Satish Mistry Executive Head of Governance

www.guildford.gov.uk

Contact Officer: Sophie Butcher

26 March 2015

Dear Councillor

Your attendance is requested at a meeting of the **LICENSING SUB COMMITTEE** to be held in the Council Chamber - Millmead House on **MONDAY**, **30 MARCH 2015** at 11.00 am.

Yours faithfully

Satish Mistry
Executive Head of Governance

MEMBERS OF THE LICENSING SUB COMMITTEE

Councillor Graham Ellwood (Chairman) Councillor Jennifer Jordan Councillor Marsha Moseley

QUORUM 3



THE COUNCIL'S STRATEGIC FRAMEWORK

Vision - for the borough

For Guildford to be a town and borough:

- with strong infrastructure
- world-class businesses with capacity to expand and deliver growth
- an evolving and vibrant economy which creates a progressive and sustainable environment
- for people today and future generations living in an ever improving society.

Five fundamental themes that support the achievement of our vision

- **Infrastructure** working effectively with partners to drive development and business growth that will expand our economy
- **Economy** to grow a sustainable economy that will support all aspects of life in our borough.
- **Development** to ensure that there is appropriate infrastructure, commercial space and a range of homes, built sensitively, without damaging our heritage or countryside.
- **Sustainability** to ensure the services we provide and the borough develops and grows, in the most sustainable way.
- Society to evolve a self-reliant and sustaining community, while supporting our most vulnerable residents.

Values for our residents

- We will strive to be the best Council.
- We will deliver quality and value for money services.
- We will help the vulnerable members of our community.
- We will be open and accountable.
- We will deliver improvements and enable change across the borough.

Mission - for the Council

A forward looking, efficiently run Council, working in partnership with others and providing first class services that give the community value for money, now and in the future.

Developing our Council

To be a well led, collaborative organisation that has customer care and top quality at its heart. To have highly trained and proficient staff and councillors who challenge and learn.

<u>A G E N D A</u>

ITEM NO.

- **1 89886 OCKFEST TEN REPORT** (Pages 1 4)
 - 1.1 **Appendix 1 Site Location** (Pages 5 6)
 - 1.2 **Appendix 2 TEN** (Pages 7 16)
 - 1.3 Appendix 3 Ockfest Layout (Pages 17 22)
 - 1.4 **Appendix 4 EH Objection** (Pages 23 24)

Please contact us to request this document in an alternative format



LICENSING SUB-COMMITTEE

30 MARCH 2015

Application Type:	Submission of a Temporary Event Notice (TEN)		
Ward:	Lovelace	Ward Councillors:	Councillor Colin Cross
Premises user:	Mr Anthony Josep	h Goff	
Location:	Blackmoor Heath, Ockham, Surrey, KT11 1NH		
Proposal:	The premises user has given notice of the following licensable activities: (a) the sale by retail of alcohol; (b) the provision of regulated entertainment; and (c) the provision of late night entertainment on Saturday 11 July 2015 from 1200 hrs to 2400 hours		

1. BACKGROUND

- 1.1 The Licensing Act 2003 (the 2003 Act) requires the Council (as licensing authority) to carry out its various licensing functions to promote the following four licensing objectives:
 - (1) the prevention of crime and disorder;
 - (2) public safety;
 - (3) the prevention of public nuisance;
 - (4) the protection of children from harm.
- 1.2 The 2003 Act further requires the Council to publish a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act. The Council adopted its current Statement of Licensing Policy on 9 December 2010.
- 1.3 Under the 2003 Act, it is the duty of all licensing authorities, in carrying out their functions, to have regard to guidance issued by the Secretary of State under section 182. As long as the licensing authority has properly understood and considered the Guidance, it may depart from it when it has reason to do so. However, as the licensing authority is under a duty to have regard to the Guidance, it will need to give full reasons for its departure from it. This would be a key consideration for the courts should departure from the Guidance result in a determination which gives rise to an appeal or judicial review.
- 1.4 Temporary event notices allow licensable activities to be carried on without the need for a premises licence. If a premises has a premises licence, they allow licensable activities to be carried on otherwise than in accordance with the licence. They can therefore allow different activities or different hours. Events carried on under the authority of a temporary event notice are not subject to the conditions on the premises licence.

2. SITE LOCATION AND HISTORY

2.1 Blackmoor Heath is located in Ockham, Surrey, KT11 1NH

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2.2 There is a mix of residential and rural properties in the vicinity of the premises. A plan showing the location of the premises is attached at **Appendix 1**, with residential properties represented by a dot.

3. APPLICATION

- 3.1 A Temporary Event Notice was submitted by Mr Anthony Joseph Goff on Thursday 19 March 2015. The original notification indicated that there would be 450 to 500 attendees plus staff. Clarification was sought from Mr Goff who confirmed that he was intending approximately 400 attendees plus staff. The form was amended to indicate a maximum of 499 attendees. The amended form is attached at **Appendix 2**. This notification was submitted within the correct time periods and has been accepted as a valid notice.
- 3.2 The dates and times shown on the Notice are as follows:

Saturday 11 July 2015 from 1200 hours to 0000 hours (midnight)

The licensable activities notified on the application are:

- a) the sale by retail of alcohol
- b) the provision of regulated entertainment
- c) the provision of late night refreshment

The proposed event is a day of music and refreshment showcasing local produce from around Surrey.

The premises user supplied additional information regarding the event, which is attached as **Appendix 3**.

- 3.3 On Friday 20 March 2015 Environmental Health served a notice of objection in relation to the temporary event notice. This notice was served within the timescales prescribed.
- 3.4 The objection is based on their concerns that the 'prevention of public nuisance' licensing objective would not be met. The objection notice is concerned that there are insufficient precautions in place to prevent a public nuisance. A full copy of the objection notice is attached at **Appendix 4.**

4. CONSIDERING THE OBJECTION

- 4.1 The factors to be taken into account when considering the objection are listed below:
 - (a) The Sub-Committee is obliged to consider this objection with a view to promoting the licensing objective of the prevention of public nuisance.
 - (b) The Sub-Committee must have regard to any representations made by Environmental Health and the applicant and any supporting evidence.
 - (c) The Sub-Committee must, having regard to the objection notice, give a counter notice under Section 105 of the Act if it considers it appropriate for the promotion of the licensing objective of the prevention of public nuisance to do so.
 - (d) The Sub-Committee is not entitled to impose conditions on the notice because it may only do so where there is a premises licence in effect in respect of the premises.
 - (d) If the Sub-Committee does not consider it appropriate to give a counter notice, the premises user will be entitled to hold the event as stated in the notice.

- (e) If the Sub-Committee decides to give a counter notice it must give the counter notice and a notice stating the reasons for the decision to the premises user and Environmental Health
- (f) There is a right of appeal to the Magistrate's Court for the recipient of a counter notice or for Environmental Health where no counter notice is given, however no appeal may be brought later than 5 working days before the event period begins.

5. LICENSING POLICY

- 5.1 The following sections of the Council's Licensing Policy are relevant:
 - Section 5 Paragraphs 5.1 to 5.17: Fundamental Principles
 - Section 8 Paragraphs 8.1 to 8.12: Temporary Event Notices
 - Section 11 Paragraphs 11.1 to 11.6: The Licensing Objectives (3) Prevention of nuisance

6. NATIONAL GUIDANCE

- The following sections of the Guidance issued in October 2014 by the Secretary of State under Section 182 of the Licensing Act 2003 are relevant:
 - Paragraphs 2.18 to 2.24 Public Nuisance
 - Paragraphs 7.1 to 7.37 Temporary Event Notices.

7. RECOMMENDATION

7.1 The Sub-Committee is asked to consider the objection notice from Environmental Health, together with any other submissions made at the hearing, and determine whether it is appropriate for the promotion of the prevention of public nuisance objective to give a counter notice which will prevent the event from going ahead.

Reason for recommendation

To comply with the requirements of the Licensing Act 2003

Background Papers:

Amended Guidance issued in October 2014 under Section 182 of the Licensing Act 2003

Originator:

Peter Muir Licensing Compliance Officer

Tel: (01483) 444110

E-Mail: peter.muir@guildford.gov.uk





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COMMUNITY CARE 1 9 MAR 2015

Payment
Clonneuc-Collishal
Licensing Act
2003

Temporary Event Notice



Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal de	tails of premises user (Please read note 1)		
1. Your name	ADAM		
Title	Mr Mrs Miss Ms Other (please state)		
Surname	GOFF		
Forenames	ANTHONY JOESPH		
	(Please enter details of any previous names or maiden names, if applicable. a separate sheet if necessary)		
Title	Mr Mrs Miss Ms Other (please state)		
Surname	<u> </u>		
Forenames			
3. Your date of bir	th		
4. Your place of bi	rth		
5. National Insuran	nce Number		
6. Your current address (We will use this address to correspond with you unless you complete the			
separate correspon	dence box below)		
30 MEA	DOW COTTAGES		
WEST En	D I ANT		
SURREY	· · · · · · · · · · · · · · · · · · ·		
CONTROL ATTENDED	Post code Falls		
Post town	10 8LF FOST CODE ESHER		
7. Other contact de	tails		
Telephone number	S		
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (option	nal)		
E-Mail Address			
(if available)			
	ess for correspondence (If you complete the details below, we will use this		
address to correspo	nd with you)		

Please state the licensable activities that you intend "X" next to the licensable activities you intend to ca	to carry on at the premises (parry on). (Please read note 6)	lease mark an
The sale by retail of alcohol	-	
The supply of alcohol by or on behalf of a club to, of the club	or to the order of, a member	
The provision of regulated entertainment		
The provision of late night refreshment		
Are you giving a late temporary event notice? (Plea	10	
Please state the dates on which you intend to intend licensable activities. (Please read note 8)	11/07/15	
11/07/15	N. PUI	A. V. (2017) CO - CO
Please state the times during the event period that yo (please give times in 24 hour clock). (Please read no		ble activities
Saturday 12:00 - 00:00	12 hours	=3!
Please state the maximum number of people at any allow to be present at the premises during the times licensable activities, including any staff, organisers note 10)	when you intend to carry on	450-500 50 SEAFF
If the licensable activities will include the supply of alcohol, please state whether the supplies will be	On the premises only	×
for consumption on or off the premises, or both (please mark an "X" next to the appropriate box).	Off the premises only	
(Please read note 11)	Both	

4. Personal licence holders (Plea	se read note 12)		
Do you currently hold a valid personal licence?		Yes	No
(Please mark an "X" in the box that applies to you)			
If "Yes" please provide the detail	s of your personal licence below.		
Issuing licensing authority			
Licence number			
Date of issue			
Data of availab			
Date of expiry			
Any further relevant details			
in in the country of the country			

5 Previous temporary event notices you have given (Please read note 13)

Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Daytine	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address	
(if available)	
it has no address give a detailed description (Please read note 2)	re you intend to carry on the licensable activities or if (including the Ordnance Survey references)
Blackmoor Heath, Ock	ham, Surrey, KTII INH
Does a premises licence or club premises ce part of the premises)? If so, please enter the	ertificate have effect in relation to the premises (or any elicence or certificate number below.
Premises licence number	11
Club premises certificate number	1.5
If you intend to use only part of the premise this notice applies, please give a description	es at this address or intend to restrict the area to which and details below. (Please read note 3)
	Y V
20	
<i>€</i> 2	
Please describe the nature of the premises b	elow. (Please read note 4)
OFF the main ROAD	Down A 700 Yard Drive
Into a 2-4 Acre F	blance
Please describe the nature of the event below	w. (Please read note 5)
	Showensing Local produce
From Around Surre) ·

3. The licensable activities

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes	Z oZ
(Please mark an "X" in the box that applies to you)	<u> </u>	
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period:	Yes	No 🔀
a) ends 24 hours or less before; or		~=
b) begins 24 hours or less after		
the event period proposed in this notice?		
(Please mark an "X" in the box that applies to you)	<u> </u>	
6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No No
(Please mark an "X" in the box that applies to you)		
If answering yes, please state the total number of temporary event notices your	_	
associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same	Yes	No
premises in which the event period:		
a) ends 24 hours or less before; or		
b) begins 24 hours or less after		
the event period proposed in this notice?	7	
(Please mark an "X" in the box that applies to you)		
Has any person with whom you are in business carrying on licensable activities	Yes	No
given a temporary event notice for an event in the same calendar year as the		
event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	J. –	
If answering yes, please state the total number of temporary event notices your		
business colleague(s) have given for events in the same calendar year.		
business concague(s) have given for events in the same calcidat year.		
Has any person with whom you are in business carrying on licensable activities	Yes	No
already given a temporary event notice for the same premises in which the event		150
period:		10
a) ends 24 hours or less before; or		
b) begins 24 hours or less after		
the event period proposed in this notice?		
(Please mark an "X" in the box that applies to you)		
7. Checklist (*lease read note: 15)		
I shall (Please mark the appropriate boxes with an "X")		
Send at least one copy of this notice to the licensing authority for the area in which	h the	
premises are situated		
Send a copy of this notice to the chief officer of police for the area in which the		
premises are situated		
Send a copy of this notice to the local authority exercising environmental health		
functions for the area in which the premises are situated		
If the premises are situated in one or more licensing authority areas, send at least of	one	
copy of this notice to each additional licensing authority		

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*			
If the premises	are situated in one	or more police areas, send a copy of this notice to	П
	chief officer of poli		
		or more local authority areas, send a copy of this	
		ority exercising environmental health functions	£
		e for the application	
	- F7	t.	
Sign the declara	ation in Section 9 be	elow	
9.0			
the same of the sa	Please read note 16)		
		vent notice that where the relevant licensable activiti	
	ction 3 above includ rity of the premises	le the supply of alcohol that all such supplies are maduser.	de by or
		2	11.1725
9. Declarations	(Please read note 1	7)	
The information	contained in this fo	orm is correct to the best of my knowledge and belie	f.
	. 1. 1		
	it it is an offence:		
		a false statement in connection with this temporary	
		conviction for such an offence to a fine up to level 5	on the
standard scale;		able estimites to be estad on at one place and that a	
		sable activity to be carried on at any place and that a fence to a fine not exceeding £20,000, or to imprison	
	ceeding six months		HIICH
lor a term not ex	cccding six months	s, or to bout.	
Signature		20 SECURITIVE STATES IN	
Signature .			
Date	11/3/15	Ø <u>∃</u> # ∑\	3
31		700 P 10 P	
Name of Person signing	MAGA	GOFF	
For completion	by the licensing aut	thority	
105% A SISSEMENT	ement (Please rea	desta 19)	CONTRACTOR
10% Acknowled	Sement's (Licase rea	ta note 18)	
I acknowledge r	eceipt of this tempo	rary event notice.	
Cimatana	100		
Signature			
	On behalf of the I	icensing authority	
Date			
Name of	K NO KIEMO	80 (1907) (190 <u>8</u>	
Officer signing		2.30	





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<u>Payment Receipt - Customer</u> <u>Copy</u>

Guildford Borough Council Millmead House Guildford GU2 4BB Tel: 01483 505050

Vat Reg No: 212 530 417

Ref : Date: donnellc-00143491

Amount

19 Mar 2015 13:54:52

Amount

£21.00

Customer Mr Dominic armstrong, 1 Details: 80P

Payment was made as follows:-

Cash:

£0.00

Cheque

£0.00

Card:

£21.00

Cashier: donnellc Card: 45/1761 Expires: 01/19

Issue No

Auth

134558

Code:

Type	Ref	VAT	Amt*
General Ledger NON RATE VAT	H2100K4825 Adam EDockfest tebs	0.00	21.00

^{*} The Amount shown is inclusive of any VAT.

Total £ 21.00

If you have any query relating to this payment please contact us either in writing at the above address, or by telephoning 01483 505050. Alternatively you can e-mail us with details of your query to customerservices@quildford.qov.uk, Please . quote your Payment Reference on all correspondence.

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OCKFEST

WHAT IS OCKFEST?

OCKFEST IS A NEW LOCAL FESTIVAL WE WOULD LIKE TO BRING TO OCKHAM SHOWCASING LOCAL PRODUCE. AN "ENTRANCE BY TICKET ONLY" FAMILY FESTIVAL FROM 10.00 TO 18.00HRS MOVING INTO MORE OF A FAMILY PARTY FROM 18.00 – 22.00HRS.

WE AIM TO HAVE STALLS AND ENTERTAINMENT COVERING LOCAL PRODUCE (FARMERS MARKET), FOOD STALLS, DRINKS (ALCOHOLIC AND NON) TO FASHION.

WHAT'S GOING ON?

ON THE DAY WE WILL HAVE STALLS AND ACTIVITIES FOR ALL THE FAMILIES TO ENJOY WITH LIVE MUSIC (A LOCAL BAND) RUNNING ALL DAY WITH FRESH FOOD AND BEVERAGES.

WHAT WE WANT TO ACHIEVE?

WE WANT TO ACHIEVE AN OUTSTANDING DAY EXPERIENCE FOR FAMILIES AND LOCAL BUSINESSES TO PROMOTE THEIR PRODUCE AND COME BACK NEXT YEAR!

STAFF?

WE HAVE SOURCED PREDOMINANTLY LOCAL STAFF FOR EVERY ASPECT OF THE EVENT. EVERY STALL AND ACTIVITY WILL BE STAFFED AND WE ARE ALSO AIMING TO HAVE ST JOHNS AMBULANCE IN ATTENDANCE.

TIME-TABLE?

AS OUR HIRE EQUIPMENT RUNS ON A 12 HOUR SCALE WE WANT TO START THE FESTIVAL AT 12 FINISHING AT 00:00 BUT WE ARE OPEN TO CHANGING THE TIMES I.E. 10.00 TO 22.00HRS

HEALTH AND SAFETY?

WE WANT ALL FAMILIES AND LOCALS TO BE SAFE ON THE DAY SO WE WILL BE MAKING SURE EVERY ASPECT OF THE SITE WILL BE SUBJECT TO A HEALTH & SAFETY ANALYSIS

SECURITY?

WE WILL HAVE BETWEEN 20-30 SECURITY ATTENDANTS AND MARSHALS PROVIDED IN PART BY THE BLACK SWAN PH IN OCKHAM, MAKING SURE VEHICLES ACCESS/EXIT THE SITE SAFELY AND PARK IN THE DEDICATED PARKING AREA. THERE WILL ALSO BE PERIMETER SECURITY TO MAKE SURE WE LIMIT THE POSSIBILITY OF NON-TICKET HOLDERS GAINING ACCESS.

FAMILY THEMED ACTIVITIES:



WE WILL HAVE A BOUNCY CASTLE FOR CHILDREN



WE WILL HAVE A FOOTBALL PENALTY COMPETITION RUNNING THROUGH THE DAY WITH PRIZES FOR ALL AGES



AN INFLATABLE SLIDE FOR THE CHILDREN



A PLASTIC BALL POOL FOR THE CHILDREN



THERE WILL BE BETWEEN 5-8 STALLS WITH ACTIVITIES FOR FAMILIES TO WIN PRIZES (I.E. "SPLAT THE RAT", TOMBOLA)

EQUIPMENT WE WILL BE USING ON THE DAY:



ICE CREAM VAN



A MUSIC STAGE SIMILAR IN SIZE TO THIS FOR OUR LOCAL BAND



PORTABLE LOOS 2 SEPARATE IN-ROOM TOILETS AND 10 PORTO LOOS



THERE WILL BE APPROX. 20 STALLS SHOWCASING THE LOCAL PRODUCE SURREY HAS TO OFFER - FOOD, DRINK OR OTHER ITEMS



WE WILL HIRE SUFFICIENT POWER GENERATORS TO COVER ALL ELECTRICAL NEEDS. THIS WILL INCLUDE "BACK-UP" PROVISIONS.



THERE WILL BE AMPLE 7FT FLOOD LIGHTS — COVERING ACCESS/EXIT AND AROUND THE FIELD.



THE PERIMETER WILL HAVE 8FT SECURITY FENCES ENCIRCLING THE SITE. THIS WILL HAVE SECURITY ATTENDANTS ALONG ITS LENGTH.

OUR MAIN FOCUS IS SAFETY OF ALL TICKET HAVE A FIRST AID TENT AMBULANCE ON SITE

ADVERTISING OF THE



THE HEALTH AND HOLDERS. WE WILL ALONG WITH ST JOHNS

EVENT

TICKET SALES/COST (ESTIMATED)

INDIVIDUAL ADULT TICKET £20 11-18YRS £10 CHILDREN UNDER 10YRS FREE

FAMILY TICKET £40

2x Adults 2x Child

ELASTIC WRIST BANDS WILL BE GIVEN TO TICKET HOLDERS AS ON RECEIPT OF PROOF OF PURCHASE AT ENTRANCE KIOSK.

WEBSITE

WWW.OCKFEST.COM

THIS WILL BE OUR ADVERTISING BASE AND TICKET PURCHASE HOME OF THE EVENT ITSELF. HERE YOU WILL FIND INFORMATION ON WHAT'S GOING ON? LOCATION. TIME-TABLE AND ORGANISATIONS INVOLVED IN THE EVENT. LOCALS WILL BE ABLE TO PURCHASE TICKETS ONLY ON WEBSITE WHICH WILL GIVE US KEY NUMBERS TO THE EVENT WITH A COUNTER SHOWING HOW MANY TICKETS ARE LEFT

ADVERTISING

WE WILL BE ADVERTISING IN ALL LOCAL SHOPS AND SUPERMARKETS AND ALSO IN RESTAURANTS AND PUBS THROUGH-OUT THE AREA. BRINGING LOCALS TOGETHER AND SHARING THEIR LOVE FOR LOCAL PRODUCE.

NUMBERS OF ATTENDEES

WE WILL BE LOOKING AT HAVING A TOTAL OF 400 PEOPLE ATTENDING THE LOCAL FESTIVAL.

ORGANISATIONS INVOLVED IN THE EVENT:

THE BLACK SWAN, OCKAHM

CHAMBERS

RIPLEY FARMERS MARKET

DENBIES WINES

HOGS BACK BREWERY

CHELSEA FC

WISLEY GARDENS

RHUBARB

BEATITUDE

ST ORMOND'S STREET HOSPITAL

BERNARDS CLOTHING

GREEN KING

CLAREMONT GARDENS

UNIVERSITY OF SURREY

MERCEDES BENZ WORLD

PRINCESS ALICE HOSPITAL

CAMPAIGN PAINTBALL

LOCAL PRODUCE WILL BE FROM

ОСКНАМ

ESHER

Совнам

WEYBRIDGE

DORKING

CLAYGATE

GUILDFORD

Agenda item number: 1d

Peter Muir

From: Gary Durrant

Sent: 20 March 2015 16:44
To: Licensing Unit

Subject: Ockfest TEN

Follow Up Flag: Follow up Flag Status: Flagged

Licensing Team

I spoke to Mr Goff yesterday about his TEN application.

I am not convinced that there are sufficient precautions in place to prevent a public nuisance. The applicant described an event in a field with an undetermined number of attendees, amplified music and end time of midnight.

I asked for a full description, albeit that today a colleague received an email from Mr Goff, the content was not sufficient.

Please can you register my objection.

Regards

Gary Durrant

Principal Environmental Health Officer Environmental Health & Licensing Services Tel: 01483 444373

Fax: 01483 444546

gary.durrant@guildford.gov.uk



Follow us on Twitter @GuildfordBC

