

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 10 September 2021 at 11am

Present:

Councillor L.A. Mascot (Chair of Hearing)

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

1. [Apologies for Absence](#)

No apologies for absence were received.

2. [Declaration of Interests](#)

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

3. [Licensing Act 2003 – Application for a New Premises Licence – Admirals Park, Chelmsford, CM1 2XS](#)

The Committee considered an application for a new premises licence relating to Admirals Park, Chelmsford, CM1 2XS pursuant to section 17 of the Licensing Act 2003. The application was for the following licensable activities:

The provision of live music:

Friday 17:00 till 23:00

Saturday 15:00 till 23:00

The provision of recorded music:

Friday 17:00 till 23:00

Saturday 15:00 till 23:00

The provision of performances of dance:

Friday 17:00 till 23:00

Saturday 15:00 till 23:00

Provision of anything of a similar description to live music, recorded music or performances of dance:

Friday 17:00 till 23:00

Saturday 15:00 till 23:00

The sale of alcohol:

Friday 17:00 till 23:00

Saturday 15:00 till 23:00

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

1. Grant the application, on the terms and conditions applied for
2. Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the Licensing Objectives.
3. Refuse the application in whole or in part.

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

Applicant(s) – Mr Barker and Mr Kemp

Objectors – Four local residents

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

At this point in the meeting the applicant(s) were invited to make their case. The applicant introduced their application and stated that it was for a run of events that had recently been taking place nationwide. The applicant stated that they had taken on board the representations made by the ten local residents who had objected to the application and that they had made changes in response to this. The Committee noted that in response, the applicant(s) had made various changes to both the layout of the event and how it would be run, these included;

- A reduction in the size of the site by around 40% after discussions with Environmental Health.
- A change in location of the stage, meaning it would now be 100m further Southwest away from residential properties.
- 3 metre high haybales behind the stage to minimise sound travel.
- Full time noise monitoring in four separate locations operated by a nationally recognised company. Two of these locations were intended to be in nearby residential gardens and this was being looked into.
- The relocation of 'Bar 1' to a different location nearer Bar 2, again further from residential properties.
- A letter being sent to all residential properties on Admirals Walk and Rainsford Avenue, detailing the events and contact information including a direct telephone number to report and discuss any issues during the licensable hours.
- A fixed position for security or stewards at the top of Admirals Walk and on Rainsford Avenue.
- Various technical changes to the sound production at the event, which would help to minimise sound travel and direct it away from residential properties. It was also noted that similar setups had been used at other events resulting in minimal disruption to nearby residential properties.

The four local residents who attended the meeting also addressed the Committee. The Chair did remind residents that the hearing taking place, could only discuss the licence that was before them and being applied for. It was noted that this applicant had not previously held or applied for a licence in Admirals Park and therefore, prior issues from separately run events could not be taken into consideration by the Committee. Those taking part in the hearing were also reminded that only those who had made formal representation within the statutory time period could speak at the

hearing. It was noted that a petition was mentioned by someone who had made representations but this was outside of the statutory time period and therefore would not be considered.

Local residents expressed their thanks to the applicant for making amendments in response to their representations, but noted that they had not been made aware of anything in advance. The Committee heard that residents had the following concerns about the specific application;

- A letter that should have been sent to residents 28 days before the event had not been received, although it was noted that one was being sent by the applicant shortly.
- The noise from the event would be disruptive to the nearby residential properties, preventing people from enjoying their gardens and properties.
- The potential traffic issues on nearby roads would be a public nuisance and would possibly prevent residents accessing their own roads or driveways. The Committee noted that this had been an issue at previous events in the park but that they could not consider previous issues.
- Soundchecks from previous events had been disruptive and it was hoped that these could take place at a reasonable hour to avoid disruption for example to those working from home.
- There had been crime based issues on nearby streets after or during previous events. The Committee noted that they were only considering the application being applied for, and that the issues were a separate matter.
- Admirals Park had recently been designated as a local nature reserve, and the licensable activities would impact negatively upon this.
- Due to the setting up and closing down times and the event itself, residents were being prevented from using their local amenities in the park and this would negatively impact upon them.

In response to the concerns raised by local residents the applicant(s) stated that;

- Changes as detailed earlier had been made to the layout of the event to minimise noise disturbances at nearby residential properties.
- SIA registered security guards would be searching customers and the event would have a zero tolerance policy on drug use. It was also noted that the event was aimed at an older profile of customer, where this was normally not a large issue.
- Tower Avenue would be included in the security patrols, along with being included in the post event litter picking area.
- The event was due to start at 6pm on Friday and it was intended the main soundcheck would be no earlier than one hour before. It was noted that some low level testing would be required earlier in the day to ensure equipment was in working order. The Committee also heard that the soundcheck for the Saturday would be slightly longer due to the type of event.

Members of the Committee stated that they were pleased the applicant(s) had taken onboard comments made by residents and had made changes to the event in response. The following suggestions were also made by members of the Committee and the applicant(s) stated that they would be happy with these being conditions on the licence if it was to be granted.

- A steward being placed on Admirals Walk. It was noted that this had been conditioned on other similar licences and had a positive impact for local residents.
- Condition 20 of Appendix B which was a condition agreed between the applicant and Essex Police to be enforced. Therefore, by the end of Monday 13th September, both Essex Police and the Licensing Authority should receive a written dispersal policy which would also detail litter collection and nearby traffic issues.

The Chair informed those present that the Committee would now retire to deliberate on the matter. It was noted that unlike previous meetings where everyone was present, this would be held remotely and a decision would be provided to the relevant parties via email within in a few days. The decision made is detailed below and was circulated to the relevant parties.

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

RESOLVED that that the Director of Public Places be authorised to grant the application on the terms applied for (including the imposition of the proposed conditions set out in Appendix B (Essex Police) and Appendix C (Environmental Health) but subject to the following modifications / additions:-

1) The wording of proposed condition no. 20 set out in Appendix B be modified to read:-

“A written dispersal policy shall be formulated and provided to Essex Police by close Monday 13 September 2021 for their approval in writing (with a copy also being sent at the same time to the licensing authority). The dispersal policy shall, among other things, detail the following:-

- Traffic management on dispersal, including pedestrian safety;
- 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;
- Any “wind” down periods;
- How bottles and glasses will be prevented from being removed from the premises at closing time;
- Measures to prevent (so far as practicable), discourage, and clear littering, in the roads in the immediate vicinity of Admirals Park, including, in particular, Admirals Walk and Rainsford Avenue;

And the licence holder shall ensure that the event is operated / managed in accordance with the terms of the dispersal policy as approved by Essex Police.

2) During the hours that the event is open to the public, to provide marshals on Admirals Walk and Rainsford Avenue, for the purpose of discouraging / minimising anti-social behaviours and inconsiderate parking.

3) Not later than by close Wednesday 15 September 2021 the licence holder shall ensure that a letter is hand delivered to the residential properties on Admirals Walk and Rainsford Avenue which advises residents of the holding of the event and which in particular includes details as to (i) the hours when the event will take place, (ii) the time windows when sound testing will take place, (iii) the marshal arrangements in place for Admirals Walk and Rainsford Avenue, and (iv) a point of contact for local residents which is available throughout the event should residents have concerns.

Reasons for Decision

The Committee's reasons for its decision are set out below:-

1. In reaching its decision the Committee took into account all representations made, including the concerns expressed at the hearing by the objectors who were local residents. The Committee noted, in particular, the proximity of the residential properties in Admirals Walk and Rainsford Avenue to Admirals Park and the location of the event.

2. The Committee was, however, also mindful that neither Essex Police nor Environmental Health (both being Responsible Authorities under the Licensing Act 2003) had raised objections to the application, provided that the conditions which they had proposed and agreed with the applicant (Appendix B and Appendix C) were attached to any licence granted. Furthermore, in the course of the hearing the applicant had also sought to assure the Committee and the local residents that they would implement various measures which would reduce the potential for any noise nuisance or anti-social behaviour.

3. The Committee was satisfied that subject to -

(i) the imposition of the conditions proposed by Essex Police (as modified by the Committee in respect of condition no. 20 relating to the dispersal policy);

(ii) the imposition of the conditions proposed by Environmental Health, and

(iii) the imposition of the additional conditions requiring the provision of marshals on Admirals Walk / Rainsford Avenue and the sending of an informative letter to residents of properties on Admirals Walk / Rainsford Avenue,

With the steps which the applicant proposes to take promote the licensing objectives.

INFORMATIVES

(1) The applicant is advised to ensure that, so far as is reasonably practicable) any sound checks are carried out during the permitted licensing hours (rather

than outside such hours) and ideally not earlier than 5.00 pm on Friday 17 September 2021.

(2)The Committee noted that the applicant had not consulted / discussed with objectors their proposed revisions to the event (e.g. provision of marshals at Admirals Walk/Rainsford Avenue) prior to presenting these revisions to the hearing. The Committee would stress that its normal expectations are that applicants will consult / discuss proposals with objectors before the actual hearing. Doing so can save time, lead to the resolution of some concerns, and narrow down the matters still in issue.

The meeting closed at 11.46am.

Chair