

**LICENSING COMMITTEE held at 4.00pm at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 21 JUNE 2006**

Present: - Councillor J I Loughlin – Chairman  
Councillors E W Hicks, R M Lemon and A R Row.

Officers in attendance: - M Hardy, V Harvey, C Nicholson and A Turner.

LC10

**TO CONSIDER AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF PREMISES KNOWN AS AUDLEY END HOUSE AND CONCERTS**

Members considered the report of the Licensing Officer on the application for the grant of a premises licence under the Licensing Act 2003 in respect of the premises known as Audley End House and Concerts.

The Council's Legal Officer explained the procedure to be adopted for the hearing.

There were no interested parties or responsible authorities present. The Applicant was represented by the following:

Neil Cole – English Heritage  
Laura Herrell – English Heritage  
Rebecca Kane – English Heritage  
Chris Hurdle – Crawborne House Ltd  
Rob Peirce – Capita Symonds on behalf of IMG  
Jasper Hope – IMG  
Gudrun Allsobrooke – IMG  
Stephen Flint Wood - IMG

The Licensing Officer then outlined key areas of the report. The Applicant IMG. UK Ltd was applying on behalf of English Heritage for a premises licence in accordance with the Licensing Act 2003. Under previous legislation they had held licences for other events at this location.

The operating schedule indicated that the following licensable activities were requested on a Friday, Saturday or Sunday in July and August between the hours of 7.30 pm and 10.30 pm with a maximum of eight events held per year:

- a) Plays – outdoors only
- b) Films – outdoors only
- c) Live music – outdoors only
- d) Recorded music – outdoors only
- e) Performance of dance – outdoors only
- f) For the supply of alcohol – both on and off the premises

The applicants in their operating schedule had undertaken a full risk assessment and had provided full details of their proposals to meet the

licensing objectives regarding public safety, public nuisance, the prevention of crime and disorder and the protection of children from harm.

The Applicant since making the application had agreed to the imposition of the following condition suggested by the Health and Safety Officer in respect of the licensing objective relating to promotion on public safety:-

“that the arrangements for health and safety be fully implemented in accordance with the Operating Schedule event Safety Plan and any other supplementary documentation to the satisfaction of the statutory consultees including Environmental Services”.

In addition, the Applicant has also agreed to the imposition of a series of conditions suggested by the Environmental Health Noise Nuisance Officer in respect of the licensing objective for the prevention of public nuisance which were set out in Schedule 2 of the papers before the Committee.

Representations had been received from Interested Parties based on the licensing objective that related to the prevention of a public nuisance. Their main concerns were the number of events increasing from five to eight a year, afternoon rehearsals and both noise and traffic disturbance to residents.

The decision the Committee could make for this application would be to:

- Grant the application
- Modify the application by inserting conditions
- Remove the licensable activity from the licensee
- Reject the application

The Licensing Officer then went onto say when determining an application, due regard should be given to the Council's policy regarding licensing and the Secretary of State's Guidance.

The Chairman then invited the Applicant to speak. Jasper Hope, the General Manager for Arts and Entertainment at IMG. UK Ltd spoke on behalf of the group. He explained the last six years' events had been held under previous legislation, and that 35,000 people had enjoyed the events last year. The events provided a good income for the English Heritage.

Mr Hope referred to the representations made. In his view the only problems incurred were centred around traffic congestion, not noise or public nuisance. He explained that event management was thoroughly organised and that the Applicants had a traffic plan that was agreed with the Police. He drew attention to the licensing objectives and stated it was IMG.UK Ltd intention to achieve the best benefit for the public and the least disturbance to local residents. He added that they had proposed and agreed to the imposition of more conditions than they had on their previous licences.

Mr Hope then went on to explain that the current capacity of the grounds held 10,000 people, and these concerts were growing in popularity. He said the capacity would not change, just the possible increase of events. The

conditions relating to the rehearsal and concert times would remain unchanged. Rehearsals would take 90 minutes during the period of 2.00 pm and 5.00pm. Noise levels had never previously been conditioned, but an independent report had been carried out by Capita Symons, and an agreement with the Principle Environmental Health Officer the limits on noise had been reached.

In response to a letter of objection from a local resident who suggested the local police force may have some views on being faced with events hosting up to 10,000 people, Mr Hope said IMG.UK Ltd had regular discussions with the local police force and that the traffic plan had been at their instigation. He added that the Police had not made any representations on the application.

The performance time of 7.30pm to 10.30pm was an ample period and in fact most concerts were finished by 10.00pm.

The Chairman thanked Mr Hope and proceeded to ask questions to the applicant. She drew attention to the rehearsal times and asked for a point of clarity on the length of rehearsals. Mr Hope said that rehearsals would take up to 90 minutes and would take place anytime between 2.00pm and 5.00pm. The Chairman then asked for clarity regarding the sale of alcohol on and off the premises. Mr Hope explained that this allowed for a bar concession and allowed people to take drinks back to their seats; consumption was only intended on the grounds.

Councillor Row asked if it was the Applicant's intention to run these extra events over 3 weekends or 4. Mr Hope said that this application would provide flexibility to the concerts and there was no certainty that the number of concerts would increase. Councillor Row also said that the concerts held at Audley End were seeming to move away from classical towards pop music and asked if this was the intention. Mr Hope said the nature of concerts derived from demand. He said there was not enough demand to provide solely classical concerts and the nature of the concerts was heading towards more popular acts. However, the music would still be in keeping with the historic setting of Audley End House.

Councillor Lemon asked how long it would take for 10,000 people to get off the grounds. Chris Hurdle, the Production Manager said the fastest time to get 10,000 people off the grounds took just over one hour.

Councillor Hicks asked if all the events would take place during the months of July and August. To which Mr Hope said this was correct.

LC11

## **EXCLUSION OF THE PUBLIC**

RESOLVED that under Regulation 14 (2) Licensing Act 2003 (Hearings) Regulations 2005, the press and public be excluded from the meeting whilst the Committee considered its decision on the

grounds that it was in the public interest so to do to permit a free and frank exchange of views between Members.

Members then left the Committee Room to consider their decision at 4.30pm.

LC12

**TO CONSIDER AN APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF PREMISES KNOWN AS AUDLEY END HOUSE AND CONCERTS**

Members returned to announce their decision at 4.45pm.

RESOLVED that the Committee having carefully considered everything it had heard and the written representations that had been made, and in addition, Members having taken full account of the detailed operational schedule and reports that have been presented that demonstrate the Applicant's professionalism and consideration of Licensing objectives, the Committee considered that they would grant the licence as applied for as they are satisfied with the proposals in the operating schedule , that they meet the four licensing objectives and would satisfactorily deal with the representations made by the Interested Parties. The decision was also in line with the Council's own Licensing Policy and the Secretary of State's guidance.

The meeting ended at 4.50pm.