

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON MONDAY 14 AUGUST 2023,
AT 10.00 AM

PRESENT: Councillor J Dunlop (Chairman)
Councillors S Bull and R Townsend

ALSO PRESENT:

Councillors T Deffley and G Williamson

OFFICERS IN ATTENDANCE:

Michele Aves	- Democratic Services Officer
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Claire Spendley	- Senior Environmental Health Officer
Brad Wheeler	- Senior Licensing and Enforcement Officer

ALSO IN ATTENDANCE:

John Ampem	- Promoter for Applicant
Richard Bennett	- Objector
Joseph Cannon	- Barrister
Tommy Clee	- Hertfordshire County Council
Police Sergeant Nathan Howson	- Hertfordshire Constabulary
Police Sergeant Clare Ramirez	- Hertfordshire Constabulary
Josh Silver	- Applicant

16 APPOINTMENT OF CHAIRMAN

It was moved by Councillor Townsend 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.

17 APOLOGIES

There were no apologies for absence.

18 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all participants to the meeting and asked that they use their microphones when speaking as the meeting was being webcast.

19 DECLARATIONS OF INTEREST

There were no declarations of interest.

20 MINUTES - 22 MAY AND 6 JUNE 2023

It was moved by Councillor Townsend and seconded by Councillor Bull that the Minutes of the Sub-Committee meetings held on 22 May 2023 and 6 June 2023 be confirmed as correct 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 Sub-Committee meetings held on 22 May 2023 and 6 June 2023 be signed by the Chairman.

21 SUMMARY OF PROCEDURE

The Chairman drew the hearings attention to the Summary of Procedure which was included in the agenda pack at pages 22 - 28.

22 APPLICATION FOR A NEW TIME LIMITED PREMISES LICENCE FOR AMA FEST, SILVER LEYS POLO CLUB, MILLFIELD LANE, BURY GREEN, LITTLE HADHAM, HERTFORDSHIRE (23/0781/PL)

The Head of Legal and Democratic Services advised the hearing that additional evidence had been received from the Applicant on 10 August 2023. He said that this evidence had been received outside of the required timeframe, which was no later than five working days before the date of the hearing.

The Head of Legal and Democratic Services said that in line with hearing regulations the late additional evidence received from the Applicant could be included at the acceptance of the other participants.

The Chairman asked each of the Interested Parties and the Responsible Authorities if they were happy to accept the additional late evidence received from the Applicant.

After receiving the agreement of each of the Interested Parties and the Responsible Authorities, the Chairman advised the hearing that redacted copies of the late evidence received from the Applicant would be made available. He said that there would be an adjournment of forty-five minutes to allow all participants to read and digest these papers.

Councillor Dunlop proposed and Councillor Bull seconded a motion to adjourn the meeting for forty-five minutes to allow all participants to read and digest the late additional evidence received from the Applicant. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the meeting be adjourned for approximately forty-five minutes.

The meeting reconvened at 10.50, with all participants in agreement that they were happy to proceed.

The Chairman asked the Senior Licensing and Enforcement Officer if he had anything to add with regards to the late additional evidence received from the Applicant. The Senior Licensing and Enforcement

Officer said he would let the Applicant address the late additional evidence, which now sought a licence to allow 7000 event attendees.

The Senior Licensing and Enforcement Officer presented his report and summarised the application. There were no questions from the applicant, the Responsible Authorities or the Interested Parties.

The Applicant's legal representative presented the application and questions were answered from the Sub-Committee and the Interested Parties. There were no questions from the Responsible Authorities or officers.

The Responsible Authority (Hertfordshire Constabulary) gave their submission and introduced their witness from Hertfordshire County Council. Questions were answered from the Applicant, the Sub-Committee and the Interested Parties. There were no questions from Officers.

The Interested Parties made their submissions and questions were answered by the Applicant. There were no questions from the Sub-Committee, the Responsible Authorities or Officers.

In line with procedure, at the conclusion of closing statements, the Sub-Committee retired to consider the evidence presented to the hearing by the Applicant and the Applicant's Legal Advisor, the responsible authorities and the interested parties. They were accompanied by the Democratic Services Officer and the Head of Legal and Democratic Services.

The Sub-Committee reconvened in public session to give its decision. The Head of Legal and Democratic Services set out the legal advice which he had given to the Sub-Committee during their deliberations.

The Chairman said that the Sub-Committee had considered the application for a new time limited premises licence for AMA Fest, Silver Leys Polo Club, Millfield Lane, Bury Green, Little Hadham, Hertfordshire (23/0781/PL). Members had read and listened to the comments of the Senior Licensing and Enforcement Officer, the Applicant, the Responsible Authorities, and the representations from the Interested Parties.

In determining this matter, the Sub-Committee had decided:

DECISION OF LICENSING SUB COMMITTEE

To grant the application for the following licensable activities:

- 1) For the sale of alcohol on the premises only
Saturday, 2nd September 2023 11:00 – 23:00,
- 2) Live and recorded music
Saturday, 2nd September 2023 11:00 – 23:00
- 3) Premises open to the public
Saturday, 2nd September 2023 10:00 – 00:00 on
Sunday 3rd September 2023

And subject to the following conditions:

- To limit the capacity of the event to 4,999 attendees plus staff of 499.
- That the licence be conditional on the Applicant submitting a traffic management plan that is acceptable to the Highway Authority, inclusive of all information around Traffic Regulation Orders.
- That the licence be conditional on the Applicant submitting a final Event Management Plan/Event Safety Management Plan, that is acceptable to the responsible authorities, no fewer than 14 days before the event.
- That sound checks only take place within a one-to-two-hour window between 12:00 and 19:00.
- That measures be put in place, including traffic marshals and the installation of trackway material to avoid degrading of the verge, at the junction of Millfield Lane and the unnamed road (near Cradle End) to manage the traffic moving along the road during all times that the event is open to the public.
- That the Applicant takes measures to manage taxis arriving at the site, including signage and active marshalling, to ensure that attendees are only dropped off/picked up in the designated pick up and drop off location.

REASONS FOR DECISION

1. The Licensing Sub-Committee considered all of the evidence before it including the written representations made by the interested parties. Members had regard to the Council's Statement of Licensing Policy, the Licensing Act 2003 and the guidance promulgated pursuant to Section 182 of that Act.
2. The Licensing Sub-Committee is required to adopt a presumption in favour of granting a premises licence unless there is clear evidence upon which to base a refusal or modification. There was insufficient evidence before the Sub-Committee to rebut that presumption.
3. In coming to its decision, the Sub-Committee is 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 access to and from the site, however the Sub-Committee are confident that an acceptable traffic management strategy that is acceptable to the Highway Authority will assist in the swift dispersal of attendees.
4. Members are mindful that the conditions agreed with Environmental Health and those offered up today are appropriate to promote the licensing objectives and will address many of the representations received.

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.

RESOLVED – that the application for a new time limited premises licence for AMA Fest, Silver Leys Polo Club, Millfield Lane, Bury Green, Little Hadham, Hertfordshire (23/0781/PL), be granted.

23 URGENT BUSINESS

There was no urgent business.

The meeting closed at 3.04 pm

Chairman
Date