

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 12th December 2023 at 1.30pm

Present:

Councillor R. Lee (Chair of Hearing)

Councillors D. Clark and A. Davidson

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. None were made.

3. **Minutes**

The minutes of the meetings on 14th and 21st November 2023 were confirmed as a correct record.

4. **Licensing Act 2003 – Application for a new Premises Licence – Clockwork Orange, Boyton Hall Farm, Boyton Hall Lane, Roxwell, Chelmsford, CM1 4LN**

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 11:00 – 23:00
Sunday 13:00 – 19:00

Performance of Dance Saturday 11:00 – 23:00
Sunday 13:00 – 19:00

Performance of Live Music Saturday 11:00 – 23:00
Sunday 13:00 – 19:00

Performance of Recorded Music Saturday 11:00 – 23:00
Sunday 13:00 – 19:00

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:

Applicant

- Mr Chaplin (agent)
- Mr Hall (applicant)
- Mr Galley (production manager)

Objector

- Cllr Lewis (Chignal Parish Council)

Officers informed the Committee that during the course of the application, one representation had been received, from Chignal Parish Council. The Chair advised that the written representation had been read and considered by the Committee in advance of the meeting.

The applicant addressed the Committee to summarise their application. They informed the Committee that it was for a repeat event, which had previously been held at Chelmsford racecourse. They referred to their extensive experience in running the festivals without issues in the past and detailed the event would take place on Saturday 29th June with the potential for a smaller scale event with reduced hours on Sunday 30th June as well. The Committee heard that the event was targeted at a well known audience group and they were moving location to alleviate previously raised concerns regarding clients exiting the previous site near to a dual carriageway. The Committee were informed that the event was aimed at a middle-aged audience and run by a professional and experienced talent pool. They also highlighted that no responsible authorities had made representations against the application. They also informed the Committee that their traffic management plan and event management plans would be amended in line with any comments from the Safety Advisory Group.

The Committee heard from a Councillor representing Chignal Parish Council. They highlighted that their initial concerns had been raised due to a lack of information available to them, but after seeing the detailed information they felt that the majority of their concerns were in fact alleviated. They asked questions on a public right of way issue, a residential property near to the site and on matters including the security company and production company. In response the applicants detailed that any public right of ways would be maintained, the property nearby would have security at the end of its road and they would seek to reach out to the resident in advance. They also stated they had a designated security company along with a separate

production and sound management company. They also stated that parking on the site would be in excess of what was required.

In response to questions from the Committee, the applicants confirmed litter picks would cover the surrounding areas and that the event would close at 22:30 on the Saturday, with the licence continuing till 23:00, to cover any issues and if utilised on the Sunday, this would finish at 19:00. The applicants also confirmed that the licence was for a recurring event and if successful then they would be looking to use the site on an annual basis. They also apologised for not reaching out to the Parish Council in advance and offered to meet with them to address any other concerns at a later stage.

The Committee thanked those present for their input and advised that the decision would be made during the deliberation after the meeting. 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.

RESOLVED that the Director of Public Places be authorised to grant the application on the terms applied for (including the proposed conditions proposed therein by the applicant) and subject also to the imposition of –

- 1) the mandatory conditions;
- 2) the conditions proposed by Mr Lewis Mould on behalf of Public Health & Protection Services, as set out at 1 – 7 in Appendix C. (The applicant itself had signified its agreement to such conditions.)
- 3) a condition to the effect that the Event Management Plan and Traffic Management Plan referred to in the Operating Schedule must (in addition to the requirement that such plans be submitted to the Licensing authority not less than 3 months before the date of any proposed event) be approved in writing by SAG, or the Licensing authority on SAG's behalf, before any such event can take place. Furthermore, the Traffic Management Plan must contain detailed information as to the arrangements in place for the potential 14,999 attendees to egress the site in a safe manner during hours of darkness at the end of the event.

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 representatives and Chignal Parish Council.

The Committee was mindful of the fact that on the basis of the imposition of the conditions set out in Appendix C Chelmsford City Council's Public Health & Protection Services did not raise any objections to the application. Furthermore, none of the other responsible authorities (e.g. Essex Police) had sought to make representations against the grant of the application.

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.

Informative

In the course of the hearing, it came to light that in Section 5 of the application (Operating Schedule) the reference to the 2024 two-day event being held on 28th & 29th June 2024 (i.e. Friday & Saturday) was incorrect; the reference should have been to 29th & 30th June 2024 (i.e. Saturday & Sunday). The Committee considered, however, that this was a minor and thus correctable error, with no third-party suffering prejudice as a result of such correction. It was clear from the remainder of the application that the application was in respect of Saturday 29th and Sunday 30th June.

The meeting closed at 2.15pm

Chair