

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 2nd October 2026 at 9.30am

Present:

Councillor A. Thompson (Chair of Hearing)

Councillors H. Clark, A. Davidson and R. Lee

1. Apologies for Absence

No apologies for absence were received.

2. Declaration of Interests

All Members were reminded to declare any interests where appropriate in any items of business on the meeting's agenda. None were made.

3 & 4. Licensing Act 2003 – Application for a Premises Licence – Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, CM3 3LZ, P1 Licence and Application for a Premises Licence – Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, CM3 3LZ, T1 Licence

The Committee considered two applications for premises licences made under Section 17 of the Licensing Act 2003. The Committee agreed to hear the two applications together, with the representations relating to both applications being heard at the same time. The Committee would, however, deliberate on and determine each application separately. The Committee and attendees were advised that out of the representations received, nine were for both the permanent (p1) and temporary (t1) licence, the only rep that was not for both had been from Essex Police, who had only made comments on the temporary licence. The Committee also 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 Committee were informed that the applicant had sought a permanent premises licence to authorise the provision of films, live music, recorded music, performances of dance and the supply of alcohol, between 13:00 and 23:00 on Fridays to Sundays, between 1 May and 31 October each year. The application sought permission for a maximum of six events per year, comprising two events with a maximum capacity of 4,999 people, two with a maximum capacity of 3,000 people and two with a maximum capacity of 1,500 people.

The Committee were also informed that the applicant had sought a temporary licence (T1) for one event, to be held between 1 May and 31 October 2027, with a maximum capacity of 7,500 people. If the temporary licence was granted, the permanent premises licence, if also granted, would be used for a maximum of five events during 2027, with the event authorised under the temporary licence counting as the sixth event for that year.

It was noted by the Committee that there were three options namely for each individual application and that different decisions could be made against each licence.

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

The below parties attended and took part in the hearing:

- Applicant
- Local Ward Cllr
- Chelmsford Garden Community Council representative
- Little Waltham Parish Council representative
- Essex Police
- Chelmsford City Council – Public Health
- Members of the public who had objected to the application

Officers informed the Committee that in response to the permanent application, seven representations had been received objecting to the application, one in support, and one making comment. It was noted that for the temporary application one additional representation making comment had been received. It was noted that the representations received from Essex Police and Public Health had been making comment, rather than objections.

The Committee decided to exclude from the hearing, a supplementary letter supplied by one of the objectors. The Committee was advised by officers that the letter, was titled as a formal representation, from an individual that had not made representations during the formal representation period and therefore should be excluded.

The applicant gave an overview of their applications to the Committee, summarising that they would be holding a maximum of six events in 2027 if both applications were granted, and that any existing licences would be surrendered. They highlighted that they had agreed conditions with Public Health and Protection Services, that they had held two events with a 5000 capacity in 2026, which demonstrated they could safely hold events at that number. The applicant stated that the temporary application was for a one off event at a capacity of 7500 and that was in their opinion, the highest capacity the site could manage, they highlighted that if they held that event successfully they would apply to make that capacity permanent for 2028.

The applicant also highlighted that some of those who made representations, had been in support, the Police and Public Health had not objected and that for their 2026 events they had continued to liaise well with the Safety Advisory Group process. They also highlighted that any issues brought to their attention, were quickly rectified, and gave an example of a temporary Traffic Regulation Order they implemented to close Domsey Lane when required. In summary, the applicant reiterated that they only wanted one of the six 2027 events to be at the 7500 capacity and asked that both applications be granted on the terms applied for.

The Committee heard from the members of the public, Ward Cllr and Parish Councils who had objected to the applications. They highlighted concerns in their representations including, the location being too close to residents properties, increases on capacity at the events year on year, previous reviews on the site and that despite struggling to hold events in line with the Licensing objectives, a request for a higher capacity. The Committee also heard that responsible authorities were not always present to hear the issues, that road closures caused access problems for local residents along with apparent drug use and heavily intoxicated customers at the events. The Committee were also informed that there was a conflict with the proposed condition number 14, that mentioned off sales, which hadn't been applied for, it was agreed with the applicant, that this should be removed. The Committee were also informed by one of the objectors, that the plans supplied with the applications were not sufficient under Regulation 23 of the Licensing Act and that a valid application should instead be resubmitted.

The Committee were also informed that the events had affected parties being held by local residents, that the repeated noise was making one of the objectors unwell and that the events were not able to comply with their own set noise levels, even at the lower capacities. The Committee were also informed that traffic management around the site remained a concern, as did public safety and nuisance concerns and that in general the venue was not suitable for events, of the nature applied for.

In response to the points raised by those objecting to the applications and questions from the Committee, it was confirmed by the applicant that:

- They carried out extensive noise monitoring at their events and that the Council's own Public Health team had not identified a noise nuisance at any of their events.
- No actual evidence of drug use at the premises had been provided.
- No CCTV images from nearby properties had been supplied, detailing the issues near residential properties, referred to by one of the objectors.
- Extensive work had been carried out with responsible authorities to ensure a limited impact to the local highway network and this was detailed by no concerns being raised by either Essex Police or Essex Highways to that affect.
- All of their plans, including traffic management plans and event management plans were scrutinised in advance of any events by the Safety Advisory Group.
- They would continue to be in contact with local transport providers, to explore options including buses from the new station at Beaulieu for example.
- They would happily share event management plans with local residents if requested.

- Any documentation such as incident logs, would be provided to responsible authorities upon reasonable request.
- Each Event Management Plan submitted, identified details such as the location of the stage and other important locations.
- The placing of a security guard outside a specific objector's home was not feasible, the placing of signs on the highway would be an offence and that it was not possible to guarantee that ride sharing applications would agree to an exclusion zone, so those were not agreeable conditions.

In response to a question, the Council's Public Health representative stated that, the 65db limit proposed was the same as for other events in Chelmsford, such as events at Central Park. They also stated that the SAG would consider revised plans for higher attendances accordingly.

In response to a question from the Council's Legal Advisor, the applicant confirmed that they were happy for a condition to detail, that detailed plans including stage locations had to be submitted and that they would surrender the existing licences, if both applications were granted.

The Committee sought clarification from one of the members of the public who had objected, who confirmed that they were happy for noise monitoring to take place at the façade of their premises.

The Committee thanked the attendees and officers for their input and advised that their decisions would be made during the deliberation after the meeting. It was noted that due to the remote nature of the meeting, the decisions would be circulated to all parties within a few working days via email.

The Committee gave careful consideration to these applications for premises licences and to all relevant representations both written and as expanded on in the course of the hearing. In addition, the Committee had due regard to the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and to the Council's own Licensing Policy.

RESOLVED that:

WHEELERS FARM – P1 application

THE COMMITTEE HAS DECIDED THAT THE DIRECTOR OF SUSTAINABLE COMMUNITIES BE AUTHORISED TO GRANT THE APPLICATION ON THE TERMS APPLIED FOR SUBJECT TO THE FOLLOWING:

- 1) The imposition of the mandatory conditions and the condition proposed (and agreed) by Mr Lewis Mould on behalf of Chelmsford City Council Environmental Protection Services which are set out in Appendix C to the Committee Agenda Pack and the condition numbers 33 and 34 agreed with Essex Police included at B, page CL015 of the Applicant's bundle.
- 2) The new licence shall not take effect unless and until the previous licence (number 24/00006/LAPRE held by LDN Wild Limited) has been surrendered (as offered by the applicant).

3) The imposition of a condition as agreed at the hearing that a detailed plan will be submitted with the event management plan detailing out the stage etc that meets the requirements of regulation 23 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

4) The exclusion of proposed condition 14 (proposed by the applicant) relating to consumption of off sales, as agreed at the hearing. This is due to 'off sales' not having been applied for.

5) The imposition of a condition as agreed with an objector, that the operator will write to all residents east of Essex Regiment Way, on the following roads: Sheepcotes Lane, Wheelers Hill, Leighs Road, and Domsey Lane a minimum of 30 days before the first event of the year, laying out the date of the events, and the contact details for complaints.

6) Modification of proposed (by the applicant) condition 2 from:

The licence holder will ensure that music or amplified sound from the event (including any concert, music performance, film showing, side show, display or any other entertainment within the licensed area, but excluding noise generation for crowd control or for emergency reasons) will not cause a nuisance outside the boundary of the site between 11.00 hours and 2300 hours.

To:

The licence holder will ensure that music or amplified sound from the event (including any concert, music performance, film showing, side show, display or any other entertainment within the licensed area) is not audible outside the boundary of the site between 2300 hours and 11.00 hours.

This was not discussed at the hearing. However, the substance of the condition remains the same and has been tweaked so as to make sense and to have the same wording as the condition attached to the previous licence 24/00006/LAPRE. It is believed this is what the applicant was trying to achieve and that the proposed condition contained a drafting error.

REASONS FOR DECISION

In reaching its decision, the Committee gave careful consideration to the application and relevant representations both written and amplified during the course of the remote hearing, having regard to its statutory duty to take such steps as it considers necessary to promote the licensing objectives. The Committee also took into account section 17 of the Licensing Act 2003, the current Statutory Guidance under section 182 and Chelmsford City Council's licensing policy.

All decisions on licensing applications must be evidence based.

The section 182 guidance states that Licensing Authorities should look to the Police as their main source of advice on crime and disorder (para 2.1).

The Committee was satisfied with the condition (as on current licence) requiring a traffic and event management plan be submitted to the Safety Advisory Group (SAG) prior to any planned event and that no event would take place without the necessary consent from the SAG, meaning that there must be no outstanding written objections to the traffic and event management plan. The Committee recognised the importance of this condition, which required the plan be submitted at least ten weeks prior to any event. This was considered to be an effective regulation measure.

The Committee carefully considered the representations from local residents including that the events had affected parties being held by local residents, that the repeated noise was making one of the objectors unwell and that the events were not able to comply with their own set noise levels, even at the lower capacities.

The Committee was satisfied with the measures proposed for the licence, including, but not limited to the proposed condition for a noise management plan including a low frequency music noise control strategy and that the Council's own Public Health team had not identified a noise nuisance at any of their events. The Committee was also satisfied with the provision of medical and welfare personnel at the event. The Committee was assured that these measures would operate effectively and were addressing the licensing objectives, particularly in relation to public nuisance and safety.

Furthermore, the Committee took into account the representations of Chelmsford Garden Community Council and Little Waltham Parish Council, highlighting that noise is an issue and that the location is too close to residents' properties. They also raised concerns about increases on capacity at the events year on year.

However, it was also noted that no objections had been submitted by the Council's Environmental Health department in relation to noise nuisance. The Committee therefore concluded that, while local concerns had been expressed at the hearing, the absence of any formal objection from the responsible authority indicated that the existing controls were functioning effectively and that the licensing objectives were being upheld. At this point in time there was no evidence before the Committee on which it could properly conclude that, if the licence were to be granted, the licensing objectives would be undermined.

The Committee carefully considered the concerns expressed by the local residents, Chelmsford Garden Community Council and Waltham Parish Council, but considered that, with the imposition of the conditions referred to which were discussed and largely agreed upon at the meeting, there was no current evidence to indicate prospective harm at this stage. There have been no significant issues with events taking place since 2021.

In particular, the Committee noted that;

An objector's representative raised the issue that the plan submitted with the application was not compliant with regulation 23 in that it did not mark out the stage, etc. The Committee took the view that this was somewhat overcome by the fact submission of a detailed plan will be conditioned to be submitted with the event management plan, and the Committee felt reassured that if the event management plan (including the plan) is not approved, the event simply cannot go ahead.

The Committee was reminded

that licensing is forward focused and that in the circumstances, the Committee was satisfied with the steps that the applicant proposed to promote the licensing objectives and that it was therefore appropriate to authorise the grant of the licence, subject to the proposed conditions referred to.

INFORMATIVE

The applicant should display signs on their premises reminding patrons to respect their neighbours on leaving (if they do not already do so).

As agreed at the remote hearing between the applicant and an objector, the applicant should use their best endeavours to monitor noise from the façade of an individual objector's property (as agreed by the objector via their legal representative at the hearing).

Residents are reminded that they may contact the Council's Environmental Health department should they experience any noise issues during future events. In addition, a dedicated telephone line for noise complaints will be available and advertised for use during upcoming events. This will allow residents to directly reach the event organisers and report

any disturbances, ensuring that concerns are addressed promptly. Lastly, the Committee would like to thank the applicant and representatives for their positive engagement prior to the hearing.

Residents are also reminded that if there are significant issues with future events, the review mechanism can be used to review the licence, so if there are issues, the licence could be reviewed.

WHEELERS FARM – T1 application

THE COMMITTEE HAS DECIDED THAT THE DIRECTOR OF SUSTAINABLE COMMUNITIES BE AUTHORISED TO GRANT THE APPLICATION ON THE TERMS APPLIED FOR SUBJECT TO THE FOLLOWING:

1) The imposition of the mandatory conditions and the condition proposed (and agreed) by Mr Lewis Mould on behalf of Chelmsford City Council Environmental Protection Services which are set out in Appendix C to the Committee Agenda Pack and the conditions agreed with Essex Police included at Appendix E of the Agenda Pack and B, page CL015 of the Applicant's bundle.

2) The new licence shall not take effect unless and until the previous licence (number 24/00006/LAPRE held by LDN Wild Limited) has been surrendered (as offered by the applicant).

3) The imposition of a condition as agreed at the hearing that a detailed plan will be submitted with the event management plan detailing out the stage etc that meets the requirements of regulation 23 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005.

4) The exclusion of proposed condition 14 (proposed by the applicant) relating to consumption of off sales, as agreed at the hearing. This is due to 'off sales' not having been applied for.

5) The imposition of a condition as agreed with an objector, that the operator will write to all residents east of Essex Regiment Way, on the following roads: Sheepcotes Lane, Wheelers Hill, Leighs Road, and Domsey Lane a minimum of 30 days before the first event of the year, laying out the date of the event, and the contact details for complaints.

6) Modification of proposed (by the applicant) condition 2 from:

The licence holder will ensure that music or amplified sound from the event (including any concert, music performance, film showing, side show, display or any other entertainment within the licensed area, but excluding noise generation for crowd control or for emergency reasons) will not cause a nuisance outside the boundary of the site between 11.00 hours and 2300 hours.

To:

The licence holder will ensure that music or amplified sound from the event (including any concert, music performance, film showing, side show, display or any other entertainment within the licensed area) is not audible outside the boundary of the site between 2300 hours and 1100 hours.

This was not discussed at the hearing. However, the substance of the condition remains the same and has been tweaked so as to make sense and to have the same wording as the condition attached to the previous licence 24/00006/LAPRE. It is believed this is what the applicant was trying to achieve and that the proposed condition contained a drafting error.

REASONS FOR DECISION

In reaching its decision, the Committee gave careful consideration to the application and relevant representations both written and amplified during the course of the remote hearing, having regard to its statutory duty to take such steps as it considers necessary to promote the licensing objectives. The Committee also took into account section 17 of the Licensing Act 2003, the current Statutory Guidance under section 182 and Chelmsford City Council's licensing policy.

All decisions on licensing applications must be evidence based.

The section 182 guidance states that Licensing Authorities should look to the Police as their main source of advice on crime and disorder (para 2.1).

Essex Police have raised no objection to the application and have instead agreed two conditions with the applicant. Essex Police submitted a representation for this application stating that they *"are satisfied that appropriate measures are proposed to promote the licensing objectives and to mitigate identified risks associated with the operation of the premises and proposed activities"*.

The Committee was satisfied with the condition (as on current licence) requiring a traffic and event management plan be submitted to the Safety Advisory Group (SAG) prior to any planned event and that no event would take place without the necessary consent from the SAG, meaning that there must be no outstanding written objections to the traffic and event management plan. The Committee recognised the importance of this condition, which required the plan be submitted at least ten weeks prior to any event. This was considered to be an effective regulation measure.

The Committee carefully considered the representations from local residents, including that the events had affected parties being held by local residents, that the repeated noise was making one of the objectors unwell and that the events were not able to comply with their own set noise levels, even at the lower capacities.

The Committee was satisfied with the measures proposed for the licence, including, but not limited to, the proposed condition for a noise management plan including a low frequency music noise control strategy and that the Council's own Public Health team had not identified a noise nuisance at any of their events. The Committee was also satisfied with the provision of medical and welfare personnel at the event. The Committee was assured that these measures would operate effectively and were addressing the licensing objectives, particularly in relation to public nuisance and safety.

Furthermore, the Committee took into account the representations of Chelmsford Garden Community Council and Little Waltham Parish Councils, highlighting that noise is an issue and that the location is too close to residents' properties. They also raised concerns about increases in capacity at the events year on year.

However, it was also noted that no objections had been submitted by the Council's Environmental Health department in relation to noise nuisance. The Committee therefore concluded that, while local concerns had been expressed at the hearing, the absence of any formal objection from the Responsible Authority indicated that the existing controls were functioning effectively and that the licensing objectives were being upheld. At this point in time there was no evidence before the Committee on which it could properly conclude that, if the licence were to be granted, the licensing objectives would be undermined.

The Committee carefully considered the concerns expressed by the local residents, Chelmsford Garden Community Council and Waltham Parish Council, but considered that, with the imposition of the conditions referred to which were discussed and largely agreed

upon at the meeting, there was no current evidence to indicate prospective harm at this stage. There have been no significant issues with events taking place since 2021.

In particular, the Committee noted that;

An objector's representative raised the issue that the plan submitted with the application was not compliant with regulation 23 in that it did not mark out the stage, etc. The Committee took the view that this was somewhat overcome by the fact submission of a detailed plan will be conditioned to be submitted with the event management plan, and the Committee felt reassured that if the event management plan (including the plan) is not approved, the event simply cannot go ahead.

The Committee did consider whether to cut back on the patrons allowed from 7,500 to a lesser number. However, given that no responsible authority had objected to the application and in the absence of real evidence of any of the licensing objectives being truly undermined, the Committee decided to allow the application as applied for in this instance.

The Committee was reminded that licensing is forward focused and that in the circumstances, the Committee was satisfied with the steps that the applicant proposed to promote the licensing objectives and that it was therefore appropriate to authorise the grant of the licence, subject to the proposed conditions referred to.

INFORMATIVE

The applicant should display signs on their premises reminding patrons to respect their neighbours on leaving (if they do not already do so).

As agreed at the remote hearing between the applicant and an objector, the applicant should use their best endeavours to monitor noise from the façade of an individual objector's property (as agreed by the objector via their legal representative at the hearing).

Residents are reminded that they may contact the Council's Environmental Health department should they experience any noise issues during future events. In addition, a dedicated telephone line for noise complaints will be available and advertised for use during upcoming events. This will allow residents to directly reach the event organisers and report any disturbances, ensuring that concerns are addressed promptly. Lastly, the Committee would like to thank the applicant and representatives for their positive engagement prior to the hearing.

Residents are also reminded that if there are significant issues with future events, the review mechanism can be used to review the licence, so if there are issues, the licence could be reviewed.

The meeting closed at 11.58am

Chair