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*Licensing Sub-Committee - 10/05/23*

## LICENSING SUB-COMMITTEE

Wednesday, 10th May, 2023

Time of Commencement: 10.00 am

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**Present:** Mayor - Councillor Simon White (Chair)

**Councillors:** Barker MBE                      Brockie

**Officers:**                      Melanie Steadman                      Licensing Officer  
                                         Anne-Marie Pollard                      Solicitor  
                                         Matthew Burton                      Licensing Administration Team  
                                                                                      Manager  
                                         Karen Benson                      Environmental Health Officer

1. **APPOINTMENT OF CHAIR**

Cllr White was appointed as Chair.

2. **APOLOGIES**

3. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

4. **TEMPORARY EVENT NOTICES - 85 SECRET GARDEN, CLAYTON ROAD, NEWCASTLE. ST5 3NE**

The Sub-Committee considered the officers report and heard from the applicant's representative, the premises manager and the Environmental Health Officer. The reason that this matter was brought before the Sub-Committee was a relevant representation received from environmental health in relation to the prevention of public nuisance.

The Environmental Health Officer outlined the representation and expanded on the supporting evidence which was shared by email with all parties on the 9th May 2023. The evidence showed the concerns of the residents who were not formally consulted under the TEN process. She also outlined the World Health Organisation guidance with regard to noise nuisance and the fact that environmental health had required conditions on the licence to mitigate noise when the premises licence was varied in November 2022. She finally highlighted that under the temporary event notice the conditions attached to the premises licence and, in particular, the noise management plan would not be enacted from the end of licensable hours unless imposed by the Sub-Committee.

The applicant representative responded that there was no evidence of any complaints on record both in the report and at the premises and that it was only following action by the environmental health officer that the local residents had taken the time to make their comments. He stated that the premises planned to operate

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using the conditions attached to the premises licence throughout the entirety of the event even though they were not required to do so under a temporary event notice.

Following a question from members regarding the Easter event mentioned in the representation, the premises manager confirmed that over the Easter weekend they had not used the outside area due inclement weather and the premises had closed at 9pm so he was unsure as to what had occurred to cause concern with the neighbour.

The Sub-Committee carefully considered the information that they heard from all parties and from the report and decided that it was appropriate to allow the event to occur with the addition of all the Prevention of Public Nuisance conditions from the premises licence 17523, as listed in the 'Statement of Conditions' document.

**Resolved:** That temporary event notices for the 20th May, 24th June and 22nd July 2023 at 85 Secret Garden, 81-85 Clayton Road, Newcastle-under-Lyme, ST5 3NE be granted with the inclusion of the Public Nuisance conditions from the premises licence 17523.

**Mayor - Councillor Simon White  
Chair**

Meeting concluded at 11.00 am