

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

Date of Hearing	30 January 2017
Members of Panel	Councillors D. Barnard, J. McNally and M. Muir
Applicant(s) Name	Ad Hoc Wine Bars Ltd.
Premises Address	Summer Soul, Fish Hill Square, Royston, Herts.
Date of Application	2 December 2016
<b>APPLICATION FOR GRANT</b>	<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><b>1. <u>OPENING HOURS</u></b></p> <p>The permitted opening hours are:</p> <p>One Bank Holiday Sunday in August each year: 1200hrs to 2300hrs</p> <p><b>2. <u>LICENSABLE ACTIVITIES</u></b></p> <p>The licensable activities applied for are:</p> <ul style="list-style-type: none"> <li>• PART E – Live Music</li> <li>• PART F – Recorded Music</li> <li>• PART G – Performance of a Dance</li> <li>• PART H – Anything of a Similar Nature – Parts E, F or G</li> <li>• PART I – Late Night Refreshment</li> <li>• PART J - Supply of alcohol</li> </ul> <p>The hours during which the licensable activities may take place are:</p> <p><b>PART E - Live Music</b></p> <p>One Bank Holiday Sunday in August each year: 1200hrs to 2200hrs</p> <p><b>PART F - Recorded Music</b></p> <p>One Bank Holiday Sunday in August each year: 1200hrs to 2230hrs</p>

	<p><b>PART G - Performance of a Dance</b></p> <p>One Bank Holiday Sunday in August each year: 1200hrs to 2230hrs</p> <p><b>PART H - Anything of a Similar Nature – Parts E, F or G (TV screen streaming live events going on in Fish Hill Square)</b></p> <p>One Bank Holiday Sunday in August each year: 1200hrs to 2230hrs</p> <p><b>PART J - Supply of alcohol</b></p> <p>One Bank Holiday Sunday in August each year: 1200hrs to 2230hrs</p>
<p><b>CONDITIONS DEEMED APPROPRIATE FOR THE PROMOTION OF THE LICENSING OBJECTIVES</b></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 conditions are each considered appropriate by the Sub-Committee to promote the licensing objective of the prevention of crime and disorder, the protection of children from harm, public safety and the prevention of public nuisance.</p> <p>The conditions are:</p> <ol style="list-style-type: none"> <li>1. A maximum attendance of 1,500 persons at any one time.</li> <li>2. All bars within the licensable area will operate a Challenge 25 policy when selling alcohol.</li> <li>3. The event organisers shall be responsible for ensuring that pedestrians, who are not attending the event, are not restricted free passage of public footways.</li> </ol>
<p><b>CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES</b></p>	<p>The following conditions have been agreed with NHDC Environmental Health and are considered appropriate for the promotion of one of the four licensing objectives, namely the prevention of public nuisance.</p> <p><u>PS1 – Event Management Plan</u> The premises licence holder shall submit a draft Event Management Plan to the Council's Environmental Health Officer no later than three (3) calendar months prior to the commencement of the event and a final management plan no later than twenty-eight (28) days prior to the commencement of the event build-up on site.</p> <p><u>PS2 – Event Management Plan</u> The Event Management Plan shall cover the following areas to the complete satisfaction of the Council's Environmental Health Officer:</p>

- a scaled site plan, showing how each part of the licensed area will be used, identification of all structures, access routes and ingress/egress points;
- a table listing all areas and the spaces allocated to each;
- roles and responsibilities of all key personnel responsible for managing the event, including names and contact numbers plus back-up contacts in the event of their non-availability;
- risk assessments for all activities relating to the event;
- full details of security and stewarding arrangements (including public address system) and the use of barriers;
- details of proposed special effects (including fireworks, lasers, dry ice, special lighting effects) and proposed safety arrangements associated with their use;
- layout and facilities in any campsites and management arrangements for camping areas (including policies on camp-fires and barbecues);
- smoking policy in the licensed area;
- medical and first aid provision;
- plan for controlling and managing vehicle movements on the site on event days, during site build-up and site breakdown;
- management arrangements for site access and egress;
- details of electrical installations for the event, including generators. This should include how cable hazards will be avoided and measures to prevent members of the public from interfering with any parts of the electrical installations;
- provision of artificial lighting to all parts of the licensed area, including emergency lighting;
- arrangements for the provision of sanitary accommodation (including toilets, washing facilities and washing-up facilities) plus methods for the disposal of waste water;
- arrangements for the management of sanitary accommodation during the event.
- details of the provision of drinking water in the licensed area during the event.

PS3 – Temporary Demountable Structures

The premises license holder shall submit a scaled plan showing the location of all proposed temporary demountable structures within the licensed area no later than twenty-eight (28) days prior to the commencement of the event build-up on site. Details of these structures will include:

- a plan to a suitable scale indicating the location of all such structures;
- a description and type of each structure, for non-standard structures a detailed design statement should accompany the description;
- the person(s) responsible is/are identified and their competency proven for the:
  - (i) construction of each structure;
  - (ii) 'sign-off' of each structure, including the format of the

	<p>certificate (the term sign off refers to written documentation that states that the structure is safe and fit for the proposed purpose and identifies any limitations);</p> <p>(iii) for non-standard structures or designs those responsible for third party accreditation with regard design and sign-off;</p> <p>(iv) for monitoring the structure during the licensed period.</p> <ul style="list-style-type: none"> <li>• location and availability of the 'sign-off for use' completion certificates;</li> <li>• monitoring of structures in line with the risk assessment</li> <li>• details of the limitations placed upon the structure other than wind speed;</li> <li>• details of limiting wind speeds for each structure, the method of assessing the wind speed during the event and what action is to be taken at relevant speeds.</li> </ul> <p><u>PS4 - Multi Agency Meetings</u> The premises licence holder will ensure that a schedule of multi-agency meetings are held on site before and during the event, and that a full multi-agency debrief is held as soon as possible, but no later than three (3) months after the event taking place each year.</p> <p><u>PS5 – Safety Officer</u> The premises licence holder will ensure that a competent (suitably experienced and qualified) safety officer be appointed for assisting in the planning, build and during the event.</p>
<p><b>CONDITIONS PROPOSED BY APPLICANT</b></p>	<p>This licence will be subject to the conditions that are consistent with the terms offered by the applicant in order to promote the four licensing objectives set out in Part M of their application.</p> <p>Plus:</p> <ol style="list-style-type: none"> <li>1. The applicant will produce an event management plan which will form the operating schedule. The event management plan otherwise known as the “Safety File” will be discussed and agreed with all responsible authorities no later than 28 days prior to the event. Where the event management plan is not agreed by all parties, the event will not go ahead.</li> </ol>
<p><b>EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT</b></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 in an unlimited fine or up to six months imprisonment or both.</p>
<p><b>STATUTORY GUIDANCE CONSIDERATIONS</b></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><b>Paragraphs 1.3, 1.4, 1.5, 1.16, 1.17, 2.1, 2.3, 2.11, 2.14, 2.15, 2.16, 2.17, 2.18, 2.20, 8.33, 8.34, 8.36, 8.38, 8.39, 9.12, 9.41, 9.42, 9.43 and 10.10</b></p>

<p><b>LICENSING POLICY CONSIDERATIONS</b></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><b>Paragraphs B6, B7, B8, B9, D1.5, D1.6, D1.8, D2.1, D2.4, D2.5, D2.6, D2.9, D3.4, D6.2, D6.3, D6.8, D8.1, D8.2, D8.3, E2.4.1, E3.1.1, E3.3.1, E3.8.1, E3.8.2, E3.9.1, E3.9.2, E3.9.3, F8.1, F8.2, G2.6, G2.7, G2.11, G6.1.1, G6.1.2, G6.1.3, G6.3.1, G6.3.2, G6.3.3, G6.3.4, G6.6.1, G6.6.2, G8.2.1, H2.1, H2.2, H2.3 and O1.1</b></p>
<p><b>RATIONALE FOR DECISION</b></p>	<ol style="list-style-type: none"> <li>1. The Sub-Committee gave careful consideration to all of the representation made at the hearing, in particular the account given by Mr Furber of how noisy the event was and the associated difficulty in sleeping that goes with this. In recognition of this concern, the Sub-Committee felt it was appropriate to reduce the time for which live and recorded music could be played to 22:30.</li> <li>2. The Sub-Committee were also concerned by the representations that the previous event was overly crowded with a potential for the police to struggle in the event of a public order incident. It was therefore considered appropriate to restrict the maximum attendance of the event to 1,500 persons at any one time.</li> <li>3. Careful consideration was given to the representations surrounding the 14 year old girl who was found to be highly inebriated at the 2016 event, and it was therefore felt appropriate to add a condition requiring all bars within the event to operate a Challenge 25 programme throughout the licensable period.</li> <li>4. The Sub-Committee did not feel that there could be a repeat of the situation where pedestrians are denied the right to pass and repass over public footways in pursuance of their lawful activities, and so it was felt appropriate to include a condition to ensure that this does not reoccur.</li> </ol>
<p><b>COMMENCEMENT DATE</b></p>	<p>This licence will come into effect from the date of this decision.</p>
<p><b>RIGHTS OF REVIEW</b></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>