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## RECORD OF DECISION

### **RECORD OF DECISION: APPLICATION UNDER LICENSING ACT 2003**

Licensing Sub-Committee  
Date: 27<sup>th</sup> January 2025

Members:

1. Cllr Griffin
2. Cllr Pounds
3. Cllr MCpherson (Chair)

To consider the application by **London Road Event Hire Services Limited** for a new premises licence of Cambridge Rugby Union Club, Grantchester Road, Newnham, Cambridge, CB3 9ED

We heard representations from the following persons:

The Applicant: (1) Mr Richard Maskell; (2) Mr Martin Barker from Lockstep Event Management (agent); (3) Mr Ashley Ramian also from Lockstep Event Management; and (4) Rupert Burton from F1 Acoustics

Interested Parties –

- Natasha Sutta
- Lorraine Cunningham, also representing Christopher Ash and Carol Patton.
- Kempiski Boleslaw
- Ratna Beresford
- Jane Langley
- Simon Pattinson, also representing Marina Pattinson
- Jennifer Warburton
- Councillor Clough, Ward Councillor for Newnham (to speak on behalf of residents) and specifically named by Jonh Kendall, Lucy Emerton and Neil Petersen to represent them as they could not be here today

**The reason the Sub-Committee was held:**

Cambridge City Council as the Licensing Authority has received an application for a new Premises Licence for the premises Cambridge Rugby Union Club, Grantchester Road, Newnham, Cambridge, CB3 9ED.

The Application was received on the 9 December 2024. As required under the Licensing Act 2003, notice of the application was advertised by blue notices displayed at or near the premises and in the local newspaper on the 20th December 2024. The initial 28-day consultation period ended on 7 January 2025.

The Premises Licence application initially requested the following:

- Supply of alcohol (on the premises)  
Friday 17:00 to 22:30  
Saturday 12:00 to 22:30
- Recorded Music (Indoors and Outdoors), Live Music (Indoors and Outdoors) & Performance of Dance (Indoors and Outdoors)  
Friday 17:00 to 23:00  
Saturday 12:00 to 23:00

As part of the consultation the Responsible Authorities as determined by the Licensing Act 2003 were consulted on the application. Cambridgeshire Constabulary and Environmental Health engaged in pre-application advice and jointly agreed conditions with the applicant. The conditions are attached to the Licensing Officer's report at Appendix 3.

Additional conditions were proposed by Environmental Health and District Council's Licensing Team and agreed by the Applicant on 20 December 2024, as follows:

1. The provision of forward facing staff to have WAVE/Ask for Angela training.
2. The 2025 event will not operate on the Friday
3. The Applicant's documentation to be submitted and approved by SAG 3 months prior to the event.

During the period for representations 24 valid representations were received from 'other persons'.

At the hearing, and after considering representations made, the Applicant sought to amend its application to limited its scope. The amended application is for a sole day event, called the Cambridge Day Festival 2025, to take place on Saturday 5<sup>th</sup> July 2025. The capacity limit is 2,499 people. The licence will expire on 6<sup>th</sup> July 2025. The hearing proceeded to determine the amended application, agreeing the withdrawal of the original proposal.

In making our decision we considered the following:

*List:*

- *The Licensing Act 2003*
- *The Section 182 Guidance*
- *The Council's Statement of Licensing Policy*
- *The Applicant's oral submissions*
- *The Interested parties' oral submissions*
- *The representations from interested parties not at the hearing*
- *Suggested amendments from the Applicant and Interested Parties*
- *Responses to questions asked by members and those attending the hearing*

**Decision:**

Having considered all the above, the Members determined to GRANT the application for a sole day event on Saturday 5<sup>th</sup> July 2025, with a capacity limited to 2,499 people, on the following terms:

- Supply of alcohol (on the premises)  
Saturday 12:00 to 22:30
- Recorded Music (Indoors and Outdoors), Live Music (Indoors and Outdoors) & Performance of Dance (Indoors and Outdoors)  
Saturday 12:00 to 23:00

The Members noted that the Applicant had listened to the concerns of the Interested Parties and reduced licensable activities from a weekend to a day, and this was welcomed by the Committee.

The Members acknowledged the concerns of the Interested Parties regarding the location and their experience of similar events. The premises is an open, part-rural and part-suburban green space. Two additional Premises licences have also been granted there, including a Rugby Club operated licence and a licence to Live Tour Promotions Ltd (LTP) which, since 6 January 2023, has held a licence for two events over one weekend per year. Its Ibiza Festival attracted 3,000 – 4,000 people in 2023, and approximately 4500 people between 2-3 August 2024. The current Applicant has no direct business connection with LTP, and is treated on its own merits. However, Martin Barker is both the Applicant's agent and a Director of LTP, and they are engaged to provide security and health and safety services at the Applicant's event. He agreed there were similarities between this and the LTP event. This was in terms of its flat location (accessed by narrow roads and subject to traffic), and the scale and type of the event. Additionally, as the same acoustic company (FIAC) is engaged by both. Mr Barker agrees the residents' previous experiences were relevant to this application.

The Members listened to the concerns of the Interested Party in relation to traffic congestion during previous events. Some residents felt unable to leave their homes because the volume of crowds, vehicles and taxis trying to access the venue. Grantchester Road is the only access to the site. There was noise disturbance late at night including along Selwyn Road and Grantchester Road. Taxi drivers and other drivers refused to go into the one-way drop off and collect within the club grounds due to crowds. Interested parties reported an improvement in 2024 to traffic and

crowd management. The environmental health officer confirmed that no complaints had been received about the traffic.

Members were encouraged that the applicant undertook to ensure the 2025 event would be as low impact as possible in terms of both traffic and noise. A Temporary Traffic Restriction Order (TTRO) with a 1-way system will alleviate traffic congestion and stop verge parking. Coaches will be encouraged to park on site (there are 600 spaces) and both gates will be used to facilitate smoother access and reduce traffic issues.

Members acknowledged the concerns regarding the anti-social behaviour and property damage, including a report that a resident had been assaulted in 2023 and that in 2024 an access lane at the back of properties had been used as a toilet, as had some front gardens and alleyways. Some damage to cars on Selwyn Road had been reported, and broken glass had been left for residents to clear up. The Applicant intends to provide additional security and stewarding outside the club. They will restrict access to Fulbright and Grantchester Road during peak ingress and egress, and will patrol the perimeter and the back of Fulbright Road to prevent anti-social behaviour. The Applicant undertook to arrange and invite residents to a further pre-event consultation, and Safety Advisor Group (SAG) meeting where the organisers would present their plans to residents.

The Members were happy to agree the other conditions suggested within Appendix 3. to promote public safety licensing objectives, noting that these were agreed by the Applicant in consultation with Cambridge Constabulary.

Members are conscious that licensing is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals away from licensed premises and beyond the direct control of the licensee.

The Members listened to the concerns of the Interested Party in relation the amplified music which included 80s and 90s electronic club music with repetitive beats, and low frequency bass vibrations at high volume. *Interested parties monitoring during the first evening of the Ibiza Orchestra event evidenced peak volume levels exceeding 65db after 10pm over 8 of 17 minutes.* The Members noted however that after the organiser was notified, *the following evening the decibel levels were below the limit.*

Members reviewed the Cambridge Day Festival 2025 Noise Management Plan dated 21 January 2025, and a report by F1 Acoustics Company Limited (F1AC) dated 16 August 2024. These show how music noise level (MNL) and sound control management will comply with the Noise Management Plan (NMP), both on and off-site, and was evidence that complaints had not been received from residents at the 2024 event. The Rupert Burton of F1AC was present at the meeting. He has *ultimate operational control over all the sound levels and executes the noise management strategies.* He responded to questions from Members at the hearing and confirmed that *at noise sensitive premises closer to the site the MNL limits proposed will take in to account the low frequency component of the music noise. He recognised that a 'bass beat' is more intrusive across flat landscape such as the premises.* Therefore, F1AC will measure *the Main Stage continuously and other stages will receive visits by the sound team, to ensure sound does not creep up.* If he receives complaints of noise

*either during the event or during sound checks the Sound Control Consultant will visit the complainants address and take a measurement. If MNL are measured to be above the limit immediate action will be taken on-site to reduce the level. This includes with traders on site where amplified music is played. The Applicant will consult with the Environmental Health (EH) team regarding the low frequency limits. This will be submitted to the SAG group. A dedicated complaints telephone hot line, with a named person receiving the calls will be established for the event.*

*Members noted that following the Applicant's amendment only 3 annual events of this scale are planned with a maximum MNL volume of LAeq,15min 65 dB. This is in accordance with the Code of Practice on Environmental Noise Control at Concerts (COPENCC). Members were also encouraged to note that the applicant has accepted other proposals made by interested parties since Cllr Clough's letter of 7 January 2025: a professional sound monitoring consultant will be employed; and the 65 decibel limits are confirmed in the licence conditions.*

We did not consider the following matters to be relevant:

Interested Parties suggested Live Tour Promotions Ltd ('LTP') are in fact marketing their Ibiza and Sausage event across 3 days (13-15 June 2025), not 2 and consequently, when added to the Applicant's event, there will be more than 3 events at the 65 Db level in breach of the COPENCC recommendations. This is not relevant as LTP have not made an application for a third day event and the applicant should not be prejudiced by speculation that it will apply for a licence, or whether such an application would, in any event, be granted

The Applicant has provided evidence that F1AC complied with the agreed levels of MNL on and off-site at monitoring locations at sensitive premises located on Fulbrook, Selwyn, Millington and South Green Road. The evidence from the Interested Parties that the noise levels exceeded acceptable levels was not supported by this or the *Environmental Health team, or their own* measured sound App outcomes. Members were therefore prepared to give F1AC the benefit of the doubt. However, even if there *were no complaints received immediately post event, the Members noted the large number of representations to the committee.*

Statutory Guidance at 9.15 requires the Environmental Health team to make any relevant representations about noise nuisance. The proposed premises is not located within a Cumulative Impact Area (CIA). They do not consider that other outdoor music events organised by the rugby club have a significant cumulative impact.

The Members were happy to agree the other conditions suggested within Appendix 3 as being appropriate and proportionate to promote the Licensing Objectives noting that these were agreed by the Applicant. Granting the application, as amended, would provide a balance between the commercial interests of the Applicant, the rugby club and the rights of residents. No additional conditions were proposed by the Responsible Authorities for members to consider.

The Members listened to the concerns of the Interested Party in relation to how licensing applications are notified and advertised and sympathised with the Interested

Party's position. The Members noted that the Application was correctly advertised in accordance with the relevant legislation.

There does not appear to be any evidence that the protection of children from harm licensing objective would be undermined by granting a Licence at the Premises. Reference is made to the protection of children from harm licensing objective being undermined elsewhere (eg by children being unable to sleep at home from 8 pm onwards), but this is a misunderstanding of how the protection of children from harm licensing objective works. Protecting children from harm is about how children are protected from moral, psychological, and physical harms *at licensed premises*. The protection of children from harm licensing objective does not extend to a wider duty to protect children e.g. at home or elsewhere.

The additional conditions imposed by Members are as follows:

1. The licence is limited to single day use on Saturday 5th July 2025 with a maximum capacity of 2,499 people.
2. The Premises Licence Holder will provide a direct contact number for a named manager, who will always be on duty at the Premises during the event and contactable when the Premises is open (the community hotline). All complaints will be logged and those relating to noise will immediately be relayed to the Sound Control Consultant with details, where provided, of the complainant's name, address and postcode, telephone number and a description of the disturbance. The Sound Control Consultant will visit the complainants address as soon as reasonable practicable and take a measurement. If MNL are measured to be above the limit immediate action will be taken on-site to reduce the level from the event.
3. The community hotline contact number will displayed on the Premises' social media (if available), Premises' website (if available), and provided to the Licensing Authority and prominently at the entrance to the event.
4. The Premises Licence Holder will also ensure the low frequency ratio LCEQ Db limit at para 5.2.17 & 5.2.18 and Table 5.2 of F1AC's *Cambridge Day Festival Noise Management Plan dated 21 January 2025* ) is described in the MNL, and approved at least 3 months prior to the event by the SAG Group. If a formula such as C-A is proposed, the equivalent off-site noise output must be demonstrated over a 2 ½ -minute period beforehand at SAG, if requested by residents 48 hours in advance of the meeting. The Applicant is to provide ear defenders for the SAG members.
5. If a complaint is received from a resident or they are not satisfied with the outcome at SAG in respect of Condition 4 and the level set for *featured elements that may cause significant disturbance (including low frequency music noise)* as per 5.2.17 of the MNL either the resident or the Premises Licence Holder is to contact the Environmental Health team as soon as reasonable practicable and refer the levels for their determination. The Environmental Health team should review the *subjective assessment*,

irrespective of limits set out in Table 5.2 of F1AC's NMP. The NML is to be reduced if they deem it necessary.

6. The Premises Licence Holder will obtain a Temporary Traffic Restriction Order for access roads into the premises and instigate a 1-way traffic control system for the event.

The Members felt that these additional conditions would assist in promoting the Licensing Objectives and were appropriate and proportionate in that regard.

*Signed*

*Councillor Pounds*

*Councillor McPherson*

*Councillor Griffin*

*Dated 31.1.2025*

The applicant or those who made a relevant representation has the right of appeal to a Magistrates Court within 21 days from the date of this decision notice by contacting: Cambridgeshire Magistrates Court, The Court House, Bridge Street, Peterborough, PE1 1ED.

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