

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 27 MAY 2021,
AT 10.00 AM

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

ALSO PRESENT:

Councillors C Redfern

OFFICERS IN ATTENDANCE:

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

ALSO IN ATTENDANCE:

Mr Nick Gerrard - Applicant

1 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Wilson and seconded by Councillor Hall, that Councillor Andrews be appointed Chairman for the Sub-Committee meeting. After being

put to the meeting and a vote taken, the motion was declared CARRIED.

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

2 APOLOGIES

There were no apologies for absence.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members and Officers back to the Council Chamber following the resumption of in-person meetings. He reminded all present of the COVID secure protocols that were in place.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 MINUTES - 29 MARCH AND 6 APRIL 2021

It was moved by Councillor Hall and seconded by Councillor Wilson that the Minutes of the meetings held on 29 March and 6 April 2021 be confirmed as correct records and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meetings held on 29 March and 6 April 2021 be confirmed as correct records and signed by the Chairman.

6 APPLICATION FOR A NEW PREMISES LICENCE FOR SILVER LEYS POLO CLUB, MILLFIELD LANE, BURY GREEN, LITTLE HADHAM, HERTFORDSHIRE, 21/0172/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 an application for a new premises licence under Section 17 of the Licensing Act 2003. The Sub-Committee was advised that on 23 March 2021, a new application was received from the applicant on behalf of Silver Leys Polo Club, Millfield Lane, Bury Green, Little Hadham. The application sought permission for the supply of alcohol (for consumption on the premises), Sunday – Friday, 11:00 – 22:00 and Saturday, 11:00 – 23:00.

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 maintenance of a logbook which would be made available for inspection, allowing adequate access for emergency vehicles, taking adequate fire safety measures, arranging delivery times so as not to create a nuisance for residents and reducing the volume of recorded music after 20:00.

The Senior Licensing and Enforcement Officer said that the report contained an error and he apologised for that – the applicant had agreed additional steps to promote the licensing objectives with Hertfordshire

Constabulary, rather than Environmental Health. These measures included the use of a Challenge 25 policy.

Members were advised that two representations from interested parties had been received which engaged the prevention of public nuisance, prevention of crime and disorder and public safety licensing objectives. The representations related to noise and concerns over drink driving.

The Senior Licensing and Enforcement Officer 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.

The Chairman asked whether the reference to polycarbonate containers was a standard, recognised term. The Senior Licensing and Enforcement Officer confirmed that it was.

The applicant spoke to the application, briefly introducing the club itself. He said that the clientele were not just the upwardly mobile and the club was used by those who may not usually have been able to

play polo. The club had operated largely unnoticed over the last 10-12 years and had successfully used Temporary Events Notices (TENs) previously when hosting tournaments.

The applicant said that he was familiar with a resident who had made representations. They had previously had concerns the club were breaching lockdown restrictions, which was found not to be the case, and some years before the clock at the clubhouse had been quietened at the request of this resident. Although the use of a tannoy was not a licensing matter, this would only ever be used 11:00 – 17:00. There had been one incident at the club where some guests had gained access to the club house after hours and played loud music, although this was reported almost immediately and the electricity supply to the building had been turned off within ten minutes. The police had no record of complaints following every event and had not objected to the application. It was unlikely that clientele would drink drive following events, given that they generally arrived in lorries with their horses, which were expensive to acquire and upkeep.

The applicant said that applying for this licence would actually be more restrictive on the club in comparison to the terms of TENs, but this was not of concern due to the small scale of their events. Residents also had the applicant's telephone number, and a number was advertised on the club's website, should residents have a complaint about noise or any other matter.

The Senior Licensing and Enforcement Officer asked

the applicant why he had requested the licence on Sundays until 22:00, given that the club closed at 20:00.

The applicant said that the polo matches were generally concluded by 18:00, so he would be happy to agree to restrict the licence to 20:00 on Sundays.

At the conclusion of the closing submission, the Sub-Committee, the Litigation and Advisory Lawyer and Democratic Services Officer retired to a separate room to allow Members to consider the evidence.

Following this, Members and Officers returned and the Chairman announced that the Sub-Committee had listened to the comments of the Senior Licensing and Enforcement Officer and the applicant and the Sub-Committee had taken into account the concerns of the interested parties. The Sub-Committee decided to grant the application, subject to additional conditions.

Additional Conditions:

- The sale of alcohol on Sundays is permitted 11:00 – 20:00.
- All retail sales of alcohol will cease 30 minutes prior to closing.

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 four licensing objectives. The Sub-Committee noted that the applicant had previously used Temporary Events Notices to run events successfully. The Sub-Committee also noted that

contact details for senior staff were available to residents on the premises' website. By agreeing to grant the licence, the Sub-Committee was satisfied that conditions were readily enforceable.

RESOLVED – that the application for a variation of a Premises Licence for Application for a New Premises Licence for Silver Leys Polo Club, Millfield Lane, Bury Green, Little Hadham be granted, subject to additional conditions.

Additional Conditions:

- The sale of alcohol on Sundays is permitted 11:00 – 20:00.
- All retail sales of alcohol will cease 30 minutes prior to closing.

Those present were advised that the decision would be issued in writing and there was the right of appeal within 21 days to the magistrate's court.

7 URGENT BUSINESS

There was no urgent business.

The meeting closed at 10.45 am

Chairman
Date