



Minutes of **Licensing Act 2003 Sub-Committee**

Meeting date **Wednesday, 23 February 2022**

Members present: Councillor Matthew Lynch (Chair), Councillor (Vice-Chair) and Councillors Margaret France and Christine Turner

Officers: Tracy Brzozowski (Customer Services (Enforcement)), Nathan Howson (Enforcement Team Leader (Licensing)), Elizabeth Walsh (Senior Solicitor) and Coral Astbury (Democratic and Member Services Officer)

22.4 Declarations of Any Interests

There were no declarations.

22.5 Procedure

The Chair outlined the procedure that would be followed for the meeting.

22.6 Determination of Application for a Premises Licence- Old Camelot Site, Park Hall Road, Chorley, PR7 5LP

The Director of Planning and Development submitted a report for the Licensing Act 2003 Sub-Committee to advise members of an application for a premises licence in respect of Old Camelot Site, Park Hall Road, Chorley, PR7 5LP. The application was brought for determination by Members as several relevant representations had been received.

The Applicants, Mr. Dean McCormick and Mr. Russell Feingold of One Digital Outdoor Ltd were present, as were their representatives Mr. Ryan Esson and Ms. Jessica Webb of GoTo Live Ltd.

Prior to the meeting starting, the Chair indicated that he had visited the site earlier in the morning to gauge the distance of the premises from local residential properties. A security guard had seen the Chair and had contacted Mr. Feingold. The Chair confirmed that he had a brief conversation with Mr. Feingold to explain the purpose of his visit and clarified that no discussion had taken place in regard to the Sub Committee hearing.

The Sub-Committee were asked to approve the requests received under regulation 8, allowing eligible parties to the hearing to speak. In response, the Enforcement Team

Leader (Licensing) explained that none had been received and that none of the residents who had submitted representations were attending the hearing.

The Enforcement Team Leader (Licensing) presented the report and explained that an application for a new premises licence was submitted by GoTo Live Ltd for and on behalf of One Digital Outdoor Ltd. As representations were received the Sub-Committee were asked to determine the application.

The Enforcement Team Leader (Licensing) explained that the site is open-air and incorporates the site of the old Camelot Theme Park. The nearest residential property to the site lies approximately 350m to the north west with small pockets of residential housing to the south east, with the nearest significant area of housing lying approximately 900m to the east.

The Applicant sought to authorise the following licensable activities:

Licensable Activity	Day	Permitted Hours
Provision of Films	Monday – Friday Saturday – Sunday	13:00-23:00 10:00-23:00
Provision of Live Music	Monday – Sunday	13:00-23:00
Provision of Recorded Music	Monday – Sunday	13:00-23:00
Provision of Performances of Dance	Monday – Sunday	13:00-23:00
Supply of Alcohol	Monday – Sunday	13:00-23:00
Hours the Premises are open to the Public	Monday – Friday Saturday - Sunday	12:00-23:30 09:30-23:30

The Enforcement Team Leader (Licensing) advised that the application had been advertised in line with regulation requirements and notices had been placed around the site, in the newspaper and on the Council's website. The Applicants were proposing to hold an immersive drive through cinema event, with both food and alcoholic/non-alcoholic drinks being served to the public. The Enforcement Team Leader (Licensing) explained that a comprehensive events safety management plan had been provided and discussed at the Council's Events Safety Advisory Group (ESAG) on 18 January 2022. Concern had been raised by the emergency services regarding access for emergency vehicles. However, a site visit was carried out on 2 February 2022 and confirmation was received that there was adequate access for all parties, and no further concerns were raised.

The site had been operating using a Temporary Events Notice (TENs) and a visit was undertaken on 24 February 2022 by Lancashire Constabulary and Licensing Officers. The Enforcement Team Leader (Licensing) explained that the event was well run and there was no audible noise. No complaints had been received by the Police or Licensing.

The Enforcement Team Leader (Licensing) advised Members that several representations in relation to the application had been received, but several points raised were not relevant to the licensing objectives and were redacted. Mediation was nominally agreed between the organisers of the event and residents but did not happen.

Members sought clarification on the events which had taken place under TENs and asked if any complaints had been received. In response, the Enforcement Team Leader (Licensing) advised that Licensing had received no complaints. Further, Officers had checked with all other services such as, Environmental Health, Planning and Lancashire Constabulary and no complaints had been received.

Mr. Ryan Esson, on behalf of the Applicant, explained that GoTo Live were engaged in a consultancy capacity to assist with the licence. Since 2020 the Applicant had delivered a number of drive-in, immersive experiences, bringing themed movies to life using actors and activity. The opportunity had presented to use the Old Camelot Site and a licence application was submitted in January 2022 to seek permission for events to take place on the site. Mr. Esson explained that Camelot Rises would be the first event and the Applicant would seek to extend the “meanwhile use licence” with the landlord beyond the current 12 months to develop further events to take place on site. Mr. Esson explained that they would do the following to promote the licensing objectives:

1. General

The Applicant will ensure that a comprehensive Event Safety Management plan is produced for any event taking place on the premises. This will assess in detail all activity and will outline the steps taken to ensure all event activity is safe and promotes the licensing objectives.

Any event or licensable activity undertaken at the site will be fully risk assessed and this assessment documented and submitted to the local and responsible authorities for consultation.

A team of experienced professionals will manage and supervise any activity on site, a schedule of which shall be detailed in the ESMP.

Liaison with the local authority will be undertaken using written documentation and via formal meeting platforms such as ESAGs.

The Applicant will engage with the local community and local businesses in advance of any event activity undertaken to outline plans and to maintain a constructive, open dialogue with the local community.

2. Prevention of Crime and Disorder

Following assessment of risks at each event, security and stewarding personnel will be deployed to ensure the prevention of crime and disorder. Security and stewarding personnel will be in place to monitor the event activity and supervise both customers and the public ensuring that disorder or criminal activity is prevented.

Liaison with the Police will be undertaken in advance of any event activity, as required, ensuring information sharing and that necessary event procedures are in place for the prevention of crime and disorder.

Attention will be made on an event-by-event basis to the layout and design of the site ensuring that vulnerable areas are secured using fencing and are monitored by security personnel.

Each event will have specific entry terms and conditions made available to customers both at the point of purchase and entry to the premises. The specific entry terms will

be designed with the event activity in mind and the prevention of crime and disorder primary in its objectives.

The DPS for the premises will ensure responsible sale of alcohol through the implementation of procedures that control sales by preventing sales to intoxicated persons and authorising sales only by trained and experienced bar personnel.

Use of two-way radios will be used by event staff to enable effective and responsive communications throughout any event. This will greatly assist with sharing intelligence and surveillance of the audience if there is a suspicion of crime or risk of disorder.

All events will have a zero-tolerance policy of drug or psychoactive substance uses. All events will include the right to search as a term of entry. The Applicant will work with the Police on drug prevention strategies on an event-by-event basis.

3. Public Safety

All event activity undertaken will be subject to a thorough Event Safety Management Plan and risk assessment. These documents will assess the activity and outline the approach to maintaining public safety and to minimising risks associated with the specific activities taking place. These documents will be submitted to the local and responsible authorities in advance of any activity.

The site design and layout plans will be documented in advance of any event taking place and will be shared with the local and responsible authorities in advance of any event. The designs and layouts will demonstrate the positioning of all activity and will demonstrate that there is sufficient space and capacity to accommodate the proposed number of guests. The plans will also demonstrate plans for ingress and egress of the site including egress under emergency circumstances.

All events that take place on the premises will engage the services of competent, qualified, and suitably experienced crowd management, security and safety stewards. Plans detailing the positioning of these personnel will be distributed to the authorities in advance of each event.

For each event, an assessment will be undertaken and documented as part of the ESMP that calculates the medical and first aid provision required. The calculation of resources required will be in line with those set out in The Purple Guide for Event Safety.

Provision of adequate sanitary facilities will be in place at each event. This will be calculated in line with guidance set out in The Purple Guide for Event Safety.

Free drinking water will be made available at all events.

The use of any temporary demountable structures will be detailed in the ESMP and event plans. Use of such structures will be subject to thorough assessment of the structural calculations for any structures used at an event. Use of any temporary structures will be accompanied with a detailed Adverse Weather Plan outlining safety procedures and protocols in the event of inclement weather.

4. Prevention of Public Nuisance

All events that take place at the premises will be considered and designed with consideration to the potential impact on the local community with particular focus being placed upon the placement and direction of sound systems relative to local properties.

Any amplified sounds will be operated in line with the guidance outlined in The Code of Practise (COP) on Environmental Noise Control at Concerts (The Pop Code). This widely adopted COP is seen as the standard bearer for noise control at events by local authorities nationally and by the events industry. The code places strict and objective parameters on event organisers with regard to the creation of amplified sound and their impact on noise sensitive receptors.

Noise sensitive receptors will be agreed with the local authority in advance of any events.

Monitoring of noise levels will be undertaken by the Applicant or their nominated deputies at the sound desk and at pre-agreed noise sensitive receptors.

A comprehensive ingress, egress and, if required, traffic management plan will be produced as part of the Event Safety Management Plan (ESMP) and Event Plans for each event taking place on the premises. This will ensure that comprehensive plans are in place to combat the potential impact of traffic build up on the local road network and its disruption to the local community as well as the potential for noise nuisance caused by entry to or dispersal from events.

For each event taking place, the Applicant will notify the local community and businesses and outline the event plans and details. This notification will provide the local community with a means of directly contacting the Applicant or event organiser should they have any concerns or issues to report.

5. Protection of Children from Harm

Any events planned to take place on the premises will be fully assessed to ensure the protection of children's welfare.

This assessment will determine appropriate age restrictions and limitations placed on the event ensuring that the event activity is age appropriate.

Where an event is determined as appropriate for the attendance of those under the age of 18, policies and procedures will be published in the ESMP and risk assessment that outline the organisers commitment and approach to the protection of children from harm.

These procedures and policies will include the conditions under which children under the of 18 may attend, adequate supervision by accompanying adults, collection and drop off points and staff procedures for dealing with children and with particular attention paid to the welfare and treatment of vulnerable children.

Where an event is determined as suitable for children a safeguarding policy will be included as part of the ESMP.

Where an event is determined as suitable for children a designated welfare area will be created and will be managed/supervised by staff who have undertaken Disqualification and Barring Service checks.

All alcohol sales authorised on the premises will be subject to the national Challenge 25 policy which further ensures prevention of the sale of alcohol to those underage.

Mr. Esson explained that following the three weekends of opening there had been no incidents or refusal of customers, no crime and disorder by attendees or non-attendees and no complaints from the community to any responsible authority. The Applicant had undertaken their own noise monitoring and had found no impact on background noise levels.

Following notification of objections, the Applicant had tried to liaise with residents through Licensing Officers. Residents initially accepted and a meeting was arranged, however the resident did not subsequently attend the meeting. The Applicant was fully committed to maintaining positive relationships with the local community and would continue the same high standard of planning, safety and professionalism as demonstrated by the first Camelot Rises events.

In response to a Member enquiry, Mr. Esson confirmed that the capacity of the site was 300 cars, however the last three weekends had averaged around 100 cars. Resource for traffic and security stewards were planned accordingly based off ticket sales and would be increased should sales increase. It was also advised that on the opening weekend, it took approximately 13 minutes to allow the vehicles to leave. The Applicant had requested their opening hours to allow a 30-minute dispersal period, with all licensable activity ceasing by 23:00 to allow the site to be cleared by 23:30.

Considering the representations by other persons, Members sought clarification on the level of noise present at the events and asked if this would affect nearby properties. In response, Mr. Esson confirmed that noise recordings were undertaken by the Applicant on 4 February 2022 and a maximum of 70 decibels were recorded in the car park, equivalent to the noise of heavy traffic on the road. The noise levels had also been measured at Stocks Lane and Yewlands Avenue and had no impact on overall noise.

Members also sought clarification on how the Applicant would monitor guest behaviour, referring to resident's concerns. In response, Mr. Esson explained that the original application was not going to include alcohol sales but following a risk assessment it was noted that this could potentially encourage customers bringing their own alcohol. Following assessment, a bar would now be on site and customers would be prohibited from bringing their own drinks. All vehicles would be subject to search and security would be present to monitor and flag any concerns with behaviour or signs.

In summing up, Mr. Esson explained that it was the position of the Applicant that the application for the premises licence should be granted based on the following evidence provided to the Sub-Committee:

- The commitment of the Applicant to the promotion of the licensing objectives as demonstrated in the premises licence application and the subsequent Event Safety Management Plans submitted for Camelot Rises.
- The proven track record of the Applicant in delivering events on the premises that are both; in line with the operational commitments made in the Event Safety Management Plan and, support the licensing objectives by material fact

that events so far have not contravened the objectives or given cause for concern that the objectives have been contravened.

- The willingness and attempts of the Applicant to make themselves available to concerned residents to discuss their concerns and allay their concerns. The Applicant has made themselves available for direct consultation or indirectly via Council officials. These attempts at consultation have been rejected by the persons who had made representations. This willingness to meet with the community demonstrates a commitment to openness and transparency and shows that the Applicant is prepared to take on board the concerns of the community and attempt to act positively on those concerns.
- The use for the premises supports the objectives of licensing policy of Chorley Council. Specifically, “Encouraging diversity in the night-time economy that is less focused on alcohol”. The planned events are proposed as drive in movie experiences and as fulfil this part of the licensing policy. As a drive-in experience, the sale of alcohol is an incidental feature of the event for those that wish to purchase alcoholic refreshment. The organisers were initially not going to carry on the sale of alcohol but made the decision to include this to ensure control of the consumption by patrons. Furthermore, the Applicant is able to complement the licensing policy while maintaining the licensing objectives.
- Noise nuisance is suitably controlled by the fact that amplified sound is used dynamically to support the atmosphere for patrons using the bars or toilets. The primary means of hearing the films is via the in-car stereo of each car. Noise nuisance caused by patrons entering and leaving the premises is controlled sufficiently by the nature of the event being drive-in movie experiences, meaning pedestrian footfall is negligible and through sufficient supervision of event safety stewards.
- The proposed hours for licensable activities have been carefully determined to ensure a gradual and efficient dispersal from the premises

RESOLVED:

Members were assured by the detailed event management plan provided and the fact that three events had already been facilitated with no issues raised by residents nor any responsible authorities.

Further, Members were also assured that the Applicant had taken into consideration the residents concern and were available for contact should there be any issues. Members also noted that the Applicant had continuously worked alongside Officers and Responsible Authorities through the Events Safety Advisory Group (ESAG) to ensure the event would be promoted in line with the licensing objectives.

After careful consideration of the written and oral representations made by all parties to the hearing and having regard to the following:

1. The guidance issued under the S182 of the Licensing Act 2003
2. The Council’s Statement of Licensing Policy effective from 2021
3. The Licensing Act 2003

The Sub-Committee have resolved to grant the licence in the manner it had been applied for and modify the operating schedule to impose the following additional condition:

- For further events taking place at the Old Camelot Site, a copy of the event management plan is to be submitted to the Local Authority and Responsible Authorities for comment.

Any party aggrieved by the decision of the panel, has a right to appeal the decision to the Magistrates Court within 21 days.

Chair

Date