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James Ellis
Head of Legal and Democratic Services

MEETING : LICENSING SUB-COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : THURSDAY 5 MAY 2022
TIME : 10.00 AM

MEMBERS OF THE SUB-COMMITTEE

Councillors J Jones, D Snowdon and C Wilson

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AGENDA

1. Appointment of Chairman

2. Apologies

To receive apologies for absence.

3. Chairman's Announcements

4. Declarations of Interest

To receive any Members' Declarations of Interest.

5. Minutes - 13 October and 15 October 2021 (Pages 7 - 40)

To approve the Minutes of Previous Sub-Committee meetings:

13 October 2021

15 October 2021

6. Summary of Procedure (Pages 41 - 48)

A summary of the procedure to be followed during consideration of items 7 and 8 is attached.

7. Application for a Variation of a Premises Licence for Jungle Bar, 117 Fore Street, Hertford, Hertfordshire, SG14 1AX 22/0207/PLV (Pages 49 - 100)

8. Application for a new time limited premises licence by Integrated Event Management Ltd (Stone Valley Festival South / Wannasee Festival) for events at Hillside Farm, Hillside Lane, Great Amwell, Ware, Hertfordshire, SG12 9SH (22/0235/PL) (Pages 101 - 156)

9. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

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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 be 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 issues 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

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MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 15 OCTOBER 2021,
AT 10.00 AM

PRESENT: Councillor D Andrews (Chairman)
Councillors A Hall and C Wilson

ALSO PRESENT:

Councillor J Goodeve

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:

Adem Altunatmaz	- Premises Licence Holder (PLH)
Navin Shah	- Friend of the PLH

34 APPOINTMENT OF CHAIRMAN

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

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

35 APOLOGIES

There were no apologies for absence.

36 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

37 DECLARATIONS OF INTEREST

There were no Declarations on Interest.

38 MINUTES - 17 AUGUST 2021

It was moved by Councillor Wilson and seconded by Councillor Hall that the Minutes of the meeting held on 17 August 2021 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meetings held on 17 August 2021 be confirmed as a correct record and signed by the Chairman.

39 APPLICATION FOR A VARIATION OF A PREMISES LICENCE
FOR TOWN EXPRESS, 9 RAILWAY STREET, HERTFORD,
HERTFORDSHIRE, SG14 1BG

The Chairman summarised the procedure that would be followed during the meeting and all those present were introduced or introduced themselves. The Senior Licensing and Enforcement Officer presented his full report covering an application that had been made under Section 34 of the Licensing Act 2003.

The Sub-Committee was advised that the application for the variation of a premises licence had been made on 21 August 2021 for the premises known as Town Express, 9 Railway Street, Hertford. The application sought to vary the licence by extending the hours for the supply of alcohol on Monday to Sunday from 08:00 to 01:00.

The Senior Licensing and Enforcement Officer said that the applicant had since further amended the application to extend the hours from 08:00 to Midnight Monday to Sunday. The Sub-Committee was advised that the current licence was for the supply of alcohol from 08:00 and 23:00.

The Sub-Committee was also advised that the application sought to remove condition 10, which restricted the sale of beer and cider in single containers and the application also covered the amendment of condition 11 to read that the alcohol content of all beer, lager and cider should be not higher than 7.5%.

The Senior Licensing and Enforcement Officer said that the applicant had not offered any additional conditions other than those contained within the current licence. The Sub-Committee was advised that two representations had been received during the 28 day consultation period, one from Hertfordshire Constabulary and other from the local ward Member who was present at the hearing.

The Senior Licensing and Enforcement Officer said that the police had withdrawn their representation following the reduction in the timings to 08:00 to midnight and the remaining representation could be seen at Appendix B. This representation engaged the prevention of public nuisance and prevention of crime and disorder licensing objectives.

The Senior Licensing and Enforcement Officer said that the report covered the East Herts Statement of Licensing Policy and the revised guidance under Section 182 of the Licensing Act 2003 and the Sub-Committee should be aware that the site was within a sensitive licensing area in the East Herts Licensing Policy.

The Senior Licensing and Enforcement Officer said that the report contained information submitted by the applicant and the interested party. The Sub-Committee should determine the application with a view to promoting the four licensing objectives. Members should also consider if the applicant had provided evidence that the variation application, if granted, would promote and not undermine the four licensing

objectives.

The Sub-Committee was advised that the applicant's evidence should be balanced against the evidence received from those making representations. The Senior Licensing and Enforcement Officer said that if Members believed that the application would not undermine the licensing objectives then the application should be granted as requested.

The Senior Licensing and Licensing Officer said that if Members believed that there was evidence that granting the variation would not promote the licensing objectives, then it was within the remit of the Sub-Committee to take any action that was appropriate and proportionate to address any concerns. The Sub-Committee could attach conditions or take any steps that were appropriate and proportionate and this included limiting the hours or if there were no steps then the application could be refused in its entirety, but this should always be the last resort.

The Senior Licensing and Enforcement Officer said that the Members' decision should be evidence based and justified as being appropriate for the promotion of the four licensing objectives and proportionate to what the Sub-Committee intended to be achieved.

Councillor Andrews asked for an explanation of what was meant by a sensitive licensing area in the context of this particular application. The Senior Licensing and Enforcement Officer said that the sensitive area meant that the Sub-Committee could consider a pool of licensing conditions when looking at this variation

application.

The applicant's friend asked in what respect was this area sensitive under the terms of the Licensing Act 2003 and when was the designation applied to this particular area. The Senior Licensing and Enforcement Officer said that the latest version of the Licensing Policy was adopted in July 2021, following a full consultation.

The Sub-Committee and all parties present were provided with a summary of the criteria that had been applied to make the area a sensitive area. The Senior Licensing and Enforcement Officer referred in particular to evidence from the police and local ward Members.

The applicant's friend sought and was given further clarification as to the extent of the sensitive licensing area. He asked why the policy in respect of a sensitive licensing area was applied to this variation application when other off licences sold much higher strengths of alcohol in single units and were open much later. The Senior Licensing and Enforcement Officer said that the policy was adopted in July 2021 and each case was considered on its own merits and this application had been submitted after the adoption of this policy.

Councillor Andrews made the point that any change in licensing policy was not retrospective and any previous licences were not to be reviewed unless a specific review application was made in line with the current policy.

The applicant's friend asked in what way would the sale of multiple units of alcohol impact on the Licensing objectives. He said that there was no evidence that there would be an increase in alcohol consumption. He stressed that Hertford was a small town and the influx of people due to the night time economy was not increasing and there must be evidence to back up any hearsay about such an increase.

The applicant's friend that said that the applicant had evidence of having lost trade due to not being licensed to sell alcohol above certain strengths. He said that the applicant was seeking an equal playing field with rival licensed premises in the vicinity of Town Express.

Councillor Wilson asked about the original licence and the conditions that had been applied. The applicant's friend explained that this application had been made as the applicant was now losing trade to rival licensed premises that were selling higher strength alcohol products. The applicant was now seeking to compete on an equal footing.

Councillor Goodeve questioned the applicant as to whether he realised that the Statement of Licensing Policy had been updated and there were now different guidelines around which policy now operated in response to problems in Hertford Town Centre due to anti-social behaviour. Councillor Andrews interjected to explain that the Authority was required to reconsider its Licensing policy on a regular basis and the factors mentioned by Councillor Goodeve were included in this review.

Councillor Goodeve asked the applicant why no additional conditions were being offered to promote the four licensing objectives. The applicant's friend said that the applicant believed that what was on offer was already more than adequate. He emphasised that if there were any breaches of conditions then these could be addressed.

Councillor Goodeve asked if the applicant was aware of increased crime levels in relation to the night time economy in Hertford. The applicant's friend posed the question as to whether any increase was alcohol fuelled and he made the point that the police had withdrawn their objection as there was no supporting evidence.

The applicant's friend said that the applicant was not contributing to the problems and he was acting responsibly and it was for the police to prove that he was not by submitting evidence to the Sub-Committee. He referred to other factors such as drug use and wider social problems.

Councillor Goodeve questioned the applicant as to whether he was aware of cumulative impact. The applicant's friend commented on whether there was any evidence of increased numbers of people coming into town at a level equal to or above the levels seen before the COVID-19 pandemic.

Councillor Goodeve said that these premises were located in an area that had been classified by paragraph 7.2 of the Statement of Licensing Policy as a

sensitive licensing area. She therefore believed that it would be most unwise to do anything that would be detrimental to public safety.

Councillor Goodeve said that the selling of single cans of beer or cider could contribute to further public nuisance by encouraging people to loiter in the town centre whilst behaving in an anti-social manner. She expressed concern about the desire to increase the alcoholic strength of sales and she emphasised that she did not feel there had been any change for the better since conditions were imposed.

Councillor Goodeve said that the applicant had not offered any additional conditions to promote the four licensing objectives. She said that the night time economy remained a concern for Hertfordshire Constabulary and the suggestion of adding SIA door staff would seem to be prudent if the Sub-Committee was minded to approve the variation. She had also noted the sensible suggestion of not selling alcohol in glass containers.

Councillor Goodeve asked the Sub-Committee to consider that the number of residents in the town centre continued to rise due to office and retail to residential conversions that were taking place under permitted development rights. She said that local ward Members and Council Officers were already receiving complaints about noise, fighting and other undesirable behaviours in the town.

Councillor Wilson asked if any residents had complained about this licensed premises or any

activities connected to it. Councillor Goodeve said that she had not been notified of any concerns relating to this premise but residents were concerned about the cumulative impact of having so many venues and premises selling alcohol and contributing to problems as a whole. She acknowledged that it was always going to be difficult to attribute problems to a particular establishment.

Councillor Wilson asked if any residents had indicated that they objected to this particular application. Councillor Goodeve said that people were often reticent to put verbal concerns into formal written complaints due to being fearful of some kind of retribution.

The applicant's friend asked what significant impact would there be from an extra hour of trading. Councillor Goodeve said there was an updated Statement of Licensing Policy and Hertford was the worst affected town in East Herts terms of anti-social behaviour.

The applicant's friend asked what the impact would really be of a small increase to 7.5% ABV from 5.5% ABV for a small number of beverages. Councillor Goodeve said that selling single units of this strength ABV would encourage people to have an extra one or two and get inebriated or further inebriated that bit more quickly. She talked about small steps in the wrong direction that were not helpful.

At the conclusion of the closing 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, the applicant's friend and the local ward Member and had decided to grant the variation of the premises licence that had been sought for:

1. The supply of alcohol (for consumption off the premises) Monday to Sunday 08:00 to 00:00.
2. Opening hours of Monday to Sunday 08:00 to 00:00
3. The approval of Annex 2 condition 10, which prohibited the sale or supply of beer or cider in single containers.
4. The amendment of Annex 2 condition 11 allowing alcohol content of all beer, lager and cider sold to be higher than 7.5 % ABV.

Reasons for Decision:

1. The Licensing Sub-Committee considered all of the evidence before it including the written representations made by the interested party. Members had regard to the Council's Statement of Licensing Policy, the Licensing Act 2003 and the guidance promulgated pursuant to Section 182 of that act.

2. The Licensing Sub-Committee was required to adopt a presumption in favour of granting a variation to a licence unless there is clear evidence upon which to base a refusal or modification. There was insufficient evidence before the Sub-Committee to rebut that presumption.
3. In reaching this decision, Members has regard to the objections received and noted that whilst there was a perception of public disorder in the night time economy around the Town Centre, the concerns were speculative which could not be directly attributed to these premises and were there outside the scope of the Sub-Committee to consider.

RESOLVED – that the application for a the variation of a Premises Licence for Town Express, 9 Railway Street, Hertford be granted, for the following reasons:

1. The Licensing Sub-Committee considered all of the evidence before it including the written representations made by the interested party. Members had regard to the Council's Statement of Licensing Policy, the Licensing Act 2003 and the guidance promulgated pursuant to Section 182 of that act.
2. The Licensing Sub-Committee was required to adopt a presumption in favour of

granting a variation to a licence unless there is clear evidence upon which to base a refusal or modification. There was insufficient evidence before the Sub-Committee to rebut that presumption.

- 3. In reaching this decision, Members has regard to the objections received and noted that whilst there was a perception of public disorder in the night time economy around the Town Centre, the concerns were speculative which could not be directly attributed to these premises and were there outside the scope of the Sub-Committee to consider.

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.

40 URGENT BUSINESS

There was no urgent business.

The meeting closed at 11.24 am

Chairman
Date

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LICENSING SUB-COMMITTEE

EXTRACT FROM RULES OF PROCEDURE

Note – the full Rules of Procedure can be viewed at:

<http://democracy.eastherts.gov.uk/ieListMeetings.aspx?CId=144&Year=0>

8.0 Procedure at hearing

As a matter of practice, the Sub-Committee shall seek to focus the hearing on the steps needed to promote the particular licensing objective(s) which has given rise to the specific representation(s) and will avoid straying into undisputed areas. The hearing is a discussion lead by the Authority (i.e. the Chairman) with advice from the Legal Adviser.

- 8.1 The order of business shall be at the discretion of the Sub-Committee, but shall normally proceed in accordance with the following paragraphs.
- 8.2 The Chairman shall at the beginning of the hearing, introduce themselves and the Sub-Committee members, ask the Officers present to introduce themselves before inviting the parties to the hearing to identify themselves. The Chairman will then explain to the parties the procedure that the Sub-Committee intends to follow.
- 8.3 The Chairman will ask a representative of the Licensing Authority to introduce the report, and outline the matter before the Sub-Committee.
- 8.5 The Parties to a hearing for an application shall usually be invited to address the Sub-Committee in the following order:
 - (a) Applicant
 - (b) Responsible Authority
 - (c) Other parties

However, this may be varied at the discretion of the Chairman, if in his/her opinion, this would assist the efficient business of the Sub-Committee.

- 8.6 Parties to the hearing shall be entitled to:
- (a) give further information in support of their application, relevant representations or notice (as applicable) in response to a point upon which the Licensing Authority has given notice that it requires clarification;
 - (b) question any other party if given permission by the Chairman of the Sub-Committee; and
 - (c) address the Sub-Committee.
- 8.7 Members of the Sub-Committee may ask any question of any party to the hearing or other person appearing at the hearing.
- 8.8 Where there is more than one relevant representation raising the same or similar grounds, the Sub-Committee shall request that only one party address them on behalf of the parties who have made the representations in question.
- 8.9 Subject to paragraph 8.10 below, in considering any relevant representations or notice made by a party to the hearing, the Sub-Committee may take into account additional documentary or other information produced by such a party in support of their application, relevant representations or notice (as applicable) either submitted at least 24 hours before the hearing commences or, with the consent of *all* the other parties and the Chairman, at the hearing. Where all the other parties consent the Licensing Sub-Committee has discretion as to whether to admit additional documentary evidence or other information at the hearing. If large documents are submitted on the day then the hearing may be adjourned at the Chairman's discretion so that such documents can be fully considered.

Note - As a matter of good practice, any additional documentation or other information produced in advance of the hearing date, should be submitted to the licensing officer no later than two working days before the hearing.

8.10 The Sub-Committee shall disregard any information given or evidence produced by a party or any person to whom permission is given to appear at the hearing, which is not relevant to:

- (a) their application, relevant representations or notice (as applicable); or
- (b) the promotion of the licensing objectives.

8.11 Hearsay evidence may be admitted before the Sub-Committee, but consideration shall always be given to the weight, if any, to be attached to such evidence, depending upon the circumstances in which it arises.

8.12 The parties to the hearing shall be entitled to make closing submissions, usually in the following order:

- (a) Responsible Authority
- (b) Other party
- (c) Applicant.

8.13 The Sub-Committee will, after hearing the relevant representations of the parties to the hearing, withdraw from the room to make their deliberations.

8.14 The Legal Adviser and the Democratic Services Officer shall accompany the Sub-Committee when they retire to make their deliberations.

9.0 Determination of applications

9.1 The Sub-Committee shall give appropriate weight to:

- (a) the relevant representations (including supporting information) presented by all the parties;
- (b) national guidance;
- (c) the Licensing Authority's Licensing/Gambling Policy (as applicable); and
- (d) the steps that are necessary to promote the licensing objectives.

9.2 The Sub-Committee shall make its determination:

- (a) at the conclusion of the hearing in accordance with the relevant Regulations; or
- (b) within 5 working days thereafter (all other cases).

9.3 The written notice of determination shall be issued by Head of Housing and Health under delegated authority and will information regarding the appeals process.

10.0 Role of Legal Adviser

10.1 The Sub-Committee may seek advice or clarification of any procedural, technical or legal matter from the Legal Adviser at any time during the course of the hearing.

10.2 The Legal Adviser shall provide the Sub-Committee with any advice it requires to properly perform its functions, on:

- (a) questions of law;
- (b) questions of mixed fact and law;
- (c) matters of practice and procedure;
- (d) the range of options available to the Sub-Committee;
- (e) any relevant decisions of courts;
- (f) relevant national guidance or policy;
- (g) other issues relevant to the matter before the Sub-Committee.

10.4 The Legal Adviser shall play no part in making findings of fact, but may assist the Sub-Committee by reminding it of the evidence taken from his/her own or the Democratic Services Officer's notes.

10.5 The Legal Adviser may ask questions of witnesses and the parties in order to clarify the evidence and any issues in the case. The Legal Adviser is under a duty to ensure that every case is conducted fairly.

11.0 Role of Democratic Services Officer

11.1 The Democratic Services Officer's role is to make a record of the proceedings, summarise and record decisions and to provide help and assistance to parties attending hearings.

12.0 Role of Licensing

- 12.1 The Licensing Officer will present the pertinent facts of the application and the representations made by parties to the hearing.
- 12.2 The Licensing Officer shall provide the Sub-Committee with any advice it requires to properly perform its functions.
- 12.3 The Licensing Officer may ask questions of witnesses and the parties in order to clarify the evidence and any issues in the case.

13.0 Failure of parties to attend the hearing

- 13.1 If a party to the hearing has informed the Licensing Authority that he/she does not intend to attend or be represented at the hearing, the hearing may proceed in his/her absence and any properly made written submissions will be considered as part of the decision making process.
- 13.2 If a party to the hearing fails to provide notification in accordance with paragraph 13.1 above, and fails to attend or be represented at a hearing, the Sub-Committee may:
 - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
 - (b) hold the hearing in the party's absence and shall consider at the hearing, the application, relevant representations or notice made or submitted by that party.

14.0 Adjournments

- 14.1 Subject to the provisions of the Regulations, the Sub-Committee may, where necessary for its consideration of any relevant representations or notice made by a party to the hearing, adjourn the hearing to a specified date.
- 14.2 Where the Sub-Committee adjourns the hearing to a specified date, it shall forthwith notify the parties to the hearing of the date, time and place.

15.0 Right of Appeal

- 15.1 The all parties to a hearing have a right of appeal against a decision to the Magistrates' Court within 21 days (beginning with the day on which the applicant was notified of the decision by the Licensing Authority).

Definitions

Term	Meaning
Applicant	<p>The holder of, or the person seeking the grant of, a licence, notice or other permission under the relevant Legislation.</p> <p>The premises user in relation to a temporary event notice (TEN) or temporary use notice (TUN).</p>
Interest	A Disclosable Pecuniary Interest as defined in the Council's Members' Code of Conduct.
Other parties	Any persons making relevant representations or any person who is representing such persons.
Licensing Authority	East Hertfordshire District Council
Parties to the Hearing	The applicant and any parties that have made relevant representations or submitted a valid objection notice.
Relevant Representations	Representations (either in support of or against an application) that relate to one or more of the licensing objectives. Can be made by a Responsible Authority or other party.
Responsible Authority	The bodies that must be consulted regarding certain applications and that are entitled to make representations to the Licensing Authority.

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East Herts Council Report Template

Licensing Sub-Committee

Date of Meeting: 5 May 2022

Report by: Jonathan Geall, Head of Housing and Health

Report Title: Application for a Variation of a Premises Licence for Jungle Bar, 117 Fore Street, Hertford, Hertfordshire, SG14 1AX
22/0207/PLV

Ward(s) affected: Hertford Castle

Summary

- An application for a variation to a premises licence held in respect of the Jungle Bar, Hertford has been made and representations against the application have been received from interested parties. When representations have been received against an application, and have not been withdrawn, it is for a Licensing Sub-Committee to decide that application. This report is to inform that decision.

RECOMMENDATIONS FOR LICENSING SUB-COMMITTEE

(A) The application for a new premises licence be determined.

1.0 Proposal(s)

1.1 Members of the Licensing Sub-Committee should determine the application for a variation to the premises licence held in respect of the Jungle Bar, Hertford through consideration of the information contained in this report and appendices combined with submissions made at the Licensing Sub-

Committee hearing.

2.0 Background

2.1 Under the Licensing Act 2003 and the council's policy an application for a new or variation to a licence or certificate is granted by officers under delegated authority if no valid representations are received.

2.2 Where valid representations are received the Licensing Authority's discretion is engaged. A Licensing Sub-Committee has the delegated authority to determine applications for new and varied licences and certificates. This decision must be made whilst having regard to the licensing objectives, the council's own Statement of Licensing Policy and to statutory guidance issued by the Secretary of State under section 182 of the Licensing Act.

2.3 The licensing objectives are:

- prevention of crime and disorder
- public safety
- prevention of public nuisance; and
- protection of children from harm.

3.0 Reason(s)

3.1 The application for a variation to a premises licence was submitted and completed by Dark Dragon Limited on 28th February 2022.

3.2 On 12th March 2022 the applicant amended the original application and removed live music and late night refreshment from the variation application. The amended application requests the following licensable activities:

Licensable Activity	Day	Hours currently licenced for:	Hours applied for:	Difference
Recorded Music	Monday and Tuesday	09:00 – 00:00	09:00 – 01:30	+1½hr
	Wednesday	09:00 – 01:00	09:00 – 02:30	+1½hr
	Thursday – Saturday	09:00 – 02:00	09:00 – 03:00	+1hr
	Sunday	09:00 – 01:00	09:00 – 02:30	+1½hr

- 3.3 The amended application has been advertised at the premises and consulted upon as required by legislation and regulations.
- 3.4 A redacted copy of the application form and supporting documents are attached as **Appendix 'A'**. It should be noted that this the original application which includes live music and late night refreshment which were later removed from the application.
- 3.5 Section 18 of the application form asks the applicant to describe any steps they intend to take to promote the four licensing objectives as a result of the application; however the applicant has not offered any additional conditions other than those contained within the current licence.
- 3.6 During the 28 day statutory public consultation the applicant varied their application in consultation with the police to

replace conditions 10, 25 and 30 (the original wording is available in **Appendix 'C'**) with the following:

The premise must have a written dispersal policy to cover the period when the premise is closing each evening (closing is considered to be between the hours of; 30 minutes prior to the terminal hour and until the premise is empty and customers have dispersed from the vicinity outside the premise). The policy must include the following and must be adhered to.

- a) In the 30 minutes prior to the terminal hour for alcohol sales, excessive amounts of alcoholic drinks will not be sold to customers*
- b) Music volume will be lowered 30 minutes before the terminal time for recorded music and must be of a background level only, 15 minutes before the terminal time for recorded music*
- c) Lighting levels to be increased during the 30 minutes prior to the terminal time for recorded music*
- d) Customers must not be encouraged by staff or SIA to leave the premise on mass*
- e) At least one SIA must be positioned at or near the exit door to stop customers from leaving with any glasses, bottles or other drinking vessels.*
- f) Customers leaving must be verbally encouraged to leave quietly by SIA or other staff members*
- g) SIA must actively encourage customers to disperse from the vicinity outside the premise*
- h) SIA must wear high visibility jackets during dispersal*
- i) Premise staff and SIA must seek to identify vulnerable customers and take steps to address any concerns*

And to Amend Condition 4 to:

On Mondays and Tuesdays when the premise is open to customers, at least one SIA registered door supervisor shall be on duty from 2230 hours until the premise is empty and customers have dispersed from the vicinity outside the premise.

On Fridays, Saturdays and nights leading into a Bank Holiday when the premise is open to customers, there must be at least two SIA registered door supervisors on duty from 2100 hours and a further one SIA registered door supervisor on duty from 2330 hours until the premise is empty and customers have dispersed from the vicinity outside the premise.

On all other evenings that the premise is open there must be at least one SIA registered door supervisor on duty from 2100 hours and a further one SIA registered door supervisor on duty from 2330 hours until the premise is empty and customers have dispersed from the vicinity outside the premise.

- 3.7 During the 28 day statutory public consultation period six objections were received other from interested parties against the application. Three objections were received from the local ward members, two from local residents and one from Hertford Town Council. These representations are attached as **Appendix 'B'**.
- 3.8 The members' objections are based on the prevention of public nuisance, prevention of crime and disorder and public safety licensing objectives, this is due to concerns from noise both from music and people noise along with customer behaviour outside the premises.
- 3.9 Hertford Town Council's objection is based on the prevention of public nuisance objective due to the proximity of neighbouring residents.
- 3.10 The residents' objections are based on the prevention of public nuisance objective due to the proximity of neighbouring residents. One resident has stated that they can hear music from the premises within their property.
- 3.11 The current premises licence and conditions are attached.

A plan of the area in which the premises is located is attached

as **Appendix 'D'**. This can be used to illustrate the location of the premises in relation to residents and other businesses. as **Appendix 'C'**.

Policy and Guidance

3.12 The premises are also located in a Sensitive Licensing Area as defined under Section 7.9 (2) of the council's Statement of Licensing Policy, *Where additional representations have been made by other parties, our strict starting point in these areas will be to consider whether conditions will be appropriate to address those concerns or whether a refusal is justified on the basis that the licensing objectives would be undermined. The East Herts Pool of Model Conditions should be considered.*

3.14 Section 8.6 of the Policy contains information on how the council considers applications under the prevention of crime and disorder licensing objective. Paragraphs 8.8 and 8.9 state:

"The Authority will expect applicants to take appropriate and proportionate measures to promote the crime and disorder objective. Examples of the sources of crime and disorder which the Authority would require applicants to take into consideration may include, but are not limited to:

- *Underage drinking*
- *Drunkenness on the premises*
- *Public drunkenness*
- *Drugs*
- *Violent behaviour*
- *Overcrowding/occupancy capacity*
- *Anti-social behaviour*

When determining licence applications and reviews the Licensing Authority will give consideration to:

- *whether the premises make or will make a significant*

contribution to levels of crime and disorder in the local area, and

- *whether the operating schedule demonstrates that an adequate risk assessment of the likelihood of crime and disorder occurring as the result of the issue of an authorisation has been carried out by the applicant.*
- *the ability and competency of the person in charge of the premises to monitor the premises at all times it is open;*
- *the training given to staff in how to defuse or manage conflict amongst patrons and crime prevention measures appropriate to those premises;*
- *the physical security features installed in the premises. This may include matters such as the position of cash registers, and the security of cash boxes in gaming machines on the premises; where alcohol is stored in 'off-licences'; the standard of CCTV that is installed; adequate lighting; metal detection and search facilities; the use of toughened drinking glasses in pubs and clubs; the removal of glasses or glass bottles used or discarded outside of the applicants premises;*
- *risk assessment of drinks promotions which may contribute to the impact on crime and disorder (e.g. 'happy hours'), and plans for minimising risks;*
- *measures to prevent the consumption or supply of illegal drugs, including any search procedures and entry policies. On licensed hotel or B and B premises, this should extend to keeping proper registrations of guests, with proofs of identification, and records of car registration numbers. Where applicable, applicants are encouraged to show that they can comply with the Home Office guidance Safer Clubbing in relation to the control of illegal drugs on their premises, and they should agree a protocol with the police on the handling of illegal drugs found on their premises.;*
- *where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;*
- *the use or not of an ID scanning type system;*
- *the likelihood of any violence, public disorder or policing problem if the licence is granted;*

- *whether design of the premises has been considered having regard to reducing conflict and minimising opportunities for crime;*
- *the measures taken to control admission to, and dispersal from, the premises, including the use of registered door supervisors;*
- *any other such measures as may be appropriate, such as participation in a local pub watch scheme or other body designed to ensure effective liaison with the local community, 'music wind-down policies',*
- *restrictions on 'happy hours', and other examples of industry best practice;*
- *the arrangements for delegating and accounting for responsibility for the supply of alcohol on community premises operated without a DPS.*

3.15 Section 8.14 of the Policy contains information on how the council considers applications under the public safety licensing objective.

Paragraphs 8.15 and 8.16 state:

When considering this objective, the Licensing Authority will concern itself with the physical safety and wellbeing of the people who use licensed premises, and those who may be affected by the use of licensed premises (e.g. non-customers who happen to be in the immediate vicinity of a premise). This will include measures that seek to prevent accidents, injuries and short- or long-term illnesses to staff, customers or other persons. 8.16 The Licensing Authority will have regard to the measures to be taken by applicants to ensure that the physical safety of any person visiting or working in licensed premises is not compromised. This should be demonstrated in an applicant's operating schedule. Factors that may be considered include, but are not limited to:

- *The total occupancy capacity (staff, customers, others) of the premises*
- *Physical environment of the premises*

- *Customer profile*

3.16 Section 8.20 of the Policy contains information on how the council considers applications under the public safety licensing objective.

Paragraphs 8.21 to 8.29 state:

The Licensing Authority will interpret the term 'public nuisance' widely as advised in the Secretary of State's guidance. When considering this objective the Authority will take into account issues relating to noise, vibration, light, litter, offensive odours and anti-social behaviour arising from or in connection with the provision of licensable activities. Public nuisance can be at a low level only affecting a few people locally, as well as a major disturbance affecting the wider community.⁹

This objective does not mean the complete prevention of all of the above issues, but rather the prevention of such unreasonable levels of these as would constitute a nuisance to the public or a section thereof. A degree of noise, for example, is an inevitable consequence of the provision of most forms of regulated entertainment. The Licensing Authority will therefore seek to exercise its powers in a way which promotes the licensing objective, to discourage and eliminate the carrying on of licensable activities in a way that causes unreasonable inconvenience, upset or distress to others.

The Authority would expect applicants to have demonstrated in their operating schedule that public nuisance concerns have been identified, with suitable control measures implemented and maintained. Factors that may be considered include, but are not limited to:

- *The location of the premises and proximity to residential and other noise sensitive premises*
- *The hours of opening, including times when licensable*

activities may not be taking place, last admission time and 'wind down period'

- *Nature of activities provided*
- *Supervision of customers including managing dispersal*
- *Odour and light nuisance*
- *Litter and waste disposal*
- *the location of delivery and collection areas and delivery/collection times*
- *Noise management plan (where appropriate)*

Steps that can be taken to minimise public nuisance include those to:

- *prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. This may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;*
- *prevent disturbance by customers and staff arriving at or leaving the premises;*
- *prevent queuing (either by pedestrian or vehicular traffic);*
- *help ensure patrons and staff leave the premises quietly;*
- *minimise the effect of parking by patrons on local residents;*
- *minimise noise from the use of smoking shelters, gardens and other open-air areas.*

This lists above are not exhaustive and the Licensing Authority remains aware of its obligation to consider each case on its merits.

The Authority notes that, as with other licensing objectives, there are other regulatory regimes exist which may be used to control nuisance. The Environmental Protection Act 1990 in particular allows Environmental Health officers to require the abatement of a statutory nuisance, and would be considered the primary control for such issues. However, the Licensing Authority notes that this regime is largely reactive, whereas licensing may be used to establish proactive controls, preventing a nuisance from reaching

a statutory level in the first instance.

Nuisance may arise directly as a result of licensable activities (for example, noise from music), or indirectly (noise from customers at the premises). Applicants and licence-holders are strongly encouraged to consider all possible sources of nuisance when compiling operating schedules, and to implement appropriate measures for the promotion of this objective. For many types of nuisance, this process will begin in the initial design stages prior to the construction or redevelopment of premises. The Council's Environmental Health officers may be consulted for informal advice, prior to the making of a licence application, on proposed measures likely to reduce or prevent the likelihood of public nuisance arising from the operation of licensed premises.

The Licensing Authority will have regard to best practice guidance when considering this licensing objective, including but not limited to:

- *Guidelines on Community Noise (World Health Organisation)*
- *Effective Management of Noise from Licensed Premises (British Beer and Pub Association)*
- *Code of Practice on Environmental Noise Control at Concerts (Noise Council)*

Where premises which are the subject of licensing applications involving amplified musical entertainment beyond 11pm are in close proximity to residential properties, the Licensing Authority will require a comprehensive operating schedule listing measures that the applicant intends to implement to ensure the promotion of this licensing objective.

3.17 Paragraph 9.37 and 9.38 of the government's revised guidance issued under section 182 of the Licensing Act 2003 (herein 'the Guidance') states:

As a matter of practice, licensing authorities should seek to focus

the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

In determining the application with a view to promoting the licensing objectives the licensing authority must give appropriate weight to:

- *the steps that are appropriate to promote the licensing objectives;*
- *the representations (including supporting information) presented by all the parties;*
- *this Guidance;*
- *its own statement of licensing policy.*

3.18 Paragraphs 9.42 – 9.44 of the Guidance deal with how to determine actions that are appropriate for the promotion of the licensing objectives.

3.19 If the Sub Committee are minded to impose conditions to mitigate concerns regarding the undermining of the licensing objectives then Chapter 10 of the Guidance deals with conditions attached to premises licences. Paragraphs 10.8-10.10, 10.13-10.15 would be particularly relevant along with the East Herts Pool of conditions.

Officer observations

3.20 As stated in the Guidance, the Licensing Sub-Committee's decision should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and

proportionate to what it is intended to achieve.

- 3.21 Having regard to paragraph 3.6 and the amendments to the conditions made between the applicant and police specifically the use of SIA on a Monday and Tuesday being only after 22.30, this has not been requested by the applicant on this application neither has this been fully consulted upon as such this does not form part of this application and a further minor variation should be sought for this request.
- 3.22 Some parts of the police's conditions are unfortunately subjective and unenforceable, specifically parts a, d and f with words such as encouraged and excessive amounts. With regards to condition i, members may wish to ask the applicant how they intend to achieve this.
- 3.23 As for the amendment to introduce a half hour soft close rather than a one hour soft close whilst not formally requested it is implied that this is removed by the hours requested. However, members may wish to confirm this.

When looking at the East Herts Pool of Model Conditions, the Sub-Committee members may wish to consider adding the condition that "Music amplification systems shall not be located in the entrance lobby or outside the premises building. Music amplification systems must not be directed outwards towards any street or installed externally to the Premises". Many other of the model conditions or a variation of are already on the current licence.

- 3.24 If Members are minded to add these, or any other conditions, then the applicant should be given the opportunity to comment on any issues that this may create or any factors that would make the conditions impractical or inappropriate.
- 3.25 If the Sub-Committee believes that the application would not undermine any of the licensing objectives then the application

should be granted as requested.

- 3.26 The Sub-Committee members should consider if they are content that the applicant has provided evidence that the licence if granted would promote and not undermine the licensing objectives. This evidence should be balanced against the evidence given by those making representations that the licensing objectives would be undermined.
- 3.27 If the Sub-Committee believes that there is evidence that the granting of the licence would not promote the licensing objectives then it is within their remit to take the action they believe is appropriate and proportionate to address their concerns. Members can attach conditions or take any steps they believe appropriate to promote the licensing objectives including: limiting the days, limiting the hours or even refusing the application in its entirety.
- 3.28 Put in its simplest terms, what are the minimum measures that can be put in place to address the concerns? Refusal of the application should be the last option considered.
- 3.29 If additional conditions are considered, the Sub-Committee should decide whether these steps would in fact address their concerns if the decision was made to grant the hours requested.
- 3.30 The Sub-Committee may wish to seek the opinion of the applicant on any proposed conditions to clarify which are agreeable so that the hearing can focus on those which are disputed.
- 3.31 For conditions to be enforceable they need to be clear, unambiguous and free from subjective terms. If a condition cannot be enforced then it should not be placed on any granted licence.

3.32 The actions open to the Licensing Sub-Committee are:

- grant the application if they feel the application would promote and not undermine the licensing objectives;
- grant the application as sought but at the same time modify the conditions of the licence volunteered by the applicant in the operating schedule, by altering or omitting or adding to them.
- if members believe that there is evidence that shows that there are no steps that can be taken to ensure that the application sought would promote the licensing objectives then the application should reject the whole or part of the application that would lead to the application undermining the licensing objectives.

3.33 When the Licensing Sub-Committee gives its decision to those in attendance it should be made clear to all parties how much weight has been attached to each submission and why and what evidence the Sub-Committee has relied upon when reaching their decision.

4.0 Risks

4.1 A decision on the application must be made and any decision made can be appealed at the Magistrate's Court. Therefore the Licensing Sub-Committee should ensure that when giving its decision on the application it gives clear reasons on how and why it has made its decision. In doing so, the council's ability to defend its decision is strengthened and the risk of its decision being over-turned on appeal is lessened, although, of course, this risk can never be entirely removed.

5.0 Implications/Consultations

5.1 There has been a statutory 28 day public consultation.

Community Safety

The report details the four licensing objectives, these objectives are detailed in paragraph 2.3 above, therefore Community Safety will be considered when determining the application.

Data Protection

Where the appendices originally contained personal data this has been redacted.

Equalities

Consideration has made to the Equality Act 2010 and the Public Sector Equality Duty in this report and will be considered during the Licensing Sub-Committee hearing.

Environmental Sustainability

No

Financial

There will be a cost to the authority in holding the Licensing Sub-Committee hearing, this will be covered by the existing budget. There would be a cost if the decision of the Licensing Sub-Committee is appealed to the Magistrate's Court and the authority chooses to defend that appeal, although if the appeal was subsequently dismissed by the court, the council could recover (at least some of) its costs.

Health and Safety

No

Human Resources

No

Human Rights

As with all applications and council functions, the Human Rights Act 1998 has been considered in this report and will be considered during the Licensing Sub-Committee hearing.

Legal

All statutory requirements have been considered in preparing this report.

Specific Wards

Yes – Hertford - Castle

6.0 Background papers, appendices and other relevant material

- 6.1 Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018) -
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705327/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf
- 6.2 East Herts Statement of Licensing Policy 2021-2026
<https://cdn-eastherts.onwebcurl.com/s3fs-public/2022-03/Statement%20of%20Licensing%20Policy%202021-26%20Mar%202022.pdf>
- 6.3 [East Herts Pool of Model Conditions 2021](https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2021-08/Pool%20of%20Model%20Conditions%202021%20%28accessible%29.pdf)
<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2021-08/Pool%20of%20Model%20Conditions%202021%20%28accessible%29.pdf>
- 6.4 **Appendix 'A'** – Application for a Variation of Premise Licence, including plans of the premises.
- 6.5 **Appendix 'B'** – Representations against the application.
- 6.6 **Appendix 'C'** – Current Premise Licence.
- 6.7 **Appendix 'D'** - Map showing location of the premises.

Contact Member Councillor Jan Goodeve – Executive Member for Planning and Growth
jan.goodeve@eastherts.gov.uk

Contact Officer Jonathan Geall – Head of Housing and Health
Contact No: 01992 531594
jonathan.geall@eastherts.gov.uk

Report Author Brad Wheeler – Senior Licensing and Enforcement Officer
Contact No: 01992 531520
brad.wheeler@eastherts.gov.uk



* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	01	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
<p>Are you an agent acting on behalf of the applicant?</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>		<p>Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.</p>

Applicant Details

* First name		
* Family name		
* E-mail		
Main telephone number		Include country code.
Other telephone number		
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone		
<p>Are you:</p> <p><input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader</p> <p><input type="radio"/> Applying as an individual</p>		<p>A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.</p>

Applicant Business

Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	<p>Note: completing the Applicant Business section is optional in this form.</p>
Registration number	9935671	
Business name	Dark Dragon Ltd	If your business is registered, use its registered name.
VAT number	<input style="width: 30px; border: none;" type="text" value="GB"/> <input style="width: 150px; border: none;" type="text" value="231275435"/>	Put "none" if you are not registered for VAT.
Legal status	Private Limited Company	

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

18,000

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

The Junglebar is a Public House and live music venue situated at 117 Fore Street, a main road through the centre of Hertford.

The Bar faces onto Fore st. and has one entrance and a window either side of the door.

There are no residential properties to the front of the building

Regulated entertainment and Late Night refreshment in the form of live music and recorded music to extend to end of opening hours.

All current conditions to remain the same as existing conditions.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Continued from previous page...

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

As existing Annex A of Licence stipulates all Amplified music will be controlled by the AVLS system as set by the Environmental Health.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Through AVLS System. Recorded Music.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Page 72

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Amplified and unamplified via AVLS System (limiter as set by Enviromental Health)

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

n/a

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

n/a

Continued from previous page...

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Nil

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

An extra hour at the end of British Summer Time

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

nil

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

nil

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Only able to down load one PDF file with application

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Continued from previous page...

As per existing Licence conditions

b) The prevention of crime and disorder

As per existing Licence Conditions

c) Public safety

As per existing Licence Conditions

d) The prevention of public nuisance

As per existing "Dispersal Plan"

e) The protection of children from harm

As per existing Conditions

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Fees for all Licensing Act 2003 permissions have been set by central government. Variation fees are based on the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15)

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/east-hertfordshire/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) Next >

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 04/03/2022 5:47 PM from.

Application Summary

Address: 117 Fore Street Hertford Hertfordshire SG14 1AX

Proposal: Variation - Premises Licence

Case Officer:

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter
Type: Councillor

Stance: Customer objects to the Licensing Application

Reasons for
comment:

Comments: 04/03/2022 5:47 PM Disappointed to see this application, it is just so inconsiderate to even think about doing this. Have the nearby residents not suffered enough? Given the

history of complaints about noise and anti social behaviour associated with these premises I certainly do not wish to see any further encouragement for people to hang around our streets in this vicinity even later at night. The license review pre Covid evidenced the issues. Residents have work and school commitments, it is totally unreasonable for their right to peaceful enjoyment of their homes to be further disturbed and their children frightened. I do not believe therefore that this application meets licensing objectives.

Kind regards

From: Housing & Health Services - Community Protection

Sent: 15 March 2022 13:07

Subject: The Jungle Bar - Application Varied.

Dear Cllrs,

Please be advised that The Jungle Bar have amended their application since you objection was made.

They are now only asking for an increase to the times of recorded music, until their current closing time.

There is no change to the Supply of Alcohol, Live Music, Later Night Refreshment and opening / closing times

Please can you let me know if your objections still stand.

Please note that the consultation period has been extended until 9th April 2022.

Kind regards,

Dear

For the reasons previously stated I would not want to see an extension to any activities at these premises.

Best wishes

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 03/03/2022 5:28 PM from

Application Summary

Address: 117 Fore Street Hertford Hertfordshire SG14 1AX

Proposal: Variation - Premises Licence

Case Officer:

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter
Type: Councillor

Stance: Customer objects to the Licensing Application

Reasons for
comment:

Comments: 03/03/2022 5:28 PM I OBJECT TO ALL THESE PROPOSED CHANGES BECAUSE THEY CAN ONLY LEAD TO MORE PEOPLE BEING IN CENTRAL HERTFORD IN THE EARLY HOURS WHICH I DO NOT BELIEVE IS CONDUCIVE TO PUBLIC SAFETY AND IS LIKELY TO ADD TO PUBLIC NUISANCE AND CRIME AND DISORDER IN THE TOWN.

Kind regards

From: Housing & Health Services - Community Protection
Sent: 15 March 2022 13:07
Subject: The Jungle Bar - Application Varied.

Dear Cllrs,

Please be advised that The Jungle Bar have amended their application since your objection was made.

They are now only asking for an increase to the times of recorded music, until their current closing time.

There is no change to the Supply of Alcohol, Live Music, Later Night Refreshment and opening / closing times

Please can you let me know if your objections still stand.

Please note that the consultation period has been extended until 9th April 2022.

Kind regards,

This is an improvement on their first request. However, I still don't agree. The intention presumably is to keep people in the bar for longer which would mean more late night alcohol consumption and more people being disgorged out onto the street later than would otherwise be the case. I do not believe that would be conducive to good public order or in the best interests of the nearby residents.

Thanks

On 1 Apr 2022, at 14:06, Housing & Health Services - Community Protection <Community.Protection@eastherts.gov.uk> wrote:

Dear Councillor Deering

For clarity could you please confirm which of the 4 licensing objectives your representation relates to:

- Prevention of public nuisance
- Prevention of crime and disorder
- Public safety
- The protection of children from harm

If you wish to submit any supporting evidence then please do so by the 9th April 2022.

Regards

Thank you for following up.

Each of the first three. If customers remain in the bar longer because of the music that will mean more alcohol consumption and more people leaving the premises later than would otherwise be the case. That will lead to greater public nuisance, the likelihood of more crime and disorder and public safety issues.

This bar is next door to a residential area and any of the above will be adverse to the well being of those residents including children.

Thanks

From:

Sent: Fri, 4 Mar 2022 14:10:16 +0000

To: Housing & Health Services - Community Protection

Cc:

Subject: 22/0207/PLV - Jungle Bar

As a local Ward Councillor please lodge my objection to this application.

I have always maintained that this very small public house is not a suitable premises for a late music 'club' type offering,

The premises are situated well outside the town centre adjacent to residential properties containing families with young children.

These late hours will only contribute and extend the disturbance of local residents, who, over the years, have continually have had reason to complain of rowdy behaviour outside their properties late at night.

regards

From:

Sent: Fri, 25 Mar 2022 09:57:51 +0000

To: Housing & Health Services - Community Protection

Subject: [External] Proposed changes to licence for Jungle Bar

Importance: Normal

Re Application 22/0207/PLV

As a local resident my fear with and objection to these changes is that they all extend the time of night noise pollution in a residential area from not just weekends but to all week.

I am talking of noise not just direct from Jungle Bar itself, but from the inevitable footfall and disturbance in the surrounding streets as more people are attracted to either arrive at or remain at the venue even later into the early hours of the morning.

As local residents we have had to tolerate disturbing night-noise at weekends for some time, but strongly object to this being extended to all week.

Bluecoat Court
Hertford

From:

Sent: Fri 08/04/2022 13:29

To: Housing & Health Services - Community Protection

Subject: [External] Comments from Hertford Town Council 22/0207/PLV and 22/0271/PLV

Please see comments from the Councils Planning Sub Committee from its meeting on 28 March 2022

22/0207/PLV	Jungle Bar	Variation of Premises Licence
Committee would object to any change to current arrangements on public nuisance grounds bearing in mind the proximity to local residents and the Bluecoats site.		

22/0271/PLV	The Riverside Garden Centre Ltd	Supply of Alcohol
No Objection		

Kind regards

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 08/04/2022 10:22 PM from

Application Summary

Address: 117 Fore Street Hertford Hertfordshire SG14 1AX

Proposal: Variation - Premises Licence

Case Officer:

[Click for further information](#)

Customer Details

Name:

Email:

Address: Fore Street Hertford

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 08/04/2022 10:22 PM I would ask the Council to reject this license application given the proximity of the Jungle Bar to a number of residential properties. The noise from the bar and it's patrons is already quite significant so to continue this through to 2:30 or 3:00 five days a week is excessive. The music from the bar can already be heard outside, including inside my flat when I'm trying to sleep, so the prospect of this continuing a further 60 to 90 minutes every night is not fair on residents. I further worry that the extension of the license conditions to play music into the small hours of night will further exacerbate the noise from patrons outside of the bar as they are encouraged to stay later into the night. There are routinely large numbers of people outside of the bar, often quite drunk singing loudly and shouting, with even fights breaking out. Additionally patrons of the bar often stand at the side of the bar on South Street waiting for taxis and again creating a significant amount of noise. There is no attempt by the bar staff or security to stop people waiting here. I worry that extending the license conditions will only result in significant increase in the noise that residents must live with. I understand that as a resident of the town centre there must be a compromise between residents and businesses, but surely that's exactly what the existing license provides for. The proposed change removes that compromise and I for that reason I object to this application.

Kind regards

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District of East Hertfordshire Premises Licence Licence No: 19/2331/PLR

Licensing Act 2003

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION	
Jungle Bar 117 Fore Street, Hertford, Hertfordshire, SG14 1AX	Telephone: 01992 676761

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES		
SALE OF ALCOHOL		
Bank Holiday Monday	09:00	01:30
Monday to Tuesday	09:00	01:00
Sunday	09:00	02:00
Thursday to Saturday	09:00	02:30
Wednesday	09:00	02:00
Christmas Eve	09:00	01:30
New Year's Eve - From the start of permitted hours on New Year's Eve to 30 minutes before the end of permitted hours on New Year's Day. An extra hour at the end of British Summer Time.		
FILMS (INDOORS)		
Friday and Saturday	09:00	01:00
Monday to Thursday	09:00	23:59
Sunday	09:00	23:30
LIVE MUSIC (INDOORS)		
Monday to Tuesday	09:00	00:00
Sunday	09:00	01:00
Thursday to Saturday	09:00	02:00
Wednesday	09:00	01:00

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**LATE NIGHT REFRESHMENT (INDOORS)**

Sunday to Wednesday	23:00	02:00
Thursday to Saturday	23:00	03:00

PLAYS (INDOORS)

Friday and Saturday	09:00	01:00
Monday to Thursday	09:00	23:59
Sunday	09:00	23:30

RECORDED MUSIC (INDOORS)

Monday to Tuesday	09:00	00:00
Sunday	09:00	01:00
Thursday to Saturday	09:00	02:00
Wednesday	09:00	01:00

THE OPENING HOURS OF THE PREMISES

Bank Holiday Monday	09:00	01:30
Monday to Tuesday	09:00	01:30
Sunday	09:00	02:30
Thursday to Saturday	09:00	03:00
Wednesday	09:00	02:30
Christmas Eve	09:00	02:00

On New Year's Eve the premises shall be opened from the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day. An extra hour extension at the end of British Summer Time.

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Alcohol is supplied for consumption on the Premises

Part 2**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Dark Dragon Limited
75 Shelton Street, Covent Garden, London, WC2H 9JQ

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Company Number - 9935671

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Mr David Owen

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Personal licence number:

Licensing Authority:

ANNEX 1 – MANDATORY CONDITIONS

1. No supply of alcohol may be made under the premises licence –
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
 6. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
 7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition -

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) “permitted price” is the price found by applying the formula -

$$P = D + (D \times V)$$

where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
8. Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
9. (1) Sub-paragraph (2) applies where the permitted price on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
10. The admission of children under 18 to any film exhibition must be restricted in accordance with any recommendation made by the film classification body specified in section 4, Video Recordings Act 1984 unless the licensing authority notifies the holder of the premises licence that recommendations made by the licensing authority must be followed instead.
11. Any individual employed on the premises to conduct a security activity (within the meaning of paragraph 2(1)(a) of schedule 2 to the Private Security Industry Act 2001) must be licensed by the Security Industry Authority.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will be covered, enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensed activities and during all times when customer remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Records shall be made immediately available upon the request of Police or authorised officers throughout the proceeding 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
3. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
4. On Mondays and Tuesdays, one SIA registered door supervisor shall be employed at the premises. At all other times, two SIA registered door supervisors shall be employed at the premises: one from 21:00 hours and two from 23:30 hours, until the premises is empty and customers have dispersed from the area outside the premises.
5. The premises operate a policy of zero tolerance with regards to drugs and a written policy will be made available on request to an authorised officer of the council or police.
6. An incident log book shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
 - a. Any incidents of disorder
 - b. Any seizures of drugs or offensive weapons
 - c. Any ejections of patrons
7. Reasonable steps will be taken to recognise the rights of local residents and to encourage customers to leave the premises quietly.
8. The Premises Licence Holder shall display A4 size notices on all entry / exit points, with clear wording no smaller than size 50 font asking persons arriving at or departing the venue to discourage from noise and be respectful of the premises neighbours.
9. No customers shall be permitted in any external area at the rear of the premises.
10. The premises will operate a music and dispersal policy. Such policy to be made available on request to an authorised officer of the council or police.
11. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs for local residents and use the area quietly.
12. A direct telephone number for the manager at the premises shall be publically available at all times the premises is open. The telephone number is to be made available to residents and businesses in the vicinity.
13. No deliveries to the premises shall be arranged between 23:00hrs and 07:00hrs.
14. No waste or recycling materials including bottles shall be moved, removed or placed in the outside areas between 23:00hrs and 07:00hrs.
15. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/ channel at its junction with its kerb edge, shall be swept and/ or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
16. A log shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be made

available on request by an officer of the Licensing Authority or Police.

18. The premises will install and use an AVLS as part of the entertainment system, set at a level agreed by East Hertfordshire District Council Environmental Health Officer.
19. The age verification policy operated at the premises shall be "Challenge 21." This means that whilst alcohol may be sold to persons aged 18 years or over, any person who appears under 21 years of age shall be required to provide proof of age using an acceptable form of ID. The only forms of ID that may be accepted shall be a proof of age card bearing the PASS hologram logo:
 - a. Passport
 - b. UK photo driving licence; or
 - c. Military ID Card
20. All amplified live and recorded music and speech shall pass through the public address system which is controlled by an AVLS noise limiter. Such level to be set to the satisfaction of the Environmental Health Officer and such levels will not be altered without prior agreement of the Environmental Health Officer.
21. All doors and windows to the premises shall be fully closed during any licensed entertainment, other than for the access and egress of patrons to and from the premises.
22. The police will be informed four weeks before any event at the premises, being organised by an external promoter.
23. A private hire company number will be clearly advertised at the premises for patrons to book a taxi home.
24. No parts of the outside exterior shall be used for the purpose of entertainment.
25. At the end terminal closing hour for the premises announcements shall be made requesting customers leave the premises in a quiet and orderly manner.
26. The outside smoking area immediately at the front of the premises shall be continually monitored to ensure customers are not being noisy. A zero tolerance approach to noise disturbance by patrons will be in operation at the premises which will be enforced strictly by SIA staff employed and in operation at the premises.
27. No food or drinks obtained from the premises will be permitted to be consumed outside of the premises at any time.
28. All staff shall receive training on the contents of the premises licence and their roles and responsibilities to uphold the premises licence conditions.
29. Children will only be permitted into the premises with an adult, all children to be off the premises by 21:00 hours.
30. One hour prior to the terminal hour, the management is to commence a soft closure and dispersal as per the company Dispersal Policy.
31. Regular staff meetings shall be held to discuss underage drinking, the laws attached and any updates.

32. No more than 15 of your customers are to congregate in the public area outside your premises at any one time whether smoking or not. Your staff or SIA staff are to ensure that at all times during your opening hours after 2030 hours there is a clear unobstructed route (at least a metre wide) on the pavement area directly outside your premises, (pavement area being from the building line to the kerb edge) which is free from your customers to allow for pedestrians to pass through at any time.
33. This Fire Authority recommend that the total maximum 'permitted capacity' of the areas used for licensable activities must not exceed 100. This includes staff and guests.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

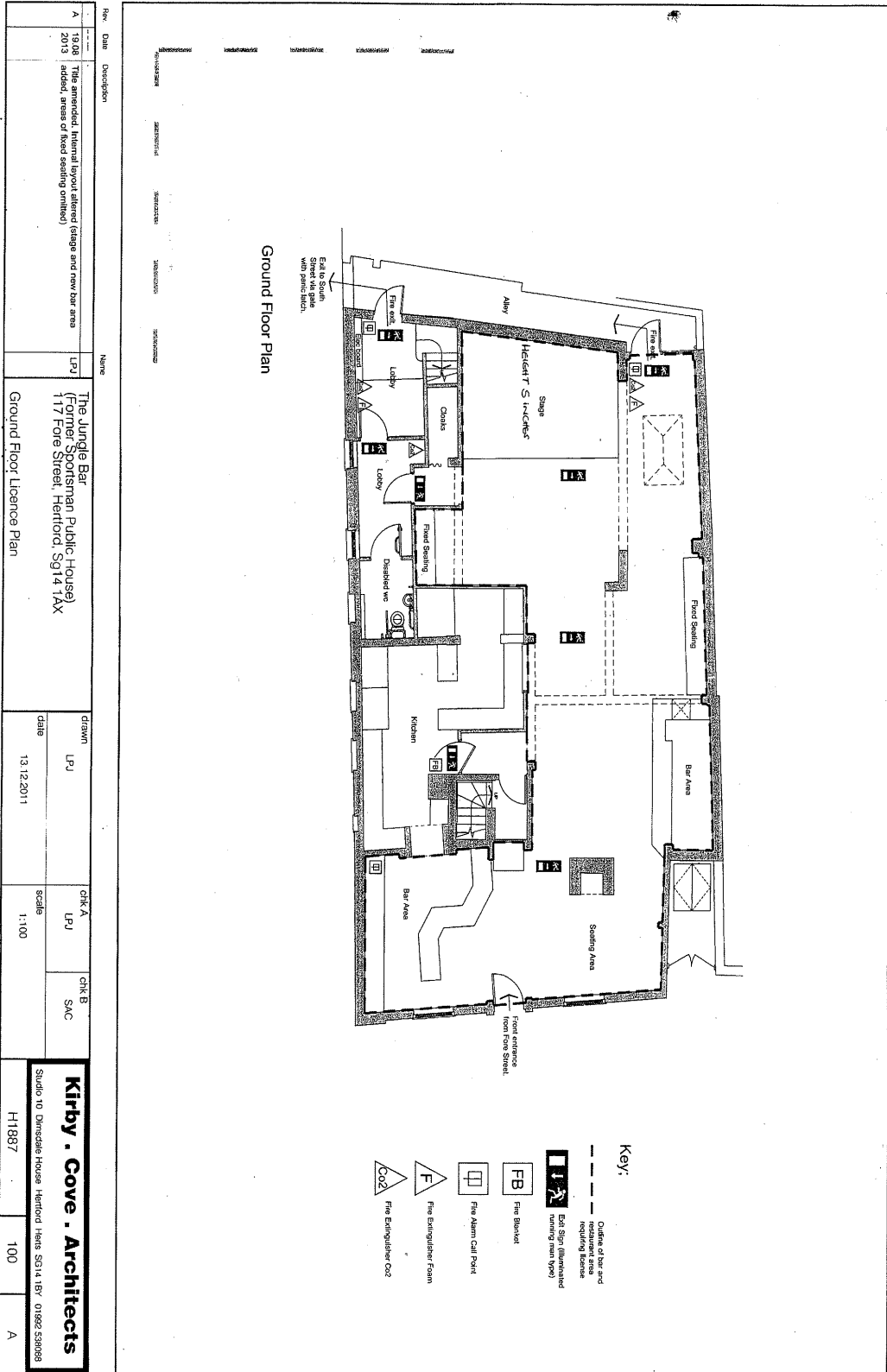
1. Last entry to the premises is one hour before closing time. This excludes those re-entering having used the smoking area outside. This is to be managed and enforced by SIA's and the premises manager.

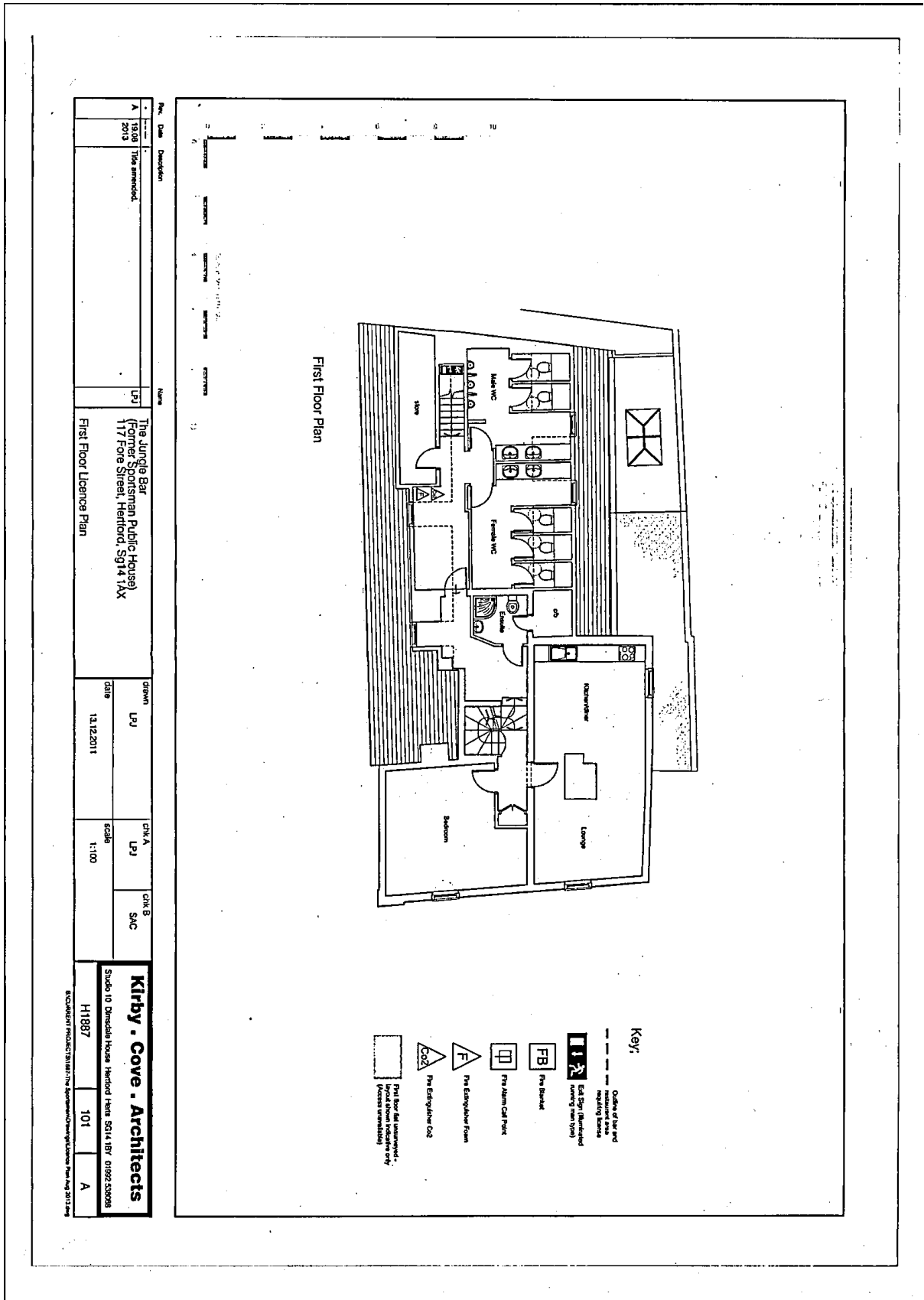
Attached after a hearing on 30th January 2020 / 11th February 2020

2. The premises will employ one SIA registered street marshal, in addition to existing door staff, on Friday and Saturday evenings from 23:00 until 30 minutes after the close of the premises. The street marshal is required to wear a body worn camera.
3. All CCTV must provide a clear and unobstructed view of the entrance, and all of the outside areas, including the queue and area used by patrons for smoking.

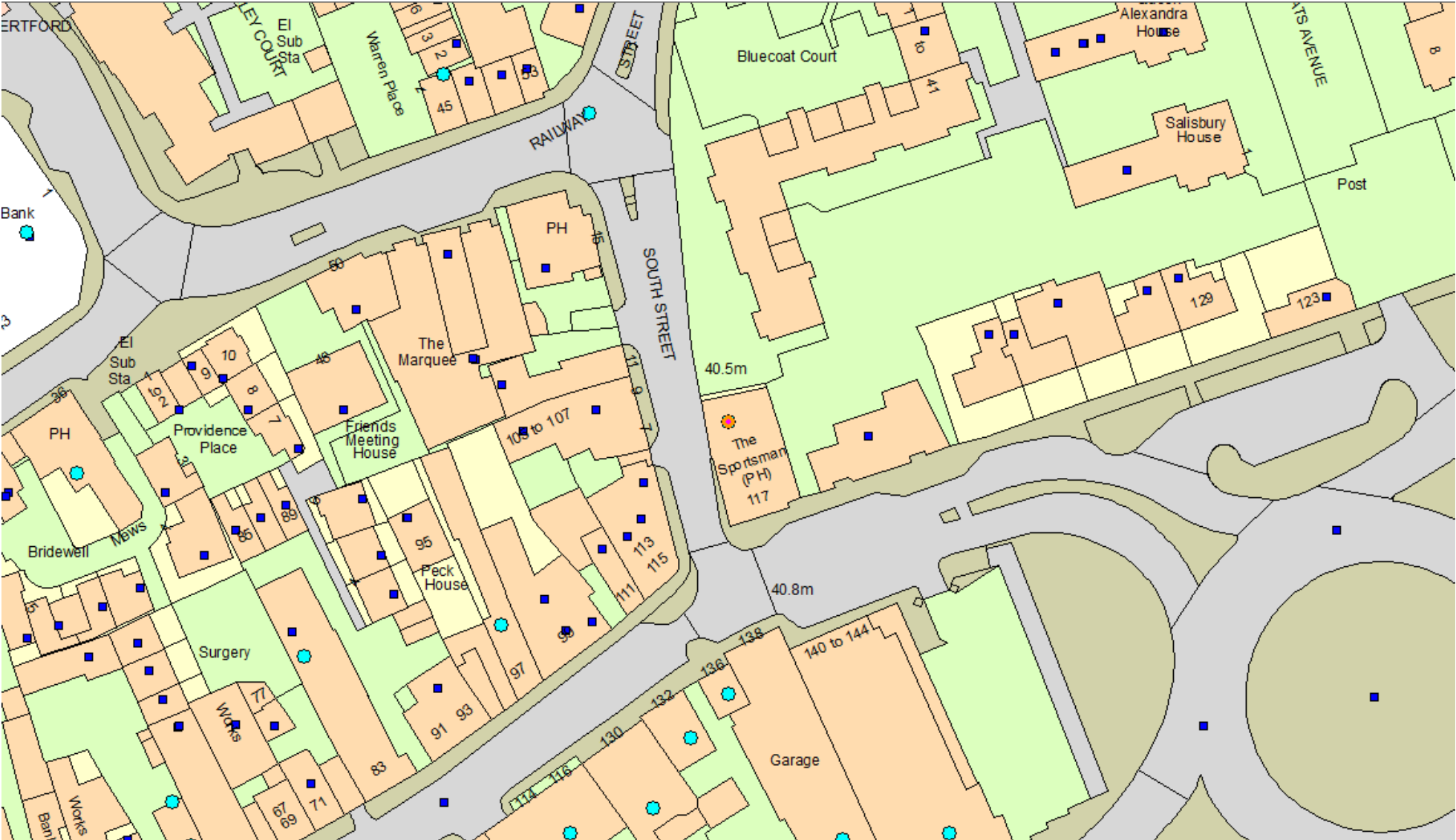
ANNEX 4 - PLANS

Title: The Jungle Bar (Former Sportsman Public House) 117 Fore Street, Hertford. SG14 1AX
Ground Floor Licence Plan
Dated: 13.12.2011





Appendix D - Location plan of premises (marked as 'The Sportsman')



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East Herts Council Report Template

Licensing Sub-Committee

Date of Meeting: 5 May 2022

Report by: Jonathan Geall, Head of Housing and Health

Report Title: Application for a new time limited premises licence by Integrated Event Management Ltd (Stone Valley Festival South Wannasee Festival) at Hillside Farm, Hillside Lane, Great Amwell

Ward(s) affected: Great Amwell

Summary

- An application for a new premises licence has been received from Integrated Event Management Ltd (Stone Valley Festival South / Wannasee Festival) for events at Hillside Farm, Hillside Lane, Great Amwell. Representations against the application have been made by interested parties. Where representations are received against an application and not withdrawn there must be a Licensing Sub-Committee to decide that application. The report is to inform that decision.

RECOMMENDATIONS FOR LICENSING SUB-COMMITTEE

A. The application for a new premises licence be decided.

1.0 Proposal(s)

Members of the Licensing Sub-Committee should determine the application to grant a premise licence to Integrated Event Management Ltd (Stone Valley Festival South / Wannasee Festival) through consideration of the information contained in

this report and appendices combined with submissions made at the Licensing Sub-Committee hearing.

2.0 Background

2.1 Under the Licensing Act 2003 and the council's policy an application for a new or variation to a licence or certificate is granted by officers under delegated authority if no valid representations are received.

2.2 Where valid representations are received the council's discretion is engaged. A Licensing Sub-Committee has the delegated authority to determine applications for new and varied licences and certificates. This decision must be made whilst having regard to the Licensing Objectives, the council's own Statement of Licensing Policy and to statutory guidance issued by the Secretary of State under section 182 of the Licensing Act.

2.3 The Licensing Objectives are:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of public nuisance; and
- Protection of children from harm.

3.0 Reason(s)

3.1 The application for a new premises licence was originally submitted by Integrated Event Management Ltd on 3rd March 2022. However the applicant resubmitted their application on 9th March 2022 after errors had been identified by the Licensing Team. The application has been correctly advertised and consulted upon as required by legislation and regulations.

3.2 The application has been made to allow two festivals called "Stone Valley Festival South" and "Wannasee Festival" to take

place in fields adjacent to Hillside Farm, Hillside Lane, Great Amwell.

- 3.3 The application requests the supply of alcohol for consumption on and off the premises, late night refreshment and regulated entertainment.

Day	Licensable Activity	Hours applied for
Thu – Sun	Supply of alcohol (for consumption on and off the premises)	11:00 – 23:00
Thu – Sun	Late Night Refreshment	23:00 – 01:00
Thu – Sun	Recorded Music	11:00 – 23:00
Thu – Sun	Live Music	11:00 – 23:00
Thu – Sun	Performance of Dance	11:00 – 23:00

- 3.4 The times are restricted to two weekends between 24th April 2022 and 1st August 2022. A weekend for the purposes of the application being defined as Thursday, Friday, Saturday and Sunday. The licence would not take effect until it is granted and the earliest allowable event date would be 5th May 2022.
- 3.5 The application requests the opening hours to be from 10:30 each day until 23:30, with concessions being open until 01:00 for persons camping nearby.
- 3.6 A redacted copy of the application form for a new premises licence is attached as **Appendix 'A'**.
- 3.7 Section 18 of the application form asks the applicant to describe any additional steps they intend to take to promote the four licensing objectives as a result of the application.
- 3.8 During the 28 day statutory public consultation period the applicant agreed with Environmental Health that the following conditions should be added if the application is granted:

- 1) Ensure all electrical installations are installed by a competent person as set out in BS7909 and then further inspected by both the Event Manager and a secondary Competent Person prior to the Premises opening.
- 2) Ensure all electrical appliances utilised on site have a current and valid PAT test.
- 3) Ensure a competent contractor is appointed to review all risks relating to noise pollution and noise management from the amplified music on site. This contractor is to have an extensive background and qualification set in relation to Noise Management and Noise Pollution. Their recommendations are set out in the Event Management Plan and have been accepted in full by the Applicant to be implemented throughout the event. Final requirements as directed by conditions attached to the licence will be incorporated in a final Noise Management Plan which will be implemented and monitored throughout licensable times by the same Noise Management contractor.
- 4) Ensure a competent contractor is appointed to review all risks relating to noise pollution and noise management from the amplified music on site. This contractor is to have an extensive background and qualification set in relation to Noise Management and Noise Pollution. Their recommendations are set out in the Event Management Plan and have been accepted in full by the Applicant to be implemented throughout the event. Final requirements as directed by conditions attached to the licence will be incorporated in a final Noise Management Plan which will be implemented and monitored throughout licensable times by the same Noise Management contractor.
- 5) Noise levels to be limited to 65dB LAeq(15min) not less than 1m from the façade of any noise sensitive dwellings, with 70dB LAeq(15min) in the 63Hz and 125Hz octave

bands

- 6) A detailed noise management plan with measures agreed by the local authority no less than 3 weeks prior to the event taking place. The plan must include as a minimum:
 - Detailed site layout plan
 - Event schedule, including timings and details of the music e.g. Live / recorded
 - Identify and risk rate all the noise sources
 - Identification of receptors
 - Prediction of sound levels at relevant locations on and off site
 - Noise monitoring strategy
 - Communication strategy
 - Complaints response procedure
 - Accountability management plan including contact details
- 7) The Applicant will employ and utilise throughout and after the event a Cleansing Team who will remove litter and waste from both the Premises and nearby areas utilised by attendees in accessing or egressing the event. The Event operates a "Leave No Trace" Policy and will return the Premises and adjacent areas to exactly the condition prior to Licensable Activities.
- 8) that the noise monitoring carried out at the event along with any complaint logs etc. are provided to the council no later than 14 days following to close of the event in the form of a post event noise monitoring report. The report should outline the level of compliance with the agreed noise levels, detailed monitoring logs including times, locations and levels as well as any complaints and subsequent alterations to the noise levels
- 9) In Event Management Plan (EMP) shall be submitted to the

responsible authorities no less than 3 months prior to the start of the event. The EMP must demonstrate that resourcing and infrastructure is based on threat and risk to the event. The latest EMP must be supplied to all responsible authorities 21 days before the event takes place. Following this any changes must be circulated immediately to all responsible authorities.

- 3.9 During the 28 day statutory public consultation period two valid representations were received from Interested Parties, one being from the Parish Council and one valid objection from local residents. These representations are attached as **Appendix 'B'**.
- 3.10 The representation from Great Amwell Parish Council and residents raises concerns over noise and safety due to a gas pipeline situated in the field. The representations engage the public safety and prevention of public nuisance licensing objectives.
- 3.11 With regards to the gas pipeline, the applicant has confirmed that he has been in touch with Cadent Gas which manages the gas pipeline network in the locality. The applicant has the plan of the pipeline and has taken advice regarding siting temporary structures.
- 3.12 With regards to the procedural issues raised by the Parish Council these have been addressed by the Service Manager – Licensing and Enforcement prior to the hearing. With regards to the letter drop and noise complaint logs these are addressed in paragraphs 3.24 and 3.25 in Officer Observations section below.
- 3.13 A plan of the area in which the premises is located is attached as **Appendix 'C'**. This can be used to illustrate the location of the premises in relation to residents and other businesses.

Policy and Guidance

- 3.14 Section 6 of the East Herts Statement of Licensing Policy (herein 'the Policy') details definitions of premises and location and operation of premises (differentiating between Town Centre locations and other areas). Under this section of the Policy the operation of Stone Valley South best fit would be 'Festival'.
- 3.15 The proposed premises are a field and as such they are not in a Town Centre locations so are classed as being in 'Other areas'.
- 3.16 The table at 6.9 of the Policy details the council's approach to hours for licensed premises when it has received relevant representations to an application. Notwithstanding that each application is considered on its own merits, the following hours would normally be granted to a 'Festival' in this type of location when valid and relevant representations have been received:

Will generally be allowed licensable activity until 01:00 on Friday and Saturday. On Sunday to Thursday 23:00, unless the following day is a Bank Holiday or recognised National Holiday. For information there is a Bank Holiday in the period requested on Thursday 2nd June 2022 and Friday 3rd June 2022.

- 3.17 Section 8.14 of the Policy contains information on how the council considers applications under the public safety licensing objective.

Paragraphs 8.15 and 8.16 state:

8.15 When considering this objective, the Licensing Authority will concern itself with the physical safety and wellbeing of the people who use licensed premises, and those who may be affected by the use of licensed premises (e.g. non-customers who happen to be in

the immediate vicinity of a premise). This will include measures that seek to prevent accidents, injuries and short- or long-term illnesses to staff, customers or other persons.

8.16 *The Licensing Authority will have regard to the measures to be taken by applicants to ensure that the physical safety of any person visiting or working in licensed premises is not compromised. This should be demonstrated in an applicant's operating schedule. Factors that may be considered include, but are not limited to:*

- *The total occupancy capacity (staff, customers, others) of the premises*
- *Physical environment of the premises*
- *Customer profile*

3.18 Section 8.20 of the Policy contains information on how the council considers applications under the prevention of public nuisance licensing objective.

Paragraphs 8.21 to 8.29 state:

8.21 *The Licensing Authority will interpret the term 'public nuisance' widely as advised in the Secretary of State's guidance. When considering this objective the Authority will take into account issues relating to noise, vibration, light, litter, offensive odours and anti-social behaviour arising from or in connection with the provision of licensable activities. Public nuisance can be at a low level only affecting a few people locally, as well as a major disturbance affecting the wider community.*

8.22 *This objective does not mean the complete prevention of all of the above issues, but rather the prevention of such unreasonable levels of these as would constitute a nuisance to the public or a section thereof. A degree of noise, for example, is an inevitable consequence of the provision of most forms of regulated entertainment. The Licensing Authority will therefore seek to*

exercise its powers in a way which promotes the licensing objective, to discourage and eliminate the carrying on of licensable activities in a way that causes unreasonable inconvenience, upset or distress to others.

8.23 *The Authority would expect applicants to have demonstrated in their operating schedule that public nuisance concerns have been identified, with suitable control measures implemented and maintained. Factors that may be considered include, but are not limited to:*

- *The location of the premises and proximity to residential and other noise sensitive premises*
- *The hours of opening, including times when licensable activities may not be taking place, last admission time and 'wind down period'*
- *Nature of activities provided*
- *Supervision of customers including managing dispersal*
- *Odour and light nuisance*
- *Litter and waste disposal*
- *the location of delivery and collection areas and delivery/collection times*
- *Noise management plan (where appropriate)*

8.24 *Steps that can be taken to minimise public nuisance include those to:*

- *prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. This may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;*
- *prevent disturbance by customers and staff arriving at or leaving the premises;*
- *prevent queuing (either by pedestrian or vehicular traffic);*
- *help ensure patrons and staff leave the premises quietly;*
- *minimise the effect of parking by patrons on local residents;*
- *minimise noise from the use of smoking shelters, gardens and*

other open-air areas.

- 8.25 *This lists above are not exhaustive and the Licensing Authority remains aware of its obligation to consider each case on its merits.*
- 8.26 *The Authority notes that, as with other licensing objectives, there are other regulatory regimes exist which may be used to control nuisance. The Environmental Protection Act 1990 in particular allows Environmental Health officers to require the abatement of a statutory nuisance, and would be considered the primary control for such issues. However, the Licensing Authority notes that this regime is largely reactive, whereas licensing may be used to establish proactive controls, preventing a nuisance from reaching a statutory level in the first instance.*
- 8.27 *Nuisance may arise directly as a result of licensable activities (for example, noise from music), or indirectly (noise from customers at the premises). Applicants and licence-holders are strongly encouraged to consider all possible sources of nuisance when compiling operating schedules, and to implement appropriate measures for the promotion of this objective. For many types of nuisance, this process will begin in the initial design stages prior to the construction or redevelopment of premises. The Council's Environmental Health officers may be consulted for informal advice, prior to the making of a licence application, on proposed measures likely to reduce or prevent the likelihood of public nuisance arising from the operation of licensed premises.*
- 8.28 *The Licensing Authority will have regard to best practice guidance when considering this licensing objective, including but not limited to:*
- *Guidelines on Community Noise (World Health Organisation)*
 - *Effective Management of Noise from Licensed Premises (British Beer and Pub Association)*
 - *Code of Practice on Environmental Noise Control at Concerts (Noise Council)*

8.29 *Where premises which are the subject of licensing applications involving amplified musical entertainment beyond 11pm are in close proximity to residential properties, the Licensing Authority will require a comprehensive operating schedule listing measures that the applicant intends to implement to ensure the promotion of this licensing objective.*

3.19 Section 20 of the Policy contains information on how the council considers Festivals and outdoor events.

Paragraphs 20.5 to 20.8 state:

20.5 *The Authority will expect the organisers of any large events (taking place under the authority of a premises licence) or events which include special risk factors to consult the East Herts Safety Advisory Group (SAG) while planning their event, and to implement any reasonable recommendations made by the group. The SAG is a multi-agency body, which includes representatives of the Licensing Authority, responsible authorities and other statutory bodies who have involvement in the organisation and safe running of events.*

20.6 *Prior to applying for a licence, event organisers will need to secure permission from the appropriate landowner for the site on which they intend to hold their event. In the case of public land which the Council is responsible for managing, including parks and common land, approaches should be made to the Assets and Estates team within the Strategic Finance and Property service.*

20.7 *One of the major concerns arising from outdoor events is disturbance to local residents from noise associated with music entertainment at the event, or other noisy equipment such as generators, public announcement systems, fireworks, and so on. The Licensing Authority will expect to receive a comprehensive operating schedule from applicants, containing appropriate proposals to control such issues and promote the prevention of public nuisance licensing objective. Depending on the size and*

nature of the event it is likely this will need to include a comprehensive Event Management Plan (EMP) integrating a specific Noise Management Plan.

20.8 *To mitigate these concerns as far as possible early engagement with those likely to be affected by an event is expected. Simply fulfilling the statutory obligation to advertise is likely to trigger representations and raise concerns more than if there has been early engagement. Please refer to the section of this Policy that deals with “Pre-application advice and engagement” for further details.*

3.20 Paragraph 9.37 and 9.38 of the revised Guidance issued under section 182 of the Licensing Act 2003 (herein ‘the Guidance’) states:

9.37 *As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. 9.38 A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.*

3.21 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the Licensing Sub-Committee must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;

- its own statement of licensing policy.

3.22 Paragraphs 9.42-9.44 of the Guidance deal with how to determine actions that are appropriate for the promotion of the licensing objectives.

If Members are minded to impose conditions to mitigate concerns regarding the undermining of the licensing objectives, then Chapter 10 of the Guidance deals with conditions attached to premises licences. Paragraphs 10.8-10.10, 10.13-10.15 would be particularly relevant along with section 16 of the East Herts Pool of conditions.

Officer observations

3.23 With regards to the points raised by Great Amwell Parish Council's representation, the applicant did state at a previous Licensing Sub-Committee hearing that there would be a letter drop and contact number on their website for residents. This was not conditioned by the Sub-Committee and therefore was not enforceable. As such this Sub-Committee may wish to add this requirement as a condition, if a licence is granted. The condition needs to be specific and enforceable so if a letter drop is to take place then the streets where this should happen and when this should happen should be included in the wording of the condition.

3.24 Members may wish to question the applicant as to why he failed to provide the complaints log as previously conditioned and requested? If Members are minded to attach a similar condition again then the wording should be carefully considered as this is an application for a time limited licence. This limits the council's options in relation to enforcement action as the licence no longer exists however it is a matter that can be taken into consideration when a new application is received from the same applicant.

- 3.25 With regards to music being played for an hour the night before the event, this was not licensable as this was a sound check which is not a licensable activity. Notification of when this will take place could be included in the above letter drop if that condition is added to any granted licence. This would make those residents aware that it will take place.
- 3.26 With regards to late night refreshment, members may wish to include a condition that the site will remain open for campers from 23:30-01:00 to allow them to buy late night refreshment only.
- 3.28 If members believe that the application would not undermine any of the licensing objectives then the application should be granted as requested.
- 3.29 As stated in the Guidance, the council's decision should be evidence based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 3.30 Members should consider if they believe the applicant has provided evidence that the licence if granted would promote and not undermine the licensing objectives. This evidence should be balanced against the evidence given by those making representations that the licensing objective would be undermined.
- 3.31 Put in its simplest terms what are the minimum measures that can be put in place to address the concerns? Refusal of the application should be the last option considered.
- 3.32 When considering the proposed conditions there are a number of points that need raising and answering:
- i. Condition 19f in paragraph 3.7 of this report states: "Fire safety plan – in line with conditions set by Herts Fire and Rescue. However the council is not aware of conditions

agreed between Hertfordshire Fire and Rescue Service and the applicant.”

- ii. Condition 19i in paragraph 3.7 of this report states: “Waste management plan – in line with conditions set by Environmental Health. However Environmental Health’s conditions do not mention this.”
- iii. Condition 32 in paragraph 3.7 of this report relates to the quantity of alcohol permitted but does not detail if this is per person or where the alcohol is being taken to. Is this the amount allowed into the licensed area, to be taken from the licensed area to the campsite or to be bought onto the campsite from outside?

3.33 In considering additional conditions, members should decide whether these steps would in fact address their concerns if the decision was made to grant the hours requested.

3.34 For conditions to be enforceable they need to be clear, unambiguous and free from subjective terms. If a condition cannot be enforced then it should not be placed on any granted licence.

3.35 Aside from adding conditions it is open to members to limit the hours of operation under the licence but clear reasons for this step would need to be given. However, if simply limiting the hours beyond those requested does not mitigate members’ concerns regarding the promotion of the licensing objectives then the option to also impose appropriate and proportionate conditions is available.

3.36 When the Licensing Sub-Committee gives its decision to those in attendance it should be made clear to all parties how much weight has been attached to each submission and why and what evidence Members’ have relied upon when reaching their decision.

4.0 Options

4.1 The actions open to the Licensing Sub-Committee are:

- grant the application as requested if they feel the application would promote and not undermine the licensing objectives; or
- grant the application but at the same time impose additional conditions or amend the activities or times requested; or
- if members believe that there is evidence that shows that there are no steps that can be taken to ensure that the application sought would promote the licensing objectives then the application should be refused.

4.2 When the Licensing Sub-Committee gives its decision to those in attendance it should be made clear to all parties how much weight has been attached to each submission and why and what evidence members have relied upon when reaching their decision.

5.0 Risks

5.1 A decision on the application must be made and any decision made can be appealed at the Magistrate's Court. Therefore the Licensing Sub-Committee should ensure that when giving their decision on the application they give clear reasons on how and why they have made their decision. In doing so, the council's ability to defend its decision is strengthened and the risk of its decision being over-turned on appeal is lessened, although, of course, this risk can never be entirely removed.

6.0 Implications/Consultations

6.1 As with any application for a new premise licence / variation of premise licence or review of a premise licence there is a 28 day public consultation.

Community Safety

The report details the four licensing objectives, these objectives are detailed in paragraph 2.3, therefore Community Safety will be considered when determining the application.

Data Protection

Where the appendices have shown personal data this has been redacted.

Equalities

Consideration has made to the Equality Act 2010 and the Public Sector Equality Duty in this report and will be considered during the Licensing Sub-Committee hearing.

Environmental Sustainability

No

Financial

There will be a cost to the authority in holding the Licensing Sub-Committee hearing; this will be covered by the existing budget. There would be a cost if the decision of the Licensing Sub-Committee is appealed to the Magistrates Court and the authority chooses to defend that appeal.

Health and Safety

No

Human Resources

No

Human Rights

As with all applications and Council functions, the Human Rights Act 1998 has been considered in this report and will be considered during the Licensing Sub-Committee hearing.

Legal

All statutory requirements have been considered in preparing this report.

Specific Wards

Yes – Great Amwell

7.0 Background papers, appendices and other relevant material

- 7.1 Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018) -
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705327/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf
- 7.2 East Herts Statement of Licensing Policy 2021-2026
<https://cdn-eastherts.onwebcurl.com/s3fs-public/2022-03/Statement%20of%20Licensing%20Policy%202021-26%20Mar%202022.pdf>
- East Herts Pool of Model Conditions 2021
<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2021-08/Pool%20of%20Model%20Conditions%202021%20%28accessible%29.pdf>
- 7.3 **Appendix 'A'** – Application for a New Premise Licence.
- 7.4 **Appendix 'B'** – Representations against the application.

7.5 **Appendix 'C'** – Map showing location of the premises.

Contact Member Councillor Jan Goodeve – Executive Member for Planning and Growth
jan.goodeve@eastherts.gov.uk

Contact Officer Jonathan Geall – Head of Housing and Health
Contact No: 01992 531594
jonathan.geall@eastherts.gov.uk

Report Author Brad Wheeler – Senior Licensing and Enforcement Officer
Contact No: 01992 531520
brad.wheeler@eastherts.gov.uk

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* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	SVFSPREM2022	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	
* Family name	
* E-mail	
Main telephone number	
Other telephone number	

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number	12822672	
Business name	Integrated Event Management Ltd	
VAT number	GB	None
Legal status	Private Limited Company	

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Ltd Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality [Documents that demonstrate entitlement to work in the UK](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

The Premises is a large, open, outdoor site consisting of the most south-easterly of the fields making up Hillside Farm. Off-supplies are applied for to allow campers to take drinks back to the campsite outside of the licenced area, however no alcohol sold under the licence will be permitted to leave the perimeter of Hillside Farm itself.

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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WEDNESDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Amplified Music from an outdoor stage marked on the plans of the premises.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Limited to two weeks in the duration of the licence

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

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Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes
- No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

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WEDNESDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors
- Outdoors
- Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Amplified recorded music from outdoor stage

Continued from previous page...

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Limited to two weeks in the duration of the licence

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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Continued from previous page...

SATURDAY

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SUNDAY

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Start End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Accompanying dancers alongside musical performers

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Limited to two weeks in the duration of the licence

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start End

Start End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

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SATURDAY

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SUNDAY

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End

Give a description of the type of entertainment that will be provided

Performance of Stand Up Comedy Acts

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Amplified sound from performers on an open air stage

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Limited to 2 days use within the duration of the licence

Continued from previous page...

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

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WEDNESDAY

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SUNDAY

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Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Catering Concessions will provide camping attendees with refreshments between 11pm when the event finishes and 1am on each night of the weekend.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Limited to two weeks in the duration of the licence

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:00"/>
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Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Limited to two weeks in the duration of the event

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

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Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Limited to two weeks in the duration of the licence

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

None

Continued from previous page...

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

All operations will be carried out in conjunction with a comprehensive Management Plan, attached to the applications concerned all aspects and elements of the Event's activities both licensable and other.

All staff and workers operating on the site are recruited for their specialist skill-sets, or sourced from a suitable, credible agency or provider specialising in that area, and are briefed and receive site-specific training prior to any works.

A comprehensive Management Team consisting of 8 Senior Managers will be allocated to the event and will be available on-site during all hours covered by the Premises Licence.

A Risk Assessment is produced for the Event, the crowd management of it's attendees and each individual activity by workers, employees or contractors within the premises and other spaces utilised to support the licensable activities taking place. All Control Measures determined by this Risk Assessment are incorporated into an Action Plan which is fully implemented by the Senior Management Team.

A minimum of 4 Personal Licence Holders will supervise staff providing sale of alcohol during all licensable times to ensure sufficient enforcement of Responsible Sale of Alcohol Policies and Mandatory Licensing conditions.

b) The prevention of crime and disorder

The Premises are accessible only by Ticket Holders.

A suitably sized team of SIA Licenced Security Personnel are deployed within the premises to maintain a safe environment at all times.

The Event has clear and comprehensive terms and conditions which set out various measures to maintain a safe environment within the site (including but not limited to Drugs policies, Prohibited items Policies, Search policies etc).

A strict search procedure is maintained and applied to any and all persons accessing the site ensuring that no weapons or other items which could cause harm can be brought into the premises.

Body Worn CCTV is used 24/7 throughout the licensed period by the Security Team to deter crime and disorder and capture evidence of any persons involved in undesirable activities. At any one time, a minimum of 8 Body Worn Cameras will be deployed.

Vetting of staff working at the event minimises the risk of any crimes committed within working environments.

The Event has a Security policy which identifies key risks and concerns in relation to Terrorism and identifies suitable control measures to manage this risk as far as is possible.

Further information relating to Applicant's control measures in relation to Crime and Disorder can be obtained within the Event Management Plan

1. The Premises License is limited to two events, due to take place on the following weekends, 29th April to 1st May and 2nd June to 5th June

Continued from previous page...

2. The premises license holder will notify Hertfordshire Constabulary of all the artists performing at the event before the event takes place.
3. The license holder will notify Hertfordshire Constabulary of all contractors and volunteers employed at the event before the event takes place. This will include registered company name and where possible name, address and date of birth of individual staff.
4. The license holder will notify Hertfordshire Constabulary of all SIA registered staff employed at the event prior to the event taking place. Following this Hertfordshire Constabulary must be notified of any changes to SIA staff
5. Accurate and up to date details of ticket sales to be supplied immediately on request from any of the responsible authorities to allow for event planning.
6. An Event Management Plan (EMP) shall be submitted to the responsible authorities no less than 1 month prior to the start of the event. The EMP must demonstrate that resourcing and infrastructure is based on threat and risk to the event. The latest EMP must be supplied to all responsible authorities prior to the event the event takes place. Following this any changes must be circulated immediately to all responsible authorities.
7. The event management plan shall contain a summary document covering an overview in the following areas -
 - a. Event overview
 - b. Audience profile
 - c. General site overview plan
 - d. Summary description of all areas including temporary structures
 - e. General site safety policy
 - f. Management structure, responsibilities and roles - names of specific personnel, key roles and responsibilities and how the structure of these roles is planned.
 - g. Event control - overview of functioning
 - h. Event Capacities including for temporary structures
 - i. Event timings
 - j. Insurance
 - k. Local Community Considerations
 - l. Build and breakdown plan
 - m. References to appendices detailed below
8. The EMP shall contain Appendices detailing fully the following areas –
 - 8.1 A scaled site plan which shows the location and size of all areas of the event and the site infrastructure as well as showing the immediate surrounding area including ingress and egress for pedestrians, vehicles and crew. As well as emergency evacuation routes and access / egress routes for emergency services. All areas of the event mentioned in the EMP must be detailed on the map.
 - 8.2 Event risk assessment covering all areas of risk and management of risks to ensure the health and safety of all those on site
 - 8.3 A crowd management plan including Capacities and Evacuation times from each area of the site to allow for safe and quick evacuation in the event of an emergency
 - 8.4 Emergency protocols and Major Incident Plan covering the following types of emergencies, fire, bomb threat, suspect packages, public disorder / disturbance, structural failure, hazardous substances, person in water, detained person, injury to a person, crime in progress. To also cover the role of the Event Liaison Team (ELT), coded messages, alert levels and procedures for each, partial evacuation procedure, full evacuation procedure, rendezvous points (RVP's), emergency announcements, event stop procedures, crime scene management.
 - 8.5 Extreme weather procedure and action plan covering all adverse weather conditions, detailing the impact and actions to be taken in each possibility.
 - 8.6 Fire safety plan – in line with conditions set by Herts Fire and Rescue
 - 8.7 Traffic management plan covering the management of the traffic on the roads surrounding the event. Management of those attending and leaving the event as well as local residential traffic. Internal site signage for traffic. Car park management and lighting. Expected traffic levels throughout the event. Control measures to be used. Taxis and drop off facilities and operation of this facility. Pedestrian routes and lighting of routes. Management of pedestrian and vehicle

Continued from previous page...

crossing points.

8.8 Noise management plan – in line with conditions set by Environmental Health

8.9 Waste management plan - in line with conditions set by Environmental Health

8.10 Medical provisions plan covering details of medical / first aid posts, location and description of facility available.

Staffing levels of the facility and process to be used when treating patients. Medical emergency procedure.

8.11 Security operations and deployment plan covering security management structure, roles and responsibilities, security staff briefings, security control area operations, communication with the ELT, expectations of SIA staff and non SIA staff, perimeter integrity, searching of people within the site, bar security, camping / tent security, car parking security and security incident log

8.12 Drugs policy including psychoactive substances. A drugs (including psychoactive substances) policy will be written in consultation with the police, particularly with regard to the definition of “dealing”. Where any person is suspected of dealing in drugs, following a search or otherwise, that person will be ejected or refused entry and the person concerned will be detained and police will be contacted prior to ejection. All suspected drugs will be seized and stored safely and securely in sealed evidence bags. A register of all seized drugs will be kept and updated at the time the item is placed into storage. All seizures will be fully documented and details of the incident including offender details will be supplied to the police at the conclusion of the festival.

8.13 Weapons policy – A strict zero tolerance policy must be adhered to in relation to any weapons found that are made, used or adapted to cause injury, any such items found to result in ejection or refusal of entry.

8.14 Entry and Search policy and procedure – detailing the staffing structure and procedural process to be followed at each entry point. Surrender bins to be provided at all entrances prior to the point of search and must be highly visible and clearly marked. Search policy on entry and entry refusal process. Prohibited items to include glass of any kind, weapons, illegal drugs, including psychoactive substances, fireworks, sky lanterns or kites, CO2 canisters, flares, laser pens, open or unsealed vessels of any description.

8.15 Eviction policy and procedure, including eviction notice. Detailing circumstances under which a person will be evicted, the eviction process, management and recording of the process including onward travel from the festival of the evicted person.

8.16 Bar management and Alcohol policy including staff management structure and responsibilities, bar staff briefings for the event. The use of challenge 25 protocol, refusals registers and incident logs.

8.17 A Safeguarding policy and plan to cover both children and vulnerable adults, but especially those under 18's and those who lack capacity through intoxication. To include a lost child procedure.

9. The event will be managed in accordance with the EMP. During the operational phase any deviation from the EMP must be fully documented and rationale recorded at the time.

10. All areas of the event and all documents referred to in the Event Management Plan shall be available for inspection during the event by officers of responsible authorities should they request access or ask to view the documents.

11. An on-site suitable control hub (ELT) will be accessible to police and responsible authorities if at any time it is deemed necessary by the responsible authorities.

12. An external Traffic Management Plan must be submitted prior to the event and to be completed to the satisfaction of Hertfordshire Highways and Hertfordshire Constabulary, prior to implementation

13. An event log shall be maintained which includes any actions or decisions taken in relation to each event.

14. The premises License holder shall have procedures in place to;

- a) Manage the occupancy levels within areas to enable a safe and quick evacuation in the event of an emergency; and
- b) Allow the swift access for emergency vehicles.

15. All public address systems shall be under the control of the premises license holder or their nominated representatives so that emergency broadcast message can override the musical entertainment and can be delivered clearly audibly to all parts of the site.

16. There shall be an area within the licensable area dedicated to dealing with vulnerable children and adults this includes those who are vulnerable through drink and drugs. There shall always be on duty at this location a person nominated as in

Continued from previous page...

charge. Staff working in this area shall have access to a radio connecting with the event management.

17. The maximum capacity for each event at any one time is 4999 people; this includes all staff on site.

17.1 Entry numbers will be monitored and recorded at all times through the use of attendance clickers

17.2 Entry numbers to be supplied immediately on request by any police officer

17.3 Entry onto the site will not be allowed between 2300 hours and 0600 hours.

18. People under the age of 18 years must be accompanied by an adult 21 years old or over in order to gain entry. A maximum of 2 under 18's to be allowed in with each person 21 years or over. The adult (over 21) entering with any person under 18 years is to be informed of their responsibilities with regards to the person under 18 years.

19. Quantity of alcohol permitted – this will be restricted to 24 cans of lager or cider or ale or premixed drinks, OR 2 litre bottle of cider OR 1 box of wine (2.25 litres) or 2 bottles of wine (decanted, OR 75cl of spirits (decanted)

20. The Designated Premises Supervisor must be actively involved in the running of the event or clearly nominate someone to act on their behalf in the case of illness or injury. The Designated Premises Supervisor must be on site when alcohol is permitted to be sold or supplied or clearly nominate someone to act on their behalf in the case of illness, injury or required rest time. The nominated person must be a personal licence holder.

21. Only 100% polycarbonate to be used by the public on site, no glass to be permitted in areas open to the public. The bar will have visible signage (challenge 25/ free water/ weights and measures act/ drinks and price list including abv's).

22. The Premise License Holder shall ensure that all Stewards and Security Industry Authority personnel have received training commensurate to their role, and have been fully briefed prior to the start of the event on the information contained within the EMP documents relevant to their role.

23. All stewards and Security Industry Authority staff shall wear high visibility jackets so that they are easily identifiable except those working in a covert capacity.

24. No staff member while on duty and / or in uniform will consume alcohol or drugs on site or be under the influence of alcohol or drugs at any time whilst working.

25. The Premises Licence Holder shall take out Public Liability and Third Party insurance to cover at least £5,000,000.00 (five million pounds) for any one occurrence. The Premises Licence Holder shall provide the Licensing Authority with certified copies of the Policy and Certificates of Insurance, or other acceptable proof of cover, prior to the start of the event.

26. The Licence holder will be responsible for producing a policy for the inspection of the structures built on his site. This will include a maintenance and inspection programme with his methodology of testing. The Licence holder will consult with relevant persons with expertise e.g. a suitable Building Control body, or other similar organisation to agree the structural integrity of the bales. This will be presented to the relevant authorities not less than three week prior to an event.

27. The premises licence holder shall submit a detailed Noise Management Strategy for approval to the licensing authority prior to the first day of the event and this shall take account of all regulated entertainment which will be provided during the event, including the location, orientation and operational time of the stage. The strategy shall include provision for community engagement, monitoring, and event hotline and post completion reporting.

28. In the event of any of the responsible authorities advising the licensing authority that the final version of the Event Management Plan (EMP) does not in their professional view fully satisfy their reasonable requirements to meet the four licensing objectives, the event will not proceed until such time as the reasonable requirements are met and approved by the responsible authority who had previously raised concerns.

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A Risk Assessment is produced for the Event, the crowd management of it's attendees and each individual activity by workers, employees or contractors within the premises and other spaces utilised to support the licensable activities taking place. All Control Measures determined by this Risk Assessment are incorporated into an Action Plan which is fully implemented by the Senior Management Team.

A competent contractor has been appointed to review all road access and egress from the Premises, a suitable Traffic Management Plan has been produced and full narrative and schematics are contained within Section 10 of the Event Management Plan.

A large team of SIA licensed Security Personnel and NVQ trained Safety Stewards are deployed throughout the event, this team is trained, briefed and aware of both the need to identify any hazards which may present a safety risk to any persons and the correct reporting procedure to escalate any concerns for resolution.

The capacity of the premises will be set at 4,999 persons; for whom there is more than ample resources on site in relation to safety, crowd management, sanitation, emergency egress etc.

All Electrical Installations are installed by a competent person as set out in BS7909 and then further inspected by both the Event Manager and a secondary Competent Person prior to the Premises opening.

All Electrical Appliances utilised on site have a current and valid PAT test.

Further policies in relation to Public Safety can be found in the Event Management Plan.

A competent Medical Contractor has been appointed by the Applicant and will be present throughout all licensable activities to provide medical attention via clinically trained professionals to any persons requiring medical attention.

d) The prevention of public nuisance

A competent contractor has been appointed to review all road access and egress from the Premises, a suitable Traffic Management Plan will be produced and full narrative and schematics are contained within the Event Management Plan. These will be finalised and further detail added in conjunction with SAG co-operation.

A competent contractor has been appointed to review all risks relating to noise pollution and noise management from the amplified music on site. This contractor has an extensive background and qualification set in relation to Noise Management and Noise Pollution. Their recommendations are set out in the Event Management Plan and have been accepted in full by the Applicant to be implemented throughout the event. Final requirements as directed by conditions attached to the licence will be incorporated in a final Noise Management Plan which will be implemented and monitored throughout licensable times by the same Noise Management contractor.

The Applicant employs and will utilise throughout and after the event a Cleansing Team who will remove litter and waste from both the Premises and nearby areas utilised by attendees in accessing or egressing the event. The Event operates a "Leave No Trace" Policy and will return the Premises and adjacent areas to exactly the condition prior to Licensable Activities.

e) The protection of children from harm

A "Challenge 25" policy will be operated both by staff involved in the sale of alcohol and by the SIA Licenced Security Personnel throughout the site to prevent persons under the age of 18 from consuming alcohol whether purchased directly or by proxy.

A comprehensive policy in relation to the Protection of Children from Harm is set out in Section 6 of the Event Management Plan.

At least two Medical personnel present during licensable activities will hold specific training in Paediatric Pre-Hospital Care.

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Tickets are available to Over 18s and Under 18s can access the only event only when directly supervised by an accompany Adult aged Over 18 who has accepted the Terms and Conditions directing them to suitably supervise the Child throughout their visit.

All staff are briefed on Safeguarding Policies and are made aware of the correct internal Reporting Procedures for any persons at risk. Control Room staff are fully briefed on the external Reporting Procedures for any issue to be escalated to external partners.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

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- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Fees for all Licensing Act 2003 permissions have been set by central government. The fees are based on the non-domestic rateable value of the premises. These are divided into 5 bands: band a NDRV £0 - £4300, fee = £100 band b NDRV £4,301 - £33,000, fee = £190 band c NDRV £33,001 - £87,000, fee = £315 band d NDRV £87,000 - £125,000, fee = £450 band e NDRV £125,001 and over, fee = £635

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment only at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

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ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15)

* The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/east-hertfordshire/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

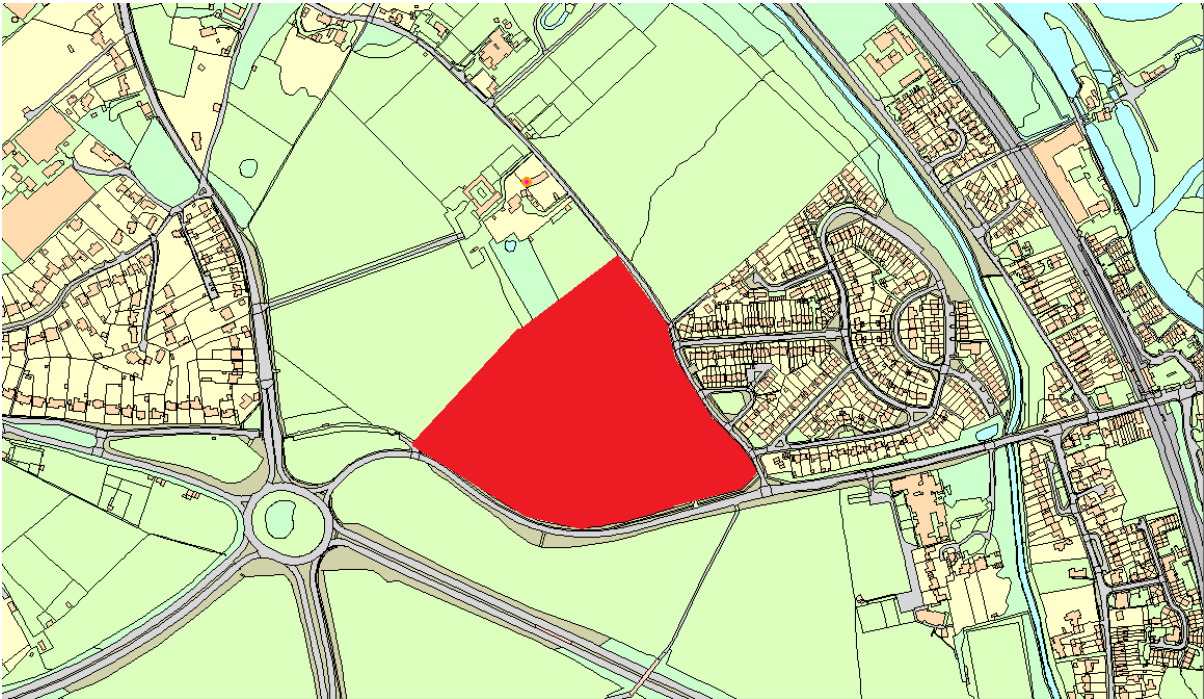
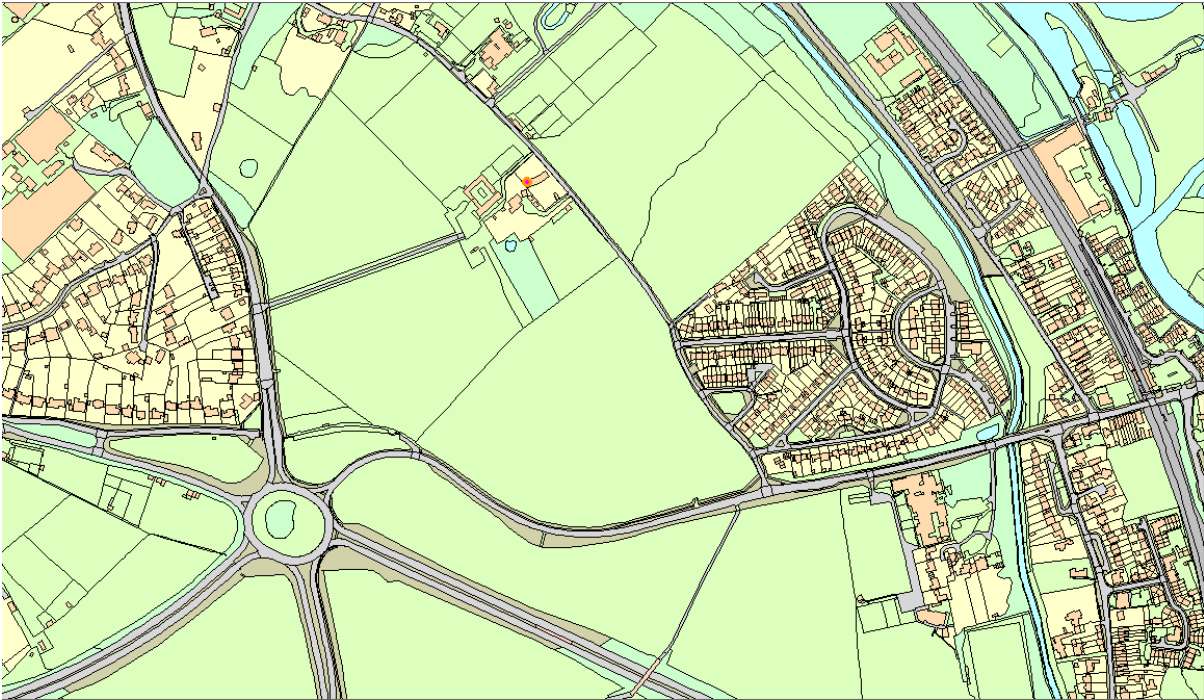
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

Stone Valley Festival South

Campsite Plan



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From:
Sent: 29 March 2022 13:54
To: Housing & Health Services - Community Protection
Subject: [External] Premises Licence application 22/0235/PL

Scott Avenue

SG12

Re Premises licence application 22/0235/PL

I write to object to the grant of a premises licence to Integrated Event Management Ltd to hold two multi day music festivals, which from research are due to held on Bank Holiday weekends in April and June this year, and for which tickets have been on sale for some considerable time. This would seem to indicate that prior tacit approval had already been given to the applicant.

I would point out that the information published on the council website does not match the information on the applicants blue notices. The post code on the application is SG12 9RZ, the council website quotes SG12 9SH.

The opening hours on the application state Thursday to Sunday whereas the Council website quotes Friday to Sunday. Additionally no blue notices were posted along the public footpath on the northwest of the site as required by law.

Public Safety

I am not aware if the applicant or Council have considered safety aspects of the location given that there is a high pressure LTS gas pipeline situated in the field and its route appears to run in the vicinity to the proposed stage, bars and generator etc. I have annotated the attached map of the probable location based on the gas markers in Hillside Lane and the B181. I believe the council should also hold records of the pipe location. Pipelines are normally covered by easements and Cadent have published documents detailing what actions should be taken prior to any works in the vicinity of their assets. This covers things such as siting of temporary or permanent structures, electrical equipment, and vehicle cross overs etc. It states that <https://lsbud.co.uk/> should be contacted to ascertain the safety requirements that are needed.

Public Nuisance

My personal objection is based on the Public Nuisance due to the noise emanating from the event.

I have lived next to the site for over 30 years and the general ambient noise level is very low. The car boot sales on the Sundays already cause some extra noise but usually of short duration.

During last years festival we had an hour of amplified music on the Thursday evening before the event started and this was not covered by a licence. The promised organiser hot line number was never made available before the event, and Environmental Health did not manage to provide the information when I requested it.

On the Saturday I saw the event noise control person taking readings, which he assured me were within the agreed limits. I asked him if they were, why was my house vibrating with the bass notes and he took some readings indoors and could see my issue. He promised to log it as a complaint and I assumed that this would go onto the log to be forwarded to the Council after the event. Subsequent discussions with the council have revealed no log was provided.

To summarise, I could not have any windows open, even then I could still hear and feel the base notes. If I went into the garden I could hear the event as clearly as if I was there. The sound at times appeared to be reflecting from nearby buildings giving an almost false direction as to where it was emanating from. Given the location of the stage and the generally South Westerly wind direction it was carrying the noise in my direction and the noise limits agreed with the council clearly were not sufficient.

I have spoken to others living in the vicinity who felt similarly affected but given the demographic of the area people seem reluctant to complain.

As has been stated about the previous festivals, the site is quite unsuitable for this type of event. It is in a position with no natural landforms that can provide attenuation of the noise to nearby properties. My property is being about 220 metres from the stage. I am not aware of any other multi day festival that is located in such close proximity to residential properties.

From:

Sent:

02 April 2022 12:18

To:

Subject:

[External] ATTENTION: Premises Licence application - 22/0235/PL - Hillside Farm

Dear

The above-mentioned licence application was considered at a recent meeting of Great Amwell Parish Council.

I have been requested to notify you that the Parish Council is concerned over the music festival events that are to be held, and have been held in the past, at the site.

The site is considered to be a very important part of the green belt within the parish. Whilst it is accepted that use for occasional music festivals cannot be restricted through development control, Parish Councillors consider that there has been a catalogue of mismanagement by your authority regarding the licensing process. In summary, the Parish Council considers that the District Council has no meaningful procedure to respond to genuine nuisance complaints at time they occur when the events are being held. There has been a significant failure by the District Council to monitor and enforce licensing conditions imposed.

The narrative that follows sets out issues that are a cause for concern regarding the licensing process (going back to the first year the music festival event was held):

***Year 1.** The applicant did not advertise the festival correctly as notices were never displayed at 50 meter intervals around the whole site as required.*

***Year 2.** A local resident advised your authority that the applicant had failed to display the correct notices mentioned above, and the application process had to be started again. A licence was granted but due to Covid the festival was not held.*

***Year 3.** The correct notices were displayed around the site, but your authority published the wrong address details on its website. This was subsequently corrected but no extension was given to the notice period for making representations*

A local resident has advised your authority that it was using the wrong address for the licence application as it did not match the application postcode. Hillside Farmhouse (SG12 9SH) is a private dwelling which has had no connection with Hillside Farm (SG12 9RZ) for decades.

At a licensing hearing, the applicant stated that residents likely to be affected by noise would be advised in writing and a hotline contact number would be provided and also published on their website. A log of complaints was to be maintained by the organiser and a copy to be forwarded to the council after the event. The licensing committee took comfort in this in reaching their decision to grant a licence with those conditions attached. By the date of the festival no letters had been issued to those likely to be affected and no hotline contact number was available.

A local resident contacted the Council on the Friday morning of the Festival to ascertain why these licence conditions had not been met and asked for them to ascertain the number. The Council was also informed of the amplified music being played for an hour on a Thursday evening of the event. No Hotline number was ever provided and it never appeared on their Website. The Council's response to the local resident was to

advise them to ring the environmental health services' out of hours number or to contact the police if they were concerned by the noise.

The Parish Council understands that a local resident spoke to the organiser's sound engineer Dave Cross when he was monitoring the noise on the Saturday and complained about the vibration in their house from the base frequency. Mr Cross seemingly took some measurements and said he would log the complaint.

Post the festival, the local resident asked the Council if a log of complaints had been received. Surprisingly, there was not one complaint logged despite the local resident complaining directly to the organiser's sound engineer. The Council refused to investigate the local resident's complaint. Additionally, the Council had ignored the fact that there had been an hour of amplified music on the Thursday evening which the licence did not cover. No answer was ever forthcoming as to why the various licence conditions had not been adhered to and the questions raised by the local resident

Year 4 (this year). *The applicant has applied for a new licence. Again the details on the Council's website are wrong in that the address is incomplete and wrong postcode is used again as below. The link to the application was also broken.*

Notice of application - Integrated Event Management Ltd - Ware SG12 9SH - Expires 30 March 2022

The issues over the address would appear to stem from the fact that separate UPRN should exist for Hillside Farmhouse and Hillside Farm as they are unrelated properties.

Matters aside from Premises Licensing.

Given that the site currently has permitted development rights and uses them to hold 28 car boot sales per year, the holding of music festivals and the time setting up would take the use of the land far in excess of the temporary use allowed by law. The site is also being used for equestrian purposes with horse and carriages being ridden on a regular basis. Unchecked, this could impact on its green belt status

There is also the issue of Motor Homes and caravans being on the festival site. Does this require a separate licence? If so, none has been issued to date as far as the Parish Council is aware.

I have copied this message to the local District Councillor and would be grateful if you could ensure it is logged as an official representation on application 22/0235/PL (as the deadline is 6 April 2022).

The Parish Council looks forward to receiving your response on this matter.

Yours sincerely

Clerk - Great Amwell Parish Council

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