

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 11 JULY 2024, AT
11.00 AM

PRESENT: Councillor G Hill (Chair)
Councillors M Connolly and S Bull

ALSO PRESENT:

Councillor B Crystall

OFFICERS IN ATTENDANCE:

Michele Aves	- Committee Support Officer
Peter Mannings	- Committee Support Officer
Katie Mogan	- Democratic and Electoral Services Manager
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
Dimple Roopchand	- Litigation and Advisory Lawyer

ALSO IN ATTENDANCE:

Robert Beahan	- Interested Party
Thomas Connolly	- Applicant (DPS and Event Manager)
Kibria Shah	- Applicant (Communications Manager)

It was proposed by Councillor Connolly and seconded by Councillor Bull, that Councillor Hill chair the meeting of the Licensing Sub-Committee.

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

RESOLVED – that Councillor Hill chair the meeting of the Licensing Sub-Committee.

2 APOLOGIES

There were no apologies for absence.

3 CHAIR'S ANNOUNCEMENTS

The chair welcomed all parties to the hearing, and reminded participants to use their microphones when speaking so that all the proceedings could be heard on the webcast.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 SUMMARY OF PROCEDURE

The chair drew everyone's attention to the summary of procedure document included as part of the formal agenda.

6 APPLICATION TO VARY A PREMISES LICENCE FOR
HERTFORDSHIRE OKTOBERFEST, HARTHAM COMMON PARK,
HARTHAM LANE, HERTFORD, HERTFORDSHIRE
(24/0623/PLV)

The Service Manager (Licensing and Enforcement) presented his report and summarised the application. He advised that there had been 6 representations against the

application to vary the premises which had triggered all four of the licensing objectives.

There were no questions from the Sub-Committee, the applicant or the interested parties. The applicant (DPS) and his communications manager presented the application and questions were answered from the Sub-Committee and the Interested Party. He summarised the content of the egress plan submitted with the application and said the one condition which had been put forward was turn off all music at 22:45.

He applicant said that this condition, in conjunction with existing condition 42b, was winding down time and part of the slow egress strategy for the event. He talked to the egress plan and set out the other steps which he would be taking to promote the four licensing objectives.

There were no questions from officers and the applicant answered questions from the Sub-Committee. Councillor Crystall read out a statement on behalf of the Ward Councillor, Councillor Smith.

The Interested Party made their submission and questions were answered from the Sub-Committee and from the Applicant. In line with procedure, and at the conclusion of closing statements, the Sub-Committee retired to consider the evidence presented to the hearing by the Applicant and the Interested Party. They were accompanied by the Committee Support Officer and the Legal Advisor.

The Sub-Committee reconvened in public session to give its decision.

The Chairman said that the Licensing Sub-Committee had considered the application for the variation of the premises licence for Hertfordshire Oktoberfest, Hartham Common Park, Hartham Lane, Hertfordshire (24/0623/PL)

and had read and listened to the comments of the Service Manager (Licensing and Enforcement), the Applicant, and the Interested parties.

DECISION OF LICENSING SUB COMMITTEE

In determining this matter, the Sub-Committee have made the following decision on the proposed variations within the application:

- 1) To agree the new floor plan layout
- 2) To agree to change condition 23 of the existing licence – The maximum capacity for any event at any one time shall be 2000 people, this is to include all staff and artists on site.
- 3) To refuse the change to condition 42C.
- 4) To remove condition 62 and replace it with the condition offered at point 1 of the operating schedule under the Public Safety Licensing Objective.
- 5) To change to Annex 3, condition 2 to read "Static security to be provided at Thornton Street, Hertford from the event opening time to 30 minutes after the event closing time.
- 6) To refuse the variation for the hours requested for the Supply of alcohol (for consumption on the premises), Live Music, Recorded Music and the hours open to the public.

With regard to the conditions offered up by the Applicant in the operating schedule:

- 1) To remove point 3 from the Prevention of Public Nuisance which reads "All music and entertainment will finish at 22:45 to limit noise pollution".

REASONS FOR DECISION

In coming to its decision, the Sub-Committee is mindful to strike a healthy balance between residents' interests and supporting the local economy. Members have listened to the concerns addressed by the Interested parties following the event last year and have noted the applicant's statement that they have taken on board recommendations provided by Responsible Authorities although no specific detail has been given.

Whilst Members are satisfied that no Responsible Authorities have objected to the variation application, Members are mindful that the increase in capacity and the increase in hours for the sale of alcohol to conclude 15 minutes prior to the time when attendees are required to vacate the event will lead to a compressed exit and dispersal period which will have the potential to cause public nuisance and impact on public safety. By agreeing to increase capacity, security will also be increased in proportion and therefore the current hours for licensable activities will ensure a slow and safe egress and promote the licensing objectives.

It is noted that the applicant offered up static security and Members heard evidence to show it was effective and believe it will continue to be effective. However, Members have noted the applicant may start the event at a later time and therefore Annex 3 condition 2 has been amended to allow for this.

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 the variation of the premises licence for Oktoberfest, Hartham Common Park, Hartham Lane, Hertford, had been determined as follows:

- 1) To agree the new floor plan layout

- 2) To agree to change condition 23 of the existing licence – The maximum capacity for any event at any one time shall be 2000 people, this is to include all staff and artists on site.
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7 URGENT BUSINESS

There was no urgent business.

The meeting closed at 1.25 pm

Chairman

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Date

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