTV and can be viewed by staff in the bar. For some events SIA approved door supervisors are employed.

Finance

The Centre is self financing and a non profit organisation and relies on the income generated through hiring its facilities/rooms to offset its operating costs as normally additional staff are employed. It also allows the Centre to hold events for the Community e.g. free pensioners Christmas lunch, Firework event, fun day and summer holiday programme.

**OVER COMMUNITY ENTERPRISES LTD
SCHEDULE OF SERVICE REQUIREMENTS**

Contact Name:

Booking Reference:

Telephone Number:

Event Date:

Start Time:

Finish Time:

Title of Event:

AREA REQUIRED	Y/N			
Main Hall			Disco/Band	
Seminar Room			Bar Closing Time	
Conservatory			Security	
Kitchen				
Hall Lining				
Corkage				
Table Cloths				
Other (Specify)				
Catering Required				
SUMMARY OF CHARGES			DEPOSIT PAID	YES/NO
Room Hire				
Lining				
Security				
Additional				
VAT @ 20%				
Total				

ADDITIONAL REQUIREMENTS/NOTES

I confirm that the above details are correct and I have read and understood the Terms and Conditions of Hire.

Signed Date On behalf of Over Community Enterprises Ltd

Signed Date

OVER COMMUNITY ENTERPRISES LIMITED (OCE)

TERMS AND CONDITIONS OF HIRE

The term **HIRER** shall mean an individual Hirer or, where the Hirer is an organisation, the authorised representative.

1. The **Hirer** will be responsible during the period of the hiring for supervision of the facilities, the fabric and the contents, their care, safety from damage however slight or change of any sort. The Hirer will be responsible during the period of the hiring for the behaviour of all persons using the facilities whatever their capacity, including proper supervision of car parking arrangements so as to avoid obstruction of the highway.
2. The **Hirer** shall not use the facilities for any purpose other than that described in the Hiring Agreement.
3. The **Hirer** shall ensure that nothing is done on or in relation to the facilities in contravention of the law relating to gaming, betting and lotteries.
4. The **Hirer** shall if preparing, serving or selling food observes all relevant food health and hygiene legislation and regulations.
5. The **Hirer** shall indemnify OCE Limited for the cost of repair (or replacement where appropriate) of any damage done to any part of the property including the curtilage thereof or the contents of the building that may occur during the period of the hiring as a result of the hiring.
6. The **Hirer** shall ensure that the minimum of noise is made on arrival and departure.
7. In the event of the Over Community Centre or any part thereof being rendered unfit for the use for which it has been hired **OCE** shall not be liable to the Hirer for any resulting loss or damage whatsoever.
8. **OCE** reserves the right to cancel this hiring in the event of the hall being required for use as a Polling Station for a Parliamentary or Local Government election or bye-election in which case the Hirer will be entitled to a refund of any deposit already paid.
9. A Booking deposit of 20% of the Total Hire fee is to be paid when the Booking is made.
10. If you cancel your booking, either wholly or in part, you **MUST** notify the General Manager immediately in writing. In such event, you will forfeit the deposit, and if the cancellation is less than 28 days before the event, full payment will be required.
11. Booking from a person under the age of 18 cannot be accepted. **OCE** or its agents may refuse to accept bookings from any person who appears to be under the age of 18 and may ask for proof of their age and identity.
12. **OCE** does not give any warranty as to the fitness of the hall for any purpose.

- 13.** No responsibility will be accepted for loss of time or expenses, which occur as a result of any defect, or failure of the property, its equipment or its electrical or other services. Each occurrence should be reported immediately so that remedial steps can be taken.
- 14. Your Responsibility (i)** You have charge of the hall during the hire period or any extensions of that period. It is YOUR duty to observe that safe practices are kept at all times. All doors must be kept unobstructed and immediately available for use during the whole time the hall is under your control. Lights over Emergency Exits must be on at all times. Any and every accident or incident affecting the hall or its equipment must be reported as soon as possible after the event. You are responsible for any damage caused to the building or to any equipment, however caused.
- (ii)** You are responsible for the behaviour of the persons attending and must ensure that there are sufficient adult supervisors to control the event.
- 15.** Any Complaint about the Centre's agents or employees or other hirers must be put in writing to the General Manager and must not be put or addressed to individuals.
- 16.** All Vehicles and their accessories and contents are left at your own risk and persons attending your function should be aware of this.
- 17.** OCE will not be held responsible for any damage caused to any third party save as may result from their own negligence and hirers should ensure that they have effected all necessary third party liability cover.
- 18.** All alcohol and beverages consumed on the premises must be supplied by OCE unless special arrangements are made.
- 19.** Noise Control Equipment is operational within the hall. Instructions regarding use must be adhered to. Non-compliance will result in a power cut off.
- 20. Exclusions.** The Management of OCE reserves the right to refuse admission to any person.

Function Booking 2014 - 2015

	Booked Event	Centre Event
April		
5th	21 st Birthday Party	
6th	Christening Children's Party	
7th	Funeral Wake	
13th	Puddleducks Fundraising Event Children's Party	
26th	Sam Pudney – Singer Children's Party	
27 th	Scouts – St Georges Day Celebration	
May		
3 rd	Children's Party	
10 th	Children's Party	
11th	Jazz Afternoon	
16 th	Wedding Reception	
17th	Children's Party	
18 th	Bowls Competition 65 th Birthday Party	
24 th	Over Sports Presentation Dinner	
25 th	Children's Party	
28 th	Funeral Wake	
31 st	40 th Birthday Party – White Room	
June		
1 st	Children's Party	
7 th	Wedding Reception	
8 th	Over Colts – Thai Dinner Fundraiser	
14 th	40 th Birthday Party	Fun Day/Fete (Back Ground Music 1-4)
21 st	Puddleducks Sports Day Birthday Party – White Room	
22 nd	Wedding Anniversary – White Room Children's Party	
29 th	Bridal Show	

July

2nd	Primary School Production
3rd	Primary School Production
5 th	Children's Party
9 th	Cambs Scouts Presentation Evening
12 th	50 th Birthday Party
13 th	Children's Party
19 th	30 th Birthday Party
26 th	Wedding Reception

August

9th	Silver Wedding Anniversary
16 th	British Legion Flower Show
17 th	Christening
30 th	Wedding Reception – White Room

September

5th	Cambs Cricket Presentation
19 th	WI Quiz
21 st	Over Jazz Club
27 th	Silver Wedding Anniversary Children's Party

October

4 th	British Legion - Standards Bearers Competition	Big Ten Band
5 th	Carpet Bowls Competition Children's Party	
11 th	British Legion – 1940's Afternoon Tea Children's Party	
12 th	MG Owners Club Children's Party	
17 th	Funeral Wake Over Players Old Time Music Hall	
18 th	Naming Ceremony	
19 th	Children's Party	
24 th	New Road Preschool – Band Night	
25 th	Wedding Reception	

26 th	Children's Party	
31 st		Childrens Halloween Disco (3pm- 5pm)
November		
1 st	Children's Party	Firework Display Childrens Disco (5.30pm -- 7pm)
2 nd	Children's Party	
7 th	Baptist Church/World Vision Event	
8 th	New Road – Autumn Fair Fishing Club Quiz Night	
9 th	Children's Party	
11 th	Riding Club Fundraiser	
12 th	Young Farmers AGM + Disco	
13 th	British Legion – Wine Tasting	
15 th	40 th Birthday Party Children's Party	
16 th	Children's Party	
21 st	Over Vets Quiz Night	
22 nd	2's Company	
23 rd	Children's Party	
25 th	Children's Party	
28 th	Cabaret Evening	
29 th	Cabaret Evening	
30 th	Puddleducks Christmas Fair	
December		
6 th -13 th	Over Players Panto	
6 th	Surprise 40 th Party – White Room Children's Party	
14 th	Children's Party	
17 th		OAP Christmas Lunch (School Choir 2-3pm)
18 th	Puddleducks Nativity Play Children's Christmas Disco Cambs Mammal Group	
19 th		Christmas Party Night
21 st	Children's Party	
29 th	Children's Party	

31st

New Years Eve Party

January

4th Children's Party
16th 21st Birthday Party
18th Children's Party x 2
24th Children's Party x 2
25th Children's Party
26th Funeral Wake
31st Evening of Mediumship
Children's Party

February

3rd Funeral Wake
6th Music Festival
7th Music Festival
Children's Party
14th Birthday Party
15th Carpet Bowls Competition
18th Children's Party
20th Funeral Wake
21st MG Snowdrop Run
Charity Fundraiser – 80's Night
28th Birthday Party
18th Birthday Party – White Room
Children's Party

March

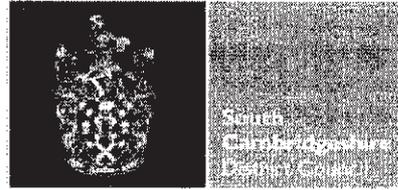
1st Children's Party
6th Wedding Reception – White Room
Singers & Drummers Concert
7th Children's Party x 3
14th Guide Association – Show
21st Primary School – Race Night
Diamond Wedding – White Room
Children's Party x 2
28th 40th Birthday Party
29th Carpet Bowls Competition

Function Booking 2015 - 2016		
	Booked Event	Centre Event
April		
4th	Wedding Reception	
12 th	Childs Party	
19th	Over Jazz	
19 th	Band Practice	
22 nd	Band Practice	
23 rd	Funeral Wake	
24 th	Childs Party	
25 th	Day Centre Fundraiser	
May		
1st	Retirement Party	
2 nd	Children's Party	
3 rd	Band Practice	
6 th	Funeral Wake	
9th	Over Sports End of season party Children's Party	
25 th	Acorn Labels – Fundraiser	
23 rd – 30th	Over Players Show	
June		
7 th	Children's Party x 2 Band Practice	
12th	Carnival Committee Fundraiser	
13th	Football Tournament	Fun Day/Fete (Back Ground Music 1-4)
14th	Children's Party Band Practice	
20th	Sam Pudney – Singer	
21st	Children's Party Band Practice	
26th	Funeral Wake	
27th	30 th Birthday Party	
28th	Vintage Fair Children's Party	

July		
4 th	Puddleducks Sports Day	
5 th	Dance Presentation	
6th	Primary School Production	
7th	Primary School Production	
11th	Engagement Party 40 th Birthday Party – White Room	
12th	Children’s Party x 2	
19th	Over Colts Presentation Children’s Party	
25th	Birthday Party	
31st	Baby Shower	
August		
1st	Birthday Party – White Room 21 st Birthday Party	
8th	70 th Birthday Party	
15th	British Legion Flower Show	
16th	BBQ Party	
22 nd	Anniversary Party – White Room	
31st	90 th Birthday Party – White Room	
September		
5th	50 th Birthday Party	
11th	Over Players Fundraiser	
12th	60 th Wedding Anniversary	
19th	Wedding Reception	
26th	Dance workshop	
October		
3rd	British Legion - Standards Bearers Competition 40 th Wedding Anniversary	
10 th	British Legion – 1940’s Afternoon Tea	
17th	Fishing Club Quiz	
18 th	MG Owners Club	
24th	Cambs Young Farmers	
31st		Childrens Halloween Disco (3pm- 5pm)

November		
1 st	Vintage Fair	
7 th		Firework Display Childrens Disco (5.30pm – 7pm)
8 th	Carpet Bowls Competition	
14 th	Wedding Reception	
18 th	Young Farmers AGM & Quiz	
21 st	New Road Craft Fair Over Day Centre – 80's Night	
27 th	Cabaret Evening	
28 th	Cabaret Evening	
29 th	Puddleducks Christmas Fair	
December		
5 th -12 th	Over Players Panto	
16 th		OAP Christmas Lunch (School Choir 2-3pm)
18 th		Christmas Party Night
31 st		New Years Eve Party

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA
t : 03450 450 063, f: 01954 713248
e: licensing@scambs.gov.uk
www.scambs.gov.uk



Mr S A Baker
9 James Wadsworth Close
Over
Cambridge
CB24 5AA

July 13, 2015

Dear Mr Baker

Premises Licence

SCDCPL0230

Commences: **January 5, 2015**

Expires: **INDEFINITE**

Please find enclosed your premises licence under the Licensing Act 2003.

The License summary should be displayed in such a way as to be clearly visible to members of the public.

If you have any further queries please contact this office as shown above

Yours sincerely

Susan Walford

Operations Manager Env health & Licensing
dutvenvhealth@scambs.gov.uk

Representation – Licensing Act 2013

My Name is Nick Atkins and I am employed as an Environmental Health officer (EHO) for South Cambridgeshire District Council. One of my duties is to investigate and assess noise related complaints received from individuals and businesses.

In making this representation I am assessing the information that I have reviewed against the Licensing objective of Public Nuisance.

As part of the requested review by Mr Christian I have assessed the information collated in respect of the recordings made by Mr Christian on the SCDC's calibrated noise monitoring equipment, which was installed at his property during noise complaint investigations conducted between Nov/Dec 2014 and Feb/March 2015.

It is my view that the recordings taken in Nov/Dec indicated an intermittent disturbance was being created but the likely occurrence of a statutory noise nuisance was not substantiated. However, it was considered appropriate to look at mediating and resolving any minor outstanding issues informally, in accordance with the Council's enforcement policy. This process was conducted by my colleague Russell Watkins EHO (who has since left SCDC) supported by one of our licensing officers (J.Stallabrass). From the information available, I understand the premises have an electronic noise limiting device installed and following the investigation, was set at a level appropriate for activities in the main hall. This level was agreed by the Community Centre Manager and Mr Christian.

I have further reviewed the noise recordings taken in Feb/March 2015 and note that the noise recordings made appear to demonstrate the volume of music has been reduced to a level that were virtually inaudible.

In presenting this representation I am not commenting on whether the premises breached licensing conditions, as I have no evidence to support or refute this allegation.

In my opinion as an EHO, from the recordings taken in February 2015, there is no evidence to substantiate the allegations the management of the community centre are acting in a manner that is contrary to the licensing objective of preventing Public nuisance, when live or recorded amplified music is played at the premises.

Nick Atkins
Environmental Health Officer

10th July 2015

Jennings Maggie

From: Stuart Bell <sjbell1@talk21.com>
Sent: 01 July 2015 23:01
To: Licensing
Cc: 'TOPs Committee'; info@thecentreatover.co.uk
Subject: Licensing Act 2003 - Request for Review of Premises Licence at Over Community Centre, 16 The Doles, Over, Cambridgeshire, CB24 5NW
Attachments: APPENDIX B - Over Community Centre Interested Body Representation.docx

Dear Sir / Madam

We are aware that the above matter is due to be considered by your Council and we are writing in support of a continuation of the Premises Licence for Over Community Centre in our role as an 'Interested Party'.

The Over Players are the local amateur dramatic society within Over and as a result of our events, we draw members and audiences from a large area across Cambridgeshire and further afield. We have been in existence since 1984 and until 1999, our performances were staged in St. Mary's Church Hall located within the village.

As you will probably be aware, during the 1990's the local community across the village recognised that due to the lack of community facilities within the Parish and the continued growth of the village, that community efforts would need to be mobilised to secure the facilities that we have indeed been lucky to benefit from since 1999. Major Lottery funding was secured for this project, as well as the vital support from both South Cambridgeshire District Council and our own Over Parish Council. Indeed, our own group were involved in the overall design of the premises with the then Management Committee, to ensure the venue's overall viability to host live performances and it was the hard work of the local community that resulted in the building of Over Community Centre and the vast array of services it offers to our community across all age ranges.

The Centre opened in May 1999 and indeed, the Over Players were the first organisation to hold a live performance at the venue within a week of the official opening. Since that time, this has been our performing venue of virtually all our performances, including our Annual Pantomime, Spring Shows and other incidental performances. Together with these, as an organisation that is an integral part of village life, we are also aware of other live performances and music-based events held at the Centre which generate noise. All these are vital to ensure that the village enjoys a wide-range of community-based events that contribute significantly to the wellbeing of village life and to ensure that the village continues to thrive as a local community with the Community Centre at the heart of village life.

We are of course disappointed that there has been a resident making complaint regarding noise nuisance and we are very mindful of volume levels during our performances, particularly relating to music which for our performances, is interspersed with dialogue during performances rather than a continuous based music event. While as a group we do not condone noise nuisance and do not believe we are contributing to it, we would like this review to consider the nature of Over Community Centre. It is a community-based facility serving Over and the surrounding community. It has been serving that community continuously since 1999 and we are not aware that any complaint over the past 16 years has resulted in a formal review of the Premises Licence as now being undertaken. Again we stress that while we do not condone noise nuisance, a breach of conditions or indeed prolonged nuisance of any kind, the nature of the events at a Centre like the one that Over enjoys, will generate a degree of disturbance depending on an individual's interpretation of what constitutes 'nuisance'.

In conclusion, while we agree that no event held at the Community Centre must exceed noise level standards for this type of premises, likewise we support the continuance of a Premises Licence for Over Community Centre in the strongest possible terms. As we have outlined, the Centre is right at the heart of village life, it serves all age-groups across the parish and it continues to deliver exactly the range of events for which it was originally conceived and constructed. It has co-existed with the local community since 1999 and the Management Committee acts as a 'good neighbour' with surrounding residents and there is no reason why this should not remain by the continued grant of a Premises Licence permitting the continued range of activities that the Centre currently hosts, together with any

reasonable Conditions that the Licensing Panel considers appropriate whilst maintaining the ability to host the wide range of events currently enjoyed.

As requested by your Guidance, please also find attached the duly completed Appendix B. Likewise at your request, we have served this Representation on Over Community Centre by copy of this email.

Yours faithfully

STUART BELL
Chairman – The Over Players

The Licensing Section
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
CAMBOURNE
Cambridgeshire
CB23 6EA

Stuart

Stuart Bell, 17 Church Close, Great Stukeley, HUNTINGDON, Cambridgeshire, PE28 4AP
Tel. No. 01480 533142. Mobile No. 07429 737801
Email – sjbell1@talk21.com

THE LICENSING ACT 2003
REPRESENTATION FORM FOR "INTERESTED PERSON" / "BODY"
 (living in the 'vicinity' of the premises detailed below)
 Please continue on a separate sheet if required

Your name / Company name	MR STUART BELL / THE OVER PLAYERS
(Name of Body you represent) Please tick one: <input checked="" type="checkbox"/>	
i) a person living in the vicinity of the premises <input type="checkbox"/> ii) a body representing persons who live in that vicinity <input checked="" type="checkbox"/> iii) a person involved in a business in the vicinity of the premises <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	17 Church Close Great Stukeley HUNTINGDON, PE28 4AP
Contact telephone number:	01480 533 142
Mobile Number:	-
Email address:	sjbell1@talk21.com

Name of Premises you are making a representation about:	OVER COMMUNITY CENTRE
Address of the premises you are making a representation about:	16 THE DOLES, OVER, CAMBRIDGESHIRE, CB24 5NW

The prevention of crime and disorder - Our representation is not being made in relation to this objective.
The prevention of public nuisance - Our representation is made in relation to alleged public nuisance relating to noise and is covered in the email to which this Appendix B is attached.
Public Safety - Our representation is not being made in relation to this objective.
Protection of Children from Harm - Our representation is not being made in relation to this objective.

The term 'vicinity' is used in the Licensing Act 2003, in particular with reference to those 'interested parties' (see definition in guidance attached) who may lodge objections to

applications for premises licences and who may make representations concerning existing premises licences. Unfortunately the Act does not define the term 'vicinity' but the licensing authority will determine each case on its individual merit.

If the licensing authority considers that relevant representations are made the licensing team will consider arranging a mediation meeting between the relevant parties (if all agree) to try and reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub Committee will follow, unless the interested parties withdraw their representations.

All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence.



Signed

Date – 30th June 2015

STUART BELL – Chairman, The Over Players

Please return this form along with any additional sheets to:

The Licensing Section
South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridgeshire
CB23 6EA

Telephone: 01954 713132/713024

Email: licensing@scambs.gov.uk

This form should be returned along with any additional information you may feel relevant within the Statutory Period, which is 28 days from the day after the day on which the application was given to the licensing authority by the Applicant.

In the case of a request for review, a copy of your letter must be served on the Premises Licence Holder as well as to the Licensing Authority

However, because of the tight timescales involved, and to assist in the determination of the application process, any representations should be forwarded to the licensing authority AS SOON AS POSSIBLE and preferably within 14 days of notification of the application.

If in any doubt, please contact the Licensing section on the above telephone number.

THE LICENSING ACT 2003
 REPRESENTATION FORM FOR "INTERESTED PERSON" / "BODY"
 (living in the 'vicinity' of the premises detailed below)
 Please continue on a separate sheet if required

Your name / Company name	OVER DAY CENTRE
(Name of Body you represent) Please tick one: <input checked="" type="checkbox"/> i) a person living in the vicinity of the premises <input type="checkbox"/> ii) a body representing persons who live in that vicinity <input checked="" type="checkbox"/> iii) a person involved in a business in the vicinity of the premises <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	1 DRINGAS CLOSE OVER CAMBRIDGE CB24 5NZ
Contact telephone number:	01954 231807
Mobile Number:	07773 711470
Email address:	office@overdaycentre.co.uk

Name of Premises you are making a representation about:	OVER COMMUNITY CENTRE
Address of the premises you are making a representation about:	16 THE DOLES OVER CAMBRIDGE CB24 5NW

The prevention of crime and disorder

The prevention of public nuisance

WE HAVE HAD SEVERAL MUSIC EVENTS, AS FUNDRAISING ACTIVITIES, AT THE COMMUNITY CENTRE. DURING THESE EVENTS THE EQUIPMENT WHICH MONITORS THE NOISE LEVELS HAS BEEN USED. WE HAVE NOT NOTICED ANY UNACCEPTABLE NOISE FROM PEOPLE LEAVING THESE EVENTS. ALSO NO COMPLAINT ABOUT EXCESSIVE NOISE HAVE BEEN RECEIVED BY OUR ORGANISATION.

Public Safety

Protection of Children from Harm

The term 'vicinity' is used in the Licensing Act 2003, in particular with reference to those 'interested parties' (see definition in guidance attached) who may lodge objections to applications for premises licences and who may make representations concerning existing premises licences. Unfortunately the Act does not define the term 'vicinity' but the licensing authority will determine each case on its individual merit.

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All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence.

Signed *Sarah Peck* Date *22-6-15*

SARAH PECK, DAY CENTRE MANAGER
Please print name *OVER DAY CENTRE*

Please return this form along with any additional sheets to:

The Licensing Section
South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridgeshire
CB23 6EA

Telephone: 01954 713132/713024

Email: licensing@scambs.gov.uk

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**THE LICENSING ACT 2003
 REPRESENTATION FORM FOR "INTERESTED PERSON" / "BODY"
 (living in the 'vicinity' of the premises detailed below)
 Please continue on a separate sheet if required**

Your name / Company name	[REDACTED]
(Name of Body you represent) Please tick one: <input checked="" type="checkbox"/> i) a person living in the vicinity of the premises <input type="checkbox"/> ii) a body representing persons who live in that vicinity <input type="checkbox"/> iii) a person involved in a business in the vicinity of the premises <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	[REDACTED] Over CB245NB
Contact telephone number:	[REDACTED]
Mobile Number:	[REDACTED]
Email address:	[REDACTED]

Name of Premises you are making a representation about:	Over Community Centre
Address of the premises you are making a representation about:	The Doles Over Cambridge

The prevention of crime and disorder n/a	[REDACTED]
---	------------

The prevention of public nuisance I support this centre as much as possible and have never yet found it to be a public nuisance. The staff are very approachable and are always alert to the effects that noise might have on their closest neighbour to the point of taking events inside the building if they think that it might cause offence. I am given to understand that the event causing a problem was the 'Fun Day' on the 20 th June when, because it was raining, the activities were taken inside the building and the only action outside was children on two activities and the only 'outside noise' was said children laughing while playing and while I appreciate that some don't like that noise, it's a sad day when that has to be regarded as a nuisance.
--

Public Safety n/a

Protection of Children from Harm

n/a

The term 'vicinity' is used in the Licensing Act 2003, in particular with reference to those 'interested parties' (see definition in guidance attached) who may lodge objections to applications for premises licences and who may make representations concerning existing premises licences. Unfortunately the Act does not define the term 'vicinity' but the licensing authority will determine each case on its individual merit.

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All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence.

Signed
.....22/06/2015.....

Date

.....
Please print name

Please return this form along with any additional sheets to:

The Licensing Section
South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridgeshire
CB23 6EA

Telephone: 01954 713132/713024

Email: licensing@scambs.gov.uk

This form should be returned along with any additional information you may feel relevant within the Statutory Period, which is 28 days from the day after the day on which the application was given to the licensing authority by the Applicant.

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 REPRESENTATION FORM FOR "INTERESTED PERSON" / "BODY"
 (living in the 'vicinity' of the premises detailed below)
 Please continue on a separate sheet if required**

Your name / Company name	[REDACTED]
(Name of Body you represent) Please tick one: <input checked="" type="checkbox"/>	
i) a person living in the vicinity of the premises <input type="checkbox"/> x ii) a body representing persons who live in that vicinity <input type="checkbox"/> iii) a person involved in a business in the vicinity of the premises <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	[REDACTED]
Contact telephone number:	[REDACTED]
Mobile Number:	07999910000
Email address:	[REDACTED]

Name of Premises you are making a representation about:	Over community centre
Address of the premises you are making a representation about:	Over community centre, over

The prevention of crime and disorder
 The community centre always employs a lot of staff to ensure the smooth running of the business. I have often been in there and the place is empty but there's always seems to be at least 5 staff on site.
 All the staff are very reliable and responsible. The place has a real family atmosphere.

The prevention of public nuisance
 There is no juke box in the community centre. They always keep all the doors shut to prevent noise. The staff will always crack down on any nuisance behaviour although I have only ever seen children being a little naughty.

Public Safety
 They always issue you with plastic glasses if you intend to drink on the patio. They do not encourage drinking outside of their patio. They always keep an eye out for my children. Even if we are just at the park and not in the community center they will always let us use the toilets. The staff would never serve anyone who they think had drank too much.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Protection of Children from Harm

They look out for all the children. They always give my children free water. The children are welcomed but responsibly. It is a real family place and I cant believe that this is being questioned.

The term 'vicinity' is used in the Licensing Act 2003, in particular with reference to those 'interested parties' (see definition in guidance attached) who may lodge objections to applications for premises licences and who may make representations concerning existing premises licences. Unfortunately the Act does not define the term 'vicinity' but the licensing authority will determine each case on its individual merit.

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All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence.

Signed [redacted]

Date 23/06/15

..... [redacted]

Please print name

Please return this form along with any additional sheets to:

The Licensing Section
South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridgeshire
CB23 6EA

Telephone: 01954 713132/713024

Email: licensing@scambs.gov.uk

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However, because of the tight timescales involved, and to assist in the determination of the application process, any representations should be forwarded to the licensing authority AS SOON AS POSSIBLE and preferably within 14 days of notification of the application.



THE LICENSING ACT 2003
REPRESENTATION FORM FOR "INTERESTED PERSON" / "BODY"
 (living in the 'vicinity' of the premises detailed below)
 Please continue on a separate sheet if required

Your name / Company name	[REDACTED]
(Name of Body you represent) Please tick one: <input checked="" type="checkbox"/>	
i) a person living in the vicinity of the premises <input type="checkbox"/> ii) a body representing persons who live in that vicinity <input type="checkbox"/> iii) a person involved in a business in the vicinity of the premises <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	[REDACTED] Over, Cambridge, CB24 5ND
Contact telephone number:	[REDACTED]
Mobile Number:	[REDACTED]
Email address:	[REDACTED]

Name of Premises you are making a representation about:	Over Community Centre
Address of the premises you are making a representation about:	Over Community Centre, 16 The Doles, Over, Cambridge, CB24 5NW

The prevention of crime and disorder

<p>The prevention of public nuisance</p> <p>I am writing in regards to the above. I have been informed that the Premises Licence is under review due to a complaint regarding Noise Levels from this facility. Can you confirm that this is the case and, if so, the grounds under which this review has been initiated? As a village resident living on the High Street within close proximity to the Centre I felt compelled to write to defend this excellent village space.</p> <p>The Community Centre in my opinion does everything it can to limit the noise emanating from the various functions that it supports. This is in the forms of being strict in turning off music promptly at the end of the night in line with it's licensing agreement. Staff (and visitors) closing exit doors and internal fire/safety doors if inadvertently left open. Functions held outside never go on later than allowed, even the noisy Bonfire/Fireworks night which would continue with or without the license. It is a community facility and most locals enjoy the noise from the superb Community Centre events.</p> <p>This Community Asset is a stalwart of the Village Community and a very key location for various groups, sports and societies, not to mention the Puddleducks Pre-School which is located here. The facilities are used for charity functions, parties and events, as well as the usual drinking and socialising centre that is a welcome offering to not only the villagers of Over but also the surrounding villages who frequent this establishment and are envious of our excellent Centre.</p>

The Centre is the focal point of local Sports including the various different football teams. The play area and skate park are also a very important focus of village life and these would no doubt fall into disrepair or ruin if the Community Centre was not continuing as it does now.

In a time where local facilities are being closed, removing many options for the children and youths from the villages and pubs are closing at a high rate, reducing the number of meeting places for many outside of the towns and cities, I feel the Community Centre should not only continue and be supported but actually be subsidised to keep the village facilities available for the majority of the residents who use, patronise and enjoy the multifarious activities provided by this fantastic village asset.

I hope that sense prevails and the majority are listened to rather than a knee jerk reaction to a sensitive minority leads to the loss of this benefit to village life.

Public Safety

Protection of Children from Harm

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If the licensing authority considers that relevant representations are made the licensing team will consider arranging a mediation meeting between the relevant parties (if all agree) to try and reach a settlement. If this informal process is unsuccessful a hearing before the Licensing Sub Committee will follow, unless the interested parties withdraw their representations.

All representations in their entirety, including your name and address will be disclosed to the applicant for the premises licence.

Signed Date: 22nd June 2015.....

.....
Please print name

Please return this form along with any additional sheets to:

The Licensing Section
South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridgeshire
CB23 6EA

Telephone: 01954 713132/713024

Email: licensing@scambs.gov.uk

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[Redacted]

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 Please continue on a separate sheet if required**

Your name / Company name	[REDACTED]
(Name of Body you represent) Please tick one: <input checked="" type="checkbox"/> i) a person living in the vicinity of the premises <input checked="" type="checkbox"/> ii) a body representing persons who live in that vicinity <input type="checkbox"/> iii) a person involved in a business in the vicinity of the premises <input type="checkbox"/> iv) a body representing persons involved in these businesses <input type="checkbox"/>	
Postal Address (inc post code)	[REDACTED] OVER CAMBS CB24 5QD
Contact telephone number:	
Mobile Number:	[REDACTED]
Email address:	[REDACTED]

Name of Premises you are making a representation about:	OVER COMMUNITY CENTRE
Address of the premises you are making a representation about:	THE DOLES OVER

The prevention of crime and disorder

[REDACTED]

The prevention of public nuisance

External doors closed, staff asking customers to keep the noise down when leaving the premises and respect others.

Public Safety

Protection of Children from Harm

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Signed  Date 22-06-15


Please print name

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South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridgeshire
CB23 6EA

Telephone: 01954 713132/713024

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Your name / Company name	[REDACTED]
(Name of Body you represent) Please tick one: i) a person living in the vicinity of the premises <input type="checkbox"/> : <input checked="" type="checkbox"/>	
Postal Address (inc post code)	[REDACTED] Over, Cambridge, Cb24
Contact telephone number:	[REDACTED]
Mobile Number:	[REDACTED]
Email address:	[REDACTED]

Name of Premises you are making a representation about:	Over Community Centre
Address of the premises you are making a representation about:	The Doles, Over Cambridge

The prevention of crime and disorder	
The prevention of public nuisance	<p>We directly neighbour the Community Centre and I gather the license is under review on account of a complaint. I can represent the Centre in so much that the license granted does not result in any public nuisance to us in any way – neither from the Centre activities – nor from people using it.</p> <p>It is my understanding that my neighbour – who has tried to rally support from us in his complaint about the Centre (unsuccessfully) may have given you the false impression that the reason no nuisance is caused to us is due to our being deaf. I can tell you categorically that this is not the case. We do hear activity from the Centre – laughter, football games, children playing and the occasional music event. None of this is to the extent of causing nuisance. Music is never unreasonably loud and events always finish at a reasonable time and in our view, the license is treated responsibly.</p> <p>If the license were to be revoked, the activities at the Centre would suffer and residents of the village would be denied a wonderful facility.</p>

Public Safety <div style="text-align: center;">[REDACTED]</div>
Protection of Children from Harm <div style="text-align: center;">[REDACTED]</div>

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Signed [REDACTED] Date ...13/7/15.....

[REDACTED]
.....

Please print name

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 South Cambridgeshire District Council
 Cambourne Business Park
 Cambourne
 Cambridgeshire
 CB23 6EA

Telephone: 01954 713132/713024

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Postal Address (inc post code)	[REDACTED] Over, Cambridge, Cb24 5UB
Contact telephone number:	[REDACTED]
Mobile Number:	[REDACTED]
Email address:	[REDACTED]

Name of Premises you are making a representation about:	Over Community Centre
Address of the premises you are making a representation about:	The Doles, Over Cambridge

The prevention of crime and disorder

The prevention of public nuisance

As residents living in the vicinity of Over Community Centre, we are happy to say the use of their license causes no public nuisance in any form to us either from the activities the Centre undertakes nor from the people using the facility. Although we (**very occasionally**) hear activity from the Centre, it is never unreasonably loud and ~~always ends at a reasonable time~~. In our view, they manage the facility and their license considerately and responsibly. If their license were to be taken away, the Centre would struggle to function in its other community activities and ~~e would~~ lose a very valuable facility that the entire village can enjoy.

I would also like to comment that I think it is a shame that Over residents are having to make representation using a legal process of which I am unfamiliar for the Centre to retain its license as a result of a serial complainer who seems to take objection to any event at the Centre regardless of whether or not it involves the sale of alcohol - I.e. Family Fun Days, conferences, exercise classes and children's parties.

I know working in public service means you have to take complaints seriously, but I do also feel there should be measure for vindictive complainers.

Public Safety <div style="text-align: center;">[REDACTED]</div>
Protection of Children from Harm <div style="text-align: center;">[REDACTED]</div>

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Signed [REDACTED] Date ...13/7/15.....

K [REDACTED]

Please print name

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Postal Address (inc post code)	[REDACTED] OVER CAMBRIDGE CB24 5QB
Contact telephone number:	[REDACTED]
Mobile Number:	[REDACTED]
Email address:	[REDACTED]

Name of Premises you are making a representation about:	OVER COMMUNITY CENTRE
Address of the premises you are making a representation about:	16 THE DOLES OVER CAMBRIDGE CB24 5NW

The prevention of crime and disorder	
--------------------------------------	--

The prevention of public nuisance	I LIVE IN THE AREA OF THE COMMUNITY CENTRE AND I HAVEN'T EXPERIENCE ANY ANTISOCIAL BEHAVIOUR OR NOISE THAT IS TOO EXCESSIVE.
-----------------------------------	--

Public Safety	
---------------	--

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Protection of Children from Harm

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Signed  Date 14/7/15


Please print name

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South Cambridgeshire District Council
Cambourne Business Park
Cambourne
Cambridgeshire
CB23 6EA

Telephone: 01954 713132/713024

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AE 8934 9243 0GB

SD 1pm



**Licence Review Evidence
Between
Mr Douglas Christian
And
The Over Community Centre**

Chief Environmental
Health Office
13 JUL 2015
South Cambridgeshire
District Council

Mr Douglas Christian
33, The Doles
Over
Cambridge
CB24 5NW

10th July 2014

Dear Susan Walford

Please find enclosed Documents all of which are to be used as Evidence and Supportive Evidence in the case of Licence Review Between Mr Douglas Christian 33. The Doles Over Cambridge CB24 5NW and the Over Community Centre 16 The Doles Over Cambridge CB24 5NW Premises Licence under review

Person in Attendance at Licence Review Meeting

Mr Douglas Christian + Jati Stallings / SCDC licencing

Please find Itemised list of Documents enclosed

Regards

Mr D Christian

ITEMISED LIST OF DOCUMENTS TO BE USED AS EVIDENCE

Document Name	Copies
Complaint Summary	[1]
Emails Sent	[6]
Compiled Report	[1]
Visit to community report	[1]
Police Reports	[1]
Premises location map	[1]
Witness Statements	[2]
Noise guidance document	[1]
Public protection document	[1]
PROPOSED ACTIONS	(1)

LICENCE REVIEW COMPLAINT SUMMARY

MR DOUGLAS CHRISTIAN LICENCE REVIEW APPLICANT

BETWEEN

OVER COMMUNITY CENTRE / PREMISES UNDER REVIEW

**Mr Douglas Christian Applicant
Over Community Centre Licence Under Review**

LICENCE REVIEW

SUMMARY OF EVENTS

DETAILS

Dear Sub Committee

I Douglas Christian together with my wife Mrs Margaret Christian reside at No 33. The Doles Over Cambridge CB245NW our property is 25 metres distance from the vicinity of the Over Community Centre 16 The Doles Over Cambridge CB245NW We moved into the property on May 15th 2013 which is a sheltered housing bungalow provided by South Cambridgeshire District Council from our move in date until July 21st 2014 we had not Exsperianced any noise Intrusion from the Over Community Centre On the night of the 21st July 2014 I phoned the community Centre and asked for the sound level to be reduced they replied with we have a licence until 0000 midnight they refused to turn down the sound I lost my temper because I had been awake eighteen hours with my wife who was diagnosed with Alzimers and fully Incontinent but at this time was recieving no medication. I raised the complaint issue with cllr Pippa Corney who witnessed the volume of noise on my home phone handset she did talk to the Community Centre but she has retracted the fact and stated that the noise heard could have been my TV but if this was the case why contact the Community Centre and show concerns?? .During the period of 2014 until January 2015 the sound levels transmitted were unacceptable to prove the level of sound recordings were taken and reached volumes of 65dB not just from music played but also from patrons outside and leaving the premises at the end of the evening

SOUND LIMITER RESET

I request that Juli Stallingbras address the Sub Committee to give Evidence on how this process was conducted a Itemised list of events of the procedure is enclosed as evidence Juli Stallingbras to confirm warning letters sent to the Community Centre showing concerns regarding the Doors being open on event nights

. The noise Intrusion has continued and a full complaint process has been undertaken by South Cambridgeshire District Council the result of which the Government Ombudsman has launched a full Investigation.

REPORTS TO POLICE

Since the 21st January 2015 I have still had to make complaints not only to the South Cambridgeshire District Council email s enclosed but have also raised **Five** police reports for noise Intrusion to the Cambridge Police .Why when the Liniter has been reset and Instructions regarding **Base** Volume to be considered has not to disturb residents and doors are being kept closed is a noise Intrusion still being heard above my tv volume when on 27the answer

is that Licence conditions are still being breached and still will be unless severe action is used to address the problem because every action and advice given at present is being totally ignored Why is this if this was a tenant causing this amount of noise they would be moved I believe it would be embarrassing for The District Council to take action against the Over Community Centre because at present there is a **Conflict of Interest** Document of proof enclosed

COMMENT

Licence conditions and sound levels are set to be upheld the Over Community Centre is not exempt from these conditions laid down in the Licencing act 2003 and sound levels laid down by government regarding Intrusion of noise into residents property

Sean Watkiss was visited by myself Mr Douglas Christian in December 2014 to address the noise problems being caused by the Over Community Centre I was Hi Rate with the staff due to lack of sleep the night before this Incident was reported and I was Interviewed report enclosed. I told Mr Watkiss about the noise he told be that he was not on duty on the night in question so I asked him if he had Informed staff of the recent noise complaints that had been raised is reply to me was **Don.t come in here telling me how to run my staff** I told him my wife had Alziners and was Incontinent and her sleep patterns were all over the place this had no effect and the noise continued I have also raised this complaint with Mr Terry Sutton Trustee for the community centre also County Councillor and parish Councillor Mr Brian Burling also Trustee of the Over Community Centre and still the noise Intrusion continues??

CLOSING STATEMENT

The Law states that every person has a legal right to live and enjoy the comforts of their own home and at present for myself and my wife this legal right is being severely Imposed on I don.t mind any person enjoying them selfs .Since september 2014 things have been hard for me I have chosen to stop work to look after my wife suffering with Alzimers and with the added eliment of Incontinance and yes this is my decision because I have a duty to my wife because of the Illness Alzimers I never know what my wife will do next I have to constantly watch her and get my rest and sleep when I can noise from the Community Centre causes Frustration when i am trying to rest myself and if it continues it will have an adverse effect on my health to the exstent I won.t be able to look after my wife

I request that the Members of the Sub Commitee reviewing this Licence Review Application do so in a very serius manner and make decision to address this problem with a satisfactory conclusion

REQUEST TO SUBMIT EVIDENCE

Dear Sub Commity I request permission to submit evidence on the day of the Licence Review of which at present is not in my possession but of which has been requested

Regards

Mr D Christian Licence Review Applicant

Dated 11th July 20

Over Parish Council Noticeboard

Taken from the Minutes of the Annual Meeting of Over Parish Council
held in the Town Hall, Tuesday 19th May 2015

PRESENT

Chair: Mr G Fenn
Councillors : Mr G Twiss, Mr T Sutton, Mr R Robinson, Mrs P Scrivener, Mrs C Bidwell, Mr G Carr, Mr B Burling
and Mr S Couper.
Clerk : Mrs L Poulter

In attendance

Parishioners : 3 Parishioners were in attendance. County Councillor: Cllr Hudson. District Councillors: Cllr Burling

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

Mr Fenn opened the meeting and called for nominations for Chair. Mr Twiss proposed Mr Fenn, seconded by Mrs Scrivener, Unan. Nominations were then invited for vice chair, Mr Fenn proposed Mr Twiss, seconded by Mr Carr, unan.

SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE BY ALL COUNCILLORS These were duly signed.

TO RECEIVE AND ACCEPT APOLOGIES FOR ABSENCE Received from Mr J Lewis.

TO RECEIVE DECLARATIONS OF INTEREST & REQUESTS FOR DISPENSATIONS

Mr Couper asked if he needed to declare an interest as he serves as a Trustee on OCA. Our current policy is for those who have any prejudicial outside interest which may conflict with Parish Council interests is to ask those affected to declare an interest and not participate in any decision making. Mr Couper queried if this applied to all Parish Councillors who are Trustees, it was felt that Mr Burling who is our representative on the OCA committee could participate as he needed to report back to the Parish Council. Mr Couper pointed out that under our current policy this should not be the case as Mr Burling is a Trustee. It was noted that the OCA constitution requires a Parish Council representative to be on the OCA Committee and our understanding is that this representative is required to be a Trustee, this will need to be clarified.

CO-OPTION OF COUNCILLORS TO FILL VACANCIES FOLLOWING UNCONTESTED ELECTION

Notification of the vacancies will be posted on the Village website, displayed in the Noticeboard and advertised in the Over News. It was agreed that next month a separate meeting should be held prior to the main meeting for the purposes of co-opting to fill the vacancies and then the new Councillors will be able to participate in the main meeting.

TO SIGN AND APPROVE MINUTES OF MEETING HELD ON 14TH APRIL 2015

These were duly signed. Mr Couper asked if these could be published on the website in draft format prior to being approved. Mr Fenn and Mr Twiss noted that this had been discussed previously but that it was unlikely any significant time would be gained by this. The draft minutes are currently reviewed by the Chair and it would be possible for something to appear in them which could be factually incorrect or worded in a manner as to be misconstrued. Circulating these to all Councillors for review in order to ensure they were as all had understood would also take time and by the time this had been carried out the minutes would only perhaps be able to be on the website for a few days before being taken down and replaced by the approved version.

REVIEW OF MINUTES FROM THE ANNUAL PARISH MEETING

 Noted.

PUBLIC PARTICIPATION The members of the public were in attendance as representatives from the Carnival Committee and this agenda item was addressed at this point.

VILLAGE MATTERS

To receive report relating to the Green and Village issues-The report from Dave Bridgman had been circulated to Councillors. Mr Couper asked if Mr Bridgman was asked to carry out a prescribed number of cuts or if it was left to his discretion. Mr Fenn informed Mr Couper that the latter was the case. It was agreed Mr Fenn would talk to Mr Bridgman to see if he needed any help to carry out the village maintenance at this time.

Date for site meeting at Gifford's Way-The Clerk will contact Gifford's Way residents to arrange.

Rubbish disposal-The map of village bins has been forwarded to the District Council. It was agreed we should contact the District Council to see if we can pay for a black bin collection at Overcote.

Pavilion refurbishment-Mr Fenn is still looking at quotes and options for the replacement windows.

REPORTS FROM COUNTY AND DISTRICT COUNCILLORS

County Council-Cllr Hudson's report had been circulated to Councillors. He noted that, following requests from residents, he had made representations to try to maintain the mobile library service. He is still working with residents in King Street to try to address the flooding issue there. We had received an email from a resident regarding HCVs parking up overnight in the layby at the Green, as this is highway land this matter had been referred to Cllr Hudson and he is looking into what can be done to address this. Mr Twiss raised the issue of the Boundary Review. The Boundaries Commission had taken little notice of our submission, and appeared to have lost Swavesey's complimentary submission, proposing instead that we be moved into a new Division with Northstowe, Oakington & Westwick and Longstanton. Mr Twiss raised concerns that the only substantial submission that covered the whole county had been used by the Boundaries Commission as the basis for their recommendations. However that submission was quite unusual, being written in the first person by an individual who did not reveal his identity anywhere in the document and it had been submitted by one political party. There was no indication of the author's credentials, nor of whether he had any knowledge of the areas for which he was making recommendations - so the Boundaries Commission's reliance on this document suggested a desire to take the easy route rather than thinking things through for themselves. It was also surprising that no material representations had been made by either County or District Councils, but perhaps they might be persuaded to react to the draft proposals. Mr Fenn proposed that Mr Twiss draw up a challenge to the proposal for a new "Northstowe and Over" Division, to be submitted as a further representation during this second round of consultations, seconded by Mr Robinson, Unan

District Council-Cllr Burling reported that following the elections the Conservative group has now increased their majority by 3. Council will be back in session this coming week.

PCSO-Nothing to report.

**EMAILS SENT REGARDING NOISE COMPLAINT
SINCE LIMITOR WAS ADJUSTED**



Search emails

Folders

Inbox 717

Archive

Junk 668

Drafts 295

Sent

Deleted

New folder

noise community centre



doug christian 04/07/2015

To: Knight Emma

Dear Emma

Today Saturday 4th July 2015 I have got music thumping into my house from the community centre started at around 2pm I want you to enquire what event was happening and if it is a Licenced Event or Un Licenced and get the Information back to me and again I will take this opportunity to remind you that I should not be hearing any sound from the centre if doors are shut or very minimal

Regards

Mr D Christian



Search emails

Folders

Inbox 717

Archive

Junk 668

Drafts 295

Sent

Deleted

[New folder](#)

noise police report



doug christian 23/06/2015

To: susan walford

Dear Susan

From 8pm until 9.15 pm loud noise doors open from the community centre police report made Ref CC- 2306-2015-0466 officer no 3873 Holland full Incident taken in detail Cambridge police

No outside report number to phone will report to council in morning

Regards

Mr D Christian



Search emails

Folders

Inbox 717

Archive

Junk 668

Drafts 295

Sent

Deleted

[New folder](#)

RE: noise community centre



doug christian 15/06/2015

To: Knight Emma

Date correction Saturday 12th2015

From: dougandmags@hotmail.co.uk
To: emma.knight@scambs.gov.uk
Subject: noise community centre
Date: Mon, 15 Jun 2015 01:11:55 +0100

Dear Emma

According to the Government Ombudsman site I have to report events whilst an investigation is in progress Saturday 12th June 2015 the community centre conducted a sound check at 10 30am which exceeded volume 50 on my TV they continued noise disturbance from 1pm until 4pm exceeding volume levels over my TV between 24 to 30 volume and the doors were open to allow patrons to listen to music outside

Have you Conducted any Monitoring as stated in the Departments Underwriting to me ?

Regards
Mr D Christian



Search emails

Folders

Inbox 719

Archive

Junk 670

Drafts 295

Sent

Deleted

New folder

noise community centre



doug christian 24/05/2015

To: myles.bebbington@scambs.gov.uk

Mr Bebbington

Today sunday 24th may 2015 I have spoken to Mr Terry Sutton Trustee for Over community centre they are fully aware of the noise problem and still have done nothing ! So my question is if they know what is happening etc why are they still allowed music functions when they know that they are causing a disturbance ?

I have made it clear to Mr Sutton that if the noise continues I will take them to court because the noise was not played in the room with the limiter and if this is the case then I make the suggestion that a limiter be Installed and set at zero as well as the limiter already Installed

I put it to you that music is only to be played in the room with the Limiter is Installed because this is the area were the Improvement to the noise has been agreed and if music is played any were else then the disturbance is still happening and the problem has not been resolved by the council so my complaint still stands and is still on going with no action taken. I also request a Final Warning be issued regarding the doors being open Because I will get photo evidence of the doors being open of which is a breach of the contract and I will produce them to the courts and ask the courts to with draw the licence with the council regarding this breach of which the council is still allowing to happen !

These points will be put to the Ombudsman because the council are aware that music is played in two function areas and you have not addressed the complaint in full plus the council did not confirm any reports made to Police / Pippa Corney /etc during the Investigations

Regards
Mr Christian



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Inbox 720

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Drafts 295

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[New folder](#)

noise continues at un acceptable level Over community centre



doug christian 11/05/2015

To: JEAN HUNTER

Dear Jean Hunter

I have again contacted Emma Knight regarding un acceptable noise levels on Saturday night the 9th may 2015 from 7.30pm until midnight and again a police report made. I can inform you that on inspection by a neighbour all doors were open of which is a breach of licencing also the Over Community Centre has been advised of this from your Licencing Department of which is clearly being ignored

I have Informed Emma night that I now insist that an officer attends the next function to address this issue if I do not receive a positive response regarding this noise issue this being my second complaint of which my first complaint in in the Investigation stage by the Ombudsman Then I will take what ever action is needed to bring this complaint to were a solution is reached if that means media cover and local news papers then this will be done as you have proved that you council has no due care to pensioners or mental health residents living in you community but you do stand by a community centre that disturbs members of the community

Lastly I require a response directly from yourself on this matter

Regards
Mr Christian



Search emails

filed complaint to police

Folders

Inbox 721

Archive

Junk 672

Drafts 295

Sent

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New folder



doug christian 21/02/2015

To: russell.watkins@scambs.gov.uk

Mr Watkins

I again have phoned the community centre and also made a complaint to Cambridge police Officer Pc 176 Judi Brook Ref 555 made at 11.30 pm also the green light on the recording equipment is not flashing when switched on and I can tell you this complaint is going to stage 2 and I am going now to contact the health authority

COMPILED REPORT

NOISE COMPLAINT

LIMITER RESET

ADVICE GIVEN TO COMMUNITY CENTRE [BASE VOLUME]

NOISE DIARY REPORT

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 063
f: 01954 713248
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



Mr D. Christian
33 The Doles
Over
Cambridge
CB24 5NW

Our ref: RW/250603
Your ref:
Date: 19th January 2015

Health & Environmental Services
Contact: Russell Watkins
Direct dial: 01954 713137
Direct email: russell.watkins@scambs.gov.uk

Dear Mr Christian

Noise complaint relating to events at Over Community Centre & requested correspondence

I confirm my visit of 16th January 2015 to your property in relation to the above matter.

The reason for the visit was to agree a maximum level for the music at Over Community Centre to be played for that evening and as stated to you, it is intended that I will visit again on the evening of Wednesday 21st January 2015 when the actual noise limiter within the hall of the Community Centre will be set to a level as determined by myself.

As requested in your letter of 16th January 2015, please find enclosed a list of all dates when I have spoken to you or left messages on your home answer machine. For the purposes of our database you are listed as 'Reporter' and the Community Centre as 'Subject'. During the investigation I have as you will see telephoned other parties and sent/received emails, which is all necessary correspondence when investigating such a complaint.

I was not involved in your complaint raised on 27th July 2014 but enclose two letters from my colleague Miss Juli Stallabrass – Licensing & Communities Officer which were relevant to that time. My involvement commenced as a result of your contact on 27th October 2014 as you will see from the enclosed chronology of events, I first contacted you the following day.

I enclose a scanned copy of your noise diary received by this service on 28th October 2014 and also a CD which includes as requested, the sound files for the noise recorded over the period 11th November – 1st December 2014.

I trust the enclosed information is of assistance and it concludes all of my involvement in the case at the time of writing.

Yours sincerely

Russell J. Watkins
Environmental Health Officer



Summary of facts for meeting 17/04/15

Attending :-

Myles Bebbington – Environmental Health & Licensing

Susan Walford – Environmental Health Officer

Lewis Hall – Housing Officer

Claire Gilbey –

Virginia Lloyd – SCDC Solicitor

Mr Christian - Complainant

Complaint No WK/000244980

- First call recorded on 21st July at 09.42 from Mr Christian regarding noise over previous 2 Saturday nights at Community centre – advised that he had spoken to Cllr Corney & Police
- Letter sent with noise logs on 28th July - ACCEPTANCE THAT SCDC DID NOT REPLY IN 3DAY SERVICE STANDARD
- 29th July letter advising Community Centre regarding leaving doors and windows open.
- 29th July phone call from Mr Christian still not heard anything from SCDC
- 30th July phone call from Ms Stallabrass – message left on Mr Christian voicemail advising what has been done so far and to contact Ms Stallabrass
- No further contact with or from Mr Christian, log sheets not returned as referred to in letter of 28th July – Job closed 20/08/15.

Complaint status – Closed 28/08/14

Complaint No WK/000250603

- Issue raised with Russell Watkins on 27/10/15 via Debbie George advising that Mr & Mrs Christian are unhappy living with noise from Over community centre and could we investigate.
- 28/10/14 RW called Mr Christian to arrange noise log to be kept whilst awaiting availability of noise recording kit.
- 29.10 – Noise log sheets sent
- Noise monitoring installed on 11/11/2014
- 24/11/14 RW agreed with Mr Christian to leave equipment in until 2nd December
- 03/12/14 RW updated Mr Christian over 50 recordings taken some of which could be considered intrusive
- 04/12/14 RW spoke to Community Centre to discuss noise and to consider most appropriate action – meeting arranged for 12/12/14
- 12/12/14 – meeting cancelled – no reason recorded
- 15/12/14 Debbie George advised that Mr Christian still unhappy and wanted noise equipment installed over Christmas
- 15/12/14 RW called Mr Christian with update and to advise that noise equipment not available until New Year.
- 15/12/14 RW advised Louise Moulding that the matter was ongoing and he was due to meet with community centre shortly
- 17/12/14 RW & JS met with Community Centre management to raise concerns over volume level – advised that only events due were 19th Dec &

New Years Eve – all parties agreed that it would be best to arrange for a DJ to visit centre in New year so RW could take accurate readings and agree levels for the internal noise limiter based on recordings so far

- 17/12/14 RW & JS & Louise Moulding visited Mr Christian to advise of the outcome of the visit and planned action in New Year Mr Christian indicated that this was satisfactory
- Report of noise on 22/12/14 between 5.30 & 7.30pm
- 24/12/14 visit from Claire Gilbey regarding incident between Mr Christian & Community Centre
- 05/01/15 RW spoke to Mr Christian who was still irate about noise from Community Centre – RW advised that he/SCDC was still progressing as discussed prior to Christmas and that noise recording equipment will be available
- 06/01/15 RW advised Mr Christian that it would be possible to visit the Community Centre on the 16th Jan to review and set Community Centre noise limiter.
- 16/01/15 RW & JS visited both Community Centre and Mr Christians property. RW acknowledged that noise was audible with TV off and windows/doors closed Mr Christian reported as being vocal and abusive about music that he was already aware of from previous contact. RW was there as part of the noise monitoring and would return on 21.01/15 to set levels
- 16/01/15 letter requesting information handed to RW
- 19/01/15 return letter to MR Christian with responding to letter (16/01/15)
- 20/01/15 RW advised Mr Christian that letter being dealt with as FOI request
- 21/01/15 visit made by JS & RW with a DJ set present at Community Centre to set the levels full details as follows:- Visited with Juli from 20:30 at Community Centre to set noise limiter with DJ/Electrician present.
- JS stayed at site and RW visited reporter to monitor noise and contact to ensure that sensitivity increased on limiter to ensure cut off of music at mpre reasonable volume.
- Weather at time overcast, slight drizzle, 1degC, still.
- Three alterations of limiter, second at 21:07 when music still audible in habitable rooms (lounge/rear bedroom) with TV off. Noted more so in kitchen/hallway at front of property and audible in rear garden 21:10. Song identifiable on a couple of occasions and request for JS to ask for limiter to be altered again. After 3rd occasion music still audible in rear garden but not intrusive and only just audible in lounge (TV off) but having to listen for it, Mr Christian stated he "couldn't hear it" in the lounge or the rear bedroom. With TV on not audible at all, even with rear door open. Still audible at front of porperty/kitchen but not excessive (window just open in kitchen but not habitable room). Adv Sean & colleague at Community Centre that satisfied with vol at reporters property. Noise limiter "Formula Sound, Sentry Env Noise Control System". Music at max permitted was occasionally into 1st red which was after amber and six green (see photo) levels and after first red comes two and then three more together at point of cutting out. Adv Sean to be mindful of bass levels for visiting DJ's and management to ensure hall & entrance doors not propped open at any time to increase noise breakout although acknowledged entry/egress will make this possible for very short durations. Overall 6dB reduction from 94dB to 88dB on the amber setting. System has internal mic, altered by screwdriver after removing panel with two screws and needing large step ladder so satisfied that this is secure enough for purpose to avoid tampering. Also has external mic adj screw if installed but not at this premises (see bottom left mounted on blue in photo).

- Revisited reporter with Juli who discussed licensing queries and adv that FOI documents from H&ES were with our responsible person already who liaises with central person at SCDC who formulates response before all info delivered by hand for signing.
- 02/02/15 complaint from Mr Christian over noise from centre continuing discussed at length with RW
- 07/02/15 complaint received from Mr Christian regarding noise
- 10/02/15 delivery of FOI information to Mr Christian
- 11/02/15 Notification of complaint to ombudsman by Mr Christian
- 11/02/15 formal stage 1 complaint to SCDC
- 12/02/15 agreed to re-install noise kit at Mr Christians property on 17th February
- Visit made with Lewis Hall on 17/02/15 to install noise monitoring equipment and for LH to give housing/banding advice reported that Mr Christian became very angry and animated. RW explained that he believed he had taken all reasonable steps since the start of the complaint to investigate and ensure reasonable levels maintained
- 19/02/15 SCDC response to stage 1 complaint sent
- 21/02/15 Mr Christian informed SCDC that noise recording equipment appease to have failed
- 23/02/14 Mr Christian advised that CD supplied documenting noise recordings in November would not play on his laptop,
- 23/02/15 RW visited with Sarah Killick Ford (EHO) to discuss equipment failure – followed up by e-mail
- 23/02/15 Noise equipment re installed.
- 02/03/15 visit made by Police/Glaire Gilbey to Mr Christian in respect of a complaint from Community Centre regarding calls and visits made by Mr Christian, Mr Christian offered a property move and advised that his "banding" will be increased to "C"
- 04/03/15 Letter to SCDC from MP regarding complaint by Mr Christian
- 18/03/15 Noise equipment collected from Mr Christians property

Complaint status currently open.

General notes for consideration.

The recordings taken during November did demonstrate that noise from the centre, primarily when music was played could be heard in Mr Christians property, however it was not considered a statutory nuisance and related to activities that were not necessarily licensable.

In accordance with SCDC policy steps were taken during December & January to reduce levels of noise to a satisfactory level – as agreed with Mr Christian.

Due to the dissatisfaction of Mr Christian further recordings were taken during Feb/March 15

Recordings analysed and no evidence of disturbance found

POLICE REPORTS MADE SINCE LIMITER RESET

These police reports have been made since the Sound Limiter was reset in January 2015 these reports have been made due to unacceptable Noise Levels caused by the Over Community Centre Due to excessive Base Volume and Doors being open

POLICE REPORTS CAMBRIDGE POLICE

Report Ref /	Officers Name	Badge No	Date	Month	Year
555	Judi Brook	176	21st	Feb	2015
560	Pc Patten	560	9th	May	2015
560	Andy Colman	4086	9th	May	2015
CC=2306=2015=0466	Pc Holland	3873	22nd	June	2015
667	Tom	3535	27th	June	2015

**COPY OF REPORT MADE AFTER MR DOUGLAS CHRISTIAN
VISITED THE OVER COMMUNITY CENTRE**

File Note for tenancy: 33248

Date created: Wednesday, 24 December 2014

Mrs Margaret Christian
33 The Doles
Over
Cambridge
CB24 5NW

Created by Claire Whiteman

Visit carried out by myself on 23-12-2014 following details being passed on by Louise Moulding.

The ongoing noise complaint was discussed with Mr Christian and his wife. He was quite upset about historically complaining and no action being taken. I explained processes and the new ASB legislation which came into affect in October. He seemed happier having discussed this and gaining an understanding of the fact that Russell will attempt to work with the community centre to resolve the issue first before serving notices. He was advised that should they continue to ignore advice given then Environmental Health can take action. His main frustration was due to the fact that SCDC already have evidence on the matter but having explained the above he agreed with the way in which it was being handled now.

I talked to him about the incident which occurred in the centre with the staff. He denied being aggressive but he did admit to going there and telling them it's unacceptable. I have advised him not to attend the centre at all as the staff will report any unreasonable behaviour to the Police which then could result in Housing and Police taking partnership action. He fully understood this and has reassured me that he will not approach them himself but report the noise through the appropriate channels and keep a running log for evidential purposes.

In my opinion he is not a threat to the staff but he is trying to do the best by his unwell wife and is struggling to do this when being disturbed by noise. We discussed the options of being moved on a direct let or by increasing his banding but he would rather stay at his home as he has invested into the property.

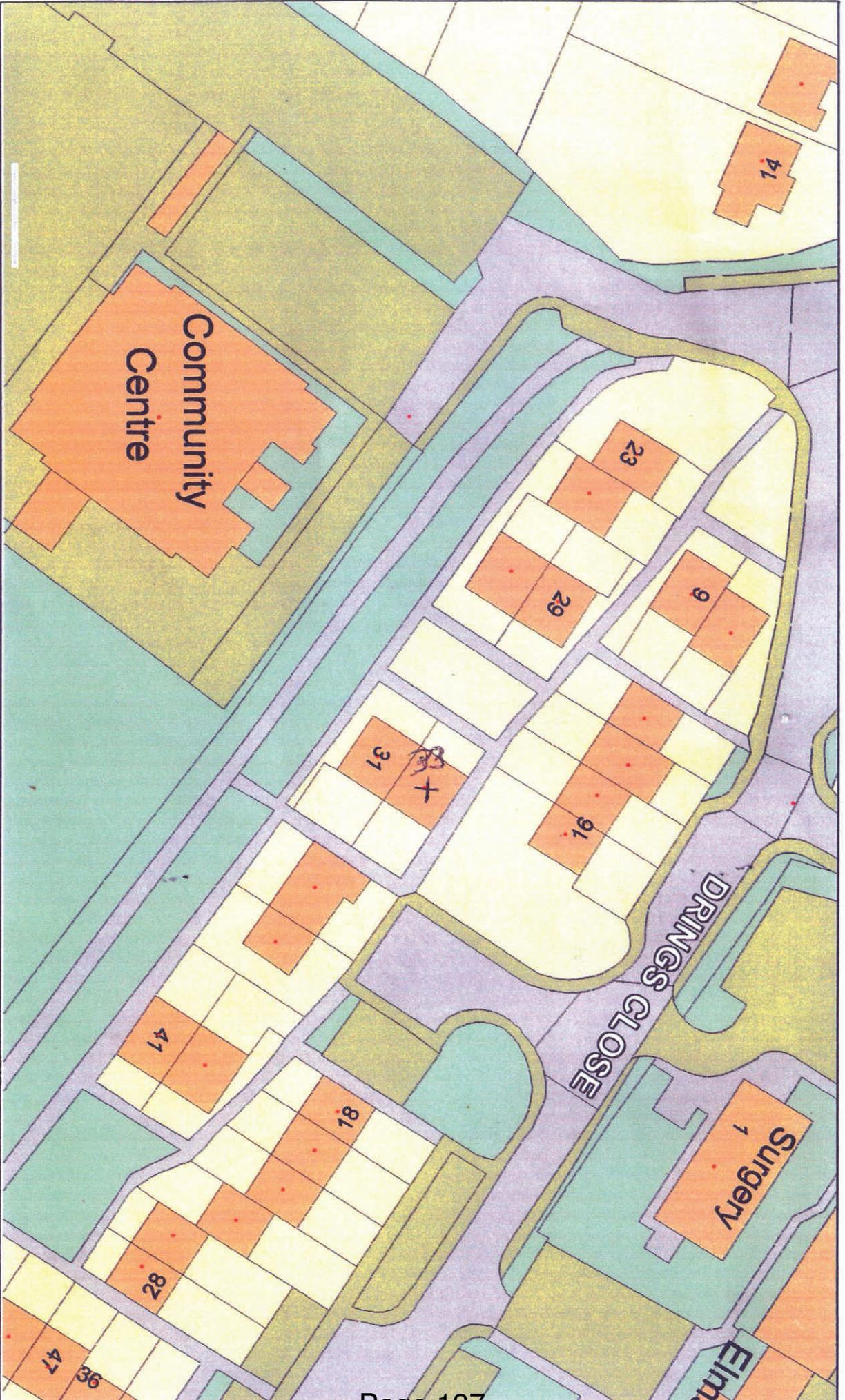
I informed that housing will not be involved any further at this stage but I will continue to discuss the matter with Russell Watkins on his return and request that this is put on to the ASB Task group.

MAP DIAGRAM

SHOWING POSITION OF 33 THE DOLES COMPLAINANT PROPERTY



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



Scale 1/455

Date 17/4/2015

Centre = 537232 E 270409 N

WITNESS STATEMENT

NOISE COMPLAINT / OVER COMMUNITY CENTRE



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Folders

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Drafts 295

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New folder

Noise



Becky Dundee (beckydundee@ymail.com) Add to contacts 14:28

To: dougandmags@hotmail.co.uk

Dear Mr Christian,

Please could I add support to your complaint against the noise level that has recently been on the increase at the Community Centre in Over. I live at **Giffords Way** which is a reasonable distance to expect not to hear anything. Yet I hear the actual words on the songs playing, mainly at weekends when a special event is on. If you need any further assistance please do not hesitate to contact me.

Best wishes,

Becky Dundee

WITNESS STATEMENT

NOISE COMPLAINT / OVER COMMUNITY CENTRE

Mr C Tyler
37 The Doles
Over
Cambridge
CB24 5NW

1st July 2015

WITNESS STATEMENT

Dear Sub Committee

I am writing this statement to confirm Details laid out in Mr D Christians complaint regarding excessive noise coming from the community centre are confirmed by myself

The Noise Levels started in July 2014 which reached unbearable Levels i rang the community centre myself to complain with no success in the reduction of noise The noise continued during 2014 and I was told that the Environmental Health was in process of reducing the noise levels of which I thought was good news !

In January the Environmental Health Officer adjusted the sound limiter inside the community centre but I would like to advise that the noise was still causing a disturbance doors were still being left open which increased the noise level

I have myself walked around the Building on more than one occasion and clearly noted doors open and patrons drinking outside being noisy. The Community centre staff are not interested in the problem when approached they dont reduce the sound levels they continue until midnight at night which in my opinion is a complete disregard to the residents living so close to the centre

Request

I request that the Sub Committee accept my witness statement as evidence in support of the Licence under review

I also request that the actions mentioned by Mr Douglas Christian resideing at 33 The Doles Over Cambridge CB245NW are taken into account and that this complaint is treated as serious and that appropriate action is taken to resolve this noise disturbance I strongly feel that if the community centre staff cannot respect the residents who make a Justified Complaint then may be its a time for a change of Management

Regards

Sign 

Dated 1 7 2015

NOISE GUIDANCE DOCUMENT

Page 3 shows permitted Noise Levels Acceptable inside a residents property



Guidance

Noise nuisances: how councils deal with complaints

From: Department for Environment, Food & Rural Affairs

(<https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs>)

First published: 7 April 2015

Part of: Environmental quality (<https://www.gov.uk/government/policies/environmental-quality>)

Applies to: England

How councils deal with complaints about noise at night, intruder alarms, construction noise and loudspeakers in the street.

Councils must look into complaints about noise that could be a 'statutory nuisance' (<https://www.gov.uk/statutory-nuisances-how-councils-deal-with-complaints>) (covered by the Environmental Protection Act 1990 (<http://www.legislation.gov.uk/ukpga/1990/43/part/III/crossheading/statutory-nuisances-england-and-wales>)).

For the noise to count as a statutory nuisance it must do one of the following:

- unreasonably and substantially interfere with the use or enjoyment of a home or other premises
- injure health or be likely to injure health

If they agree that a statutory nuisance is happening or will happen in the future, councils must serve an abatement notice (<https://www.gov.uk/statutory-nuisances-how-councils-deal-with-complaints#abatement-notice>). This requires whoever's responsible to stop or restrict the noise. The notice will usually be served on the person responsible but can also be served on the owner or occupier of the premises.

The abatement notice can be delayed for up to 7 days while the council tries to get the person responsible to stop or restrict the noise.

Councils are responsible for looking into complaints about noise from:

- premises including land like gardens and certain vessels (for example, loud music or barking dogs)
- vehicles, machinery or equipment in the street (for example, music from car stereos)

Statutory noise nuisance laws don't apply to noise from:

- traffic or planes (<https://www.gov.uk/noise-pollution-road-train-plane>) (they do apply to model planes)
- political demonstrations and demonstrations about a cause
- premises occupied by the armed forces or visiting forces

Councils can decide what level of service they provide to deal with noise complaints, for example, whether to have officers on call at night.

Noise at night: warning notices

To deal with complaints about noise that's louder than a permitted level at night (from 11pm to 7am) councils can issue a warning notice.

They can issue warning notices for noise at night without it being a statutory nuisance.

The warning notice must tell the recipient:

- that the noise is coming from the premises between 11pm and 7am
- that the noise exceeds, or may exceed permitted levels as measured from within the complainant's dwelling
- that the noise must be reduced to below the permitted level in a specified period (this must be at least 10 minutes after the notice is served and must end by 7am)
- what time the notice is issued

Noise from dwellings

If the noise comes from a dwelling the notice must say that the person responsible may be guilty of an offence if noise exceeding permitted levels is made in the period specified.

Noise from other premises

If the noise comes from other premises (not a dwelling), the notice must say that the person responsible for the premises may be guilty of an offence if noise exceeding permitted levels is made in the period specified.

If noise isn't reduced

If the council thinks the noise still exceeds the permitted level after the specified period and wants to prosecute, they must measure the noise level from within the dwelling of the person who's complained.

Permitted noise levels

The permitted noise level using A-weighted decibels (the unit environmental noise is usually measured in) is:

- 34 dBA (decibels adjusted) if the underlying level of noise is no more than 24 dBA
- 10 dBA above the underlying level of noise if this is more than 24 dBA

Penalties for not complying with a warning notice

If someone doesn't comply with a warning notice without a reasonable excuse, councils can:

- give a fixed penalty notice (<https://www.gov.uk/fixed-penalty-notices-issuing-and-enforcement-by-councils>) (FPN) giving them the chance to pay a fine (up to £110 for dwellings and £500 for licensed premises) within 14 days, instead of being prosecuted
- prosecute them if they don't issue an FPN or if the person responsible doesn't pay the fine on time (if convicted they can get a fine of up to £1,000 for dwellings and an unlimited amount for licensed premises)
- remove noise-making equipment like loudspeakers

Noise from intruder alarms

To deal with noise caused by problems with intruder alarms, councils can issue both:

- an abatement notice requiring the noise to stop (councils must do this if the alarm is causing a statutory nuisance)
- a warning notice (for noise between 11pm to 7am)

Alarm notification areas

In alarm notification areas, owners or occupiers with an alarm must give the council details of a key holder who can enter the property and turn off the alarm.

To set up an alarm notification area councils must:

1. Advertise the proposed notification area in a local newspaper or newsletter, allowing at least 28 days for comments.

2. Review comments.
3. Notify all premises in the affected area, highlighting the date the notification area starts (which must be at least 28 days from the notification date), by:
 - letter
 - advertising in a local newspaper

If the occupier or owner fails to give the council details of a key holder, the council can do one of the following:

- issue a fixed penalty notice (<https://www.gov.uk/fixed-penalty-notices-issuing-and-enforcement-by-councils>) giving them the chance to pay a fine of between £50 and £80 (the default amount is £75) as an alternative to being prosecuted
- prosecute them if they don't issue an FPN or if the person responsible doesn't pay the fine on time (if convicted, they can be fined up to £1,000)

What councils can do if they can't reach a key holder

If councils can't reach a key holder they can enter properties without force to silence alarms if all the following apply:

- they've taken reasonable steps to contact the key holder to silence the alarm
- the alarm has been going off constantly for 20 minutes or 1 hour intermittently
- the noise is likely to give people nearby reasonable cause for annoyance

If the council needs to use force to silence an alarm, they need a warrant. Find out more about powers of entry (<https://www.gov.uk/powers-of-entry>).

Key holders in alarm notification areas

Key holders must do all of the following:

- have keys to the property and be able to access the alarm
- live or be situated near the premises
- know how to turn the alarm off
- agree to be a key holder

For non-residential premises, key holders must be one of the following:

- the owner or occupier of the premises
- someone acting on behalf of the owner or occupier (if the occupier or owner isn't an individual, for example is owned by a company)

- a key holding company

For residential properties, key holders must be one of the following:

- a nominated person or company who is not the owner or occupier
- a key holding company

Noise from construction works

Councils can serve a notice on people carrying out construction or demolition works and tell them how the work should be carried out to avoid a potential statutory noise nuisance.

The notice can specify any of the following:

- a noise level
- the plant or machinery that can be used
- the hours when work can be done
- steps that need to be taken to minimise noise

Those failing to comply with the notice can be prosecuted and fined an unlimited amount, with further fines for each day that they fail to comply.

Applying for consent to carry out work

People can also apply for consent to carry out work. They must include details of all the following:

- the works
- how the work will be carried out
- what steps will be taken to minimise noise resulting from the works

The council must give consent for the work to go ahead if it's satisfied that both:

- the application contains enough information
- it won't need to serve a notice to control noise on the construction site

Loudspeakers in the street

It's an offence to use loudspeakers at any time to advertise:

- entertainment
- trade
- business

It's an offence to use loudspeakers for any purpose in the street at night between 9pm and 8am.

Exceptions: when loudspeakers can be used

Loudspeakers can be used:

- in emergencies
- as a public address system
- in or fixed to vehicles, if certain rules are followed
- at a travelling pleasure fair
- to direct a vessel
- if the council gives consent

In emergencies or for public information

Loudspeakers can be used in an emergency or as a public address system. They can be used by:

- the police
- the fire brigade
- the ambulance service
- the Environment Agency
- water or sewage companies
- councils
- public transport operators to make announcements to passengers or prospective passengers (but not on a highway)

On vehicles

If used in a way unlikely to give reasonable cause for annoyance, loudspeakers can also be used if they're in or fixed to a vehicle. The loudspeaker must be operated solely to do one of the following:

- warn other traffic (like a horn)
- entertain drivers or passengers
- communicate with passengers or drivers

- alert people that fresh food or drink is on sale (without speaking) - like chimes on ice cream vans (only from midday to 7pm)

If an ice cream van operator is prosecuted or gets a noise abatement notice, but they've complied with the code of practice on noise from ice cream van chimes

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/245699/pb14030-ice-cream-vans.pdf), they may be able to use this as grounds for an appeal or as a defence in court.

Model aircraft noise

If someone flying model aircraft on trade, business or industry premises gets a noise abatement notice, and they've complied with the code of practice on noise from model aircraft

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69542/pb13761-model-aircraft.pdf), they may be able to use this as grounds for an appeal or as a defence in court.

Noise from industrial, trade or business premises: special rules

If an abatement notice for noise is served on industrial, trade or business premises and they've used the best practicable means to stop or reduce the noise, they may be able to use this as one of the following:

- grounds for appeal against the abatement notice
- a defence, if prosecuted for not complying with the abatement notice

Other ways councils can deal with noise

Councils have separate powers to deal with anti-social noise

(<https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-anti-social-behaviour>).

Councils should consider potential noise nuisances when:

- making planning decisions (this may require a noise impact assessment (<https://www.gov.uk/government/publications/noise-impact-assessment-information-requirements>))
- issuing entertainment licences

- making decisions about building controls (<https://www.gov.uk/government/policies/providing-effective-building-regulations-so-that-new-and-altered-buildings-are-safe-accessible-and-efficient/supporting-pages/building-control-system>) (for example, checking that sound insulation is adequate)

Find out more about how planners can manage potential noise impacts in new developments (<http://planningguidance.planningportal.gov.uk/blog/guidance/noise/noise-guidance/>).

Environmental permits

The Environment Agency (EA) controls some potential noise nuisances with environmental permits (<https://www.gov.uk/environmental-permit-check-if-you-need-one>) as part of pollution control.

Councils need to work closely with EA to make sure that people aren't penalised twice for the same activity. If a facility has an environmental permit, councils must get the Secretary of State's permission before prosecuting for breach of an abatement notice.

Back to contents

PUBLIC PROTECTION

ADVICE NOTE

EVENT NOISE CONTROL REQUIREMENTS

This Documents give advice regarding noise control and sound levels which should not be exceeded when residents property is in close proximity to event being held the guidelines prevent a possible disturbance being caused

PUBLIC PROTECTION

ADVICE NOTE

EVENT NOISE CONTROL REQUIREMENTS



Events which are well organised can be great fun and can be enjoyed by many people, both on a local and national level. However, the noise from these events can be disturbing and this advice note and checklist is designed to assist those planning events which are likely to generate noise.

Noise disturbance is not just necessarily restricted to music, but can include that from public address systems, fireworks, the audience and equipment such as generators etc. Consideration must always be given to residents and businesses living and operating close to where the event is taking place. Noise control should form an integral part of the event planning process and after considering the suitability of a venue, you must consider carefully the position of entry and exit points, stage location, equipment, car parking etc.

Recommended actions include:

- Nominate a Noise Control Person who regularly checks the noise levels during the event at the perimeter and adjusts them as necessary
- Advise local residents of your planned activities well in advance
- Give anticipated start and finish times and provide a contact telephone number for the Noise Control Person at the event.
- Advise The Council's Public Protection Service of the Event, including any contact telephone numbers, for use by the Out of Hours Duty EHO where appropriate.

Indeed in some circumstances the Council may request that you appoint a Acoustic Consultant to assist you in planning and monitoring the event to ensure that noise is not excessive. If you are not sure, contact the Public Protection Service for further advice.

The advice in this document follows national guidance contained in the Code of Practice on Environmental Noise Control at Concerts issued by the Noise Council and you are also advised to have regard to this, particularly if planning a large event.

Any questions?

Contact: Public Protection Service
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Bedfordshire
SG17 5TQ

Tel: 0300 300 8000
e-mail: pollution@centralbedfordshire.gov.uk

THINGS TO DO CHECKLIST	
Before the event (where applicable)	Done?
1. Decide who will be the Noise Control Person for your event.	
2. Contact the Public Protection Team to discuss your proposed event, any requirements that they may have with regards to noise control including in some circumstances the appointment of a noise consultant. Tel: 0300 300 8000	
3. Where necessary appoint a noise consultant. Suitable consultants can be found through local search engines / business directories or through contacting Association of Noise Consultants or the Institute of Acoustics: www.association-of-noise-consultants.co.uk . Tel: 01727 896092. www.ioa.org.uk . Tel: 01727 848195.	
4. Give your noise consultant a copy of the Requirements for Noise Consultants sheet attached to this advice sheet.	
5. Visit the event site and identify all properties which are likely to be affected by noise from the event. Make a list of all the addresses.	
6. Choose a mobile phone number which will act as a Complaint Hotline. The noise control person must have this mobile phone with them throughout the duration of the event.	
7. Write a letter and deliver it to all the addresses on the list you have made above. This letter should tell people about the event, the start and finish times and should suggest that people call the Complaint Hotline number if they want to make a noise complaint.	
8. Email a copy of your letter to the Public Protection Team, pollution@centralbedfordshire.gov.uk In your email, include: <ul style="list-style-type: none"> • a list of addresses your letter has been delivered to, • the name and contact details of the noise control person, • the name and contact details of your noise consultant. 	

During the event	
9. Test the Complaint Hotline number to make sure it's working. It's usually best to have the phone on 'vibrate' as you may not hear incoming calls during the performance.	
10. Test the contact numbers you have for your consultant.	
<p>11. Deal with any noise complaints in a professional way and take them seriously:</p> <ul style="list-style-type: none"> • Ask the caller for their name, address and contact number. • Advise the person that their complaint will be investigated by your noise consultant. • Where appointed pass the details to your noise consultant and ask them to investigate. • Ask your consultant to let you know the outcome of their investigation. • Re-contact the person who made the complaint to let them know what action has been taken. <p>If your consultant tells you the noise is too loud, you must ensure that volume levels are reduced. With respect to music noise it is usually the bass component of the music is the most disturbing, so reducing the volume of the bass is likely to help.</p>	
12. Make sure the event finishes at the advertised time and does not over run.	
After the event	
Provide to the Public protection Team within 24hrs a list of all complaints received, actions taken and any other necessary information. If you have been advised to appoint a noise consultant also provide within 14 days a post-event report.	

Requirements for Noise Consultants

Before the event:

1. Carry out a background noise survey at the nearest residential properties prior to the event commencing. The background noise level should be measured using a sound level meter complying with type 2 or better of BS5969. Time weighting F (fast response) should be used.
2. Carry out a sound test to ascertain the maximum music noise level that can prevail at the mixer desk so as to ensure that the specified noise levels in Table 1 below are met. This effectively calibrates the system.
3. Liaise with sound system suppliers to ensure all loudspeakers are aligned and orientated so as to minimise noise disturbance.
4. Any changes in plans made on the day relating to noise issues i.e. stage orientation, speaker positions must be noted and referenced in the post event report.
5. You should be present for the whole duration of the event. You should not carry out any other activities related to the event.

During the event.

6. The following noise levels shall be complied with:

Table 1

Music Noise Level (MNL) should not exceed the background noise level (L_{A90}) by more than 15dB(A) when measured over any 15 minute period during both the sound checks and the event. This level applies between 09.00 and 23.00. Measurements should be taken 1 metre from the facade of any noise sensitive premises*.

The Sound Pressure Level, at 1 metre from the facade of any noise sensitive premises, should not exceed 71dB in either of the 63Hz or 125Hz octave frequencies.

For events occurring between 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.

- Noise sensitive premises includes premises used for residential purposes, hospitals or similar institutions, education establishments or places of worship or any premises used for any other purposes likely to be affected by the music noise.

7. You must ensure all specified music noise levels in Table 1 are adhered

to. You are responsible for liaising with sound engineers on noise issues. You should advise the sound engineer of any breaches in the specified music noise levels or the noise condition, and require sound engineers to make adjustments to the music noise levels in order to meet the requirements of Table 1. You must also advise the sound engineer of any occasions where the specified music noise levels have only just been met.

8. You should carry out noise monitoring within the venue at the sound mixer position, and at locations outside the venue throughout the event.
9. The music noise level should be measured using an integrating-averaging sound level meter complying with type 2 or better of BS6698. Time weighting F (fast response) should be used. The MNL in Table 1 is in terms of 15 min L_{Aeq} , however useful control can be exercised by monitoring the L_{Aeq} over 1 minute periods. This enables an early warning of possible breaches to the 15 minute level.
10. When measuring L_{Aeq} in order to determine the music noise level, care must be taken to avoid local noise sources influencing the result. Where the local noise is intermittent, a series of short term L_{Aeq} measurements should be made of the music noise while the local source is absent or has subsided to typically low or mean minimum values. An average of these short term readings will give an estimate of the music noise level. A further option would be to measure the A weighted sound pressure level on a sound level meter complying with type 2 or better of BS5969 with the time weighting set to S (slow response) when the music is at its loudest and not influenced by local noise. If the local source is continuous, a measurement of the L_{Aeq} of the local source when the music is not occurring should be made and a correction to the measured L_{Aeq} when the music is occurring made to obtain an estimate of the music noise level.
11. As with many events, the sound volume level is often increased during the event to enhance the performance. The music noise levels should be borne in mind so that the sound volume at the start of the event is not too high, hence allowing scope for an increase during the event.
12. You should be advised of all noise complaints received. You should investigate all noise complaints and take appropriate action.

After the event

13. Send a post-event report to the Public Protection Team including:
 - Complaints received and action taken.
 - Monitoring results collected on the day.
 - Details of any breaches of the noise levels specified in Table 1 and action taken
 - Any recommendations for future events.

PROPOSED ACTIONS FOR SUB COMMITTEE

REQUIRED ACTIONS TO BE CONSIDERED

Item [1] All rooms that provide Entertainment that do not at present have a Limiter Installed shall have a Limiter installed those Limiters will be set to a sound level reading of minimum

Item[2] At all regulated and un regulated events the Windows and Doors will remain shut at all times ! Access and Egress shall be by the side entrance door only!
Door man to be employed so that this instruction is enforced. In order to comply with safety and fire regulations main doors may be opened and only in the event of an emergency

Item[3] I request that patrons are not allowed to drink outside of the Building after the hours of 11pm due to noise reading of 60dB taken in November 2014 and noise levels should be taken into consideration between 11pm till 7am

Item[4] Sound Levels if applicable are to be reduced at the request of an Environmental Health Officer and any member of the surrounding residents Immediately!

I would require these conditions to be made Mandatory with an Immediate effect failure to comply to any conditions agreed will result in gross mis conduct in connection of a severe breach of licence conditions and rendering the offender or offenders liable for Immediate Dismissel wether it be the Manager or Nominated person in charge of the night in question.

I Mr Douglas Christian ask the Licence Sub Commitee to consider the above proposals I feel that the present licence conditions are Inappropriate because they give to much freedom the proposal above give tighter control over events without causing undo disturbance to the residents of which are elderly living in a sheltered housing community of which should be high on priority we all have a right to peace and quite and still have enjoyment

Signed



Licence Review Applicant

**Mr Christian, 33 The Doles, Over
Chronology of events**

- 21/7/14 Mr Christian call to SCDC to report noise from loud music and people leaving community centre over last 2 Saturdays. Contact centre sent noise log sheet.
- 28/7/14 Mr Christian call to SCDC to report noise again Sat 26/7/14. Juli Stallabrass (JS) sent letter to Mr Christian (appendix 1) and to licensee of community centre (appendix 2).
- 20/8/14 Investigation closed as detailed in letter to Mr C as no log sheets returned.
- 27/10/14 Mr Christian call to SCDC to report loud music from community centre between 8pm-midnight Sat 25/10/14.
- 28/10/14 Russell Watkins (RW) call to Mr Christian- discussed installing noise kit when available and in meantime will send log sheet to complete and make contact with community centre.
- 29/10/14 Letter received from Mr Christian, with completed log sheet detailing one date (appendix 3)
- 11/11/14 Noise kit installed in Mr Christian's home.
- 24/11/14 RW call to Mr Christian- *Reporter stated noise from event over weekend and recorded. Agreed to leave kit installed another week.*
- 2/12/14 RW collected noise kit.
- 3/12/14 RW analysed recordings- over 50 recordings made and noise intrusive into Mr Christian's home.
- 3/12/14 RW sent email to community centre with a copy of licence conditions (appendix 4).
- 3/12/14 RW call to Mr Christian- *Updated reporter as to contact with community centre via email and will keep informed. Requested to note any noise times etc at weekend and advise me w/c 8th Dec if occur.*
- 4/12/14 Call from Sean Watkiss Community centre manager to RW- *Discussed complaint and recordings. Event Sat 6th Dec and Panto Tues 9th - Thurs 11th Dec. Adv that reporter to monitor and let me know of any problems in meantime before meeting which has been arranged at Community Centre with JS on Friday 12th december at 09:30.*

- 17/12/14 Meeting at community centre (postponed from 12/12/14) RW & JS met with Sean Watkiss and Tracy Kimber on site- *Played recordings and adv of concerns re volume. Assessed building and noted sound limiter in main hall. Event this coming fri 19th Dec and then only NYE event in bar then mid-jan until next event. Adv that would monitor if available on fri but otherwise contact w/c 5th Jan and arrange for visit prior to event when DJ can play music and also representative present to set sound limiter which I believe is required based on recordings. JS adv of licensing implications.*
- Visit to Mr Christian by RW, JS and housing officer Louise Moulding- *Adv of outcomes of visit to Community Centre (see last action) and will be in contact when have update re progress and with view to altering noise limiter levels. Adv not to contact Community Centre to vent frustrations when events taking place and that only Fri 19th & NYE (latter bar only) before January.*
- 5/1/15 RW call to Mr Christian- *Still irate despite assurances at last visit that would progress as necessary. Stated noise at events late Dec but stated unable to visit Fri 21st and agreed that would progress as previously agreed.*
- 5/1/15 RW sent email to Sean Watkiss (appendix 5).
- 5/1/15 Email reply from Sean Watkiss (appendix 6)
- 6/1/15 RW call to Mr Christian- *Message adv reporter of potential for Fri 16th to monitor/re-set noise limiter*
- 8/1/15 RW email to Sean Watkiss (appendix 7)
- 13/1/15 RW email to Sean Watkiss (appendix 8)
- 13/1/15 RW call to Sean Watkiss- *Discussed with Sean - Singer & backing this coming Fri so will attend 18:30 to monitor set vol but Sean to contact DJ/electician tomorrow and come back to me with regard to purpose visit to set noise limiter.*
- 13/1/15 RW call to Mr Christian- *Message updating Mr Christian*
- 14/1/15 Call from Sean Watkiss to RW- *Aside from this fri, arranged to meet electrician Weds 21st at 20:00 to adjust and set levels*
- 15/1/15 RW call to Mr Christian- *Message adv reporter of two visits proposed in next week.*
- 16/1/15 Visit to community centre & Mr Christian by RW & JS- *Singer and DJ in attendance for 21st birthday party. JS stayed at premises and I visited Mr Christian who at time of attending property was extremely vocal and abusive about the music which he was already aware from my last contact that I was*

visiting to resolve anyway. Stated that I need to go over and sort the music out with plenty of finger pointing in the process and that if not he'd see me in Court. I explained that I could just walk away with that sort of attitude and that he should be aware that I was attending to assist. Monitored in property, with TV off and in silence with doors/windows closed music was audible and needed reducing in volume. Working with Juli this was achieved. Agreed with Sean/Reporter to visit on evening of Weds 21st from 20:00ish to set noise limiter itself. Reporter handed me paperwork he wanted answers to re investigation of complaint. (appendix 9) This apparently by H&ES and Housing. Agreed on levels set for evening and confirmed with DJ.

- 19/1/15 RW sent letter to Mr Christian (appendix 10)
- 20/1/15 RW call to Mr Christian- Message adv reporter of FOI info passed to relevant person and response being co-ordinated. Confirmed visit tomorrow night from 20:30 to set noise limiter & would be present at property nearer 20:45.
- 21/1/15 Visit to community centre and Mr Christian to set noise limiter- Visited with Juli from 20:30 at Community Centre to set noise limiter with DJ/Electrician present. JS stayed at site and RW visited reporter to monitor noise and contact to ensure that sensitivity increased on limiter to ensure cut off of music at more reasonable volume. Weather at time overcast, slight drizzle, 1degC, still. Three alterations of limiter, second at 21:07 when music still audible in habitable rooms (lounge/rear bedroom) with TV off. Noted more so in kitchen/hallway at front of property and audible in rear garden 21:10. Song identifiable on a couple of occasions and request for JS to ask for limiter to be altered again. After 3rd occasion music still audible in rear garden but not intrusive and only just audible in lounge (TV off) but having to listen for it, Mr Christian stated he "couldn't hear it" in the lounge or the rear bedroom. With TV on not audible at all, even with rear door open. Still audible at front of property/kitchen but not excessive (window just open in kitchen but not habitable room). Adv Sean & colleague at Community Centre that satisfied with vol at reporters property. Noise limiter "Formula Sound, Sentry Env Noise Control System". Music at max permitted was occasionally into 1st red which was after amber and six green (see photo) levels and after first red comes two and then three more together at point of cutting out. Adv Sean to be mindful of bass levels for visiting DJ's and management to ensure hall & entrance doors not propped open at any time to increase noise breakout although acknowledged entry/egress will make this possible for very short durations. Overall 6dB reduction from 94dB to 88dB on the amber setting. System has internal mic, altered by screwdriver after removing panel with two screws and needing large step ladder so satisfied that this is secure enough for purpose to avoid tampering. Also has external mic adj screw if installed but not at this premises (see bottom left mounted on blue in photo). Revisited reporter with Juli who discussed licensing queries and adv that FOI documents from H&ES were with our responsible person already who liaises with central person at SCDC who formulates response before all info delivered by hand for signing. (photos attached as appendix 11)
- 2/2/15 Email from Mr Christian (appendix 12)
- 2/2/15 RW call to Mr Christian- Discussed at length with reporter - Annoyed about noise on Weds evening (NYE) and yesterday Sunday. Adv that not necessarily licensable events and can take action under s82 EPA 1990 if so wished.

- 7/2/15 Email from duty manager at community centre (appendix 13)
- 9/2/15 email from Mr Christian (appendix 14)
- 10/2/15 FOI documents hand delivered to Mr Christian by Emma Knight (EK) (appendix 15)
- 11/2/15 email from Mr Christian (appendix 16)
- 11/2/15 RW email to Mr Christian (appendix 17)
- 12/2/15 Case review meeting RW, EK and Lewis Moody (LM) (homelink officer)- *Matter discussed, agreed to install noise kit again based on last weekends compliant (Sat) and Lewis confirmed no banding increase and all concurred that no ASB issues that may raise a banding.*
- 12/2/15 RW email to Mr Christian to arrange installation of noise kit in his property (appendix 18)
- 12/2/15 RW email to community centre advising of further complaints and further monitoring to be undertaken (appendix 19)
- 17/2/15 Visit to Mr Christian's home to install noise kit by RW and LM- *Visited with Lewis Hall - Homelink: Installed noise monitoring equipment in rear bedroom whilst Lewis discussed housing advice/bandings. This then continued in my presence in lounge when issue of noise then addressed to which reporter became very animated and angry. Explained that I've taken all reasonable steps since start of compliant to investigate and ensure reasonable levels maintained. Provided copy of my email dated 9th february 2015 (attached to this job) and stated that because other rooms/other noise types being alleged, that this was now reason for further investigation and need for installation of noise monitoring equipment again. Stated would confirm visit in brief email including that no out of hrs officer available.*
- 17/2/15 RW email to Mr Christian (appendix 20)
- 17/2/15 RW email to Sean Watkiss (appendix 21)
- 19/2/15 EK stage one response letter to Mr Christian (appendix 22)
- 20/2/15 Email from Sean Watkiss (appendix 23)
- 21/2/15 Email from Mr Christian (appendix 24)
- 22/2/15 RW email to Mr Christian (appendix 25)
- 23/2/15 Visit by RW to Mr Christian's home to replace noise kit following power cuts- *Visited with SKF - Changed noise monitoring equipment. Power cut approx 20:00 on evening of Sat 21st Feb apparently, but only for approx 4mins and then another same evening for approx 2mins. Adv that new back up batterties at time of installation and surprised they would fail that quick. No display on SLM at time but blue LED showing. Will analyse kit.*
- 23/2/15 RW email to Mr Christian re: noise kit failure (appendix 26)

- 24/2/15 email from Mr Christian and reply by RW re: sound limiting device at community centre (appendix 27)
- 26/2/15 JS email to Mr Christian re: sound limiting device at community centre (appendix 28)
- 4/3/15 File note from Claire Gilbey (neighbourhood services officer) following concerns about Mr Christian's behaviour towards community centre staff (appendix 29)
- 4/3/15 Letter from James Paice MP (appendix 30)
- 9/3/15 EK email to Mr Christian to extend time for noise kit (appendix 31)
- 11/3/15 email from Mr Christian (appendix 32)
- 18/3/15 JS visit to Mr Christian's home to collect noise kit
- 23/3/15 Myles Bebbington (MB) stage 2 response to Mr Christian (appendix 33)
- 25/3/15 EK reply to James Paice MP (appendix 34)
- 26/3/15 Email from Mr Christian with reply by EK (appendix 35)
- 30/3/15 Email from Mr Christian with reply by MB (appendix 36)
- 5/4/15 email from Mr Christian (appendix 37)
- 7/4/15 Noise recordings made Feb 2015 analysed- no intrusive music or people noise audible (notes attached as appendix 38)
- 13/4/15 EK email to Mr Christian and his reply re: noise recordings and insufficient evidence to take formal action (appendix 39)
- 15/4/15 EK email to Mr Christian and reply re: meeting to discuss investigation (appendix 40)
- 17/4/15 Meeting held at SCDC offices to discuss outcome of investigation. Present: Myles Bebbington (Head of EH & Licensing), Susan Walford (Operational Manager, EH & L), Virginia Lloyd (Lawyer), Lewis Moody (homelink officer), Claire Gilbey (Neighbourhood services officer) & Mr Christian.
- 23/4/15 MB letter (appendix 41) to Mr Christian confirming meeting and enclosing CD of noise recordings (appendix 42) and meeting notes.
- 13/5/15-04/06/15 email correspondence between EK, MB & chief executives office with Mr Christian (appendix 42a)
- 12/6/15 Monitoring visits undertaken by Tara King (TK) (licensing support officer) 1920-1936 hrs, 2210-2220hrs & 2332-2340hrs. Music levels were not excessive or intrusive.

- 18/6/15 Monitoring visits undertaken by MB 1815-1900hrs & 2215-2140hrs. No music audible.
- 20/6/15 Monitoring visits undertaken by TK 2040-2126hrs. Music and singer audible but not excessive or intrusive.
- 24/6/15 EK email to Mr Christian- with reply (appendix 42b)