



**Minutes of a meeting held remotely of Licensing Sub-Committee (Licensing Act 2003 Matters)
held on Wednesday, 16 June 2021.**

Councillors present:

Patrick Coleman
Julia Judd

Stephen Hirst

Dilys Neill

Officers present:

Licensing Officer
Democratic Services
Interim Head of Legal Services

9 Election of Chair

The Committee Officer invited nominations.

Resolved that Councillor Coleman be elected Chair of the Sub-Committee for the duration of the meeting.

Record of Voting – for 2, against 0, abstentions 1, absent 0.

Councillor Coleman then took the Chair.

10 Apologies

There were no apologies received.

11 Declarations of Interest

Councillor Coleman advised that although he did not know Lord Bathurst, he had met him on Civic occasions, and felt this should be noted as the application was for the Bathurst Estate. He did not feel that this was an interest that would prevent him from making an impartial decision.

12 Application for a new premises licence - Bathurst Park, Cirencester

The Chairman introduced Members of the Panel, the Officers present and asked all parties present to introduce themselves. These were:

Mr Ben Childs – General Manager of BD Events Limited and Cloud Nine (the applicant);
Mr Nick Aston – BD Events Limited and Cloud Nine Head of Production
Mr Graham White – Chairman of Daglingworth Parish Council, objecting;
Ms Etta Howard – objector;
Dr Sonia Pritchard – objector;

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Councillor Julia Judd – Ward Councillor, observing.

Attention was drawn to the circulated procedure for considering applications under the provisions of the Licensing Act 2003, the four licensing objectives detailed in the 2003 Act, and the basis on which any decision(s) should be made.

The Sub-Committee was asked to consider an application for a new Premises Licence for the Bathurst Estate for the outside area for the following activities and times:

- Plays - Monday to Sunday 0800hrs to 2300hrs
- Films - Monday to Sunday 0800hrs to 2300hrs
- Live Music - Monday to Sunday 0800hrs to 2300hrs
- Recorded Music - Monday to Sunday 0800hrs to 2300hrs
- Performances of Dance - Monday to Sunday 0800hrs to 2300hrs
- Late Night Refreshment - Monday to Sunday 2300hrs to Midnight

- Supply by retail of alcohol on and off the premises
Monday to Sunday 1100hrs to 2300hrs

Due to the site being a campsite it would be in operation 24hrs per day.

The Report advised that the following condition had been submitted by the Environmental Health Officer which the applicant had agreed to and would form part of the Operating Schedule on the Premises Licence:

- All live and recorded music both indoors and outdoors shall cease promptly at 23:00 hours.
- A 'Noise Management Plan' shall be submitted six weeks prior to the event for the prior approval of the Licensing Authority.

Further conditions agreed by the applicant were as follows:

- The films being shown will be limited to an age rating of U, PG & 12A onsite
- A full site management team to be in place 24hrs a day whilst the site is open to the public.
- A full child safeguarding and alcohol management policy to be in place.
- Security will be on site 24hrs which hold the appropriate SIA licences.
- Traffic Management and Event Management Plan to be submitted to the Cotswold ESAG six weeks prior to the event.
- All bars will operate a Challenge 25 policy.

A representation had been received from Daglingworth Parish Council and a copy was attached as Annex D to the Report. In addition, three representations had been received from local residents and copies of these were attached as Annex E to the Report.

A summary of the concerns and the officer response to these was detailed at section 3.5 of the report.

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The Licensing Officer, Ms Andrea Thomas, outlined the report and highlighted that this was a time limited permission to run from 19 July 2021 to 31 August 2021. She advised that the Environmental Health Officer had agreed a Noise Management Plan with the applicant and all live and recorded music would cease at 2300 hours. In addition, a condition would be included to ensure that a noise limit of 65db would be adhered to, one metre from the façade of the nearest noise sensitive premises.

The Chairman invited questions from the Panel to the officers. These included a clarification of the maps, which were shared on screen and the relevant areas explained; clarification on the responsibility for ensuring the event was Covid-19 secure; the safeguarding of children; the certification of films to be shown; fire-pits and the use of plastic receptacles.

Officers explained that the Covid Compliance Team was working closely with the applicant and would use their own powers of enforcement should the need arise. They would also be visiting the event should the licence be granted. The Interim Head of Legal Services indicated that the applicant had agreed to a condition restricting the age rating of films to U, PG and 12A as detailed in the Report.

In response to a question from the Chairman, the Licensing Officer advised that she had spoken to the Licensing team from the Licensing Authority in Dorset, and they had confirmed that a similar event by the applicant had been held there successfully and had been well run.

Mr Ben Childs was invited to address the meeting and outline the application. He advised that this was a family luxury camping resort and the Company's demographic was families with children aged four to twelve. Their ethos was to provide an entertaining and relaxing facility with a restaurant and bars and glamping pods for overnight stays. He explained that the licence was to serve alcohol and provide entertainment up to 2300 hours. However, previous experience had shown that most guests were in bed by 2030 to 2100 hours. The Company also had a policy of "Quiet from 9pm" on the campsites to avoid guests being disturbed and there was low footfall across the site during the evening. In addition, the Company was looking to hire local workers and guests often visited local towns and used the nearby facilities, shops and restaurants. He advised that the tents were located 15 metres apart, with some grouped closer together for multi-family groups.

In response to a question regarding HGVs and delivery lorries, the applicant advised that control measures would include a one way system around the site, appropriate external signage, post and rope barriers to bar egress to School Hill and low speed signs of 5mph. In addition, any external suppliers or contractors would be sent an advance site pack detailing the access and egress requirements and a reminder of the need to adhere to the site rules.

The Licensing Services Lead, Mrs Bignell, reminded Members that traffic management was not part of the Licensing Act 2003.

Mr Childs reiterated that the targeted demographic was families with young children, not teenagers, and Stag and Hen parties were not permitted. Sales were being monitored closely and anyone wanting to stay because they were attending weddings nearby, were being discouraged. Mr Childs also advised that 24 hour security would be in place, all guests would be required to wear wristbands, bookings were only accepted from individuals aged 25 or over and the neighbouring Cirencester Estate closed their gates at 1700.

Councillor Hirst queried how the event had been advertised in order to attract the family demographic. Mr Childs advised that family related social media had been used along with advertisements in 'The Times' and 'The Guardian' publications and Heart Radio. Officers

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shared the website with the panel for information which highlighted the appeal of a family experience.

The applicant confirmed that the feedback from the Dorset event had been positive and the Company hoped to run the event again in the future at other locations. In response to a question from the panel, Mr Childs advised that the only entrance would be at Two Mile Lodge. However, blue light services would be able to access at any appropriate location should the need arise.

The Chairman then invited Mr Graham White, to outline the objection received from Daglingworth Parish Council. Mr White advised that the concerns raised included increased noise, traffic, numbers of people and noisy activities. He was pleased that the entrance and exits would be restricted. Mr White was disappointed that none of the interested parties had had the opportunity to comment on the Environmental Health Officer's condition relating to a 65db limit and asked for reassurance that the appropriate Officer would be attending the event at 2200 hours to assess the levels.

Dr Sonia Pritchard was invited to address the meeting as a local resident objecting to the application. Her concerns included why the applicant had chosen to advertise the event before obtaining a licence, the lack of a noise assessment, the criteria used in reaching a 65db level and how wildlife would be protected. In response, Officers confirmed that 65db was a common standard requested by Environmental Health Officers.

Ms Etta Howard then addressed Members as a concerned local resident and queried why the applicant had a quiet curfew of 2100 but still wanted a licence to sell alcohol until midnight. She felt that residents would be impacted by noise in the height of summer in an Area of Outstanding Natural Beauty, requested that cessation of alcohol sales be earlier and felt that the increase in traffic would also impact on the Police.

In response to a question from Councillor Neill, Mr White confirmed that the Parish Council would like to liaise with the applicant and would help to feedback any issues experienced during the event.

Mr Aston advised that it had been common practice following previous events to hold debriefing meetings with residents to address any concerns and Mr White confirmed the Parish Council would welcome that. The Licensing Officer suggested that a contact number could be shared with the Parish Council along with a contact email, in order for any issues to be raised and dealt with quickly. Mr Aston assured the meeting that if any complaints were received they would be dealt with and a visit most likely scheduled for the next day.

The Chair then invited all parties to make any final representations.

Dr Pritchard reiterated her concerns regarding the 65db noise level during the 'hours of rest' and felt this should be addressed.

Ms Howard repeated her concern regarding a 2100 curfew and the need to have an alcohol licence until 12 midnight. In response, Mr Childs explained that the last food serving at the on site restaurant was 2100 and they wanted any parents having a meal to be able to enjoy a drink should they want it. He reiterated that the event was not a Festival or a party but the demographic was family friendly.

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Councillor Neill commented on the advertisement which referred to drinking 'Bloody Mary's at Breakfast' and suggested this reference could be removed. In response to concerns regarding wildlife protection, the applicant explained that a sustainability report was being produced and three site visits had taken place with site staff and wildlife experts in order to identify areas needing protection, which would then in turn be fenced off.

In summing up, the applicant reiterated that family groups were encouraged, including grandparents, and any residents with concerns were welcome to attend the site and would be given a tour.

The Ward member, Councillor Julia Judd thanked the Chairman for allowing her to observe the meeting and encouraged Cloud 9 to continue communications with local residents and the Parish Council.

The Sub-Committee then retired to consider its decision.

When the Meeting reconvened, the Chair thanked all members of the public, the applicants, Ward Member and Officers for attending the meeting. He encouraged positive relationships between the applicant and local residents along with an early response to any issues raised. He advised that the concerns of residents had been noted and he applauded the work of the Parish Council in monitoring and working with the applicant to ensure a successful event.

Councillor Coleman then explained that the Sub-Committee had arrived at its decision unanimously, after taking into account the requirement to promote the four licensing objectives, the relevant representations from the Parish Council, local residents and the 'interested parties', Statutory Guidance under Section 182 of the Licensing Act 2003 (as amended) and the Council's Statement of Licensing Policy.

RESOLVED that the application for a Premises Licence made by BD Events for a location in Bathurst Park, Cirencester be granted, subject to the following further conditions:

- All live and recorded music both indoors and outdoors shall cease promptly at 23:00 hours.
- A 'Noise Management Plan' shall be submitted six weeks prior to the event for the prior approval of the Licensing Authority;
- The films being shown will be limited to an age rating of U, PG & 12A onsite;
- A full site management team to be in place 24hrs a day whilst the site is open to the public;
- A full child safeguarding and alcohol management policy to be in place;
- Security will be on site 24hrs which hold the appropriate SIA licences;
- Traffic Management and Event Management Plan to be submitted to the Cotswold ESAG six weeks prior to the event; and
- All bars will operate a Challenge 25 policy.

Record of Voting - for 3, against 0, abstentions 0, absent 0.

The Meeting commenced at 4.05 pm and closed at 6.08 pm

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Chair

(END)