

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 29 JUNE 2022,
AT 10.00 AM

PRESENT: Councillor R Bolton (Chairman)
Councillors A Hall and N Symonds

OFFICERS IN ATTENDANCE:

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

1 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Hall and seconded by Councillor Symonds, 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.

2 APOLOGIES

There were no apologies for absence.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded participants to use their microphones when speaking.

The Chairman advised that there was a work experience student observing the meeting, and asked participants if there were any objections to the student's presence. There were no objections.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 SUMMARY OF PROCEDURE

The Chairman advised that this document could be found at pages 5 – 11 of the agenda.

6 APPLICATION FOR A NEW TIME LIMITED PREMISE LICENCE FOR STONE VALLEY FESTIVAL SOUTH / INTEGRATED ENTERTAINMENT LTD AT HILLSIDE FARM, HILLSIDE LANE, GREAT AMWELL, HERTS, SG12 9SH

The Chairman duly noted that neither the applicant nor the interested parties were in attendance at the hearing, and asked for confirmation from Officers that notifications had been sent to them. The Senior Licensing and Enforcement Officer said that all parties

had been sent the appropriate notifications on 15 June 2022, with agenda packs also being sent to participants by Democratic Services last week. The Chairman noted that information relating to the hearing was also available on the Council's website.

The Chairman asked if the applicant had made an application before, and would therefore be familiar with the hearing process. The Senior Licensing and Enforcement Officer said that the applicant had made a prior application, and that at least one of the interested parties had also made a previous representation.

The Chairman asked for advice from the Legal Representative. The Litigation and Legal Advisor said that the Sub-Committee could proceed with the hearing if they were satisfied that service of papers had been affected, and that there had been no requests to adjourn the hearing. All Members confirmed that they were happy to continue in the absence of the applicant and the interested parties.

The Senior Licensing and Enforcement Officer introduced his report, advising the Sub-Committee that on 8 May 2022 an application was received from Integrated Management Ltd (Stone Valley Festival/ Wannasee Festival) for a new premises licence for events at Hillside Farm, Hillside Lane, Great Amwell. He said that application requested the supply of alcohol for consumption on, and off of the premises, late night refreshment and regulated entertainment as detailed below:

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

The Senior Licensing and Enforcement Officer said that the application had restricted events to eleven days per calendar year. However, this number had been reduced during the consultation period to three events per year, each consisting of a maximum of three consecutive days.

The Senior Licensing and Enforcement Officer advised the Sub-Committee of the additional steps proposed by the applicant to promote the four licensing objectives, which could be seen at pages 45 – 51 of the report. This included that all operations be carried out in conjunction with a comprehensive Management Plan. He advised the Sub-Committee that the application was further supported by further conditions which had been agreed between the applicant and Environmental Health, which could be seen at Appendix B of the report.

The Senior Licensing and Enforcement Officer said that during the statutory twenty eight day public consultation period, three valid representations had been received from interested parties, attached at Appendix C of the report. One representation was from

Great Amwell Parish Council, one was from the Ward Councillor, and the other was from a local resident. He advised that all of these representations referred to concerns over noise, and therefore engaged the prevention of public nuisance licencing objective.

The Senior Licensing and Enforcement Officer advised the Sub-Committee that they should determine the application with a view to promoting the four licensing objectives, and that their determination should be evidence based, justified and appropriate.

The Chairman thanked the Senior Licensing and Enforcement Officer for his report. She advised that it would be normal practice at this juncture for the Sub-Committee to ask the applicant any questions which they may have, but as they were not in attendance Members would have to take the papers as read.

Councillor Symonds said that she had a question for the applicant, which related to the four entrances and exits on the site, and asked if both male and female security staff would be situated at these points. The Senior Licensing and Enforcement Officer said that this had been implemented by the applicant at previous events.

Councillor Symonds asked if the applicant would use security patrols around the perimeter of the site during events to keep out unwanted visitors. The Senior Licensing and Enforcement Officer said that he was unable to appropriately respond to this question on behalf of the applicant, but that this would be expected at such events.

The Chairman asked if the sound checks for the events would be carried out on days extra to those in the application, how long such sound checks take, and if any complaints had been received in relation to previous sound checks at the site. She also asked if any campers at the events were able to arrive on site the day before the start of the event (i.e. on sound check day) and if the applicant had been compliant with Environmental Health conditions at previous events held this year.

The Senior Licensing and Enforcement Officer said that sound checks were not licensable activities, and that these could be carried out the day before an event. He added that a complaint had been received from an interested party in relation to a sound check in the past which had taken place over one hour, the day before a previous event on the site. The Senior Licensing and Enforcement Officer said that he recently attended a partnership meeting with Environmental Health and the Police, and that the events already held on the site by the applicant earlier this year had not been raised as an issue.

As the Chairman was unable to take questions from the interested parties or responsible authorities due to their non-attendance she referred to the representation received from the Ward Member which raised concerns over waste and noise management, and noted that these issues were covered in the application's Waste Management Plan and Environmental Health conditions.

The Chairman referred to representations received

from Great Amwell Parish Council and the local resident which both raised concerns over noise and wind direction, and asked if there had been any updates on this issue. The Senior Licensing and Enforcement Officer said that Environmental Health had not raised any complaints regarding these issues to the Licensing Department.

The Chairman referred to the representation received from Great Amwell Parish Council which referred to the site being used in contravention of development rights, and asked for confirmation that this was a matter for the Planning Department and not Licensing. The Senior Licensing and Enforcement Officer said that this would be a matter for Planning and referred Members to both Officer observations and Section 182 guidance. He confirmed that although licencing and planning matters did overlap they were determined separately, but reiterated that upon consultation the Planning Department had raised no objections to the application.

There being no closing statements the Sub-Committee, the Litigation and Advisory Lawyer and the Democratic Services Officers retired to a separate room to allow Members to consider the evidence.

Following this, the Members and Officers returned. It was observed that the applicant was now present, having arrived at the hearing late during Member's consideration.

The Chairman announced that having noted that neither the applicant nor the interested parties had attended the hearing, the Sub-Committee had listened

to the report and comments from the Senior Licensing Enforcement Officer. That having reviewed the application and the written representations submitted, the Sub-Committee they had determined to grant the application for a premises licence for:

- (i) The supply of alcohol (for consumption on and off the premises)
Thursday to Sunday 11:00 – 23:00
- (ii) Late Night Refreshments
Thursday to Sunday 23:00 – 01:00
- (iii) Recorded Music
Thursday to Sunday 11:00 – 23:00
- (iv) Live Music
Thursday to Sunday 11:00 – 23:00
- (v) Performance of Dance
Thursday to Sunday 11:00 – 23:00

Subject to all the conditions agreed between the Applicant and Environmental Health as outlined in Appendix B.

To amend conditions 8.6 and 8.9 of the Applicants Operating Schedule:

8.6 Fire Safety Plan – in line with ‘recommendations’ set by Herts Fire and Rescue

8.9 Waste Management Plan – in line with ‘recommendations’ set by Environmental Health

To amend - under the Prevention of Public Nuisance - the first line to reflect the change in the reduction of the duration of events to 3 events per calendar year, each consisting a maximum of 3 consecutive days (as opposed to the 11 days per calendar year originally sought).

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 is required to adopt a presumption in favour of granting a premises 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 had regard to the written objections received and noted that the conditions agreed with Environmental Health addressed the main concerns raised. Members also noted that objections raised in relation to planning considerations were outside of the remit of the Licensing Sub Committee.
4. In reaching this decision, Members were mindful

that the Applicant has run a number of festivals recently and noted that no complaints had been received in relation to these.

7 URGENT BUSINESS

There was no urgent business.

The meeting closed at 11.05 am

Chairman
Date