

MINUTES OF A MEETING OF THE  
LICENSING SUB-COMMITTEE HELD IN  
THE COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON TUESDAY 16 AUGUST  
2016, AT 2.00 PM

---

PRESENT: Councillor R Brunton (Chairman)  
Councillors B Deering and T Page.

ALSO PRESENT:

Councillors D Andrews, Mrs R Cheswright,  
G McAndrew and N Symonds.

OFFICERS IN ATTENDANCE:

Peter Agbley	Licensing Officer
Lorraine Blackburn	Democratic Services Officer
Jonathan Geall	Head of Housing and Health
Oliver Rawlings	Senior Specialist Licensing Officer
Clare Stokes	District Environmental Health Officer

ALSO IN ATTENDANCE:

James Ellis	North-Herts District Council (Legal Advisor)
-------------	---

10 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor B Deering and seconded by Councillor T Page that Councillor R Brunton be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor R Brunton be appointed Chairman of the Licensing Sub-

Committee for the meeting.

11 MINUTES – 10 JUNE 2016

RESOLVED – that the Minutes of the meeting held on 10 June 2016 be confirmed as a correct record and signed by the Chairman.

12 APPLICATION BY EAGLE EVENTS LTD FOR A TIME LIMITED PREMISES LICENCE FOR THE "LOUNGE ON THE LAKE FESTIVAL" REDRICKS LAKES, REDRICKS LANE, SAWBRIDGEWORTH CM21 0RL

---

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Specialist Licensing Officer advised that the application was for a premises licence for the "Lounge on the Lake Festival" in Redricks Lakes, Redricks Lane, Sawbridgeworth. The Senior Specialist Licensing Officer referred to a number of additional papers which had been circulated separately at the meeting. The applicant's agent gave consent to show video footage and images provided by the Police, Environmental Health and Fire and Rescue Service.

The Senior Specialist Licensing Officer reminded Members that it was for them to either grant the licence or to refuse the application if they felt that the licensing objectives would be undermined.

An Officer from the Fire and Rescue Service as a responsible Authority, provided a detailed account of nine specific concerns which related to public safety, nuisance and fire safety. Of general concern, was the absence of sufficiently detailed information in terms of event management and the absence of a detailed Event Management Plan. Fire Officers further explained that they were unable to undertake fire and risk assessments at this point in time. Images showing difficulties of access and egress for fire vehicles in the event of an on-site emergency and in relation to other areas of concern were shown.

Fire and Rescue Officers stated that information had been sought from the applicant's agent, Mr Rose, since February 2016. Fire and Rescue Officers also referred to the existing marquee which has been served with a Prohibition Notice (in relation to means of escape).

The Barrister for the Police reminded the Sub-Committee of the need to take an evidence based approach to the application, adding that this was a large scale event and of the importance of identifying who and how the event would operate. She reminded Members of the four licensing objectives and commented that there were also other areas of particular concern, the detail of which was set out in the report. In summary, these were:

- errors and inconsistencies within the Event Management Plan (EMP);
- information and policies omitted from the EMP;
- questionable decisions with regard to how the event was to be run; and
- other concerns.

The Barrister for the Police commented on significant inconsistencies and the absence of relevant detailed information in the EMP for an event of several thousand people and the danger to public health and safety. She summarised the other concerns the Police had in relation to the bar, camp site, water access, the absence of a risk assessment and evacuation strategy and the general lack of liaison between the Police and the applicant's agent, Mr Rose. The Barrister referred to the concerns raised about a smaller event in 2015. She expressed concern at the music planned for the event, how this would be monitored, and managed, the absence of planning and how this would affect local residents. The Barrister stated that the concerns of the Fire Service, Police and Environmental Health were well founded.

In response to a query from Councillor T Page regarding the marquee, the Fire and Rescue Service explained their concerns regarding escape and egress in case of fire and that the lining of the marquee was unknown.

An Officer from Environmental Health outlined her concerns generally and specifically about the temporary demountable structure (the marquee) and the use of competent persons to erect this. Further information had been sought, but not provided, regarding staging, light standard trusses, pit barriers and ground anchors. She supported the concerns expressed by both the Fire and Rescue Service and the Police and summarised concerns from an environmental health perspective. The Environmental Health Officer explained that there had been some discussions about noise but that other detailed information had not been forthcoming.

The applicant's agent, Mr Rose, apologised for the lack of engagement and commented that he did have some of the information completed, including those on calculated flows but had not submitted this as much of the information sought was still in his notebook or on his computer. Mr Rose said he would make sure all information was handed over and explained that he had been having discussions in the last week with his client, Eagle Event Ltd, regarding attendance capacity and had been asked to restrict this to 2,000 or less. He provided a verbal summary on how he would address all issues of concern.

In response to a query from Councillor B Deering, Mr Rose explained that the owner of Eagle Events Ltd ran a record label and was now involved with events. In response to a question from Councillor T Page, Mr Rose explained arrangements around security staff even if the event capacity was restricted to much less. At the request of the Chairman, Mr Rose explained how long he had been involved in event management. He confirmed that he had been involved in event management for approximately 8 – 10 years but that this was his first large event and that he had planned events with a capacity up to 1,500.

The Council's Legal Adviser explained that Mr Rose had until 19 July 2016 to submit all relevant information and had not done so and that Members now had to make a decision on what was before them.

The Barrister for the Police sought clarification from Mr Rose about his client and regarding an event which he had organised in 2012, which became unsafe and necessitated help from the Metropolitan Police. He acknowledged that planning and consultation were part of the proper planning process and that he had failed to engage in the consultation process with the Police, Fire and Rescue and Council. In response to a question from Fire and Rescue he explained that he still had permission to go forward with an event allowed by way of a TENs application and that attendance would be restricted to up to 600 people.

The Fire and Rescue Officer explained that there was information on their website to assist people in managing such an event and that they would have expected to have sight of a detailed Event Management Plan at least three months before an event. He confirmed that he was not confident that the outstanding information could or would be submitted from the applicant's agent, Mr Rose and that in any event, the information should have been submitted as a minimum, six weeks ago. He stated that the application was unacceptable.

The Barrister for the Police echoed similar concerns and was not confident in the suggestion that information would follow on the issues outstanding. The Police requested that the application be refused.

The Officer from Environmental Health reiterated the concerns of the responsible authorities in that information was still outstanding at this very late stage.

At the conclusion of the representations, the Sub-Committee withdrew with the Council's Legal Adviser and the Democratic Services Officer to consider the application. Following this, they returned and the Chairman announced that the Sub-Committee had listened carefully and considered all the evidence detailed in the report, comments received from the responsible authorities and Mr Rose and were unanimously in agreement that the application should be refused for the following reasons.

The Sub-Committee had serious reservations about the lack of information in the general planning of the event and the lack of information in the Event Management Plan and how this could seriously compromise public safety and public nuisance. Additionally, the Sub-Committee were not confident in Mr Rose's record and Eagle Events' experience to run an event of this size as evidenced by the lack of detailed, relevant and timely information within the requisite deadlines.

The Council's legal adviser stated that his role at the meeting (and when the Sub-Committee withdrew from the meeting), was to provide legal advice and that he had taken no part in the decision making process.

Finally, the applicant was advised that he had the right to submit an appeal to the magistrate's court within 21 days after the decision notice has been sent.

RESOLVED – that the application for a premises licence be refused for the reasons now detailed.

Reasons for Decision:

1. Having considered the evidence presented to it, the Sub-Committee have no confidence that the Applicant has taken adequate steps to properly plan the event to a standard that would ensure it did not cause a risk to public safety.
2. The Sub-Committee felt that the Applicant had failed to address key concerns that had been expressed to him by the responsible authorities, particularly in relation to public safety and public nuisance, and the application presented to the Sub-Committee could not be said to be promoting the licensing objective covering those two areas.
3. Despite assurances being offered by the

Applicant during the course of the hearing, the Sub-Committee felt that they were inadequate and represented too little too late; there was no realistic prospect that the assurances made could be agreed and implemented to a satisfactory standard in such a tight time frame, and consequently the risk to public safety would remain very real.

4. The Sub-Committee were struck by the Applicant's last minute approach to the process of obtaining the licence, having failed to engage with the responsible authorities during the 28 day consultation period, and still not having crucial information finalised by the time of the Sub-Committee hearing. It was felt by the Sub-Committee that this represented a lack of concerted effort on his and Eagle Event Ltd's part, the upshot of which was a risk to public safety and potential for public nuisance.

The meeting closed at 4.30 pm

Chairman .....

Date .....