

East Herts Council Report

Licensing Sub-Committee

Date of Meeting: 28th May 2025

Report by: Jonathan Geall, Head of Housing and Health

Report title: Application to review the premises licence for
Sign Of The Times, TL44504 23155, Church
End, Little Hadham, Hertfordshire (Review
Reference: 25/0459/PL)

Ward(s) affected: Little Hadham

Summary

- An application to review the premises licence for; Sign Of The Times, TL44504 23155, Church End, Little Hadham, Hertfordshire, held by Church End Events Ltd (at the time of application), has been received from Councillor Graham McAndrew and Councillor Geoffrey Williamson. Following an application for a review there must be a Licensing Sub-Committee meeting to decide the outcome. This report is to inform the decision of the Licensing Sub-Committee.

RECOMMENDATIONS FOR LICENSING SUB-COMMITTEE

(A) The application for review of the premises licence be decided.

1.0 Proposal(s)

- 1.1 Members of the Licensing Sub-Committee should determine the application through consideration of the information contained in this report, the review application, and any appendices, combined with submissions made at the Licensing Sub-Committee hearing.

2.0 Background

- 2.1 Under the Licensing Act 2003 and the council's Statement of Licensing Policy ('the Policy') an application for review of a licence or certificate must be determined.

2.2 Where a valid review application is made there must be a Licensing Sub-Committee hearing to decide that application even where agreement is reached. A Licensing Sub-Committee has the delegated Authority to determine applications for review of Premises Licences and Club Premises Certificates. This decision must be made whilst having regard to the Licensing Objectives, the Licensing Authority's own Statement of Licensing Policy and to statutory guidance issued by the Secretary of State under section 182 of the Licensing Act.

2.3 The Licensing Objectives are:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance; and
- Protection of Children from Harm.

3.0 Reason(s)

3.1 The valid review application was submitted by Councillor Graham McAndrew and Councillor Geoffrey Williamson. The application has been advertised and consulted upon as required by legislation and regulations.

3.2 The review application states that the current operation of the premises undermines two of the Licensing Objectives:

- Public Safety; and
- Prevention of Public Nuisance.

3.3 A copy of the application form for the review is attached as '**APPENDIX A**'. The supplementary documents stated in the application as Appendices 1 and 2 are reproduced at Appendix B and C of this report.

3.4 A copy of the statement provided by a member of the public, detailed as Appendix 1 on the application form, is attached as '**APPENDIX B**'. The video evidence mentioned in this statement has been analysed and the descriptions provided for each video file are accurate. The video evidence will be made available to view at the hearing if necessary.

- 3.5 A copy of the correspondence between the applicant and the Police (Serious Collisions Investigations Unit), detailed as Appendix 2 on the application form, is attached as ‘**APPENDIX C**’.
- 3.6 A redacted copy of the existing premises licence (22/0584/PL) granted on 29.06.2022 showing activities, hours and conditions is attached as ‘**APPENDIX D**’.
- 3.7 The plans attached to the existing premises licence (22/0584/PL) are attached as ‘**APPENDIX E**’.
- 3.8 During the 28-day statutory public consultation period twelve representations were received. Ten representations were in support of the review application, and two representations were in support of the licence. These are detailed in ‘**APPENDIX F**’.
- 3.9 The applicant has stated that they are seeking revocation of the premises licence.
- 3.10 An application to transfer the licence was received by the Licensing Authority on 03.04.2025, two days after the Review application was made. This transfer has been subsequently granted. The new licence holders are TDF Promotions Ltd who will be present at the hearing. There has been no communication of how the new licence holder will manage the premises differently.
- 3.11 The Designated Premises Supervisor (DPS) for the licence has remained the same. The DPS is ‘Alex Hutchinson’, who is a director of the previous licence holder, ‘Church End Events Ltd’. There has been no communication of how the DPS will manage the premises differently.

Policy and Guidance

- 3.12 Section 6 of the Policy details definitions of premises and location and operation of premises, differentiating between Town Centre locations and other areas. Under this section of the Policy the operation of ‘Sign Of The Times’ best fits the definition of a festival:

‘An organised event, typically lasting more than one day, featuring all or a combination of licensable activities including performances of live and recorded music. Can involve the audience staying on site.’

- 3.13 The table at 6.9 of the Policy details the council’s approach to hours for

licensed premises of this type that fall under this location.

Notwithstanding that each application is considered on its own merits the following hours would normally be granted to this style of premises in this location when valid and relevant representations have been received:

*‘Will generally be allowed licensable activity until **01:00** on Friday and Saturday. On Sunday to Thursday **23:00**, unless the following day is a Bank Holiday or recognised National Holiday.’*

3.14 Section 8 of the Policy deals with the Licensing Objectives:

8.1 The Licensing Authority must carry out its functions with a view to promoting the four Licensing Objectives, each of which has equal importance:

- the prevention of crime and disorder,
- public safety,
- the prevention of public nuisance, and
- the protection of children from harm.

8.2 It is recognised that the Licensing function is only one means of securing the delivery of the above Objectives and should not therefore be seen as a means for solving all local problems. The Licensing Authority will therefore continue to work in partnership with all stakeholders and partners towards the promotion of the Licensing Objectives.

8.3 The Licensing Authority expects applicants to address the Licensing Objectives within their operating schedules, having regard to the nature of the premises, the licensable activities to be provided, operational procedures, and the nature of the location and the needs of local communities. The operating schedule should contain sufficient information to enable the Licensing Authority, responsible authorities and other persons who may be affected by the operation of the licensed premises to assess whether the steps which will be taken to promote the Licensing Objectives are sufficient to mitigate any potential adverse impact.

3.15 The current hours for ‘Sign Of The Times’ are outside of this Policy on one occasion whereby the opening hour on Sundays goes beyond 23:00hrs. This is detailed on the current premises licence attached at **‘APPENDIX D’**.

3.16 Section 182 of the [‘Guidance issued under section 182 of the Licensing Act 2003’](#) (herein ‘the Guidance’) issued by the Secretary of state, states at paragraphs 9.37 and 9.38 that:

9.37 As a matter of practice, Licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular Licensing objective or Objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible Authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

9.38 In determining the application with a view to promoting the Licensing Objectives in the overall interests of the local community, the Licensing Authority must give appropriate weight to:

- *the steps that are appropriate to promote the Licensing Objectives;*
- *the representations (including supporting information) presented by all the parties;*
- *this Guidance;*
- *its own statement of Licensing Policy.*

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- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of Licensing Policy.

3.18 Paragraphs 9.42-9.44 of the Guidance deal with how to determine actions that are appropriate for the promotion of the Licensing Objectives.

- 3.19 If members determine to impose conditions to mitigate concerns regarding the suggested undermining of the Licensing Objectives, then Chapter 10 of the Guidance deals with conditions attached to premises licenses. The Guidance should be considered along with the East Herts ['Pool of Model Conditions'](#).
- 3.20 Chapter 11 of the guidance deals with reviews and paragraphs 11.16 – 11.23 are particularly relevant as it deals with the powers the Licensing Authority must determine the application.
- 3.21 Section 13 of East Herts District Councils Statement of Licensing Policy deals with reviews. Paragraph 13.6 details the options available to the committee. This is detailed under section 4 of this report, Options.

Officer observations

- 3.22 As stated in the Guidance, the Authority's decision should be evidence-based, justified as being appropriate for the promotion of the Licensing Objectives and proportionate to what the review application is intended to achieve.

- 3.23 **'APPENDIX A'** details the following:

'On the evening of 6th July 2024 a pedestrian heading towards the festival was struck by a car in Albury Road. The casualty later died. This incident is currently under investigation by the police'.

In addition, whilst there were clear failures in the management of the event in 2024, there were also failings in the preparation of the events held at this site in preceding years regarding traffic management plans being both insufficient and delivered late, and then not adhered to'.

- 3.24 **'APPENDIX B'** is the statement from a member of the public, a resident of Little Hadham. This statement details incidents from 5th – 7th July 2024, summarised as follows.

-Traffic movement on site: Evidence: KP12, KP13 and KP14. "The Industrial Estate was turned into a one-way system using Lime Trees as the primary vehicular access route. After a heavy rainfall, Lime Trees was being used by cars and pedestrians. This brought the festival traffic in direct conflict with pedestrians, at serious risk of collision and injury".

-Parking on site: Evidence: KP/5 and KP/6.

“Despite rain being forecast, no contingency had been made for wet, muddy, and slippery conditions. The dedicated parking for disabled attendees became treacherous.”

-Parking off site: Evidence: KP/1, KP/2, KP/3, KP/4, KP/7, KP/8, KP/9, KP/10, KP/11.

“Festivalgoers parked instead in Albury Road. A collision on this stretch of road between a car and a pedestrian on the Saturday evening (which later proved fatal for the pedestrian) required the emergency services to close the road for several hours.”

- 3.25 ‘**APPENDIX C**’ states the pedestrian involved in the fatal collision was a prospective festival attendee: “The collision occurred on 6th July 2024 at approximately 20.30hrs at the location of where the road passes over the new bypass on Albury Road, Much Hadham. The pedestrians were residents walking to the festival and the vehicle involved was passing through (not a festival goer).”
- 3.26 The evidence provided by the applicant on behalf of the member of public is strong. They have included a serious incident resulting in a loss of life, however the investigation by the police is yet to be concluded. They have evidenced an extensive number of concerns at the premises and in the immediate vicinity, consisting of failings to uphold the Licensing Objectives of: Prevention of a Public Nuisance & Promotion of Public Safety through lack of planning.
- 3.27 ‘**APPENDIX F**’ details the representations received during the consultation period. One representation received was from the Highways Authority at Hertfordshire County Council in support of the review application. The points raised in many of the representations are related to traffic and highways. A summary of the representation from the Highways Authority is below:
- The event organiser has failed to comply with the following Licensing conditions:
 - Event Management Plan submitted 3 months prior did not include suitable traffic management plans to address previous years concerns around safely managing traffic (pedestrians and motorists).
 - The event organiser has failed to provide suitable traffic management plans that address previous concerns within the timeframes stipulated within the conditions of the licence.

- The event organiser has failed to provide adequate traffic management on site.
- The event organiser has failed to suitably manage traffic associated with the event on the public highway.
- The location is not suitable for an event of this size due to the limited ingress/egress points.
- The location is not suitable for an event of this size due to the unsuitable and narrow ingress/egress points available.
- The location is not suitable for an event of this size due to the impact the event has on the business park.
- The location is not suitable for an event of this size due to the impact it has on the surrounding road network.
- The location is not suitable for an event of this size due to proximity of public rights of way that are inevitably impacted by the event.
- The location is not suitable for an event of this size due to the limited alternative parking available in the case of bad weather which has as detrimental impact on the public highway.

3.28 There were nine further representations in support of the review application. Please see a summary of the points raised across these representations detailed below:

- Serious concerns about Public Safety including Unsafe access into a working industrial estate with HGV movements alongside festival cars and motorhomes, residents, and people on foot.
- The unlit rural roads around the site are unsuitable for large volumes of traffic and people.
- No apparent plan for dealing with the chaos caused by the site becoming impassable due to deep mud which closed the on-site car parks and trapped many cars.
- Failure to comply with Licensing conditions.
- Failure to provide suitable traffic management plans.
- The event organiser does not appear to fully recognise or understand the complexities of the site and the traffic management requirements needed to manage it.
- Considerable disruption to the residents in Albury Road and surrounding roads in Little Hadham.
- No provisions made for disabled people.
- Poor signage and lighting.

3.29 There were two representations against the review application detailed on '**APPENDIX F**'. Please see a summary of these detailed below:

- Traffic was not unduly affected by the festival.
- Level of noise produced by traffic was comparable to the noise on nights where the M11 or A120 bypass are closed.
- Some noise pollution from festival stages; ‘significantly less than overflying aircraft’.

4.0 Options

4.1 The actions open to the Licensing Sub-Committee are:

- Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
- Exclude a licensable activity from the scope of the licence;
- Suspend the licence for a period not exceeding 3 months;
- Revoke the licence;
- Remove the designated premises supervisor (DPS);
- Make no changes to the licence.

4.2 The Licensing Sub-Committee should consider if they believe the applicant has provided sufficient evidence that the premises undermines the Licensing Objectives. This evidence should be balanced against the evidence given by the premises licence holder.

4.3 The Sub-Committee should consider whether the new licence holders continued operation of the licensed premises would be likely to fail to promote one or more of the Licensing Objectives having considered the evidence presented and all submissions. The Sub-Committee should consider that the Designated Premises Supervisor has remained the same following the transfer of the premises licence.

4.4 If the Sub-Committee determine the evidence to show that the premises has undermined any of the Licensing Objectives then guidance requires that the minimum steps needed to mitigate the issues should be the steps that are taken by the Authority. If, however, members feel the premises does not undermine the Licensing Objectives then no changes are required to the licence.

4.5 If considering making changes to the conditions on the premises licence, whether by adding, deleting, or amending conditions, members should decide whether these conditions would in fact mitigate the concerns raised on the balance of evidence provided. The failure of the licence

holder and DPS to comply with the conditions on the current premises licence is a valid consideration when deciding if changing conditions is an appropriate action.

- 4.6 The formatting of the conditions on the premises licence are not legible. It is recommended that any changes to the conditions, whether by adding, deleting, or amending conditions, must be formatted to be enforceable. They need to be clear, unambiguous, and free from subjective terms. If a condition cannot be enforced, then it should not be placed on any granted licence.
- 4.7 It is open to members to make changes to the premises licence. This could include limiting the hours of operation and/or excluding licensable activities from the scope of the licence. Clear justification for such steps would need to be given.
- 4.8 If taking the options described in points 4.5 to 4.7 do not mitigate members' concerns regarding the promotion of the Licensing Objectives, then the Sub-Committee can make the decision to temporarily suspend the licence for a period not exceeding three months. This licence is utilised for specific events throughout the year, should any proposed event come after the three-month suspension period then this option would be redundant. Justification for any suspension of the licence would need to be evidenced. Suspension can be independent of other options taken, or be taken concurrently with the changing of conditions, for example. This option could mitigate concerns temporarily; however, should not be used as a punitive measure, and clear justification would need to be given as to how this step would mitigate members' concerns beyond the three-month suspension considering the event-based nature of the licence.
- 4.9 If taking the options described in points 4.5 to 4.8 do not mitigate members' concerns regarding the promotion of the Licensing Objectives, then the Sub-Committee can make the decision to revoke the licence.
- 4.10 When the Licensing Sub-Committee gives its decision to those in attendance it should be made clear to all parties how much weight has been attached to each submission and what evidence members have relied upon when reaching their decision.
- 4.11 The comments, observations and suggestions contained within the body of this report and associated appendices do not fetter the Sub-

Committee's discretion to reach the decision they believe is most appropriate when considering all the merits of the individual case.

- 4.12 As stated in the Guidance, the council's decision should be evidence based, justified as being appropriate for the promotion of the Licensing Objectives and proportionate to what it is intended to achieve.

5.0 Risks

- 5.1 A decision on the application must be made and any decision made can be appealed at the Magistrate's Court. Therefore, the Licensing Sub-Committee should ensure that when giving their decision on the application they give clear reasons on how and why they have made their decision. In doing so, the council's ability to defend its decision is strengthened and the risk of its decision being over-turned on appeal is lessened, although, of course, this risk can never be entirely removed.

6.0 Implications/Consultations

- 6.1 As with any application for a new premise licence, variation of a premise licence or review of a premise licence there is a 28-day public consultation.
- 6.2 The 28-day public consultation commenced 1st April 2025 and the application was advertised correctly.

Community Safety

- 6.3 The report focuses on two of the four Licensing Objectives, Public Safety and Prevention of Public Nuisance therefore Community Safety will be considered when determining the application.

Data Protection

- 6.4 Where the appendices have shown personal data, this has been redacted.

Equalities

- 6.5 Consideration has made to the Equality Act 2010 and the Public Sector Equality Duty in this report and will be considered during the Licensing Sub-Committee hearing.

Environmental Sustainability

6.6 Not applicable to this report.

Financial

6.7 There will be a cost to the Authority in holding the Licensing Sub-Committee hearing; this will be covered by the existing budget. There would be a cost if the decision of the Licensing Sub-Committee is appealed to the Magistrates Court and the Authority chooses to defend that appeal.

Health and Safety

6.8 None arising directly from this report.

Human Resources

6.9 None arising directly from this report.

Human Rights

6.10 As with all applications and Council functions, the Human Rights Act 1998 has been considered in this report and will be considered during the Licensing Sub-Committee hearing.

Legal

6.11 All statutory requirements have been considered in preparing this report.

Specific Wards

6.12 Yes – Little Hadham.

7.0 Background papers, appendices, and other relevant material

7.1 Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025) -
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-Licensing-act-2003>

7.2 East Herts Statement of Licensing Policy 2021-2026

<https://cdn-eastherts.onwebcurl.com/s3fs-public/2022-03/Statement%20of%20Licensing%20Policy%202021-26%20Mar%2022.pdf>

- 7.3 East Herts Pool of Model Conditions 2021
<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2021-08/Pool%20of%20Model%20Conditions%202021%20%28accessible%29.pdf>
- 7.4 **Appendix ‘A’** – Review Application
- 7.5 **Appendix ‘B’** – Public Statement
- 7.6 **Appendix ‘C’** – Police Correspondence
- 7.7 **Appendix ‘D’** – Sign Of The Times Premises Licence
- 7.8 **Appendix ‘E’** – Plans
- 7.9 **Appendix ‘F’** – Representations
- 7.10 Supplementary attachments to Appendix F

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