

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING SUB-COMMITTEE

THURSDAY 16TH OCTOBER 2025, AT 11.00 A.M.

PRESENT: Councillors J. Clarke, A. M. Dale and B. McEldowney

Officers: Ms. S. Royall, Mr. N. McMenamin,
Mr. M. Clohessy and Mr. M. Howarth, Anthony Collins Solicitors
and Mrs. P. Ross

Also in attendance: Mr. F and Mrs. S. Moore, the
applicants, Mr. R. Barker, the applicant's representative from
RB Retail and Licensing Services, Mr. R. Light, the applicant's
Advocate. Councillor C. A. Hotham, Ward Councillor and
Mr. L. Volante, local resident

5/25 **ELECTION OF CHAIRMAN FOR THE MEETING**

The Democratic Services Officer opened the Hearing and asked for nominations for Chairman.

RESOLVED that Councillor A. M. Dale be appointed Chairman of the Sub-Committee.

6/25 **APOLOGIES**

There were no apologies for absence.

7/25 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

8/25 **APPLICATION FOR THE GRANT OF A PREMISES LICENCE IN
RESPECT OF THORNBOROUGH EVENTS, THORNBOROUGH FARM,
REDHILL ROAD, KINGS NORTON, WORCESTERSHIRE, B38 9EH**

The Chairman welcomed everyone to the meeting and asked all parties present to provide a brief introduction.

In response to the Chairman, all parties in attendance agreed that they were satisfied with the Hearing procedures.

Councillor C. A. Hotham, Ward Councillor who had submitted a representation in objection to the application; took the opportunity to raise questions and to seek clarification on the premises licence being

applied for. Councillor Hotham stated that the premises application information, as detailed in the main agenda pack, varied from the information supplied in the Supplementary Agenda Pack. Councillor Hotham expressed his concern that no definitive licensing hours and agreed Conditions were being presented to Licensing Sub-Committee Members.

In response the Chairman stated that Members were satisfied with the updated information, as detailed in the Supplementary Agenda pack; and that all parties to the proceedings would be given the opportunity to ask any questions of the Technical Officer (Licensing), Worcestershire Regulatory Services (WRS), after their report had been presented.

Sub-Committee Members then considered an application for a Premises Licence, submitted by Kenneth Frederick Moore and Sarah Louise Moore, in respect of Thornborough Events, Thornborough Farm, Redhill Road, Kings Norton, Worcestershire, B38 9EH.

The application was subject to a Hearing in light of a total of 49 representations being received. 28 representations were received from persons opposing the application, as detailed at Appendix 2 the report. 21 representations were received from persons in support of the application, as detailed at Appendix 3 to the report.

The basis of the representations received opposing the application, were on the grounds of:-

- Public Nuisance
- Crime and Disorder
- Public Safety

The Technical Officer (Licensing) WRS, introduced the report and in doing so highlighted that the applicant was applying for the following licensable activities:-

Activity	Days	From	To	Indoors/ Outdoors
Performance of Dance	Friday - Sunday	12:00	- 18:00	Outdoors
Performance of Live Music	Sunday	12:00	- 22:00	Outdoors
Performance of Live Music	Friday - Saturday	12:00	- 23:00	Outdoors
Late Night Refreshment	Friday - Saturday	23:00	- 00:00	Outdoors
Playing of Recorded Music	Sunday	12:00	- 22:00	Outdoors
Playing of Recorded Music	Friday - Saturday	12:00	- 23:00	Outdoors
Sale of Alcohol	Sunday	12:00	- 22:00	On Premises
Sale of Alcohol	Friday - Saturday	12:00	- 23:00	On Premises

The application also proposed the following Non-Standard Timings:

'A privately booked event such as a wedding etc and utilising one or more of the licensing activities applied for within this application could be held on any day of the week. Guest numbers will be limited to 200

persons. This event will be included within a 28 days per year from 1st May to 30 September proposed to a limit'.

The designated premises supervisor identified in the application was Mr. Kenneth Frederick Moore.

Members' attention was drawn to the Temporary Events Notices (TENs) information, as detailed on pages 10 and 11 of the main agenda pack.

Responsible Authorities

The application was forwarded to all of the responsible authorities as prescribed under the Licensing Act 2003. The responses from Hereford & Worcester Fire and Rescue Service and Environmental Health, WRS, were detailed on pages 11 and 12 of the main agenda pack. Members were asked to note, that the condition requested by Hereford & Worcester Fire and Rescue Service and those recommended by Environmental Health, WRS had been agreed with the applicant via the applicant's authorised agent; and that should Members be minded to grant the premises licence the agreed conditions would be included on the premises licence.

The Technical Officer (Licensing) WRS, drew Members' attention to Appendix D, on pages 15 to 18 of the Supplementary Agenda Pack, which detailed the offered licensing conditions, further proposed conditions and conditions agreed with Environmental Health.

Other Persons

As referred to in the preamble above, 49 representations had been received. Video evidence had also been submitted by one of the objectors, which highlighted the impact of noise levels from music events on nearby residential properties. The video evidence was shown during the course of the Hearing.

At the invitation of the Chairman, Mr. L. Volante, who had submitted a representation in objection to the application posed questions to the Technical Officer (Licensing), WRS.

Mr. Volante sought clarification on the number of events with between 201 and 4000 attendees would be limited to, as page 11 of the main agenda pack showed 11 days in total, and page 9 of the supplementary agenda pack showed 18 days in total.

With the agreement of the Chairman, Mr. R. Light, the applicant's advocate explained that following agreement of conditions with Environmental Health, WRS and as detailed at Appendix D in the supplementary agenda pack; that the number of events with between 201 and 4000 attendees would be limited to 18 days in total, for the period requested in the application May to September each year.

Mr. Volante and Councillor Hotham expressed their thanks for this being clarified.

At the invitation of the Chairman, Councillor Hotham raised a number of questions with regard to the previous TENS issued and questioned as to why such conditions were not imposed on the TENS previously issued and the TENS recently applied for, for events at the premises.

In response the Principal Officer (Licensing), WRS explained that applying for a TEN was a separate process, and that anyone who wanted to hold an event where licensable activities would take place could apply to the Council for a TEN. 15 TENS per year could be applied for.

Only the Police or Environmental Health could object to a TEN, conditions could not be attached to a TEN.

It was highlighted that the Police and Environmental Health had not objected to any of the TENS applied for at the premises.

It was further clarified that the applicant could still apply for further TENS should a premises licence be granted.

The Principal Officer (Licensing) WRS further reiterated that Environmental Health had withdrawn their representation to the premises licence application following the agreement of conditions. Environmental Health were satisfied that the conditions applied would help the applicant to uphold the licensing objectives.

The Council's Legal Advisor took the opportunity to remind Members to only consider and determine the premises licence application before them.

At the invitation of the Chairman, Mr. R. Light, the applicant's advocate stated that 3 TENS had been applied for, 23rd June 3rd and 4th July and 11th July 2026.

These planned events would go ahead should a premises licence be granted, as 2026 would be a transitional period for the business. However, should a premises licence be granted, the applicant would deduct the dates detailed above from the number applied for on their premises licence application (18 in total). Mr. Light further emphasised that conditions could be added to a premises licence, which enabled more regulation than a TEN.

Mr. K. F. Moore, one of the applicants, further explained that they were unsure if a premises licence would be granted, hence TENS being applied for, for 2026. As stated by Mr. Light, 2026 would be a transitional year for the business, so any TENS applied for would overlap should a premises licence be granted.

In response to Mr. Volante, the Principal Officer (Licensing) WRS clarified that TENs could still be applied for use at the premises, even if a premises licence were granted.

Mr. Light further took the opportunity to direct everyone's attention to point 26, on page 17 of the Supplementary Agenda Pack, which stated that –

'No person other than the premises licence holder, the designated premise supervisor or an employee directly authorised by them shall organise, advertise, promote or manage any licensable activity at the premises.'

At this stage in the Hearing the Technical Officer (Licensing) WRS showed the video clips (6 short clips), which had been included with one of the representations received by Licensing, WRS, in objection to the application. The video clips had been included in order to highlight the impact that events at Thornborough Farm were having on their lives with regard to noise nuisance.

In response Mr. Light stated that video recordings were notoriously difficult to obtain accurate sound recordings, as the volume could be turned up or down. Even the closing of the gate on one of the video clips was extremely loud.

A brief discussion took place on the number of events that the video clips were taken at, and the dates / times of those events; as Mr. Moore had stated that one event was an event organised by a third party and not by themselves. Mr. Moore further stated that he agreed that the noise that had emanated from this event was not acceptable.

WRS Licensing Officers agreed to provide detailed information, during the course of the Hearing on the number of events and dates when the video clips were taken.

The Council's Legal Advisor took the opportunity to remind Sub-Committee Members that they could determine how much weight they chose to give with regards to the video clips shown.

At the invitation of the Chairman, Mr. Light presented the case on behalf of the applicants, and in doing so referred to the Hearing Note that was provided to all parties present.

Thornborough Events had run family orientated festivals and music related events utilising TENs since 2021. Over that time there had been more than 30 functions held at the premises. These events were not 'Glastonbury' events. The applicants now wished to regularise their activities by applying for a premises licence. A premises licence would give Mr. and Mrs. Moore a plan to take the business forward.

Events had included music festivals, family fundays, vintage motor rallies and other similar events. Events were run for one or two days and were held between May and September. Tickets were sold in advance but could also be purchased on the day, as sometimes people waited to see what the weather was like on the day, due to events taking place outdoors.

Events were run by the applicants, Mr. K. Moore and his wife Mrs. S. Moore, with a number of part time staff. All staff would be trained using the training manual. Two types of events were planned; public events and smaller private events with up to 200 people, such as weddings and birthday parties. Only one event would be held on any one day on the event field.

The applicants had gained extensive experience running the TENS events and Mr. Moore held a personal licence. Licensing consultants had been employed to advise on the premises application and had consulted with the relevant responsible authorities.

Members' attention was drawn to a plan and maps of the premises, as detailed at Appendix 1 (pages 41, 43 and 44 and of the main agenda pack).

The application had shown the limited number of days on which events, private and public combined would be held, as 28 days per calendar year. Events would also be limited to between 1 May and 30 September.

Mr. Light highlighted that following consultation with Environmental Health that the number of days for public events would be 18 days, and for private events five days. A comprehensive suite of conditions was offered and were detailed at Appendix D in the supplementary agenda pack.

Mr. Light reiterated that following consultation with Environmental Health and agreed conditions, that there were no objections to the application from any of the responsible authorities consulted with.

Mr. Light further referred to the 21 representations received in support of the application, which had referred to the premises as 'an asset to the community and providing support for local employment'. The letter of support from the nearest neighbour was very positive.

28 representations had been received against the application. Some contained allegations that the TENS hours had been exceeded, but apart from one minor 'sound check incident,' the applicants categorically denied this and had provided details in the Statement of Truth provided, as detailed on pages 35 and 36 of the supplementary agenda pack.

Mr. Light further referred to the Statement of Truth and in doing so drew Member's attention to the paragraph which detailed that the applicants were aware of regular visits carried out by the responsible authorities,

namely Environmental Health, the Police or Licensing Officers, who had visited the premises late in the evening when a TENS was in force, normally around 23:00 hours to check that licensable activities were still not in progress. On one occasion the applicants were made aware of their presence, they were met by a member of staff who was locking up the main gates as the event had completely finished, they had commented to the member of staff that they had no concerns and further stated that they had been parked nearby.

Mr. Light read out the following s182 Guidance, which underlined the weight that should be given to the views of the Responsible Authorities, as follows:-

‘Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority’s main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area. The police should usually therefore be the licensing authority’s main source of advice on matters relating to the promotion of the crime and disorder licensing objective.’

Mr. Light stated that property values, green belt consideration and planning issues raised in the representations against the application, were not issues to be considered by Sub-Committee Members.

Nevertheless, there were a number of relevant concerns raised in relation to the licensing objectives which centred on noise nuisance, litter, traffic safety and facilities. For each event held, these and other matters would be addressed in an Event Management Plan (EMP), an example of which was detailed at Appendix F to the report (pages 19 to 33 of the supplementary agenda pack). A completed EMP must be submitted in advance to the Bromsgrove Safety Advisory Group (Police, Environmental Health and Licensing) for their consideration.

With regard to noise, a number of conditions had been agreed, as detailed at Appendix D. Environmental Health had informed the applicants that following on from noise complaints received, noise monitoring equipment had been installed in a nearby residents property, however, there were no noise issues that would constitute a statutory nuisance so there was nothing to be done at the premises. Mr. Light further informed Sub-Committee Members that should a premises licence be granted that there would be further site visits by Environmental Health with regard to any potential noise nuisance and any equipment required.

Mr. Light took the opportunity to produce the RB Retail & Licensing Services Limited, Premises Licence Site Operations Manual, for Sub-Committee Members to see.

The Council's Legal Advisor informed the Chairman that this document was new documentary evidence and that all other parties to the proceedings needed to consent to this new document being included.

In response to the Chairman, Councillor Hotham and Mr. Volante agreed for Sub-Committee Members to see the new document. Mr. Light further offered to provide Councillor Hotham and Mr. Volante with a copy of the document, his offer was politely declined.

In response to questions from Sub-Committee Members with regards to security at evening events with up to 2,000 people attending, staff ratio at these events and how potential weapons, drugs and concealed alcohol would be checked; Mr. Light stated that this was addressed in the training manual and would be included in the EMP.

In response to questions from Sub-Committee Members with regards to sufficient parking at the site, Mr. Moore informed Members that the site was 20 acres and only a fraction was currently needed / used for such events. There was more than enough room for events. There was also ample room for taxis to pick up and drop off, as the premises had an ingress and egress. There was nothing nearby, nowhere to walk to by the premises, so he wouldn't envisage people walking along the dark roads, unless they lived very nearby and had attended an event. The site also provided a camp site for people to use.

Mr. Light further reiterated that the EMP included sections on Crowd Management and Traffic Management.

Mr. Moore further responded to questions from Members about noise nuisance and security issues; and in doing so explained that both the Police and Environmental Health had visited the site with no issues identified. There were fire points, a first aid station and a lost children point. The Police were happy and as stated during the course of the Hearing, Environmental Health had informed the applicants that following on from noise complaints received, noise monitoring equipment had been installed in a nearby residents property, however, there were no noise issues that would constitute a statutory nuisance so there was nothing to be done at the premises.

Mr. Moore further explained that there were a team of people who multi-tasked at the premises covering:-

- The event grounds
- Car parking attendants
- Toilet attendants
- Little pickers
- Skips (being emptied and covered with netting)

Mr. Moore was not aware of any traffic issues being created with events taking place at the site. Mr. Light took the opportunity to draw Members' attention to page 11 of the EMP, which covered Traffic Management. Mr.

Moore also stated that he disagreed with the comments made in the representations against the application with regards to litter, he was not aware of any litter issues outside of the site or along the roads.

Members again referred to the representations received in objection to the application, because of noise nuisance and the premises being in a quiet location. Was there a detrimental impact on their quality of life, and further noise concerns with people using the camp site, possibly carrying on drinking and being noisy after an event had finished. Was the site a suitable location?

With regards to questions being asked, as detailed in the preamble above, and the suitability of the location for such events, with the location being a quiet, rural location. Mr. Light stated that whilst he sympathised with anyone who felt inconvenienced by events at the site, there were different views from different people. Environmental Health were the experts on noise nuisance and conditions had been agreed. It was a case of getting the correct balance with the interests of the business, a nice place to visit and to take into account nearby neighbours. If a premises licence were not granted, the use of TENS would continue, and these could not be conditioned.

In response to questions from Members, Mr. Moore informed the Sub-Committee that he had started the business in 2019, the first event held there was their wedding. Then the Covid 19 pandemic had occurred.

Members referred to the premises layout, as detailed on page 41 of the main agenda pack, and asked questions on the site set up.

In response Mr. Moore explained that the area within the red boundary was where events would take place. The stage was situated in an area following advice from WRS as to where best to site it. The stage was on wheels and could be moved, if they were advised that a different area was better placed for the stage area.

Members questioned the time that events would end should they be held on a weekday, Monday to Thursday, and sought clarity from Mr. Light, as the supplementary agenda pack detailed that the section covering live music be amended to 12:00pm to 22:00pm for Monday to Saturday with Sunday to remain as on the application (12:00pm to 22:00pm).

Councillor Hotham stated that their application did not include licensable activities for Monday to Thursday.

Mr. Light referred to page 10 of the main agenda pack which detailed Non-Standard Timings for privately booked events.

At this stage in the Hearing, the Chairman announced a comfort break.

Accordingly, the Hearing stood adjourned from 12:35pm to 12:44pm.

Having reconvened and with the agreement of the Chairman, Councillor Hotham asked for further clarification on the hours being sought for licensable activities.

In response Mr. Light highlighted that the applicants were now also seeking to have licensable activities (namely private events) during the week, with the sale of alcohol between the hours of 12:00pm and 10:30pm, Monday to Thursday and the premises being open until 23:00pm. Live music was covered by The Live Music Act 2012. Monday to Thursday had not been included on their original application.

The Council's Legal Advisor took the opportunity to ask Members if they were clear on what was now being sought by the applicants?

Members agreed that this was now clear, following the clarification provided by Mr. Light.

Mr. Light further confirmed that car boot sales did take place at the premises.

With the agreement of the Chairman, the Technical Officer, WRS, as agreed, informed all those present that, as detailed on page 67 of the main agenda pack; the videos were taken on 17th September 2024 at 14:52 hours, 20th July 2024 at 13:39 hours and 00:24 hours, and 6th July 2024 at 22:48 hours and 21:25 hours.

At the invitation of the Chairman, Mr. Volante and Councillor Hotham, Ward Councillor were asked to address Sub-Committee Members.

Mr. Volante explained that Icknield Street was only 500 metres away. He had lived in the area for 12 years, and during the last one / two years there were noise issues from concerts, festivals, clay pigeon shooting and events held at the site. The complaints from the community were not over-zealous, things had happened. An EMP should have already been done for previous events. The location of the stage and the direction of the speakers had remained unchanged. If the stage and speakers were rotated there would be far fewer noise problems in that direction. Screening could also be added as sound barriers at the side of the stage.

However, the overall site was not ideal, with the site being elevated and remote. Mr. Volante acknowledged that noise measures were referred to at this meeting and that contact details would be provided by the applicants so as neighbours could contact them with any noise concerns / issues.

Mr. Volante continued and further highlighted that music noise levels should not exceed the background noise level by more than 15dB(A), and in his opinion the noise levels had not yet been agreed. The noise level should be lower in a rural area. He could hear the events inside his house with his television on. Events ended at 11:00pm however,

neighbours wanted to go to bed before 11:00pm. No data had been provided as to the noise levels. His concern was that the picture was being given that all events were family fun days. This was not a typical representation of events, and with the potential of even more events there would be more noise.

Councillor Hotham explained that the strength of feeling from residents was in the number of representations received in objection to the application. He had received numerous complaints over the years about this venue.

He did not doubt that Mr. & Mrs Moore ran events well, but it was not suitable location for such events. The TENs granted did not always adhere to the conditions of a TEN. The application detailed how the licensing act and licensing objectives would be promoted, by working to the conditions imposed by Environmental Health. The venue had not operated the TENs and had not promoted the licensing objectives. We needed to ensure that noise levels were controlled, and noise limiters were utilised.

The number of days applied for (18) was excessive, the original application had sought 11 days, this along with the TENs recently applied for was too much, as 33 days of events could take place.

Councillor Hotham stated that he would urge Sub-Committee Members to reject the application, however, should Members be minded to approve the application; he would hope that they were precise and accurate in what's being agreed in order to address residents' concerns.

The close proximity of the school was a concern should any proposed events take place during the school term time. He would ask Members to be mindful of this and to bear in mind the weight given to the objections received to this application.

In response Mr. Light commented that Mr. Volante had given some verbal technical evidence with regard to music noise levels not exceeding the background noise level by more than 15dB(A). Environmental Health Officers would provide information and set any decibel levels should a premises licence be granted. Mr. Light made reference to conditions requiring specific decibel levels being inappropriate and briefly referred to caselaw in response to Mr. Volante's suggestion. Environmental Health would visit the premises and provide advice and guidance to Mr. & Mrs. Moore.

Mr. Moore further stated that the stage was on wheels and could be moved to a different position should this advice be given by Licensing Officers, WRS.

With the agreement of the Chairman, Mr. Moore provided some background information with regard to the video clips shown. The event on the 17th September 2024 was an internal event and had ended at

4:00pm due to the rain. The event on 20th July 2024 was when a DJ had been used and there was a problem with noise, however, they had not used that DJ again. 6th July 2024 was when a scooter rally had taken place. This was organised by a third party.

Mr. Volante highlighted that his representation had referred to an event organised by a third party, where late night noise and noise from motorbikes had been experienced by residents. The granting of a licence would see more events held weekly. So, a compromise was needed in order to explore what could be done to address future noise issues.

In summing up, Councillor Hotham stated that he would not support the application but would ask for conditions to be included.

Mr. Volante stated that music noise levels should not exceed the background noise level by more than 15dB(A) and referred to the stage being moved.

In summing up Mr. Light read out the following from the Hearing Note:-

“There are benefits to the wider and local community by way of employment, use of local goods and services, promotion of live music and other artists, as well as the enjoyment of those who attend – all in line with the above Policy aims. When combined with the checks and balances put in place and the amended conditions and number of events as proposed by the EHO to uphold the licensing objectives and minimise any effect on the amenity of those nearby who are opposed to the licence the balance plainly falls in favour of the application which the sub-committee is respectfully requested to grant.”

At the invitation of the Chairman, the Councils Legal Advisor explained that TENs were a separate process. Members should consider the premises application and the clarification of the times / days being applied for. The weight given to the video evidence. Members should be mindful that no representations had been received from any of the responsible authorities, and that Environmental Health were the experts in respect of noise. The Police had not commented or raised any concerns with regard to the access / exit to the site.

Members were asked to note that as stated by Mr. Light during the course of the Hearing that property values, green belt consideration and planning issues raised by those in objection to the application, were not a licensing concern for Members consideration. Live music was covered under The Live Music Act 2012. Live music was deregulated under The Live Music Act 2012 and subsequent legislation and that conditions limiting the playing of amplified live music would be suspended between 8:00am and 11:00pm on alcohol licensed premises for an audience of less than 500 people.

Accordingly, the Hearing stood adjourned from 13:15 to 13:42 hours.

The Democratic Services Officer explained that Members had received all of the information they required. The Democratic Services Officer thanked everyone for attending and explained that the Decision Notice would be issued within five working days to the applicant and all those who had submitted representations.

Having had regard to:

- The licensing objectives set out in the Licensing Act 2003.
- The Guidance issued under section 182 of the Act.
- The Council's Statement of Licensing Policy.
- The report presented by the Technical Officer, Licensing, Worcestershire Regulatory Services.
- The application and oral representations made at the Hearing by and on behalf of the applicant.
- The written and oral representations submitted by other parties, as detailed on pages 45 to 116 of the main agenda pack, and pages 5 -13 and 35 - 36 of the supplementary agenda pack.
- Additional documentary evidence provided by the applicant at the hearing (the proposed training manual) with the consent of the other parties to the hearing.

It being clarified in the Hearing that the applicant's application was for a licence to:

- a) carry out the licensable activity of the sale of alcohol between the hours of 12:00pm and 10:30pm on Monday-Thursday; and
- b) that authorisation in relation to the provision of late-night refreshment was no longer being sought.

The Sub-Committee decided to grant the premises licence for Thornborough Farm as presented to the Sub Committee subject to conditions set out in pages 15-18 of the Supplemental Agenda Pack, and with the amendments as detailed in the Decision Notice.

Members would remind all parties of the review process that applied to any premises that failed to promote the licensing objectives. Any party was able to request a review of a licence where evidence indicated that the licensing objectives were not being met.

Additionally, there was a statutory duty for local authorities to investigate complaints of statutory nuisance. If there were concerns about noise at the site, these should be referred to the local authority for consideration.

An appeal by any party to the Magistrates' Court against the Sub-Committee's decision must be lodged within 21 days of the date on which written confirmation of the decision was received.

The meeting closed at 1.15 p.m.

Chairman