

**MINUTES**

of the

**LICENSING COMMITTEE HEARING**

held on 31 March 2023 at 9am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors D.G. Jones and R. Lee

1. **Apologies for Absence**

No apologies for absence were received.

2. **Declaration of Interests**

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda.

Cllr Davidson declared an interest at this point of the meeting and therefore took no further part in it.

3. **Minutes**

The minutes of the meeting on 22<sup>nd</sup> March 2023 were confirmed as a correct record.

4. **Licensing Act 2003 – Application for a New Premises Licence – Zen Fest, Kings Farm, Margaretting Road, Writtle, Chelmsford, Essex, CM1 3PJ**

The Committee considered an application for a new premises licence made under Section 17 of the Licensing Act 2003 and had regard to the representations made during the consultation period. These related to the promotion of the below Licensing objectives.

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

The application was for the below licensable activities:

Sale or supply of Alcohol	Saturday	12:00 – 23:00
Provision of Recorded Music	Saturday	12:00 – 23:00

It was noted by the Committee that there were three options namely;

- Grant the application, on the terms and conditions applied for
- Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.
- Refuse the application in whole or in part.

The following parties attended the hearing and took part in it:

### **Applicants**

### **Objectors:**

- Cllr Thorpe Apps (local ward Cllr)
- One member of the public

The Chair advised that the written representations had been read and considered by the Committee in advance of the meeting.

The applicants addressed the Committee and responded to the points that had been raised in objection to their application. The Committee was informed that there had been noise issues on neighbouring sites in the past, but that this was a new application from a new applicant and that a large part of their operation was in noise monitoring. It was noted that they worked closely with various teams to ensure noise disruption was managed and that various conditions had already been agreed with the Council, including a 65db noise limit. The Committee was informed that this would be the first time the applicants had held their event on this site, and that a new noise management plan would be created accordingly and that the previous one had already been shared with the Council. It was noted that there would be on site and remote monitoring at noise sensitive locations. The Committee also heard that all music was pre recorded and therefore foul language that had been experienced at other events nearby would not be a problem for local residents. The Committee were informed that the applicants could not comment on previous events, but that they would be finished by 11pm. It was also noted that the landowner had informed them that their event would be the only music one on the site in 2023. The Committee also heard that a constantly monitored complaint line would be set up for local residents from the event control office. It was also highlighted that the licence was just for a single day.

A local ward Councillor and a member of the public, both addressed the Committee and highlighted their representations against the application. The local ward Councillor, stated that they were supportive of events which benefited the village and its local businesses and that residents were used to a low level of inconvenience from other events such as the V Festival. The Committee heard however that events at Kings Farm had been a different story and complaints had been received about the location. The Committee heard that concerns included noise nuisance and foul language and that the agreed conditions were similar to previous events, where they had not successfully mitigated the issues. The Committee also heard that road safety was an issue with many people arriving to the venue on a dangerous road nearby. The local Councillor also raised the concerns of the Parish Council, which included the compound impact of events on the road network and village.

The local resident raised concerns about noise and the vibration of bass that had been an issue at a previous event. They also stated that if the application were to be granted, that management plans for noise and other matters should be finalised before tickets went on sale.

In response to the points raised, the applicants stated that they had provided last year's noise management plan to the Council already but could not produce this year's until the licence was granted and they were aware of the conditions. It was noted that they would circulate this to stakeholders and interested parties once it was agreed however. The Committee did hear that the stage would be facing away from the village of Writtle however and would be over a mile away from the village. They also informed the Committee that all music was pre recorded and the tannoy system would only be used for important safety announcements. The applicants also informed the Committee that the sound check would take place on the morning of the event.

At this point of the meeting, the Committee retired to deliberate. It was noted that due to the remote nature of the meeting, the decision would be circulated to all parties within a few working days via email.

The Committee gave careful consideration to the relevant representations both written and made in the course of the remote hearing.

**RESOLVED** that the Director of Public Places be authorised to grant the application subject to the imposition of the conditions proposed by Chelmsford City Council's Environmental Protection Services as detailed in Appendix C to the report.

The Committee also felt it reasonable and proportionate to advance the Licensing Objective of Preventing Public Nuisance to impose a single further condition.

That the Applicants be required to maintain a written log of all complaints reported during the event via the complaints telephone number provided by the Applicants. The log shall record accurately the time a complaint was made, the nature and duration of complaint and the action taken to address it. All log entries recorded to be signed by the designated complaints phone operator. This log to be made available to the Council within seven days upon written request by the Council and kept for 28 days by the Applicants for production.

Reasons for Decision:

The Committee gave careful consideration to the application and relevant representations both written and those made at the hearing.

The Committee noted that the Police had made no objections as to potential traffic problems if the Licence were to be granted.

The Committee further noted that the conditions proposed by Chelmsford City Council's Environmental Services (as detailed at Appendix C of the Report) and agreed with the Applicant, went a considerable way to address the concerns made

by Interested Parties relating to sound emission, and sufficiently advanced the Licensing Objective of Prevention of Public Nuisance.

### **Informatives**

1. The Committee noted that the Applicants had employed third party professional consultancy firms to advise on noise levels and security.
2. The terminatory hour is to be 23:00 on Saturday.
3. The amplified music would have no DJ or any other individual speaking through amplification systems thus eliminating the risk of foul language emanating from the event.
4. The Committee would remind all parties that if, subsequently, there is evidence of public nuisance or other problems relating to and undermining one or more of the Licensing Objectives arising from the use of the premises during the operation of the licensable activities, then anyone can request a review of the licence. In such circumstances, the matter would be returned to the Committee.

The meeting closed at 9.34am

Chair