

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 22 MAY 2023, AT
10.00 AM

PRESENT: Councillor J Dunlop (Chairman)
Councillors S Bull and T Deffley

ALSO PRESENT:

Councillors R Townsend and V Smith

OFFICERS IN ATTENDANCE:

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

ALSO IN ATTENDANCE

Mr Robert Behan	- Interested Party
Mr Thomas Connolly	- Applicant
Andrew Dempsey	- Applicant
Mr Nick Kirby	- Interested Party

1 APPOINTMENT OF CHAIRMAN

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

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

2 APOLOGIES

There were no apologies for absence.

3 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 MINUTES - 27 APRIL 2023

It was moved by Councillor Deffley and seconded by Councillor Bull that the Minutes of the meeting held on 27 April 2023 be confirmed be 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 23 April 2023 be signed by the Chairman.

6 SUMMARY OF PROCEDURE

The Chairman drew the hearings attention to the Summary of Procedure which was included in the agenda pack at pages 9 – 15.

7 APPLICATION FOR A NEW PREMISES LICENCE FOR HERTFORDSHIRE OKTOBERFEST, HARTHAM COMMON PARK, HARTHAM LANE, HERTFORD, HERTFORDSHIRE

The Sub-Committee received a report on the application for a New Premises Licence for Hertfordshire Oktoberfest, Hartham Common Park, Hartham Lane, Hertford, Hertfordshire.

The Senior Licensing and Enforcement Officer presented the report and there were no questions from the Sub-Committee, the applicant or the interested parties. The applicant presented the application and answered questions from the Sub-Committee, the Litigation and Advisory Lawyer, the Senior Licensing and Enforcement Officer and the interested parties.

Following an intervention by the Litigation and Advisory Lawyer and advice the Senior Licensing and Enforcement Officer, the applicant confirmed they were amending the application to one event covering three consecutive days.

Councillor Dunlop proposed and Councillor Deffley seconded, a motion for an adjournment from 10:40 to 10:50, to allow copies of the security plan to be circulated by the Senior Licensing and Enforcement

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

RESOLVED – that the meeting be adjourned for 10 minutes from 10:40 to 10:50.

The meeting reconvened at 10:50 and an interested party asked a further question in respect of security points.

Councillor Dunlop proposed and Councillor Deffley seconded, a motion for an adjournment from 10:55 to 11:10, to allow the Sub-Committee and the interested parties to look at the security plan. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the meeting be adjourned for 10 minutes from 10:55 to 11:10.

The meeting reconvened at 11:13.

The interested parties presented their objections to the application and answered questions from the Sub-Committee and the applicant.

In line with procedure, at the conclusion of the closing submissions, the Sub-Committee retired at 11:30 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 Officers and the Litigation and Advisory Lawyer.

The Sub-Committee reconvened in public session at 12:25 to allow the Sub-Committee to question the applicant in respect of Rig and De-rig times and concerns regarding disturbance for residents. The applicant was also questioned in respect of static security for Thornton Street and the plan for attendees who had tickets for both event sessions.

Councillor Dunlop proposed and Councillor Deffley seconded, a motion that the Sub-Committee adjourn at 12:32 to make the decision. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the meeting be adjourned at 12:32 for the Sub-Committee to make the decision.

The Sub-Committee left the room at 12:32 accompanied by the Democratic Services Officers and the Litigation and Advisory Lawyer. The Sub-Committee reconvened in public session at 13:10 and the Chairman said that the Licensing Sub-Committee had considered the application for a premises licence for Hertfordshire Oktoberfest, Hartham Common Park, Hartham Lane, Hertfordshire (23/0362/PL) and read and listened to the comments of the Senior Licensing and Enforcement Officer, the Applicant, and the Interested parties.

In determining this matter, the Sub-Committee have decided to grant the application for:

- 1) For the sale of alcohol on the premises only

Friday 14:00 - 22:15, Saturday 11:00 – 22:15 and
Sunday 12:00 – 20:00,

- 2) Live and recorded music
Friday 14:00 – 22:30, Saturday 11:00 – 22:30 and
Sunday 12:00 – 20:00
- 3) Premises open to the public
Friday 14:00 – 23:00, Saturday 11:00 – 23:00 and
Sunday 12:00 – 21:00

And subject to the following conditions offered
up by the Applicant:

- To amend the application to include only one event to be licensed over 3 consecutive days
- To provide static security at Thornton Street, Hertford:
Friday 14:00 – 23:30, Saturday 11:00 – 23:30
and Sunday 12:00 – 21:30
- To send a site map to all attendees of the event referencing transport hubs and toilet facilities.
- Rig and De-rig of all equipment to be limited to 8am – 6pm to those days specified within the EMP.

In coming to its decision, the Sub-Committee was mindful to strike a healthy balance between residents' interests and supporting the local economy. Members were mindful of the concerns addressed by the Interested parties in relation to anti-social behaviour to include noise, litter, urination and vomiting and whilst the applicant has taken steps to minimise these

concerns, the refusal to grant alcohol for consumption off the premises will further alleviate the concerns within the representations received and assist in the swift dispersal of attendees.

Members were satisfied that no Responsible Authorities had objected to the application. Members were mindful that the conditions agreed with Police and Environmental Health and those offered within the operating schedule and the additional conditions offered up today were appropriate to promote the licensing objectives and will address many of the representations received.

This decision will be sent to you in writing and there is the right of appeal within 21 days to the magistrate's court.

RESOLVED – that the application for a premises licence for Hertfordshire Oktoberfest, Hartham Common Park, Hartham Lane, Hertfordshire (23/0362/PL) be granted for the following:

- 1) The sale of alcohol on the premises only
Friday 14:00 - 22:15, Saturday 11:00 – 22:15
and Sunday 12:00 – 20:00,
- 2) Live and recorded music
Friday 14:00 – 22:30, Saturday 11:00 – 22:30
and Sunday 12:00 – 20:00
- 3) Premises open to the public
Friday 14:00 – 23:00, Saturday 11:00 – 23:00
and Sunday 12:00 – 21:00

subject to the following conditions offered up by the Applicant:

- To amend the application to include only one event to be licensed over 3 consecutive days
- To provide static security at Thornton Street, Hertford:
Friday 14:00 – 23:30, Saturday 11:00 – 23:30 and Sunday 12:00 – 21:30
- To send a site map to all attendees of the event referencing transport hubs and toilet facilities.
- Rig and De-rig of all equipment to be limited to 8am – 6pm to those days specified within the EMP.

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.

8 URGENT BUSINESS

There was no urgent business.

The meeting closed at 1.13 pm

Chairman

Date
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