

MEMO

From Mr David Carter

To: Licensing
Our ref 21/001253/LITEN
Your ref
cc
Date 2nd July 2021

Location	Matchroom Sport, Mascalls, Mascalls Lane, Great Warley
Details	<p>If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a brief description and details. Please describe the nature of the premises. Only the lawns to the rear of the premises and the adjoining field for infrastructure and support areas. Please describe the nature of the premises: Company HQ Please describe the nature of the event: International Broadcasted Boxing Event with limited live audience. It is a ticket only event and includes complimentary hospitality Licensable Activities Please state the licensable activities that you intend to carry on at the premises fo:r The sale by retail of alcohol, The provision of regulated entertainment Are you giving a late temporary event notice?: No Please state the dates on which you intend to use these premises for licensable activities. The maximum period for using premises for licensable activities under the authority of a temporary event notice is 96 hours (four days). 07/08/2021 Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). 1600 - 2330 Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. 499</p>

Environmental Health has the following objection to this application.

This application for a Temporary Event Notice has been submitted on behalf of Matchroom for a televised boxing event to be held at the Matchroom HQ in Mascalls Lane Warley.

It is noted that there is a proposal for a series of similar events to be held over successive weeks, however it is understood that this application is for a single event and presumably there will be subsequent applications for each event to be submitted in due course.

It is further noted that a premises licence has not been applied for to cover these events which would enable members of the public and other interested parties to make their representations, however by applying for a Temporary Event this restricts the potential for representation to Essex Police and other responsible authorities including myself, representing the Pollution Team in Environmental Health at Brentwood Borough Council.

I am aware that, as a result of the Coronavirus pandemic last year which precluded the use of sports stadiums and similar locations to hold live sporting events it was considered necessary for the events to be held outdoors at these premises using a specially constructed boxing ring with arrangements made for the safe conduct of the events, which prevented the attendance of a live audience and required special measures to be in place to allow the events to take place over a succession of weekends over the summer period.

These events were held without any licensing or planning control being capable of exercise over the activities which, despite steps being taken to agree limits on noise transmission from the site and the limited use of amplified music and announcements, resulted in several complaints to this service both before, during and after the events from locations varying in distance from the venue.

Earlier this year a Safety Advisory Group was held, which I was unable to attend, but was attended by a colleague who was temporarily employed by the Council and had no prior knowledge of the previous events or the locality of the premises.

It should be further noted that the proposed event is to be held in a similar location at the garden to the rear of the premises, which is not designed for operation as a sports venue.

The location is in Mascalls Lane which is semi-rural in nature and designated as a 'Quiet Lane'. Residents are fairly remote from the premises, with the nearest neighbour being sited at the Lodge in Dark Lane, at a distance of approximately 300m, however the musical introductions and voice announcements were clearly audible at this location and further from the site as evidenced by complaints received e.g. from residents in Southall Way, over 500m distant.

Whilst it is possible that the events will be managed in accordance with the Event Safety Proposals submitted to the Safety Advisory Group, I am not aware that a Temporary Event would be legally controlled by these proposals and therefore it is likely that the event would not be under any more control than last year's events, which were only subject to an informal agreement.

It is evident that the premises, whilst attractive and visually impressive, are not established to operate as a licensed venue or as a sporting establishment.

The Event Safety Proposals show, even at the time of preparation over three months ago, that outdoor sports facilities were open and that indoor sports facilities were due to be open soon after, with the expectation that large events would be permitted by now.

It would appear that, despite the pandemic restrictions, a sporting event involving a series of boxing matches could have been held in a purpose built indoor or outdoor location elsewhere this year.

It does not seem appropriate that the same venue is being used, now that the restrictions that were in place have been reduced for some time that would have enabled an alternative location with less local impact to have been chosen.

It is also likely that within this time scale a full premises licence application could have been submitted, enabling residents and ward members to raise their concerns and for greater licensing controls including appropriate conditions to have been implemented where necessary.

The TEN application is too vague in its description, merely referring to 'the provision of regulated entertainment' on one date, 31/7/21, from 15:00 to 23:59 for up to 499 persons.

The precise nature of the regulated entertainment is not described in the application but could range from the boxing or wrestling entertainment to the performance of live or recorded music, all of which it would seem would be permissible if the TEN was granted, with no further control by the local authority.

There is no likely or proposed control over the potential noise disturbance that could be caused by up to 350 members of the audience, who it is understood have already paid substantial sums to attend the event(s).

Whilst it is understood that the audience members will be transported to the venue from a location away from the site, it is not clear how staff will be attending. It is assumed that, to facilitate the management and hospitality for the 'limited number' of paying guests that the number of staff present will need to be significantly greater than were present during the events last year who were needed to provide the television broadcasting, security and site services.

In my view the proposals this year have greater potential to affect the licensing objective of prevention of public nuisance and that there will be limited control over the events to enable me to be satisfied that this will be capable of being achieved.

The addition of an 'limited' audience of up to 350 and possibly up to 499 people involved in attending or organising this event has the potential to cause nuisance, in addition to a likely increase in the live, amplified sound to be present as this will be needed to entertain the audience before the event and provide additional announcements etc. for the audiences benefit during the matches, e.g. commentary etc. that was added to the broadcasts in post-production last year.

The opportunity to locate a suitable, purpose-built site elsewhere does not seem to have been investigated and I would argue that the events should have been held at a more suitable location – the necessary restrictions because of the pandemic last year are no longer present to enforce this choice of venue.

I would also draw attention to the use of fireworks and pyrotechnics, which although largely added as effects to the live broadcasts offline last year are likely to form a part of the entertainment for the audience for this event. The closing fireworks last year caused several complaints to the Council from annoyed residents; a similar display this year would cause further complaints (at a later time than previously) and would be outside licensing control.

I have limited confidence that the event will be held in such a way as to minimise the effect on nearby residents; it would appear that there has been no attempt to engage with residents and there has been no further contact with the event organisers to my team since the SAG meeting to demonstrate that any additional measures have been considered, the fact that a full licence application has not been made seems to underline the lack of consideration for any local concerns in order to save a public application.

The number of contacts that I have already received from concerned residents appears to me to indicate that there will be further disturbance this year, requiring our resources to monitor and manage the contacts and complaints to the Council over a series of summer weekends.

David Carter
Environmental Health Manager

Mr David Carter
Senior EHO (Team Leader)