

# **East Herts Council Report**

## **Licensing Sub-Committee**

**Date of Meeting:** 19 December 2025.

**Report by:** Vicky Glover-Ward, Executive Member for Planning and Growth.

**Report title:** Application for a new premises licence for Sound Live Limited, Tewin Bury Farm, Hertford Road, Tewin, Hertfordshire, AL6 0JB

**Application Reference:** 25/1695/PL

**Ward(s) affected:** Hertford rural

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### **Summary**

An application for a new premises licence for a festival submitted by Sound Live Limited, at Tewin Bury Farm, Hertford Road, Tewin, Hertfordshire, AL6 0JB. The application has received representations from members of the public, a parish council and one responsible authority. Where representations are received against an application, and not withdrawn, there must be a Licensing Sub-Committee meeting to decide that application. This report is to inform that decision.

### **RECOMMENDATIONS FOR LICENSING SUB-COMMITTEE**

**(a) The application for a new 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 application for a new premises

licence 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 a new premises licence or certificate must be determined.

2.2 Where valid representations are received the council's discretion is engaged. A Licensing Sub-Committee has the delegated authority to determine applications for new and varied licenses and certificates. This decision must be made whilst having regard to the nationally set Licensing Objectives, the council'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 application by Sound Live Limited was submitted on 30.10.2025. The application states:

*"We are applying for a permanent Premises Licence to undertake a 2 day music event to be held in either June or July each year (annually). The licensable activities to include:*

*sale of alcohol, exhibition of a film, the performance of live music and the provision of playing of recorded music, the performance of dance, and the making of music and all relevant licensable activities associated with a music event and things of a similar kind; please see the premises plan for details of the layout.”*

3.2 The below table details the licensable activities, and the opening hours as applied for:

<b>25/1695/PL</b>	<b>Days:</b>	<b>Times:</b>
Sale of alcohol (for consumption on premises)	Saturday and Sunday	12:00 - 23:00hrs
Live music	Saturday and Sunday	12:00 - 23:00hrs
Recorded music	Saturday and Sunday	12:00 - 23:00hrs
Films	Saturday and Sunday	12:00 - 23:00hrs
Performance of dance	Saturday and Sunday	12:00 - 23:00hrs
Entertainment of a similar nature	Saturday and Sunday	12:00 - 23:00hrs
Opening Hours	Saturday and Sunday	12:00 - 00:00hrs

3.3 **Appendix 'A'** is a redacted copy of the premises license application form. This shows the opening hours and licensable activities as applied for and states the proposed capacity as 19,999 people.

- 3.4 **Appendix 'B'** is the Site Plan, this expands upon Section 18 of the application form and the steps the applicant intends to take to promote the four Licensing Objectives. The Site Plan also shows suggested risk mitigation, a breakdown of ticket types, terms and conditions of entry, details on bars and food traders, crowd and capacity management, medical, fire and emergency protocols and more.
- 3.5 **Appendix 'C'** is a map of the proposed licensable area.
- 3.6 **Appendix 'D'** is a Draft Sound Management Plan. This details examples of the mitigation that may be proposed to prevent unwanted noise and disturbance.
- 3.7 The 28-day statutory public consultation started on 31.10.2025 and ended on the 27.11.2025. Officers checked the blue notices and newspaper advert were placed and the application was advertised correctly.
- 3.8 During the consultation period the following valid representations were received:
- thirty-two representations were received from members of the public; and
  - one representation from the Tewin Parish Council.
- These representations are attached as **Appendix 'E'**.
- 3.9 During the consultation period a valid representation was received from the Police in their capacity as a responsible authority. This representation is attached as **Appendix 'F'**.
- 3.10 In summary, the representations assert that two of the four

Licensing Objectives, would be undermined if the application is granted as requested. These are:

- Public Safety
- Prevention of Public Nuisance

3.11 The public representations express concerns regarding:

- routes to the festival site not being safe; blind corners, older construction susceptible to wear and tear impacting public safety
- increase in traffic causing nuisance
- noise pollution
- insufficient planning regarding vehicle access for both the public and emergency services
- public safety relating to the location of the proposed premises licence being next to River Mimram

3.12 The Tewin Parish Council representation expresses similar concerns regarding:

- noise management measures including noise pollution, with focus on new buildings being erected not included in the plan
- public access to premises
- vehicular access to premises
- traffic management
- crowd control at the end of the event

3.13 The Police representation states that they have concerns with the following:

- the lack of a comprehensive Traffic Management Plan

- the insufficient pedestrian safety measures

## Policy and Guidance

3.14 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 'Sound Live Ltd' 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.'*

3.15 The table at 6.9 of the Policy details the council's approach to hours for licensed premises of this type. Notwithstanding that each application is considered on its own merits the following hours would normally be granted to this style of premises 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.'*

3.16 The proposed hours for licensable activity for this application are within those stated in the Policy.

3.17 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.

3.18 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 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.*

3.19 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.

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

3.21 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’](#).

### **Officer observations**

3.22 As stated in the Guidance, the Sub-Committee’s decision should be evidence-based, justified as being appropriate for the promotion of the Licensing Objectives and proportionate.

3.23 Section 18 of the application form, ‘Licensing Objectives’, has been separated by the applicant and submitted within the Site Plan attached as **Appendix ‘B’**.

**Appendix ‘B’** states the applicant is committing to the following:



- regular meetings with Hertfordshire Police
- having security, to be further detailed in the Event Management Plan
- no under 18s to be employed
- to keep a register of Security employed
- to have eviction process
- CCTV being installed, with locations marked on the map
- to have a search policy at public entrances
- no glass in the arena
- to hold resident meetings
- a sound management plan produced by a qualified acoustic consultant
- to ensure no under 18s are on the premises without an accompanying adult present. Tickets terms and conditions will state this, and a Welfare plan will take this into account
- Health and safety management

3.24 **Appendix 'B'** details a proposed Event Management Plan on page 8. This states that the Event Management Plan will be produced 28 days prior to the first event day. We have a Draft Sound Management Plan at **Appendix 'D'** but we do not have any proposed conditions to guarantee what this will include, only examples. This does not mitigate the risk of undermining the Licensing Objectives.

3.25 A full map of the premises licence found at **Appendix 'C'**.

3.26 **Appendix 'D'** is the Draft Sound Management Plan. This details examples of mitigation as follows:

- Detailed description of decibel limits proposed
- Overview of the companies involved in the management of sound and consultants to be utilised
- Details on the existing premises Tewinbury Farm
- Details of sound checks already conducted in the area
- Identification of, and mitigation for, primary and secondary sources of noise
- Prediction models of noise levels at specific locations
- Commitment to monitor noise with calibrated equipment and minimise complaints
- Community and engagement, sharing key event details and a helpline available for residents

It should be noted that this is a draft document. There are currently no commitments, or proposed conditions, that state the Licence Holders will implement the Draft Sound Management Plan.

3.27 **Appendix 'E'** consists of thirty-two public representations and one representation from Tewin Parish Council.

The representations express concerns regarding noise pollution, the capacity, vehicular access, emergency services access, and damage to the environment, which can be under the public safety and public nuisance objectives.

3.28 The public representations and the representation from Tewin Parish Council express concern regarding traffic disruption, public safety on roads, public and emergency service vehicle access, in particular from the B1000. Hertfordshire Police have worked with Hertfordshire County Council when making their representation. Their representation focuses on the lack of a prepared Traffic Management Plan. Should agreement on any

additional conditions be reached between the applicant and the Hertfordshire Police and Hertfordshire County Council Highways department, consideration should be given by the Committee as to whether these conditions could be considered sufficient mitigation of the other representations that had been received.

3.29 The public objectors were given the opportunity to mediate with the applicant within the consultation process. A public meeting organised by the applicant took place on the 26.11.2025. The licensing authority was not invited to attend. No representations received prior to the meeting were withdrawn following the meeting.

3.30 **Appendix 'F'** details the Police representation. No agreement on conditions has been reached.

The Police representation details concerns regarding:

- the lack of a comprehensive Traffic Management Plan
- the insufficient pedestrian safety measures
- the absence of agreed conditions

*To conclude, the Police state that, 'Given the absence of a comprehensive Traffic Management Plan and agreed conditions, we cannot confirm that the licensing objectives will be upheld. Unless the matters are resolved and fully consulted upon, we recommend that the application is either deferred to allow proper consideration or refused in its current form. Proceeding without these safeguards would present unacceptable risks to public safety and could lead to serious operational challenges during the event.'*

## **4.0 Options**

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

- grant the licence as requested
- grant the licence subject to —
  - i. modified conditions; and/or
  - ii. additional conditions; and/or
  - iii. modified hours or activities

if appropriate and proportionate to promote the relevant Licensing Objectives

- refuse the application.

4.2 If considering additional or amended conditions, members should decide whether these conditions would in fact mitigate the concerns raised on the balance of evidence provided.

4.3 Any proposed 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.

4.4 It is open to members to make changes to an application. This could include limiting the hours of operation and/or excluding licensable activities from the scope of the licence. Clear justification for this step would need to be given.

4.5 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.

4.6 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 case.

- 4.7 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 This 28-day public consultation commenced 31<sup>st</sup> October 2025 and ended on the 27<sup>th</sup> November 2025. This was advertised correctly.

### **Community Safety**

6.3 The report focuses on two of the Licensing Objectives, Promote 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 the drafting of 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 council in holding the Licensing Sub-Committee hearing; this will be covered by the existing budget. There would be an unbudgeted cost if the decision of the

Licensing Sub-Committee is appealed to the Magistrate's Court and the council 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 – Hertford Rural.

## **7.0 Background papers, appendices, and other relevant material**

7.1 Revised Guidance issued under section 182 of the Licensing Act 2003 (November 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' – Application Form
- 7.5 Appendix 'B' – Site Plan
- 7.6 Appendix 'C' – Map
- 7.7 Appendix 'D' – Draft Sound Management Plan
- 7.8 Appendix 'E' – Public and Tewin Parish Council Representations
- 7.9 Appendix 'F' – Police Representation

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