



NOTICE IS HEREBY GIVEN that a hearing of the **LICENSING SUB-COMMITTEE** will be held in the **CIVIC SUITE, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **MONDAY, 6 DECEMBER 2021** at **10:00 AM** and you are requested to attend for the transaction of the following business:-

AGENDA

APOLOGIES

1. ELECTION OF CHAIRMAN

2. MEMBERS INTERESTS

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda item. Please see Notes below.

Item Led By: Chairman.

3. INTRODUCTION

Item Led By: Chairman.

4. LICENSING SUB COMMITTEE PROCEDURE (Pages 3 - 8)

Item Led By: Chairman.

5. SEVEN WIVES, RAMSEY ROAD, ST IVES, PE27 5RF (Pages 9 - 88)

To consider an application for a review of a premises licence made under Section 51 of the Licensing Act 2003 made by the following:-

Applicant: Huntingdonshire District Council, Environmental Health

Premises: The Seven Wives
Ramsey Road
St Ives
PE27 5RF

Item Led By: C Sandells - (01480) 388846

6. EXCLUSION OF PRESS AND PUBLIC

To resolve:-

to exclude the press and public from the hearing during the determination of the application.

7. DETERMINATION

To determine the application referred to in Agenda Item 5.

Item Led By: Chairman.

9th day of November 2021



Head of Paid Service

Disclosable Pecuniary Interests and Non-Statutory Disclosable Interests

Further information on [Disclosable Pecuniary Interests and Non - Statutory Disclosable Interests is available in the Council's Constitution](#)

Filming, Photography and Recording at Council Meetings

The District Council permits filming, recording and the taking of photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening at meetings.

Arrangements for these activities should operate in accordance with [guidelines](#) agreed by the Council.

Please contact Democratic Services, Tel: 01223 752547 / email: Democratic.Services@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Sub-Committee.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the [District Council's website](#).

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

HUNTINGDONSHIRE DISTRICT COUNCIL

LICENSING SUB-COMMITTEE PROCEDURE

1. Introduction

- 1.1 The following proceedings apply to the licensing sub-committees established by the Licensing Committee of the Huntingdonshire District Council acting as the Licensing Authority.

2. Membership

- 2.1 Each licensing sub-committee shall comprise three Members appointed by the Licensing Committee from amongst its membership. A sub-committee shall elect a Chairman from amongst its members at each meeting, for the purpose of that hearing or meeting.
- 2.2 The quorum for hearings and meetings of a sub-committee shall be three members.
- 2.3 Members shall endeavour to be present throughout an individual hearing by a sub-committee. If a member of a sub-committee is required to leave a hearing temporarily, the Chairman shall adjourn the hearing for the duration of the period whilst that member is unavailable. Any member who is absent from a hearing for any reason whilst that hearing is taking place shall be precluded from commencing or continuing to take part in the matter under debate upon his arrival/return and from voting upon the matter at the conclusion of that item of business.
- 2.4 Where the Sub-Committee undertakes a site visit prior to a hearing, a member shall be precluded from taking part in the hearing if he has not attended that site visit.
- 2.5 A member will not take part in a hearing or meeting at which a matter is being discussed which relates to a premises licence, club premises certificate, temporary events notice or personal licence where either the premises or the person is resident in the ward which he represents.

3. Notice of Hearings

- 3.1 Upon the date of a hearing of a sub-committee being arranged, notice shall be given to the parties to the hearing in accordance with the requirements of the Hearings Regulations. For the purposes of this procedure, a party is defined as an applicant for a licence or certificate,

a person who has given a temporary events notice, a responsible authority or a person or business that has submitted relevant representations in respect of an application or applied for a review of a licence or certificate and, in certain additional instances, the Chief Officer of Police.

3.2 The notice of the hearing shall be accompanied by a copy of this procedure which sets out

- the right of attendance at a hearing by a party and the right to submit representations etc.
- the consequences if a party does not attend or is not represented at a hearing
- the procedure to be followed at the hearing

3.3 The notice of the hearing will also be accompanied by copies of the documents required by the Hearings Regulations and any particular points upon which the Sub-Committee considers that it will want clarification from a party at the hearing.

3.4 Where a hearing is to be held on more than one day, the hearing will be arranged so that it takes place on consecutive working days.

4. Action Following Receipt of Notice of Hearing

4.1 Upon receipt of a notice of a hearing, a party is required to give notice to the licensing authority whether

- he intends to attend or be represented at the hearing,
- he wishes to request permission for any other person to appear at the hearing, accompanied by the name of the person and a brief description of the point(s) to be made by the person, and
- he considers the hearing to be necessary.

4.2 A party should notify the licensing authority within the following timescales-

- 1 working day of the hearing in the case of a cancellation of an interim authority notice following police objections or a counter notice following police objection to a temporary events notice;
- 2 working days of the hearing in the case of a review of a premises licence following a closure order or the conversion of an existing licence or club premises certificate or an application by the holder of a justices' licence for a personal licence; or
- 5 working days of the hearing in all other cases.

- 4.3 Notice may be given to licensing authority by electronic means to the address democratic.services@huntingdonshire.gov.uk but upon sending the notice by this means, a party must also give the notice to the licensing authority in writing.
- 4.4 A sub-committee may dispense with the holding of a hearing if all of the parties have given notice that they consider a hearing to be unnecessary. Where the parties have agreed that a hearing is unnecessary in such circumstances, the Council shall give notice to the parties that the hearing has been dispensed with.
- 4.5 Where a hearing has been dispensed with, the matter which was to have been the subject of the hearing shall be determined at a meeting of the Sub- Committee.

5. Withdrawal of Representations

- 5.1 A party may give notice to the licensing authority no later than 24 hours before the commencement of the hearing that he wishes to withdraw his representations or he may do so orally at the hearing.

6. Extension of Time

- 6.1 The Sub-Committee may extend any of the time limits specified in this procedure where it considers it necessary to do so in the public interest and shall give notice of the extension of time and the reason for it to the parties to the hearing.
- 6.2 The Sub-Committee may adjourn the hearing or arrange for it to be held on specified additional days, where it considers this to be necessary to consider any representations made by a party. The parties to the hearing will be notified of the adjournment or rearrangement.
- 6.3 In considering any extension of time or adjournment, the Sub-Committee will not exercise its powers so that an application is deemed as granted or rejected in accordance with the transitional arrangements specified in the Act.

7. The Hearing

- 7.1 The Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing or that part of the hearing taking place in public. The Sub-Committee will normally resolve to exclude the public from that part of the hearing during which the Sub-Committee determines the matter which is the subject of the hearing.

- 7.2 Subject to the above, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified
- 7.3 At the commencement of the hearing, the Chairman shall introduce the members of the Sub-Committee and any officers in attendance to support the Sub-Committee and shall ask the parties and any persons accompanying them to state their names and addresses or who they represent. The Chairman shall explain to the parties present that the hearing is subject to this procedure, copies of which will have been distributed to the parties with the notice of the hearing, and shall enquire of the persons present whether there are any questions of clarity or explanation about its contents.
- 7.4 The Sub-Committee shall consider any request from another person to appear at the hearing of which notice has been given but such permission shall not be unreasonably withheld.

Procedure in all cases other than an application for a review of a premises licence or a club premises certificate or convictions coming to light after the grant or renewal of a personal licence

- 7.5 The Licensing Officer will present the application. The Chairman will then invite the applicant or his representative to address the Sub-Committee on his application, to respond to any point(s) upon which notice has been given that clarification is required by the licensing authority and to call any person(s) to whom permission has been granted to appear in support of his application. The applicant will be allowed a maximum period of time of twenty minutes in which to address the Sub-Committee and call persons on his behalf.
- 7.6 The applicant or his representative or any person called on his behalf may then be asked any questions upon their presentation by any member of the Sub-Committee or by any of the other parties present at the hearing or their representatives.
- 7.7 The Chairman will then invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person(s) to whom permission has been granted to appear. Each party will be allowed a maximum period of time of twenty minutes in which to address the Sub-Committee and call persons on his behalf. The sequence in which each of the parties will be invited to address the Sub-Committee will be at the discretion of the Chairman but will normally be in the order of the Chief Officer of Police, the Fire Authority, the health and safety at work enforcing authority, the local planning authority, the local environmental health authority, the local weights and measures authority, the authority responsible for the protection of children from harm, a navigation or other authority responsible for waterways and any other party that has submitted

representations in respect of the application, certificate, notice or other matter appearing before the Sub- Committee.

- 7.8 The party or his representative or any of his witnesses may be asked any questions upon their presentation by any member of the Sub-Committee or by the applicant or his representative or any of the other parties present at the hearing or their representatives.
- 7.9 Where relevant written representations have been received and the party submitting those representations has given notice of his intention not to attend the hearing, the parties present will be invited by the Chairman to indicate whether they wish to comment on the representations submitted. The Sub-Committee may take into account documentary or other evidence submitted by a party either in support of their application, notice or representations either before the hearing or, with the consent of all of the other parties present, at the hearing.
- 7.10 Where appropriate, the Chairman shall remind the parties that their representations should be relevant to the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The Sub-Committee shall disregard any information given by a party or person permitted to appear which is not relevant to their application, notice or representations or to the licensing objectives. If, in his opinion, the Chairman feels that the representations being made are not relevant, he may, after first reminding the party of the need for relevance, advise the party that he will no longer be heard. Where in the opinion of the chairman, a party is being repetitious, vexatious or slanderous in his remarks, the Chairman may first warn the party and may then advise the party that he will no longer be heard. The ruling of the Chairman shall be final in such circumstances.
- 7.11 The Chairman may require any person who in his opinion is behaving in a disruptive manner at a hearing to leave the hearing and may refuse to permit that person to return or to return only upon complying with such conditions as the Chairman may specify. However any such person may submit any evidence in writing that they proposed to give orally, provided that they do so before the end of the hearing.
- 7.12 After each party has addressed the Sub-Committee and after comments have been invited on written representations, the applicant or his representative will be invited by the Chairman to sum up his application for a time not exceeding two minutes but without introducing any new evidence to the proceedings.

Procedure in cases relating to an application for a review of a premises licence or a club premises certificate or convictions coming to light after the grant or renewal of a personal licence

- 7.13 In the case of such hearings, the above procedure shall be followed with the exception that the applicant for a review of a premises licence or a club premises certificate or the chief officer of police in the case of an objection notice where convictions have come light after the grant or renewal of a personal licence will be invited to address the Sub-Committee first and to call any person(s) to whom permission has been granted to appear.
- 7.14 After any questions have been dealt with the holder of the licence or certificate will be invited to address the Sub-Committee and to call any person(s) to whom permission has been granted to appear.
- 7.15 There shall be no right of reply for the applicant for a review of the licence or certificate or for the Chief Officer of Police.

8. Determination of Applications

- 8.1 At the conclusion of the hearing, the Sub-Committee will determine the application in accordance with the timescales specified in the Hearings Regulations but, in any event, will endeavour to do so as soon as practicable after the hearing has concluded.
- 8.2 Where a hearing has been dispensed with in accordance with paragraph 4.2 above, the application will be determined by the Sub-Committee within 10 working days of notice having been given to the parties that the hearing has been dispensed with.
- 8.3 The Licensing Authority will notify the applicant and parties of its decision forthwith upon the making of the decision.
- 8.4 A record shall be taken of the hearing by the licensing authority which shall be retained for six years after the date of the determination of the hearing or the disposal of an appeal against the determination.

9. Meetings of the Sub-Committee

- 9.1 Any meetings of the Sub-Committee, other than hearings described above, shall be subject to the proceedings adopted by the Licensing Committee for the conduct of its own business except where otherwise stated above.

G:\Licensing\Licensing Committee\Hearings Procedure 2019

LICENSING SUB-COMMITTEE

6 DECEMBER 2021

LICENSING ACT 2003 APPLICATION TO REVIEW PREMISES LICENCE The Seven Wives, Ramsey Road, St Ives, PE27 5RF

1. INTRODUCTION

- 1.1 Huntingdonshire District Council as the Licensing Authority has received an application to review a premises Licence, from Environmental Health in their capacity as a Responsible Authority under the Licensing Act 2003 ('the Act'), for Premises Licence HDC/PRE00133; The Seven Wives, Ramsey Road, St Ives, PE27 5RF.
- 1.2 The Application was received on 08 October 2021. As required under the Licensing Act 2003, notice of the application was advertised on the Council's website, and blue notices were displayed at or near the premises from 09 October 2021. The 28 day consultation period ended on 05 November 2021.
- 1.3 A copy of the application for review, along with supporting documentation is attached as **Appendix A**, and the current premises licence, including the plan of the licenced area is at **Appendix B**.

2. BACKGROUND

- 2.1. The current Premises Licence Holder is Mr Brandon Bent. Mr Bent has held this licence since June 2018. Mr Bent is also the Designated Premises Supervisor of the Premises.
- 2.2. The music events taking place at the premises have been undertaken using the deregulatory changes that have amended the Licensing Act 2003 namely:
 - a. The Live Music Act 2012
 - b. Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013
 - c. The Legislative Reform (Entertainment Licensing) Order 2014
 - d. Deregulation Act 2015 ("2015 Act").

- 2.3 A summary of the amendments relevant to this case are:

A licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

- 2.4 The deregulation also had the effect of suspending any existing licence condition which relate to live or recorded music, during the deregulation period of 08:00 to 23:00.

3. REPRESENTATIONS

- 3.1 During the period for representations four valid representations have been received from 'other persons'. The representations have been attached in their entirety as **Appendix C**.
- 3.2 Not all matters raised within the representation may be relevant matters for consideration under the Licensing Act 2003.
- 3.3 A person who has submitted a relevant representation is entitled to address the Licensing Sub-Committee at the hearing and ask questions of any other party appearing at the hearing.

4. GENERAL DUTY/ POLICY CONSIDERATIONS

- 4.1 The licensing authority must carry out its functions under the Act with a view to promoting the licensing objectives, each objective has equal importance, the objectives are:
 - a. the prevention of crime and disorder,
 - b. public safety,
 - c. the prevention of public nuisance, and
 - d. the protection of children from harm.
- 4.2 The sub-committee must also have regard to –
 - a. its statement of licensing policy, and
 - b. any statutory guidance issued under Section 182 of the Licensing Act 2003.
 - c. Live Music Act 2012
 - d. the Human Rights Act 1988
- 4.3 The Council must also fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its district.

5. DETERMINATION

- 5.1. In making a decision, this application must be determined on its individual merits having regard to the representations and supporting documents included as part of the report along with additional information considered relevant at the hearing. As part of the decision process the sub-committee is required to give its reasons for any decision arrived at.
- 5.2. Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
 - a. Lift the suspension of conditions and give renewed effect to an existing condition relating to music. (as detailed at 2.4 above)
 - b. 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. 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);
- d. remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- e. suspend the licence for a period not exceeding three months;
- f. revoke the licence.

5.3. Any decision made by the sub-committee must be reasonable and proportionate and promote the Licensing objectives.

BACKGROUND INFORMATION

Licensing Act 2003.

Guidance issued under section 182 of the Licensing Act 2003.

The Council's Statement of Licensing Policy.

Live Music Act 2012

Licensing Officer: Catherine Sandells

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[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 Jon Setchell

(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 Seven Wives, Ramsey Road, St Ives	
Post town St Ives	Post code (if known) PE27 5RF

Name of premises licence holder or club holding club premises certificate (if known) Mr Brandon Bent

Number of premises licence or club premises certificate (if known) HDC/PRE00133
--

Part 2 - Applicant details

I am

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****First names****I am 18 years old or over**

Please tick ✓ yes

☐**Current postal
address if
different from
premises
address****Post town****Post Code****Daytime contact telephone number****E-mail address
(optional)****(B) DETAILS OF OTHER APPLICANT****Name and address****Telephone number (if any)****E-mail address (optional)**

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Jon Setchell Environmental Health Officer Pathfinder House St Marys Street HUNTINGDON PE29 3TN
Telephone number (if any) 01480 388283
E-mail address (optional) Jon.setchell@huntingdonshire.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 ✓

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 2)

Public Nuisance

The activities taking place at the premises specifically outdoor music events have been proven to be a source of Public Nuisance, to nearby residents.

Licensing Background

Outside Music events at this premises, have been taking place under the amendments made to the Licensing Act 2003 by the Live Music Act 2012.

These amendments deregulated performances of Live and Recorded Music in certain circumstances. Meaning these performances may be staged without the need for a Licence or Authorisation, these circumstances are:

- The performance takes place between 08:00 and 23:00
- The performance takes place at a premises licenced to provided alcohol for consumption on the premises.
- The performance takes place in front of an audience of no more than 500 people

The Live Music Act 2012, also prevents any condition which relates to live or recorded music taking effect.

This premises has been utilising this exemption in order to carry out its outside music events.

However, section 117A, of the Licensing Act 2003, allows for the exempted activities to become a regulated activity by way of a Review of a Premises Licence.

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

Evidence

The Seven Wives Public House is in the Market Town of ST IVES on Ramsey Road. (JNS EXHIBIT 1)

Environmental Health received 12 Complaints during 2020 concerning noise from amplified outdoor music events from the Seven Wives, Ramsey Road, St Ives, PE27 5RF.

This matter was investigated under the Environmental Protection Act 1990 and a statutory nuisance was established.

In June, July, and August 2020 the Environmental Health Department received 12 individual property complaints concerning outdoor amplified music from the Public House (JNS EXHIBIT 2).

Noise diary sheets were returned to Environmental Health from the complainants detailing the alleged time of nuisance, description of alleged nuisance, how it affected the enjoyment of their property, location of the incident and who caused it (JNS EXHIBIT 3).

The assessment of nuisance takes account of the nature, frequency, duration, and time of day of the disturbance given the location in which the disturbance occurs. The noise level is one consideration and is assessed in accordance with any relevant guidance such as that produced by the British Standards Institute and the World Health Organisation.

Brandon BENT the DPS and licence holder was made aware of the nature of the complaint and advised that noise monitoring equipment would be used to investigate the alleged noise nuisance.

Outdoor noise monitoring equipment was deployed at a complainant(s) property. This evidence, along with the detailed diary sheets and Code of Practice documents established a Statutory Noise Nuisance.

In these circumstances the Council are at Duty to serve a Noise Abatement Notice under the Environmental Protection Act 1990. The Notice along with a covering letter was hand delivered to the Seven Wives on the 5 August 2020 (JNS EXHIBIT 4)

After receiving the Notice Mr BENT, Sarah MARDON (Licensing Officer) and I met on the 19 August 2020 to discuss a way forward. Sarah MARDON discussed the licensing requirement for the premises.

At this time, I explained, that the service of the abatement notice were not just on noise levels only, but also that fact that outdoor music events were happening twice, every weekend, which prevented the neighbouring residents their right of use of enjoyment of their property.

At the meeting, I advised on appropriate noise levels for 1-3 outdoor events and 4-12 events, between the hours of 09:00 -23:00, per calendar year, as identified in the Noise Code of Practice for Pubs and Clubs and Code of Practice on Environmental Noise Control at Concerts. I also provided guidance, appropriate, at that time for COVID-19, which recommended, music levels should be such that not encourage

customers to raise their voices to help prevent the spread of macroscopic droplets that cause COVID-19.

More complaints were received at HDC concerning outdoor amplified music events so further contact was made with Mr BENT on 8 September 2020 reminding him of the noise abatement notice that was served on the 5 August 2020 (JNS EXHIBIT 5).

18 May 2021 the Council received an anonymous complaint concerning outdoor amplified music events (JNS EXHIBIT 6) The Police visited with the Licensing Department to offer advice on the COVID-19 legislation and reiterated the fact that the Noise Abatement Notice was still current.

To date, I believe the Seven Wives have hosted 21 outdoor amplified music events on the following days:

30/05/2021 – 15:00 – 18:30 - Sunday

05/06/2021 – 18:00 – 21:00 - Saturday

06/06/2021 – 15:00 – 18:30 - Sunday

13/06/2021 – 15:15 – 19:00 - Sunday

27/06/2021 – 15:00 – 19:00 - Sunday

04/07/2021 – 12:00 – 19:30 - Sunday

10/07/2021 – 15:00 – 19:00 - Saturday

18/07/2021 – 15:00 – 18:45 - Sunday

25/07/2021 – 15:00 – 19:00 - Sunday

02/08/2021 – 16:00 – 19:00 - Monday

15/08/2021 – 15:00 – 18:45 - Sunday

29/08/2021 – 16:45 – 22:00 - Sunday

30/08/2021 – 15:00 – 18:20 - Monday

04/09/2021 – 19:00 – 21:45 - Saturday

05/09/2021 – 15:00 – 17:45 - Sunday

11/09/2021 – 19:00 – 22:45 - Saturday

12/09/2021 – 15:30 – 19:00 - Sunday

19/09/2021 – 18:30 – 21:00 - Sunday

25/09/2021 – 18:30 – 21:00 - Saturday

26/09/2021 – 15:30 – 21:00 - Sunday

03/10/2021 - 15:30 – 18:30 - Sunday

23 September 2021 I emailed Brandon BENT to make him aware again, that the Council continued to receive complaints concerning outdoor amplified music and remind him that the Abatement Notice served under the Environmental Protection Act 1990 Section 80, was still in force. (JNS EXHIBIT 7)

Noise monitoring was implemented at a neighbouring property to monitor the outdoor

amplified music from the Seven Wives for the events on the 11, 12 September 2021 (JNS EXHIBIT 8), 25, 26 September 2021 (JNS EXHIBIT 9) and 3 October 2021 (JNS EXHIBIT 10). (Audio sample of the noise from the events on 11,12, 25 and 26 September 2021 are available if requested)

On analysis of all the Norsonic records I formed the opinion that the level of noise, combined with the frequency of events, duration, and time of day at which they occurred, constituted unreasonable interference with the complainant's rights to enjoy their property, by preventing the enjoyment of their property during the days (15:00 – 22:45), whilst for example, reading, listening to music, talking to friends and family, watching television, or relaxing in the garden.

Conclusion

Looking at The Noise Council Code of Practice on Environmental Noise Control at Concerts and the Noise Code of Practice for Pubs and Clubs, the Seven Wives must achieve appropriate noise levels and from my calculations this indicates that a reasonable volume for the audience does not seem possible because off site levels cannot be attenuated to a reasonable level.

In order to achieve this the music activities taking place at the premises must be deemed as regulated entertainment and controlled to prevent further nuisance to residents.

Therefore, the suggested following conditions will help to achieve this.

1. Amplified music events outside will be limited to 1 event per calendar month, with a minimum of a two-week interval between events.
2. For each outside music event, a noise management strategy shall be submitted to the Chief Operating Officer of HDC or other appropriate Officer, no later than 14 days prior to each event.
3. The strategy shall identify the
 - a. Location of the source.
 - b. hours of operation,
 - c. the direction of the sound system,
 - d. maximum sound energy output of all the significant noise sources proposed for the event.
 - e. The strategy shall detail the proposed noise attenuation mechanisms to be employed during the event,
 - f. the location of the noise monitoring points,
 - g. the procedure for ensuring that the noise control levels set at noise sensitive locations are complied with.

The noise management strategy shall be agreed by Chief Operating Officer or other appropriate Officer prior to the event taking place.

4. The noise control levels to apply at the noise sensitive locations identified in the noise management strategy shall be set by the Chief Operating Officer or other

appropriate Officer, following consultation with the DPS of the Seven Wives. The noise control levels set shall apply throughout the duration of the event and shall not be exceeded without the prior agreement of the Chief Operating Officer or other appropriate Officer. In the event of extraordinary circumstances, Chief Operating Officer or other appropriate Officer, reserve the right to vary the noise control levels during the event where it is evident that the existing noise control are not sufficient to prevent noise originating from the Seven Wives from causing a public nuisance to residents in the vicinity of the event.

5. A noise propagation test shall be carried out at least 2 hours prior to the start of the event in order to set appropriate control levels at the mixer position. The sound system shall be configured and operated in a similar manner to that intended for the event. The sound source for the test shall be similar in character to the music likely to be produced during the event.
6. A dedicated event noise hotline number for incoming calls only is to be provided to those in sensitive locations and is to be physically manned throughout the duration of the event. Calls from unidentified callers are to be acted upon.
7. A log of telephone calls to the noise hotline number, including name and number of caller and a brief description of issue, shall be kept, and maintained and will be available for inspection by the Licensing Authority during the event and be provided to the Licensing Authority and the Chief Operating Officer or other appropriate Officer following the event.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day Month Year

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

yes

Please tick ✓

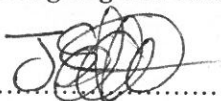
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

08/10/2021

Capacity

ENVIRONMENTAL HEALTH OFFICER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

JNS EXHIBIT 1

Seven Wives, St Ives.



Seven Wives, St Ives.

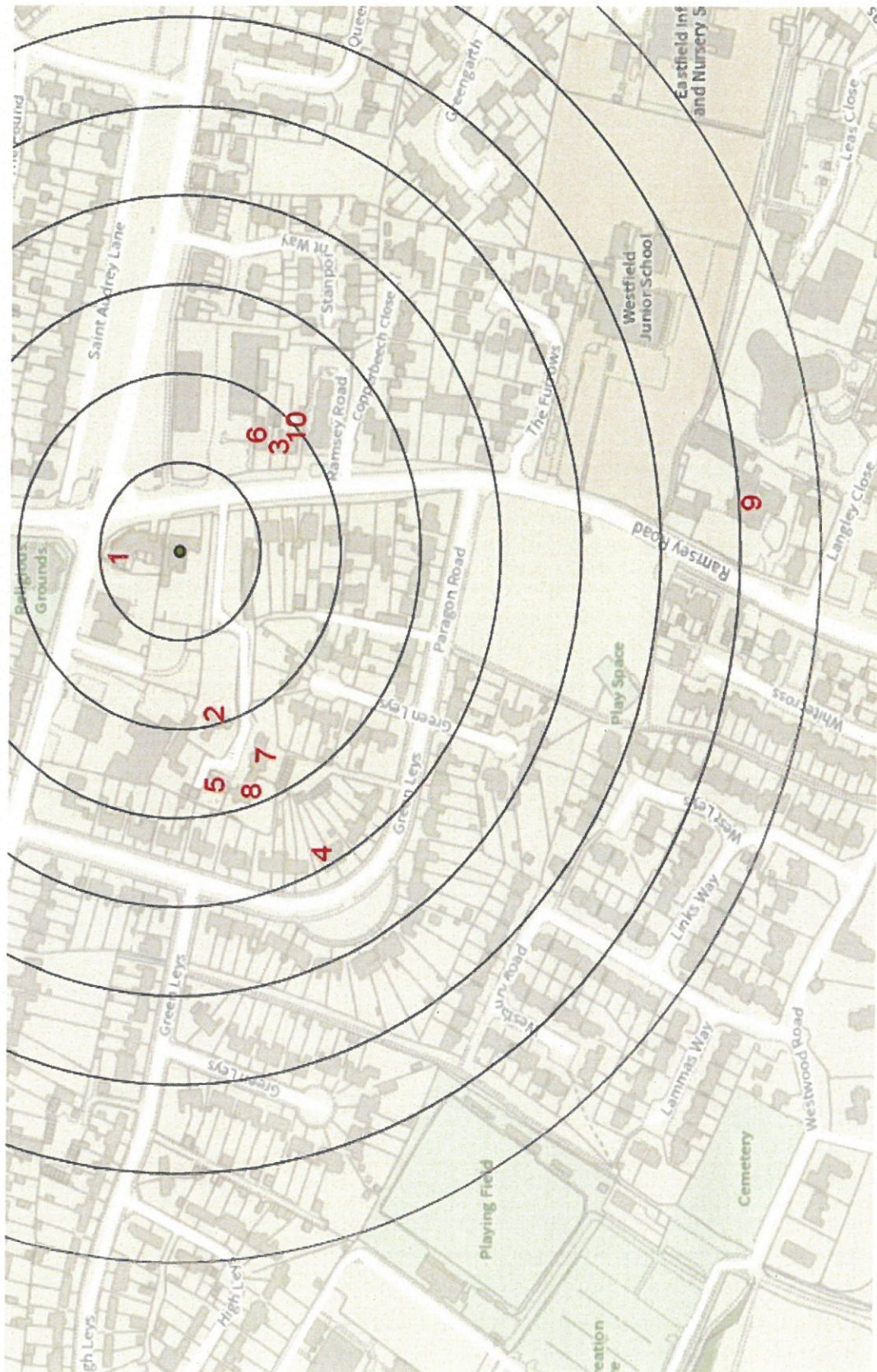


Seven Wives, St Ives.

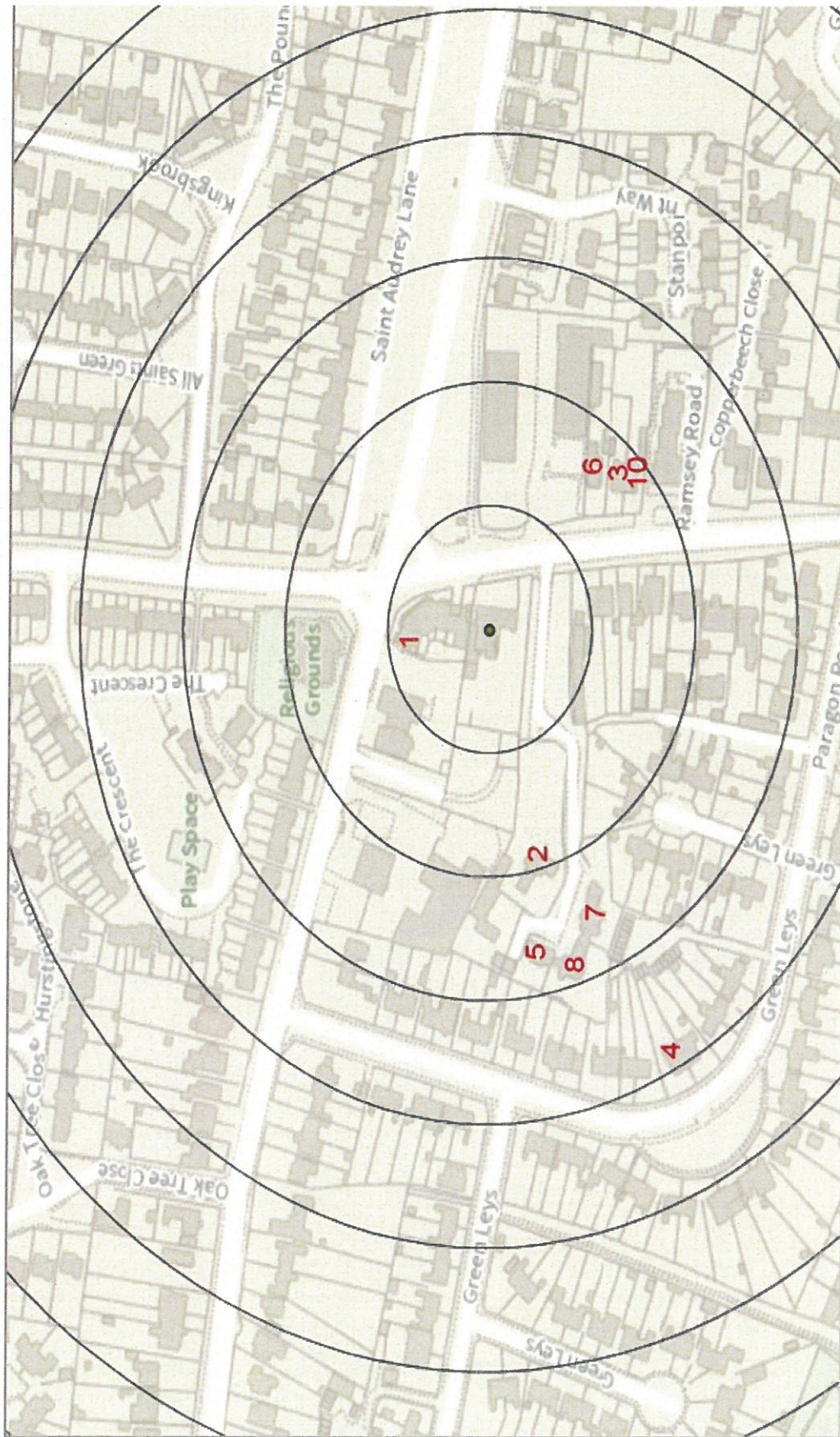




JNS EXHIBIT 2



Contours at 50m 1 – 10 approximant location of complaints received



Contours at 50m 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 approximate location of complaints received

JNS EXHIBIT

3

COMPLAINTS INCIDENT LOG SHEET 130560

Appendix A

Complainant's name

Date	Alleged Nuisance Time on	Alleged Nuisance Time off	Description of Alleged Nuisance	How did it affect the enjoyment of your home?	Where did the incident occur? (address)	Who did it?	How do you know	Witnesses names & addresses. Police Incident Nos
18/07/20	3:30pm	9pm	Playing music on and off between 3:30-9pm. Pre-recorded music (CD) played in the outdoor area at a barely tolerable volume. Volume increased around 8pm.	My main room (kitchen and living/dining room) faces the pub garden. I can hear the music very clearly. I	Seven Wives, St Ives	Landlord	It's very clear that the music is coming from the pub.	No known witnesses, but I am sure other occupants of the building can confirm.
19/07/20	1:15pm	3pm	Band started practicing ready for their performance. The music was well beyond an acceptable or considerate level. Around 1:45pm, the band stopped practicing and they played pre-recorded music in the garden until around 3pm. The pre-recorded music was of a slightly more bearable volume.	Had to close all my windows. I wanted to have a relaxing afternoon in my living room but the volume of their music forces me to either move to my study (where I spend my whole week working from home), or try my best to ignore it - I usually end up with a headache and it's impossible to focus on	Seven Wives, St Ives	Band hired by landlord.	As above. I also called the pub and asked them to turn it down. I had a long conversation with the landlord, explaining that I understood they couldn't block all sound, but that the current volume was having a serious	As above. I was also on the phone to my friend for most of the afternoon, and she could hear the music through my earphones:

19/07/20	3:15pm	6:30pm	Band started playing (with a brief break between 4-5pm). Despite my call to the landlord, the music had not been turned down.	anything with the noise. I called the landlord and politely asked them to turn the music down but they just told me they were within their rights to play so loudly.	Seven Wives, St Ives	Band hired by landlord.	impact. They did not turn the music down.	
			The music was so loud that I had a headache after about ten minutes. I have to keep all my windows closed while they play music to try and block it out, meaning that I can't get any fresh air in the hottest part of the day and don't want to have to leave my flat all afternoon every weekend. I have bought noise-dampening curtains, and tried to				It's very clear that the music is coming from the pub.	As above.

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					<p>block out the music with my Beats headphones (known for being noise-cancelling). I could still hear the music even with my headphones on. At one point I could feel the floor vibrating. I could have gone to my home office on the other side of the building to the pub, but the music is still audible from there and seeing as I spend every week day in that room working from home, I don't want to have to be in there all weekend too. I spent the afternoon on the phone to a friend playing video games on my TV (obviously in the main</p>				
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25/07/20	8pm	11:30pm	Pre-recorded music played in the outdoor area.	Frustrating to hear. A certain volume is acceptable (they can't block all sound), but they insist on playing it at a high volume. It makes doing anything else in the flat difficult, even with my own music playing through my headphones.	Seven Wives, St Ives	Landlord	As above.	As above.
26/07/20	3pm	7pm	Live band playing in the outdoor area. Sounded like there was a microphone on the kick drum, making it louder than necessary for the size of the outdoor area.	Same as for the 19th. This band didn't seem to have an electric guitar, so at least the sound wasn't as sharp, but the use of a microphone on the drums gave me another headache. It's reaching the point where I almost can't stand to	Seven Wives, St Ives	Band hired by landlord.	As above.	As above.

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				be in my flat on the weekends, but as I have a busy job, I like to spend my weekends quietly at home where possible. The past few months where the pub has been closed have been bliss. I am happy to be able to hear the music (as I've said, they can't block all of it), but I just want them to turn it down!				
01/08/20	12pm	8:40pm	The pub was holding a mini music festival with four different acts between 12pm and 9pm. The music was on and off throughout this time.	The volume of the music was just as loud as previous occasions, but this was so much worse because it was near constant for over eight hours. I couldn't relax at all due to the volume. I gave up trying to enjoy	Seven Wives, St Ives	Bands/performers hired by the landlord	As above. I also checked their Facebook page to see how long the noise would last, and that's how I discovered they were having a	As above.

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				being in my front room and had to retreat to my home office, where I put on my headphones. Even with my headphones on and on the opposite side of the building to the pub garden, I could STILL hear the music. I spent the whole afternoon anxious, irritated, and unable to get anything done. I have a stressful, busy job, so not being able to unwind for such a large portion of the weekend (and on a regular basis) is affecting my mental health. It is not possible for me to leave my flat for significant portions			long event with four acts.	
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[illegible]

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[illegible]

This log, signed by me, is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signed Date 26th July 2020

Please return completed sheet to Community, Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN

COMPLAINTS INCIDENT LOG SHEET 130560-2

Date	Alleged Nuisance Time	Alleged Nuisance Time off	Description of Alleged Nuisance	How did it affect the enjoyment of your home?	Where did the incident occur? (address)	Who did it?	How do you know	Witnesses names & addresses, Police Incident Nos
11/7/20	17.00	21.00	Excessive noise in Residential area	Had to raise voices to talk. Cannot hear TV properly. Unable to concentrate.	Seven Wives Public House, Ramsey Road, St Ives PE27 5RF	Band in car Park	Can hear direct source	[REDACTED]
12/7/20	15.00	19.00	Excessive noise in Residential area	Had to raise voices to talk. Cannot hear TV properly. Unable to concentrate.	Seven Wives Public House, Ramsey Road, St Ives PE27 5RF	Band in car Park	Can hear direct source	[REDACTED]
19/7/20	14.30	17.30	Excessive noise in Residential area	Had to raise voices to talk. Cannot hear TV properly. Unable to concentrate.	Seven Wives Public House, Ramsey Road, St Ives PE27 5RF	Band in car Park	Can hear direct source	[REDACTED]
25/7/20	19.00	23.10	Excessive noise in Residential area	Had to raise voices to talk. Cannot hear TV properly. Unable to sleep..	Seven Wives Public House, Ramsey Road, St Ives PE27 5RF	Discotheque played in car Park	Can hear direct source	[REDACTED]
26/7/20	15.05	19.15	Excessive noise in Residential area	Had to raise voices to talk. Cannot hear TV properly. Unable to concentrate.	Seven Wives Public House, Ramsey Road, St Ives PE27 5RF	Band in car Park	Can hear direct source	[REDACTED]

This log, signed by me, is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or to believe to be true.

Signed [REDACTED] Date [REDACTED]

Please return completed sheet to Community, Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN

COMPLAINTS INCIDENT LOG SHEET 130560-3

Appendix A

Complainant's name [REDACTED]

Date	Alleged Nuisance Time on	Alleged Nuisance Time off	Description of Alleged Nuisance	How did it affect the enjoyment of your home?	Where did the incident occur? (address)	Who did it?	How do you know	Witnesses names & addresses. Police Incident Nos
11/7/20	18.00	21.00	Loud Music	Cannot speak to each other in the back garden without being drowned out by loud music. The front garden is uninhabitable during the music as the music is so loud you could not even attempt to hold a conversation.	Seven Wives public house, ramsey road.	Seven Wives public house, ramsey road.	I live next door and can see the source of the noise. It is also advertised on website and Facebook	[REDACTED] - [REDACTED] (same as complainant)
12/7/20	15.00	20.00	Loud Music	Cannot speak to each other in the back garden without being drowned out by loud music. The front garden is uninhabitable	Seven Wives public house, ramsey road.	Seven Wives public house, ramsey road.	I live next door and can see the source of the noise. It is also advertised on website and Facebook	[REDACTED] (same as complainant)

19/7/20	16.45	18.00	Loud Music	during the music as the music is so loud you could not even attempt to hold a conversation.	Seven Wives public house, ramsey road.	Seven Wives public house, ramsey road.	I live next door and can see the source of the noise. It is also advertised on website and Facebook	- (same as complainant)
25/7/20	21.00	23.15	Loud Music	Cannot speak to each other in the back garden without being drowned out by loud music. The front garden is uninhabitable during the music as the music is so loud you could not even attempt to hold a conversation.	Seven Wives public house, ramsey road.	Seven Wives public house, ramsey road.	I live next door and can see the source of the noise. It is also advertised on	- (same as complainant)

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				loud music. The front garden is uninhabitable during the music as the music is so loud you could not even attempt to hold a conversation. In this specific instance as it was late, could not sleep as the noise was so loud. Had to turn up television to hear it properly. Windows rattling.				website and Facebook	
26/7/20	16.00	19.00	Loud Music	Cannot speak to each other in the back garden without being drowned out by loud music. The	Seven Wives public house, ramsey road.	Seven Wives public house, ramsey road.	I live next door and can see the source of the noise. It is also advertised on	- same as complainant)	

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					front garden is uninhabitable during the music as the music is so loud you could not even attempt to hold a conversation.					website and Facebook	

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COMPLAINTS INCIDENT LOG SHEET 130560

Appendix A

Complainant's name

Date	Alleged Nuisance Time on	Alleged Nuisance Time off	Description of Alleged Nuisance	How did it affect the enjoyment of your home?	Where did the incident occur? (address)	Who did it?	How do you know	Witnesses names & addresses, Police Incident Nos
25/07/2020	19.00	23.15	Excessive Music Volume from Seven Wives.	Unable to use garden area as level of noise from the Seven Wives meant raising our own voices to unnatural high levels for normal conversation. Had to retreat to indoors and close all windows in the height of summer and required to turn the volume up on TV to very high levels in order to be able to hear TV programmes over noise from outside.	Seven Wives Public House. St Ives	The Seven Wives Music venue in their rear garden	Events published on their website and social media, additionally we heard and suffered the noise and distress caused.	
26/07	15.00	20.00	Excessive Music Volume	Unable to use	Seven Wives	The Seven	Events published	

/2020			from Seven Wives.	garden area as level of noise from the Seven Wives meant raising our own voices to unnatural high levels for normal conversation. Had to retreat to indoors and close all windows in the height of summer and required to turn the volume up on TV to very high levels in order to be able to hear TV programmes over noise from outside.	Public House. St Ives	Wives Music venue in their rear garden	on their website and social media, additionally we heard and suffered the noise and distress caused.	
01/08 /2020	12.00	20.30	Excessive Music Volume & Audience participation in Music Choruses singing and football chanting and	Unable to relax and enjoy our garden outside and moving inside the level of	Seven Wives Public House St Ives	The Seven Wives Music venue in their rear garden and	The level of noise generated from the Public House was very audible	

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			cheering during televised football match	noise was still very apparent over TV volume indoors.		outdoor televised football match	and clearly generated from the public house.	
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This log, signed by me, is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signed



Please return completed sheet to Community, Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN

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COMPLAINTS INCIDENT LOG SHEET 130560

Complainant's name

Date	Alleged Nuisance Time on	Alleged Nuisance Time off	Description of Alleged Nuisance	How did it affect the enjoyment of your home?	Where did the incident occur? (address)	Who did it?	How do you know	Witnesses names & addresses. Police Incident Nos
Saturday 25/7/20	Around 7pm	Soon after 11pm	Loud music with a heavy bassline	The noise substantially interfered with the enjoyment of our garden and home	7 Wives Pub	7 Wives Pub	We could hear it and pinpointed it from our driveway	
Sunday 26/7/20	Around 3 pm	After 7 pm	Loud music	The noise substantially interfered with the enjoyment of our garden and home	7 Wives Pub	7 Wives Pub	We could hear it and pinpointed it from our driveway	
Saturday 1/8/20	Before 3 pm (arrived home at that time)	After 7.45 (closed windows and put TV on loud to drown 7 Wives noise)	Loud music but seemed not quite as loud as previous times; could also hear audience shouting at events happening in FA cup final	The loud music and football-related noises substantially interfered with the enjoyment of our garden and home	7 Wives Pub	7 Wives Pub	We could hear it and pinpointed it from our driveway	

This log, signed by me, is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Please return completed sheet to Community, Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN

JNS EXHIBIT

4

Mr Brandon Bent
The Seven Wives
Ramsey Road
ST IVES
PE27 5RF



Pathfinder House, St Mary's Street
Huntingdon PE29 3TN
www.huntingdonshire.gov.uk

Our Ref EH/JNS/130560/EPA 08/20
Date 05 August 2020

Dear Mr Bent

Re: Environmental Protection Act 1990, Section 80

I write with regard to music events at the Seven Wives, Ramsey Road, ST IVES, PE27 5RF. I regret to inform you that the outcome of the Council's investigations into complaints about music noise from your property are now complete and I am satisfied that the noise from amplified music amounts to a statutory noise nuisance. The investigations were conducted by use of noise recording equipment.

In these circumstances I must advise you to take immediate action to resolve this problem. I have enclosed a Noise Abatement Notice with this letter. I must also draw your attention to the appeal provisions set out on the reverse of the notice. Please note that any contravention against the notice carries an unlimited fine on conviction in the Magistrates Court. I also enclosed an advisory leaflet that has also been sent to the complainant(s).

I am unable to release the details of the complainant(s) as this is confidential information but if you wish to discuss this matter please do not hesitate to contact me on the below number.

Yours sincerely,

Jon Setchell
Environmental Health Officer
Community

☎ 01480 388283
Fax 01480 388361
Jon.setchell@huntingdonshire.gov.uk

Enc



ENVIRONMENTAL PROTECTION ACT 1990
section 80

COPY

Abatement Notice in respect of Noise Nuisance

To: Mr Brandon Bent

Ref: EPA 08/20

at: The Seven Wives, Ramsey Road, St Ives, PE27 5RF

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Huntingdonshire District Council

being satisfied of the likely recurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at properties in the vicinity of **The Seven Wives, Ramsey Road, St Ives, PE27 5RF**

within the district of the Council arising from the noise of outdoor amplified music.

HEREBY REQUIRE YOU, as the person(s) responsible for the said nuisance, within 24 hours from the service of this notice to abate the same and also **HEREBY PROHIBIT** the recurrence of the same and for that purpose require you to: **cease or cause to cease the playing of amplified music at such a level likely to cause a statutory nuisance to occupiers of neighbouring properties.**

IF without reasonable excuse you contravene or fail to comply with any requirements of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to an unlimited fine.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance.

John Taylor

Chief Operating Officer
(the officer appointed for this purpose)

Date 05 August 2020

Please address any communications to:

Huntingdonshire District Council
Community Services
Pathfinder House
St Mary's Street
Huntingdon
PE29 3TN

N.B. The person served with this notice may appeal against the notice to a magistrates' court within 21 days beginning with the date of service of the notice. See notes on the reverse of this form.

JNS EXHIBIT

5

Jon Setchell

From: Setchell, Jon (Env. Health)
Sent: 08 September 2020 09:30
To: [REDACTED]
Cc: thesevenwives@outlook.com
Subject: FW: Seven Wives
Attachments: 00206BB71D02200908092612.pdf; advice-to-householders-neighbourhood-noise-complaints.pdf

**Mr Bandon Bent
 The Seven Wives
 Ramsey Road
 ST IVES
 PE27 5RF**

Our Ref: DOS/JNS/EPA08/20

08 September 2020

Dear Mr Brent,

**Environmental Protection Act 1990
 Complaint Regarding Noise Nuisance**

I regret to inform you that the Council has received further noise complaint concerning the amplified music event on the 6 September 2020 from the Seven Wives, Ramsey Road, St Ives, PE27 5RF. I write to remind you that the Abatement Notice served on you under the Environmental Protection Act 1990 Section 80, is still in force. I enclosed a copy of the Notice served 5 August 2020.

The Council is obliged to investigate all such complaints in accordance with the requirements of the Environmental Protection Act. During the course of the investigation noise-monitoring equipment is likely to be used to record samples of the noise complained about. The information gathered in this way will be used to help decide whether or not the complaint is justified and may subsequently be used as evidence.

You may feel that the complaint is unjustified or that there is additional information that I should be aware of and I invite you to contact me to discuss this matter.

If a person on whom an Abatement Notice has been served fails, without reasonable cause, to comply, he/she will have committed an offence. Please note that the maximum fine for any contravention against the notice carries a maximum fine of Level 5 on conviction in the Magistrates Court.

If you are responsible for any noise which is likely to have an unreasonable impact upon any neighbours then I would urge you to carefully consider your actions before this investigation proceeds any further. I enclose another advisory leaflet, which has been enclosed in previous correspondences.

Please note that I am unable to release the details of the complainant(s) as this is confidential information. If you would like to discuss any of the above be contact me on the below number.

Yours sincerely

Jon Setchell Environmental Health Officer
Environmental and Community Health Services
Tel 01480 388283 | Fax 01480 388361

From: Setchell, Jon (Env. Health)

Sent: 03 September 2020 11:14

To: [REDACTED]

Subject: Seven Wives

Dear Mr Bent,

I would like to confirm what was agreed in our telephone conversation on the 20/09/20.

It was agreed that you next amplified music event will be on the 26 September 2020 between 17:00 and 20:00 or 18:00 – 21:00. You will adhere to the recommended noise conditions as provided to you in a meeting on the 19 August 2020.

You also mentioned that you may also have further music events and these will be acoustic at the Seven Wives. For the avoidance of doubt this music played will not have any amplification.

Please can you confirm when you intend to have an acoustic event so that I can advise the residents appropriately.

If you would like to discuss this matter please do not hesitate to contact me.

Regards,

Jon Setchell
Environmental Health
01480 388283



ENVIRONMENTAL PROTECTION ACT 1990
section 80

Abatement Notice In respect of Noise Nuisance

Ref: EPA 08/20

To: Mr Brandon Bent

at: The Seven Wives, Ramsey Road, St Ives, PE27 5RF

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Huntingdonshire District Council

being satisfied of the likely recurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at properties in the vicinity of The Seven Wives, Ramsey Road, St Ives, PE27 5RF

within the district of the Council arising from the noise of outdoor amplified music.

HEREBY REQUIRE YOU, as the person(s) responsible for the said nuisance, within 24 hours from the service of this notice to abate the same and also **HEREBY PROHIBIT** the recurrence of the same and for that purpose require you to: **cease or cause to cease the playing of amplified music at such a level likely to cause a statutory nuisance to occupiers of neighbouring properties.**

IF without reasonable excuse you contravene or fail to comply with any requirements of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to an unlimited fine.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance.

John T. B.

Chief Operating Officer
 (the officer appointed for this purpose)

Date 05 August 2020

Please address any communications to:

Huntingdonshire District Council
 Community Services
 Pathfinder House
 St Mary's Street
 Huntingdon
 PE29 3TN

N.B. The person served with this notice may appeal against the notice to a magistrates' court within 21 days beginning with the date of service of the notice. See notes on the reverse of this form.

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows:-

APPEALS UNDER SECTION 80 (3) OF THE ENVIRONMENTAL PROTECTION ACT 1990 ("the 1990 Act")

- 2 (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case-
- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
 - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment)
 - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonably in character or extent, or are unnecessary;
 - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
 - (e) where the nuisance to which the notice relates -
 - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f), (fa) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
 - (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
 - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes, or
 - (iv) is a nuisance falling within section 79(1)(fb) of the 1990 Act and -
 - (aa) the artificial light is emitted from industrial, trade or business premises, or
 - (bb) the artificial light (not being light to which sub-paragraph (aa) applies) is emitted by lights used for the purpose only of illuminating an outdoor relevant sports facility (within the meaning given by section 80(8A) of the 1990 Act),
 that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;
 - (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
 - (i) any notice served under section 60 or 65 of the Control of Pollution Act 1974 ("the 1974 Act") (control of noise on construction sites and from certain premises),
 - (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
 - (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
 - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
 - (h) that the abatement notice should have been served on some person instead of the appellant, being -
 - (i) the person responsible for the nuisance, or
 - (ii) person responsible for the vehicle, machinery or equipment, or
 - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
 - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
 - (i) that the abatement notice might lawfully have been served on some person instead of the appellant being -
 - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
 - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises,
 and that it would have been equitable for it to have been so served;
 - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
 - (i) a person also responsible for the nuisance, or
 - (ii) a person who is also owner of the premises, or
 - (iii) a person who is also an occupier of the premises, or
 - (iv) a person who is also the person responsible for the vehicle, machinery or equipment,
 and that it would have been equitable for it to have been so served.
- (3) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may:-
- (a) quash the abatement notice to which the appeal relates, or
 - (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
 - (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority.
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
 - (b) proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person
- (7) In exercising its powers under paragraph (6) above, the court -
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
 - (b) shall be satisfied, before it imposes any requirement there under on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above

SUSPENSION OF NOTICE

- 3 (1) Where:-
- (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
 - (b) either:-
 - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
 - (ii) in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
 - (c) either paragraph (2) does not apply, or it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
- (a) nuisance to which the abatement notice relates i)
 - (i) is injurious to health, or
 - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
 - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- 3 Where paragraph (2) applies the abatement notice -
- (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
 - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

Neighbourhood Noise Complaints

Advice to Householders

This leaflet is designed to explain how you and the Council can deal with noise in residential areas



Noise Nuisance

In judging nuisance actions the Courts have accepted that a certain amount of inconvenience, annoyance and disturbance must be acceptable.

Otherwise, it would not be possible to mow lawns, ring church bells or even talk loudly in your own garden. The key question is "Is the noise more than is tolerable to a reasonable person?" The loudness, type, time and duration of a noise and the characteristics of the neighbourhood are all important factors in assessing noise for nuisance. To be a statutory nuisance noise must **significantly** interfere with your use or enjoyment of land or property.

Sources of neighbourhood noise can be diverse. The main complaints are about loud music and TV, barking dogs, DIY and misfiring alarms. If you are being disturbed by noise from residential neighbours there are three possible reasons:

- ♦ They are behaving unreasonably or some defect has occurred. For instance, they may be frequently playing loud music late at night or allowing their dog to bark continuously or an audible intruder alarm may be regularly misfiring when they are away.
- ♦ The neighbours are behaving normally, but the sound insulation in the walls or floors between you may be inadequate.
- ♦ You may have become over-sensitive to the noise, particularly if you do not get on with your neighbours. Some people will "tune in" to a particular noise and find it annoying even when most other people would not.

What can you do if you believe you are suffering from noise nuisance?

The first thing to do is to approach your neighbour where practical. Politely explain that you are being troubled by the noise, ask them to stop or reduce the noise to an acceptable level and keep a written record of your conversation. If the problem continues, write to them explaining the effect that the noise is having on you. Ask them to stop or reduce the noise and refer to any previous conversations you may have had. Keep a copy of your letter and start a diary of events that disturb you.

Most disputes are best settled by people talking about the problems and showing consideration for each other. This may be assisted by use of a mediation service and the Council supports the Cambridge Mediation Service whose details are listed under "Useful Contacts" at the end of this leaflet.

What happens if the noise continues?

Normally the Environmental Protection Act 1990 is used to deal with cases of neighbourhood noise which amount to a nuisance. This Act allows the Council to take action to abate the noise or you to take a case to the local Magistrates Court.

Within 7 working days of receipt of a complaint Environmental Health Officers will start an investigation and will assess the available evidence to determine if the problem amounts to a statutory nuisance. At no time during an investigation will your identity be discussed with the person complained about unless the Council is legally bound to do so. This usually occurs only when Court proceedings are necessary.

How will your complaint be investigated?

The Council will take reasonable steps to investigate your complaint and your co-operation will be essential. You may be requested to keep a log sheet over a period of time to give the investigating officer an insight into the nature and frequency of the noise you have complained about. The information will assist him in making a decision on the best way to investigate and deal with your problem. He will be able to decide whether a visit to the person causing the problem is appropriate or if noise measuring or recording equipment should be used because the noise occurs at night or at irregular intervals. If you do not complete a log when requested your complaint will be closed.

On completion of the Environmental Health Officer's investigation you will be advised of the conclusions and of any further action which may be possible.

What will the alleged source be told?

When you return your log sheet the Council will consider what actions are necessary to further investigate your complaint. If it is decided that noise monitoring equipment will be used to collect data which may contain collateral information then the Council will write to the alleged source at this point to comply with Human Rights Legislation.

How long will the investigation take?

This depends upon the nature and frequency of the noise. In some cases the existence of a noise nuisance can be determined relatively quickly but others may require more detailed investigation and evidence gathering.

What will the Council do if a nuisance is found to exist?

If the Council is satisfied that a statutory nuisance exists, it will point this out to the person responsible and will seek to resolve the problem informally. If this is not possible, an Abatement Notice will be served requiring the person responsible to stop the nuisance. The person receiving the notice can appeal against the terms of the notice at the Magistrates Court.

What if the nuisance is caused by a business?

The law recognises that some businesses have to make a noise in connection with their lawful operations. Therefore Business and Trade premises are able to defend against an abatement notice by demonstrating that they are employing the "Best Practicable Means" to prevent or minimise noise nuisance. In taking abatement action the Council will have regard to this defence.

Court Action

The Council can only take court action following the service of an abatement notice which has not been complied with. This will only be considered as a last resort. If the Council initiates court proceedings then you must be prepared to give evidence to the Court under oath.

Penalties

A person who is found guilty of an offence is liable to an unlimited fine.

Individual Action

When the Council investigates noise complaints they do so from an impartial position. You may be advised that no nuisance was found or that it was not possible to gather evidence of nuisance even after reasonable investigations. In such circumstances you can take your complaint directly to the Magistrates Court using the procedure set out in Section 82 of the Environmental Protection Act 1990. To do this you will still require a substantial amount of evidence and should contact the Clerk of the Court at the local Magistrates Court to discuss the procedure. You may also wish to seek independent legal advice regarding the above and your civil rights.

Useful Contacts

The Clerk to the Justices

Peterborough, Huntingdon and Fenland Magistrates' Court,
Bridge Street,
Peterborough,
PE1 1ED
(DX 742250 PETERBOROUGH 23)
Tel: 0845 310 0575
www.hmcourts-service.gov.uk

Cambridge Mediation Services

Llandaff Chambers,
2 Regent Street,
Cambridge,
CB2 1AX
Tel: 01223 302514

Citizens Advice Bureaux

Huntingdon Tel: 01480 388900
St Ives Tel: 01480 388909
St Neots Tel: 01480 388

For more information

Environmental and Community Health Services
Huntingdonshire District Council
Pathfinder House
St Mary's Street
Huntingdon
PE29 3TN

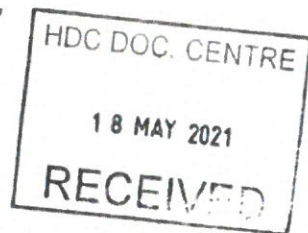
Tel: 01480 388302
Email: envhealth@huntingdonshire.gov.uk
Website: www.huntingdonshire.gov.uk

May 2012

JNS EXHIBIT

6

Environmental Health,
Huntingdonshire District Council,
Pathfinder House,
St Mary's Street,
Huntingdon,
PE29 3TN

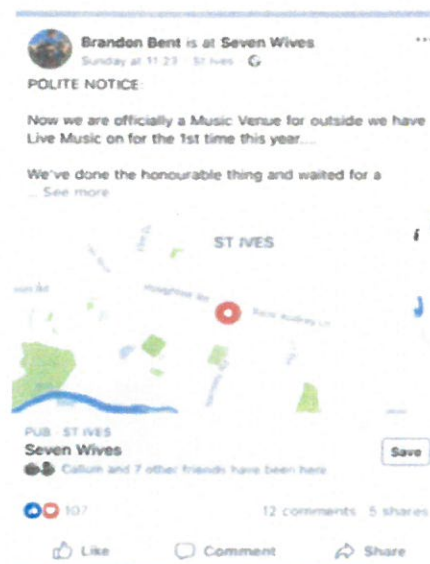


Attention of Mr Jon Setchell

Reference: Seven Wives Public House, Ramsey Road, St Ives

I would like to draw your attention to the live music that has been advertised at the Seven Wives Public House. As they have a Noise abatement order how can this be possible? We hope you will be monitoring these events and all others that they plan to have. Please note they consider and advertise themselves as an outside music venue, again how can this be possible with a Noise abatement order against them?

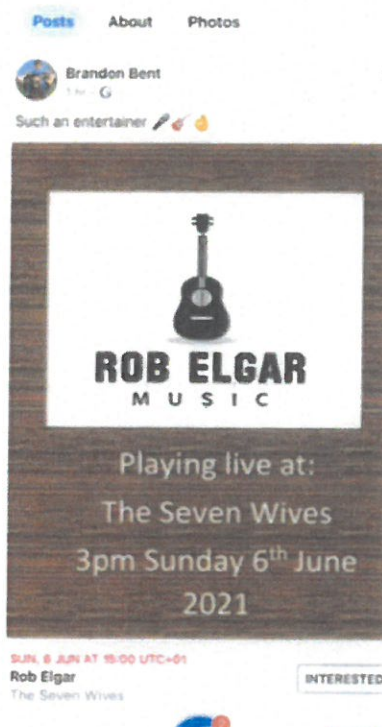
Why are HDC promoting the Seven Wives on their Facebook page when it is HDC that have served the Noise abatement notice? This should be pulled immediately.



5th June 2021



6th June 2021



30th May 2021



JNS EXHIBIT 7

Jon Setchell

From: Jon Setchell
Sent: 23 September 2021 12:24
To: [REDACTED] thesevenwives@outlook.com
Subject: Seven Wives
Attachments: 00206BB71D02200908092612.pdf; advice-to-householders-neighbourhood-noise-complaints.pdf

**Mr Bandon Bent
 The Seven Wives
 Ramsey Road
 ST IVES
 PE27 5RF**

23 September 2021

Dear Mr Brent,

**Environmental Protection Act 1990
 Complaint Regarding Noise Nuisance**

I regret to inform you that the Council has received further noise complaint concerning amplified outdoor music events from the Seven Wives, Ramsey Road, St Ives, PE27 5RF. I write to remind you that the Abatement Notice served on you under the Environmental Protection Act 1990 Section 80, is still in force. I enclosed a copy of the Notice served 5 August 2020.

The Council is obliged to investigate all such complaints in accordance with the requirements of the Environmental Protection Act. During the course of the investigation noise-monitoring equipment is likely to be used to record samples of the noise complained about. The information gathered in this way will be used to help decide whether or not the complaint is justified and may subsequently be used as evidence.

You may feel that the complaint is unjustified or that there is additional information that I should be aware of and I invite you to contact me to discuss this matter.

If a person on whom an Abatement Notice has been served fails, without reasonable cause, to comply, he/she will have committed an offence. Please note that the maximum fine for any contravention against the notice carries a unlimited fine on conviction in the Magistrates Court.

If you are responsible for any noise which is likely to have an unreasonable impact upon any neighbours then I would urge you to carefully consider your actions before this investigation proceeds any further. I enclose another advisory leaflet, which has been enclosed in previous correspondences.

Please note that I am unable to release the details of the complainant(s) as this is confidential information. If you would like to discuss any of the above be contact me on the below number.

Yours sincerely

Jon Setchell Environmental Health Officer

JNS EXHIBIT

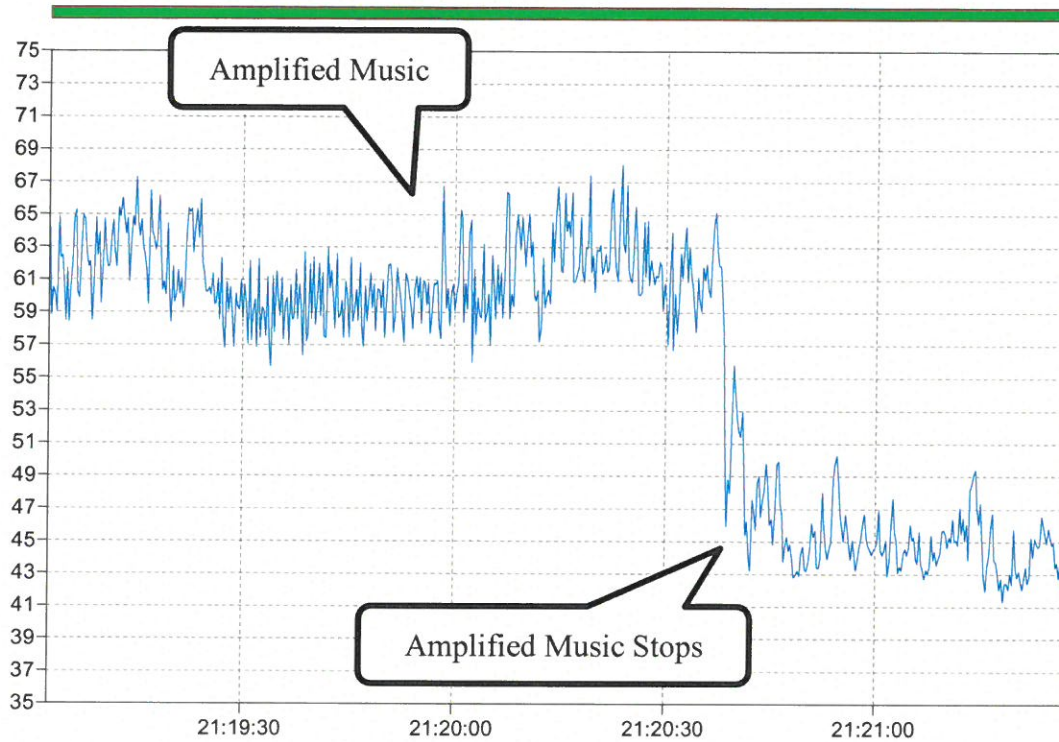
8

Norsonic AS

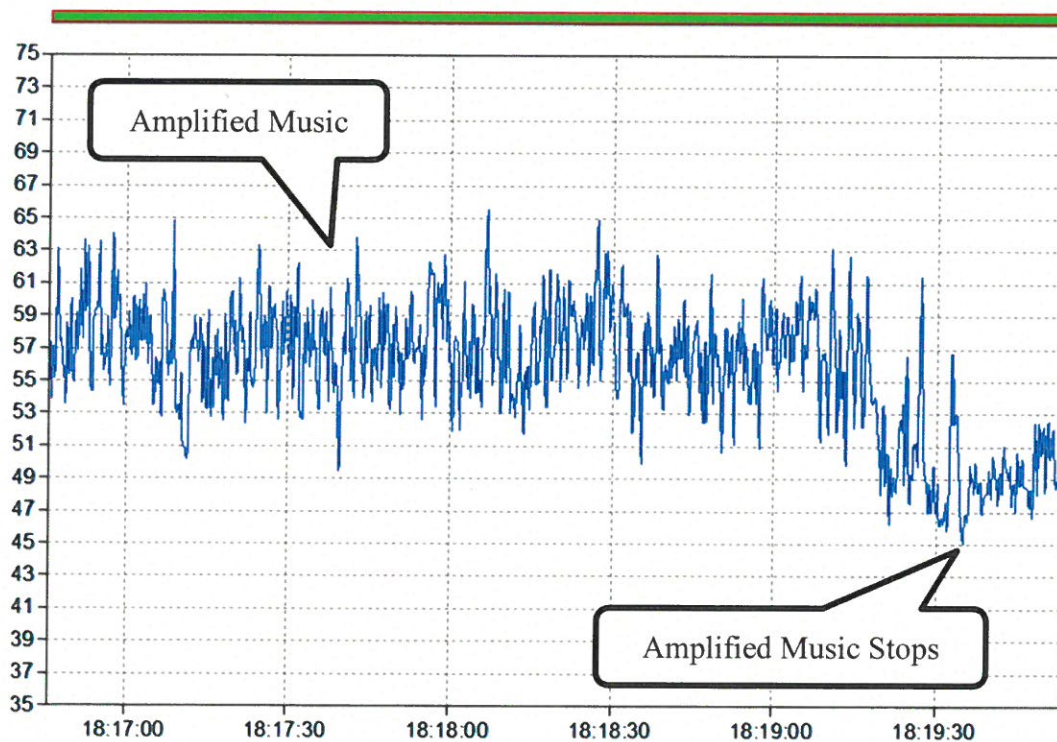
P.O.Box 24
N-3421 Lierskogen, Norway
Tel. +47 3285 8900, Fax +47 3285 2208
www.norsonic.com, info@norsonic.com



JNS EXHIBIT 8



11/09/21



12/09/2021

JNS EXHIBIT

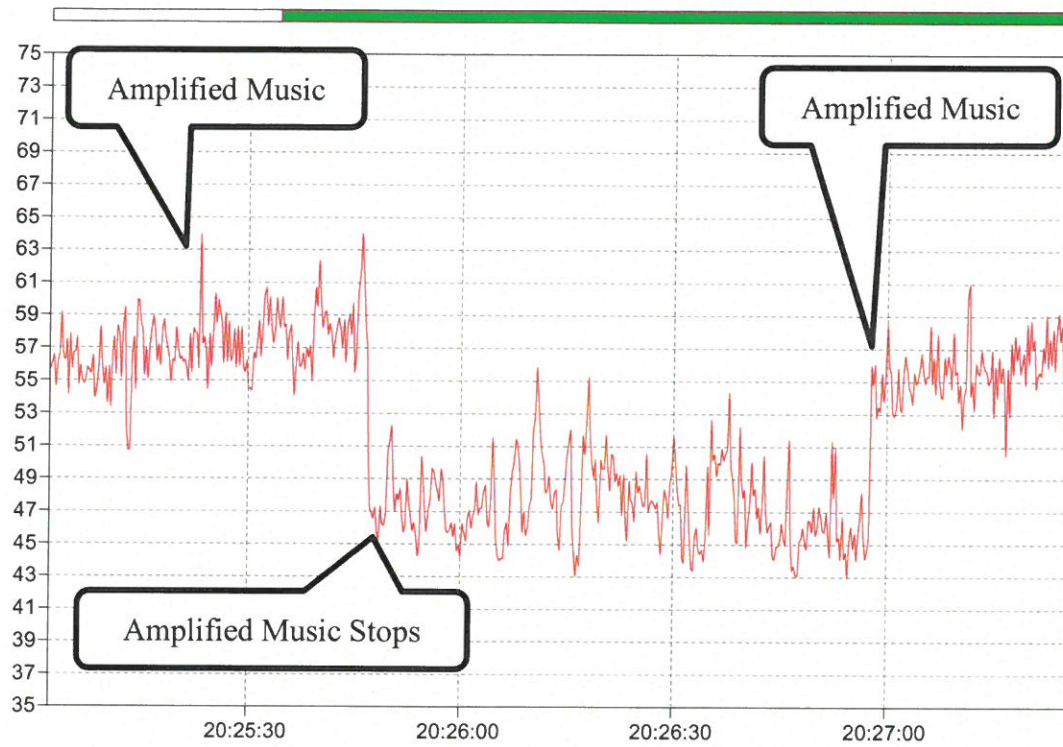
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Norsonic AS

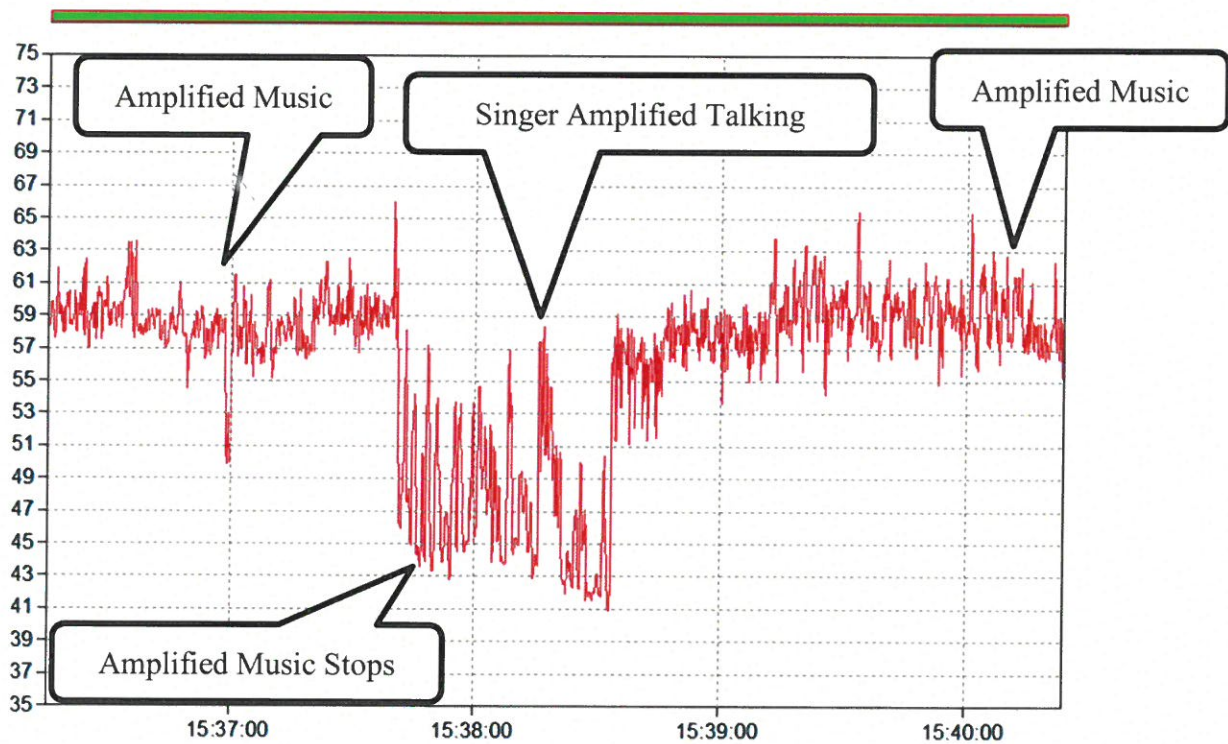
P.O.Box 24
 N-3421 Lierskogen, Norway
 Tel. +47 3285 8900, Fax +47 3285 2208
www.norsonic.com, info@norsonic.com



JNS EXHIBIT 9



25/09/21



26/09/21

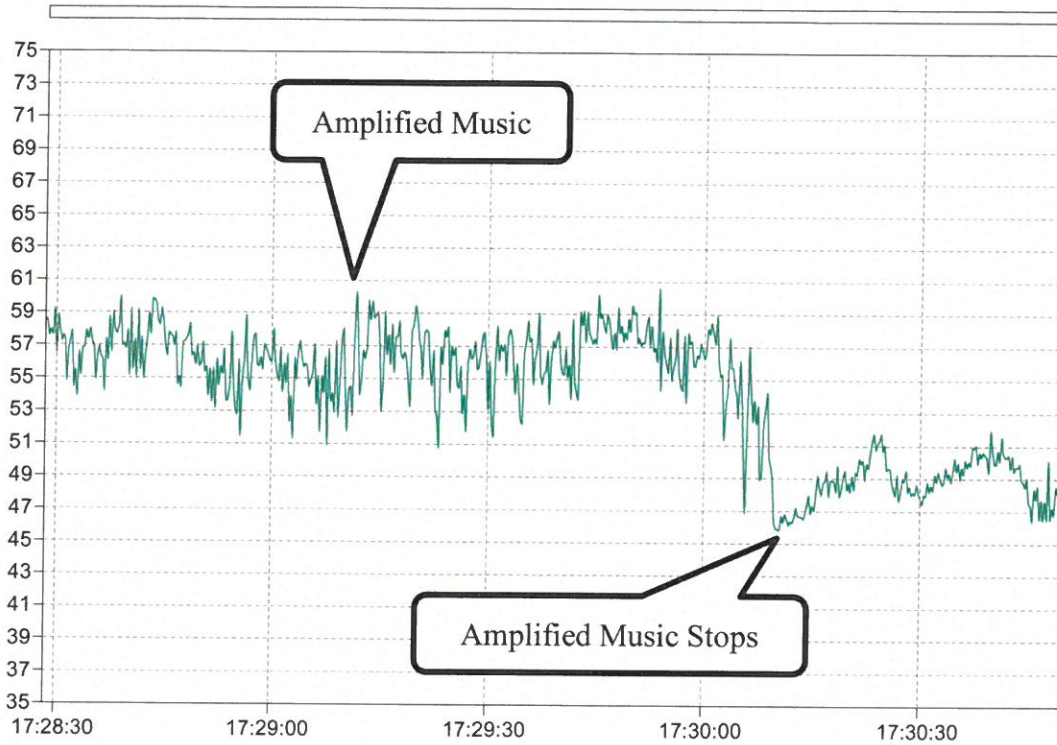
JNS EXHIBIT 10

Norsonic AS

P.O.Box 24
N-3421 Lierskogen, Norway
Tel. +47 3285 8900, Fax +47 3285 2208
www.norsonic.com, info@norsonic.com



JNS EXHIBIT 10



03/10/2021

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Schedule 12

Part A

Premises Licence



Premises Licence Number

HDC/PRE00133

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

**The Seven Wives
Ramsey Road
St Ives
PE27 5RF**

Telephone number **01480 462180**

Where the licence is time limited the dates: **Not Applicable**

This licence comes into effect on: **06.04.2021**

The annual fee is due with effect from: **27.07.2022** and each year thereafter.

Licensable activities authorised by the licence

Regulated Entertainment (Indoors & Outdoors) – Films, Live Music, Recorded Music, Performance of Dance and Anything Similar

Late Night Refreshment (Indoors)

Supply of Alcohol

Times the licence authorises the carrying out of licensable activities

Films (Indoors) - Mondays to Thursdays 11:00 - 23:30, Fridays & Saturdays 11:00 - 00:30, Sundays 10:00 - 23:30

Films (Outdoors) – Mondays - Saturdays 12:00 - 22:00, Sundays 12:00 - 20:00

Live Music & Recorded Music (Indoors) - Mondays to Thursdays 23:00 - 23:30, Fridays & Saturdays 23:00 - 00:30, Sundays 23:00 - 23:30

Performance of Dance (Indoors) – Mondays to Saturdays 12:00 - 00:00, Sundays 12:00 - 23:00

Performance of Dance (Outdoors) – Fridays 16:00 - 22:00, Saturdays 12:00 - 22:00, Sundays 12:00 - 20:00

Anything Similar (Indoors) - Mondays to Saturdays 12:00 - 00:00, Sundays 12:00 - 23:00

Anything Similar (Outdoors) – Mondays to Saturdays 12:00 – 23:00, Sundays 12:00 – 21:00

Late Night Refreshment - Fridays & Saturdays Only 23:00 - 00:30

Schedule 12

Part A

Premises Licence



Premises Licence Number

HDC/PRE00133

Sale by Retail of Alcohol - Mondays to Thursdays 11:00 - 23:30, Fridays & Saturdays 11:00 - 00:30, Sundays 11:00 - 23:30

The opening hours of the premises

Mondays to Thursdays	11:00 - 00:00
Fridays & Saturdays	11:00 - 01:00
Sundays	11:00 - 00:00

Note: For seasonal variations or non-standard timings in the opening hours refer to Annex 4

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both ON and OFF the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Brandon Bent

[REDACTED]

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Brandon Bent

[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Reference Number: PER02145

Licensing Authority: Huntingdonshire District Council

Schedule 12

Part A

Premises Licence



Premises Licence Number

HDC/PRE00133

ANNEX 1 – MANDATORY CONDITIONS

1. No supply of alcohol may be made at a time when
 - a. there is no designated premises supervisor in respect of the premises licence, or
 - b. the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
3. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
4. In paragraph 3, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises —
 - i. games or other activities which require or encourage, or are designed to require or encourage, individuals to —
 - ii. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - iii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
7. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

Schedule 12

Part A

Premises Licence



Premises Licence Number

HDC/PRE00133

8. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either —
 - a. a holographic mark, or
 - b. an ultraviolet feature.
9. The responsible person must ensure that-
 - a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures —
 - i. beer or cider: ½ pint;
 - ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii. still wine in a glass: 125 ml;
 - b. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
10. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
11. For the purposes of the condition set out in paragraph 10 -
 - a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - b. "permitted price" is the price found by applying the formula - $P = D + (D \times V)$ where -
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e. "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

Schedule 12

Part A

Premises Licence



Premises Licence Number

HDC/PRE00133

12. Where the permitted price given by paragraph b. of paragraph 11 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
13. Paragraph 14 applies where the permitted price given by paragraph b. of paragraph 11 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
14. The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
15. The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made:
 - a. By the British Board of Film Classification (BBFC) where the film has been classified by that Board or
 - b. By the Licensing Authority where no classification certificate has been granted by the BBFC or, where the licensing authority has notified the licence holder that section 20(3) (b) (74 (3)(b) for clubs) of the Licensing Act 2003 applies to the film.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. This licence is subject to conditions that reproduce the effect of conditions attached to the following licences that applied in respect of the premises at the time of conversion –
 - a. Public Entertainment Licence, attached as Appendix 1.
 - b. Justices on Licence, attached as Appendix 2
2. The following special conditions attached to the above Public Entertainment Licence also apply:
 - a. Noise Limitation - A noise limiting device shall be installed to all means of sound amplification and levels set to activate the device to the satisfaction of the District Council's Head of Environmental Health Services.
 - b. Close Circuit Television - Closed Circuit Television to be maintained at locations and to a standard approved by the Head of Administration; the CCTV recordings to be retained by the license holder for a period of 31 days and the licence holder to make the recordings available to authorised Officers of the Council, the Police and the Fire Service on request.
 - c. Fire Safety Measures - The fire safety measures stipulated by Cambridgeshire Fire and Rescue Service in their letter dated 29th March 2005 to be implemented and adhered to.
 - d. Admission/Re-admission - No members of the public shall be admitted or re-admitted to the premises after 23.00.
 - e. Windows/Doors – Self- closing devices to be fitted to doors used by the public to access the premises and front doors to be kept closed when not in use and all windows to be kept in a closed position when regulated entertainment is being provided.
 - f. Pubwatch - The licence holder to maintain membership of the local Pubwatch Scheme.
 - g. Dance Floor - A dance floor to be provided whilst the premises are open for regulated entertainment

Schedule 12

Part A

Premises Licence



Premises Licence Number

HDC/PRE00133

h. Occupancy - The occupancy of the premises shall not exceed 150 persons.

3. The following conditions offered by the applicant in the application also apply:

- a. The licence holder will exclude anyone behaving in a disorderly manner
- b. No irresponsible drinks promotions or discounting of drinks
- c. Drinking water to be made available free of charge
- d. The restaurant area to be a non-smoking area
- e. Proof of age policy to be in operation by way of photographic identification
- f. No children under the age of 14 to be allowed in the bar area unless accompanied by a responsible adult and such children not to be allowed in the premises after 21.00hrs
- g. Children under the age of 14 to be admitted to the restaurant area provided they are taking a table meal and accompanied by a responsible adult.

Conditions Agreed, April 2021 following variation to extend the licenced area to include the external areas - the conditions below only apply to the external area

- 4. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection upon request by an officer of a Responsible Authority.
- 5. All staff shall be trained in requirements of the Licensing Act 2003 and the conditions of this licence, and Challenge 25 Scheme, and company policies and reporting procedures.
- 6. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the Licensing Authority.
- 7. Premises licence holder must ensure that:
 - a. CCTV cameras are located on the premises to cover sufficient public areas, including entrances, exits, bars & outside areas.
 - b. The system records clear images permitting the identification of individuals.
 - c. The CCTV system must securely retain all recorded footage for a minimum of 31 days.
 - d. The CCTV system operates at all times while the premises are open for licensable activities. All equipment must have a constant and accurate time and date generation.
 - e. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
 - f. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/ burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format that can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (ie. compact disc, flash card etc), a secure storage system to store those recording mediums shall be provided.

Schedule 12

Part A

Premises Licence



Premises Licence Number

HDC/PRE00133

- g. The premises licence holder will ensure that a digital CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document www.ico.org.uk regarding installation of CCTV is provided at the premises.
8. On occasions of planned events such as the showing of televised sporting events the Premises Licence Holder shall carry out a written risk assessment to determine the need and the provision of SIA registered door supervisors (as per The Purple Guide, (1 SIA / 100 customers). Sufficient numbers of SIA registered door supervisors will be deployed when necessary, or upon request by Cambridgeshire Constabulary. This document must be made available for inspection upon request by authorised officer of a Responsible Authority.
9. At all other times the Premises Licence Holder will maintain a written risk assessment, ensuring the need for SIA door supervisors on a daily basis has been considered. This document must be made available for inspection upon request by authorised officer of a Responsible Authority.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

N/A

ANNEX 4 – SEASONAL VARIATIONS & NON-STANDARD TIMINGS – For the licensable activities authorised by this licence:

1. Alcohol may be supplied and films, live and recorded music, facilities for making music and dancing provided at the times shown on the following days:
 - a. On Christmas Eve and Sundays before a Bank Holiday Monday from 11.00 to 00.30.
 - b. New Year's Eve from the end of the permitted hours on New Years Eve to the start of the permitted hours on the following day.
 - c. Late night refreshment may be provided from 23.00 to 00.30 on Christmas Eve, Boxing Day and New Year's Eve.
2. The premises may remain open to the public for a further 30 minutes following the terminal times shown in 1 (a) above and during the times shown in 1 (b).

ANNEX 5 – PLANS

For plan see attached – dated April 2021

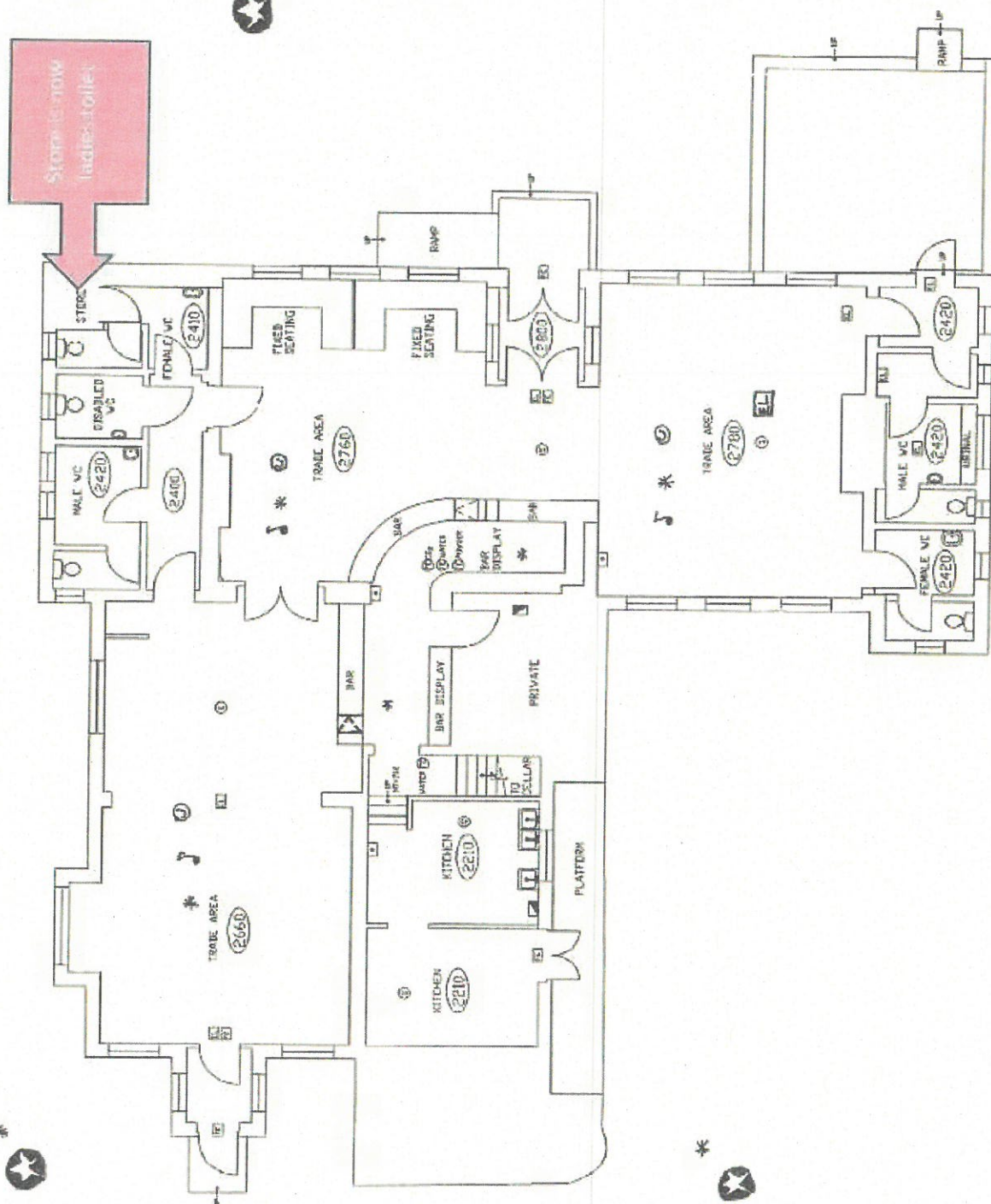
Licence valid from: 06.04.2021

Date of Issue: 01.09.2021

Signed: Authorised Officer

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OUTSIDE DRINKING A



April 2021



19th October 2021

Sarah Mardon
Licensing Officer
Huntingdonshire District Council
Licensing and Environmental Officers
Pathfinder House
St Marys Street
Huntingdon
Cambridgeshire
PE29 3TN

Dear Ms Mardon

**Re: Seven Wives Public House, Ramsey Road, St Ives – Review of Premises Licence Ref
HDC/PRE00133**

Further to receipt of the premises licence review for the above public house we would record our full support of the review with regards to the public nuisance that the premises is creating causing us distress and destroying the use of our home and outdoor spaces that we should be able to enjoy without the excessive noise and nuisance emanating from the Seven Wives when they are hosting outdoor music or sports events.

The frequency and duration of the events has increased significantly which over the summer period at a time when we should all be able to enjoy our outdoor spaces the Seven Wives was hosting events nearly every weekend and on some weekends on both days with bank holiday weekends on all 3 days. The events can start at 3.00pm and go on until 9.00pm/10.00pm on occasions. During these times it is impossible to be able to use our outdoor spaces due to the volume of noise and retreating indoors the noise levels are still unacceptable to be able to get away from the continuous booming of the bass sounds of the music and audience participation.

The impact on our lives is now extreme as we constantly need to review the pub's Facebook pages to see what events they have planned and must organise our lives to avoid them, however this has become more problematic with impromptu events being held that are not posted on their sites. We should not have to live our lives in this manner. We used to regularly have family and friends around to our house at weekends to enjoy BBQ's and get together however this past year we have not had these get togethers as they become dominated by the activities of the Seven Wives.

When the music is being played outdoors at the Seven Wives, we are subjected to noise levels that are in the Hazardous, Annoying, Irritating, Speech masking levels according to HSE guidance. We should not have to endure this level of nuisance and disruption to our private lives in our own homes and private gardens which is unacceptable on a continuous basis.

When the events are being hosted the direct impact on our lives are as follows.

- Unable to hold conversations outdoors in our gardens without the need to raise voices to excess levels.
- Moving indoors to get away from noise having to close windows but still need to raise volumes of TV and Audio equipment to hear broadcasts.
- Not acceptable to have windows closed denying fresh air circulation.
- Unable to have family or friends to visit as noise unbearable and an embarrassment to our residence.

- Unable to enjoy our outdoor spaces and relax in a calm environment, raised stress levels due to the nuisance.
- Unable to maintain concentration levels to carry out simple tasks such as reading a book or utilise a tablet computer etc

The impact on our mental health and wellbeing is now significant and we now dread the weekends and are continuously looking to seek sanctuary by having to vacate our homes at the weekends to alternative activities away from the home or organise our lives to avoid our homes during the course of the events,

We trust our concerns will be considered when conducting your review of the premises licence.

Yours Faithfully

Representation on behalf of [REDACTED]
 [REDACTED] for the Review of License HDC/PRE00133 (Seven Wives) by Jon Setchell
 (October 2021).

I have lived [REDACTED] to the Seven Wives Pub at Green End House with my wife and children for 20 years. [REDACTED] is an historic Grade 2 listed building that has existed for hundreds of years prior to the building of the Seven Wives.

In the past 20 years we have had many landlords who's names I can't remember because we have had little to trouble us. In the main, the landlords prior to Mr Bent have held music events indoors, with the occasional outside event generally on spring and summer bank holidays.

Since Mr Bent's arrival as landlord the number of outdoor events and in particular music events has increased significantly. For the last two years during spring, summer and early autumn there is an event almost every weekend. During the summer the events are frequently Saturday and Sunday and some weekends that can include Friday night also. This summer has been horrific due to the relaxation of building regulations for temporary outside structures; This has enabled Mr Bent to create a comprehensive outside entertainment venue. This has resulted in music occurring almost every weekend and most Sunday afternoons (3pm-7pm). Our lives have become dominated by the Seven Wives music schedule; This means that we have to check the Facebook page every week to determine what we can do in our own lives that weekend.

The frequency and volume levels have meant that we now have to schedule our lives around when Mr Bent decides to have a music event. This means some weekends we decide to leave our home to stay with a relative or friend. Sometimes this isn't possible and we have to accept that our own plans will be impacted; Recently for example, my wife's birthday and my retirement party were both severely disrupted by loud music from the Seven Wives (11 & 19 September 2021). Guests at my [REDACTED] party could not understand how a venue could operate at such volume in a residential area.

The volumes mean that the use of our own property is limited, whereby the following activities are severely impacted during the Seven Wives outdoor music events;

- Use of the front garden for anything without being aurally distracted.
- Relax in the front or rear garden without requiring us to raise our voices to be heard.
- Go to bed at night without being kept awake
- Watch television in our lounge
- Read a book in any room at the front of the house
- Work in my office without interruption


This has become mentally exhausting and very stressful for all of us at a time where stress levels are already heightened by the COVID situation.

In addition to the noise levels, we now also have dangerous car parking and congestion on and around the exit to our house. Because of the additional outside building, the car park in

the Seven Wives is significantly reduced in capacity. This means that we regularly have parking on the road and pavement outside our house. On two occasions I have had to contact the Police as a car has parked half way across the entrance. This causes a danger to pedestrians, through reduced visibility, from cars and vans leaving and entering the driveway. It would also mean that any access to our property by emergency services could be compromised. I have included some pictures of recent events at the end of this document.

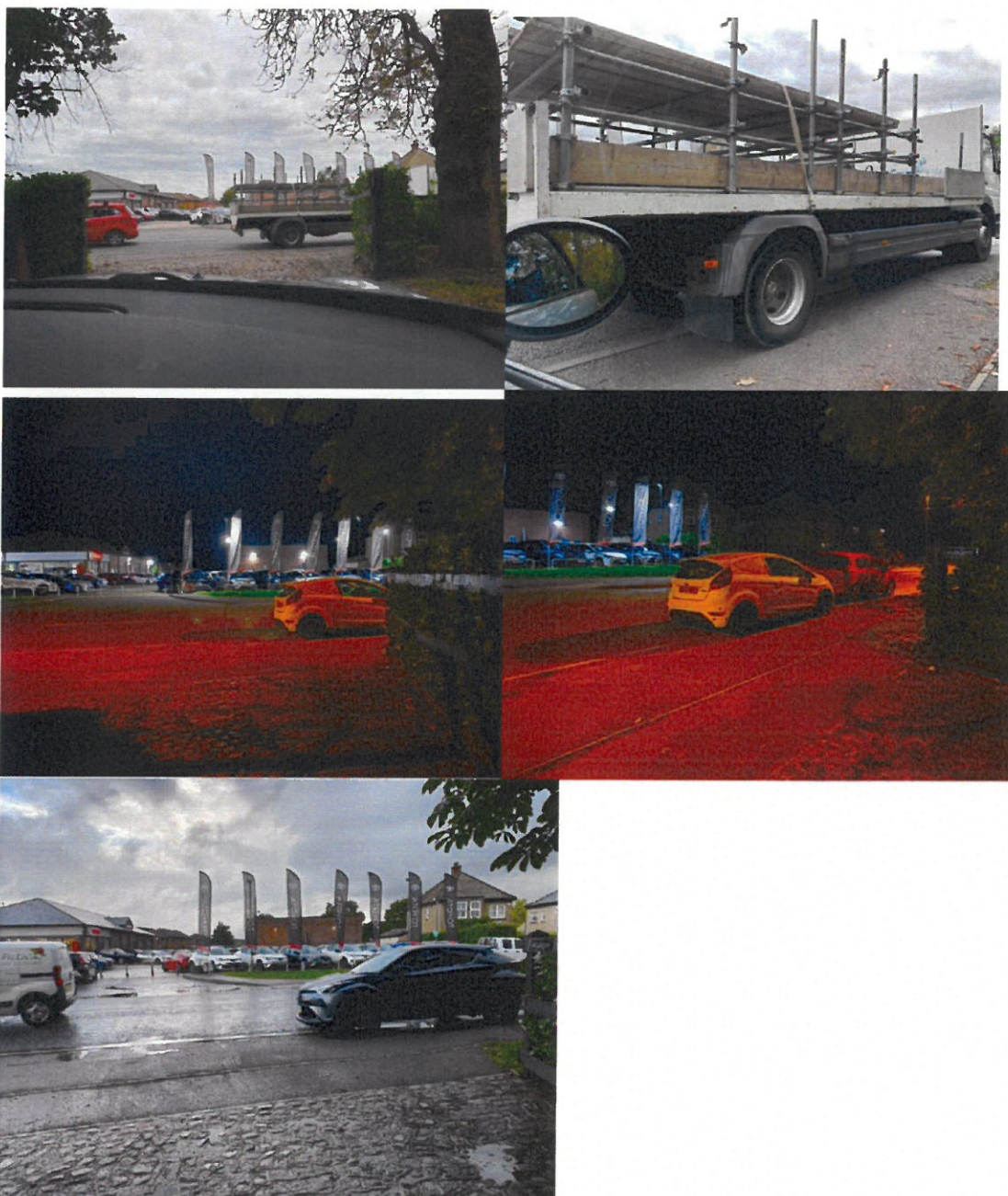
During Mr Bent's tenure as license holder he has never visited my house to discuss with me his plans for his business, the noise levels nor the car congestion. I am his closest neighbour as my property adjoins his property for most of the garden, including the outside entertainment area. Mr Bent should not operate in isolation from the community directly around the Seven Wives where the environmental impact of his actions are felt most. For two years he has completely ignored the impact of his business plans on my family's lives, even though he was formally served with a noise abatement notice in 2020. That we have had to come to this review of his license is evidence of his thoughtless behaviour and disregard for the legal conditions under which he is supposed to operate.

I suggest that it is time that HDC put very clear guidance and rules around his operation so that he can focus on running a community business within the boundaries set by HDC and his neighbours can live normal lives and enjoy their property without limitations.



26 October 2021

Examples of unsafe road congestion



31st October 2021

Sarah Mardon
Licensing Officer
Huntingdonshire District Council
Pathfinder House
St Marys Street
Huntingdon
Cambs
PE29 3TN

Dear Sarah Mardon

Ref HDC/PRE00133

Review of Premises Licence -Seven Wives Public House, Ramsey Road, St Ives, PE27 5RF

In your review of the premises license at the Seven Wives public house we would like to record our support for this review in regard to the public nuisance created. We had assumed that the Noise Abatement order put in place last year would have resolved the situation. This however has not been the case and is having an enormous impact on our lives.

Over the last two years and in particular this year where they have hosted a vast amount of excessively loud outdoor music and sports events on their car park space clearly in breach of the noise abatement notice. This year they have hosted events almost every weekend, bank holidays and occasionally in the week.

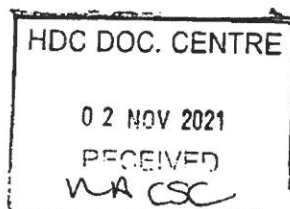
Having lived here for over 20 years we have never been subjected to these conditions which is now having a detrimental effect on our wellbeing. When events are on, we are unable to use our outdoor spaces with the peace that we would expect to enjoy and have done previously due to the excessive noise. In retreating to our indoor space, we are forced to keep all windows closed and increase the volume on our media equipment to enable us to hear over and above the noise produced at the public house.

We no longer feel comfortable in inviting guests or family to our home as we are never sure what volume might emanate from the public house and interrupt our enjoyment of our own space.

In addition to the noise issues there is now a parking hazard in Ramsey Road due to the fact that the public house has built a substantial building on their car park space forcing customers & staff to park their vehicles in the street, blocking the paths and reducing visibility of oncoming vehicles and cyclists.

Please seriously consider our concerns during the Premises License review process.

Yours sincerely



Huntingdon District Council
Licensing Section
Pathfinder House
St Mary's Street
HUNTINGDON
Cambs.
PE29 3TN

October 31st, 2021

Dear Sirs

**Re: Review of Premises Licence for the Seven Wives Public House
Hearing on 25th November, 2021**

We note the review of the premises licence for the Seven Wives on the grounds of public nuisance, which has been instigated by the Environmental Health Officer.

We are writing to confirm our own concerns with the frequent and unacceptably loud noise coming from the Seven Wives during their 'events'. In the summer we should be able to sit in and enjoy our garden, but we are driven indoors by the noisy live bands playing at this pub. We should not be in the position of having to shut the windows to lower the noise level in our home. Visitors to us are astonished at how poorly the Seven Wives treat their neighbours. On several occasions we have been unable to entertain our visitors in our garden due to the incessant noise.

We cannot understand why the Seven Wives is allowed to so casually interfere with our enjoyment of our home. The list of events given by Environmental Health Officer in the review application shows the relentless nature of the amplified music events over the summer period. Perhaps looking at this list you may understand how depressing it is to hear the first notes of an event at the Seven Wives, knowing that this noise will continue for several hours.

This letter has been written by us in support of the conditions suggested by the Environmental Health Officer. We agree these conditions could go some way to control the nuisance caused by the Seven Wives to the neighbourhood.

Yours sincerely

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