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NORTH HERTFORDSHIRE DISTRICT COUNCIL

LICENSING AND APPEALS SUB-COMMITTEE

**MEETING HELD IN THE FOUNDATION HOUSE, ICKNIELD WAY,
LETCWORTH GARDEN CITY
ON THURSDAY, 1ST FEBRUARY, 2018 AT 7.00 PM**

MINUTES

Present: *Councillors David Barnard, Gerald Morris and Mike Rice.*

In Attendance:

*Steve Cobb (Licensing Manager), Hannah Sweetman (Senior Licensing Officer), James Ellis (Legal Advisor) and Ian Gourlay (Committee and Member Services Manager).
Richard Maskell (Applicant)
Dale Mabbutt (Applicant's Representative)
23 local objectors*

Also Present: *Councillor Steve Jarvis.
7 members of the public.*

1 HEARING PROCEDURE

The Hearing Procedure was noted.

2 APPLICATION FOR PREMISES LICENCE IN RESPECT OF POPLARS FARM, ROE GREEN, SANDON

The report of the Licensing Officer was noted.

3 DECISION NOTICE

RESOLVED: That the application for a Premises Licence in respect of Poplars Farm, Roe Green, Sandon, be rejected.

[Note: the attached Decision Notice sets out the reasons for the Sub-Committee's decision.]

The meeting closed at 10.25 pm

Chairman

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

Date of Hearing	Thursday, 1 February 2018
Members of Panel	Councillors David Barnard, Gerald Morris and Mike Rice
Applicant(s) Name	Richard Maskell
Premises Address	Poplars Farm, Roe Green, Sandon, Herts. SG9 0QG
Date of Application	12 December 2017
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> <ol style="list-style-type: none"> 1. The application is <i>rejected</i>. The Sub-Committee has found that the licensing objectives of public safety, prevention of crime and disorder and prevention of public nuisance have not been met by the application and is not satisfied that any conditions attached to the licence could ensure the licence meets these objectives.
CONDITIONS DEEMED APPROPRIATE FOR THE PROMOTION OF THE LICENSING OBJECTIVES	<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.</p> <p>However, no conditions were considered suitable in the current application.</p>
CONDITIONS PROPOSED BY THE RESPONSIBLE AUTHORITIES	No licence is granted, and so conditions agreed with responsible authorities are no longer relevant.
CONDITIONS PROPOSED BY APPLICANT	No further conditions were proposed by the applicant during the course of the hearing.
EFFECT OF FAILING TO COMPLY WITH CONDITIONS EXPLAINED TO APPLICANT	There is no licence and so this is irrelevant.

STATUTORY GUIDANCE CONSIDERATIONS	<p>The Sub-Committee has taken into account the Guidance issued under Section 182 of the Licensing Act 2003 (April 2017 version) in reaching its decision. It has found the following sections to be of particular relevance in reaching this decision:</p> <p>Paragraphs 1.3, 1.4, 1.5, 1.16, 1.17, 2.1, 2.3, 2.7, 2.8, 2.10, 2.12, 2.15, 2.16, 2.18, 2.19, 2.22, 2.27, 8.38, 8.39, 8.41, 8.43, 8.44, 9.12, 9.38, 9.42, 9.43, 9.44 and 10.10</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>Paragraphs B6, B7, B8, D1.5, D1.6, D1.8, D2.1, D2.4, D2.5, D2.6, D2.8, 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, E3.9.1, E3.9.2, E4.1, F4.1, F4.2, F4.3, F8.1, F8.2, F8.3, G1.1, G1.2, G1.3, G2.2, G2.3, G2.6, G2.11, G4.1, G4.2, G5.1, G5.2, G5.3, G5.4, G5.5, G5.6, G6.1.1, G6.1.2, G6.3.1, G6.3.2, G6.3.3, G6.3.4, G6.5.1, G6.5.2, 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</p>
RATIONALE FOR DECISION	<ol style="list-style-type: none"> 1. The Sub-Committee considered the representations of all of the interested parties, as well as those of the Applicant. The Sub-Committee were sympathetic to the concerns raised by those present, particularly those around the suitability of the site to accommodate an event of this size and nature. The Sub-Committee were not convinced that there were any appropriate steps which the Applicant could take, nor license conditions that could be imposed, that would sufficiently promote the four licensing objectives. 2. Due to the remoteness of the village, and the inadequate traffic infrastructure accessing it, the Sub-Committee had grave concerns that the anticipated high volume of traffic which would be caused by the event, would mean that the licensing objective of promotion of public safety would be put at significant risk. 3. The Sub-Committee were concerned that the number of proposed attendees was too high for the proposed site, and as a result meant that the licensing objectives of public safety, prevention of public nuisance and prevention of crime and disorder could not be promoted. 4. The proximity of the site to residential properties was a matter of concern to the Sub-Committee, and it was not felt that any conditions could be included on the licence that would promote the licensing objective of prevention of public nuisance.
COMMENCEMENT DATE	<p>There is no licence and so there is no commencement date.</p>
RIGHTS OF REVIEW	<p>There is no licence and so there is nothing to review.</p>