

# Licensing Committee Agenda

HEARING TO CONSIDER AN APPLICATION FOR A NEW PREMISES LICENCE

This meeting will consider only licensing matters delegated under the Licensing Act 2003

**20 May at 11am**

**Remote Meeting**

**MEMBERS OF COMMITTEE INVITED TO ATTEND  
HEARING**

Councillor L.A. Mascot (Chair)

and Councillors D.J.R. Clark, A.E. Davidson and D.G. Jones

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City. If you would like to find out more, please telephone Daniel Bird in the Democracy Team on Chelmsford (01245) 606523 or email [daniel.bird@chelmsford.gov.uk](mailto:daniel.bird@chelmsford.gov.uk).

# Licensing Committee

20 May 2022

## AGENDA

### 1. Apologies for Absence

### 2. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

### 3. Minutes

To consider the minutes of the meeting on 25<sup>th</sup> February 2022.

### 4. Licensing Act 2003 – Application for a new premises licence – Regala Properties Limited, 1 Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, Essex, CM3 3LZ

A report regarding this application is attached.

**MINUTES**

of the

**LICENSING COMMITTEE HEARING**

held on 25 February 2022 at 11am

Present:

Councillor L.A. Mascot (Chair of Hearing)

Councillors, A.E. Davidson, D.G. Jones and I.C. Roberts

1. **Apologies for Absence**

Apologies for absence were received from Cllr Lee. Cllr Davidson was their substitute for the hearing.

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 5 November and 3 December 2021 were agreed as correct records and signed by the Chair.

4. **Licensing Act 2003 – Application for a new premises licence – TK retailer Ltd, 1 Norman Court, Burgess Springs, Chelmsford, CM1 1DR**

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 of Alcohol all week from 8am to 10pm**

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:

- ***Mr Mathivannan (Applicant)***
- ***Mr Kanapathi (Licensing Agent)***

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

The Chair invited the applicant to present their case. The applicant's agent stated that the building was new and had been designed with commercial units underneath the residential flats. The Committee was informed that the shop would be beneficial for the local community and that the applicant had five years experience running a similar business. It was noted that the premises would be professionally run and would be a positive addition to the local area. The agent stated that the views of the eight residents who had objected had been taken into account. It was noted that a number were similar, but the licensing objectives were always being looked at and the application itself had addressed a number of the concerns raised when it was submitted. The Committee heard that the premises would follow all rules in terms of ID checks for alcohol sales and as it was a very public place, the applicant knew it would be important to look after the area and to prevent litter. It was noted that there was a plan in place for this and a bin would also be placed outside the premises.

The applicant's agent, noted that longer licensing hours could have been applied for, but the applicant had been sensible in only requesting the sale of alcohol between 8am and 10pm, which were not unreasonable hours. It was also noted that the applicant had agreed with the proposed conditions from Essex Police. The applicant's agent noted that no evidence of anti-social behaviour or similar issues had been provided and that the applicant would work in line with the Licensing Objectives to prevent any.

In response to a question from a member of the Committee, Licensing Officers noted that it was too resource intensive to carry out spot checks on all licensed premises, but that if issues were reported then these would take place.

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 on the terms applied for (including the conditions agreed with Essex Police) .

### Reasons for Decision

*In reaching its decision the Committee has taken into account the public representations and is satisfied with the steps that the Applicant proposes to promote the Licensing objectives.*

*The Committee had carefully considered the concerns expressed by the objectors but considered that there was no evidence to indicate prospective harm at this stage. The Committee was mindful of the fact that none of the responsible authorities were objecting to the application. Furthermore, the Committee noted that some elements to the objections did not relate to any of the four licensing objectives (e.g. the reference to there being other places in the area where alcohol could be purchased) and thus the Committee could not take these into account when reaching its decision.*

*The Committee would remind the parties that if subsequently there is evidence of public nuisance or crime and disorder arising out of the use of the premises for the sale of alcohol or other unacceptable behaviour which undermines one or more of the four licensing objectives then it is open to anyone to request a review of the licence, in which case the matter would come back to the Committee.*

### **Informative**

*If the applicant wishes to place tables and chairs outside the premises (for patrons to drink coffee at etc) they are advised to check whether they need to apply for a table and chairs licence.*

Chair



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## Chelmsford City Council Licensing Committee

**FRIDAY 20<sup>th</sup> May 2022**

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### **LICENSING ACT 2003: APPLICATION FOR A NEW PREMISES LICENCE : Regala Properties Limited, 1 Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, Essex, CM3 3LZ**

Report by:

Director of Public Places

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Officer Contact:

Daniel Winter, Licensing Officer, [Daniel.winter@chelmsford.gov.uk](mailto:Daniel.winter@chelmsford.gov.uk), 01245 606317

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#### Purpose

The Committee is requested to consider an application by Matthew Blewitt on behalf of Regala Properties Limited, made under section 17 of the Licensing act 2003, for a new premise licence in respect of 1 Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, Essex, having regard to representations received and the requirement to promote the four licensing objectives. These were:

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

#### Options

Members are advised that they have the following options when determining this application.

- 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.

An appeal in respect of any determination made in connection with this application may be made within 21 days of the notification given by the licensing committee, by the licence holder, Chief officer of police, or any other person making relevant representation.

## 1. Background and Introduction

- 1.1 The land at Wheelers Farm comprises of approximately 40 acres of land with secure warehouses.

## 2. Application

- 2.1 The application has been properly made in accordance with The Licensing Act 2003 and all procedures correctly followed. The completed application form together with a plan of the proposed premises is attached as **Appendix A**

- 2.2 The application form for the premises licence was received on the 30<sup>th</sup> March 2022 and correctly advertised by the placing of blue notices at the premises, by publication in a local paper and on Chelmsford City Council's website.

- 2.3 The new premises licence application provides for the following licensable activities:

<b>Sale or supply of Alcohol:</b>	Saturday and Sunday	13:00 - 23:00
<b>Regulated Entertainment:</b>	Saturday and Sunday	13:00 - 23:00
<b>Exhibition of a Film:</b>	Saturday and Sunday	13:00 - 22:00
<b>Performance of Live Music :</b>	Saturday and Sunday	13:00 - 22:00
<b>Late Night Refreshment:</b>	Saturday and Sunday	13:00 - 23:00

- 2.4 The designated premises supervisor is Ms Gemma Hart having obtained a personal licence from St Edmundsbury BC.

- 2.5 Members are asked to note that as this report is available in the public domain, personal details have been redacted from some documents, however, both Authority and the applicant have received complete copies of all documents

- 2.6 The applicant has provided conditions consistent with the operating schedule intended to promote the four licensing objectives which are included as part of the application.

### 3. Representations

- 3.1 During the course of this application, Chelmsford City Council, in line with the Act, sent a copy of the application to all responsible authorities.
- 3.2 Responses to the consultation on this application have been received from 16 members of the public in the form of written representations. These were sent on the grounds of all four of the licensing objectives. Copies of these representations are shown as **Appendix B**.
- 3.3 On the 2<sup>nd</sup> April 2022, information from Roger Waterman, who acts as the agent for Regala Properties Ltd, was received as a response to questions being raised to them regarding the proposed events. Please see attached as **Appendix C**.
- 3.4 A representation from Essex Police was received on the grounds that if granted the crime and disorder, public nuisance and public safety objectives would be undermined. Please see attached as **Appendix D**. On 11<sup>th</sup> May 2022 we also received a full objection bundle and exhibits from Essex Police This has been included in this report as **Appendix I**.
- 3.5 A representation was received from the Business compliance department, Izzie Daniels, under Public Health and Protection, on the basis that if granted the safety of the public would be at risk. Please see attached as **Appendix E**.
- 3.6 A representation was received from Little Waltham Parish council on the grounds that if granted three of the four licensing objectives would be undermined. Please see attached as **Appendix F**.
- 3.7 On the 28<sup>th</sup> April 2022, Information from Roger Waterman, was received informing that they had agreed to all conditions requested from Essex Police, Izzie Daniels and Lewis Mould. However, only the representation from Lewis Mould, the operations manager for Public Health & Protection Services was withdrawn.
- 3.8 Please find attached the conditions agreed with Environmental Services – Lewis Mould, as **Appendix G**.
- 3.9 Please see attached plans of the proposed licensable area as **Appendix H**.

### 4. Conclusion

- 4.1 The Statement of Licensing Policy are brought to the attention of members and are as follows:
  - Section 13. Nothing in the section affects this application.
- 4.2 This application has been correctly submitted.

- 4.3 At the conclusion of this hearing members are advised to consider the options as previously recommended.

List of appendices:

- Appendix A - Copy of the Premise Licence application form
- Appendix B – Copy of Representations received from members of the public
- Appendix C – Copy of applicant response to raised questions.
- Appendix D – Essex Police Representation
- Appendix E - Public Health and Protection Services Representation
- Appendix F – Little Waltham Parish Council Representation
- Appendix G – Conditions agreed with Environmental Services
- Appendix H – Plans
- Appendix I – Further documents from Essex Police

Background papers:

Application file held by Licensing Authority

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Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management:

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

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Consultees: As per that required by legislation

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Relevant Policies and Strategies: Statement of Licensing Policy

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# APPENDIX A



## Chelmsford City Council Application for a premises licence Licensing Act 2003

For help contact  
[licensing@chelmsford.gov.uk](mailto:licensing@chelmsford.gov.uk)  
Telephone: 01245 606727

\* required information

### Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes

☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

REGALA PROPERTIES LIMITED

If your business is registered, use its registered name.

VAT number

NONE

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

**Confirm The Following**

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21****NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

DIRECTOR OF COMPANY

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /

\* Nationality  Documents that demonstrate entitlement to work in the UK

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

40 ACRES OF LAND WITH SECURE WAREHOUSES ON SITE FOR STORAGE OF ALL SUPPLIES INCLUDING ALCOHOL. CCTV AND SECURITY ON SITE.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

## Section 6 of 21

### PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

## Section 7 of 21

### PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☒ Yes

☐ No

### Standard Days And Timings

#### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

#### TUESDAY

Start

End

Start

End

#### WEDNESDAY

Start

End

Start

End

#### THURSDAY

Start

End

Start

End

#### FRIDAY

Start

End

Start

End

#### SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 13:00

End 22:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

☐ Indoors

☒ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

SECRET CINEMA, SMALL FESTIVALS, SANTAS GROTTOI/WINTER WONDERLAND  
MUSIC WILL BE AMPLIFIED

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

#### Section 10 of 21

##### PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Continued from previous page...

### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors

☒ Outdoors

☐ Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not  
exclusively) whether or not music will be amplified or unamplified.

### FESTIVALS AND MUSIC EVENTS

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

### MUSIC EVENTS MAY OCCUR ON BANK HOLIDAYS

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

### Section 11 of 21

#### PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

### Section 12 of 21

#### PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

☐ Yes

☒ No

### Section 13 of 21

#### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

LIVE MUSIC, ACOUSTICS AND DJS

Will this entertainment take place indoors or outdoors or both?

☐ Indoors

☒ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

MAY PERFORM EVENTS ON BANK HOLIDAYS

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors ☒ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

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State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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## Section 15 of 21

### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- ☒ On the premises    ☐ Off the premises    ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

GEMMA

Family name

HART

Date of birth

/  /   
dd mm yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text" value="ST EDMUNDSBURY BOROUGH COUNCIL"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="13:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="13:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

WE WILL OPERATE THE SAME HOURS ON ANY BANK HOLIDAY IN THE UK

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

SECURITY GUARDS WILL BE IN PLACE THROUGHOUT THE EVENT WITH CHECKS AND SEARCHES  
ROAD MANAGEMENT TO ASSIST WITH FLOW OF TRAFFIC  
ID CHECKS WILL BE MADE AND RANDOM CHECKS OF ATTENDEES

c) Public safety

SECURITY WILL LIAISE WITH LOCAL POLICE

d) The prevention of public nuisance

SECURITY WILL BE ON SITE.  
ALCOHOL WILL NOT BE SERVED TO ANYONE WHO IS EXCESSIVELY DRUNK ON SITE  
NO ONE WILL BE ALLOWED TO ENTER PREMISES IF THEY APPEAR DRUNK OR HAVE TAKEN DRUGS

e) The protection of children from harm

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### **Section 20 of 21**

#### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

\* Fee amount (£)

190.00

### ATTACHMENTS

### AUTHORITY POSTAL ADDRESS

#### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

### DECLARATION

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

Add another signatory

*Continued from previous page...*

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.chelmsford.gov.uk/business/licensing/alcohol-licensing/premises-licence/apply-for-a-new-premises-licence/> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

## **Representations received against Regala Properties Licensing Application for Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, CM3 3LZ**

### **Representation 1**

Your enquiry: My enquiry is to oppose the licencing application made by Regala Properties Limited at the site of 1 Wheelers Farm, Wheelers Hill, Little Waltham CM3 3LZ. This site hosted 2 music events last year. The location is not suitable for the volume of traffic these newly listed types of events generate, there are no pavements or walkways people were parking on fields and verges and along Essex Regiment way, causing traffic gridlock, litter was left, laughing gas canisters, Police attended and sound levels were disruptive to neighbours. Attendees were parking on people's private driveways.

Date of enquiry: 04/04/2022

## Representation 2

Your enquiry: In regard to Regala Properties Limited, application for new premises licence at Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, Essex, CM3 3LZ. I am objecting this application for the following reasons: Public Nuisance: As a local resident on Leighs road, the previous temporary license, caused a public nuisance with large amounts of vehicles parking on Leighs road, Drakes lane, Wheelers Hill and on Essex Regiment Way. The mess of beer bottles, cigarettes was not acceptable as well as the very loud music which kept our young children awake. More events will cause more of a public nuisance to the local residents. Public Safety: The last temporary events were not controlled and cars were parked on Essex Regiment Way as well as Wheelers Hill and Leighs road. These roads are not safe for vehicles to park. More events will cause more problems in the area. It is clear that the license holder of those temporary events is not fit to be a license holder. Public safety: The area at Wheelers Hill is not fit to hold events and for alcohol to be sold and consumed on site. The access to and from the site does not give clear visibility and is likely to endanger lives. During the last temporary event due to the short run up Wheelers Hill, a traffic jam was caused around the roundabout which stopped both lanes of traffic and local residents from getting to their houses and disrupted ambulances going to and from Broomfield hospital.

Date of enquiry: 08/04/2022

### Representation 3

Your enquiry: I strongly object to the wheelers farm events I remember last year when the music events were on the disruption which was felt in the village 1. The traffic during the opening times through out the village was very noisy and very fast driving past our village At one point coming home from visiting the next village we could not get to our house as the road to our house was closed to the amount of congestion getting to wheelers farm 2. The amount of litter was very noticeably through out the village and beyond especially cans of beer & empty bottles of alcohol 3 The noise was extremely loud the base of the music you could hear & feel from within side our home dwelling I strongly recommend only 1 a year if needs to go ahead

Date of enquiry: 08/04/2022

#### **Representation 4**

Your enquiry: Wheelers Farm application for 12 events annually at weekends from 13:00 to 23:00. With the sale of alcohol. I would like to object to the granting of this application in the strongest possible terms. These events took place on several occasions last summer and were not only extremely loud and caused a loss of enjoyment of my property and garden during these events, but also prevented my young children from getting to sleep. Additionally the added traffic through the small village caused major disruption, as it was never designed to facilitate numbers associated with rave parties. I therefore strongly urge the council to refuse this application on the grounds that it will severely disrupt and disturb the residence of little Waltham's right to peaceful enjoyment of their homes, and that furthermore the sale of alcohol during these events will substantially increase the likelihood of drunk drivers in the village putting children's and others lives and property at risk.

Date of enquiry: 08/04/2022

## Representation 5

Your enquiry: I have concerns about the 12 raves in Wheelers Hill East. Last time this happened the traffic in surrounding areas was chaos. People were driving the wrong way round the roundabout at Wheelers Hill East to get to venue as they didn't want to drive up to Sheepscoat Roundabout to turn round. Traffic was stationary and people were getting out of cars and moving traffic cones so they could turn round on Essex Regiment Way. Traffic marshalls we're doing nothing and just watching. I don't feel this is what residents of a small village expect. The music got loud and quite disruptive at some points. Cars also parked all over grass verges down small country lanes which made it very dangerous for residents trying to get to their homes.

Date of enquiry: 10/04/2022

## Representation 6

Your enquiry: I object to this license being given, last year the noise was ridiculous and too loud and my children were kept awake on both occasions, cars parked all down the road and people urinating on and around our property. Regiment way had cars parked on the roundabout and the disruption it caused was terrible.

Date of enquiry: 10/04/2022

## Representation 7

**Your enquiry:** Regala Properties Ltd, Wheelers Farm entertainment licence. The events will create a persistent noise nuisance in Little Waltham village for a whole weekend till late at night, constituting a public nuisance. The traffic created could be considerable, creating hazardous conditions and constituting a public nuisance.

**Date of enquiry:** 14/04/2022

## Representation 8

**Your enquiry:** I am objecting to the application by Regala Properties Ltd for new premises licence at Wheelers Hill Farm. I live in the centre of Little Waltham and I am concerned about the following 1) noise levels - during the previous events the levels have been unacceptable and clearly heard through the whole of the village 2) traffic - congestion in the village and people attending the event parking in Little Waltham causing a danger to public safety 3) litter - I personally witnessed this when walking the day after the events. I believe the litter is a public health hazard and residents had to take it upon themselves to clear the roads and verges (especially Wheelers Hill)

**Date of enquiry:** 20/04/2022

## Representation 9

**Your enquiry:** I wish to object to the Application for new premises licence by Regala Properties Limited at Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, Essex, CM3 3LZ This is my childhood home and I am her main support network. I am making a representation as I fear for her well-being and safety after what she experienced during the last event held on September 4th 2021. the prevention of crime and disorder - Many attendees of the last event crossed the road and entered the closed to traffic road Wheelers Hill West via the footpath off the Wheelers Hill roundabout. Many that then approached xxxxxx were drunk and disorderly and took to urinating in the bushes of her property and in the road. This was a most unpleasant experience. Many cars and taxi's drove up Wheelers Hill West that had taken a wrong turn, this caused congestion late at night and disturbance of an otherwise peaceful road. My xxxxx also witnessed attendees of the event walk around the side of her property boundary in the field. This is very disconcerting when living on your own and I fear for her safety and anxiety. Public safety - I am extremely concerned about the public safety of those making their way to and leaving the event. There is not sufficient parking for the event nor is there any accessible public transport. Is a very fast and dangerous road for those making the crossing by foot to seek routes back home. There are a number of photographs in circulation that show very poor and dangerous parking along Essex Regiment way. I also fear for those driving along Essex Regiment Way as there is a danger of someone under the influence stepping into the road. Prevention of public nuisance - The noise of the event on the 4th of September was an unacceptable level for those living in the Village of Little Waltham. Littering was also a bit problem in Wheelers Hill West as attendees chose to discard of cups and general waste as they walked down from the event at Wheelers farm, this is not only a public nuisance but detrimental to the environment. I know I do not live directly in the area but I spend a lot of time visiting my xxxxx to take care of her needs and so feel this application has a direct effect on me as well as her. The site of Wheelers Hill farm is wholly unsuitable for large events.

## Representation 10

**Your enquiry:** I wish to object to the Wheelers Hill Licensing application on the following grounds. 1.Noise (previous events have been very noisy until very late in the evening) 2. Litter (once again previous events have produced vast quantities of litter) 3. Parking (uncontrolled parking in Little Waltham and on the verges of Essex Regiment Way) 4. Safety (drunken participants staggering into the road) 5. Hygiene (local roads and lanes used as toilets and deposition of condoms etc). 6. Welfare of residents (drunken, noisy participants being threatening to residents)

**Date of enquiry:** 21/04/2022

## Representation 11

**Your enquiry:** Wheelers Hill licensing - I would like to add my strong disagreement to allowing this. Last year we had loud thumping in the background all day long on more than one occasion, the thought of having this throughout the summer is disgusting and deeply intrusive. Also because Little Waltham is close to the site we had an onslaught of cars being parked up and then at the end of the night people would bring back food and drink rubbish and dump it in the village which was appalling.

**Date of enquiry:** 22/04/2022

## Representation 12

**Your enquiry:** We are very concerned about the licensing application at Wheelers Hill. When this event was previously held the behaviour of the drunken attendants was totally irresponsible and almost caused fatal accidents on Essex Regiment Way as they wandered in the road as well as the serious traffic congestion and cars speeding through Little Waltham. We sincerely hope that the opinion of Chelmsford Police is taken into consideration as, you are well aware, they had to deal with the dangerous driving and clearing of the site. That is without the extra expense this causes for the ratepayers in Chelmsford. This is reason enough to prevent the application being permitted without the serious and irreparable damage the noise and disruption will do to the Essex wildlife in this area and in the Essex Wildlife park in Little Waltham.

**Date of enquiry:** 23/04/2022

## Representation 13

**Your enquiry:** Objection to Wheeler's Hill Licensing Application - Regala Properties  
I'm afraid that it isn't possible to understand exactly what is being applied for in terms of the nature and frequency of event(-s) from the limited details provided on the Council's website. The "supporting document" is a map. In so far as the application appears to be for live music and/or high attendance events which may be similar to what was held at the same location in 2021, my objection is on the grounds of prevention of public nuisance. The following reflect my direct experiences, which spoiled our quality of life and resulted in the only complaint I have ever needed to raise with a public authority.

1. Noise impact Noise was noticeable inside our house with no windows or doors open from around 11am onwards. NB this was in advance of the published start time and I would draw your attention to the fact that, whatever start time an event has, there is "setting-up" disturbance beforehand. There was constant reverberation. The level of noise was akin to a loud bespoke car music system being parked directly outside our home, for over 12 hours, even though our home is approximately three quarters of a mile from the entrance to Wheelers Farm. In fact it could easily be heard across in Great Waltham. This was because, regardless of any onsite decibel readings, audio frequencies from 250kHz down to 20Hz (bass and "sub bass") resonate over greater distances and are more penetrative of buildings. Being summertime we needed our windows to be open, but instead we had to endure the heat with them closed.
2. Environmental impact The location invites revellers past the Little Waltham Meadows Nature Reserve. Back Lane was left littered with discarded beer cans some of which needed to be cleared up by locals in the days afterwards.
3. Transport inconvenience Locals and through traffic were inconvenienced due to traffic flow issues in the area and especially on the busy Essex Regiment Way, accompanied by illegal parking.

I respectfully submit that facilitating multiple events of this nature here is simply not on.

**Date of enquiry:** 24/04/2022

## Representation 14

**Your enquiry:** Good morning, I would like to object to the proposed licencing application by Regala Properties Limited at Wheelers Farm, Little Waltham. The proposal for a licence for for music events is wholly inappropriate for the area. We experienced significant disruption and noise disturbance at the event held at the premises in 2021. We have young children and this affects their wellbeing as well as us, and indeed all residents in the local community. This licence will contravene the Council objectives of: Prevention of public nuisance The protection of children from harm But also has the potential to contravene: The prevention of crime and disorder Public safety. I would be grateful of being kept up to date with any developments with this licence. Kind regards

**Date of enquiry:** 25/04/2022

## Representation 15

Your enquiry: Representation against License application by Regala Properties Limited My name is xxxx and I am making a representation against the Premises Licence submitted by Regala Properties Limited at Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, Essex, CM3 3LZ. I live at xxxxx with my fiancé and family. I have lived at xxxxx since xxxxx. Summary of my representation; 1- Wheelers Farm is not the correct place to host a events of this magnitude, and it lacks the infrastructure to safely accommodate large events which Regala Properties Limited will be holding. 2- I strongly believe that if an event of this size occurs at this site again there will be a serious injury to an individual or a vehicle driver, or even death. 3- Based on previous experience for similar events at the same location, the License Committee must consider refusing the application. If the License Committee is not minded to refuse the license, then the committee will need to apply the same conditions and restriction imposed on BJP Productions, this was following Essex Police challenge of the License, which resulted in the committee imposing restriction on the number of patrons attending the events from 4,999 to 1,500.

Dear Sir/Madam

1. My name is xxxxx and I am making a representation against the Premises Licence submitted by Regala Properties Limited at Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, Essex, CM3 3LZ.
2. This representation is made as it is my opinion the issuing of premises licence may undermine the following licensing objectives under the Licensing Act 2003:
  - The prevention of Crime and Disorder
  - Public Safety
  - The Prevention of public nuisance
  - The protection of children from harm
3. I live at xxxx with my fiancé and family. I have lived at xxx since xxxx.

### Wheelers Hill area

4. Having lived within the area of Wheelers Hill for over 3 years now, I have gained a good understanding of the local area.
5. In my experience, Wheelers Hill is a very quiet and tranquil part of the country. There are only a handful of houses located on Wheelers Hill which are all very spaced out, and therefore there is little noise pollution.
6. I would describe Wheelers Hill and the surrounding neighbourhood as a very safe and comfortable environment to live in. There is little to no crime or anti-social behaviour within the area.

### **Experience with previous Festivals at Wheelers Farm with similar license application to Regala Properties Limited**

7. Since I have lived at xxxx, there have been two festival events held at Wheelers Farm.
8. These events were held on the 24th July 2021 and 4th September 2021 and both events, to the best of my knowledge, both events were held under a similar premises licence submitted by Regala Properties Limited.
9. I note the applicant has made no reference to restriction on number of patrons attending the events at Wheelers Farm, and therefore, I have to assume that the applicant will be organising events for up to 4,999 people.
10. The licensing committee will be fully aware of the issues and challenges resulting from the events held at Wheelers Hill Farm on 24<sup>th</sup> July 2021 and 4<sup>th</sup> September 2021, which have been challenged by Essex Police and by myself at huge expense.
11. I refer the license committee to the Shield Associate report submitted by Poppleston Allen in support to my challenge of the BJP Production, this report demonstrate clearly that Wheelers Farm is not a suitable venue for large number of crowds and it represent a clear risks to patrons and residents.
12. Any large crowd events (accommodating up to 4,999 people) at Wheelers Farm will result in considerable amounts of traffic and cars will be forced to park on the roadside of both Wheelers Hill and Essex Regiment Way, due to the lack of parking spaces at the premises. The sudden increase of traffic and cars parked illegally on the side of the roads will cause complete chaos in the surrounding area.
13. Regala Properties application specify that events will finish at 23:00. From my personal experience of the previous events, patrons leaving the event in the dark, which will result in hundreds of people walking up and down both Wheelers Hill, a national speed limit country road without any streetlights, and Essex Regiment Way, a dual carriageway, using only the lights on their mobile phones to attempt to direct them. This was incredibly dangerous.
14. In my experience, cars travel very fast down Wheelers Hill, and do not expect to see people walking down the middle of the road late at night.
15. I have witnessed some of the people urinating on the side of the road and directly outside of my house.
16. For the duration of the event, and the time afterwards, me and my family did not feel safe to leave our home.
17. There are no public footpaths alongside Wheelers Hill or Essex Regiment Way, so patrons will have to walk on the road to get to the festival entrance, this is particularly dangerous with incoming traffic driving at 60mph.
18. There is only one point of entry and exit into Wheelers Farm site, This will result in cars who dropping patrons away from site and potentially on Essex Regiment Way or further away on Wheelers Hill to avoid queues.
19. The proposed events will have the license to sell alcohol, and therefore it is a reasonable assumption that some patrons may be intoxicated when leaving the premises, and I have particularly frightening experience of witnessing a lady, who was clearly very intoxicated,

lying in a bush just off Essex Regiment Way with her legs sticking out into the road. I had to physically swerve my car to avoid hitting her legs at the last minute.

20. Me and my family felt very unsafe and vulnerable for the duration of the previous events and this event will not change how we feel about the repeat of such events.

## Summary

21. In summary, Wheelers Farm is not the correct place to host a events of this magnitude, and it lacks the infrastructure to safely accommodate large events which Regala Properties Limited will be holding.
22. I strongly believe that if an event of this size occurs at this site again there will be a serious injury to an individual or a vehicle driver, or even death.
23. Based on previous experience for similar events at the same location, the License Committee must consider refusing the application. If the License Committee is not minded to refuse the license, then the committee will need to apply the same conditions and restriction imposed on BJP Productions, this was following Essex Police challenge of the License, which resulted in the committee imposing restriction on the number of patrons attending the events from 4,999 to 1,500.

Yours Sincerely

xxxx

**Your enquiry:** further to my earlier presentation submission, I would like to include the Chelmsford City Council Licenses Review Committee decision on an earlier premisses licenses at the same location (Wheelers Farm), Wheelers. This decision is significant to any future license applications, it resulted in the reduction of patrons from 4,999 to 1,500 due to safety concerns that have been raised by Essex police following incidents at or near the location.

*Licensing Act 2003 - Application for a Review of a Premises Licence - BJP Productions, Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, CM3 3LZ*

*I am writing to advise you of the decision of the Licensing Committee who considered the above application at the hearing held on the 3rd December 2021.*

*The Committee has given careful consideration to this application by Essex Police for a review of the premises licence and to all relevant representations both written and as expanded on in the course of the hearing. In reaching its decision the Committee has also had regard to relevant parts of the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 ("the Guidance") including in particular Part 11 (Reviews).*

*RESOLVED that the Committee has decided not to revoke the licence on this occasion but instead considers it appropriate for the promotion of the four licensing*

*objectives that the following steps (which involve modification of the conditions of the licence) be taken:-*

*1) The imposition of the conditions proposed by Mr Lewis Mould (on behalf of Environmental Protection Services) in his amended representation (29 November 2021) which is set out in Appendix C to the report before Committee.*

*Note: these conditions include the condition which limits licensable activities to a maximum of 4 weekends (to include Friday, Saturday, and Sunday) in any calendar year.*

*2) The imposition of a further condition to the effect that the number of patrons at any event shall not exceed 1,500 patrons.*

### *Reasons for Decision*

*1. The Committee considers that the incidents which took place on the 24 July and 04 September and which resulted in Essex Police seeking a review of the licence were unacceptable. The three licensing objectives cited by Essex Police in their application were engaged and had been undermined to various degrees. The incidents - in particular the need to respond to and manage the major traffic management issues - had been a drain on police resources. In addition, noise nuisance had been experienced by local residents and there had been some isolated incidents (albeit relatively low level) of anti-social behaviour on the part of patrons connected to the parking on Essex Regiment Way.*

*2. The Committee is mindful of the fact that the licence holder had consulted / agreed a traffic management plan for the 04 September event with the Safety Advisory Group (SAG). However, as Paul Brookes, the Chair of SAG had confirmed, the reality was that this plan (and, indeed, the plan for the previous 24 July event) had failed to work in practice in relation to traffic management. Even though it might be the case that the licence-holder had used their best efforts on the 04 September to try to control the escalating traffic issues, these efforts had been ineffective. Public safety had been seriously compromised. Both the law and the Guidance make it clear that the licensing authority's duty on a Review is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community. The fact that the licence-holder and staff working at the event may have fully complied with conditions attached to the licence and used their best efforts to resolve the traffic issues arising in the course of the event and were themselves appalled at how things turned out could not detract from this duty. In addition, whilst reference had been made to the personal difficulties that Mr Silver and his close family were going through and this warranted sympathy, they were completely irrelevant to the determination of the Review and the Committee could not (and did not) take them into account in making its decision.*

3. *The Committee is satisfied on the evidence before it that there had been noise nuisance emanating from both the events on 24 July and 04 September 2021. The Council's Environmental Protection Service had received a number of noise complaints from residents about both events, and officer visits during the September event had confirmed that high levels of noise, causing disturbance,*

*were audible at nearby residential properties. (The licence-holder did not, in any event, dispute this noise nuisance.) The Committee considers, however, that imposition of the stringent conditions proposed by Mr Lewis Mould and set out in Appendix C to the report (which, among other things, restrict licensable activities to 4 weekends in the calendar year and impose maximum noise (decibel) levels) would, if properly adhered to, prevent the recurrence of such noise nuisance.*

4. *The Committee is satisfied on the evidence before it that the event on the 04 September in particular gave rise to major road traffic problems, with (among other things) vehicles travelling the wrong way around roundabouts, driving over the central reservation, the road becoming gridlocked at points, and patrons ignoring / disregarding event marshals and parking dangerously along Essex Regiment Way to avoid waiting in the queue to access legitimate parking facilities on the event site. Patrons who had parked on Essex Regiment Way were walking on and across Essex Regiment Way to access and egress the event site, putting themselves at risk of being hit by traffic. These concerns and congestion issues necessitated the closure by Essex Police of Essex Regiment Way for several hours and the consequential diversion of traffic through Little Waltham and other areas. (The licence-holder does not dispute the 04 September event gave rise to these problems which undermined the licencing objectives in question.)*

5. *The Committee has given both careful consideration and attached considerable weight to Essex Police's submission that the only appropriate step for the Committee to take in this review is to revoke the licence, because if the premises were allowed to continue to operate under the licence they (Essex Police) believe traffic chaos would ensue and that public safety etc would once again be undermined. Ultimately, however, it is for the Committee (not Essex Police) to assess the matters / issues and reach its own determination on the step(s) that it was appropriate to take to promote the licensing objectives. The Committee is prepared to accept Essex Police's contention that even if capacity (patrons) at events were to be reduced from 5,000 to 3,000 this would not be acceptable – traffic management issues could still arise and undermine the public safety objective.*

6. *On a careful analysis, however, the Committee is unable to accept the wider position put forward by Essex Police - namely, that the location of the licensed premises is simply not suitable for events of this kind - or at least for events with a capacity exceeding 500 patrons. (The Committee notes that in the course of the hearing, Mr McManus, on behalf of Essex Police, and in a response to a question from Cllr Jones, conceded that if the number of patrons was reduced to 500 then this*

would not be problematic.) There is, in the Committee's view, no empirical / objective evidence before the Committee to support the position taken by Essex Police. Conversely, it is a fact that the current premises licence was granted on 02 July 2021 and its scope permitted the number of patrons who attended the events on 24th July and 4th September. The SAG approved traffic management plans for the two events were likewise predicated on the basis that, with the appropriate traffic control measures in place, the capacity was acceptable. From an objective standpoint, for Essex Police suddenly to take the stance that the licensed premises (which have adequate parking facilities on site to accommodate patrons) is completely unsuitable for events (or events not exceeding 500 capacity), is not, on the evidence before the Committee, sustainable. On balance, the Committee is of the view that the failure of the traffic management plans and the difficulties experienced on 04 September were, in the main, attributable to the actual behaviour of the patrons attending the event (i.e. ignoring traffic management and acting in an irresponsible manner), rather than indicative of the location itself being unsuitable for licensable activities of the kind authorised by the licence. (The Committee notes that this was, indeed, the view expressed by Mr Paul Brookes at the hearing.)

7. The Committee has also had regard to the licence-holder's assertion that had there been traffic wardens (i.e. Civil Enforcement Officers) and a tow truck in attendance during the September event then the traffic chaos could have been avoided. The Committee has given some, limited, weight to this factor. The Committee has taken note of the fact that Civil Enforcement Officers (who are employed by and operate under the auspices of the South Essex Parking Partnership) do not have the power to tow away vehicles. They are limited to issuing (and affixing to offending vehicles) Parking Contravention Notices which require the payment of a civil penalty fine. Only the police (and certain other agencies) have the powers (in certain circumstances) to arrange for the removal of parked vehicles. Furthermore, the Committee considered that even the presence and operation of a tow truck on the 04 September would have had little impact in relation to vehicles already parked on Essex Regiment Way, given

the sheer number of vehicles involved. The Committee agreed, though, that the visible presence of Civil Enforcement Officers would be likely to deter some patrons from parking illegally.

8. Whilst there may be different views on what the acceptable capacity limit for events should be, the Committee itself is satisfied (taking into account its own local knowledge of the location) that a capacity limit of 1,500 patrons would not undermine the licensing objectives, subject to there being an adequate SAG approved traffic management plan being in place and adhered to. Having regard to the traffic chaos that occurred on the 04 September and the information before it at the present time, the Committee considers that the imposition of this condition limiting capacity is appropriate for the promotion of public safety.

9. In determining this review the Committee has also considered the licence-holder's suggestion that a condition could be attached to the licence precluding the location from being used in the future for "The Originals" events. However, the Committee is of the view that a condition of this nature would be potentially ineffective and difficult, if not impossible, to enforce - as in terms of substance it concerned more with restricting the genre of the music played and the age / cultural makeup of patrons attracted to such music, rather than with a particular identifiable group of performers. Furthermore, the Committee has some doubts as to whether a condition of this nature would be appropriate or even legitimate given that it could be regarded as discriminatory in some respects. The Committee takes the view that it is essentially a matter of judgement for the licence-holder to determine which groups /music genres are appropriate to invite to perform at events. Furthermore, even if such a condition were to be feasible the Committee would still consider it appropriate to impose the condition limiting capacity to 1,500 and the conditions proposed by Mr Mould.

10. The Committee has also had regard to the reference by Essex Police in their application to disturbances reported by staff at a nearby McDonalds restaurant, with lots of customers entering the restaurant at once and being argumentative and aggressive to staff, albeit it would appear that this incident has not resulted in any formal police investigation or institution of criminal proceedings. The Committee notes that the licence-holder disputes that there is a proven nexus between this incident and the event. In this regard the Committee is mindful of

paragraph 11.7 of the Guidance and is inclined to agree. Even if it could be shown that the individuals in question were connected with attendance at the event, it does not necessarily follow that there is a causal connection between the event and their actual behaviour at McDonalds.

#### INFORMATIVE

Whilst the matter hasn't influenced the Committee's decision, the Committee notes that there appears to have been a "disconnect" or misunderstanding / breakdown in communication of some sort as between the licence-holder and SEPP /Essex County Council regarding the attendance "traffic wardens" (Civil Enforcement Officers) at the 04 September event. The licence-holder appears to have been under the impression (rightly or wrongly) that there would be Civil Enforcement Officers in attendance, with Essex County Council also involved in some degree, and that also there would be a tow truck available with capability to tow away offending vehicles. The Committee is unable to comment on whether provision of such services would have been feasible on the day (save that as already mentioned, SEPP Civil Enforcement Officers do not have the powers to remove vehicles) and if so the terms on which they would have been provided. The Committee would stress, however, that ultimately it is the responsibility of the licence-holder to ensure that

*arrangements of this kind have been agreed and confirmed with the agencies in question.*

# APPENDIX C

## RESPONCE TO YOUR REQUEST FOR FURTHER DETAILS REGARDING QUESTIONS RAISED

The targeted Audience for the majority of events is the local community & family's so there is no particular targeted age group , for clarification the applicant intends to provide day time and evening entertainment selling street food food selling alcoholic and soft drinks from kiosks outdoors and within marquees within the area outlined in red on plan A attracting a wide variety of visitors together with friends and family in a secure safe & spacious environment although obviously some events may attract visitors from a wider area

Normally at music festivals the audience are mainly standing and crowded together, Events at Wheelers Farm will be of significantly different format as Some Seating will be provided in the general audience area and the large size will also allow visitors to watch the performers on a picnic basis audience style obviously far more appropriate than the standing only at many venues The bar and food areas and VIP areas will also include seating areas

Events will feature various facilities/entertainments to attract visitors with children such as face painting / karaoke /competitions/ filmshows etc & photo opportunities with some of the artists and acts performing at the event for all visitors

Musical festivals will be of various genres ie country & western /pop/classical /folk /Jazz

Adequate security staff & event marshals will be on site to ensure public safety & premises licensing regulations are adhered to as well as provision of traffic management to and from site, the planned number of events is approx 10-12 annually

The owner of the farm is a director of Regala Properties & being aware of previous issues as the other Companies with a premises licence for Wheelers Farm have not provided a acceptable standard of event management & therefore to eliminate reoccurrence he has suspended his permission on a temporary basis for them to host events at the farm by a notification in writing

In the event his company's current application is granted then his permission for the 2 current licence holders to host events will be terminated and they will not be holding further events at wheelers farm

Re secure warehouses there are 2 barns of 130m2 and 162m2 one of them would be more than adequate for secure storage or alternatively a shipping container could utilised for secure storage locatated either in or outside of the event area, location of the barns is shown on Plan B within the fenced & gated farmyard area which is outside of the event area and have burglar alarms fitted, the final decision on storage provision is outstanding , visitors to events have no access to the farmyard area

Regarding a SAG meeting the type of events planned & site layout are considered of no concern or risk to public safety particularly with regard to fire safety as it is very large open air venue without buildings and capacity at the events will be limited to under1500 persons and the company project at smaller festivals the visitors numbers will be significantly lower and therefore are strongly of the opinion that standard health & safety precautions and working procedures combined with sufficient security staff and event marshals will be a safe environment for visitors and staff

The above measures will ensure the venue is fully compliant with all current premises licensing objectives and legislation

The police have been notified of the application and the company will liaise with the police and other authorities as necessary to resolve and address any matters of concern or objection and would be very welcome if they wish to attend events

## APPENDIX D



### **Licensing Authority**

Chelmsford Licensing  
Community Safety Hub  
Civic Centre  
Duke Street  
Chelmsford  
CM1 1JE

Essex Police  
Licensing Unit  
Braintree police station  
Essex  
CM7 3DJ

Date: 21/04/2022

### **OBJECTION TO APPLICATION FOR A PREMISES LICENCE (LICENSING ACT 2003)**

Essex Police have received an application for a Premises Licence at Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford CM33LZ. The events which have been proposed are secret cinemas and small festivals with amplified music. Sale of Alcohol on the premises and regulated entertainment has been applied for. The number of persons expected to attend the events are 500 increasing to 1,500.

On behalf of the Chief Officer of Police for the county of Essex and the non-metropolitan districts of Southend-on-Sea and Thurrock, I wish to object to this application on the grounds that if granted the crime and disorder, public nuisance and public safety objectives of the Licensing Act 2003 are likely to be undermined.

The location sought to be authorised for licensable activity is largely within the same footprint as events held during 2021. On those occasions considerable public nuisance was caused to the residents of Little Waltham occasioned by vehicles being abandoned in residential and unlit rural roads and patrons exhibiting drunken anti-social behaviour as they made their way to taxis or pick up points. Furthermore, the safety of road users was seriously jeopardised by vehicles stopping and turning on the main A130 (a 60 mph unlit carriageway) and pedestrians (some drunk) walking along the carriageway and grass verges. Considerable police resources had to be deployed for a considerable time to prevent collisions and obstruction of this major route to/from Chelmsford. The location is ill advisable for events of this type unless numbers are strictly managed and the event organisers have in place (and oversee) a robust traffic management plan.

Essex Police have a duty to ensure that an application of this nature do not adversely impact on the community in respect of crime and disorder, public safety, and nuisance. The present application does not adequately deal with the issues set out in the previous paragraph or those raised at the Review Hearing of the existing licence.

At this stage the Chief Officer of Police makes representations that in its present form the application should be refused.

Representatives of Essex Police are presently engaging with the applicant with a view to the applicant agreeing to various amendments to the proposed operating schedule so reasonable and appropriate steps to promote the licensing objectives are put in place.

Essex Police is aware that members of the public have already made representations and that other responsible authorities may do so and thus irrespective of this representation a licensing hearing is likely to be held.

It is anticipated on (or before) the hearing date Essex Police and the applicant would have agreed upon conditions that would be appropriate to upholding the licensing objectives in this specific case and which will allay the Chief Officer's concerns (and perhaps others that have made representations) and which can be presented to the licensing authority.

In accordance with paragraph 11.9 of the Statutory Guidance Essex Police may amplify its representation at the subsequent hearing. Essex Police may also produce further documentary or other information in support of this application ahead of the hearing and would ask the authority to take this into account as it may do under Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005.

Yours Sincerely

Rachel Savill  
Police Licensing Officer  
Chelmsford and Maldon

# APPENDIX E

Dear Matthew

I am contacting you again in relation to the licence application that you have put in for the above premise.

Unfortunately, you have not made contact with me as to allow us to discuss my concerns relating to your application.

I am therefore as one of the responsible authorities I am making a formal representation in relation to this application. This is because you have not been able to indicate in the application how you will protect the health and safety of the public. I will therefore require that the following condition be added to the license if it is granted.

**The license holder is to submit an Event Management Plan 60 days before each event to the Business Compliance Team at Chelmsford City Council. This is to allow the Business Compliance Team to assess if the premise licence holder has considered the hazards, assessed the risks and have therefore put adequate controls in place to protect the health and safety of the public.**

You are able to contact me on 01245 606570 or at [izzie.daniel@chelmsford.gov.uk](mailto:izzie.daniel@chelmsford.gov.uk) to discuss this proposed condition.

If you agree with the above condition, please could you inform me and the Licensing Team.

Thanks

Izzie

Izzie Daniel  
Business Compliance Lead Officer  
Public Health & Protection Services  
Directorate of Public Places  
Chelmsford City Council  
01245 606570

# APPENDIX F

## **Representations from Little Waltham Parish Council in relation to the application by Regala Properties for a Licence at Wheeler's Farm**

Little Waltham Parish Council wishes to **object** to the grant of a licence to Regala Properties at 1 Wheeler's Farm, Wheeler's Hill, Little Waltham on the following grounds -

### **1. The prevention of public nuisance**

The Parish Council notes that part of the application is for live music from 1pm to 10pm. The concern is that such events will generate a noise nuisance which will adversely impact upon local residents not just along Wheeler's Hill but in the village centre of Little Waltham which will go on late into the evening.

By way of evidence, previous music events at the property on 24<sup>th</sup> July 2021 and 4<sup>th</sup> September 2021 resulted in a number of noise complaints to the Parish Council and more particularly to Chelmsford City Council. An out of hours noise duty officer attended the village and met with a Parish Councillor during the day of the event on 4<sup>th</sup> September 2021 to monitor the noise and clearly noted that it could be heard from inside the Councillor's home with doors and double-glazed windows shut.

It is noted that the suggestion is that there will be in the region of 12 events a year. The Parish Council considers this would place an excessive burden upon residents to tolerate the noise which is not acceptable.

It is noted that it is proposed to serve food and alcohol up to 11pm at night together with 'regulated entertainment'. This will result in people leaving the site very late in the evening which will result in noise nuisance and inconvenience to residents.

It is not clear what the parking arrangements will be for the venue and previous events resulted in vehicles choosing to park in the laybys along Essex Regiment Way and on grass verges along that road as well. Some vehicles were even observed parked on Wheeler's Hill roundabout itself. In addition, a number of vehicles were parking in the village centre. Not only does this present a nuisance to residents in the vicinity but is a danger to public safety as well.

A substantial amount of litter was also generated by the previous events and bags of litter and general random rubbish was observed on the verges and in laybys in the vicinity and there is a concern that this will again be a burden for residents.

### **2. The prevention of Crime and Disorder**

At previous events the Parish Council was made aware of the fact that people connected to the event were urinating in hedges within the Parish particularly in Wheeler's Hill West

### **3. Public safety**

There is a substantial concern in relation to public safety as at previous events, those attending were parking along the verges and laybys of Essex Regiment Way and it meant that they were walking along the road to access the venue. As Essex Regiment Way is a fast-moving A road with a 60mph speed limit at that point and there are no pavements to use this is clearly highly dangerous. As the verges were full of parked cars people were observed walking along the road and a resident reported a drunken lady staggering into the road at one point. This presented a direct danger both to the safety of those walking along the road and motorists as well. A Councillor also observed many people walking along Essex Regiment Way on 4<sup>th</sup> September event to access the venue at 7pm when it was dusk and thus visibility was reduced presenting an even greater danger especially as the carriageway is unlit.

At previous events the Police had to attend due to the chaos caused by the sheer numbers of departing vehicles. Those attending the event also presented a danger to other road users by caused obstruction whilst trying to park on verges, executing U-turns in the road and blocking the roundabout.

At a review of a previous licence for this site a restriction of 1,500 people was put in place so the current application for up to 4,999 would seem to be outside the safe limits for the site.

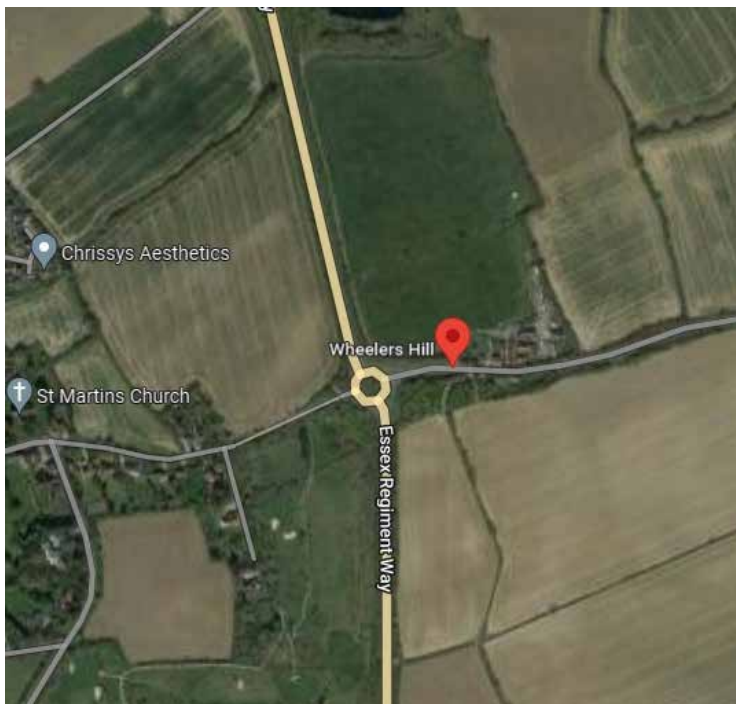
The concern of the Parish Council is that even with better traffic control in place this is a difficult area to manage as the access to the venue is only a few yards from a roundabout on the busy Essex Regiment Way. The Parish Council contends that the reality is that this is not a suitable area for such events to be held as it is so difficult to manage the traffic and for those attending the event to be safe and in addition it is too close to residential properties and the village centre thus results in a substantial noise nuisance.

# APPENDIX G

## Conditions Agreed with Environmental protection services – Lewis Mould

- *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.*
- *Licensable activities will only take place over a maximum of 6 days in any calendar year.*
- *The licence holder shall appoint a suitably qualified and experienced noise control consultant who is a member of the Institute of Acoustics and/or the Association of Noise Consultants to produce and fully implement a noise management plan (NMP).*
- *For up to 3 event days in a calendar year the Music Noise Level (MNL) should not exceed, at any noise sensitive location, 65dB(A) LAeq over any 15-minute period throughout the event and during any rehearsal or sound check for the event. For any other event days within a calendar year the MNL from any event shall not exceed, at any noise sensitive location, the representative background noise level by more than 15dB(A) over a 15-minute period throughout the event and during any rehearsal or sound check for the event. The representative background noise level should be measured and calculated as per the guidance contained within the 'Code of Practice on Environmental Noise Control at Concerts' (the arithmetic average of the LA90, 1 hour for the final four hours of the period to be determined) at locations representative of the nearest noise sensitive receptors to be agreed with Chelmsford City Council.*
- *A Low frequency music noise control strategy shall be included as part of the NMP and shall be submitted to, and approved in writing by Chelmsford City Council, prior to the commencement of any event.*
- *The appointed noise control consultant will regularly monitor noise from events at noise sensitive locations around the site and advise their sound engineers accordingly to ensure MNL limits are not exceeded. Chelmsford City Council will be permitted access to this information on request. The noise sensitive locations will be agreed with Chelmsford City Council prior to the commencement of any event.*
- *The licence holder shall provide Chelmsford City Council, in advance of the event, contact telephone numbers of their appointed noise control consultant and other members of their management team who can be contacted in the event noise complaints are received.*
- *During any event the licence holder will ensure there is a dedicated and continuously manned complaint telephone line that will be advertised to the public so that residents can contact organisers in the event they are disturbed by noise*

# APPENDIX H



**Licensing Authority**

Chelmsford City council  
Community Safety Hub  
Civic Centre  
Chelmsford  
CM1 1JE



Essex police  
Licensing Unit  
Braintree police station  
Essex  
CM7 3DJ

Date: 11/05/2022

## **OBJECTION TO APPLICATION FOR A PREMISES LICENCE (LICENSING ACT 2003)**

**Wheelers Farm, Wheelers Hill, Little Waltham,**

### **INTRODUCTION**

- 1.0 Essex Police have received an application for a Premises Licence at Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford CM33LZ. The events which have been proposed are secret cinemas and small festivals with amplified music. Sale of Alcohol on the premises and regulated entertainment has been applied for between the hours of 1300- 2300hrs on Saturday and Sunday including bank holidays.
- 1.1 On behalf of the Chief Officer of Police for the county of Essex and the non-metropolitan districts of Southend-on-Sea and Thurrock, a objection was submitted on the grounds that if granted the crime and disorder, public nuisance and public safety objectives of the Licensing Act 2003 are likely to be undermined.
- 1.2 The location sought to be authorised for licensable activity is largely within the same footprint as events held during 2021. On those occasions considerable public nuisance was caused to the residents of Little Waltham occasioned by vehicles being abandoned in residential and unlit rural roads and patrons exhibiting drunken anti-social behaviour as they made their way to taxis or pick up points. Furthermore, the safety of road users was seriously jeopardised by vehicles stopping and turning on the main A130 (a 60-mph unlit carriageway) and pedestrians walking along the carriageway and grass verges.
- 1.3 Considerable police resources had to be deployed for a considerable time to prevent collisions and obstruction of this major route to/from Chelmsford. The location is ill advisable for events of this type unless numbers are strictly managed, and the event organisers have in place a robust traffic management plan.
- 1.4 Essex Police licensing-initiated review proceedings on 13/09/21 (Exhibit RS/1) after issues arose with two separate events at the location.

- 1.5 As a result of the review hearing on 03/12/21 Chelmsford City Council Committee made a decision to add conditions to the licence detailed in Exhibit RS/2

## BACKGROUND

- 2.0 Representatives of Essex police have been engaging with the applicant and have agreed upon conditions that are appropriate to upholding the licensing objectives these can be seen below:

1. The licence shall be time limited and authorise licensable activities only between the dates of 30<sup>th</sup> April and 31<sup>st</sup> October annually
2. The licence shall not authorise licensable activity more than six times a year (none of which shall exceed 13 hours in duration);
3. Customers will not be permitted to remove from the premises any drinks supplied by the premises in open containers.
4. The sale of alcohol for consumption off the licensed premises will be restricted to those persons temporarily residing in land adjacent to the licensed premises (i.e. tents and other temporary structures supplied or permitted to be erected by the licence holder on land occupied or controlled by the licence holder)
5. The number of patrons at any event shall not exceed 1,500.
6. There shall be no events at the premises that are organised, promoted or advertised by an external promoter (i.e. by an individual/organisation not directly related to the management of the premises)
7. A traffic and event management plan shall be submitted to the Licensing Authority, Essex Police and Essex County Council Highways at least 12 weeks prior to any planned event and licensable activity shall not take place if any of these object to the traffic management plan in writing within 6 weeks of submission and that objection is not rescinded.
8. An incident log shall be maintained and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and shall record the following:
  - (a) All crimes reported to the venue
  - (b) All ejections of patrons
  - (c) Any complaints received concerning crime and disorder
  - (d) Any incidents of disorder
  - (e) All seizures of drugs or offensive weapons
9. SIA licensed security staff shall be used in accordance with a site security plan which will form part of the event management plan and a record shall be maintained (on the premises) which is legible and details:
  - a) The day and date when door supervisors are deployed;
  - b) The name and SIA registration number of each door supervisor on duty at the premises; and
  - c) The duty start and end time for each door supervisor.

- This record shall be retained for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.
10. All security staff (and stewards) will wear high visibility clothing ensuring that they are readily identifiable.
  11. The premises shall have in place and operate a zero-tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means. This policy may form part of the event management plan.  
This policy shall specifically include but not be limited to:
    - i. Searching practices upon entry;
    - ii. Dealing with patrons suspected of using drugs on the premises;
    - iii. Scrutiny of spaces including toilets or outside areas;
    - iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);
    - v. Staff training regarding identification of suspicious activity and what action to take;
    - vi. The handling of items suspected to be illegal drugs or psychoactive substances
    - vii. Steps taken to discourage and disrupt drug use on the premises
    - viii. Steps to be taken to inform patrons of the premises drug policy/practices
    - viii. Patrol of perimeter (Haras) fencing to deter drug supply
  12. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:
    - Proof of age card bearing the PASS Hologram;
    - Photocard driving licence;
    - Passport; or
    - Ministry of Defence Identity Card.
    - Proof of age card bearing the PASS Hologram;
    - Photocard driving licence;
    - Passport; or
    - Ministry of Defence Identity Card.
  13. The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force.
  14. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to including under-age sales, how to recognise drunkenness and the duty not to serve drunk persons.
  15. Training records shall be maintained and kept for a minimum of 12 months and made available to police or licensing authority staff upon reasonable request.

16. A refusals record shall be maintained at the premises, which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police or licensing authority staff upon reasonable request.

17. The licence holder will appoint a competent security/stewarding contractor with expertise in the operation of security and stewarding of large-scale outdoor events. The security/stewarding contractor will ensure there are the correct number of SIA registered security staff at the event. Full details will be contained within the EMP.

18. The licence holder will ensure a full stewarding plan and evacuation plan will be produced as part of the EMP.

19. CCTV cameras shall cover all entrances and exits to the event.

20. All drinks will be dispensed in either plastic bottles or collapsible cups or containers, no glass vessels to be used the sale of glass bottles for Champagne, sparkling or premium wines will be allowed only in a dedicated security-controlled area which will be detailed in the Event Management Plan/Alcohol Management Plan and on the Site Plan each year.

21. The licence holder will ensure the perimeter of the licensed area will be securely fenced and cordoned off to enable the licence holder to safely control the event.

22. The licence holder will ensure vehicle movement in the licensed area will be kept to a minimal for essential vehicles only.

23. In addition to water, other non-alcoholic beverages shall be available at all times whilst alcohol sale or supply takes place.

2.1 Essex Police have a duty to ensure that an application of this nature do not adversely impact on the community in respect of crime and disorder, public safety, and nuisance. If the licence is granted the above conditions will need to be implemented, making sure the licensing objectives are upheld.

2.2 Essex police licensing attended a site visit on 20<sup>th</sup> April 2022 and met with the applicant to seek further explanation of the types of events which are planned to take place and how these will be managed. Events which are planned are family focused, with the first event limited to 500 persons. From the applicant's knowledge of the farm and surrounding land they are looking at placing an extensive traffic management plan in place with discussions around having a car parking station at the further end of the field and a drop off and pick up taxi point which will allow vehicles to enter and exit easily preventing vehicles queuing. All details will be provided in a traffic management plan which has been requested prior to any event taking place. A traffic management plan and event management plan will be provided upon any event and seen by all responsible authorities who can comment if necessary. The applicant is unrelated to the previous licence holders. The applicant's family resides at Wheelers Farm and the applicant has prior experience with holding boot fares within the location.

2.3 It is the viewpoint of Essex police that the application for a new premises licence received does not adequately deal with the issues previously raised at the Review Hearing of the existing licence and is why a number of conditions and amendments on the licence have been requested. Agreement of the conditions can be seen in Exhibit RS/6

2.4 At a site meeting held on 20/04/22 with Essex police the applicant accepted the previous issues experienced and was accepting of the additional conditions as detailed in RS/5. To support the Licensing Objectives Essex Police are requesting that the conditions are placed on the licence.

Essex police is requesting all measures that have been put in place following the hearing will remain in effect for all events going forward.

Please be aware that this is a non-redacted document and may contain information not appropriate for the public domain.

## List of Exhibits

- RS/1 – Supplementary Bundle for the 2021 Review
- RS/2 – Decision Notice from the Review Hearing
- RS/3 – Application for a New premises licence
- RS/4 – Premises plan
- RS/5 – Agreed police conditions
- RS/6 - Email confirming Agreement of conditions
- RS/7 - Environmental Health agreed conditions



## Premises Licence Review

BJP Productions  
Wheelers Farm  
Wheelers Hill  
Little Waltham  
Chelmsford

Supplementary documentary information in  
support of review

Exhibit RS/1



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## **1.0 Background Details**

The Original Festival is held on a licensed premise situated at Wheelers Farm, Wheelers Hill, Little Waltham Chelmsford, CM33LZ, issued by Chelmsford City Council. The Premises Licence Holder is BJP Productions LTD. The premises are licensed for the sale of alcohol for consumption on the premises and Regulated entertainment. The Designated Premises Supervisor (DPS) is [REDACTED]

### **1.1 Outline of the Circumstances leading to the Review Application**

- 1.2 On 24<sup>th</sup> July and 4<sup>th</sup> September this year a festival event known as the Original Festival has taken place at Wheelers Farm Wheelers Hill, Little Waltham, Chelmsford. Concerns were originally expressed by Essex police when an application for a new premises licence was received and an objection to the licence was submitted to Chelmsford council licensing team. Numerous meetings with the applicants took place and after taking into consideration the event management plan and agreeing additional conditions, the objection was withdrawn.
- 1.3 Safety advisory group meetings were also held with all responsible authorities in the lead up to the event as well as a debrief after. From the debrief of the first event, extra measures were put in place for the second event taking place on the 4<sup>th</sup> September. These changes mostly focused on the traffic management plan which Essex Highways assisted with.
- 1.4 Despite these changes, issues still arose during the September event. It is clear the location is not appropriate for events and the issues that are caused cannot be prevented. The location cannot ensure the safety of all those attending or the public using the highway.
- 1.5 Essex police received numerous calls from members of the public from both events, reporting traffic concerns surrounding both events including reports of vehicles travelling the wrong way around roundabouts and at many points the road was completely gridlocked. Vehicles were seen driving over the central reservation to get past this traffic, which was made worse by many attendees of the event parking dangerously along the road to avoid waiting in the queue.
- 1.6 Marshalls who were employed to help manage traffic were ignored by attendees of the festival and were therefore unable to control the traffic. Cones to prevent parking placed along the side of Essex Regiment Way were completely disregarded resulting in vehicles parking along the verge and on the Wheelers Hill roundabout.

- 1.7 Pedestrians were seen to be walking down the unlit road with heavy traffic, unable to be seen by drivers until the last minute. Essex Regiment Way was closed for approximately 2-3 hours whilst the venue cleared out and cars and pedestrians cleared from the carriageway. Disturbances have been reported by staff at the McDonalds near to Wheelers farm with a lot of customers entering the premises at once and being argumentative and aggressive to staff. Noise complaints from residents have also been received.
- 1.8 Police had to attend to help manage the traffic on both occasions, causing a drain on resources and resulting in other incidents not being attended.
- 1.9 On the 4<sup>th</sup> September the event took a traffic officer and a vehicle away from policing the north of the county's roads for approximately 6 hours. An additional 2 units were required when the decision was made to put road closures in place. Whilst there was a temporary 30mph speed limit in place most of the traffic was not abiding to that
- 1.10 Essex police have received over 20 calls to our force control room in response to both events. The calls mostly relate to concerned residents and drivers who are worried someone is going to be involved in a serious road traffic collision which could be fatal.
- 1.11 Attendance and subsequent events were captured on Body Worn Video (BWV) cameras worn by the police officers. Should it be possible in the timescales to do so, Essex Police will seek to show some of this evidence at the hearing.
- 2.0 **Reason for review**
- 2.1 If this event was to take place again in the future it could potentially lead to a very serious incident or fatality. The event site is situated adjacent to the A130, this is a main route from Chelmsford to Braintree. No public transport is available to or from the site. Anyone attending would need to drive or get a taxi. The location and infrastructure surrounding the event is just not appropriate to hold such large-scale events.
- 2.2 Similar incidents have happened with both events. Extra measures had been put in place for the second event to go ahead but even with these measures the same concerns have been witnessed.
- 2.3 No previous events have been held in this location and it was not foreseen how much disruption this would cause to members of the public using nearby roads. This has had a huge impact on the local community and residents living within the vicinity. On the 4<sup>th</sup> September due to the volume of traffic and congestion on Essex Regiment Way there was no choice but to put a diversion in place which diverted traffic in to Little Waltham village causing an impact to the community with concerns raised of it potentially becoming regular occurrence.
- 2.4 Events of the evening on 24<sup>th</sup> July have been caught on camera by PS [REDACTED] and can be seen in Exhibit

- 2.5 A statement from PC [REDACTED] can also be viewed giving first-hand experience of the evening on 4<sup>th</sup> September. (Exhibit)
- 2.6 During both events our police control room received a total of 24 calls. Summarised below is a list of calls received by police during the events at Wheelers Farm on the 24<sup>th</sup> July and 4<sup>th</sup> September

### **24<sup>th</sup> July**

**15:06hrs** – Reporting a Rave near by and that the noise has been going on since the morning.

**17:15hrs** - Report of multiple cars traveling the wrong way round the roundabout and over it completely. Advising the whole road is gridlocked. Vehicle seen going over the central reservation and a strong smell of cannabis coming from the vehicles.

**17:15hrs** - Report of people driving dangerously and driving over the roundabout, caller concerned that an accident may happen.

**17:21hrs** - Report that it is chaos, people driving the wrong way around the roundabout and over it completely.

**17:45hrs** - Report of a large amount of traffic and that people are driving the wrong way down the roads.

**18:01hrs** - Reporting traffic concerns and that an accident will happen.

**18:06hrs** - Report that vehicles are traveling down the wrong side of the road and reversing the wrong way down the road. Concerned that an accident will happen as people are walking in the road

**18:06hrs** – Reporting 4 lanes of traffic all going the same way. Vehicles seen driving up the verge, pedestrians walking in the road, Caller has been at stand still for an hour. An Ambulance would be unable to get through the traffic.

**18:14hrs** Report that a horse trailer cannot get past. Caller advised the smell of cannabis is coming from vehicles and complaining that she needs to get home to give her child medication.

**18:36hrs** - Caller complaining that she has been stuck in traffic for over an hour

**19:23hrs** – Reports of a rave nearby.

**19:35hrs** - Caller reporting he has had to leave his property as it is getting completely out of hand.

**22:26hrs** - People leaving event and walking in the road, people in dark clothes, a coach seen reversing on to the roundabout, Strong smell of alcohol and cannabis on people. Caller concerned a RTC will occur.

**23:03hrs** - Report of People walking all over the road

**23:07hrs** - Report that loads of people are walking in the road. Worried someone is going to get seriously hurt or killed.

**23.25hrs** - Loads of people from the event have entered McDonald's. Staff are being prevented from locking the doors.

#### **4<sup>th</sup> September**

**17:09hrs** – Reporting that people are not abiding by the traffic management in place and driving through the cones. 2 cars nearly drove into caller. Concerned expressed that an accident will happen.

**19:16hrs** – Report that vehicles are parked dangerously along the verge with people getting out and stepping into the road.

**20:35hrs** – Report that Vehicles are being parked on the road and on roundabouts, concerned that other vehicles cannot get past.

**20:39hrs** - Pedestrians walking along the road Concerned someone is going to get run over

**20:43hrs** – Report that a large number of people are walking along the road, persons are intoxicated and weaving in and out of the road. Marshalls are not controlling the situation.

#### **Road Closed**

**22:21hrs** - Report of a loud disturbance

**22:32hrs** - Reports of vehicles racing up and down the road.

**2350hrs** - Report that caller is lost after being to the festival.

**00:12hrs** – **Road reopened**

### **3.0 Outcome Sought**

- 3.1 Essex Police asks that the premises licence is revoked. Essex polices original concerns have been evidenced in both events and it is of great concern that if this event was to go ahead again someone could end up seriously injured.
- 3.2 This submission and appended documents provide the licensing sub-committee with background arguments and information pertinent to that contention. These provide the sub-committee with a sound and defensible rationale as to why it should revoke the licence.
- 3.3 If the premise is allowed to continue to operate with a licence it is Essex polices belief that further incidents will occur. To prevent further risks to the public, Essex police are requesting revocation of the licence.
- 3.4 It is in such circumstances as this review application that a respondent may suggest that conditions are imposed. Essex police licensing have agreed 41 Conditions with the premises licence holder for this event to take place and it is clear from both events that no amount of conditions will change the outcome.
- 3.5 Great effort has been put in by all responsible authorities and the licence holder to make this a safe event but unfortunately the location is simply inappropriate and a danger to attendees of the festival and the general public using the highway.

#### 4.0 **Statutory Guidance (s182 LA 2003) and the Authority's Licensing Policy**

- 4.1 In order to avoid punitive action, respondents to review hearings sometimes refer to both the statutory guidance issued under section 182 Licensing Act 2003 and those parts of the Authority's own policy which replicate paragraph 11.10 of that Guidance, viz:

*Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holder's early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns.*

- 4.2 Essex Police and responsible authorities have advised licence holders of concerns and steps have been made to improve the event previously, but the issues caused can not be prevented as witnessed on both occasions.
- 4.4 In particular; Essex Police submits that paragraph 11.10 of the Guidance must be read in conjunction with the more specific paragraphs relating to reviews arising in connection with crime (paras. 11.24 – 11.29).

#### 5.0 **Case Law**

Essex Police anticipate that the respondent will argue that revocation is inappropriate because of the financial impact this will have and that the licence holder. However, given the circumstances leading to this review Essex Police would contend that though a relevant consideration it should be discounted.

This view is supported by the Statutory Guidance issued under the Act, viz:

##### Paragraph 11.26

*It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.*

##### Paragraph 11.23

*(...) However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action*

*to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence (our emphasis).*

Furthermore, as regards revocation, case law provides additional support, viz:

In the case of *R (on application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others* (2011) EWCA Civ 312, Lord Justice Toulson said:

*"Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact."*

The decision is important because it illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment and should not be looked at entirely in isolation. The effect on a range of factors such as crime and the quality of life for residents and visitors must be considered and not just the narrow consideration of the premises itself.

In the case of *East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant)* (2016) Mr Justice Jay said:

*The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.*

In the case of *R (Bassetlaw District Council) v Worksop Magistrates' Court*; [2008] WLR (D) 350, Mr Justice Slade

*"On the determination under s 52 Licensing Act 2003 of an application for review of a premises licence in circumstances involving criminal conduct connected with the licensed premises, consideration must be given to what was necessary to promote the objective of crime prevention, and to the needs of the wider community, and not be limited to guidance and remedial action and to the needs of the licence-holders"* (para 32.1).

*“(...)wider considerations come into play and the furtherance of the licensing objective engaged includes the prevention of crime. In those circumstances, deterrence, in my judgment, is an appropriate objective and one contemplated by the guidance issued by the Secretary of State” (para 32.1)*

*“However, in my judgment deterrence is an appropriate consideration when the paragraphs specifically directed to dealing with reviews where there has been activity in connection with crime are applicable” (para 33.1).*

- 5.1 Quite simply, having regard to the existing levels of alcohol-related crime and anti-social behaviour and risk to public safety, Essex Police believes that this will be worsened if this premises licence is not revoked.

**WITNESS STATEMENT****Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

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Statement of: [REDACTED]

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Sergeant

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false, or do not believe to be true.

Signature [REDACTED] (witness) Date: 13/09/21

I am a Police Sergeant currently serving with Essex Police. My current role within Essex Police is that of Roads Policing Sergeant based at Stanway Roads Policing Unit. Although based at Stanway I am responsible for Roads Policing for the north of the County of Essex.

During the course of this statement I shall refer to the following locations;

WHEELERS FARM – A premises located on Wheelers Hill, Little Waltham, Chelmsford Essex. Wheelers Hill is a single carriageway road normally subject of a national speed limit (60mph). Although there is 1 lane in either direction it is a fairly narrow road.

Essex Regiment Way (A130) – Essex Regiment Way is the main trunk route between the City of Chelmsford and the town of Braintree. It is an unlit single carriageway road with 1 lane in either direction, normally subject of a national speed limit (60mph). The road runs from the northern edge of Chelmsford, in a northerly direction to the junction of Braintree Road with numerous roundabout junctions in between, one of which being the roundabout junction with Wheelers Hill. The particular stretch I will refer to is between the roundabout junctions of Pratts Farm Lane to the south and Braintree Road to the north. The Wheelers Hill roundabout being between these two roundabouts. The carriageway on this stretch is quite wide and could probably accommodate 3 lanes of traffic, although there is only 2 with verges either side of the road.

On Saturday 4<sup>th</sup> September 2021 at 1400 hours I commenced my duty at Stanway RPU working a late shift until 2300 hours. At the beginning of my shift I was made aware of a music festival taking place at WHEELERS FARM just outside of Chelmsford. About 1830 hours the same day

Signature: [REDACTED] Signature witnessed by: [REDACTED]

I was made aware of a highway disruption incident by the force control room. It was being reported by a member of the public that traffic management being put in place at the music festival at Wheelers Farm was being ignored by motorists with people driving around cones. The information to Police told the call taker two vehicles had nearly driven into her and she felt it 'was an accident waiting to happen'. I made my way to the location along with another RPU unit, callsign QT19, containing PC [REDACTED] Jackson and PC [REDACTED]. On arrival at Essex Regiment way I was able to see traffic management had been put in place from the roundabout with Pratts Farm Lane going north bound in the form of traffic cones down the centre line of the carriageway. About half way between Pratts Farm lane and Wheelers Hill a temporary 30mph speed limit was in place and 'No Parking' cones had been placed along the side of the carriageway. This continued onto the other side of Wheelers Farm roundabout up to the junction with Braintree Road. A large number of vehicles were ignoring the 'no parking' signage and were parked part on the verge, partly in the carriageway on both sides of Essex Regiment Way. Whilst these vehicles were in contravention of parking restrictions I did not consider that they were in a dangerous position nor causing any obstruction so I had no power to remove the vehicles or impose fines on the drivers. At the roundabout junction with Wheelers Hill I saw that cones had been placed on the northern part of the roundabout meaning traffic going north was unable to turn right onto Wheelers Hill and likewise cones place on the southern part meaning traffic coming from Wheelers Hill could not turn right to go north on Essex Regiment Way. The approved route for traffic travelling north wishing to enter Wheelers Hill was to continue to the next roundabout junction with Braintree Road, turn around going south and then turn left into Wheelers Hill. On the verges to the side of the roundabout there were also a number of vehicles parked. The manager of the traffic management company told me there was ample parking on site within Wheelers Farm but people attending the event were choosing not to park on site possibly due to egress problems during the last event. They also mentioned that Chelmsford City Council were supposed to provide civil enforcement officers to fine those illegally parking but that they hadn't turned up.

I drove up Wheelers Hill to the junction with Leighs Road where the road bends to the right. There is thick heavy shrubbery on both sides of the road and there is no view around the bend so you cannot see what is approaching on the other side of the bend. As I approached this bend I saw signage had been placed in the carriageway on either side of the road indicating the temporary speed limit almost on top of the bend itself. This had the effect of narrowing the carriageway [REDACTED] could have forced traffic into the middle of the road on a

Signature: [REDACTED]

Signature witnessed by: [REDACTED]

blind bend potentially into the path of oncoming traffic. I believed this was dangerous and posed a risk to road users so I returned to the roundabout where I asked the manager in charge of the traffic management to have the signage moved.

I continued to patrol the area to ensure the traffic remained flowing and that motorists were abiding by road traffic laws and where my powers extended the traffic management also. During my patrol I noticed that the traffic management company had removed the cones from the southern part of Wheelers Hill roundabout but left the cones on the northern part. I witnessed two vehicles travel the wrong way round the roundabout creating a high risk of a collision occurring. The driver of one of the offending vehicles claimed that one of the marshals / stewards from the event / traffic management company had told them to drive the wrong way. I had to instruct the traffic management company to reinstate the cones on the southern part of the roundabout to prevent any further offending taking place and reduce the risk of a collision. In addition to this vehicles were moving the cones down the centre of Essex Regiment Way in order for them to conduct u-turns. As the traffic management plan did not have signage to prohibit u-turns I and the other officers on scene were unable to do anything about this as what the vehicles were doing was not unlawful.

About 2130 hours when the event at Wheelers Farm was coming to an end the attendees started to leave the venue on foot walking out onto the roundabout and along Essex Regiment Way. Owing to the vehicles parked on the verge along Essex Regiment Way these pedestrians were forced to walk along the carriageway. The majority of the pedestrians were intoxicated, wearing dark clothing and showing little regard for the road and their own safety. It was now dark and with Essex Regiment Way being unlit motorists travelling along Essex Regiment Way were unable to see the pedestrians until late. This also combined with the fact most vehicles were not complying with the temporary 30mph speed limit meant there was a high risk of a collision between a vehicle and pedestrian. The force control room were receiving multiple calls from members of the public concerned about the pedestrians and a potential collision occurring. In conjunction with the Force Duty Officer I took the decision to close Essex Regiment Way to all traffic except for taxis coming to the venue to collect people. Due to the volume of people leaving the venue and walking in the carriageway Essex Regiment way was closed for approximately 2 to 3 hours whilst the venue emptied, and pedestrian were cleared from the carriageway. This resulted in traffic being diverted through residential areas of Chelmsford during the night. In total this incident to me and multiple other Police units away from our core

Signature: ...

Signature witnessed by: .....

role and had an impact on our ability to respond to incidents both on the roads in the north of Essex and within Chelmsford district as whole.

In my opinion the venue at Wheelers Farm is not suitable to host an event of this nature owing to its location and the infrastructure surrounding it. Were the venue to host another event of this nature I believe it would require more strict traffic management and dedicated police resources to ensure compliance with that traffic management.

Whilst on scene at the location I took a series of 10 photos of the vehicles parked on Essex Regiment Way and the roundabout at Wheelers Hill. I can produce these as my exhibits SCP/01 – SCP/10.

These are my original notes made in the Sergeants office of Stanway Roads Policing Unit on Monday 13<sup>th</sup> September 2021

Signature: 

Signature witnessed by: .....





















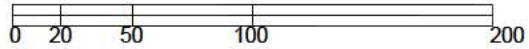


**AREA OF  
WHEELER'S FARM  
TO BE LICENSED.  
PREMISES LICENSE  
2021  
BJP PRODUCTIONS  
LTD**





SCALE BAR 1:1000



**BJP**

**Productions**

Event: Wheelers Farm

Venue: Wheelers Farm

Version: 4

Date: 22.05.2021

Drawn By: Annette Blair

Client: BJP

- Amendments: Updated by AB
- Relocated Medical and Site Office / Control.
  - Repositioned Medical Steel Shield gate for emergency access.
  - Added Heras Fence line between Medical and Event BOH.
  - Boneyard gates repositioned to access from Site Office / Control.
  - Boneyard extended to utilise vacant space.

**KEY**

	Main Stage
	Container
	Marquees
	Cabin
	Toilets
	Carpark
	Grass
	Trees / Hedges
	Track
	MOJO Barrier
	Heras Fence Line
	Steel Shield Line
	PUDO Area
	Flood Lights
	CCB
	Disabled Toilet
	Urinal
	Hand Washing Station
	VIP Toilet



**Licensing Authority**

Chelmsford Licensing  
Community Safety Hub  
Civic Centre  
Duke Street  
Chelmsford  
CM1 1JE



Essex police  
Licensing Unit  
Braintree police station  
Essex  
CM7 3DJ

Date: 09/06/2021

## **OBJECTION TO APPLICATION FOR A PREMISES LICENCE (LICENSING ACT 2003)**

Essex Police has received a copy of an application for a New Premises Licence at Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford CM33LZ. This application is for a festival event to take place between the dates of 1<sup>st</sup> April -1<sup>st</sup> November each year. The Sale of Alcohol Both on and off the premises and regulated entertainment has been applied for.

On behalf of the Chief Officer of Essex Police, I wish to object to this application on the grounds that if granted the crime and disorder, public nuisance and public safety objectives of the Licensing Act 2003 are likely to be undermined.

Essex Police have a duty to ensure that an application of this nature do not adversely impact on the community in respect of crime and disorder, public safety and nuisance and have no alternative other than raise our concerns and an objection.

The site is located adjacent to the A130, the site is not secure and there is a real possibility of people under the influence of alcohol making their way through the back of the site onto the busy road. Having reviewed the Event management documents no traffic management plans have been submitted and given the number of people expected this is a great concern.

If this licence was to be granted as it is the area would be fully licensed with events able to take place throughout the year causing public nuisance to residential properties in the vicinity as well as the potential for large scale disorder. Essex police have received no correspondence before receiving this application and therefore unable to discuss vital conditions which would need to be put in place if this event was to go ahead.

An urgent Safety Advisory Group meeting has been requested so that all responsible authorities can discuss potential concerns and advise the applicant on what they would need in place for this event to go ahead.

Essex police request that the application is refused until reasonable and appropriate steps to promote the licensing objectives are put in place. Essex police would request a strong suite of conditions which I have attached.

In accordance with paragraph 11.9 of the Statutory Guidance Essex Police may amplify its representation at the subsequent hearing. Essex Police may also produce further documentary or other information in support of this application ahead of the hearing and would ask the authority to take this into account as it may do under Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005.

Yours Sincerely

Rachel Savill  
Police Licensing Officer  
Chelmsford and Maldon

1. The licensing authority must be notified of all events 60 days before the date of the event together with any proposed event management plan.
2. An event management plan to be agreed with the Safety Advisory Group (SAG) 30 days before any event or with Essex Police if the SAG decide that they do not need to be consulted.
3. An incident log shall be maintained and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and shall record the following:
  - (a) All crimes reported to the venue
  - (b) All ejections of patrons
  - (c) Any complaints received concerning crime and disorder
  - (d) Any incidents of disorder
  - (e) All seizures of drugs or offensive weapons
4. SIA licensed security staff shall be used in accordance with a site security plan which will form part of the event management plan and a record shall be maintained (on the premises) which is legible and details:
  - a) The day and date when door supervisors are deployed;
  - b) The name and SIA registration number of each door supervisor on duty at the premises; and
  - c) The duty start and end time for each door supervisor.

This record shall be retained for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.

5. All security staff (and stewards) will wear high visibility clothing ensuring that they are readily identifiable.
6. There shall be a personal licence holder on duty on the premises at all times when alcohol is being sold or offered for sale.
7. The premises shall have in place and operate a zero tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means. This policy may form part of the event management plan.

This policy shall specifically include but not be limited to:

- i. Searching practices upon entry;
  - ii. Dealing with patrons suspected of using drugs on the premises;
  - iii. Scrutiny of spaces including toilets or outside areas;
  - iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);
  - v. Staff training regarding identification of suspicious activity and what action to take;
  - vi. The handling of items suspected to be illegal drugs or psychoactive substances
  - vii. Steps taken to discourage and disrupt drug use on the premises
  - viii. Steps to be taken to inform patrons of the premises drug policy/practices
  - viii. Patrol of perimeter (Haras) fencing to deter drug supply
8. All persons entering or re-entering the premises will be searched by a SIA licensed door supervisor for drugs, alcohol and concealed weapons.

Prominent signs (minimum size 200 x 150 mm) to this effect shall be displayed at all entrances.

9. In addition to water, other non-alcoholic beverages shall be available at all times whilst alcohol sale or supply takes place.
10. Customers will not be permitted to remove any alcoholic drinks purchased on the premises.
11. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:
  - Proof of age card bearing the PASS Hologram;
  - Photocard driving licence;
  - Passport; or
  - Ministry of Defence Identity Card.
- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

12. The premises shall clearly display signs at the each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force.

At the point of sale, such signs shall be a minimum size of 200mm x 148mm.

13. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to including under-age sales, how to recognise drunkenness and the duty not to serve drunk persons, following which they will be issued with and wear a wristband whilst on duty confirming their authority to sell alcohol.
14. Training records shall be maintained and kept for a minimum of 12 months and made available to police or licensing authority staff upon reasonable request.
15. A refusals record shall be maintained at the premises, which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police or licensing authority staff upon reasonable request.
16. The Promoter shall ensure a full and detailed consultation process is undertaken with each of the Responsible Authorities and those persons/organisations referred to in Event Safety Guide issued by the Health and Safety Executive (or, any replacement guidance subsequently issued). In particular, each annual event will be preceded by a Safety Advisory Group (SAG) debrief meeting. The SAG will meet further throughout the planning process as is deemed necessary by the group.
17. Authorised officers of Essex Police, Chelmsford City Council, Essex Fire and Rescue, East of England Ambulance Service and Responsible Authorities who are in the course of their duties shall have free access to all parts of the licensed site at all reasonable time for the purpose of supervision and enforcing the observance of the Licensing Objectives and other relevant legislation.

18. The licence holder will appoint a competent security/stewarding contractor with expertise in the operation of security and stewarding of large scale outdoor events. The security/stewarding contractor will ensure there are the correct number of SIA registered security staff at the event. Full details will be contained within the EMP.
19. The licence holder will ensure there is an area within the licensed site that can facilitate a rendezvous point for the Police and other emergency services in the event of a major incident.
20. The licence holder will ensure adequate stewarding within the licensed area will be provided at all times during the event from a security contractor who has expertise in managing the operation of large scale outdoor events. The security contractor shall provide the relevant number of SIA registered staff.
21. The security contractor shall on behalf of the licence holder take appropriate measures to prevent dangerous or offensive weapons, glass, illegal drugs and any other item considered detrimental to the safety of persons attending the event from being brought into the licensed area.
22. The licence holder will ensure a full stewarding plan and evacuation plan will be produced as part of the EMP.
23. The licence holder will ensure a number of sealed skips or other appropriate containers will be placed at each entry point for the safe disposal of prohibited items.
24. The licence holder will ensure persons attending will be searched at random by security personnel on entry to the campsites and or arena.
25. CCTV cameras shall cover all entrances and exits to the event.
26. At least 1 door supervisor supervising the entrance and all areas where the sale of alcohol takes place to the premises will wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the licensing authority upon reasonable request.
27. An Alcohol Management Plan will be drawn up by the Concessions Contractor which will set out procedures to minimise any contribution to crime and disorder from the consumption of alcohol.
28. All drinks will be dispensed in either plastic bottles or collapsible cups or containers, no glass vessels to be used. The sale of glass bottles for Champagne, sparkling or premium wines will be allowed only in a dedicated security controlled area which will be detailed in the Event Management Plan/Alcohol Management Plan and on the Site Plan each year.
29. The licence holder will ensure the perimeter of the licensed area will be securely fenced and cordoned off so as to enable the licence holder to safely control the event.
30. The licence holder will ensure the campsites will be fenced off with entry gates manned by security personnel.

31. The licence holder will ensure vehicle movement in the licensed area will be kept to a minimal for essential vehicles only.
32. The licence holder will ensure a vehicle curfew on egress of the arena will be implemented on the instruction of the Security Manager or his/her deputy to ensure safe egress of customers to the car parks and campsites. A system will be implemented at crossing points on the emergency vehicle route which will prevent large numbers of the public mixing with vehicles. Details of how this is achieved are contained within the Security Report in the EMP.
33. The licence holder will ensure the main arena will be fenced off with entry gates manned by security.
34. The licence holder will ensure each stage, tower or structure where required will have a barrier designed to adequately resist right angle and parallel loads commensurate with crowd pressure. Full calculations for each of these barriers will be contained within the EMP.
35. The licence holder will appoint a Traffic Management Contractor who is experts in the management of traffic for large scale outdoor events. To help minimise unreasonable disturbance to local areas the appointed company shall prepare in liaison with Essex Police and Essex County Council Highways section. This will include details of routes, road closures, signage and an access gate numbering system. Any contingency plans should not be put into affect during the ingress and egress on the surrounding roads without consultation between the Traffic Consultant, Essex Police and Essex County Council Highways.
36. The licence holder will ensure under current legislation all information given out in advance will say that no one under the age of 16 years should attend an event unless accompanied by an adult. The licence holder will state in all pre event literature and information that 'under 16's must be accompanied by an adult'.
37. The licence holder will advise customers in advance that the event operates the 'Challenge 25' policy, or any subsequent guidance, and advise them against buying alcohol for any person under 18.
38. The licence holder will ensure the appointed security contractor will provide staff at each entrance where searches for items including illegal drugs will take place.
39. The licence holder will ensure any person found to be carrying drugs that have ignored the amnesty warnings at the gates will be handed to Essex Police
40. The licence holder will ensure any person suspected of holding drugs will be removed from the event, searched and if illegal drugs are found on their possession they will be handed to Essex Police.
41. A written dispersal policy will be formulated and provided to the police and licensing authority which amongst other things details:
  - How patrons leaving the premises shall be directed away from the premises;
  - How patrons will be informed of the services of taxi and private hire operators;
  - What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;

## Proposed Conditions – Wheelers Farm BJP Productions

- Any 'wind' down periods;
- Methods to prevent re-entry to the premises;
- How bottles and glasses will be prevented from being removed from the premises at closing time.

**Legal and Democratic Services**

Chelmsford City Council  
Duke Street  
Chelmsford  
Essex, CM1 1JE

T: 01245 606523

E: [REDACTED]  
Officer:

[REDACTED]

Date: 10<sup>th</sup> December 2021

Dear Sir/Madam,

**Licensing Act 2003 - Application for a Review of a Premises Licence - BJP Productions, Wheelers Farm, Wheelers Hill, Little Waltham, Chelmsford, CM3 3LZ**

I am writing to advise you of the decision of the Licensing Committee who considered the above application at the hearing held on the 3rd December 2021.

The Committee has given careful consideration to this application by Essex Police for a review of the premises licence and to all relevant representations both written and as expanded on in the course of the hearing. In reaching its decision the Committee has also had regard to relevant parts of the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 ("the Guidance") including in particular Part 11 (Reviews).

**RESOLVED** that the Committee has decided not to revoke the licence on this occasion but instead considers it appropriate for the promotion of the four licensing objectives that the following steps (which involve modification of the conditions of the licence) be taken:-

- 1) The imposition of the conditions proposed by Mr Lewis Mould (on behalf of Environmental Protection Services) in his amended representation (29 November 2021) which is set out in Appendix C to the report before Committee.

Note: these conditions include the condition which limits licensable activities to a maximum of 4 weekends (to include Friday, Saturday, and Sunday) in any calendar year.

Exhibit RS/2

- 2) The imposition of a further condition to the effect that the number of patrons at any event shall not exceed 1,500 patrons.

### **Reasons for Decision**

1. The Committee considers that the incidents which took place on the 24 July and 04 September and which resulted in Essex Police seeking a review of the licence were unacceptable. The three licensing objectives cited by Essex Police in their application were engaged and had been undermined to various degrees. The incidents - in particular the need to respond to and manage the major traffic management issues - had been a drain on police resources. In addition, noise nuisance had been experienced by local residents and there had been some isolated incidents (albeit relatively low level) of anti-social behaviour on the part of patrons connected to the parking on Essex Regiment Way.
2. The Committee is mindful of the fact that the licence holder had consulted / agreed a traffic management plan for the 04 September event with the Safety Advisory Group (SAG). However, as Paul Brookes, the Chair of SAG had confirmed, the reality was that this plan (and, indeed, the plan for the previous 24 July event) had failed to work in practice in relation to traffic management. Even though it might be the case that the licence-holder had used their best efforts on the 04 September to try to control the escalating traffic issues, these efforts had been ineffective. Public safety had been seriously compromised. Both the law and the Guidance make it clear that the licensing authority's duty on a Review is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community. The fact that the licence-holder and staff working at the event may have fully complied with conditions attached to the licence and used their best efforts to resolve the traffic issues arising in the course of the event and were themselves appalled at how things turned out could not detract from this duty. In addition, whilst reference had been made to the personal difficulties that Mr Silver and his close family were going through and this warranted sympathy, they were completely irrelevant to the determination of the Review and the Committee could not (and did not) take them into account in making its decision.
3. The Committee is satisfied on the evidence before it that there had been noise nuisance emanating from both the events on 24 July and 04 September 2021. The Council's Environmental Protection Service had received a number of noise complaints from residents about both events, and officer visits during the September event had confirmed that high levels of noise, causing disturbance,

were audible at nearby residential properties. (The licence-holder did not, in any event, dispute this noise nuisance.) The Committee considers, however, that imposition of the stringent conditions proposed by Mr Lewis Mould and set out in Appendix C to the report (which, among other things, restrict licensable activities to 4 weekends in the calendar year and impose maximum noise (decibel) levels) would, if properly adhered to, prevent the recurrence of such noise nuisance.

4. The Committee is satisfied on the evidence before it that the event on the 04 September in particular gave rise to major road traffic problems, with (among other things) vehicles travelling the wrong way around roundabouts, driving over the central reservation, the road becoming gridlocked at points, and patrons ignoring / disregarding event marshals and parking dangerously along Essex Regiment Way to avoid waiting in the queue to access legitimate parking facilities on the event site. Patrons who had parked on Essex Regiment Way were walking on and across Essex Regiment Way to access and egress the event site, putting themselves at risk of being hit by traffic. These concerns and congestion issues necessitated the closure by Essex Police of Essex Regiment Way for several hours and the consequential diversion of traffic through Little Waltham and other areas. (The licence-holder does not dispute the 04 September event gave rise to these problems which undermined the licencing objectives in question.)
5. The Committee has given both careful consideration and attached considerable weight to Essex Police's submission that the only appropriate step for the Committee to take in this review is to revoke the licence, because if the premises were allowed to continue to operate under the licence they (Essex Police) believe traffic chaos would ensue and that public safety etc would once again be undermined. Ultimately, however, it is for the Committee (not Essex Police) to assess the matters / issues and reach its own determination on the step(s) that it was appropriate to take to promote the licensing objectives. The Committee is prepared to accept Essex Police's contention that even if capacity (patrons) at events were to be reduced from 5,000 to 3,000 this would not be acceptable – traffic management issues could still arise and undermine the public safety objective.

6. On a careful analysis, however, the Committee is unable to accept the wider position put forward by Essex Police - namely, that the location of the licensed premises is simply not suitable for events of this kind - or at least for events with a capacity exceeding 500 patrons. (The Committee notes that in the course of the hearing, Mr McManus, on behalf of Essex Police, and in a response to a question from Cllr Jones, conceded that if the number of patrons was reduced to 500 then this would not be problematic.) There is, in the Committee's view, no empirical / objective evidence before the Committee to support the position taken by Essex Police. Conversely, it is a fact that the current premises licence was granted on 02 July 2021 and its scope permitted the number of patrons who attended the events on 24th July and 4th September. The SAG approved traffic management plans for the two events were likewise predicated on the basis that, with the appropriate traffic control measures in place, the capacity was acceptable. From an objective standpoint, for Essex Police suddenly to take the stance that the licensed premises (which have adequate parking facilities on site to accommodate patrons) is completely unsuitable for events (or events not exceeding 500 capacity), is not, on the evidence before the Committee, sustainable. On balance, the Committee is of the view that the failure of the traffic management plans and the difficulties experienced on 04 September were, in the main, attributable to the actual behaviour of the patrons attending the event (i.e. ignoring traffic management and acting in an irresponsible manner), rather than indicative of the location itself being unsuitable for licensable activities of the kind authorised by the licence. (The Committee notes that this was, indeed, the view expressed by Mr Paul Brookes at the hearing.)
7. The Committee has also had regard to the licence-holder's assertion that had there been traffic wardens (i.e. Civil Enforcement Officers) and a tow truck in attendance during the September event then the traffic chaos could have been avoided. The Committee has given some, limited, weight to this factor. The Committee has taken note of the fact that Civil Enforcement Officers (who are employed by and operate under the auspices of the South Essex Parking Partnership) do not have the power to tow away vehicles. They are limited to issuing (and affixing to offending vehicles) Parking Contravention Notices which require the payment of a civil penalty fine. Only the police (and certain other agencies) have the powers (in certain circumstances) to arrange for the removal of parked vehicles. Furthermore, the Committee considered that even the presence and operation of a tow truck on the 04 September would have had little impact in relation to vehicles already parked on Essex Regiment Way, given

the sheer number of vehicles involved. The Committee agreed, though, that the visible presence of Civil Enforcement Officers would be likely to deter some patrons from parking illegally.

8. Whilst there may be different views on what the acceptable capacity limit for events should be, the Committee itself is satisfied (taking into account its own local knowledge of the location) that a capacity limit of 1,500 patrons would not undermine the licensing objectives, subject to there being an adequate SAG approved traffic management plan being in place and adhered to. Having regard to the traffic chaos that occurred on the 04 September and the information before it at the present time, the Committee considers that the imposition of this condition limiting capacity is appropriate for the promotion of public safety.
9. In determining this review the Committee has also considered the licence-holder's suggestion that a condition could be attached to the licence precluding the location from being used in the future for "The Originals" events. However, the Committee is of the view that a condition of this nature would be potentially ineffective and difficult, if not impossible, to enforce - as in terms of substance it concerned more with restricting the genre of the music played and the age / cultural makeup of patrons attracted to such music, rather than with a particular identifiable group of performers. Furthermore, the Committee has some doubts as to whether a condition of this nature would be appropriate or even legitimate given that it could be regarded as discriminatory in some respects. The Committee takes the view that it is essentially a matter of judgement for the licence-holder to determine which groups /music genres are appropriate to invite to perform at events. Furthermore, even if such a condition were to be feasible the Committee would still consider it appropriate to impose the condition limiting capacity to 1,500 and the conditions proposed by Mr Mould.
10. The Committee has also had regard to the reference by Essex Police in their application to disturbances reported by staff at a nearby McDonalds restaurant, with lots of customers entering the restaurant at once and being argumentative and aggressive to staff, albeit it would appear that this incident has not resulted in any formal police investigation or institution of criminal proceedings. The Committee notes that the licence-holder disputes that there is a proven nexus between this incident and the event. In this regard the Committee is mindful of

paragraph 11.7 of the Guidance and is inclined to agree. Even if it could be shown that the individuals in question were connected with attendance at the event, it does not necessarily follow that there is a causal connection between the event and their actual behaviour at McDonalds.

### **INFORMATIVE**

Whilst the matter hasn't influenced the Committee's decision, the Committee notes that there appears to have been a "disconnect" or misunderstanding / breakdown in communication of some sort as between the licence-holder and SEPP /Essex County Council regarding the attendance "traffic wardens" (Civil Enforcement Officers) at the 04 September event. The licence-holder appears to have been under the impression (rightly or wrongly) that there would be Civil Enforcement Officers in attendance, with Essex County Council also involved in some degree, and that also there would be a tow truck available with capability to tow away offending vehicles. The Committee is unable to comment on whether provision of such services would have been feasible on the day (save that as already mentioned, SEPP Civil Enforcement Officers do not have the powers to remove vehicles) and if so the terms on which they would have been provided. The Committee would stress, however, that ultimately it is the responsibility of the licence-holder to ensure that arrangements of this kind have been agreed and confirmed with the agencies in question.

Yours sincerely,



Democratic Services Officer



**Chelmsford City Council**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@chelmsford.gov.uk](mailto:licensing@chelmsford.gov.uk)  
 Telephone: 01245 606727

\* required information

## Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

This is the unique reference for this application generated by the system.

Your reference

WF110322APP

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

#### Name

First name

Family name

#### Contact Details

E-mail

Telephone number

Fax number

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader  
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?

☐ Yes ☒ No

Is the applicant's business registered outside the UK?

☐ Yes ☒ No

**Continued from previous page...**

Commercial register

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**User Profile**

**Name**

First name

Family name

Continued from previous page...

### Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Fax number	<input type="text"/>
Other telephone number	<input type="text"/>

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ Applying as a business or organisation, including as a sole trader
- ☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Your Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Is your business registered outside the UK? ☐ Yes ☒ No

Commercial register

The entity with which your business is registered, for example "Amsterdam Chamber of Commerce".

Registration number

Business name

If your business is registered, use its registered name.

VAT number  -

Put "none" if you are not registered for VAT.

Legal status

Your position in the business

Home country

The country where the headquarters of your business is located.

*Continued from previous page...*

**Address**

Building number or name	<input type="text"/>
Street	<input type="text" value="E"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- ☒ Address      ☐ OS map reference      ☐ Description

*Continued from previous page...*

**Address**

Building number or name	1 WHEELERS FARM
Street	WHEELERS HILL
District	LITTLE WALTHAM
City or town	CHELMSFORD
County or administrative area	ES SEX
Postcode	CM3 3LZ
Country	United Kingdom

**Contact Details**

E-mail	
Telephone number	
Fax number	
Other telephone number	
Non-domestic rateable value of premises (£)	

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

### Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

## Section 4 of 21

### INDIVIDUAL APPLICANT DETAILS

#### Name

Is the name the same as (or similar to) the details given in section one?

- ☐ Yes ☐ No

First name

Family name

Is the applicant 18 years of age or older?

- ☐ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Continued from previous page...

Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

Are the contact details the same as (or similar to) those given in section one?

☐ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
Date of birth	<input type="text" value="dd"/> / <input type="text" value="mm"/> / <input type="text" value="yyyy"/>
Nationality	<input type="text"/>
Right to work share code	<input type="text"/>
<input type="button" value="Remove this applicant"/>	

Documents that demonstrate entitlement to work in the UK  
Right to work share code if not submitting scanned documents

Non Individual Applicant's Name

Name	<input type="text" value="REDACTED"/>
------	---------------------------------------

Details

Registered number (where applicable)	<input type="text"/>
--------------------------------------	----------------------

Description of applicant (for example partnership, company, unincorporated association etc)

DIRECTOR OF COMPANY
---------------------

Continued from previous page...

### Address

Building number or	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>

### Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Fax number	<input type="text"/>
Other telephone number	<input type="text"/>
Date of birth	<input type="text"/>

Nationality	<input type="text" value="BRITISH"/>
	<input type="button" value="Remove this applicant"/>

[Documents that demonstrate entitlement to work in the UK](#)

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?	<input type="text"/>
---	----------------------

If you wish the licence to be valid only for a limited period, when do you want it to end	<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
	dd		mm		yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

40 ACRES OF LAND WITH SECURE WAREHOUSES ON SITE FOR STORAGE OF ALL SUPPLIES INCLUDING ALCOHOL. CCTV AND SECURITY ON SITE.

**Continued from previous page...**

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

## Section 6 of 21

### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

**Continued from previous page...**

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for performing plays

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="13:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="13:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the exhibition of films take place indoors or outdoors or both?

☐ Indoors ☒ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

SECRET CINEMA, SMALL FESTIVALS, SANTAS GROTTOI/WINTER WONDERLAND  
MUSIC WILL BE AMPLIFIED

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

**Continued from previous page...**

Will you be providing indoor sporting events?

☐ Yes ☒ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

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Start

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THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for indoor sporting events

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 9 of 21

### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the boxing or wrestling entertainment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for boxing and wrestling entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the boxing or wrestling entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 10 of 21

### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☒ Yes ☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

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*Continued from previous page...*

WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

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Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors      ☒ Outdoors      ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

FESTIVALS AND MUSIC EVENTS

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

MUSIC EVENTS MAY OCCUR ON BANK HOLIDAYS

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not  
exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 12 of 21

### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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Continued from previous page...

SATURDAY

Start  End

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SUNDAY

Start  End

Start  End

Will the performance of dance take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 13 of 21

### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☒ Yes ☐ No

#### Standard Days And Timings

MONDAY

Start  End

Start  End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

*Continued from previous page...*

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Give a description of the type of entertainment that will be provided

LIVE MUSIC, ACOUSTICS AND DJS

Will this entertainment take place indoors or outdoors or both?

☐ Indoors ☒ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

MAY PERFORM EVENTS ON BANK HOLIDAYS

Continued from previous page...

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 14 of 21

### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes ☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

*Continued from previous page...*

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors                      ☒ Outdoors                      ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 15 of 21

### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes                      ☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

End

*Continued from previous page...*

WEDNESDAY

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Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

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Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

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SATURDAY

Start	<input type="text" value="13:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="13:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- ☒ On the premises    ☐ Off the premises    ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

*Continued from previous page...*

**Name**

First name

Family name

Date of birth

dd mm yyyy

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

13:00

End

23:00

Start

End

SUNDAY

Start

13:00

End

23:00

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

WE WILL OPERATE THE SAME HOURS ON ANY BANK HOLIDAY IN THE UK

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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*Continued from previous page...*

## Section 18 of 21

### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

SECURITY GUARDS WILL BE IN PLACE THROUGHOUT THE EVENT WITH CHECKS AND SEARCHES  
ROAD MANAGEMENT TO ASSIST WITH FLOW OF TRAFFIC  
ID CHECKS WILL BE MADE AND RANDOM CHECKS OF ATTENDEES

c) Public safety

SECURITY WILL LIAISE WITH LOCAL POLICE

d) The prevention of public nuisance

SECURITY WILL BE ON SITE.  
ALCOHOL WILL BE NOT BE SERVED TO ANYONE WHO IS EXCESSIVELY DRUNK ON SITE  
NO ONE WILL BE ALLOWED TO ENTER PREMISES IF THEY APPEAR DRUNK OR HAVE TAKEN DRUGS

e) The protection of children from harm

## Section 19 of 21

### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

#### Section 20 of 21

#### NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

**Continued from previous page...**

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Fee amount (£)

190.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

**DECLARATION**

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date

dd

mm

yyyy

Remove this signatory

*Continued from previous page...*

Add another signatory

Once you're finished you need to do the following:

- 1. Save this form to your computer by clicking file/save as...
- 2. Go back to <https://www.chelmsford.gov.uk/business/licensing/alcohol-licensing/premises-licence/apply-for-a-new-premises-licence/> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

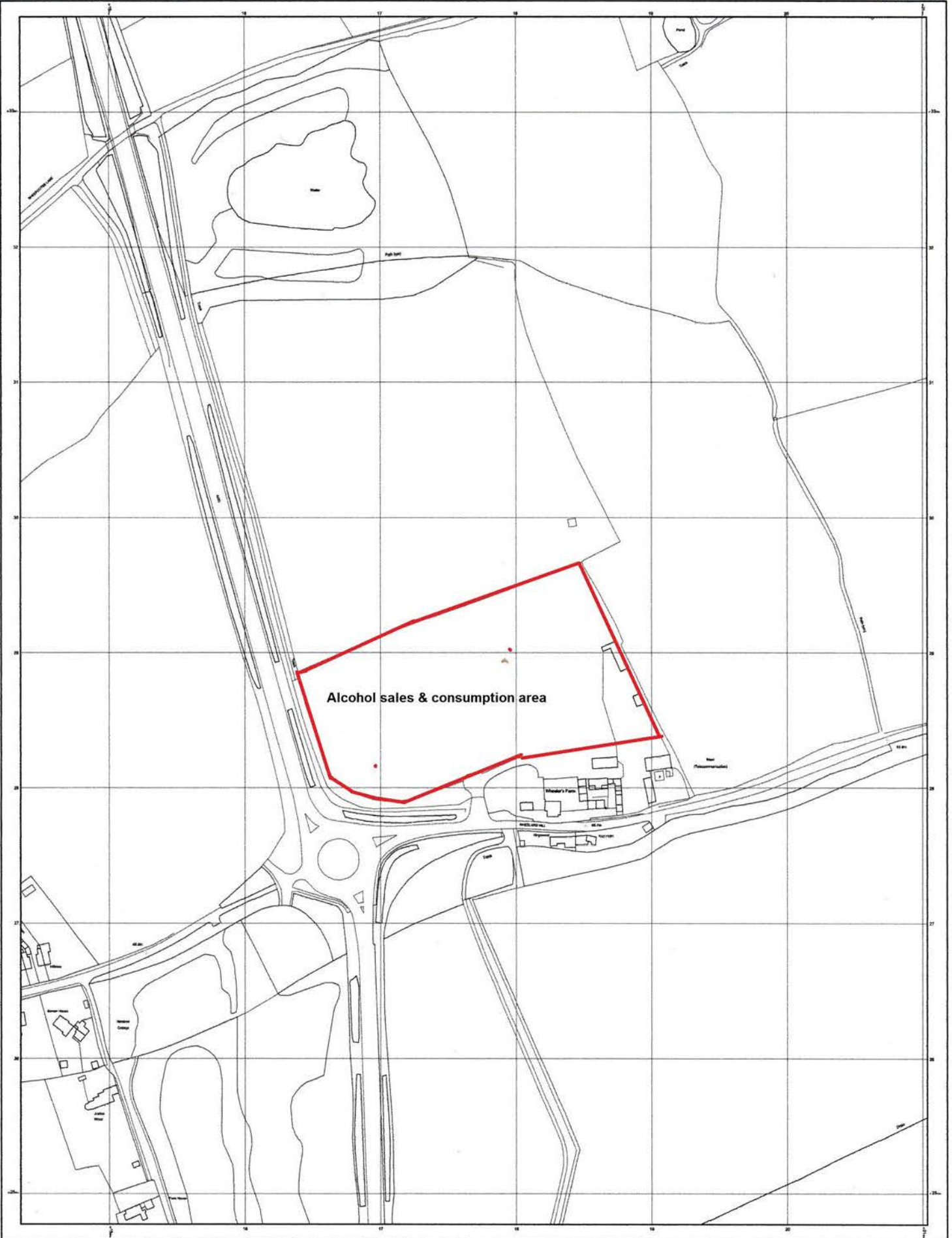
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

OFFICE USE ONLY

Applicant reference number	WF110322APP
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

Digital Signature Information

Signer's name	
Signer's contact information	
Signing time	
Signer status	
Signature status	
Certificate issuer	



1. The licence shall be time limited and authorise licensable activities only between the dates of 30<sup>th</sup> April and 31<sup>st</sup> October annually.
2. The licence shall not authorise licensable activity more than six times a year (none of which shall exceed 13 hours in duration);
3. Customers will not be permitted to remove from the premises any drinks supplied by the premises in open containers.
4. The sale of alcohol for consumption off the licensed premises will be restricted to those persons temporarily residing in land adjacent to the licensed premises (i.e. tents and other temporary structures supplied or permitted to be erected by the licence holder on land occupied or controlled by the licence holder);
5. The number of patrons at any event shall not exceed 1,500.
6. There shall be no events at the premises that are organised, promoted or advertised by an external promoter (i.e. by an individual/organisation not directly related to the management of the premises)
7. A traffic and event management plan shall be submitted to the Licensing Authority, Essex Police and Essex County Council Highways at least 12 weeks prior to any planned event and licensable activity shall not take place if any of these object to the traffic management plan in writing within 6 weeks of submission and that objection is not rescinded.
8. An incident log shall be maintained and made immediately available to police or licensing authority staff upon reasonable request. The log must be completed as soon as is possible and shall record the following:
  - (a) All crimes reported to the venue
  - (b) All ejections of patrons
  - (c) Any complaints received concerning crime and disorder
  - (d) Any incidents of disorder
  - (e) All seizures of drugs or offensive weapons
9. SIA licensed security staff shall be used in accordance with a site security plan which will form part of the event management plan and a record shall be maintained (on the premises) which is legible and details:
  - a) The day and date when door supervisors are deployed;
  - b) The name and SIA registration number of each door supervisor on duty at the premises; and
  - c) The duty start and end time for each door supervisor.This record shall be retained for 31 days and be immediately provided to police or licensing authority staff upon reasonable request.
10. All security staff (and stewards) will wear high visibility clothing ensuring that they are readily identifiable.
11. The premises shall have in place and operate a zero-tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within

the premises on posters and similar means. This policy may form part of the event management plan.

This policy shall specifically include but not be limited to:

- i. Searching practices upon entry;
- ii. Dealing with patrons suspected of using drugs on the premises;
- iii. Scrutiny of spaces including toilets or outside areas;
- iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);
- v. Staff training regarding identification of suspicious activity and what action to take;
- vi. The handling of items suspected to be illegal drugs or psychoactive substances
- vii. Steps taken to discourage and disrupt drug use on the premises
- viii. Steps to be taken to inform patrons of the premises drug policy/practices
- viii. Patrol of perimeter (Haras) fencing to deter drug supply

12. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:

- • Proof of age card bearing the PASS Hologram;
- • Photocard driving licence;
- • Passport; or
- • Ministry of Defence Identity Card.
- • Proof of age card bearing the PASS Hologram;
- • Photocard driving licence;
- • Passport; or
- • Ministry of Defence Identity Card.

13. The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force.

14. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to including under-age sales, how to recognise drunkenness and the duty not to serve drunk persons.

15. Training records shall be maintained and kept for a minimum of 12 months and made available to police or licensing authority staff upon reasonable request.

16. A refusals record shall be maintained at the premises, which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police or licensing authority staff upon reasonable request.

17. The licence holder will appoint a competent security/stewarding contractor with expertise in the operation of security and stewarding of large-scale outdoor events. The security/stewarding contractor will ensure there are the correct number of SIA registered security staff at the event. Full details will be contained within the EMP.

18. The licence holder will ensure a full stewarding plan and evacuation plan will be produced as part of the EMP.

19. CCTV cameras shall cover all entrances and exits to the event.

20. All drinks will be dispensed in either plastic bottles or collapsible cups or containers, no glass vessels to be used the sale of glass bottles for Champagne, sparkling or premium wines will be allowed only in a dedicated security-controlled area which will be detailed in the Event Management Plan/Alcohol Management Plan and on the Site Plan each year.

21. The licence holder will ensure the perimeter of the licensed area will be securely fenced and cordoned off to enable the licence holder to safely control the event.

22. The licence holder will ensure vehicle movement in the licensed area will be kept to a minimal for essential vehicles only.

23. In addition to water, other non-alcoholic beverages shall be available at all times whilst alcohol sale or supply takes place.

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**From:** [REDACTED]  
**Sent:**  
**To:** Rachel Savill 42076871  
**Subject:** EXTERNAL - Fwd: FW: FW: New Premises Licence application - Wheelers Farm - Regala Properties  
**Attachments:** Police Conditions - Wheelers Farm (1).docx; Company authority letter .jpg

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Rachel as the applicant has agreed to all the licence conditions proposed by essex police and chelmsford city council as detailed in my email below to the licencing department in which i copied you in i respectfully request you confirm your objection is withdrawn

*Kind regards*

[REDACTED]

[REDACTED]

Dear licencing i confirm the companys agreement to the conditions in this email from Mr Mould and the conditions required by the police and the condition by council officer Izzie daniel from the chelmsford council public health safety department ie

**"The license holder is to submit an Event Management Pan 60 days before each event to the Business Compliance Team at Chelmsford City Council. This is to allow the Buisness Compliance Team to assess if the premise licence holder has considered the hazards, assessed the risks and have therefore put adequate controls in place to protect the health and safety of the public."**

Exhibit RS/6

Kind regards

[REDACTED]

Dear Licensing,

Please see email below. On the basis that the applicant has indicated they will accept all my proposed conditions I withdraw my objection.

[REDACTED] – please can you confirm by email to Licensing (copied into this email) that you agree to these conditions below and my representation will be withdrawn.

*- 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.*

*- Licensable activities will only take place over a maximum of 6 days in any calendar year.*

*- The licence holder shall appoint a suitably qualified and experienced noise control consultant who is a member of the Institute of Acoustics and/or the Association of Noise Consultants to produce and fully implement a noise management plan (NMP).*

*- For up to 3 event days in a calendar year the Music Noise Level (MNL) should not exceed, at any noise sensitive location, 65dB(A) LAeq over any 15-minute period throughout the event and during any rehearsal or sound check for the event. For any other event days within a calendar year the MNL from any event shall not exceed, at any noise sensitive location, the representative background noise level by more than 15dB(A) over a 15-minute period throughout the event and during any rehearsal or sound check for the event. The representative background noise level should be measured and calculated as per the guidance contained within the 'Code of Practice on Environmental Noise Control at Concerts' (the arithmetic average of the LA90, 1 hour for the final four hours of the period to be determined) at locations representative of the nearest noise sensitive receptors to be agreed with Chelmsford City Council.*

*- A Low frequency music noise control strategy shall be included as part of the NMP and shall be submitted to, and approved in writing by Chelmsford City Council, prior to the commencement of any event.*

*- The appointed noise control consultant will regularly monitor noise from events at noise sensitive locations around the site and advise their sound engineers accordingly to ensure MNL limits are not exceeded. Chelmsford City Council will be permitted access to this information on request. The noise sensitive locations will be agreed with Chelmsford City Council prior to the commencement of any event.*

*- The licence holder shall provide Chelmsford City Council, in advance of the event, contact telephone numbers of their appointed noise control consultant and other members of their management team who can be contacted in the event noise complaints are received.*



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- During any event the licence holder will ensure there is a dedicated and continuously manned complaint telephone line that will be advertised to the public so that residents can contact organisers in the event they are disturbed by noise.

However there is an outstanding issue on the number of days that licensable activities are permitted to be carried out. The applicant is unwilling to accept my initial proposed condition of a maximum of 4 weekends per year for licensable activities. I have since proposed a condition that limits licensable activities to 6 event days per year but have not received a response. To prevent public nuisance I consider a condition limiting the number of days licensable activities can take place is required. Without such an appropriate condition in place I object to this application on these grounds.

Regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear [REDACTED]

I refer to your recently submitted premises licence application for Wheelers Farm.

As the responsible authority for public nuisance (noise) I have concerns about the application as there is limited information with the application in this regard. To prevent a representation being made I would request that you agree to the following conditions imposed on any licence granted. Please confirm by return if you agree to inclusion of these conditions.

- *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.*
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- *During any event the licence holder will ensure there is a dedicated and continuously manned complaint telephone line that will be advertised to the public so that residents can contact organisers in the event they are disturbed by noise.*

I look forward to hearing from you soon.

[REDACTED]

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Lewis thank you copying me in with your email to licensing, for clarification the company agree in full to the licenced conditions required by chelmsford city council, the police & from the chelmsford council public health safety department

*Kind regards*

Dear Licensing,

I have been unable to agree all relevant conditions with the applicant before the deadline for representations. I therefore wish to make a representation regarding this premises licence application in respect of lack of measures to prevent public nuisance.

**From:**

**Sent:**

**To:**

**Cc:**

**Subject:**

**Attachments:** Police Conditions - Wheelers Farm (1).docx

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear licencing i confirm the companys agreement to the conditions in this email from Mr Mould and the conditions required by the police and the condition by council officer from the chelmsford council public health safety department ie

**"The license holder is to submit an Event Management Pan 60 days before each event to the Business Compliance Team at Chelmsford City Council. This is to allow the Buisness Compliance Team to assess if the premise licence holder has considered the hazards, assessed the risks and have therefore put adequate controls in place to protect the health and safety of the public."**

*Kind regards*

Dear Licensing,

Please see email below. On the basis that the applicant has indicated they will accept all my proposed conditions I withdraw my objection.

– please can you confirm by email to Licensing (copied into this email) that you agree to these conditions below and my representation will be withdrawn.

*- 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.*

Sent: Wednesday, 27 Apr, 2022 At 11:59

Subject: FW: New Premises Licence application - Wheelers Farm - Regala Properties

Dear Licensing,

I have been unable to agree all relevant conditions with the applicant before the deadline for representations. I therefore wish to make a representation regarding this premises licence application in respect of lack of measures to prevent public nuisance.

As you will see from the attached Mr Waterman has agreed, on behalf of the applicant, the following proposed conditions:

- *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.*
- *The licence holder shall appoint a suitably qualified and experienced noise control consultant who is a member of the Institute of Acoustics and/or the Association of Noise Consultants to produce and fully implement a noise management plan (NMP).*
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Regards,

---



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**Subject:** Re: FW: New Premises Licence application - Wheelers Farm - Regala Properties

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I look forward to hearing from you soon.

Regards,

Any opinions or views expressed are not necessarily those of Chelmsford City Council and do not form any kind of contract. This email (including any attachments) is intended only for the recipient(s) named above. It may contain confidential or privileged information and should not be read, copied or otherwise used by any other person. If received in error, please notify us and delete all copies. Please note that the Council does not accept responsibility for viruses. This email (including any attachments) may contain personal data which must be handled in accordance with General Data Protection Regulations. For more information please visit: [www.chelmsford.gov.uk/privacy](http://www.chelmsford.gov.uk/privacy).

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S

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- *Licensable activities will only take place over a maximum of 4 weekends (to include Friday, Saturday and Sunday) in any calendar year.*
- *The licence holder shall appoint a suitably qualified and experienced noise control consultant who is a member of the Institute of Acoustics and/or the Association of Noise Consultants to produce and fully implement a noise management plan (NMP).*
- *For up to 3 event days in a calendar year the Music Noise Level (MNL) should not exceed, at any noise sensitive location, 65dB(A) LAeq over any 15-minute period throughout the event and during any rehearsal or sound check for the event. For any other event days within a calendar year the MNL from any event shall not exceed, at any noise sensitive location, the representative background noise level by more than 15dB(A) over a 15-minute period throughout the event and during any rehearsal or sound check for the event. The representative background noise level should be measured and calculated as per the guidance contained within the 'Code of Practice on Environmental Noise Control at Concerts' (the arithmetic average*

As you will see from the attached proposed conditions:

has agreed, on behalf of the applicant, the following

- *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.*
- *The licence holder shall appoint a suitably qualified and experienced noise control consultant who is a member of the Institute of Acoustics and/or the Association of Noise Consultants to produce and fully implement a noise management plan (NMP).*
- *For up to 3 event days in a calendar year the Music Noise Level (MNL) should not exceed, at any noise sensitive location, 65dB(A) LAeq over any 15-minute period throughout the event and during any rehearsal or sound check for the event. For any other event days within a calendar year the MNL from any event shall not exceed, at any noise sensitive location, the representative background noise level by more than 15dB(A) over a 15-minute period throughout the event and during any rehearsal or sound check for the event. The representative background noise level should be measured and calculated as per the guidance contained within the 'Code of Practice on Environmental Noise Control at Concerts' (the arithmetic average of the LA90, 1 hour for the final four hours of the period to be determined) at locations representative of the nearest noise sensitive receptors to be agreed with Chelmsford City Council.*
- *A Low frequency music noise control strategy shall be included as part of the NMP and shall be submitted to, and approved in writing by Chelmsford City Council, prior to the commencement of any event.*
- *The appointed noise control consultant will regularly monitor noise from events at noise sensitive locations around the site and advise their sound engineers accordingly to ensure MNL limits are not exceeded. Chelmsford City Council will be permitted access to this information on request. The noise sensitive locations will be agreed with Chelmsford City Council prior to the commencement of any event.*
- *The licence holder shall provide Chelmsford City Council, in advance of the event, contact telephone numbers of their appointed noise control consultant and other members of their management team who can be contacted in the event noise complaints are received.*
- *During any event the licence holder will ensure there is a dedicated and continuously manned complaint telephone line that will be advertised to the public so that residents can contact organisers in the event they are disturbed by noise.*

However there is an outstanding issue on the number of days that licensable activities are permitted to be carried out. The applicant is unwilling to accept my initial proposed condition of a maximum of 4 weekends per year for licensable activities. I have since proposed a condition that limits licensable activities to 6 event days per year but have not received a response. To prevent public nuisance I consider a condition limiting the number of days licensable activities can take place is required. Without such an appropriate condition in place I object to this application on these grounds.

Regards,

Dear

I refer to your recently submitted premises licence application for Wheelers Farm.

As the responsible authority for public nuisance (noise) I have concerns about the application as there is limited information with the application in this regard. To prevent a representation being made I would request that you agree to the following conditions imposed on any licence granted. Please confirm by return if you agree to inclusion of these conditions.

*- 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.*

*- Licensable activities will only take place over a maximum of 4 weekends (to include Friday, Saturday and Sunday) in any calendar year.*

*- The licence holder shall appoint a suitably qualified and experienced noise control consultant who is a member of the Institute of Acoustics and/or the Association of Noise Consultants to produce and fully implement a noise management plan (NMP).*

*- For up to 3 event days in a calendar year the Music Noise Level (MNL) should not exceed, at any noise sensitive location, 65dB(A) LAeq over any 15-minute period throughout the event and during any rehearsal or sound check for the event. For any other event days within a calendar year the MNL from any event shall not exceed, at any noise sensitive location, the representative background noise level by more than 15dB(A) over a 15-minute period throughout the event and during any rehearsal or sound check for the event. The representative background noise level should be measured and calculated as per the guidance contained within the 'Code of Practice on Environmental Noise Control at Concerts' (the arithmetic average of the LA90, 1 hour for the final four hours of the period to be determined) at locations representative of the nearest noise sensitive receptors to be agreed with Chelmsford City Council.*

*- A Low frequency music noise control strategy shall be included as part of the NMP and shall be submitted to, and approved in writing by Chelmsford City Council, prior to the commencement of any event.*

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*- The licence holder shall provide Chelmsford City Council, in advance of the event, contact telephone numbers of their appointed noise control consultant and other members of their management team who can be contacted in the event noise complaints are received.*

*- During any event the licence holder will ensure there is a dedicated and continuously manned complaint telephone line that will be advertised to the public so that residents can contact organisers in the event they are disturbed by noise.*

I look forward to hearing from you soon.

Regards,