

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 27 May 2022 at 11am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, A.E. Davidson, J.A. Frascona and D.G. Jones

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.

3. [Licensing Act 2003 – Application for a new premises licence – New World Muzic Ltd, 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	11:00 – 23:00	Monday, Friday, Saturday & Sunday
Playing of recorded music	11:00 – 23:00	Monday, Friday, Saturday & Sunday
Playing of live music	11:00 – 23:00	Monday, Friday, Saturday & Sunday
Performance of dance	11:00 – 23:00	Monday, Friday, Saturday & Sunday
Performance of a play	11:00 – 23:00	Monday, Friday, Saturday & Sunday
Exhibition of a film	11:00 – 23:00	Monday, Friday, Saturday & Sunday
Regulated Entertainment	11:00 – 23:00	Monday, Friday, Saturday & Sunday

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:

Applicant:

- Mr David Dadds (Legal Representative)

Objector:

- One local resident.

The Chair advised that the written representations had been read and considered by the members of the Committee in advance of the meeting. The Committee were informed of a typographical error at the start of the report, it was clarified that Essex Police had not made any objections and it had only been local residents.

The applicant's legal representative addressed the Committee and highlighted that no objections had been received from any of the responsible authorities. The Committee noted that conditions agreed with Environmental Services were detailed at Appendix C. The Committee also heard that the applicant would work with the local authorities and residents to minimise the impact of the event. They heard this would include adequate supervision of nearby roads, litter facilities, a robust cleaning up process after the event and patrons encouraged to use the on site parking facilities. The Committee also noted that there would not be any more than four days of events in a calendar year.

The applicant's legal representative also highlighted statutory guidance which meant individuals had to take responsibility for their actions away from the licensed premises, however they would work with the local community to help minimise any impact. It was also noted by the Committee, that the applicant had been looking into the posting of marshals and stewards on nearby roads, including Paradise road. It was noted that this would be considered as part of the Safety Advisory Group process. The Committee also heard that if the licence was granted, then the licence for the neighbouring field would be surrendered.

One member of the public who had made a representation against the application, also addressed the Committee. They informed the Committee that previous events had caused considerable public nuisance, with no notice of dates or contact information to residents and stated that events should be held further away from Paradise Road. The Committee also heard that a minimum notice period of any events should be provided to local residents. A concern was also raised by a local resident about the Parish Council not being able to submit a representation in time against the application. They understood that they had not been notified and were then made aware once the representation period had closed. However, the licensing officer confirmed that all statutory notice requirements had been complied with. This being the case, the legal advisor, Mr William Butcher, advised the Committee that it was proper and correct for the hearing to continue.

In response to the points raised by the local residents, the applicant's legal representative reassured them that a mail drop would take place prior to the event and that specialist noise management and monitoring would be utilised during the event. It was noted that noise would be within the decibel level agreed with Environmental Health in Appendix C and that they would continue to engage with local residents, responsible authorities and the Safety Advisory Group as required.

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.

Reasons for Decision

The Committee gave careful consideration to the application and the relevant representations both written and made in the course of the virtual hearing by the applicant's representative and the objectors.

In particular, the Committee noted that the conditions proposed by Chelmsford City Council's Environmental Services (as detailed in Appendix C to the report) and agreed with the applicant, would radically cut back on the scope of the licence as originally applied for. In particular, these conditions would mean that –

- licensable events were limited to a maximum of 4 days in any calendar year.*
- the music noise levels at any given event could not exceed stipulated decibel limits and would be subject to close monitoring.*

In all the circumstances, the Committee was satisfied that with (i) the steps that the applicant proposed to promote the licensing objectives as outlined in the application and (ii) the imposition of the above mentioned conditions, it was appropriate to authorise the grant of the licence.

Informatives

(1) The Committee both noted, and was reassured by, the undertakings given by the applicant (through its representative) in the course of the hearing to (i) undertake a mail drop and seek to engage with local residents prior to any

event taking place, and (ii) look to post marshals / stewards on nearby roads, including Paradise Road, as part of any event management plan.

(2) The Committee also noted the applicant's intention, in the event that the licence were to be granted, to surrender its current premises licence relating to the neighbouring site.

(3) The Committee would remind the 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 which case the matter would come back to the Committee.

Chair