



MEETING : LICENSING SUB-COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : MONDAY 22 MAY 2023
TIME : 10.00 AM

This meeting will be live streamed on the Council's Youtube page:
<https://www.youtube.com/user/EastHertsDistrict>

MEMBERSHIP OF THE SUB-COMMITTEE

To be confirmed.

COMMITTEE OFFICER:
PETER MANNINGS
01279 502174

PETER.MANNINGS@EASTHERTS.GOV.UK

Disclosable Pecuniary Interests

A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:

- must not participate in any discussion of the matter at the meeting;
- must not participate in any vote taken on the matter at the meeting;
- must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
- if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
- must leave the room while any discussion or voting takes place.

Public Attendance

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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 - 27 April 2023 (Pages 5 - 8)

To approve the Minutes of Previous Sub-Committee meetings:

27 April 2023

6. Summary of Procedure (Pages 9 - 15)

A summary of the procedure to be followed during consideration of item 7 is attached.

7. Application for a new premises licence for Hertfordshire Oktoberfest, Hartham Common Park, Hartham Lane, Hertford, Hertfordshire (Pages 16 - 89)

8. 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.

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 27 APRIL 2023,
AT 10.00 AM

PRESENT: Councillor R Bolton (Chairman)
Councillors J Jones and C Redfern

OFFICERS IN ATTENDANCE:

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

ALSO IN ATTENDANCE

Mrs Downes	- Interested Party
Ewen McGregor	- Legal Representative for the Applicant

40 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Jones and seconded by Councillor Redfern, 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.

41 APOLOGIES

There were no apologies for absence.

42 CHAIRMAN'S ANNOUNCEMENTS

There were no declarations of interest.

43 DECLARATIONS OF INTEREST

There were no declarations of interest.

44 MINUTES - 19 OCTOBER 2022

It was moved by Councillor Redfern and seconded by Councillor Jones that the Minutes of the meeting held on 19 October 2022 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 meeting held on 19 October 2022 be confirmed as a correct record and signed by the Chairman.

45 SUMMARY OF PROCEDURE

The Chairman drew the hearings attention to the Summary of Procedure which was included in the agenda pack at pages 10 – 16.

46 APPLICATION FOR A NEW PREMISES LICENCE FOR WH SMITH, BISHOPS STORTFORD RAILWAY STATION, STATION ROAD, BISHOPS STORTFORD, HERTFORDSHIRE, CM23 3BL (23/0300/PL)

The Sub-Committee received a report on the application for a New Premises Licence for WH Smith, Bishop's Stortford Railway Station, Bishop's Stortford, Hertfordshire, CM23 3BL.

The Senior Licensing and Enforcement Officer presented the report and Members of the Sub-Committee, the applicant and the interested party asked questions. The applicant's legal representative presented the application on behalf of the applicant and he answered questions from the Sub-Committee and the interested party.

The interested party presented her objections to the application and answered questions from the Sub-Committee and the applicant's legal representative.

In line with procedure, at the conclusion of the closing submissions, the Sub-Committee retired to consider the evidence presented to the hearing by the applicant's legal representative and an objector to the application. They were accompanied by the Democratic Services Officer and the Litigation and Advisory Lawyer.

The Sub-Committee reconvened in public session to give its decision.

RESOLVED – that the licence for a New Premises Licence for WH Smith, Bishop’s Stortford Railway Station, Bishop’s Stortford, Hertfordshire, CM23 3BL be granted for the sale of alcohol for consumption off the premises, Monday - Friday 08:00 – 19:00, Saturday 08:00 – 18:00 and Sunday 08:00 – 16:00, subject to the conditions offered up in the operating schedule and the further conditions offered up during the consultation period.

The Chairman advised that the decision would be issued in writing, and that there was the right of appeal within 21 days to the magistrate’s court.

47 URGENT BUSINESS

There was no urgent business.

The meeting closed at 11.26 am

Chairman

Date

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.

Agenda Item 7

East Herts Council Report Template

Licensing Sub-Committee

Date of Meeting: 22nd May 2023

Report by: Jonathan Geall, Head of Housing and Health

Report title: Application for a new premises licence for Hertfordshire Oktoberfest, Hartham Common Park, Hartham Lane, Hertford, Hertfordshire (23/0362/PL)

Ward(s) affected: Hertford Bengelo

Summary

- An application for a new premises licence has been received from Barbican Events Ltd. Representations against the application have been made by six interested parties with one representation being received in support of the application. Where representations are received against an application, and not withdrawn, there must be a Licensing Sub-Committee meeting 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 decided.

1.0 Proposal(s)

- 1.1 Members of the Licensing Sub-Committee should determine the application to grant a premises licence to Barbican Events Ltd 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 Statement of Licensing Policy (herein 'the 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 initial application submitted by Barbican Events Ltd was submitted on 27th January 2023 and then subsequently withdrawn on the last day of the 28-day consultation period, 27th February 2023. The application received representations from interested parties and was withdrawn following discussions with the responsible authorities.

3.2 An amended application for a new premises licence was submitted by Barbican Events Ltd on 13th March 2023. Initially

the applicant failed to advertise this application in a local newspaper within the required time. As a result, the 28-day consultation period was started again, ending on 20th April 2023. This time the application was correctly advertised and consulted upon as required by legislation and regulations.

- 3.3 The application requests live music, recorded music and the supply of alcohol for consumption ON and OFF the premises during the following times.

Licensable Activity	Day	Hours originally applied for
Live and Recorded music	Friday	14:00 – 22:30
	Saturday	11:00 – 22:30
	Sunday	12:00 – 20:00
Supply of alcohol (for consumption on and off the premises)	Friday	14:00 – 22:15
	Saturday	11:00 – 22:15
	Sunday	12:00 – 20:00
Premises open to the public	Friday	14:00 – 23:00
	Saturday	11:00 – 23:00
	Sunday	12:00 – 21:00

- 3.4 A redacted copy of the application form for a new premises licence is attached as **Appendix 'A'**.
- 3.5 Section 18 of the application form asks the applicant to describe any additional steps they intend to take to promote the four Licensing Objectives.
- 3.6 During the 28-day statutory public consultation period six representations were received against the application; four

from local residents, one from Hertford Town Council and one from a Hertford Town Councillor who is also a local resident. It is unclear in what capacity the single additional representation received in support of the application was made. The interested party was asked to confirm these details but did not respond. All the representations are attached as **Appendix 'B'**.

- 3.7 Between them, the representations suggest that the following Licensing Objectives would be undermined if the application is granted as requested; Protection of children from harm, Prevention of public nuisance and Prevention of Crime and Disorder.
- 3.8 Following discussions with the Police and Environmental Health, in their roles as responsible authorities under the Licensing Act 2003, the applicant agreed to several additional conditions to mitigate these authorities' concerns. The conditions agreed with the Police are at **Appendix 'C'** and the conditions agreed with Environmental Health are at **Appendix 'D'**.
- 3.9 Following agreement, the additional conditions were circulated to all the interested parties on 20th April 2023. The interested parties were asked if they felt the conditions mitigated their concerns and if there were any other conditions that they would like to see attached to the premises licence. At the time this report was drafted, three responses had been received which are attached at **Appendix 'E'**. These were received from the authors of the 4th, 5th and 6th representations in **Appendix 'B'**; The response from the Hertford Town Council is the same as that received from the Hertford Town Councillor, these are responses 1 and 3 are the same.
- 3.10 A plan of the area in which the premises are located is attached at **Appendix 'F'**. This can be used to illustrate the location of the premises in relation to residents and other

businesses.

Policy and Guidance

- 3.11 Section 5 of the **East Herts 'Statement of Licensing Policy'** (herein 'the Policy') relates to Pre-application advice and engagement. Paragraph 5.7 and 5.8 state:

5.7 Engagement is an important element of the licensing process. Applicants are expected to have considered the location and community it is proposing to operate in. An understanding of the concerns to be addressed can be obtained by early engagement with a variety of bodies and individuals including:

- *Responsible authorities*
- *Ward councillors*
- *Town councils*
- *Parish councils*
- *Residents Associations*
- *Businesses and residents in the vicinity of the proposed premises.*

5.8 Experience shows that early engagement allows concerns to be addressed in the most timely and cost effective way for all parties. Where concerns cannot be addressed before an application is made resulting in representations the expectation is that the dialogue between the parties continues to try and find common ground.

- 3.12 Section 6 of 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 Hertfordshire Oktoberfest would be classed as an 'Other outdoor event'.

3.13 The proposed premises are not within a Town Centre as defined in section 7.0 of the Policy so are designated as 'Other area'.

3.14 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. However, due to 'Other outdoor events' being so varied, suggested timings are not included in the Policy. This section states that '*times will be considered based on the type of event, activities requested, hours requested and the location*'.

3.15 Section 8 of the Policy states that:

8.1 The Licensing Authority must carry out its functions with a view to promoting the four Licensing Objectives, each of which has equal importance:

- *the prevention of crime and disorder,*
- *public safety,*
- *the prevention of public nuisance, and*
- *the protection of children from harm.*

8.2 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not therefore be seen as a means for solving all local problems. The Licensing Authority will therefore continue to work in partnership with all stakeholders and partners towards the promotion of the Licensing Objectives.

3.16 Paragraphs 8.6 to 8.39 of the Policy contain information on how the council considers applications in respect of each of the Licensing Objectives.

3.17 Paragraphs 20.1 to 20.8 apply to festivals and outdoor events. Of particular relevance are:

20.1 The Licensing Authority recognises the contribution that well-run outdoor events bring to local communities, and is pleased to support events which are run in a manner that will promote the licensing objectives

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.

20.7 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

3.18 The Home Office-issued '**Guidance issued under section 182 of the Licensing Act 2003**' (herein 'the Guidance') states at paragraph 9.37 and 9.38 that:

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. 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.

9.38 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.*

3.19 Paragraphs 9.42-9.44 of the Guidance deal with how to determine actions that are appropriate for the promotion of the Licensing Objectives.

3.20 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 the East Herts **'Pool of Model Conditions'**¹.

Officer observations

- 3.21 Whilst East Herts' Policy does not detail specific timings in relation to 'other outdoor events' when it has received relevant representations, it should be noted that the hours applied for are shorter than the Policy suggests would be a starting point for a 'festival'. They are also shorter than those suggested for 'Other entertainment venues not listed'. This leaves it open to the Licensing Sub-Committee to decide what hours would be appropriate having considered the nature of this event.
- 3.22 In the representations there are references to previous applications and a failure on behalf of the applicant to correctly advertise their application. To assist members the chronology of the events is in the table below:

Date	Action
27/01/2023	New Premises Licence application received
30/01/2023	Application validated and 28-day consultation started
27/02/2023	Application withdrawn
13/03/2023	Amended New Premises Licence Application received
23/03/2023	Failure to advertise correctly identified by the Licensing Authority and the 28-day consultation started again
06/04/2023	Newspaper advert published
20/04/2023	Consultation closes

- 3.23 The Policy, as highlighted at paragraph 3.11 of this report,

¹ Conditions with a letter 'M' or marked 'All' are relevant to Festivals and Other outdoor events and some or all may be applied where appropriate having considered the merits of the individual application.

recommends early engagement with a number of parties. This early engagement did not take place resulting in both the Police and Licensing Authority being unable to satisfy themselves that the initial application, if granted as applied for, would promote the Licensing Objectives. These concerns lead to the original application being withdrawn and then subsequently being resubmitted following amendment. The application being considered today is a valid one so a decision should be reached on the evidence before members and any submissions made during the hearing.

- 3.24 Representation 1 – The interested party lives in the vicinity of Hartham Common.
- 3.25 The initial representation detailed concerns about the applicant selling tickets for the event before a licence has been granted. This matter cannot be considered as it does not engage any of the Licensing Objectives and is a commercial decision for the applicant. Reference is also made of the failure to correctly advertise the application initially. Again, this is not a relevant consideration when deciding the application as the oversight was corrected and the consultation period started again.
- 3.26 The interested party mentions that they believe that East Herts Council has a financial incentive to grant the licence application. It is a matter of fact that the applicant is paying the council to hold the event on their land, but this cannot be considered by the members of the Licensing Sub-Committee when reaching a decision. If this were to influence the decision, then the authority would be likely to lose any appeal made against its decision or face a possible judicial review which it could find hard to defend.
- 3.27 The representation references nuisance which the interested party fears will not only be during the event but also in the periods of set-up and breakdown (the clearing up at the end)

of the event. Noise and anti-social behaviour from customers accessing the common on foot having arrived using public transport is also raised.

- 3.28 Reference is also made to the potential for under 18s to gain access to the premises using fake ID. If this is an issue that concerns members, then they may wish to question the applicant regarding the measures that will be in place to ensure the risk is minimised. This is a problem that faces all premises licensed to sell age restricted goods and is not in itself a reason to refuse an application if due diligence is shown by the applicant.
- 3.29 The impact on local businesses of the event being allowed is raised but this is not a relevant matter as it does not engage any of the Licensing Objectives.
- 3.30 The interested party requests that the application be refused.
- 3.31 Representation 2 – The interested party is a local resident and references existing problems occurring at Hartham Common.
- 3.32 The representation details the disturbance from music until 10pm and the impact on children who must go to school on the Monday. The hours requested for music end at 20:00 on the Sunday so this should be less of a potential issue. The interested party is not saying that their children *will* be disturbed but are offering a subjective opinion that other people's children could potentially be disturbed. Reference is made to people who do shift work not being able to sleep during the day but again this is speculation on the point that some people's normal daytime activities might disturb someone else's sleep and so should carry little weight. The potential impact on the residential area is a valid consideration under the objective of prevention of public nuisance.
- 3.33 Comments are made regarding newspaper reports of similar

events held in other locations. These are particularly relevant if the event being referenced was one organised by the same applicant. Members may wish to ask the interested party and the applicant about the reports to investigate if there were incidents at any previous events and, if that is the case, what lessons were learned.

- 3.34 Reference is made to issues related to a fun fair and Halloween event, but these are not relevant in relation to this application. This is a different style of event that requires a licence and is completely ticketed, and any licence issued will have conditions attached regarding the need for security, CCTV and the like.
- 3.35 Representation 3 – The interested party is a local resident and references existing problems occurring at Hartham Common.
- 3.36 This representation references that this application has shorter hours than a previous application but that this does not mitigate the interested party's concerns.
- 3.37 Reference is made to security being put in place, meaning that the implication is that there would be problems without it. There is the potential for any event to have problems, particularly one which involves alcohol. The fact that the applicant has considered the potential risks and taken steps to try to ensure public safety mean that the only question is are these steps adequate? The Police have not made a representation on this point which indicates that they believe the provision is adequate given the current facts.
- 3.38 The number of attendees and the associated issues are mentioned; this is a valid consideration for the Sub-Committee. However, this must be balanced against the attendees' personal responsibility and any measures that are considered to address this concern must be within the direct control of the applicant.

- 3.39 The reference to where money will be spent by the attendees is not a relevant consideration as it does not engage a Licensing Objective and a similar approach should be taken to the comments regarding when the event was advertised.
- 3.40 Representation 4 – This representation has been made by Hertford Town Council's Planning Sub Committee.
- 3.41 The representation references concerns about public nuisance from the event and makes three points.
- 3.42 The first is around wishing to see significant support and restricted access to/from Folly Island, to include private security. Members may wish to ask the representative of the Planning Sub-Committee what it is they would like to see put in place as there is not enough detail for the applicant to understand what measures would mitigate their concerns? Once this is clear then the Sub-Committee may wish to ask any local residence in attendance what they feel about what has been proposed. Finally, the applicant should be asked if the measures proposed are practical and achievable.
- 3.43 There would obviously be cost implications for the applicant if there was a requirement to provide Security Industry Authority (SIA) trained staff on all the potential access routes to the Common. Imposing such steps may affect the economic viability of the event and could amount to a technical refusal of the application. Any conditions imposed should be proportionate to the perceived risks.
- 3.44 The second point details issues that are already occurring in the night time economy and suggests that the event might add to the issues. As no glass should be leaving the licensed venue this is not a valid consideration however the other issues listed can be addressed. The Sub-Committee may wish to seek clarity

on the area that the Planning Sub Committee would wish to see a cleaning regime for? This links back to paragraph 3.32 and the proportionality and viability of any proposed measures.

- 3.45 The third point references the potential noise nuisance from the event and requests measures be put in place for noise levels to be monitored. The conditions agreed with Environmental Health require the applicant to produce a Noise Management Plan (NMP) which must be submitted and approved three months before the event. This plan will include the finer details of how noise will be monitored and controlled to the satisfaction of Environmental Health, the recognised authority on nuisance. The applicant may be able to elaborate on the discussions and proposals with Environmental Health if it aids the Sub-Committee in deciding what weight to attach to this point of the representation.
- 3.46 Representation 5 – The interested party is a local resident living in the vicinity of Hartham Common.
- 3.47 Reference is made to inadequate parking being available in the area for the event and that residents parking on Folly Island is not enforced on a Sunday.
- 3.48 The applicant has done considerable work on modelling how the public have attended their previous events and has introduced a question at the time of purchasing a ticket to see how people will travel to this event. They have given the matter consideration and have drafted a Traffic Management Plan (TMP). The Police agreed conditions require the TMP to be submitted three months prior to the event. If the Sub-Committee have any concerns regarding this matter, they can ask the applicant to explain what they are planning to do and, if considered necessary, add a condition or conditions to any granted licence to ensure particular things are done.

- 3.49 The second point raised is in relation to preexisting issues around anti-social behaviour on the Common. Reference is made to Sainsbury's, the circus and the fair and the issues associated with these. Issues such as the fair have been previously dealt with in paragraph 3.30.
- 3.50 Police resourcing is mentioned, and whilst this is a general concern, it is not a ground for refusing or restricting a licence.
- 3.51 The interested party goes onto say that the event is not a good fit for the local area and that they believe East Herts Council is acting inappropriately by hiring out its green spaces to the highest bidder. As these comments do not engage the Licensing Objectives, they cannot be given any weight when reaching a decision.
- 3.52 The final paragraph of the representation details anti-social behaviour at another event run by the applicant in Harpenden which is alleged to have caused a great many issues for residents.
- 3.53 East Herts Council, as the Licensing Authority, in its role as responsible authority sought feedback from the Police and St Albans Council, as the Licensing Authority that dealt with the Harpenden event, and the responses are summarised below:
- Police feedback – The first weekend there were six recorded crimes attributed to the event and a number of calls about drunken behaviour that didn't amount to crimes. The licence holder was contacted and took the concerns seriously and implemented a range of measures designed to minimise crime within the event location and outside on the common and into town.

On the second weekend there were two record crimes attributed to the event, involving one individual, who was detained by event security. Local Police officers on duty

and monitoring the event stated it was much better controlled by staff both inside and outside the event and they didn't report anything of note which spilled into the Town.

- Licensing Authority feedback – The first weekend there were noise issues, some issues with intoxicated individuals and some issues with nearby pubs.

They made no comment regarding issues on the second weekend.

- 3.54 The general comments were that the applicant was willing to work with the responsible authorities and address issues and put measures in place where needed.
- 3.55 The Police were aware of the details of the Harpenden event when reaching the decision to agree conditions and not make a representation against the application. As the recognised authority in relation to crime and disorder this should be considered when deciding what weight to give the issues at the previous event. The Sub-Committee may also wish to ask the applicant what lessons they learnt from that event and how they are doing things differently now?
- 3.56 Representation 6 – This representation is from a Hertford Town Councillor who is also a local resident.
- 3.57 The representation starts by explaining that it is made in support of residents who have concerns regarding potential anti-social behaviour linked to the event if a licence is granted.
- 3.58 The volume of visitors passing through residential areas and the nuisance they may cause is referenced. It is suggested that measures be considered to minimise the disturbance to residents. The Sub-Committee may wish to ask the Councillor what measures she believes would mitigate concerns as these

are not detailed within the representation?

- 3.59 The last paragraph relates to the Common and its use. The points raised in this paragraph do not directly link back to any of the Licensing Objectives so cannot be given any weight when reaching a decision.
- 3.60 Representation 7 – This representation supports the granting of a licence for this event although it is not clear in what capacity the individual is making their comments.
- 3.61 The interested party states that they are friends with people who own hospitality businesses in Hertford who support large events in the town. They go on to say that in their opinion times are hard for local hospitality and that this event would help. This, however, is not a reason to grant a licence for an event if it's believed that it won't promote the Licensing Objectives.
- 3.62 There are then general comments about the need to be welcoming to large events and the wider benefit they bring.
- 3.63 Less weight can be attached to the comments as it is not clear who is making them. It references local business that support the application, but the representation is not from the businesses themselves. Equally the representation does not explain how it is believed that the event will promote the Licensing Objectives.
- 3.64 The representation has been included for completeness. If the interested party attends the hearing, then the Sub-Committee can ask questions of them to help decide how much weight should be attributed to the comments.
- 3.65 The Guidance, at para 2.1, states in relation to the Prevention of Crime and Disorder that:

Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

- 3.66 The Police agreed conditions and did not make a representation against this application and this should be taken into consideration when deciding what weight to attach to the concerns of a potential crime and disorder if the licence is granted.

- 3.67 The Guidance, at para 2.15 states in relation to Public nuisance:

The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

- 3.68 Environmental Health, whose area of expertise includes nuisance, did not make representation against the application. It is therefore reasonable to conclude that Environmental Health do not believe that granting the licence, including the agreed conditions, would cause 'disproportionate and unreasonable' effects on local residents or businesses.
- 3.69 The Sub-Committee should consider whether the operation of the licensed premises would be likely to cause a public nuisance having considered the evidence presented and the

location of the premises.

- 3.70 The Guidance, at para 2.26 states in relation to Protection of Children from harm, that:

Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

- 3.71 The applicant has stated that under 18s will not be allowed onto the premises and agreed a condition (Number 3 in **Appendix C**) to this effect which states:

Those under the age of 18 years will not be permitted entry to the events. IDs will be checked on the door, enforcing the challenge 25 scheme and anyone without ID will be refused entry. Suitable forms of identification will be a passport, 'pass' card or other identification recognised by the licensing authority in its statement of licensing policy.

- 3.72 The Police are satisfied that the measures in place are adequate to ensure under 18s are not admitted to the event so the Protection of Children from Harm objective should not be undermined.

- 3.73 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.

- 3.74 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 Objectives would be undermined.

- 3.75 Whilst the hours and activities applied for are shorter than those detailed in East Herts 'Statement of Licensing Policy' as the starting point for other types of events, this does not fetter the Sub-Committee's ability to decide that shorter hours or a refusal are more appropriate in the circumstances of an individual application. The Policy is a starting point from which decisions can be made; should the Policy be departed from then members should clearly give their reasons for doing this.
- 3.76 Put in its simplest terms, what are the minimum measures that can be put in place to address members' concerns? Refusal of the application should be the last option considered.
- 3.77 If the Sub-Committee believe that granting the application as requested would promote the Licensing Objectives, then it should be granted as requested.
- 3.78 If the Sub-Committee believe that granting the application as requested would not promote the Licensing Objectives, then the starting point should be to consider if there are conditions that could be added to mitigate concerns.
- 3.79 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 and activities as requested.
- 3.80 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.
- 3.81 Aside from adding conditions, it is open to members to limit the hours of operation and/or licensable activities further but clear reasons for this step would need to be given.

- 3.82 However, if adding conditions and/or limiting the hours beyond those requested and/or limiting licensable activities does not mitigate members' concerns regarding the promotion of the Licensing Objectives then the application should be refused.
- 3.83 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 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 – Hertford - Bengoe.

7.0 Background papers, appendices and other relevant material

- 7.1 Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2022 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1149896/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_December_2022_002_.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%2022.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 (redacted).
- 7.4 **Appendix 'B'** – Plan showing location of the premises.
- 7.5 **Appendix 'C'** – Conditions agreed with the Police.
- 7.6 **Appendix 'D'** – Conditions agreed with Environmental Health.
- 7.7 **Appendix 'E'** – Interested responses to agreed conditions
- 7.8 **Appendix 'F'** – Location Plan

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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

HERTSOKTBARBICAN

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

You must enter a telephone number

Main telephone number

Include country code.

You must enter a valid telephone number

Other telephone number

☒ 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

13487570

Business name

Barbican Events Ltd

If your business is registered, use its registered name.

VAT number

GB 386898314

Put "none" if you are not registered for VAT.

Continued from previous page...

Legal status

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

You must enter a telephone number

Telephone number

Non-domestic rateable
value of premises (£)

0

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

Barbican Events Ltd

Details

Continued from previous page...

Registered number (where applicable)

13487570

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

Private Limited Company

Address

Building number or name

Tyttenhanger House

Street

Coursers Road

District

City or town

St. Albans

County or administrative area

Hertfordshire

Postcode

AL4 0PG

Country

United Kingdom

Contact Details

E-mail

info@barbicanevents.com

You must enter a telephone number

Telephone number

Other telephone number

* Date of birth

/ /
dd mm yyyy

* Nationality

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

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

01 / 09 / 2023
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.

Continued from previous page...

The event will take place in a big top tent on the common. It will be situated with the stage and speaker facing north east which will be directionally facing away from residents to reduce noise nuisance. There will be heras fencing boarder around the site and the site will be self-sufficient with toilets, power, running water, security, lights and first aid. Off premise consumption will ONLY be applicable at the end of the event, to attendees who have have attended the event and wish to take their drink away with them in disposable plastics. As we do not allow guests with polycarbonate glasses off the premises. Stewards, security and litter pickers will be outside the premises after the event monitoring the egress of the crowd.

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

Continued from previous page...

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

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 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.

Live music consisting of traditional brass instrument bands and solo artists will play within the standard days and times stated above. Music will be amplified and a sound engineer will be on site monitoring the noise at all times. sound checks will be taken every 1.5 hours by the event manager or sound engineer to keep the noise at a reasonable level.

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

Continued from previous page...

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.

N/A

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

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

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 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.

Recorded music will be played on an amplified speakers within the standard days and times stated above. A sound engineer will be on site monitoring the noise at all times. Sound checks will be taken every 1.5 hours by the event manager or sound engineer to keep the noise at a reasonable level.

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.

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.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☒ No

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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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Continued from previous page...

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

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 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.

Continued from previous page...

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.

License will only be applicable for a maximum of two weekends of the year - in either September or October subject to council and SAG approval.

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

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

Continued from previous page...

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.

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

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

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.

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.

License will only be applicable for a maximum of two weekends of the year - in either September or October subject to council and SAG approval.

Section 18 of 21

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.

1. The DPS will be on site at all times when licensable activities are taking place. The DPS will work closely with the head of security, the head of stewards and the bar manager to ensure the sale and consumption of alcohol is carried out safely.

2. Security will be provided by Principal Security Consultants. They are providing SIA licensed security at a ratio of 70:1 (Attendees : Security) with 2 supervisors.

3. The event is strictly over 18. IDs will be checked on the door. The security will carry out body scans and bag checks upon patrons arrivals.

4. 8 x CCTV cameras will be installed covering all the main areas of the site. There will be a live feed going to the site office and the footage can be downloadable and can be sent to authorities if required.

b) The prevention of crime and disorder

1. We will be carrying out body scans and bag checks upon entry.

2. We will have security in hi-vis vests based outside the tent on the street, directing the flow of people, reducing any noise and being a presence as people enter and leave the event.

3. If there is any anti-social behavior when the guest leave the premises the police will be informed.

Continued from previous page...

4. Security will be situated in multiple locations around the tent, at the exits and will be patrolling around the site. If in the event any problems do arise it will be spotted straight away and the appropriate measures will be taken.

c) Public safety

1. The event is non reserved seating in the general admission area, we have 960 guests in that area and have allocated seating for 1060 to ensure there is no overcrowding.

2. All alcohol and refreshments consumed on the premise will be made of disposable plastic or toughened plastic.

3. Two first aiders and an ambulance will be on the premises at all times.

4. Free water will be available at the bar.

4. All parts of the premises will be adequately illuminated.

d) The prevention of public nuisance

1. Any persons leaving the premises will be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by.

2. Local pubs, bars, restaurants and train stations will be notified about the event and the increase in footfall around event times.

2. Patrons will not be permitted to leave the premises with any glass or polycarbonate which belongs to the premises.

3. All music and entertainment will finish at 22.30 to limit noise pollution.

4. The tent is situated on the furthest point away from any neighbors on the common. The speakers are faced towards the woodland, away from commercial and residential properties.

5. Regular Sound checks will be taken and record to keep the Noise and a reasonable level.

e) The protection of children from harm

1. This will be a strictly over 18s event.

2. IDs will be checked on the door, enforcing the challenge 25 scheme and anyone without ID will be refused entry.

3. If anyone is found using a fake ID, it will be confiscated and police will be notified.

Section 19 of 21

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.

Continued from previous page...

- 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.

Continued from previous page...

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.

Section 20 of 21

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 21 of 21

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

Continued from previous page...

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

* Capacity

* Date / /
dd mm yyyy

[Add another signatory](#)

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.

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

OFFICE USE ONLY

Applicant reference number	<input type="text" value="HERTSOKTBARBICAN"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

Consent of individual to being specified as premises supervisor

Thomas Connolly

I

[full name of prospective premises supervisor]

of

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Hertfordshire Oktoberfest Premise Licence

[type of application]

by

Barbican Events Ltd

[name of applicant]

Hartham Common, Hertford, SG14 1QR

relating to a premises licence

[number of existing licence, if any]

for

Hartham Common, Hertford, SG14 1QR

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Barbican Events Ltd

[name of applicant]

concerning the supply of alcohol at

Hartham Common, Hertford, SG14 1QR

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

[insert personal licence number, if any]

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

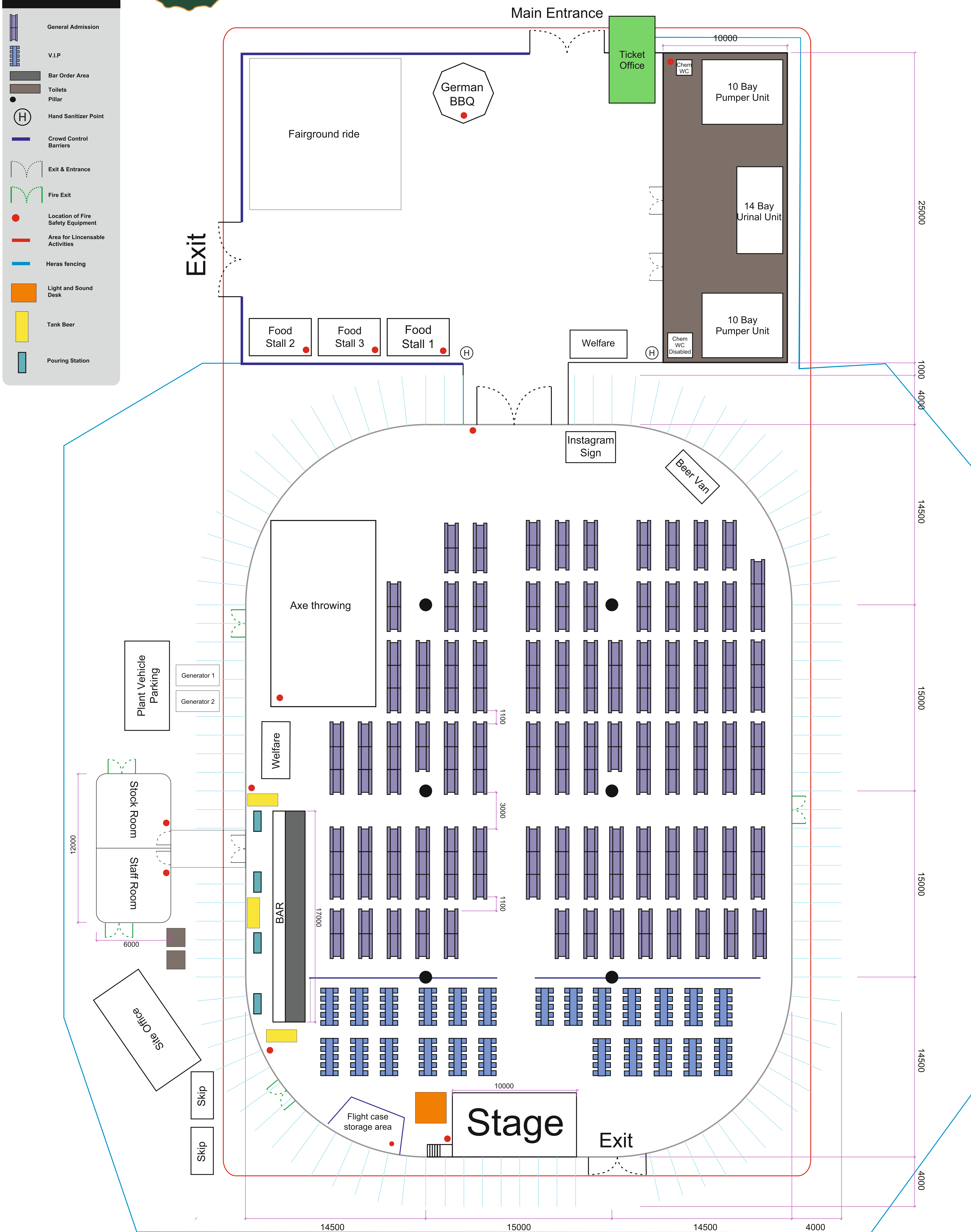
Signed

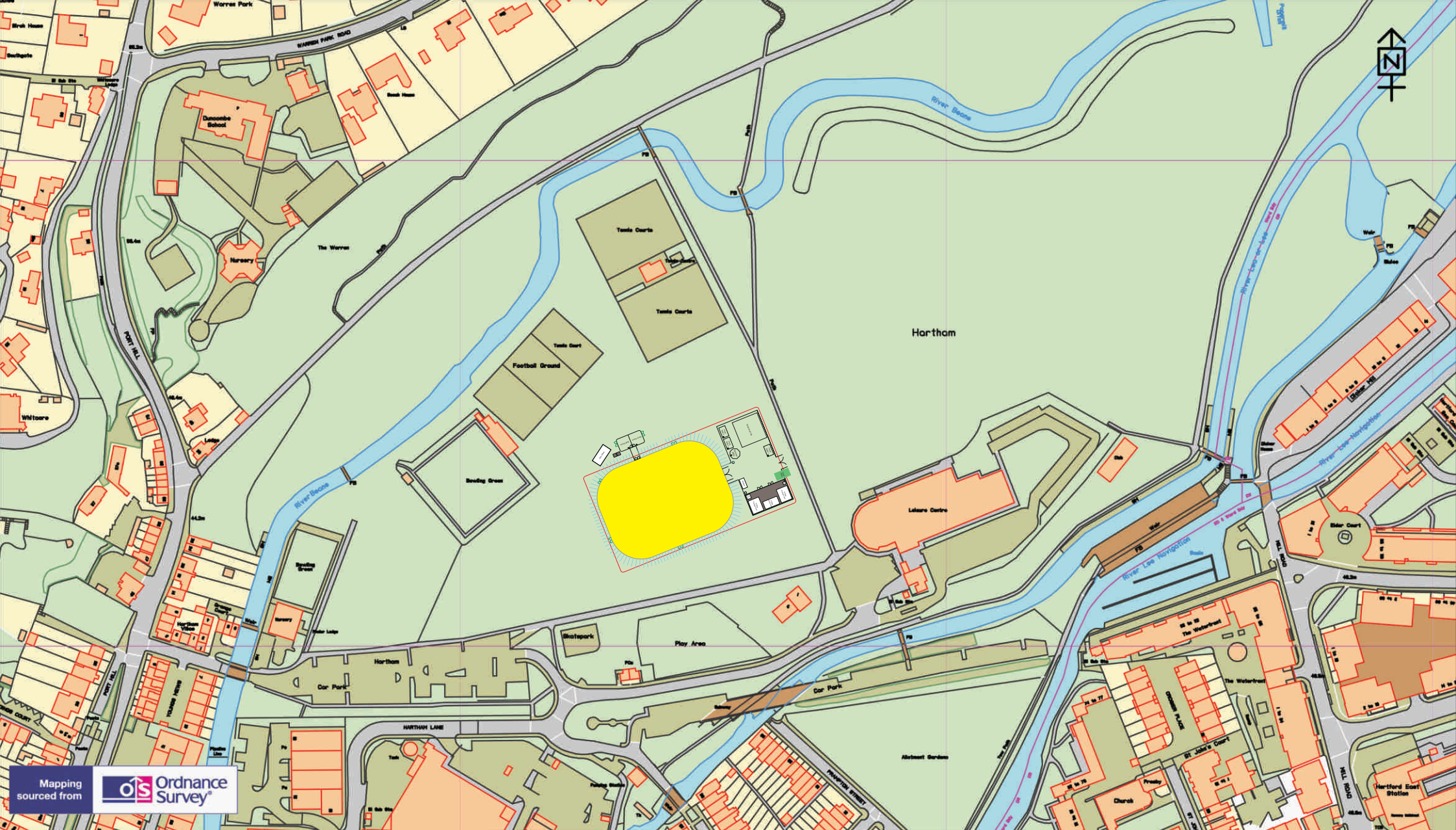
Thomas Connolly

Name (please print)

13/03/23

Date





Mapping sourced from
 Ordnance Survey



East Hertfordshire District Council
Operations, Environmental Services
Wallfields, Pegs Ln, Hertford, SG13 8EQ
Tel: 01279 655261 x 416

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1997 EAST HERTFORDSHIRE DISTRICT COUNCIL 100018528

JOB TITLE:
ORIGINATOR: RP
DRAW. NO :
PROJECT :
O.S. SHEET: TL3213SE
SCALE: 1:2522
DATE OF PRINT: 15/12/2022

Representation 1 (two parts)

Dear Sir Madam,

I thank you for informing of the invalidation of the licence application and that the consultation has to restart, coming to a close on 20th April 2023.

I wish to formally register my objections to this new application, which are exactly the same objections I registered in respect of the first.

I have to say that I am deeply concerned by the many reports I have heard of the applicants having already sold many tickets for the "VIP section" of an event that is yet to be granted a licence and I sincerely hope that this is nothing more than arrogance on the part of the applicant, that it is a sign they are taking you as the decision makers and protectors of Hertford and us as the local people who have such a vested interest, for granted.

It appears the applicant has not taken this application process at all seriously. Having failed to advertise the licence application and having chosen instead to focus on advertising their event (for it isn't Hertford's) they have clearly demonstrated beyond doubt that they do not care for our local institutions, you as our local representatives, our local businesses or local residents and value only the money they can take from us all.

I have also been made aware that the local authority may have a financial incentive to grant this licence and allow the event to take place so that it can receive a payment from the applicants. I hope that such a conflict of interest does not interfere with the carrying out of duties and responsibilities towards protecting the rights of local people and the livelihood of local businesses. I would even go so far as to recommend to you that instead of receiving the financial "incentive" paid by the applicant, you instead do the right thing by Hertford and refuse the licence. The money you forgo will be an investment in supporting the Town and its local people who all so want to see it thrive once again, and fulfil its potential.

Please protect my rights as an immediate neighbour residing directly onto Hartham Common and please protect the Town from being used by the applicant who is already trying to take as much money out of it as possible.

Do the right thing. Reject the application. Support Hertford.

Thank you

Kind regards

REDACTED

Dear Sir / Madam,

I write to formally object to the application made under the licensing act 2003, by Barbican Events LTD application reference 23/0362/PL in respect of an event proposed to take place on Hartham Common, Hertford.

I am owner resident of a flat at Elder Court, Mead Lane Hertford, and all three rooms of my flat are at the rear of the building looking directly onto Hartham Common. Should this event be allowed to go ahead it will force me to endure constant noise and unreasonable disturbance for the entirety of the weekend and beyond, not just of the official length of the event itself.

There will be a period of setting up in advance which will involve deliveries and noise involved in putting the facilities and amenities together and in place. From the advertisement already online for the proposed event it is clear this is of a significant scale including a wide variety of attractions, live and recorded music, food stalls / sections and this is likely to require portaloos, first aid station etc as would be expected of any large event. This is unlikely to be put together in one day alone. Then after the event has ended there will be an extensive period of cleaning up the mess that will certainly be spread by visitors outside of the confines of the designated event area across the common and surrounds. The clean up as well as the taking down and clearing away of the events structures, facilities, toilets etc will also not take just one day to achieve. I expect it will take several days to get the common and the surrounding area back into a state that can be enjoyed as Hertford's beauty spot once again.

So for myself and the other residents who live immediately adjacent to the common, the disturbance could quite foreseeably be not restricted to three days but could last the best part of a week once the set up and take down and clear up activities are taken into account.

It is wholly unreasonable to expect a resident like myself, who lives directly facing the common, to have my rights to a peaceful home be superseded by a for profit commercial event of this nature. I fully accept that Hartham Common is a public community resource and that certain community activities are and will always be held on it, such as the football games etc but these are activities of

a wholly different nature and of such a type and scale that they do not 'force' themselves on me as a local resident. They do not disturb the peaceful enjoyment of my home in the way this event will.

When I chose to buy this flat and to live here, it was for the beauty of the location and the peace it would give myself and my girlfriend after the very difficult preceding few years which saw my girlfriend's sister pass away from cancer at the end of January 2020 followed by the pandemic in which I lost my job and became so ill that I ended up in The Royal Free Hospital. Our flat here is of a modest size but we chose it for the location. We did so in full knowledge that the common is a public space but we also felt we could rely on the local authorities to protect it for the enjoyment of all. I have seen that happen, with the patrols of police particularly last summer who tried their best to guard against the alcohol and or drug induced antisocial behaviour of a proportion of Hertford's youth. If you allow this event to go ahead the whole weekend would be intolerable for me. While the event advertises itself as over 18 only with ID required, it will not stop people getting in with fake IDs of the type any parent on the council will know is all too easy for their children to obtain.

The event will attract people from outside of Hertford, a large proportion of whom will come by train or bus and the walking route from Hertford East station and bus stops / station takes them alongside Elder Court, past our flat as they access and exit the common along the pedestrian bridge before Dicker Mill. The bridges access from Dicker Mill bridge to the common are narrow and in parts single file and will mean they will be areas of continuous slow moving people moving back and forth with the loud noise that will accompany them. To have this right underneath my windows all weekend is again an infringement of my rights to enjoy my home peacefully and must not be allowed.

The event is advertised as serving alcohol, has a food court and a VIP area which will provide table service of food and drink to those who have paid a premium for this VIP area. Clearly this event is intended to make as much money as possible and will take far more money out of the local hospitality economy than any overspill will return. This is also entirely wrong, following the delivery of 'guidelines' which have seen the annual music festival close for the first time in many years the local establishments who are already struggling massively with the rising cost of energy do not need another kick and I urge you as the gatekeepers and protectors of our town to do exactly that and not to allow an external company to use a public space to profit and disrupt local residents in this way.

Events that are held in the town centre, by the local businesses for local people should be encouraged and anyone who has chosen to live in the centre of town or next to or near a pub, restaurant or shop accepts that there is a certain amount of noise and disruption that goes with living at that address. In my case and the case of anyone else who lives so very close to the Common, we made the decision to live here to enjoy the beauty and peacefulness and accepted there would be low level pedestrian traffic and the occasional distant shouts from sport being played or low key community event. Without exaggeration the loudest most common noise we hear are from the ducks and other birds on the river or the soft chug of a canal boat.

I would not object to other types of organised events, such as family days, organised walks, organised runs, fetes, basically anything which is more limited in scale and for more low key enjoyment that is in keeping with the public nature of the common as a facility for all and not a huge 'festival' that this event advertises itself to be.

The event will come to town like an alcohol fuelled circus (axe throwing is advertised), bringing disruption and noise for the best part of a week, taking over a public space for private commercial profit and ruin the peaceful life of local residents who will suffer the noise, disturbance, anti social behaviour, mess and upset. The town itself will not benefit commercially, instead takings in the local establishments will take a massive hit, the common will be 'privatised' for the whole three days and time either side and lives disturbed so I see very few people who will benefit from this other than the organisers. As the organisers are selling tickets they will be ensuring the event is enclosed and this means that those attending will remain in the enclosed space with their money being spent inside. This means the event could be held anywhere as this ringfenced event is designed to keep people in and money out of Hertford. This is also grossly unfair for a local community resource to be used against the locally community in this way. Local people who own or work in local premises will suffer because of this and you will be allowing the organisers to come in, fill their coffers and then leave without any benefit to the Town.

This event could easily be and should be sited away from residential areas and not immediately in the middle of the town which forces it on me and the town. People could still go and enjoy this 'fest' but it wouldn't force people like me to suffer the consequences.

I love living 'on' Hartham Common and love living in Hertford. It is beautiful welcoming place of which it is your duty to protect on behalf of the residents and businesses who have a vested interest in it. I urge you to please protect my

rights and the well being of the town from such an excessive event taking place in the centre and refuse this licence application.

Yours sincerely

Redacted

Representation 2

Hello,

My details:

Redacted

With regards to the above application as you can see I am a folly island resident & I object to this application being passed, This is not a suitable location for something like this, due to it being a residential area, there are lots of problems going on in Hartham & this will only add to them.

Having music played from early afternoon until gone 10pm at night, children who live on the island have school on the Monday & people work shift work & will not be able to sleep during the day with this going on, this is just unacceptable being so close to a residential area.

I have seen the reviews from previous Oktoberfests in other towns I have seen that public property has been damaged & there have been trespassing on peoples priority with people urinating in front gardens, if people are travelling back into town chances are they will pass through Folly Island, it is bad enough when we have had the fun fairs in previous years as it attracts the wrong type of people.

On Halloween last year there were problems too & I believe a police officer was assaulted, the residents should feel safe going about their business & I feel this would certainly not make me feel safe knowing there is going to be hundreds of people under the influence of alcohol & possibly other things, like I said a group of teens could not be controlled in town just for one night!

Any questions please contact me.

Redacted

Representation 3

Member of the Public

Customer objects to the Licensing Application

By ending this event earlier than the original application does not address the issues for the residents right next door to Hartham Common. The fact that security has to be put in place, implies there will be a problem without it. The amount of people leaving the site will be a problem, traffic & foot fall. The park is in the middle of a housing estate! People will spend their money at the festival not in the town.

I strongly object to this festival & am really disappointed that the event has been advertised before the license has been given!!!

Redacted

Representation 4

Good afternoon

Hertford Town Council's Planning Sub Committee considered the licensing application 23/0362/PL at its meeting on 27 March 2023

Please find the comments below

23/0362/PL	Barbican Events Ltd 'Oktoberfest' At Hartham Common Park Hartham Lane	NEW PREMISES Live music Recorded music Supply of alcohol <u>Supply of alcohol on and off the premises</u> Friday 14:00 – 22:15 Saturday 11:00 – 22:15 Sunday 12:00 – 20:00 Live & Recorded Music Friday 14:00 – 22:30 Saturday 11:00 – 22:30 Sunday 12:00 – 20:00 <u>Open to the Public</u> Friday 14:00 – 23:00 Saturday 11:00 – 23:00 Sunday 12:00 – 21:00 Licence will only be applicable for a maximum of two weekends of the year - in either September or October
Some concerns were raised regarding potential public nuisance issues: 1. Committee would wish to see significant support and restricted access to and from Folly Island (to include private security) to alleviate public nuisance to local residents.		

2. Concerns were raised regarding the impact of this event adding to issues from the Night-time economy such as litter, broken glass and vomit. Committee would like to see a detailed cleaning regime take place after each event on Hartham Common itself and surrounding streets.
3. Committee had concerns regarding the acoustics of the events as noise from Hartham Common travels primarily to top of the Warren and Bengo. It was suggested that measures be put in place for noise levels be monitored during the first day of any event to limit public nuisance.

Kind regards

Redacted



The Castle, Hertford. SG14 1HR

Representation 5

I again wish to share my objection to this proposed premises license for a number of reasons.

Firstly, there is inadequate parking in the area, particularly at weekends when Hartham Common is busy. The recent changes to parking charges mean that more drivers now park on Folly Island, as the Residents' Parking Zone is not enforced on Sundays. Folly Island Association has raised this with EHC but there was no interest in following it up despite the loss in parking revenue for EHC.

Secondly, as Folly Island borders the common, we regularly encounter anti-social behaviour, particularly from the ongoing issues at Sainsbury's. There are many escape routes from the common via Folly Island. Historically, when the circus and fair were held at Hartham, there would regularly be a huge amount of anti-social behaviour. Police resources are already stretched and I fail to see how they could properly enforce these events. Last year's Musical Mystery Tour is a case in point.

I think this proposed event is not a good fit for the local area and I believe EHC is acting inappropriately by hiring out its green spaces to the highest bidder. If the aim is to promote green spaces, I would respectfully suggest it starts by inviting applications for an event that is not focussed on selling huge amounts of alcohol and then leaving patrons in Hertford, which already suffers from the negative effects of an out-of-proportion night-time economy.

Finally, I note the huge amount of anti-social behaviour associated with Barbican's Harpenden events which caused a great many issues for the local community.

I do hope that councillors will refuse this licensing application for the above reasons.

Redacted

Representation 6

Town Councillor

Customer objects to the Licensing Application

I write in support of residents of Folly Island who have contacted me with concerns about the possibility of antisocial behaviour associated with this event.

Many visitors to the Oktoberfest will be travelling to and from the event by train which will mean a high volume of people passing through Folly Island on their way to Hertford East, and similarly a high volume of people travelling through other parts of Bengoe to reach Hertford North.

I would ask that consideration is given to ensuring visitors pass through these areas without disturbing or causing a nuisance to residents.

In addition, on a personal level, I have concerns about the use of this precious green space for an event of this type. Hartham is a focal point for families and those who use it for recreation and exercise. While I know there is a push to monetise our parks, I feel that consideration needs to be given to holding events which promote and support the wellbeing of everyone and I am unsure as to what extent this event will benefit the people of the town as a whole.

Representation 7

Dear East Herts Council,

I am writing to show support for the Oktoberfest in Hertford. I have friends who own hospitality businesses in Hertford who are fully supportive of large events in the town and I have read a newspaper report on how beneficial the Oktoberfest was for local pubs and restaurants in Harpenden. Times are hard for local hospitality businesses and the Oktoberfest will good for local trade.

Local economy aside, Hertford needs to be more welcoming for large events and people need to welcome positive changes.

Please accept the license for this event for the wider benefit.

Redacted

Conditions Agreed by Police for OKTOBERFEST application

(Green parts are in line with the operating schedule)

1. The Premises Licence is limited to a maximum of four events per calendar year, these events must be held over a maximum of 3 consecutive days in September and / or October.
2. The DPS will be on site at all times when licensable activities are taking place. The DPS will work closely with the head of security, the head of stewards and the bar manager to ensure the sale and consumption of alcohol is carried out safely.
3. Those under the age of 18 years will not be permitted entry to the events. IDs will be checked on the door, enforcing the challenge 25 scheme and anyone without ID will be refused entry. Suitable forms of identification will be a passport, 'pass' card or other identification recognised by the licensing authority in its statement of licensing policy.
4. SIA licensed security staff will be on duty for the events at a ratio of 70:1 (Attendees : Security) with 2 supervisors. Stewards, security and litter pickers will be outside the premises after the event monitoring the egress of the crowd. SIA will remain on duty and visible until people have dispersed from the area surrounding the event.
5. Security will be situated in multiple locations around the tent, at the exits and will be patrolling around the site.
6. Security will wear hi-vis vests. They will be based outside the tent, directing the flow of people, reducing any noise and being a presence as people enter and leave the event.
7. We will be carrying out body scans and bag checks upon entry.
8. The site will be secured by heras fencing.
9. All alcohol and refreshments consumed on the premises will only be supplied in disposable plastic or toughened plastic. No glass will be permitted on the site.
10. To prevent overcrowding additional seating will be provided above the number of ticket sales.
11. All parts of the premises will be adequately illuminated.
12. Free water will be available at the bar.
13. Persons leaving the premises will be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by
14. Two first aiders and an ambulance will be on the premises at all times
15. Litter pickers will be employed to clear litter caused by the event.
16. Patrons will not be permitted to leave the premises with any polycarbonate which belongs to the premises.
17. Off premise consumption will ONLY be applicable at the end of the event, to attendees who have attended the event and wish to take their drink away with them in disposable plastics. This practice however will be discouraged and will only be allowed in order to avoid confrontation and to prevent bottle necks on exit.

18. A plan showing details of CCTV provision shall be provided along with the Event Management Plan.
19. At least 8 x CCTV cameras will be installed covering all the main areas of the site. There will be a live feed going to the site office and the footage can be downloadable and can be sent to authorities if required.
20. The CCTV system shall record to a storage device and the images shall be retained for a minimum period of minimum of 28 days. Subject to the tests provided for in the Data Protection Acts being satisfied, recordings of images shall be made available to the police on request with minimum delay.
21. An incident log shall be maintained and kept and made available to Responsible Authorities on request. It must record incidents related to drugs or of a violent, criminal or anti-social nature. The record should include the time and date, location, staff involved, names of people involved where known and action taken.
22. A 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.
23. The maximum capacity for any event at any one time shall be 1300 people, this is to include all staff and artists on site.
24. Entry numbers will be monitored and recorded at all times through the use of attendance counting devices.
25. Entry numbers will be supplied as soon as reasonably practicable during the event on reasonable request by any Responsible Authority.
26. No staff member, whilst working at the premises and/or in uniform at the premises, will be permitted to consume alcohol or drugs on site or be under the influence of alcohol or drugs at any time whilst working.
27. The Premises Licence Holder or Designated Premises Supervisor to ensure that all management and staff are fully trained and briefed on the four licensing objectives, Challenge 25, the conditions on this licence, policies referred to in this licence and awareness of vulnerability and duty of care.
28. Accurate and up to date details of ticket sales to be supplied as soon as reasonably practicable, upon the reasonable request from the Licensing Authority or Hertfordshire Constabulary.

Notifications

29. The Premises Licence holder shall notify the Licensing Authority and the Safety Advisory Group ("The SAG"), of the proposed dates and the name of each event no less than 4 months prior to the event start date.
30. A contact number for local residents must be advertised at least 2 weeks prior to the start of the events to enable the local residents to contact the event organiser at any time during the event should they have concerns that need addressing. This telephone number shall be manned at all times during the event and details of all calls received from surrounding households shall be recorded in the log book for the event.

31. The Premises Licence Holder will notify Hertfordshire Constabulary of all the artists planned to perform at the event at least 28 days before the event takes place. The license holder will notify Hertfordshire Constabulary as soon as reasonably practicable of any changes to the artists booked in the 28 days leading up to the event.
32. 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. If requested by the Licensing Authority, 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, not later than 14 days prior to the start of the event.
33. Local pubs, bars, taxis, restaurants and train stations will be notified about the event
34. An Event Management Plan ("EMP") and Traffic Management Plan ("TMP") specifically for the event shall be submitted to the Licensing Authority and SAG no less than 3 months before any event to which it relates takes place. Any updates or amendments must be submitted within the agreed time periods.

The Event Management Plan (EMP)

35. The Event Management Plan (EMP) shall address the following matters –
 - a) Event overview and audience profile
 - b) Detailed and scaled site plan to include the immediate surrounding area, access and egress routes for those attending, emergency evacuation routes and access / egress routes for emergency services
 - c) General site safety policy
 - d) Management structure, responsibilities and roles - names of specific personnel, key roles and responsibilities and how the structure of these roles is planned.
 - e) Details of temporary structures
 - f) Event risk assessment, covering all areas of risk and management of risks to ensure the health and safety of all those attending
37. 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.
38. The EMP must contain policies, procedures and plans as detailed in points 39 – 46;
39. Security operations and deployment plan covering, security management structure, roles and responsibilities, security staff briefings, communications, duties of SIA staff and non SIA staff, perimeter integrity, entry and search procedure, security incident log, eviction procedure.
40. Weapons, drugs and psychoactive substances policy. A zero tolerance policy is to be adopted in relation to any quantity of drugs and any weapons found that are made, used or adapted to cause injury. Any such items found to result in ejection

or refusal of entry. Such items are to include knives where the blade is more than 3 inches in length (excluding un-lockable pocket knives). All confiscated drugs and weapons are to be stored securely and safely, and a record shall be maintained and provided to the police at the conclusion of the events.

41. Emergency protocols and crowd management plan to include capacities, evacuation procedure, emergency announcements, the role of the Event Liaison Team (ELT) and staff, extreme weather procedures.
42. Bar management and Alcohol policy including staff management structure and responsibilities, bar staff and briefings for the event.
43. Closure and dispersal policy - The Premise Licence Holder or Designated Premises Supervisor will ensure that a soft closure and dispersal procedure is followed at the end of each event session. This procedure must be fully documented as part of the EMP and all staff employed at the event must be briefed on the procedure. The procedure must include;

- a) not selling excessive amounts of drinks to people within the last 30 minutes of alcohol sales
- b) lowering any music during the 30 minutes prior to the music terminal time
- c) alcohol sales must stop at least 45 minutes prior to the time the customers are expected to have vacated (Opening hours) (This encourages sensible drinking by allowing people time to finish the drinks they have prior to closure)
- d) The rate of egress of customers must be monitored and assessed at all times. Customers should only be encouraged to leave when the rate of egress is slow.
- e) Security must manage the dispersal of people from Hartham Common. Ensuring people are clearly directed towards the taxi drop off / pick up location or towards the town centre via Sainsbury.
- f) People are to be actively discouraged from dispersing through the residential areas of Folly Island.
- g) Where two event sessions are held on one day, alcohol sales must cease 1.5 hours before the start of the second session and music must cease 1 hour before the start of the second session

44. A traffic management plan that has been agreed by Hertfordshire Highways and the Police covering;

- a) the management of the traffic on the roads surrounding the event and the measures to be used to reduce the impact of those attending and leaving the event on local traffic
- b) Expected traffic levels throughout the event
- c) Taxis pick up and drop off facilities and operation of this facility

45. The Traffic Management Plan must be implemented during the course of the event unless otherwise amended with the agreement of Hertfordshire Highways

- and/or Hertfordshire Constabulary or in the case of emergency during the course of the event to prevent an undermining of the licensing objectives.
46. A medical plan showing the staffing levels of the facility, provisions available and procedures to be followed including keeping records of those treated. To include management of people who are vulnerable through intoxication.

1. A risk assessment is to be produced for the event to include, the crowd management of its 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.
2. An 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. The event management plan shall contain a summary document covering an overview in the following areas:
 - Event overview
 - Audience profile
 - General site overview plan
 - Summary description of all areas including temporary structures
 - General site safety policy
 - Management structure, responsibilities and roles - names of specific personnel, key roles and responsibilities and how the structure of these roles is planned.
 - Event control - overview of functioning
 - Event Capacities including for temporary structures
 - Event timings
 - Insurance
 - Food provision information
 - Local Community Considerations
 - Build and breakdown plan
 - References to appendices detailed below
4. The EMP shall contain appendices detailing fully the following areas:
 - 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.
 - Event risk assessment covering all areas of risk and management of risks to ensure the health and safety of all those on site

- 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
- 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.
- Extreme weather procedure and action plan covering all adverse weather conditions, detailing the impact and actions to be taken in each possibility.
- Fire safety plan
- 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 crossing points.
- Noise management plan - in line with conditions set by Environmental Health
- Waste management plan
- 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.
- 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
- 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. 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 by the security company/door men and police will be contacted immediately.

- 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.
 - 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.
 - 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.
 - 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.
 - 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.
5. A Noise Management Plan, detailing how noise levels will be controlled so as not to cause nuisance to the community, shall be submitted to and approved by the Environmental Health at East Herts Council no later than 3 months prior to the event.
6. The Noise Management Plan is to follow "the recommended noise control procedure" contained in the Noise Council's Code of Practice on Environmental Noise Control at Concerts and shall include:
- a. a location plan;
 - b. a description of all stages and music producing venues;
 - c. the directionality of sound;
 - d. predicted noise levels and the sound propagation characteristics of the event;
 - e. details of noise reduction measures;
 - f. the music running times;
 - g. the methods for local residents to contact the site management if they wish to comment on noise levels;
 - h. the methods used to engage with Environmental Health and other bodies to ensure compliance;
 - i. and the proposed monitoring positions.

7. The Premises License Holder shall ensure that the sound supplier and all individual sound engineers are informed of the sound control limits. Environmental Health should then be provided with confirmation from the sound engineers that they have been appropriately informed of the limits.
8. Noise monitoring by the Organisers shall take place, and be recorded, throughout the entirety of the event at the prior approved (by East Hertfordshire Environmental Health) site locations to ensure that limits are not exceeded. On-site monitors shall be continuous and regular checks to be carried out at noise sensitive locations to inform the controlling of sound equipment
9. The event organisers shall ensure the Music Noise Levels (MNL) do not exceed the noise levels of the Licence Conditions. Monitoring must be at a height of 1.2 to 1.5 m above the ground height and not closer than 1 m to any structure.
10. There must be a written hierarchy of control between the noise control consultant and the sound producers so it is clear who is ultimately responsible for turning down the music levels. Details of this hierarchy are to be provided to Environmental health no later than 4 weeks prior to the commencement of the event.
11. The premises licence holder shall ensure that music noise levels do not exceed the following:
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.
12. 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.
13. A telephone number shall be designated for complaints and must be active throughout the event in case of noise disturbance. This should be in the hands of a nominated person who will answer. The telephone number shall made available 7 days before the event, provided to Environmental Health. A copy should also be affixed to the entrance to the event.
14. If requested, the results of any noise monitoring shall be provided to East Herts council within 10 working days of any request for them.

Response 1 - (Hertford Town Council)

Thank you for sending through the agreed conditions.

I have circulated these to Councillors, and I have received one comment back with some further concerns (which I believe has also been sent to you):

“These documents make reference to the event organisers escorting people safely off site. I am pleased to see specific reference made to people being ‘actively discouraged’ from dispersing through Folly Island. And that security must ‘manage the dispersal of people from Hartham Common’. Yet there is very little information on how people will be safely directed to bus services or either of the local train stations once they have left the immediate vicinity of the event. Bearing in mind many attendees will be using public transport, what thought has been given to providing safe, clearly marked, marshalled routes to transport hubs? The responsibility for attendees cannot end as soon as they have left the immediate area of the Common. Attendees taking the train home from Hertford North will have to pass through the residential area of Port Vale / Millmead Way to get to their destination. And those taking trains from Hertford East will have to navigate a route through Folly Island / Town Centre.

How will littering and antisocial behaviour be monitored along these routes at each point in the weekend when there is a large egress of patrons from the site?”

Additional conditions to address these concerns would therefore be very helpful.

Kind regards

Response 2 – Local Resident (Author of representation 5)

Thank you for sharing this information.

It does not mitigate my concerns as a local resident. I have seen nothing to allay my fears for the anti-social behaviour and litter nuisance that will occur as a result of this inappropriate event. I notice Folly Island is barely mentioned in the mitigations. Will we be expected to clear up the mess that revellers leave as they walk through Folly Island into the town centre to continue their drinking?

The Police struggle to deal with the current high level of visitors to the town during weekend evenings. How will they ensure public safety with over 1,000 extra revellers wanting to continue their evenings?

Furthermore, I have seen plans for a temporary taxi rank for this event on the grass which seems totally inappropriate for Hartham in October. While I understand EHC will earn £12,500 from this event, what will it cost them in clean-up costs when this event has left Hartham?

In summary, I remain concerned that EHC is more interested in making money from this inappropriate event than it is for the welfare and safety of local residents.

I am happy to discuss my concerns further.

I trust you will refuse this highly inappropriate licensing application.

Regards

Redacted

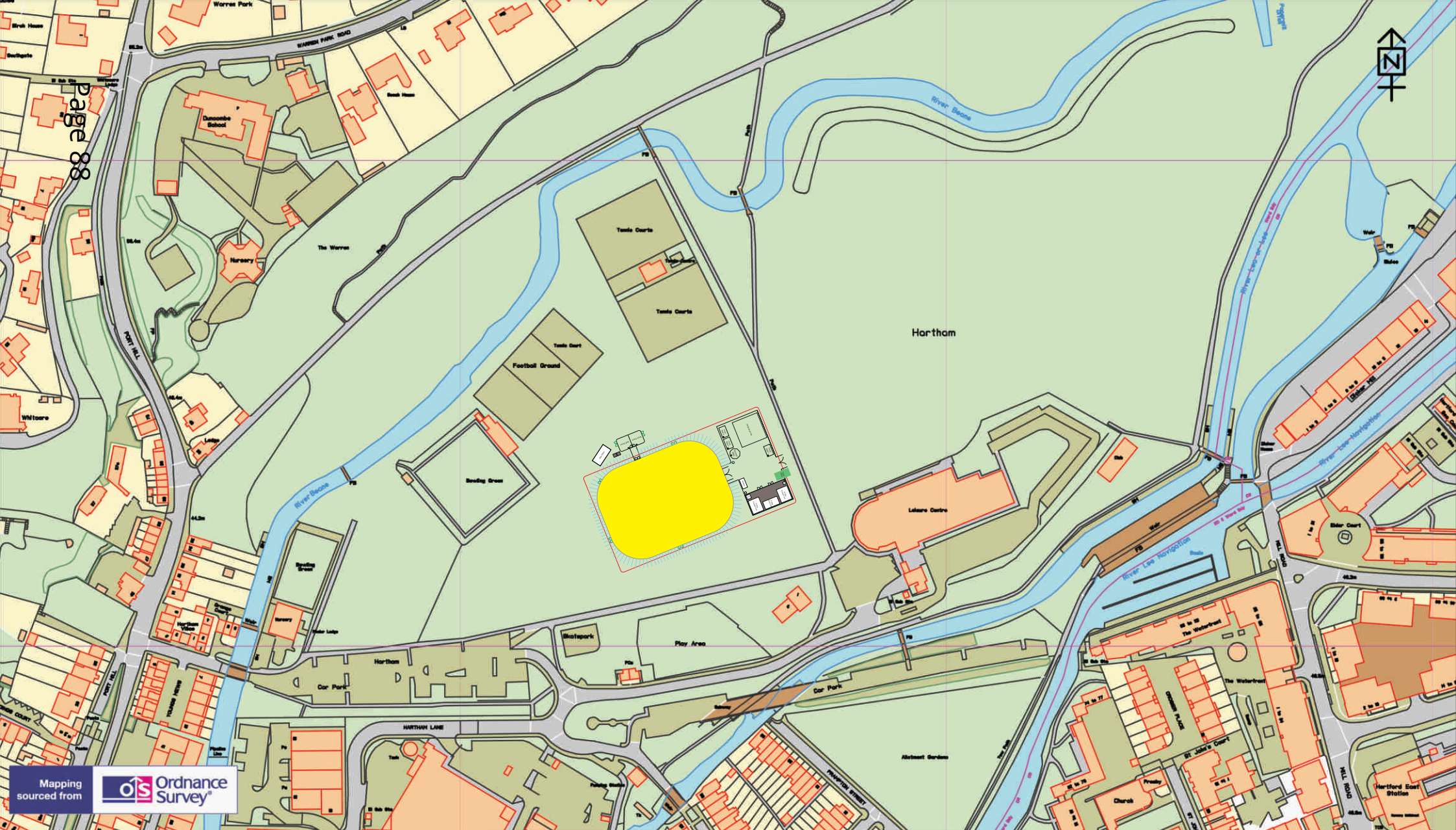
Response 3 – Hertford Town Councillor (Author of representation 6)

Thank you for sharing this. Unfortunately it doesn't address my concerns for the following reasons:

These documents make reference to the event organisers escorting people safely off site. I am pleased to see specific reference made to people being 'actively discouraged' from dispersing through Folly Island. And that security must 'manage the dispersal of people from Hartham Common'. Yet there is very little information on how people will be safely directed to bus services or either of the local train stations once they have left the immediate vicinity of the event. Bearing in mind many attendees will be using public transport, what thought has been given to providing safe, clearly marked, marshalled routes to transport hubs? The responsibility for attendees cannot end as soon as they have left the immediate area of the Common. Attendees taking the train home from Hertford North will have to pass through the residential area of Port Vale / Millmead Way to get to their destination. And those taking trains from Hertford East will have to navigate a route through Folly Island / Town Centre.

How will littering and antisocial behaviour be monitored along these routes at each point in the weekend when there is a large egress of patrons from the site?

Best wishes



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