

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD AS AN
ONLINE MEETING ON FRIDAY 5 FEBRUARY
2021, AT 10.00 AM

PRESENT: Councillor B Crystall (Chairman)
Councillors M Goldspink and C Wilson

OFFICERS IN ATTENDANCE:

Katie Mogan	- Democratic Services Manager
William Troop	- Democratic Services Officer
Brad Wheeler	- Senior Licensing and Enforcement Officer
Victoria Wilders	- Legal Services Manager

ALSO IN ATTENDANCE:

Mr Alex Hutchinson	- Applicant
Mrs F Adams	- Local Resident (Interested Party)

27 APPOINTMENT OF CHAIRMAN

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

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

28 APOLOGIES

There were no apologies.

29 CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on Saturday 4 April 2020 to enable councils to hold remote committee meetings during the COVID-19 pandemic period. This was to ensure local authorities could conduct business during this current public health emergency. This meeting of the Licensing Sub-Committee was being held remotely under these regulations, via the Zoom application and was being recorded and live streamed on YouTube.

30 DECLARATIONS OF INTEREST

There were no declarations of interest.

31 APPLICATION FOR A NEW TIME LIMITED PREMISES LICENCE FOR STONE VALLEY SOUTH / INTEGRATED ENTERTAINMENT LTD AT HILLSIDE FARM, HILLSIDE LANE, GREAT AMWELL, HERTS, SG12 9SH (19/2389/PL)

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

Enforcement Officer presented his report covering a new premises licence application under Section 17 of the Licensing Act 2003.

The Sub-Committee was advised that on 13 December 2020, Integrated Event Management Ltd submitted an application for a new limited time premises licence for a venue in fields adjacent to Hillside Farm, Hillside Lane, Great Amwell, in order to accommodate a festival, Stone Valley Festival South (SVFS). The application was for a number of licensable activities including the supply of alcohol for consumption on and off the premises, late night refreshment and regulated entertainment. It was proposed that the event would take place on one weekend between 24 May and 17 September 2021, with the sale of alcohol and regulated entertainment between 11:00 – 23:00. It was proposed that late night refreshment would be provided between 23:00 – 01:00.

Members were advised that the applicant had proposed a number of steps that could be taken to promote the four licensing objectives, including, but not limited to, the production of a comprehensive management plan, a risk assessment exercise and the employment of Security Industry Authority (SIA) licenced security team equipped with body-worn CCTV cameras.

Members were also advised that the applicant had agreed with Environmental Health to limit noise levels, facilitated by ongoing noise monitoring. He would also produce a comprehensive noise management plan, as well as a COVID-19 risk assessment six weeks before

the event. The applicant had also agreed to supply an Event Management Plan to Police three months prior to the event.

The Senior Licensing and Enforcement Officer said that the report covered the East Herts statement of licensing policy and the revised guidance under Section 182 of the Licensing Act 2003. The Sub-Committee should determine the application with a view to promoting the four licensing objectives and Members must consider if the applicant had evidenced whether the application would not undermine the licensing objectives and this should be balanced against the evidence given by interested parties.

The Senior Licensing and Enforcement Officer said that three representations from interested parties had been received, which raised concerns regarding noise, traffic, waste and the ongoing COVID-19 pandemic. These representations engaged the prevention of public nuisance and public safety licensing objectives.

He also said that if the Sub-Committee believed that the licensing objectives would not be undermined then the application should be granted. Members were advised that if they believed that the application would not promote the four licensing objectives, they should take appropriate and proportionate action to address these concerns. The Senior Licensing and Enforcement Officer said that the Sub-Committee could attach conditions, limit the hours or restrict licensable activities. The application should only be refused as a last resort and the Members' decision should be

evidence based, justified, appropriate and proportionate.

Councillor Wilson asked the Senior Licensing and Enforcement Officer to respond to the suggestion made in the representations by interested parties that there had been procedural irregularities with the application, which might have necessitated an extension of the consultation period.

The Senior Licensing and Enforcement Officer said that the applicant was required to display 'blue notices' around the site notifying residents of the application, as well as publicise this in the local newspaper, which the applicant had done. There had been an error in the address displayed on the Council's website, which had been immediately corrected once realised, but the process could not be extended due to this error being on the part of the Council.

The applicant briefly explained why he believed that the application should be accepted. He said that it was effectively a continuation of a previously granted licence, given that the 2020 edition of the festival was cancelled due to the pandemic, although it was time limited on this occasion. He said that the expansion in capacity by around 2000 attendees to 4999 was in line with the original plan for the festival, which had been held successfully in 2019. He felt that all the concerns raised by interested parties had been addressed by the proposed conditions.

The Chairman and Councillor Wilson asked what the applicant's strategy was to monitor noise levels and

respond to any complaints from residents.

The applicant said that SVFS would employ an acoustician whose role it would be to monitor and adapt noise levels accordingly. There would be a 24/7 hotline available for residents to call if the noise levels were considered to be unsatisfactory. If a call was received, staff would be dispatched to the address to take measurements of the noise level. If they were above legal limits, they would be immediately reduced. If they were legal but unsatisfactory to residents, an effort to reach a compromise would be made. Four weeks prior to the event, a letter would be sent to the addresses of residents that the acoustician believed would be in range of the noise to supply the hotline telephone number, and this would also be displayed on SVFS' website.

Councillor Goldspink said that the proposed increase in the number of attendees was large and asked the applicant if the number of car parking spaces would be sufficient.

The applicant said he was confident that they would be. The proposed number of attendees was the amount SVFS had projected would be possible prior to the 2019 edition, but it was decided that the lower number would be tested initially, and only around 60% of the site was utilised.

Councillor Wilson asked why the licence had been applied for on a time limited basis and if the proposal to serve late night refreshments until 01:00 would also apply on Sunday evening.

The applicant said that the time limited application was submitted to allow SVFS some flexibility to postpone the festival if necessitated by the ongoing COVID-19 pandemic. It was proposed to allow late night refreshments on the final night of the festival, but in practise, this comprised of one catering van and no more than 30 people queuing in the middle of the field, so would not cause a disturbance.

Councillor Wilson asked whether the alcohol policy allowed each attendee to bring up to 16 cans of alcohol on-site, as this seemed rather a lot. The Legal Services Manager asked whether it would be permitted for attendees to consume this alcohol in the festival arena, or only within the camping area.

The applicant said the alcohol allowance was the total amount allowed over three days, which he did not believe to be excessive. He also explained that the alcohol could only be consumed in the camping area, but on arrival attendees would need to walk through the festival arena to access this.

Councillor Crystall asked the applicant what COVID-19 secure measures he envisaged introducing and whether the proposed noise levels were the same as in 2019.

The applicant said that the only guidance from government was that events between May-June 2021 could likely be held with social distancing measures in place and from 1 July 2021 onward, in a similar manner as they were pre-pandemic. However, he had been

working on the assumption that increased levels of hygiene, personal protective equipment and immunised staff might be necessary. Noise levels would be set at the same level as the previous edition.

The interested party asked the applicant how many attendees there were at the previous edition of the festival, and whether residents of the '100 Acre Estate' would receive letters, as they had been affected by noise nuisance previously, but did not receive letters.

The applicant said there had previously been 2620 attendees. He also said he would ensure that those residents received letters if the application was granted. The interested party said that the 'blue notices' could have been displayed more prominently in areas more likely to be seen by residents.

The applicant said in his closing statement that he wished to stress that if the event could not be held safely due to the ongoing COVID-19 pandemic, it would not take place. SVFS would not be an event which sought to circumnavigate COVID-19 guidelines or give the false impression that it could take place safely and subsequently put the local community at risk.

At the conclusion of the closing submission, the Sub-Committee, the Legal Services Manager, Democratic Services Manager and the Democratic Services Officer withdrew from the main Zoom session to allow Members to consider the evidence.

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

had listened to the comments of the Senior Licensing and Enforcement Officer, the applicant and interested party and the Sub-Committee had taken into account concerns raised by the interested parties. The Sub-Committee decided to grant the application, subject to additional and amended conditions, along with the steps agreed with the relevant responsible authorities to promote the licensing objectives.

Additional and amended conditions:

- In relation to condition 8f, the wording, “in line with conditions set by Herts Fire and Rescue” to be removed as Fire and Rescue had not set such conditions;
- In relation to condition 8i, the wording “in line with the conditions set by Environmental Health” to be removed;
- In relation to condition 8l, to incorporate the following additional amended wording, “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”;
- In relation condition 19, to include “No alcohol sold under the licence will be permitted to leave the perimeter of Hillside Farm”.

The Chairman said that in coming to its decision, the

Sub-Committee believed that the applicant had provided evidence that the granting of the licence would promote and not undermine the licensing objectives. The evidence was balanced against the representations made by the interested parties. The Sub-Committee believed that the applicant had shown a willingness to have regard to local residents in relation to noise nuisance. The Sub-Committee had also noted the applicant's willingness to extend the area noise notification letters were sent to, to include residents of the '100 Acre Estate'.

RESOLVED – that the application for a new limited time Premises Licence for Stone Valley Festival South, be granted subject to additional/amended conditions, along with the steps agreed with the relevant responsible authorities to promote the licensing objectives:

- In relation to condition 8f, the wording, "in line with conditions set by Herts Fire and Rescue" to be removed as Fire and Rescue had not set such conditions;
- In relation to condition 8i, the wording "in line with the conditions set by Environmental Health" to be removed;
- In relation to condition 8l, to incorporate the following additional amended wording, "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”;

- In relation condition 19, to include “No alcohol sold under the licence will be permitted to leave the perimeter of Hillside Farm”.

The applicant and interest party were advised that this decision would be issued in writing and there was the right of appeal within 21 days to the magistrate’s court.

The meeting closed at 11.50 am

Chairman
Date