

**North Hertfordshire District Council
Licensing Act 2003
Decision Notice**

Date of Hearing	Monday, 18 April 2016												
Members of Panel	Councillors David Barnard, Jean Green and Gary Grindal												
Applicant(s) Name	Dale Mabert on behalf of HertsSC												
Premises Address	Baldock Road Recreation Ground, Letchworth Garden City, Herts.												
Date of Application	22 February 2016												
APPLICATION FOR GRANT	<p>This is an application for the grant of a Premises Licence under Section 17 of the Licensing Act 2003.</p> <p>The Sub-Committee has read the material presented to it and has listened to all the evidence and submissions. The Sub-Committee has considered the National Guidance and the Statement of Licensing Policy and has come to the following decision:</p> <p>1. The application is <u>approved</u> subject to the conditions and hours as are set out below.</p> <p>1. <u>OPENING HOURS</u></p> <p>The permitted opening hours are:</p> <table> <tr> <td>Friday (1/7/16)</td> <td>1700hrs to 2200hrs</td> </tr> <tr> <td>Saturday (2/7/16)</td> <td>1200hrs to 2200hrs</td> </tr> <tr> <td>Sunday (3/7/16)</td> <td>1200hrs to 1800hrs</td> </tr> </table> <p>2. <u>LICENSABLE ACTIVITIES</u></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> • PART A – Performance of Plays (outdoors) • PART E – Live Music (outdoors) • PART F – Recorded Music (indoors and outdoors) • PART G – Performances of Dance (outdoors) • PART J – Sale or supply of alcohol (for consumption on the premises) <p>The hours during which the licensable activities may take place are:</p> <p>PART A - Performance of Plays (outdoors) PART E – Live Music (outdoors) PART F – Recorded Music (indoors and outdoors) PART G – Performance of Dance (outdoors)</p> <table> <tr> <td>Friday (1/7/16)</td> <td>1700hrs to 2130hrs</td> </tr> <tr> <td>Saturday (2/7/16)</td> <td>1200hrs to 2130hrs</td> </tr> <tr> <td>Sunday (3/7/16)</td> <td>1200hrs to 1730hrs</td> </tr> </table>	Friday (1/7/16)	1700hrs to 2200hrs	Saturday (2/7/16)	1200hrs to 2200hrs	Sunday (3/7/16)	1200hrs to 1800hrs	Friday (1/7/16)	1700hrs to 2130hrs	Saturday (2/7/16)	1200hrs to 2130hrs	Sunday (3/7/16)	1200hrs to 1730hrs
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	<p>PART J – Sale and supply of alcohol</p> <p>Friday (1/7/16) 1700hrs to 2115hrs Saturday (2/7/16) 1200hrs to 2115hrs Sunday (3/7/16) 1200hrs to 1700hrs</p>
<p>CONDITIONS DEEMED APPROPRIATE FOR THE PROMOTION OF THE LICENSING OBJECTIVES</p>	<p>The Sub-Committee recognises that conditions will <u>only</u> be imposed on a licence where conditions are appropriate for the promotion of one of the four licensing objectives. The Sub-Committee will only impose conditions on a licence where relevant representations have been made and it considers that it is appropriate to impose conditions as a result of these representations.</p> <p>The following condition is considered appropriate by the Sub-Committee to promote the licensing objectives of the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.</p> <p>The condition is:</p> <ol style="list-style-type: none"> 1. The event organisers shall ensure regular patrols around the perimeter of the event and adjacent to the residential areas by easily identifiable staff.
<p>CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES</p>	<p>The Licence will include conditions agreed between the applicant and Hertfordshire Constabulary, NHDC Environmental Protection, NHDC Licensing Manager and NHDC Environmental Health, as set out in Appendices B, C, D and E, respectively, to the Licensing Officer's report.</p> <p>The following additional condition has been recommended by NHDC Environmental Health and is considered <u>appropriate</u> to ensure the promotion of one of the four licensing objectives, namely Public Safety:</p> <ol style="list-style-type: none"> 1. A suitably experienced and qualified safety officer be appointed for assisting in the planning, build and during the event.
<p>CONDITIONS PROPOSED BY APPLICANT</p>	<p>This licence will be subject to the Mandatory, General and Operating Schedule conditions set out in Appendix G to the Licensing Officer's report, in order to promote the four licensing objectives.</p>
<p>EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT</p>	<p>The effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, would result an unlimited fine or up to six months imprisonment or both.</p>
<p>STATUTORY GUIDANCE CONSIDERATIONS</p>	<p>The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (March 2015 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p> <p>Sections 1.3, 1.4, 1.16, 1.17, 2.14, 2.15, 2.20, 8.33, 8.34, 8.35, 8.36, 9.12, 10.6, 10.9 and 10.10</p>

<p>LICENSING POLICY CONSIDERATIONS</p>	<p>The Sub-Committee has taken into account the North Hertfordshire District Council's Statement of Licensing Policy in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision.</p> <p>Sections B6, B7, B8, B9, B10, D1.5, D2.1, D2.9, D6.2, D6.3, E3.9.1, E3.9.2, E3.9.3, F2.1, F2.2, F2.3, F2.4, F2.5, F8.1, F8.2, G2.1, G2.2, G2.3, G2.4, G2.5, G2.6, G2.7, G2.8, G2.9, G2.10, G2.11, G4.1, G4.2, G5.1, G5.2, G5.3, G5.4, G5.5, G5.6, G8.2.1, G8.2.2, G8.2.3, G8.8.1, G8.8.2, G8.8.3, G8.8.6, H2.1, H2.2, H2.3, H3.1 and H3.2</p>
<p>RATIONALE FOR DECISION</p>	<ol style="list-style-type: none"> 1. The Sub-Committee considered the evidence presented by the interested parties and were satisfied that the applicant had taken suitable steps to address the representations out forward by the interested parties, including, but not limited to, the condition concerning the appointment of a suitable experienced and qualified safety officer. 2. With respect to the concerns expressed by the objectors surrounding the issue of parking, the Sub-Committee were satisfied that the applicants had sought assurances from the various businesses situated at the nearby commercial site for use of their car parking facilities. 3. In relation to the objections concerning potential noise nuisance emanating from the event, the Sub-Committee were satisfied that there were sufficient conditions in the application that would properly police the noise levels. The Sub-Committee were also satisfied by the appointment of a noise expert by the applicant, as well as the fact that there would be ongoing reviews undertaken by the local authority. 4. The Sub-Committee were satisfied that the positioning of the stages, as outlined in the application, would play a significant part in reducing the levels of noise being experienced by the residents bordering the perimeter of the event. 5. The Sub-Committee felt that regular patrols around the perimeter of the event and adjacent to the residential areas by easily identifiable event staff was necessary to promote all four of the licensing objectives.
<p>COMMENCEMENT DATE</p>	<p>This licence will come into effect from the date of this decision.</p>
<p>RIGHTS OF REVIEW</p>	<p>At any stage, following the grant of a premises licence, a responsible authority, such as the Police, or any other person that is affected by the application may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. The review is a request for the Council to look at the existing licence and decide whether its conditions are adequate to meet the four licensing objectives defined under the Licensing Act 2003.</p>