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NORTH HERTFORDSHIRE DISTRICT COUNCIL

LICENSING AND APPEALS SUB-COMMITTEE

MEETING HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES, GERON ROAD, LETCHWORTH GARDEN CITY ON MONDAY, 28TH JANUARY, 2019 AT 10.00 AM

MINUTES

Present: *Councillors Jim McNally (Chairman), Jean Green and Gerald Morris*

In Attendance: *Steve Cobb (Licensing Manager), Molly Shiells (Licensing Officer) and Nurainatta Katevu (Planning Lawyer) and Amelia McNally (Committee & Member Services Officer)*

Also Present: *At the commencement of the meeting approximately 12 members of the public, including 8 registered speakers.*

4 HEARING PROCEDURE

The Hearing Procedure was noted.

5 APPLICATION FOR THE GRANT OF A PREMISES LICENCE

The Report of the Licensing Officer was noted.

6 DECISION NOTICE

RESOLVED: That the application for a new Premises License is approved subject to the conditions and hours as are set out in decision notice.

The Licensing Sub- Committee adjourned meeting for a comfort break at 11.45am

The Licensing Sub-Committee re-convened at 12.05pm

The Licensing Sub-Committee adjourned to deliberate at 12.57pm

The Licensing Sub-Committee re-convened at 3.14pm

The Meeting Closed at 3.25pm

Chairman

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

Date of Hearing	Monday 28 January 2019												
Members of Panel	Councillors Jim McNally, Gerald Morris and Jean Green												
Applicant(s) Name	Sausage and Gobbler Productions Ltd												
Premises Address	Todd in the Hole, Bury Wood, Todds Green, Stevenage, SG1 2JE												
Date of Application	6 December 2018												
APPLICATION FOR THE GRANT OF A PREMISES LICENCE	<p>This is an application for a new 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 border="1"> <tr> <td>Friday</td><td>12:00hrs – 02:00hrs the following morning</td></tr> <tr> <td>Saturday</td><td>11:00hrs – 02:00hrs the following morning</td></tr> <tr> <td>Sunday</td><td>11:00hrs – 23:00hrs</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 – Plays (Outdoors) • PART B – Films (Outdoors) • PART E – Live Music (Outdoors) • PART F – Recorded Music (Outdoors) • PART G – Performance of Dance (Outdoors) • PART I – Late Night Refreshment (Outdoors) • PART J – Supply of Alcohol (On the premises) <p>The hours during which the licensable activities may take place are:</p> <p>PART A – Plays (Outdoors)</p> <table border="1"> <tr> <td>Friday</td><td>12:00hrs – 19:00hrs</td></tr> <tr> <td>Saturday</td><td>11:00hrs – 19:00hrs</td></tr> <tr> <td>Sunday</td><td>11:00hrs – 19:00hrs</td></tr> </table>	Friday	12:00hrs – 02:00hrs the following morning	Saturday	11:00hrs – 02:00hrs the following morning	Sunday	11:00hrs – 23:00hrs	Friday	12:00hrs – 19:00hrs	Saturday	11:00hrs – 19:00hrs	Sunday	11:00hrs – 19:00hrs
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	<p>PART E – Live Music (Outdoors)</p> <table border="1"> <tr> <td>Friday</td><td>12:00hrs – 23:00hrs</td></tr> <tr> <td>Saturday</td><td>11:00hrs – 23:00hrs</td></tr> <tr> <td>Sunday</td><td>11:00hrs – 22:30hrs</td></tr> </table> <p>PART B – Films (Outdoors) PART F – Recorded Music (Outdoors) PART G – Performance of Dance (Outdoors)</p> <table border="1"> <tr> <td>Friday</td><td>12:00hrs – 01:00hrs the following morning</td></tr> <tr> <td>Saturday</td><td>11:00hrs – 01:00hrs the following morning</td></tr> <tr> <td>Sunday</td><td>11:00hrs – 22:30hrs</td></tr> </table> <p>PART I – Late Night Refreshment (Outdoors)</p> <table border="1"> <tr> <td>Friday</td><td>23:00hrs – 00:00hrs (midnight)</td></tr> <tr> <td>Saturday</td><td>23:00hrs – 00:00hrs (midnight)</td></tr> </table> <p>PART J – Supply of Alcohol (For consumption on the premises)</p> <table border="1"> <tr> <td>Friday</td><td>12:00hrs – 00:00hrs (midnight)</td></tr> <tr> <td>Saturday</td><td>11:00hrs – 00:00hrs (midnight)</td></tr> <tr> <td>Sunday</td><td>11:00hrs – 22:00hrs</td></tr> </table>	Friday	12:00hrs – 23:00hrs	Saturday	11:00hrs – 23:00hrs	Sunday	11:00hrs – 22:30hrs	Friday	12:00hrs – 01:00hrs the following morning	Saturday	11:00hrs – 01:00hrs the following morning	Sunday	11:00hrs – 22:30hrs	Friday	23:00hrs – 00:00hrs (midnight)	Saturday	23:00hrs – 00:00hrs (midnight)	Friday	12:00hrs – 00:00hrs (midnight)	Saturday	11:00hrs – 00:00hrs (midnight)	Sunday	11:00hrs – 22:00hrs
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<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 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 condition(s) are:</p> <ol style="list-style-type: none"> 1. to strengthen condition 29 of the operation schedule conditions the total capacity of admittance to the Arena is restricted to is two thousand (2,000) tickets on any event day 2. to strengthen condition 29 of the operation schedule conditions the premises licence holder will ensure that 'live music' on the stage area of the event site will cease at 23:00 hours on Friday and Saturday and at 22:30 hours on Sunday 3. as part of the traffic management plan mentioned at operation schedule condition 6(h), the premises licence holder will ensure that all vehicular traffic on the event days will maintain access and egress to and from the event site via 																						

	Blakemore End Road except disabled vehicles and vehicles for the campsite.
CONDITIONS PROPOSED BY APPLICANT	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 their application and included as part of Appendix A of the Licensing Officer's Report.
EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT	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.
STATUTORY GUIDANCE CONSIDERATIONS	<p>The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (April 2018 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p> <p>Sections</p> <p><i>Paragraphs 1.3, 1.4, 15, 1.16, 1.17, 2.1, 2.3, 2.7, 2.8, 2.10, 2.12, 2.15, 2.216, 2.18, 2.19, 8.38, 8.42, 8.43, 8.44, 9.12, 9.38, 9.42, 9.43, 9.44 and 10.10</i></p>
LICENSING POLICY CONSIDERATIONS	<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</p> <p><i>Sections B6, B7 B8, D1.5, D1.6, D1.8, D1.9, D2.1, D2.4, D2.5, D2.6, D2.9, D6.2, D6.3, D6.7, D6.8, D6.9, D8.1, D8.2, D8.3, E2.1, E2.4.1, E2.7.1, E3.1.1, E3.3.1, E3.8.1, E3.8.2, E3.9.2, E4.1, F4.1, F8.1, F8.2, F8.3, G1.1, G1.2, G1.3, G2.1, G2.2, G2.3, G2.6, 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, G6.6.3, G6.6.4, G6.6.5, G6.6.6, G7.6.1, H2.1, H2.2, H2.3 and O1.1</i></p>
RATIONALE FOR DECISION	<ol style="list-style-type: none"> 1. The Sub-Committee considered the representations of all the interested parties and were sympathetic to the concern raised by those present. However, the Sub-committee were satisfied that the Applicant had engaged a suitably specialised qualified team of experts to be able to properly promote the licensing objectives. 2. In reaching its decision to approve the application, the Sub-Committee were mindful of the Council's Licensing Policy, in particular paragraphs B8 and D.8.1 which state that the Council encourages greater live music, dance, theatre and other forms of entertainment for the benefit of the community, and that where activities require a licence, the Council will

	<p>seek to balance the potential for disturbance of local residents and businesses against the wider community and cultural benefit. It was determined by the Sub-Committee, that allowing the application was consistent with this policy statement.</p> <p>3. The Sub-Committee were concerned that the current traffic management plans were not very robust, it was therefore felt that an additional condition to address a particular concern was appropriate to promote the licensing objectives and recognises the need for effective management of traffic to and from the site on the public highway and strongly advise that the traffic management plan provides for effective measures to safeguard public safety and nuisance objectives</p>
COMMENCEMENT DATE	This licence will come into effect from the date of this decision.
RIGHTS OF REVIEW	At any stage, following the grant of a premises licence, a responsible authority, such as the Police, or any other person likely to be affected by the premises, may apply to the licensing authority to request a review of 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.

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