

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 13 OCTOBER
2021, AT 10.00 AM

PRESENT: Councillor R Bolton (Chairman)
Councillors T Page and C Wilson

ALSO PRESENT:

Councillors D Andrews and A Hall

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Dimple Roopchand	- Litigation and Advisory Lawyer
Brad Wheeler	- Senior Licensing and Enforcement Officer

ALSO IN ATTENDANCE:

PC Adams	- Hertfordshire Constabulary
Dan Francis	- Site Manager
Jay Lewis	- Event Assistant
Brittany Melly	- Event Manager
Saab Minichiello	- Hertfordshire Constabulary

Sergeant Clare Ramirez	- Hertfordshire Constabulary
Nina Rampling	- Designated Premises Supervisor and Bar Manager of the Dog and Whistle Limited

28 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Wilson and seconded by Councillor Page, that Councillor Bolton be appointed Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor Bolton be appointed Chairman for the meeting.

29 APOLOGIES

There were no apologies for absence.

30 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

31 DECLARATIONS OF INTEREST

There were no declarations of interest.

32 DETERMINATION OF A TEMPORARY EVENTS NOTICE FOR
MS NINA RAMPLING AT REDRICKS LAKES, REDRICKS LANE,
SAWBRIDGEWORTH, HERTFORDSHIRE, CM21 0RL

The Chairman summarised the procedure for the Sub-Committee hearing. All those present were introduced or introduced themselves.

The Senior Licensing and Enforcement Officer presented his report covering an application for a Temporary Event Notice (TEN) under Section 100 of the Licensing Act 2003. The Sub-Committee was advised that Ms Nina Rampling submitted an application for an event to take place at Cr8 Glamping at Redricks Lakes, Sawbridgeworth.

The Sub-Committee was advised that the application was for the supply of alcohol and regulated entertainment on the premises on 30 and 31 October 2021 from 12 noon until 10 pm, for occupancy of 499 people. The TEN was for the car park of the premises, which was not licenced and the TEN would be used alongside the existing licence for Cr8 Glamping.

The Senior Licensing and Enforcement Officer detailed how the event had been described and said that had been a police objection during the consultation period in their capacity as a responsible authority. The police were concerned about the incomplete event management plan (EMP) which contained inconsistencies and the police were particularly concerned about access to the site and the arrangements for the prevention of crime and disorder, public nuisance and ensuring public safety.

The Sub-Committee was advised that Environmental Health had not formally objected to the application, they had stated that Officers would be liaising with the applicant via the Safety Advisory Group, which had met yesterday.

The Senior Licensing and Enforcement Officer set out the actions open to the Sub-Committee and said that the decision of Members should be evidence based and justified and appropriate for the promotion of the four licensing objectives and proportionate to what the Sub-Committee intended to achieve.

Councillor Bolton was advised by the Senior Licensing and Enforcement Officer that feedback relating to meetings of the Safety Advisory Group should be sought from the police. She asked for some clarity as to the process for transferring the premises licensing to a different person to that named on a premises licence.

The Senior Licensing and Enforcement Officer said that at any point an application could be made to transfer the premises licence and specify a new Designated Premises Supervisor (DPS). The application could be made online at any time prior to the event with the written consent of the current licence holder and the new DPS.

Councillor Bolton asked if there was consultation to ensure that the person taking on the licence was fit and proper. The Sub-Committee was advised that once an application had been received, there was a 14 day

consultation period with the police and the Home Office.

The Senior Licensing and Enforcement said that consultation would only be with the police in relation to a change of DPS and Officers asked that all applications were made as soon as possible. He confirmed to Councillor Bolton that events could still be held during the 14 day consultation period.

The Event Manager, Brittany Melly, said that the application was for a TEN for 499 people on the Cr8 Glamping site. The Sub-Committee was advised that this was to add to the existing event site licence and the TEN was for a Halloween Event which would now only be held on Saturday 30 October 2021. The Cr8 Glamping site would also be open to allow for camping as well for this event.

The Event Manager referred to the SAG meeting held on 12 October 2021 and said that the main points of concern were the access and the condition of the roads, and in particular the issue of two way traffic on a 150 metre single track road which would cater for ingress and egress and serve as the access for emergency vehicles.

The Sub-Committee was advised that the venue manager and his team were able to put hard core down on the stretches of the lane that would be likely to cause problems if the weather was to get worse. The Event Manager said she had created an updated EMP following the SAG meeting and a medical provider had been contacted to complement the two first aiders

that would be provided by the security company.

The Sub-Committee said that the site manager had been in liaison with Hertfordshire Fire and Rescue in relation to their concerns regarding the marquee and a full report would be submitted to the fire service by the 19th October. The Event Manager said that the applicant was working with the fire service to ensure that the marquee was fit for purpose and could be safely evacuated in an emergency.

The Event Manager referred to additional maps including a security deployment plan, a site and a map showing fire points and a plan showing the 10 tower lights to be provided on the site to ensure that people could move around safely.

Councillor Bolton said that the only plan Members had seen was the one in the Agenda. Councillor Wilson asked if there was to be a safe pedestrian route and could Members be shown where that was to be. The Event Manager said that discussions were on going as to the safest way to bring pedestrians in and out of the site. She said that the traffic light system would make the road safer and people were being encouraged to pre book taxis to and from the site.

Councillor Wilson expressed a concern in respect of pre booked taxis in that he was aware of shortages of drivers and he was concerned about pedestrians waiting and taking it upon themselves to walk. The Event Manager said that it been difficult to have taxi firms on site and she was not aware that there was a shortage of pre booked taxis.

The Event Assistant said that she would be securing some business cards of local taxi firms to leave at the entrance and exit points for this event. The Event Manager confirmed to Councillor Wilson that she was awaiting confirmation from the medical provider as to the recommended level of provision. She emphasised that she trusted their judgement and would be calling the company today to discuss the TENs event.

Councillor Page asked if the traffic light system would intrude upon the public highway. The Event Manager confirmed that it would impede on Redricks Lane and the traffic management firm was in liaison with Hertfordshire Highways and also with an Officer from Hertfordshire Constabulary.

The Event Manager followed up on a further query from Councillor Page and said that the Redricks Lane would be affected at the junction where traffic turned into the site, which was the T junction for the Cr8 Glamping site.

Councillor Page asked for some clarity as to how nimble the organisers would be in operating the lights in the event of an emergency. The Event Manager said that the traffic management firm would be providing someone to operate the lights and respond to any emergency situation.

Councillor Bolton asked for clarity as to the capacity of the glamping facilities and the numbers of people that might be staying in that accommodation and whether this was to be under the Cr8 Glamping licence or the

TEN. The Event Manager said that there was capacity for 210 campers on site and this would be covered by the Cr8 Glamping licence. She also confirmed that the 210 campers and the 499 people covered by the TEN application included staff.

Councillor Bolton asked for some clarity as to the ticketing arrangements that would be in place to control entry. The Event Manager detailed the measures that would be in place to screen people with regards to ticketing for the TEN. She said that this entry control would take place before people entered the entertainment area.

The Event Manager responded to questions from Councillor Bolton as to the measures that would be in place for managing intoxicated persons arriving to gain entry to the event. She also said that 25 toilets would be on site, which was much higher than the number required by the purple guide standards.

The Event Manager confirmed to the Sub-Committee that the state of the access road would be rectified by the laying of hard core on top of the potholes and she also said that she would inform the Sub-Committee where the proposed ten lighting towers would be located on the site.

Councillor Bolton commented on public safety in terms of the proximity of the parking and the egress to the lake. The Event Manager said that Herris Fencing would be erected all the way along the line adjacent to the car park.

Councillor Bolton questioned the Event Manager as to the numbers of security staff that would be on site. The Sub-Committee was advised that 14 staff would be on site for the TEN. The Event Manager said that she would like to have an additional 2 staff to be on the egress route and she provided a detailed explanation of a security deployment plan that demonstrated where staff would be located on the internal areas of the site.

Councillor Bolton asked a number of questions as to the lighting arrangements for the site. The Event Manager said that the tower lights in the car park area would be on from the start of the event and other tower lights would only be turned on in an emergency as they would detract from the atmosphere. She explained that the DJ set atmospheric lighting and the emergency exit lighting would be the only lighting in the immediate entertainment event area.

Police Sergeant Ramirez asked what had changed since the SAG meeting as to the access road parallel to the lake. The Sub-Committee was advised by the Site Manager that works to the access road made sense to improve the longevity of the site and to ensure the TEN could go ahead.

Sergeant Ramirez asked about the weight of vehicle that could be accommodated once the proposed work was completed. The Site Manager said that he could not answer that and the focus would be the areas of the lane where vehicles would be most likely to get bogged down. He explained in more detail the works that were proposed and answered a number of

questions about the use of the site and the orientation of the marquee in terms of fire safety.

Sergeant Ramirez asked about the ticket sales and the expected drop-out rate. The Event Manager said referred to the industry average and said that sales had ceased pending the outcome of this hearing.

Councillor Page asked about the management structure covering the two entities of the Cr8 Glamping business and the TENs application team. The Event Manager said that this information was contained in the EMP and the event space was being hired from Cr8. She said that any decisions about the event would fall to the promoters.

Councillor Page asked a further question as to the responsibilities for running Cr8 Glamping and the TENs event. The Event Manager said that the DPS for each entity would be the persons responsible for the overall decision making on site, in consultation with event security and the event management team.

The applicant answered a number of questions from Councillor Bolton as to her responsibilities running the event and as to whether she had visited the site and would be present during the event. Councillor Wilson asked questions as to the successful use of the site for other activities and these were answered by the Site Manager.

Sergeant Ramirez, on behalf of Hertfordshire Constabulary as a responsible authority, referred to the description of the event on Facebook and

commented on how she became aware of the events via the public facing advertisements rather than from the organiser themselves.

Sergeant Ramirez said that it was only through Hertfordshire Constabulary contacting the organisers about EMPs and SAG notifications that those things had been progressed. She said that it was disappointing that, having worked with these organisers before; the same amount effort had not gone into the organisation as had been put into the advertising for this event.

Sergeant Ramirez set out the timeline of contact between the organisers and the responsible authority in respect of SAG meetings, the submission of the EMP and the TENs application. She said that the applicant had been advised that the event could not be held on the site within the licensable area and there had been no contact prior to this in terms of advice or informing the police of the event.

Sergeant Ramirez commented on the appointment of the Event Manager prior to this event and said that prior to this appointment, no paperwork had been submitted. She said that the police had expressed concerns regarding the lack of time to organise an event on a site that had not held an event of this type before. The Sub-Committee was advised that the necessary plans were usually submitted at least 3 months in advance and an event of this type would be in breach of the current licence conditions.

Sergeant Ramirez spoke at length about the

interactions between the police and the organiser and the detailed timelines for this initial period of contact. She said that the initial concerns of the police regarding the ingress and egress had been pointed out to the applicant. The Sub-Committee was advised that during the SAG meeting yesterday, the concerns regarding traffic management had led to the suggestion of a traffic light system.

Sergeant Ramirez stressed that this system was far from ideal with only one route in and out of the site and past experience had shown that when taxis were held in a queue, the passengers were often encouraged to walk rather than wait inside the vehicle. She commented on the issues that would be created by everyone arriving and leaving at the same time and this was dictated by the type of event. She expressed a concern that all of these taxis would be attempting to travel in both directions simultaneously via a narrow access road and she was also concerned that 150 m was a long stretch for traffic lights and passengers could then leave those taxis to walk on a narrow 60 mph road that had a problem with potholes.

Sergeant Ramirez said that Hertfordshire Fire and Rescue were concerned about the single access route and should this be blocked, there would no other way in or out of the site for emergency services. A fire officer at the SAG meeting had talked about how quickly fire could spread in a marquee.

The Sub-Committee was advised that a traffic management plan (TMP) would have to be agreed with Highways and Sergeant Ramirez said that she was

surprised this had not been finalised before the SAG meeting. Councillor Bolton interjected about whether it was possible for a TMP to be finalised in a short space of time. Sergeant Ramirez confirmed that it was possible for this to be approved.

Sergeant Ramirez said that she was concerned about the time pressure required to resolve the state of the access track. She said that the track was naturally muddy due to the topography and she doubted that the fire bridge would be satisfied to drive along the access track.

Sergeant Ramirez referred to how waterlogged the site was and expressed a concern about the lack of foliage allowing access unless barriers were installed. She also said one corner of the marquee was waterlogged and partially collapsed and expressed a concern that the only way out of the marquee was the main exit as the toilet trailer restricted the only alternative escape route.

Sergeant Ramirez said that it had not been made clear where fencing would be installed to prevent those who had been drinking making their way down towards the lakes. She said that there did not appear to be any plan in place to assist people who had got stuck in the car park.

Sergeant Ramirez stated that in relation to public nuisance, she did not feel that the organisers had not considered the possibility that the event would cause a public nuisance. She summarised the brief statement in the Event Management Plan as regards

consideration of local community impact and the Sub-Committee was advised that no noise management plan had been submitted and there had been complaints about a previous music event and also about Clay Pigeon Shooting.

Sergeant Ramirez expressed concerns about how the queues between the two marquees would be managed as there was no commentary in the EMP on this matter. She said that she had reviewed the revised EMP and there will still shortcomings and omissions such as the health and safety adviser and the location of fencing.

Sergeant Ramirez summarised her understanding of the marquees in terms of capacity and talked at length about the shortcomings of the TMP and EMP. She referred in particular to the lack of a security deployment plan and said that she was particularly concerned about the reliance on a 30-40% drop out rate potentially resulting in people with tickets being turned away.

Sergeant Ramirez stated that the traffic management company had only happened as a result of the SAG meeting. She said that Environmental Health had not commented in the absence a noise management plan and Hertfordshire Fire and Rescue were concerned over the lack of a blue route access to the event site. The Sub-Committee was advised that there was no fire risk assessment on either marquee on the site. Sergeant Ramirez touched how much remained to be resolved and she did not see how these matters could be addressed in the two and half weeks remaining

before this event and she felt that the organisers did not appreciate the importance of getting things organised in advanced.

Sergeant Ramirez summarised by saying that the plans for these events were inadequate and there was no faith in the organisers that the issues would be rectified for the events to be run. She said that she had seen there had been little consideration of public nuisance and she had seen very little information about the prevention of crime and disorder and the issue of the one route access and public safety had not been addressed. She said that these licensing objections would be at risk if the event were to go ahead.

Follow a question from Councillor Page as to the state of the track, an Officer present with Sergeant Ramirez explained that as this track was level with the water table with limited or no drainage, this would present problems for vehicles with significant axle loadings. He said that he would not wish to drive a four and half tonne ambulance or a three and a half tonne public order van on this track. He confirmed to Councillor Bolton that a fire trucked weighed in excess of 25 tonnes.

At the conclusion of the closing summary submissions, the Sub-Committee, the Litigation and Advisory Lawyer and Democratic Services Officer retired to a separate room to allow Members to consider the evidence.

Following this, Members and Officers returned and the Chairman announced that the Sub-Committee had

listened to the comments of the Senior Licensing and Enforcement Officer and the submissions made by all parties, both written and oral.

The Sub-Committee had decided that the application should be rejected in its entirety on the basis that it had failed to support the crime and disorder, prevention of public nuisance and public safety Licensing Objectives and due to concerns over the distinct lack of a detailed written Event Management Plan (EMP) for the event.

Reasons for decision

1. In reaching this decision, Members considered all of the evidence submitted and the oral and written representations made by the parties. Members had regard to the Section 182 Guidance issued under the Licensing Act 2003; in particular paragraphs 7.1 – 7.40 and the Council's Statement of Licensing Policy.
2. The Applicant/Premises User (Nina Rampling) today confirmed that she has not visited the site despite making the TENS application on 29th September 2021. Members were not satisfied that the Applicant can demonstrate her ability to discharge her obligation, as the premises user, in promotion of the four licensing objectives.
3. As of today, the Premises User has failed to satisfied the following 3 Licensing Objectives

Public Safety

- No health and safety officer/advisor has been

appointed

- Inadequate medical provisions in place
- Road traffic management plan not complete
- No fire safety risk assessment in place
- No adequate access for emergency services to attend site
- No pedestrian route
- capacity – not identified how this will be controlled between 2 sites
- fencing – where this will be placed in proximity to the lake

Crime and Disorder

- Has not been addressed in a risk assessment
- emergency dispersal of people
- no evidence of SIA deployment and roles during the event and external area
- no evidence of how capacity between 2 sites will be managed

Public Nuisance

- no noise management plan submitted
 - local community impact assessment is inadequate
4. Based on the information available before it,

Members were not confident that the above issued will be remedied by the event date. Members note that had the process started earlier then these issues may have been resolved prior to the hearing today.

5. In reaching this decision to reject the application, Members had regard to the other steps available to them and determined that these would not be appropriate for the following reasons:
 - Impose conditions to the existing premises licence – Members noted that the location identified within the TENS did not fall within the scope of the existing premises licence and therefore this option was not available to Members.
 - Take no action – Members determined the TENS does undermine the Prevention of Public Nuisance, Public Safety and Prevention of Crime and disorder licensing objectives and therefore Members had no option but to issue a counter notice to prevent the event from going ahead.

RESOLVED – that the application for a Temporary Events Notice at Redricks Lakes, Redricks Lane, Sawbridgeworth, Hertfordshire, be refused.

Those present were advised that the decision would be issued in writing and there was the right of appeal within 21 days to the magistrate's court.

33 URGENT BUSINESS

There was no urgent business.

The meeting closed at 1.13 pm

Chairman

Date